



LITTLE FALLS MASTER PLAN REEXAMINATION REPORT



Adopted by Little Falls Planning Board on April 6, 2023

Prepared by: H2M architects + engineers



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ACKNOWLEDGMENTS

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practical approach. creative results.

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12

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OVERALL GOALS & OBJECTIVES

In the Municipal Land Use Law, a master plan must include a “statement of objectives, principles, assumptions, policies, and standards upon which the constituent proposal for the physical, economic and social development of the municipality are based.” The 2002 Master Plan expressed these statements as a set of goals and objectives, with certain amendments made through adoption of the 2008 Re-examination Report. The 2013 goals and objectives replaced the previous goals and objectives identified in the 2002 Master Plan and 2008 Re-examination Report. The following list of goals formed the basis for the plans, policies, statements, and proposals of the 2013 Master Plan Re-examination document and which were reflected in the 2021 Master Plan Re-examination Report.

COMPREHENSIVE GOALS

1. Encourage the promotion of practical and appropriate development controls in order to promote and be consistent with the goals of the MLUL (N.J.A.C. 40:55D-2), which advocates the protection of the general health, safety and general welfare of the residents.
2. Continue to be a stable and diverse suburban community through the provision of a balanced land use pattern.
3. Encourage the site-specific appropriate production of a range of housing types and densities to meet the housing needs of the residents of Little Falls;
4. Protect the quality of surface and ground water;
5. Encourage the development of both active and passive recreation opportunities for all age groups, interest and abilities in the community, while maintaining sensitivity to environmental and cultural resources.
6. Maintain and enhance a thriving local economy that encourages the provision of more cost-effective public services, such as shared municipal services, in order to improve the quality of life;
7. Encourage the establishment of policies, codes and standards that promotes the use of sustainable development.
8. Upgrade, preserve and increase the economic and aesthetic vitality of the existing commercial areas (Route 46, Singac and Main Street), while being sensitive to adjacent existing uses.
9. To provide a coordinated transportation system for the movement of people and goods that is safe, efficient, and accessible to all;
10. Balance redevelopment initiatives in a manner that considers the fiscal impacts to the Township while not adversely



- impacting traffic, population, safety and environment, character and privacy of existing residential areas or placing increased demands on municipal services;
11. Provide community services and facilities required by a modern community in an efficient manner;
 12. Improve capabilities, coordination and opportunities at the municipal level and county levels to plan and implement hazard mitigation projects, programs, and activities to protect the residents of the Township of Little Falls;
 13. Develop a comprehensive strategy for balanced development in the Township for affordable housing;
 14. To encourage active participation in the planning process by Little Falls citizens; and
 15. Develop an implementation plan to support the suggested revisions to the current zoning ordinances, and to proceed with additional studies to support the recommendations of the Master Plan.

COMPREHENSIVE OBJECTIVES

Land Use

1. Maintain, preserve and enhance the existing established residential character of Little Falls neighborhoods.
2. Coordinate land use and transportation planning to determine the feasibility of designating areas of the township as a Transit Village.
3. Provide Transit-Oriented Development (TOD) redevelopment plan or TOD zoning ordinances including transit-supportive site design guidelines; transit-supportive architectural design guidelines; transit-supportive parking regulation to support the NJDOT Transit Village Program Standards.
4. Expand opportunities for mixed use development in the business corridors and potential Transit Village area designation, including both the office and retail sectors and to encourage residential uses of many varieties including a mix of types that produce few schoolchildren, resulting in a positive fiscal impact on the Township.
5. Create attractive gateways at entrances to identify the Township through upgraded land uses, streetscape improvements and signage.
6. Add design guidelines and requirements to the land use regulations to maintain consistency in the scale and character of residential and retail development, and to make the built environment as attractive as possible, encouraging a sense of place.



7. Retain open space through land acquisition or other appropriate means.
8. Comprehensively revise and update the Township's zoning regulations, not only to make them consistent with the Master Plan, but also to rid of any loopholes, ambiguities, and unnecessary regulations.
9. Plan for efficient and proper redevelopment for areas of transition.
10. To investigate ways in which the Township's capital facilities and operations can be built, maintained and operated in a way that saves energy, reduces costs and carbon emissions, reduces dependency on fossil fuels, and incorporates greener building/design technologies.
11. Support increased integration of municipal/county hazard mitigation planning and floodplain management with effective municipal zoning regulation, subdivision regulation and comprehensive planning.
12. Maintain and enhance local regulatory standards including full and effective building code enforcement, floodplain management, and other vulnerability reducing regulations.
13. Continue implementing programs and pursuing grants and funding programs to acquire/mitigate properties in flood prone areas.
14. Limit development in flood plains according to new FEMA regulations and flood elevations.
15. Encourage the adaptive re-use of buildings that add to the historical character of the Township.

Housing

1. To require through regulation that existing housing be properly maintained and to encourage the rehabilitation of any housing that fails to meet current industry standards.
2. Seek and maintain Council on Affordable Housing (COAH) approval of the Township's housing plan to retain control of the methods by which affordable housing will be provided in the Township.
3. Although there is limited available land capacity where higher density inclusionary housing could be encouraged in the Township, appropriate residential development should be inclusionary and provide for its share of affordable housing.
4. Promote and protect existing residential character and form in established neighborhoods.
5. The Township shall continue to encourage senior citizen age restricted housing to offer our older residents a place to live



near home when they no longer need a full-size house with all of its attendant maintenance responsibilities.

Circulation

1. Create pedestrian and bike connections within the Township between and among residential neighborhoods, community resources, commercial areas and transit facilities.
2. Provide wayfinding signage on major roads and at gateway locations to facilitate circulation and identify the route to key activity centers and destinations in the Township.
3. Take necessary measures to mitigate the effects of increased regional traffic through the township.
4. Employ traffic calming measures where appropriate.
5. Continue to provide transportation services for those with special needs, such as the elderly, handicapped, underserved and young.
6. Require that all development proposals be designated to include or accommodate necessary transportation improvements.
7. Minimize potential areas of conflict between pedestrians and vehicular traffic.
8. Ensure adequate parking facilities for both residential and commercial uses.
9. Coordinate with the County to prepare and adopt a municipal complete streets program and ordinance, which will help in the approval process of New Jersey Department of Transportation (NJDOT) municipal aid applications.
10. Work with Montclair University to establish bus stop(s) in the Downtown and Singac areas on the existing bus route to the Willowbrook Mall.

Utilities

1. Encourage/require all new developments to locate utilities underground, in accordance with the RSIS standards and good practice.
2. Reduce artificially induced flood damage to public health, life, and property.
3. Provide sufficient quality and quantity of the public water supply system on a local and regional basis ** (combination of several objectives).
4. Promote capital budgeting for ongoing maintenance/replacement of facilities/utilities in a manner that will maintain them in good condition and minimizes public expenditures through federal and state assistance.



5. Continue to participate in regional wastewater management programs.
6. Prevent the encroachment on drainage ways through the use of easements.
7. Coordinate with local, county and state environmental efforts to concentrate on regional watershed based planning, with focus on non-point source pollution and flood controls;

Community Facilities

1. Preserve the high level of public services and encourage the maintenance and creation of new public facilities in order to accommodate population changes, economic growth and the changing needs of residents.
2. Maintain appropriate emergency services for Township residents.
3. Review Township facilities for compliance with the requirements of the Americans with Disabilities Act (ADA) and make improvements where necessary.
4. Plan community facilities to accommodate anticipated future population growth.
5. Provide and educate residents about disaster location centers.

Recreation and Open Space

The Open Space and Recreation Element have been prepared under a separate document, therefore all goals, objectives and recommendations should be reviewed in that document.

Economic Development

1. Seek stable, high-quality ratables that also reflect favorably upon the image and identity of the Township.
2. Avoid any additional strip retail/commercial development along the commercial districts, except Route 46.
3. Transform Little Falls downtown into a pedestrian-friendly, attractive "main street" environment with diverse high-quality retail stores at the ground level, particularly along the street front, that is accessible to residents by car, on foot or by bicycle.
4. Provide both convenience and specialty goods and services of interest to the community, and encourage uses which promote weeknight and weekend use, such as outdoor restaurants, coffee shops and other entertainment-related uses, and by bringing a residential presence back to the downtown on upper-level floors.



5. Develop parking strategies for both long and short-term parking needs within and proximate to the Township's downtown.
6. Create symbiotic relationship between Little Falls and Montclair University.
7. Promote more efficient use of existing and proposed parking infrastructure.
8. Facilitate the redevelopment or upgrade of existing non-residential properties where appropriate.



INTRODUCTION AND BACKGROUND





INTRODUCTION

The Township of Little Falls Comprehensive Master Plan was adopted in 2002, after which the Township conducted periodic reexaminations of its plan in 2008, 2013, and 2021 in accordance with the New Jersey Municipal Land Use Law, (MLUL), N.J.S.A. 40:55D-89. The 2021 Reexamination is being re-examined to reflect the changing needs of the Township.

The purpose of these Reexamination requirements is to ensure that the local master plan and development regulations remain viable, current, and capable of addressing the development pressures and concerns of the Township.

Master Plan is a document that sets forth the policies for land development and redevelopment as envisioned by the municipality and adopted by the Planning Board. As the principal document concerning the use of land, it is intended to guide both the public and private sectors in making decisions involving conservation and development. Through its goals and objectives statement, the Master Plan sets out a vision for the community in the coming years. In accordance with the MLUL, the Reexamination Report shall state:

A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last Reexamination Report.

B. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.

C. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the Master Plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials and changes in State, county, and municipal policies and objectives.

D. The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new Master Plan or regulations should be prepared.



E. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law,” into the land use plan element of the municipal Master Plan, and the recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

F. The recommendations of the planning board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts and, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

It is important to note that this Reexamination Report, by itself, does not require any expenditure of funds on any project or the adoption of any ordinance per se. Rather, it is intended to serve as a guide, not only for future efforts of the Planning Board but also the governing body, which is in a position to implement some of the specific recommendations in the report.

PLAN ORGANIZATION

The Master Plan Reexamination is organized into the following Elements:

| |
|--|
| Goals and Objectives includes a recommended set of goals and objectives from the Township’s 2013 Master Plan Reexamination. |
| Introduction and Background explains the purpose of the Master Plan Reexamination, the source of its authority from the New Jersey statutes, direction on how to implement the recommendations resulting from this reexamination report. |
| Significant Changes in Assumptions, Policies and Objectives discusses changes that have occurred since the 2013 and 2021 Master Plan Reexamination efforts, including changes in local demographics, changes that have occurred statewide both in the law and policy, county planning efforts and policies, regional planning efforts, and local planning efforts and policy changes. |
| Land Use and Zoning Issues and Recommendations addresses the past issues and recommendations that have reduced or increased since the last Reexamination and includes recommendations. |

PLAN IMPLEMENTATION

The Master Plan Reexamination Report is a guiding document for multi-disciplinary planning and investment in the Township of Little



Falls for the next 10+ years. Master Plans and Reexaminations are recognized as evolving documents and may be amended by the municipal Planning Board at any time to fit current trends or changed circumstances. In 10 years, the Planning Board must pursue another Master Plan Reexamination Report, or they may choose to undertake a new comprehensive Master Plan.

