



# LITTLE FALLS MASTER PLAN REEXAMINATION REPORT



For Adoption by Little Falls Planning Board on November 18, 2021

Prepared by: H2M architects + engineers



# ACKNOWLEDGMENTS

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Honorable James Damiano

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architects + engineers  
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 2003 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 were intended to replace the previous goals and objectives identified in the 2003 Plan and 2008 Re-examination Report. The following list of goals forms the basis for the plans, policies, statements and proposals of the 2013 Master Plan Re-examination document.

### MASTER PLAN 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. To 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, Signac 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.
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.



# 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 and 2013 in accordance with the New Jersey Municipal Land Use Law, (MLUL), N.J.S.A. 40:55D-89. The Township last adopted its comprehensive Master Plan in 2002. The 2013 Reexamination is being re-examined to reflect the changing needs of the Township.

The purpose of these Reexamination requirements are 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.

The municipal 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.

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:

<b>Vision Statement and Goals and Objectives</b> includes a recommended set of goals and objectives for incorporation into the Township Master Plan.
<b>Introduction and Background</b> 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. This section also discusses the Master Plan Reexamination Survey results, conducted alongside this effort.
<b>Significant Changes in Assumptions, Policies and Objectives</b> discusses changes that have occurred since the 2013 Master Plan Reexamination 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.
<b>Land Use Element Reexamination</b> addresses community form and land development of the Township.
<b>Appendices</b> includes a proposed zoning map and proposed ordinances





## 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 at the beginning of each Element. 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 to 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
<b>Recommendation Category</b>				
<b>1</b> 2021 (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 2013 Reexam)	Increased or Maintained and Should Continue	Decreased or Resolved
<b>1</b> 2002/2013 (old) Recommendation or Issue	X ''	X ''



The following Goals and Objectives were identified in the Township of Little Falls 20013 Master Plan Re-Examination Report:

\*\* indicate goals or objectives taken from the 2008 reexamination plan.

### **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. 40:55D2), 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. To 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 (Rte 46, Signac and Main Street), while being sensitive to adjacent and 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 area 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 balance development in the Township for affordable housing.
14. To encourage active participation in the planning process by Little Falls citizens.
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 program 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 Signac 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 waste water 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.

### **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 streetfront, 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.



# SIGNIFICANT CHANGES IN ASSUMPTIONS, POLICIES, AND OBJECTIVES



The third provision of 40:55D-89 of the Municipal Land Use Law (MLUL) requires that a Re-Examination Report address:

“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.”

### **Changes at the Local Level**