The Report is built on prior planning efforts and initiatives, a comprehensive analysis of existing conditions, and future opportunities and trends. The recommendations from these past planning efforts and new recommendations resulting from an analysis of existing conditions and recognition of future opportunities are included in a checklist format in this Report under **Land Use and Zoning Issues and Recommendations**. These recommendation checklists are designed for the purpose of “checking off” or tracking recommendations over the next 10-year period as a way to measure progress. Each recommendation is supplemented with four features:

- **Recommendation** states the recommendation.
- **Responsible Party or Partner** identifies the Township entities or other agencies that will have a role in implementation.
- **Timeframe** estimates the amount of time to implement the item. It is categorized as either short-term (1-2 years), mid-term (2-5 years), long-term (5-10+ years), or ongoing (continuous).
- **“Check off” box** is a blank box for the Planning Board to “check off” the recommendation once completed. The Planning Board is also encouraged to provide a date of completion.

| Recommendation | Responsible Party | Timeframe | Check Off Box | Year Completed |
|--------------------------------|---|-------------------------|--|----------------|
| Recommendation Category | | | | |
| 1 | 2023 (new) Recommendation Recommendation statement | Township and/or partner | Short-term Mid-Term Long-Term Ongoing | X ' ' |
| | | | | Insert year |

| Summary Table of Past Issues and Recommendations | | |
|---|---|-----------------------|
| Past Issue or Recommendation (from 2002 Master Plan or 2021 Reexam) | Increased or Maintained and Should Continue | Decreased or Resolved |
| 1 | 2002/2021 (old) Recommendation or Issue | X ' ' |
| | | X ' ' |



SIGNIFICANT CHANGES IN ASSUMPTIONS, POLICIES, AND OBJECTIVES





A Master Plan Reexamination Report, pursuant to the third provision of N.J.S.A. 40:55D-89, is required to look at the extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis of the last 2002 Master Plan. In the 21-year period since 2002, there have been a multitude of changes affecting Little Falls. This section of the report examines changes in demographics, changes in the region, at the state, county, and municipal levels and changes within the law that are applicable to this Master Plan Reexamination Report.

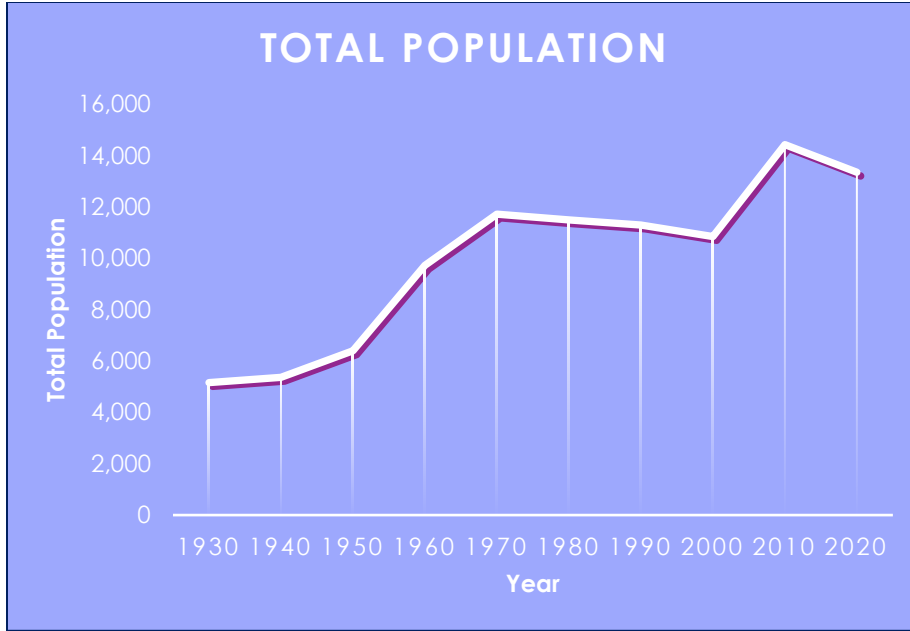
Changes at the Local Level

Current, Historic, and Projected Population Growth

The 2020 Population of Little Falls Township was 13,360 which was a decrease of 1,072 people from the 2010 population. The population trends experienced in Little Falls Township, Passaic County and the State of New Jersey from 1930 through 2020 are shown on the following page. Little Falls experienced a population boom between 1940 and 1970, which was followed by slight declines in population in the decades between 1970 and 2000. There was a large increase in the population between 2000 and 2010 where the population increased by 32%. However, there was a subsequent decline in the population between 2010 and 2020. This appears to be due to the census counting Montclair State University students in the total population for Little Falls.

Census data indicate that between 2010 and 2020 Little Falls' population decreased by 7.4%. However, review of census data shows that this decrease is likely due to Montclair State University's COVID-19 response, in which the University's dorm residents were asked to return to their family homes. Based on the census data, 1,162 less Montclair State University students lived in their campus dorms during the time when 2020 Census was counted. Some of the decrease is also likely due to the number of buyout properties that have occurred in the Singac neighborhood due to repetitive flooding in the area.

Passaic County and the State of New Jersey have both seen steady growth since the 1930's, with large population swells occurring during the fifties and sixties.



Source: US Census Bureau, Decennial Census

| Population Trends, 1930 to 2020 | | | | | | | | | |
|---------------------------------|--------------|--------|---------|----------------|---------|---------|------------|-----------|---------|
| Year | Little Falls | | | Passaic County | | | New Jersey | | |
| | Population | Change | | Population | Change | | Population | Change | |
| | | Number | Percent | | Number | Percent | | Number | Percent |
| 1930 | 5,161 | | | 302,129 | | | 4,041,334 | | |
| 1940 | 5,368 | 207 | 4.0% | 309,353 | 7,224 | 2.4% | 4,160,165 | 118,831 | 2.9% |
| 1950 | 6,405 | 1,037 | 19.3% | 337,093 | 27,740 | 9.0% | 4,835,329 | 675,164 | 16.2% |
| 1960 | 9,730 | 3,325 | 51.9% | 406,618 | 69,525 | 20.6% | 6,066,782 | 1,231,453 | 25.5% |
| 1970 | 11,727 | 1,997 | 20.5% | 460,782 | 54,164 | 13.3% | 7,171,112 | 1,104,330 | 18.2% |
| 1980 | 11,496 | -231 | -2.0% | 447,585 | -13,197 | -2.9% | 7,365,011 | 193,899 | 2.7% |
| 1990 | 11,294 | -202 | -1.8% | 453,060 | 5,475 | 1.2% | 7,730,188 | 365,177 | 5.0% |
| 2000 | 10,855 | -439 | -3.9% | 489,049 | 35,989 | 7.9% | 8,414,350 | 684,162 | 8.9% |
| 2010 | 14,432 | 3,577 | 33.0% | 501,226 | 12,177 | 2.5% | 8,791,894 | 377,544 | 4.5% |
| 2020 | 13,360 | -1,072 | -7.4% | 524,118 | 22,892 | 4.6% | 9,288,994 | 497,100 | 5.7% |

Source: US Census Bureau, Decennial Census

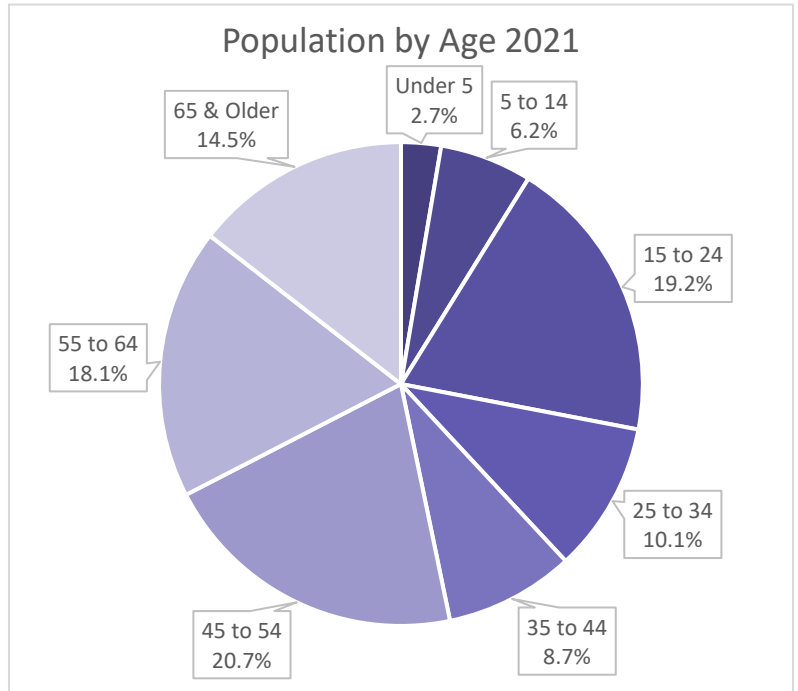


Population and household Composition

Census data indicates several noteworthy shifts in the age composition of Little Falls. Analysis of age group characteristics provides insight into the actual changes in population. The age composition of Little Falls has shifted since 2000, with the largest increases in the Township occurring in the 45 to 54 cohorts, while the 25-34 and 35- 44 age cohorts saw decreases in population. These comparisons are helpful in determining the impacts these changes may have on housing needs, as well as community facilities and services for the municipality. The median age of Little Falls residents in 2021 was 47.7 years.

| Population by Age 2010 and 2021, Little Falls | | | | | | |
|---|--------|---------|--------|---------|---------------------|---------|
| Population | 2010 | | 2021 | | Change 2010 to 2021 | |
| | Number | Percent | Number | Percent | Number | Percent |
| Under 5 | 519 | 3.6% | 364 | 2.7% | -155 | -29.9% |
| 5 to 14 | 1,113 | 7.7% | 841 | 6.2% | -272 | -24.4% |
| 15 to 24 | 4,600 | 31.9% | 2,613 | 19.2% | -1987 | -43.2% |
| 25 to 34 | 1,411 | 9.8% | 1,370 | 10.1% | -41 | -2.9% |
| 35 to 44 | 1,615 | 11.2% | 1,182 | 8.7% | -433 | -26.8% |
| 45 to 54 | 1,755 | 12.2% | 2,819 | 20.7% | 1064 | 60.6% |
| 55 to 64 | 1,541 | 10.7% | 2,464 | 18.1% | 923 | 59.9% |
| 65 & Older | 1,878 | 13.0% | 1,975 | 14.5% | 97 | 5.2% |
| Total | 14,432 | 100.0% | 13,628 | 100.0% | -804 | -5.6% |

Source: US Census Bureau, ACS 5-year estimates



Source: US Census Bureau, ACS 5-year estimates

| Little Falls Township 2010/2020 Population, Household, and Income/Employment Characteristics | | | | |
|---|----------|---------|-----------|---------|
| | 2010 | | 2020 | |
| | Number | Percent | Number | Percent |
| Population | 14,432 | | 13,360 | |
| Race | | | | |
| White | 12,510 | 86.7% | 9,540 | 71.4% |
| Black or African American | 593 | 4.1% | 858 | 6.4% |
| Asian | 658 | 4.6% | 731 | 5.5% |
| Hispanic or Latino | 1,428 | 9.9% | 2,264 | 16.9% |
| Two or More Races | 304 | 2.1% | 1,096 | 8.2% |
| | 2010 | | 2021 | |
| | Number | Percent | Number | Percent |
| Households* | | | | |
| Total Households | 5,057 | | 5,504 | |
| Married Couple Households | 2,445 | 48.3% | 2,852 | 51.8% |
| Cohabiting Couple Household | 102 | 0.8% | 210 | 3.8% |
| Householder living alone | 1,867 | 36.9% | 1,617 | 29.4% |
| Income/Employment* | | | | |
| Median Household Income | \$78,318 | | \$101,651 | |
| Per Capita Income | \$34,505 | | \$45,898 | |
| Families in Poverty | 138 | 4.7% | 109 | 3.0% |

*5-year ACS estimates

Source: US Census Bureau, Decennial Census and ACS 5-year estimates

Married couples made up 51.8% of households in 2021, while cohabitating couple households made up 3.8%. Approximately 29.4% of households consisted of persons living alone.

| 2021 Per Capita and Household Income Little Falls Township, Passaic County, and New Jersey | | |
|---|------------------------|------------------------------|
| | 2021 Per Capita Income | 2021 Median Household Income |
| Little Falls | \$56,611 | \$108,641 |
| Passaic County | \$35,447 | \$75,430 |
| New Jersey | \$47,338 | \$89,296 |

Source: US Census Bureau, ACS 5-year estimates

The median household income for 2021 in Little Falls was \$108,641, over \$33,000 more than the County and over \$19,000 more than the State's median household income. Only 3.0% of families in Little Falls live below the poverty line. According to the US Census Bureau, ACS 5-year estimates, the unemployment rate in Little Falls was 5.8% in 2021.



Housing Characteristics

As shown in the table below, the total number of housing units in Little Falls increased from 4,925 units in 2010 to 5,701 units in 2021, an increase of 776 units or about 16.0%. However, the rate of population decline was 7.4%, which can be attributed to the decrease in the Montclair State population during the time of the Census due to Covid. In 2021, the vast majority of units (96.5%) were occupied, with 68.7% being owner-occupied. This represents a slight increase from the owner-occupancy rate in 2010. The number of renter-occupied units increased from 1,467 units in 2010 (29.8% of occupied units) to 1,585 units (27.8% of occupied units) in 2021.

| Housing Characteristics Little Falls Township | | | | |
|---|--------|---------|--------|---------|
| | 2010 | | 2021 | |
| | Number | Percent | Number | Percent |
| Total Housing Units | 4,925 | | 5,701 | |
| Occupied Housing Units | 4,740 | 96.2% | 5,504 | 96.5% |
| Owner Occupied | 3,279 | 66.6% | 3,919 | 68.7% |
| Renter Occupied | 1,467 | 29.8% | 1,585 | 27.8% |
| Vacant | 185 | 3.8% | 197 | 3.5% |
| Avg. Household Size-Owner | 2.51 | | 2.5 | |
| Avg. Household Size-Renter | 2.03 | | 1.6 | |

Source: US Census Bureau, Decennial Census and ACS 5-year estimates



REGIONAL PLANNING EFFORTS AND POLICIES

Below are recent regional planning efforts that have occurred since the 2002 Master Plan.

NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY

The North Jersey Transportation Planning Authority (NJTPA) is the federally authorized Metropolitan Planning Organization (MPO) for the 13-county northern New Jersey region. The purpose of the MPO is to oversee and provide guidance over the use of federal funds on local transit projects. In doing so, the agency must ensure the funding is spent cost-efficiently on projects that improve mobility, support economic progress, and safeguard the environment.

REGIONAL TRANSPORTATION PLAN 2045: CONNECTING NORTH JERSEY

The NJTPA adopted the Regional Transportation Plan 2045: Connecting North Jersey on November 13, 2017. Little Falls' development and regulations are consistent with the goals of the NJTPA Regional Transportation Plan to make the region's transit more efficient, livable, and resilient.

NJTPA PLAN 2050: Transportation. People. Opportunity.

The NJTPA adopted, on September 13, 2021, Plan 2050: Transportation. People. Opportunity. This plan intends to improve commuter safety by reducing major crashes and implementing new safety measures for people walking and biking; equity by ensuring transportation systems are adequately addressing the needs of low-income and minority communities; travel through modes of active transportation by implementing policies and improving infrastructure to increase efficiency; the environment by adapting infrastructure and implementing initiatives that aim to reduce greenhouse gases; technology that facilitates efficient and safe travel (i.e., electronic tolling); and goods movement throughout the region, addressing freight issues that surfaced during the pandemic. Through this plan, Little Falls can expect to see improved circulation and maintenance of major transportation routes such as Route 80 and other improvement projects that will undergo environmental and feasibility assessments. Little Fall's development and regulations are consistent with the goals of the NJTPA Plan 2050: Transportation. People. Opportunity. to make the region's transit more safe, accessible, and equitable.

TOGETHER NORTH JERSEY'S THE PLAN

Together North Jersey's (TNJ) The Plan is a guidance document funded by the U.S. Department of Housing and Urban



Development's (HUD) Sustainable Communities Regional Planning grant and executed by a coalition of varied key stakeholders known as "Together North Jersey". Published in 2015, The Plan aims to support multi-jurisdictional planning efforts in Northern New Jersey by addressing multiple issues and recognizing their interdependent challenges. In its vision for the future, The Plan asserts that a sustainable North Jersey region is competitive, efficient, livable, and resilient. To advance the Plan's vision, collective and individual action must be taken. Strategies in The Plan's 15 key focus areas were considered, and where appropriate, were integrated into this reexamination report.

Together North Jersey prepared The Plan in 2015. Little Falls' development and regulations are consistent with the goals of Together North Jersey's The Plan.

RPA'S THE FOURTH REGIONAL PLAN

The Regional Plan Association (RPA) is an urban research and advocacy organization focusing on the 31-county New York-New Jersey-Connecticut metropolitan, or tri-state region. Since the 1920s, RPA has produced four long-range plans in 1929, the 1960s, 1996, and 2017 to guide the region's growth. The most recent long-range plan, The Fourth Regional Plan, was released in November 2017 and looks forward to the year 2040. It is guided by four core values that serve as a foundation across issue areas: equity, prosperity, health, and sustainability. The 61 recommendations resulting from the regional plan will have an impact on communities at the local level if implemented.

STATEWIDE CHANGES

There have been significant changes at the State level since the 2002 Master Plan.

MUNICIPAL LAND USE LAW (MLUL)

The Municipal Land Use Law regulates local land use procedures by municipalities, an authority delegated from the State. Municipalities exercise this vested power, or "police power", by providing authority through their local municipal code for all zoning and planning within their municipal borders.

GREEN BUILDING AND ENVIRONMENTAL SUSTAINABILITY ELEMENTS

On August 5, 2008, the Municipal Land Use Law was amended to authorize municipal planning boards to adopt green building and environmental sustainability elements of the municipal Master Plan. The legislation permits *"a green buildings and environmental sustainability plan element, which shall provide for, encourage, and*



promote the efficient use of natural resources; consider the impact of buildings on the local, regional, and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on site; and optimize climatic conditions through site orientation and design.” Municipalities could rely on this legislation to require that all new construction satisfy “green” building criteria set forth in regulations or rating systems such as Leadership in Environmental Design (LEED).

RENEWABLE ENERGY

The Municipal Land Use Law was amended on March 31, 2009, to permit renewable energy facilities in industrial zones by right on “*parcels of land comprising 20 or more contiguous acres that are owned by the same person or entity.*” Effective November 20, 2009, the definition of an “inherently beneficial use” was also amended to include “*a wind, solar, or photovoltaic energy facility or structure*”, thereby lessening the burden of proof required to obtain a use variance. An additional amendment to the Municipal Land Use Law on April 22, 2010, exempts solar panels from impervious surface or impervious coverage calculations in municipal site plan or subdivision applications.

Related solar laws include the “Solar Rights Law”, which prevents homeowners associations from prohibiting solar collectors (August 21, 2007), and the “Solar Easement Act”, which explicitly allows for voluntary creation of easements for access to direct sunlight.

PERFORMANCE AND MAINTENANCE GUARANTEES

On January 15, 2018, the Municipal Land Use Law was amended to modify the requirements for performance and maintenance guarantees required for developers. Prior to the amendment, developers were required to furnish a performance guarantee for improvements deemed “*necessary or appropriate*” while the amended law now requires developers to furnish performance guarantees “*of only those improvements required by an approval or developer’s agreement, ordinance, or regulation to be dedicated to a public entity, and that have not yet been installed*” with the exception of privately-owned perimeter buffer landscaping and stormwater management facilities if the facilities are being connected to a public drainage system. The list of improvements referenced in the law are now limited to: streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor’s monuments, water mains, community septic systems, drainage structures, public improvements of open space, and any grading necessitated by the preceding improvements. Erosion control and sedimentation control devices are no longer subject to



performance guarantees. Soil Conservation Districts, under the Soil Erosion and Sedimentary Control Act, maintain the authority to review construction projects to ensure soil erosion standards are met.

The amended law authorizes two new types of guarantees: a temporary certificate of occupancy guarantee and a safety and stabilization guarantee.

Finally, the law makes it easier for improvement inspections conducted by the municipality to occur due to changes and procedures for funds in escrow.

TIME OF APPLICATION RULE

The Supreme Court of New Jersey in *Dunbar Homes, Inc. v. Zoning Board of Adjustment of Franklin Twp.* clarified the “Time of Application Rule” found within the Municipal Land Use Law. The rule replaced the prior “time of decision rule” on May 5, 2011. The time of application rule was enacted to address, “*situations in which a developer would spend time and money pursuing an application, only to have a municipality change the zoning to the developer's detriment while the application was pending.*”

The rule states, “*Notwithstanding any provision of law to the contrary, those development regulations which are in effect on the date of submission of an application for development shall govern the review of that application for development and any decision made with regard to that application for development. Any provision of an ordinance, except those relating to health and public safety that are adopted subsequent to the date of submission of an application for development, shall not be applicable to that application for development.*”

In the court case *Dunbar Homes, Inc. v. Zoning Board of Adjustment of Franklin Twp.*, the municipality maintained the statute does not apply until the application for development is complete. The New Jersey Supreme Court concluded that although the submission does not need to be deemed complete, an “application for development” must be interpreted to mean “*the application form and all accompanying documents required for approval.*” Therefore, what constitutes the contents of an application for development are left to municipalities under the police power, and all accompanying documents or waiver requests required by ordinance must be submitted to the municipality for the time of application rule to apply. If required documents are not submitted or a waiver is not requested, then the time of application rule could be applied by the municipality. An application for development



cannot be deemed incomplete, however, if the municipality requires correction of any information found to be in error and submission of additional information.

SMART GROWTH, STORM RESILIENCY, AND ENVIRONMENTAL SUSTAINABILITY STATEMENT OF A MASTER PLAN

The Municipal Land Use Law was amended in January 2018 to require a Land Use Element of a Master Plan to include a statement of strategy concerning smart growth (to include potential locations for electric vehicle charging stations), storm resiliency (i.e. energy supply, flood-prone areas, environmental infrastructure), and environmental sustainability. Any newly adopted Land Use Element of a Master Plan for the Township of Little Falls is required by law to include such statements.

LOCAL HOUSING AND REDEVELOPMENT LAW

On September 6, 2013, Chapter 159 was signed into law, changing the way municipalities designate “areas in need of redevelopment” pursuant to the Local Redevelopment and Housing Law (LRHL). Chapter 159 requires the municipality must indicate at the very beginning of the redevelopment study process whether the municipality is seeking to investigate a “Non-Condensation Redevelopment Area” or a “Condensation Area”. Under the legislation, areas in need of redevelopment in which the municipality is authorized to use eminent domain are called “Condensation Redevelopment Areas”. Areas in need of redevelopment in which the municipality may not use eminent domain are called “Non-Condensation Redevelopment Areas”. Under the previous law, municipalities were able to designate redevelopment areas without first identifying areas that would be subject to eminent domain.

Chapter 159 also revised the “e” criterion for designating an area in need of redevelopment. The amendment expanded the criteria for designating an area in need of rehabilitation where there is environmental contamination or a persistent pattern of tax delinquencies.

On August 9, 2019, Governor Murphy signed bill A1700 into law that expanded the criteria “b” for designation under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (LRHL), to include “stranded assets”. Specifically, the statute establishes a new criterion to designate property as being “in need of redevelopment” or “blighted”: any “building or buildings previously used for commercial, industrial, manufacturing, retail, shopping malls or plazas, office parks” that has “significant vacancies... for at



least two years.” N.J.S.A. 40A:12A-5b. While the duration of the vacancy is set forth in the statute, the extent of such vacancy, as of now, is left to the discretion of municipal officials.

In 2019, the New Jersey Appellate Division issued a ruling in *Borough of Glassboro v. Grossman, et al.* that interpreted key parts of the LHRL. The court ruled that whenever condemnation (eminent domain) is challenged, the condemning authority (i.e. the municipality or redeveloper) must justify its inclusion of the property. Justification can include reports from a planner, engineer or traffic consultant; architectural plans or drawings; or a market study or economic forecast. The condemning authority may not include a property by declaring it wishes to “stockpile” the property for some future need in the redevelopment area – a particular redevelopment project must be identified and tied to the acquisition of the property. While redevelopment projects take time and may include changes in the plans, acquisition of a property is justified so long as the original taking was proven justified and pursued in good faith.

COAH AND AFFORDABLE HOUSING

Pursuant to the Mt. Laurel State Supreme Court cases, municipalities across the state must adhere to the requirements of the Fair Housing Act to provide for their “fair share” of affordable housing for low- and moderate-income persons and households. After the New Jersey Appellate Division invalidated the third-round growth share regulations in 2007, the Council on Affordable Housing (COAH) proposed a “revised” set of third round regulations. After a series of State Supreme Court cases pertaining to COAH’s inability to adopt appropriate Third Round Rules, on March 10, 2015, the Supreme Court declared COAH “moribund” and ordered the courts to provide a judicial remedy due to COAH’s failure. The decision determined municipalities may initiate declaratory judgment actions and seek approval of their housing element and fair share plans through the courts.

Municipalities must now provide for their Rehabilitation obligation or “Present Need”, the “Prior Round” obligation (the sum of their First and Second Round obligations), and the “Prospective Need” obligation (including the Gap Period between 1999 and 2015, and the new Third Round between 2015 and 2025) to provide for their “fair share” of affordable housing for low- and moderate-income persons and households.

Although municipalities are seeking approval of their housing elements and fair share plans through the courts for this round, a “Fourth Round” begins in 2025, when procedures may change.



RESIDENTIAL SITE IMPROVEMENT STANDARDS (RSIS)

The Residential Site Improvement Standards (RSIS) establish Statewide requirements for improvements in connection with residential development to include streets and parking, water supply, sanitary sewers, and stormwater management. RSIS was amended in 2009, 2011, and 2020 with several minor editorial changes, changes to referenced standards, among other minor amendments. The Site Improvement Advisory Board reviews RSIS annually to determine whether changes are warranted.

STATUS OF THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN

In 1986, New Jersey adopted the State Planning Act— an effort to coordinate land-use planning among state agencies and different levels of government. The act mandated the creation of the State Development and Redevelopment Plan (the “State Plan”), as well as the formation of the State Planning Commission, which is now called the Office of Planning Advocacy in the Department of State. The State Plan was adopted on March 1, 2001.

The 2012 State Strategic Plan intended to revise the 2001 State Development and Redevelopment Plan. The mission statement of the plan is to *“focus the State’s policies and investments on vibrant regions by fostering targeted job growth, supporting effective regional planning and preserving the State’s critical resources.”* Several public hearings were scheduled throughout the State to obtain input prior to adoption of the plan although the State Planning Commission has not acted on adoption.

WIRELESS TELECOMMUNICATIONS FACILITIES

FEDERAL COLLOCATION

U.S. Congress in 2012 enacted section 6409 of the federal Middle Class Tax Relief Act and Jobs Creation Act of 2012 (the “Collocation Act”), which states, *“State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.”* Since the adoption of the Collocation Act, the role of land use boards has been questioned regarding requests by telecommunication providers seeking collocation, as any “substantial change” to an existing tower or base station would require board review and where “substantial change” was not defined. In an effort to clarify and implement section 6409 of the Collocation Act, the Federal Communications Commission (“FCC”) issued an Acceleration of Broadband Deployment Report and Order, that adopted new collocation rules including a definition for the meaning of “substantial change”, and newly established



timeframes in which State and local government agencies can act on facility siting applications.

The New Jersey State League of Municipalities recommends municipalities develop new application forms that will ensure wireless telecommunication applicants are able to determine whether their project is an “eligible facility”, which must be mandatorily approved, or if the project involves a “substantial change”, which requires board approval per the FCC rules. Municipalities should also develop new checklists for wireless communication applications so land use boards can review applications in accordance with the FCC timeframes that differ from the customary timeframes set forth in the Municipal Land Use Law.

SMALL CELL WIRELESS FACILITIES

Recent developments in wireless technologies, specifically 5G, require the placement of Small Cell Equipment and Wireless Cabinets on utility poles within the public rights-of-way. Municipalities may allow for the issuance of supplemental licenses for the placement of such equipment on existing poles. Municipalities also have the power to zone these structures pursuant to the Municipal Land Use Law and may set standards in relation to the siting of small cell equipment, wireless cabinets, and wireless poles within the public rights-of-way. Reasons for such standards can include safety concerns such as blocking sight triangles, aesthetic concerns, and concerns of the rights of the public to access the public rights-of-way.

STORMWATER REGULATIONS

There are two sets of Stormwater Management Rules, effective on February 2, 2004, that together establish a comprehensive framework for addressing water quality impacts associated with existing and future stormwater discharges. The first set of rules is the New Jersey Discharge Elimination System Stormwater Regulation Program (NJPDES) rules, and the second set of rules known as the Stormwater Management rules. The Rules contain general requirements for stormwater management plans, stormwater control ordinances, and stormwater management standards mandatory for new development. The New Jersey Stormwater Management Practices Manual (BMP manual) is developed to provide guidance to address the Stormwater Management rules. The BMP manual was adopted to parallel the regulations in 2004, revised in September 2017 and last revised in March 2021. The 2021 revisions require the use of green infrastructure in the stormwater management system. The fundamental difference from the prior



iterations is the requirement of decentralized, distributed stormwater management practices that enable stormwater to infiltrate and more closely resemble the natural water cycle. These “best management practices” (BMPs) include vegetated swales, bioretention, green roofs, cisterns, wet ponds, infiltration basins and constructed wetlands.

Municipal planning boards should review residential development for compliance with their existing stormwater control ordinances under the Municipal Land Use Law and compliance with the Stormwater Management rules under the Residential Site Improvement Standards (RSIS). Through the RSIS, stormwater rules are activated whenever a municipality requires the control of runoff from a site that is the subject of a site or subdivision application, whether or not a development is a “major development” as defined in the stormwater rules.

NJDEP FLOOD MANAGEMENT REGULATIONS

The latest Flood Hazard Area Control Act Rules were adopted on November 5, 2007, and last amended on January 16, 2018. The rules govern disturbance of land and vegetation within the flood hazard area or riparian zone of regulated waters. Recent amendments also:

- incorporated FEMA advisory and preliminary flood mapping
- facilitated reconstruction after Superstorm Sandy
- increased riparian zone protections and mitigation options
- improved riparian zone protections within the “inner” half of the 300-foot zone
- added new permits-by-rule, general permits by certification, and general permits
- better aligned administrative procedures and rules with other federal, state, and local requirements such as the National Flood Insurance Program and Uniform Construction Code; facilitated environmentally beneficial activities
- provided a cap on stormwater fees; and clarified that a residential home or duplex cannot be constructed on a lot that was subdivided after the initial adoption of the Rules on November 5, 2007.

FLOOD DEFENSE ACT

A bill known as the Flood Defense Act (signed March 25, 2019) allows municipalities and counties to create their own local stormwater utility with the ability to charge property owners a fee based on “a fair and equitable approximation” of how much stormwater runoff is generated from their property with the ultimate goal of upgrading antiquated stormwater systems (i.e. replacing



pipes, maintaining catch basins, or creating rain gardens to absorb water). Large malls and office parks will likely feel the greatest effects of the bill, although any property, including residential, could be subject to the fee, with the exception of farms and commercial gardens. It is expected that only the most flood-prone towns will choose to create a utility to impose this “rain tax” but it is a new law that Little Falls should also consider.

NATURAL HAZARD CLIMATE CHANGE VULNERABILITY ASSESSMENT AND BUILDOUT ANALYSIS

Senate Bill No. 2607 was signed into law by Governor Phil Murphy on February 4th, 2021 and incorporated in the M.L.U.L. The law requires that the land use plan element of a municipal master plan include a climate change-related hazard vulnerability assessment. The law builds on previous requirements that a master plan include a statement of strategy concerning smart growth, storm resiliency, and environmental sustainability. The vulnerability assessment shall consider environmental effects associated with climate change and extreme weather-related events. Measures to mitigate anticipated natural hazards are to be included, which must be informed by best management practices recommended by the Federal Emergency Management Agency.

ELECTRIC VEHICLE CHARGING REQUIREMENT

The Electric Vehicle Charging Station Law was signed into law by Governor Phil Murphy on July 9, 2021. The Act provided a model ordinance developed by the New Jersey Department of Environmental Protection, Department of Community Affairs, and the Board of Public Utilities, to ensure that Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces are permitted uses in all areas of the state. The model ordinance includes requirements for municipal approvals and permits, EV-ready development, and minimum parking requirements which cannot be altered. Other sections, including health and safety factors, provide minimum guidance but allow for municipal modifications as needed. The model statewide ordinance is mandatory and became effective in all municipalities upon DCA publication. For municipalities with existing EV ordinances, the statewide ordinance superseded those requirements.

CANNABIS LEGALIZATION

On February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”, which legalized the recreational use of marijuana by adults and established a comprehensive regulatory and licensing scheme for commercial



recreational cannabis operations, use, and possession. The state law also created an opt-in or opt-out timeline whereby municipalities in the state had 180 days to take action to regulate cannabis operations based on the new statutes. Failure to act would prevent municipalities from banning the operation of one or more of the classes of cannabis establishments for five (5) years.

COUNTY PLANNING EFFORTS AND POLICY CHANGES

Significant changes at the County level include:

2014 PARKS, RECREATION, AND OPEN SPACE MASTER PLAN

The Parks, Recreation, and Open Space Master Plan, adopted in 2014, provides an inventory of parks and open space in Passaic County. This document makes recommendations for future improvements throughout the County, but specifically to Little Falls mentions priorities for improving Peckman Preserve via a two phase plan. The first phase entails invasive species removal, landscape restoration and development, while the second phase focuses on connections between the Preserve, the neighborhood, nearby roadways, and the Morris Canal Greenway.

2018 GREEN STORMWATER INFRASTRUCTURE ELEMENT OF THE PASSAIC COUNTY MASTER PLAN

The Passaic County Department of Planning and Economic Development created the Green Stormwater Infrastructure Element of the Passaic County Master Plan through a grant from the North Jersey Transportation Planning Authority (NJTPA). The Element provides a comprehensive strategy for stormwater management via low impact development and green stormwater infrastructure.

2013 SUSTAINABILITY ELEMENT OF THE PASSAIC COUNTY MASTER PLAN – PASSAIC COUNTY FUTURE

Passaic County Future, adopted in 2013, is the sustainability element of the Passaic County master plan. The document provides a comprehensive plan with goals and strategies to facilitate sustainable development in the County. The goals outlined in the plan generally relate to the following topics: natural systems; planning and design; energy and climate; economic prosperity; employment and workforce training; education, arts, and society; health and safety; and affordability and justice. The plan makes mention of the Kearfott Guidance & Navigation Corporation Superfund Site in Little Falls.



2017 PASSAIC COUNTY FACILITIES PLAN

The Energy & Sustainability Committee of the Passaic County Board of Chosen Freeholders directed the Planning Department to formulate a comprehensive plan for all facilities occupied by Passaic County government.

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM

The Community Rating System (CRS) is a voluntary program that incentivizes community floodplain management practices that exceed the minimum requirements of the National Flood Insurance Program. By participating in the program, Little Falls is able to benefit from incentives through the CRS by adopting green infrastructure standards and best management practices. Participation allows Little Falls property owners to get discounted Flood Insurance Premiums. Little Falls received a Class 5 Rating under the CRS program, which means that Little Falls residents who are required to maintain flood insurance will receive a 25 percent discount on their premiums.

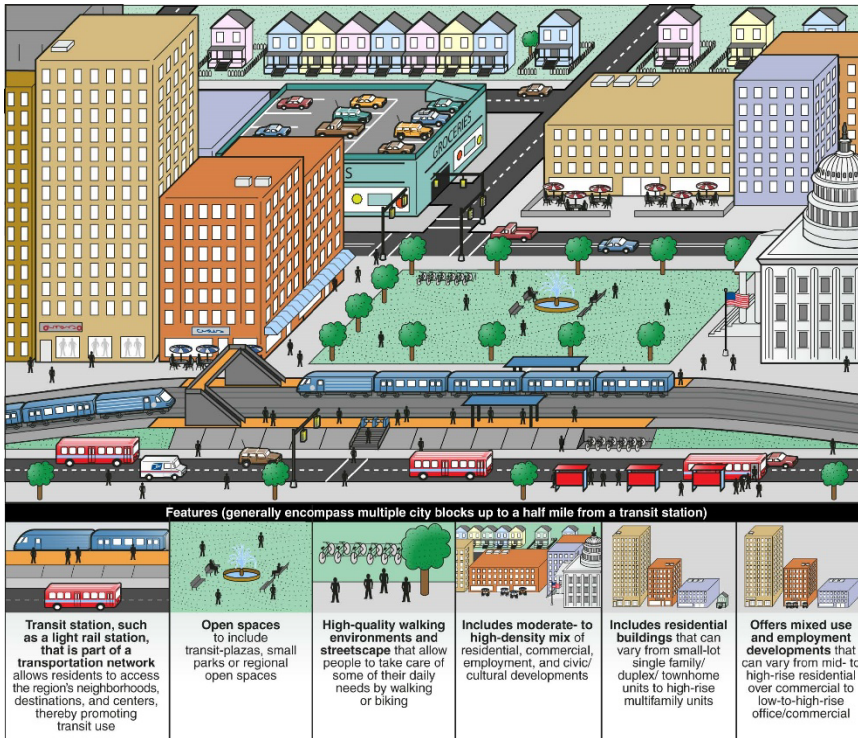


LOCAL PLANNING EFFORTS AND POLICY CHANGES

Significant changes at the local level include:

TRANSIT VILLAGE DESIGNATION

The Township was seeking to designate the downtown area as a Transit Village, an initiative, through the New Jersey Department of Transportation (NJDOT) and NJ TRANSIT. The program provides multi-agency assistance and grants to municipalities with projects that specify mixed-use transit-oriented development along transit stations. Little Falls began seeking this designation in 2012, and in 2015 created the TV-CBD Transit Village Central Business District Zoning District in the downtown area near the Little Falls train station. The Transit Village zoning was approved with bipartisan support. The Township made an application to NJDOT to obtain a Transit Village designation. The NJDOT, citing lack of transit ridership, did not approve the application. Notwithstanding NJDOT's determination, the transit village type zoning continues to be appropriate for the downtown.



Source: GAO. | GAO-15-70



2017 HOUSING ELEMENT AND FAIR SHARE PLAN

Little Falls' 2017 Housing Element and Fair Share Plan was adopted by the Planning Board on February 2nd, 2017, and endorsed by the Council on March 27th, 2017. The Plan provides details on the Township's progress and strategies toward meeting their court-mandated regional fair share of affordable housing units. The Township is using a mix of strategies to address these requirements including the Transit Village Zoning Districts, redevelopment sites, and the affordable housing overlay zones.



ZONING ORDINANCE AMENDMENTS

On this page is a list of adopted amendments to the Township's Zoning Ordinance following the adoption of the 2013 and 2021 Reexamination Reports.

| Zoning Ordinance Amendments | | |
|-----------------------------|--|--|
| | Ordinance # and Adoption Date | Purpose |
| 1 | # 1194 Adopted June 9 th , 2014 | Amended Medium Density Residential Zone Bulk Standards |
| 2 | # 1224 Adopted August 10 th , 2015 | Amended Township Code and Zoning Map to establish TOD Zoning Districts |
| 3 | # 1245 Adopted October 17 th , 2016 | Amended and supplemented zoning provisions to establish a solar systems ordinance |
| 4 | # 1246 Adopted October 17, 2016 | Amended and supplemented zoning provisions to establish a small wind energy systems ordinance |
| 5 | # 1269 Adopted November 28 th 2016 | Established "Land Use Procedures" chapter into Township code |
| 6 | # 1270 Adopted November 28 th , 2016 | Amended TOD zoning districts regulations |
| 7 | # 1280 Adopted March 27 th , 2017 | Amended Township code to address affordable housing obligations |
| 8 | # 1282 Adopted March 27 th , 2017 | Amendment to replace Chapter 280, Article IX to address affordable housing obligations |
| 9 | # 1283 Adopted March 27 th , 2017 | Ordinance to address affordable housing obligations |
| 10 | # 1284 Adopted March 27 th , 2017 | Amended and implemented TOD zoning district regulations |
| 11 | # 1308 Adopted February 26 th , 2018 | Amended and supplemented Chapter 280, article XXII, Fences |
| 12 | # 1334 Adopted September 24 th , 2018 | Zoning code amendments regarding encroachments in required yards |
| 13 | # 1364 Adopted July 22 nd , 2019 | Amended Article XX, Use, Area and Bulk Regulations |
| 14 | # 1365 Adopted July 22 nd , 2019 | Amended swimming pools ordinance |
| 15 | # 1374 Adopted December 16 th , 2019 | Amended sign ordinance and limited billboards to appropriate areas |
| 16 | # 1375 Adopted December 16 th , 2019 | Amended setback requirements |
| 17 | # 1377 Adopted February 10 th , 2020 | Amended I Industrial District regulations |
| 18 | # 1415 Adopted July 26, 2021 | Amended Chapter 280 to allow for additional conditional uses in the B-2 district, including Class 1, 2, 3, 4, and 6 Cannabis businesses, and prohibit Class 5 Cannabis businesses. |
| 19 | # 1426 Adopted December 6 th , 2021 | Amended Chapter 280 to eliminate the floor area ratio requirements from R1-A, R1-B, and R1-C zones |
| 20 | # 1427 Adopted November 22 nd , 2021 | Amended Chapter 280-6, Zoning Map |



SIGNIFICANT DEVELOPMENTS AND APPROVALS

Singac Redevelopment/Crossing at Little Falls

The Singac Redevelopment/Crossings at Little Falls is composed of a 185-unit luxury rental complex and 102 townhomes available for purchase. The project is planned to include several amenities such as fitness centers, community rooms, outdoor areas, barbecue grills, and fire pits. The groundbreaking ceremony was held on November 18th, 2020. The project remains in construction and continues to progress toward completion.

The Falls 215 Route 23

A 4-story 50-unit residential building has been approved with a use, height, and FAR variance. The project will be located at 215 Route 23 within the B-1 Zoning District.

The Manor- Valley Bank Site Main Street

The project is located at 115 Main Street and 10-12 Warren Street within the TV-CBD Zoning District. A 3-story mixed use building consisting of 56 residential dwelling units with ground floor retail was approved for Preliminary and Final Site Plan approval with no bulk and area variances but a de minimis variance needed to establish the lot line on Main Street as the front of the property despite the lot line along Center Avenue is longer of the lot lines along with other de minimis variances for tower features for aesthetic purposes, rear yard, and compact parking spaces.

Martorana 453 Main Street

A 4-story age-restricted residential apartment complex, comprising of 55 one- to three-bedroom dwelling units, was proposed for a site located at 453 Main Street. On December 2, 2021, the project was granted a Minor Subdivision and Site Plan approval along with a use variance, floor area ratio variance, height variance, and bulk variances from side yard, rear yard, buffer, and building coverage requirement. The site is split zoned, with 2/3's of the property located in the L1 Industrial District, and the remaining portion in the R-1B Zone. It should be noted that there are no industrial uses immediately adjacent to the site, hence, the age-restricted residential use was found to be an appropriate use by the Board and was found to be more in character with the residential areas on Grove Street and Dewey Avenue.



Lackawanna Ave

An inclusionary multi-family residential development is proposed for a currently vacant lot at 634-636 Lackawanna Avenue. The proposed development is expected to produce 15 total units, three of which will be affordable units. The project is awaiting Planning Board hearing for Site Plan revisions submitted in 2021. The property is zoned MDR Medium Density Residential, and the proposed development will assist the Township in meeting its affordable housing obligations.

201 Newark-Pompton Turnpike

A 4-story, 20-unit residential building received Preliminary and Final Site Plan approval with bulk and use variances. The project will be located at 201 Newark Pompton Turnpike within the B-1 Zone District.

30-38 Newark-Pompton Turnpike

A 2-story mixed-used building with four residential units and six retail spaces received Preliminary and Final Site Plan approval with bulk and use variances. The project will be located at 30-38 Newark Pompton Turnpike within the B-1 Zoning District.

Paterson Avenue Redevelopment Area

A redevelopment area project received Preliminary and Final Site Plan approval with bulk variances in 2022. The project intends to rehabilitate an existing building into a 4-story mixed-use building and build a 4-story mixed-use building, a 4.5-story mixed use building, and six townhome buildings. This project will also include a public facility as well as on- and off-site improvements. The project will be located at 15, 22, 25, and 27 Paterson Avenue.



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LAND USE AND ZONING ISSUES AND RECOMMENDATIONS





LAND USE AND ZONING ISSUES AND RECOMMENDATIONS

The Land Use Element Recommendation Plan is broken up into two sections. The first is a table summarizing the past issues and recommendations that have reduced or increased based on the discussions identified in the **Past Issues and Recommendations** section of this Element. The second is a comprehensive Land Use Recommendation Table that includes recommendations from the 2002 Master Plan and the 2013 and 2021 Reexamination Reports that still apply today, as well as new recommendations identified as part of this 2023 Master Plan Reexamination effort.

PART I

Below is a summary of the past issues and recommendations that have reduced or increased based on the discussions identified in the **Past Issues and Recommendations** section of this Element.

| Summary Table of Past Issues and Recommendations | | | |
|--|--|---|--------------------------|
| Past Issue or Recommendation (from 2002 Master Plan, 2013 Reexam, or 2021 Reexam) | | Increased or Maintained and Should Continue | Decreased or Resolved |
| LU-1 Zoning Recommendations | | | |
| a | B-1 Zoning District | | X |
| b | The Mill | X | |
| c | Ralph Brass/ Phoenix Down Site | | X |
| d | Paterson Avenue Light Industrial Zone | X | |
| e | Bradford Avenue Light Industrial Zone | X | |
| f | Tulip Gardens, Tulip Meadows, Canterbury/Turnberry Road | X | |
| g | Singac Industrial Zone | X | |
| LU-2 Ordinance Development | | | |
| a | Sign Ordinance | | X |
| b | Wayfinding Program | | X |
| c | Shared Parking | | X |
| d | Design Guidelines | | X |
| e | Public/Private Swim Clubs | | X |
| f | Community Impact Statement | | X |
| g | Billboard Ordinance | | X |
| h | Solar/wind Ordinances | | X |
| i | Transit-Oriented Development | | X |
| j | Complete Streets Ordinance | | X |
| k | Property Maintenance | | X |
| LU-3 Redevelopment Sites | | | |
| a | Evaluate possible redevelopment areas | X | |
| LU-4 TV-CBD Zone | | X | |
| LU-5 Route 23 Corridor | | X | |
| LU-6 Overlook Site and Laundry Site | | X | |
| LU-7 Paterson Avenue Redevelopment | | X | |
| LU-8 Flooding | | X | |
| LU-9 Update Zoning Map and Regulations | | | X |
| LU-10 Comprehensive Master Plan 2022 | | X | |



PART II

Below is a comprehensive Land Use Recommendation Table that includes recommendations from the 2002 Master Plan and the 2013 and 2021 Reexamination Reports that still apply today (indicated with a *LU-1a*, for example), as well as new recommendations identified as part of this 2023 Master Plan Reexamination effort.

DIRECTIONS

“Check off” a completed recommendation and mark the year of completion as a way to measure progress. **Short Term:** complete in 1-2 years; **Mid Term:** complete in 3-5 years; **Long Term:** complete in 10+ years.

| Land Use Element Recommendation Table | | | | | |
|---------------------------------------|---|--|---|-----------|----------------|
| | Recommendation | Implementing Party | Completion Timeframe | Completed | Year Completed |
| 1 | (LU-2g) Update Billboard Ordinance. | Planner, Planning Board, Township Council | Short-term | X | 2019 |
| 2 | (LU-3) Support the completion of previously studied redevelopment sites in Little Falls. | Planning Board, Township Council, Township Administrator | Short- to Medium-Term (updated from short-term) | X | 2018 & 2021 |
| 3 | (LU-4) Update TV district ordinance to cap density and include sidewalk widths. | Planner, Planning Board, Township Council | Short- to Medium-Term (updated from short-term) | Continue | |
| 4 | (LU-5) Address Route 23 Corridor ordinance limitations. | Planner, Planning Board, Township Council | Short-term | Continue | |
| 5 | (LU-6) Analyze and address Overlook and Laundry redevelopment sites for affordable housing compliance. | Planner, Planning Board, Township Council | Short-term | Continue | |
| 6 | (LU-7) Execute redevelopers agreement for Paterson Ave Redevelopment area. | Township Council | Short-term (update from mid-term) | Continue | |
| 7 | (LU-8) Address localized stormwater and flooding issues. | Planner, Planning Board, Township Council | Short-term (updated from mid-term) | Continue | |
| 8 | (LU-9) Update zoning map and regulations to facilitate Affordable Housing Settlement compliance and reduce unnecessary variances. | Planner, Planning Board, Township Council | Short-term | Complete | 2021 |
| 9 | (LU-10) Undergo full Master Plan in 2022. | Planner, Planning Board, Township Council | Short-term | Continue | |



| | | | | | |
|-----------|--|---|------------|--|--|
| 10 | <i>(LU-11)</i> Amend the boundaries of the TV-R2 zone to restore the R-1B zoning for the parcels on the western side of Union Avenue. | Planner, Planning Board, Township Council | Short-term | | |
| 11 | <i>(LU-12)</i> Amend the TV-MD Zone to permit townhomes and reduce maximum dwelling units per acre to 20. | Planner, Planning Board, Township Council | Short-term | | |
| 12 | <i>(LU-13)</i> Amend the TV-CBD Zone. | Planner, Planning Board, Township Council | Short-term | | |
| 13 | <i>(LU-14)</i> Eliminate the AHO Overlay Zones at 130 Houston Road and 65 Woods Road to align with the Township’s Housing Element and Fair Share Plan. | Planner, Planning Board, Township Council | Short-term | | |
| 14 | <i>(LU-15)</i> Consider amending its zoning code to incorporate the DCA model ordinance for electric vehicle charging infrastructure and incorporate the smart growth, resiliency, and environmental sustainability requirements into the 2023 Master Plan update. | Planner, Planning Board, Township Council | Short-term | | |



PAST ISSUES AND RECOMMENDATIONS

The following land use issues were identified in the 2002 Master Plan and the 2013 and 2021 Reexamination Reports. This section discusses these issues, examines what activities and changes have taken place, and identifies whether the issues have since been reduced or have an increased need the Township should address.

LU-1 ZONE RECOMMENDATIONS

The Issue: It has been many years since the zoning ordinance of Little Falls Township was comprehensively evaluated and reviewed to reflect changes in State and case law, to regulate new uses, designs, and forms of land use, and to supplement the current ordinance with missing definitions, regulations, and standards that are helpful in implementing and designing well engineered and designed site plans and subdivisions. The 2013 Reexamination Report Recommended the following changes:

a. B-1 Zoning District

Create a new Zone called the CBD-Central Business District which would be formed from part of the existing Downtown B-1 Zone. The new zone would encompass all the parcels in the existing downtown B-1 Zone from Van Ness Avenue to Center Avenue and include an extension of the limits up Stevens Avenue to include the old Police Station and Little Falls Civic Center. The creation of the new CBD Zone would allow the development of new bulk standards, parking standards, permitted uses, such as mixed use, 3-story heights and establishing additional criteria and bulk standards that are more appropriate to a thriving downtown setting. The remainder of the old B-1 Zone should remain the same as shown above, except eliminating automobile sales and drive through banks as conditional uses.

What has changed: The TV-CBD Central Business District was established in 2015. The district permits mixed-use development, 3-story heights, and additional bulk standards with the intent of promoting a thriving and dense downtown. As stated on page 36, the transit village zoning, despite NJDOT's denial of the Township's application, continues to remain valid for the downtown area.

The remaining B-1 Zone along Main Street east of Maple Street has not been amended to eliminate drive through banks and automobile sales as conditional uses.

| Land Use | |
|------------------------|-------------------------|
| Past Issues | |
| LU-1 Zone | Recommendations |
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| LU-14 AHO Overlay | Zones |
| LU-15 Smart Growth & | Electric Vehicle |
| | Charging Infrastructure |



b. **The Mill**

The zoning for the approximately 14 acres that comprise the Mill condo complex is currently Light Industrial Conditional Use. The zoning map should be changed to reflect the residential use of the property. While multi-family use is permitted in this zone as a conditional use, there is little risk that this property will be converted to industrial use.

What has changed: The zoning map has not been changed to reflect the residential use of the property.

c. **Ralph Brass/Phoenix Down Site**

This 8-acre site located directly across the street from The Mill and within walking distance to the Little Falls Train Station is ideal for multi-family residential development with the possibility of a small amount of retail. Currently the zoning is Light Industrial, which is consistent with the existing use, however, there have been vacancies in the near past. This parcel should be considered for re-zoning to permit transit-oriented development that would be integrated into any future Transit Village Program.

What has changed: The site has been re-zoned to TV-MD Transit Village Medium Density. As stated on page 36, the transit village zoning, despite NJDOT's denial of the Township's application, continues to remain valid for the downtown area.

d. **Paterson Avenue Light Industrial Zone**

The western side of Paterson Avenue (across from the Fields and Jackson Park neighborhood). Much of the newer development in this area consists of office use, which is a higher and better use for the area. Revise the name of the Light Industrial Zone to Business Innovation Zone so as to market the area for a broader range of permitted and conditional uses. The new zone name would help to promote uses such as research and development, healthcare, corporate and professional offices, service based businesses, information technology, including data storage, light manufacturing, wireless technology, logistics, and businesses that have a direct positive impact on increasing energy and material efficiency. Amend the zoning ordinance accordingly. Businesses should be allowed to include a retail component as part of the principal structure for goods manufactured or sold on site. In addition, small neighborhood scale restaurant pad sites should be reviewed as a conditional use.



What has changed: The district has not been renamed yet.

e. **Bradford Avenue Light Industrial Zone**

There is a 6-acre site located at the end of Bradford Avenue that runs along the rail line. A good portion of this site is designated as freshwater wetlands; however, it is improved with a one-story industrial building. This is the only industrial building in this neighborhood and is inconsistent with the area. This area should be considered for senior housing zoning designation or SF residential zoning, which is more consistent with the area.

What has changed: This area remains zoned industrial.

f. **Tulip Gardens, Tulip Meadows, Canterbury/Turnberry Road**

It appears from the zoning map that the zoning for these newer developments remains light industrial and businesses. The Township should re-zone these properties to a multifamily designation to properly reflect the residential use.

What has changed: The zoning has not yet been revised to reflect the residential use.

g. **Singac Industrial Zone**

This includes the area from South Grey Rock Avenue west to Arlington and Rte. 23 and includes Rainbow Caterers, Little Falls Animal Hospital, vacant land, Rossi Paint, automotive uses, Tuscano Contracting, the Martoranno Complex, and the back lot of the new Kitchen and Bath Center.

As identified below, the Township should consider including the kitchen and bath center parking lot (Blk 58 Lots 12, 12.01, and 25 in the adjacent B-1 Zone as the parking lot supports the commercial use along Rte. 23. The existing LI Zone along Fairfield Avenue should be maintained. Blk 59 Lot 1 and 2 should be included in the new LI zoning designation to be determined.

The remainder of the LI Zone along Main Street should be re-zoned to permit redevelopment in the form of either a mixed use concept with service retail and offices on the first floor with residential uses above. First floor uses should try and be identified as those that are different from the surrounding business zones. Potential townhouse development fronting along Main Street



should also be explored, with flood zones and densities being key considerations for development.

What has changed: The LI Zone along Main Street in the eastern end of town remains unchanged.

LU-2 ORDINANCE DEVELOPMENT

The Issue: The 2013 Reexamination Report recommended the following items for ordinance development:

a. **Sign Ordinance**

Revise the sign ordinance to update permitted types, location, sizes, and lighting specifications that will create a cohesive design to unify zoning districts.

What has changed: Sign ordinance was updated to standardize and unify the standards via ordinance #1374 on December 16th, 2019.

b. **Wayfinding Program**

Develop a wayfinding signage program, which would include developing a branding or marketing logo, as well as providing information kiosks at key locations in the Township, to promote Township activities, functions, businesses, and identify parking facilities.

What has changed: The Township has successfully developed a wayfinding signage program.

c. **Shared Parking**

Develop a shared parking ordinance, whereby adjacent property owners share their parking lots and reduce the number of parking spaces that each would require on their individual properties. The idea being that if adjacent land uses have different peak hours of parking demand, then they can share some of the same parking spaces.

What has changed: Shared parking was added to the code by ordinance in 2015. Shared parking is encouraged in mixed-use areas and the Planning Board is authorized to waive any and all of a use's parking requirements in the mixed-use TV District if a parking structure or surface parking lot with adequate capacity is located within 500 feet, or if the Planning Board finds on-street



parking is available. The Transit Village Districts' regulations contain provisions for shared parking requirements.

d. **Design Guidelines**

Established design guidelines for the two commercial downtown business zones (Main Street and Singac District) that promote good civic design, physical continuity, and high visual quality of site and building design that provide design direction to property owners, developers, designers, and decision makers.

What has changed: The Transit Village Districts were adopted in 2015 and contain architectural regulations and permit mixed use and commercial development. These zone districts are located along Main Street in the downtown area. The Singac Redevelopment Plan was adopted in 2018 and contain design standards that guided the redevelopment of the area that is under construction as of writing of this Report.

e. **Public/Private Swim Clubs**

It is recommended that public swimming pools or club pools intended for open use of the public or to club members should be permitted as a conditional use in all zones in the Township. Specific standards should be established such as buffers, parking, distance to structures, percentage of area for pool, and minimum lot size.

What has changed: The swimming pools ordinance was amended in its entirety on July 22nd, 2019, to specify construction requirements. The amendments did not directly address the recommendation to make pools intended for open use of the public a conditional use in all zone districts.

f. **Community Impact Statement**

Require a community impact statement as a checklist item to be prepared for any major site plan or subdivision in order to evaluate the financial impact on the Township.

What has changed: Little Falls' code of ordinances contains a provision requiring a community impact statement for certain applications. The statement shall consist of written and graphic materials which present information on the expected impacts of the application on population, schools, community facilities, public services, traffic, and municipal finances.



g. **Billboard Ordinance**

Update billboard ordinance to limit location of billboards to appropriate area and to establish the distance between billboards to 3,000 feet.

What has changed: Ordinance # 1374, adopted on December 16th, 2019, amended the code to prohibit billboards in all zoning districts except in B-2 Business Zone as a conditional use. The minimum distance between billboards remains 2,000 feet.

h. **Solar/wind Ordinances**

With State and Federal legislation promoting sustainable energy the Township should consider establishing ordinances to appropriately control and regulate on-site renewable energy infrastructure for both residential and commercial properties so as to avoid or minimize potential adverse impact.

What has changed: In 2016 the Township adopted an ordinance which allows solar energy systems for the purpose of providing power to the principal use of the property. The ordinance also contains design requirements for such systems. The same year the Township adopted an ordinance that permits small wind energy systems as a conditional use in all zone districts.

i. **Transit-Oriented Development**

Adopt a transit-oriented development (TOD) redevelopment plan or TOD zoning ordinance.

What has changed: Little Falls' Transit Village Districts were established in 2015. The districts promote transit-oriented development by locating higher-density mixed-use development adjacent to transit stops in Little Falls. The Township applied to the NJDOT to receive Transit Village designation. The NJDOT, citing lack of transit ridership, did not grant the designation. Nevertheless, the zoning remains appropriate for the downtown area.

j. **Complete Streets Ordinance**

Complete Streets is a transportation policy and design approach that requires streets to be planned, designed, operated, and maintained for safe, convenient and comfortable travel and access for users of all ages and abilities regardless of their mode of transportation. Complete Streets considers safe travel by those walking, bicycling, driving automobiles, riding public transportation, or delivering goods.



Complete Streets can include improved safety, health, economic, and environmental outcomes.

What has changed: The complete streets policy was adopted in 2017 for the purpose of promoting a comprehensive, integrated, multimodal transportation network. The policy commits the Township to encouraging and facilitating pedestrian and bicycle facilities wherever they are appropriate.

k. **Property Maintenance**

The Township should designate appropriate zoning/standards and enforcement to address neighborhood appearance that might impact property values.

What has changed: The Township's property maintenance ordinance was amended in its entirety in 2014.



LU-3 REDEVELOPMENT SITES

Redevelopment is a process to rebuild or restore an area in a measurable state of decline, disinvestment, or abandonment. Redevelopment may be publicly or privately initiated but is commonly recognized as the process governed by the Local Redevelopment and Housing Law and undertaken in accordance with a redevelopment plan adopted by the municipality. If used correctly, it can transform an underutilized or distressed area into an economically viable and productive part of the community.

Rehabilitation is an undertaking, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need of rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of the area.

The Issue: The 2008 plan noted that an analysis of future redevelopment opportunities should be determined in order to create a working relationship with possible developers. In 2010 the Little Falls Redevelopment and Parking Committee began preliminary discussions about opportunities for re-zoning, redevelopment, and zoning ordinance changes throughout the Township, many of which have been updated in the recommendations section of this report. Vacancies of industrial properties or industrial properties no longer considered suitable use for the area continue to be the primary area suitable for redevelopment through zoning or redevelopment plans.

What has Changed: Since the 2013 Reexamination there have been two redevelopment sites created in Little Falls. The Downtown Redevelopment Area was designated on September 25, 2017, and is located along Main Street, Paterson Avenue, and Maple Street. The Downtown Redevelopment Plan was adopted in 2021. The Singac Redevelopment Area is located on Block 77, between Main Street and the Montclair Boonton Line. The Singac Redevelopment Area Plan was approved by the Township Council in 2018. Both redevelopment areas have received site plan approval from the Planning Board. This recommendation remains valid as other parcels in the Township may be suitable for future redevelopment.



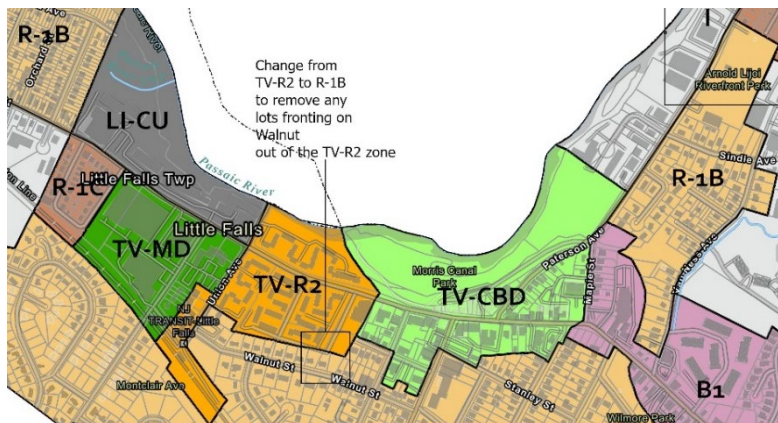
LU-4 TV-CBD ZONE

The Issue: The TV-CBD Central Business District is one of the Township's Transit Village zoning districts. These districts reinforce the use of public transportation by locating higher-density, mixed-use development within proximity to Little Falls bus stop locations and the train station. The districts were created in 2015 with amendments in 2016 and 2017.

The districts are subject to bulk requirements that set minimums and maximums for architectural features and designs. The existing code has several density controls that list minimum values but not maximums. The result is a code which does not have a density cap. It is recommended that the code be amended to contain appropriate bulk requirements to cap density.

Additionally, the code does not list minimum sidewalk widths. It is recommended that the code be amended to include appropriate minimum sidewalk widths for the districts.

What has Changed: The zoning has not been amended to update the bulk requirements to cap density. There are additional issues related to the TV-CBD zone discussed in the **New Trends & Issues** section of this report. This recommendation continues to remain valid.





LU-5 ROUTE 23 CORRIDOR

The Issue: The Route 23 Corridor in Little Falls is limited by its current ordinance standards. The current B1 zoning regulations lack flexibility in bulk standards and lack vision and purpose in the code. Additionally, the area is challenged by the requirements of and abundance of variances for infill development. The current ordinance requirements are prohibitive of the type of development that would likely succeed. It is recommended that the ordinance is updated to include vision and purpose, to provide greater flexibility, and to facilitate infill development. It is recommended that this be analyzed and addressed through a comprehensive master plan update.

What has Changed: Since the 2021 Re-Examination Report, the Planning Board has granted use variance relief for two (2) development applications in the Route 23 corridor (one multifamily development and one mixed-use development). This trend further emphasizes the recommendation to address zoning in the Route 23 corridor as a part of a Master Plan update.

LU-6 OVERLOOK SITE AND LAUNDRY SITE

The Issue: The Overlook Site and the Laundry Site are two sites that deserve the Township's attention. Both of these sites were studied for designation as Areas in Need of Redevelopment in 2017.

The Overlook is composed of 11 properties near Montclair State University, along Clove Road and Oak Hill Road and south of Route 46. The study was not completed, but the area remains a potential redevelopment site. The area was also identified in the Township's 2016 Housing Element and Fair Share Plan (HEFSP) as an opportunity to facilitate the Township's fulfillment of its Affordable Housing obligations. It is recommended that the Township amend the Zoning Map to facilitate its redevelopment as a multi-family residential area for 2016 Affordable Housing Settlement Compliance. Additionally, since the site belongs to Montclair State University, the Township should reach out to the University for coordinated planning efforts. It is recommended that this area be analyzed and addressed through a comprehensive master plan update.

The Laundry Site is identified as 10 properties located south of Main Street and west of Cedar Grove Road. The area is a mix of industrial, commercial, and residential uses, and was identified as a site for meeting Affordable Housing obligations in the 2016 HEFSP. The area should be considered for redevelopment, and the Township's Zoning Map should be updated to facilitate its redevelopment to



multi-family housing. It is recommended that this site be analyzed and addressed through a comprehensive master plan update.

What has Changed: No changes have occurred to either site. This recommendation remains valid.

LU-7 PATERSON AVE REDEVELOPMENT

The Issue: In 2021, the Township adopted a redevelopment plan for an area composed of parcels located between Paterson Avenue, Main Street and Maple Avenue in central Little Falls. The plan promotes mixed use residential development that increases housing options for the Township, accommodates current household preferences for living arrangements, and leverages the site's proximity to commuter rail service.

The adoption of the plan represents significant progress toward the redevelopment of this site. It is recommended the Township move forward to execute a redevelopers agreement with the property owners and facilitate the site planning process before the planning board.

What has Changed: The designated redeveloper received site plan approval to redevelop the site in accordance with the redevelopment plan. The Township has not adopted a redeveloper's agreement with the designated redeveloper yet.



LU-8 FLOODING

The Issue: Little Falls' topography and development have left the Township vulnerable to regular flooding in certain areas. These issues are contributing to increasingly severe localized stormwater problems including stormwater backup along Peckman preserve. These issues are expected to increase in the future as rain events occur with increased frequency and severity. It is recommended that the Township implement mitigation initiatives in key areas to mitigate flooding and stormwater problems. As discussed earlier, Senate Bill No. 2607 required that all updates and amendments to the Land Use Plan include a natural hazards and climate change vulnerability assessment as well as a build out analysis to assess future impacts. It is recommended that the Township move forward with a comprehensive master plan update which includes this required component of the Land Use element with a special focus on the Peckman River.

What has Changed: No changes have occurred. This recommendation remains valid.



LU-9 UPDATED ZONING MAP AND REGULATIONS

The Issue: As the code exists in its current state, some residential additions are required to get a D Use-Variance in the R1-A, R1-B, and R1-C zoning districts. These variances place an unnecessary burden on residents and the Township and could be dealt with in a more elegant way.

Little Falls should adopt amendments to update zoning ordinances and amend the Township's zoning map. The zoning ordinances should be amended to eliminate Floor Area Ratio (FAR) requirements in R1-A, R1-B, and R1-C zoning districts. Additionally, the schedule of use, area, and bulk regulations should be updated to include ground floor area requirements in place of the FAR regulations.

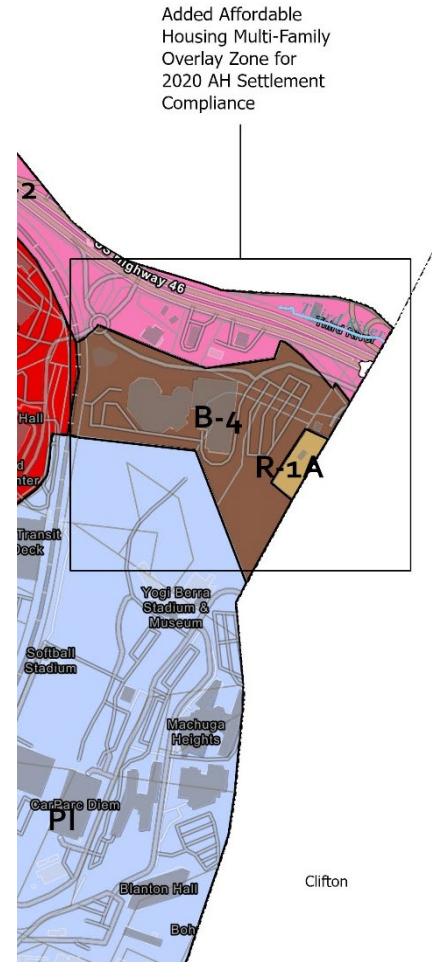
This report also finds that there are several areas where the zoning district does not reflect the existing development patterns in the Township. Specifically, some parcels in the current R1-B Zone are smaller lots than the district permits. Zoning map amendments should be adopted to provide more compliant building parcels. The changes include:

- Changing Walnut Street fronting lots from TV-R2 to R-1B.
- Changing a portion of the R-1A district along Francisco Ave to R-3A to facilitate 2016 Affordable Housing Settlement compliance.
- Changing some parcels along Long Hill Road from B1 to MFS to facilitate 2016 Affordable Housing Settlement compliance.
- Changing two residential areas, one of which is located along Hopson Ave, the other along Harrison Street, to make zoning lot sizes and dimensions more consistent with existing development.

Adding the Affordable Housing Multi-Family Overlay Zone on parcels located at the northeast corner of the Township to facilitate 2016 Affordable Housing Settlement compliance. These changes are shown in Appendix A which is the proposed Zoning Change Map.

What has Changed: Ordinance No. 1426, adopted on December 6th, 2021, amended the Zoning Ordinances (Chapter 280) to eliminate the floor area ratio requirements from the following principal permitted and conditional uses in the R1-A, R1-B, and R1-C Zones:

- R1-A: principal permitted uses including, single-family detached dwelling; as well as conditional uses including, home occupations, resident doctors' or dentists' office, essential public





utility substations and pumping stations, and private schools of general instruction.

- R1-B: principal permitted uses including those noted in R1-A, single-family detached dwelling, resident professional office of doctor, dentist, architect, engineer, and lawyer or accountant, home occupations as defined in § 280- 4; as well as conditional uses including those noted in R1-A.
- R1-C: principal permitted uses included those noted in R-1B, single-family detached dwellings, public utility substations or pumping stations meeting the requirements of § 280-13C; as well as conditional uses including those noted in R-1B.

Ordinance No. 1427, adopted on November 22nd, 2021, amended the Zoning Map (Chapter 280-6).

LU-10 COMPREHENSIVE MASTER PLAN 2022

The Issue: As discussed through these recommendations it is clear that it may be time to update the comprehensive master plan for the Township. The last Comprehensive Master Plan for Little Falls was adopted in 2002. Since the last plan, the Township has authorized and adopted three Master Plan Reexaminations, in 2008, 2013. It has been 20 years since the last Comprehensive Plan. While the Reexaminations have addressed many of the Township's development issues, it is recommended that the Township undergo a full Master Plan in 2022 that looks more fully into the Township's current conditions and future opportunities.

What has Changed: No action was taken to address this recommendation. It is recommended that the Township undertake a comprehensive update to the Master Plan in 2023.



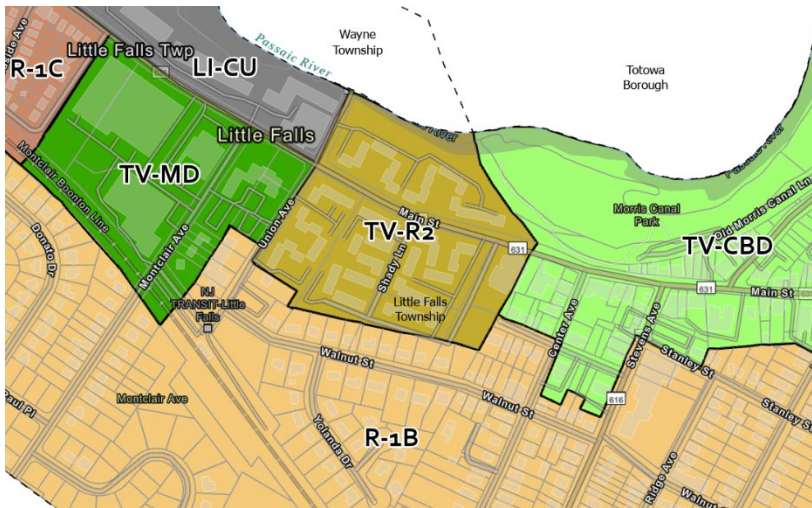
NEW ISSUES AND TRENDS

An extensive review process in partnership with the Planning Board uncovered several land use issues and trends forming in Little Falls today. These new issues and trends are discussed further below. Previous issues already identified in the 2002 Master Plan and the subsequent Reexamination Reports are discussed in the **Past Issues and Recommendations** section of this Element.

LU-11 TV-R2 ZONE

The TV-R2 Zone was created along with the TV-MD and TV-CBD zones by the Township Council in 2015 and was amended in 2016 and 2017. The purpose of the TV-R2 zone states "The TV-R2 Subdistrict builds upon the existing residential apartment complex by allowing an increase in height of the structure from 2.5- to three stories. All other bulk standards shall remain the same. Existing multifamily units are currently built at three stories. This zone shall be maintained as a strict residential district to support both bus and rail transportation options and retail/commercial uses in the Transit Village corridor." The boundary of the TV-R2 zone replaced the R-2 Zone for parcels located between Union Avenue and the TV-CBD zone and the R-1B zone for the parcels located on the western side of Union Avenue.

No significant changes have occurred to properties in this zone as a result of the change. Additionally, the uses on the western side of Union Avenue have become non-conforming as a result of the zone change. It is recommended that the Township amend the boundaries of the TV-R2 zone to restore the R-1B zoning for the parcels on the western side of Union Avenue.



| Land Use |
|---|
| Past Issues |
| LU-1 Zone Recommendations |
| LU-2 Ordinance Development |
| LU-3 Redevelopment Sites |
| LU-4 TV-CBD Zone |
| LU-5 Route 23 Corridor |
| LU-6 Overlook Site and Laundry Site |
| LU-7 Paterson Ave Redevelopment |
| LU-8 Flooding |
| LU-9 Updated Zoning Map and Regulations |
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| LU-11 TV-R2 Zone |
| LU-12 TV-MD Zone |
| LU-13 TV-CBD Zone |
| LU-14 AHO Overlay Zones |
| LU-15 Smart Growth & Electric Vehicle Charging Infrastructure |



LU-12 TV-MD ZONE

The TV-MD Zone was created along with the TV-R2 and TV-CBD zones by the Township Council in 2015 and was amended in 2016 and 2017. The purpose of the TV-MD zone states “The TV-MD Subdistrict offers easy and convenient access to the Little Falls train station and is adjacent to the TV/CBD. The existing land uses in the vicinity of the proposed zone consist of two- to three-story apartment buildings, the municipal complex, several single-family homes, and single-story light industrial buildings. These existing uses are similar in nature to the proposed zoning. This proposed zone provides for higher-density residential development surrounding the Little Falls train station and Main Street. Commercial uses such as retail and personal services are primarily intended to support the ridership and the residents of the zone, whereas the CBD is the true mixed-use downtown. A pedestrian network connects residential development with supporting land uses and existing bus and rail transit.” The TV-MD zone was amended in 2017 to include the provision for every five units constructed in a project, one unit of affordable housing must be constructed as a part of the Township's Housing Element and Fair Share Plan. This zone was projected to provide 52 affordable housing units under the condition that the zone have a maximum density of 35 units per acre.

The area has changed with the development spurred by the Singac Redevelopment Plan and the Paterson Avenue Redevelopment Plan. It is recommended that the zone be amended to reduce the maximum density to 20 units per acre. Additionally, it is recommended that the ordinance be amended to include townhomes as permitted use to act as a transition between the two areas and the surrounding residential zones.

LU-13 TV-CBD ZONE

The TV-CBD Zone was created along with the TV-R2 and TV-MD zones by the Township Council in 2015 and was amended in 2016 and 2017. The purpose of the TV-CBD zone states “The TV/CBD Subdistrict is defined by a center core area focused around the Main Street bus stop locations within the existing downtown. This zone is intended to be the primary commercial and mixed-use area for the Transit Village. The subdistrict contains jobs, commercial services, and housing that will generate high levels of pedestrian activity and transit use. All land uses are pedestrian-oriented and well-connected to the transit locations.” The zoning regulations have spurred development in the zone at a scale much larger than



envisioned when the zoning was implemented. The 2021 Re-Examination Report recommended adding a maximum dwelling unit per acre requirement to the zone's regulations. It is recommended that the Township add a maximum density of 25 dwelling units per acre to the TV-CBD zone as well as the following recommendations:

- Remove parking structures as a permitted accessory use in the zone.
- Consider reviewing the stipulated front and rear yard setbacks while continuing to maintain the existing character in the immediate vicinity.
- Consider permitting office uses on the upper floors.

LU-14 AHO OVERLAY ZONES

The Township of Little Falls adopted seven (7) Affordable Housing Overlay (AHO) zones during the COAH round submission prior to the adoption of the 2016 Housing Element and Fair Share Plan and the Township's settlement agreement with Fair Share Housing Center. The 2016 Plan eliminates two sites that were identified in the 2008 Plan. Block 230, Lot 57 (130 Houston Road) was recommended to be eliminated as an AHO overlay zone as it was deemed infeasible given the lack of access to the site and environmental constraints. Block 237, Lots 30, 44, 52, and 59 (65 Woods Road) were recommended to be eliminated as an AHO overlay zone as the site was developed as a single-family subdivision. As a part of the settlement agreement, the developer agreed to make a payment-in-lieu of construction in the amount of \$210,000, which was to help fund the municipal rehabilitation program.

It is recommended that the Township's zoning map be amended to reflect the Township's Fair Share Plan that was adopted as a part of the settlement agreement with Fair Share Housing Center. The zoning map amendments would adhere to the recommended elimination of the two affordable housing overlay zones detailed above. As a result, the site at 130 Houston Road and the site at 65 Woods Road would revert back to the underlying R-1A zone.



LU-15 SMART GROWTH & ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

The Municipal Land Use Law requires that a Reexamination Report state recommendations concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts and, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

On July 9, 2021, Governor Murphy signed into law Senate Bill S3223, which requires that Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements related to EVSE in all the municipalities in the State. As mandated by this law, the Department of Community Affairs (DCA) published a model statewide municipal EV ordinance on September 8, 2021. The intent of the model ordinance is to ensure consistency statewide in the installation of the required EVSE and Make-Ready parking spaces as well as providing an ordinance that can be easily used with no or minimal amendments by the municipality. The model statewide ordinance is mandatory and has become effective in all municipalities upon DCA publication on September 8, 2021. The model ordinance has been applied to the multiple applications that have come before the Planning Board since its publication in September of 2021. The Township may want to consider amending its zoning code to incorporate the DCA model ordinance for electric vehicle charging infrastructure. Furthermore, Little Falls should incorporate the smart growth, resiliency, and environmental sustainability requirements into its 2023 Master Plan update.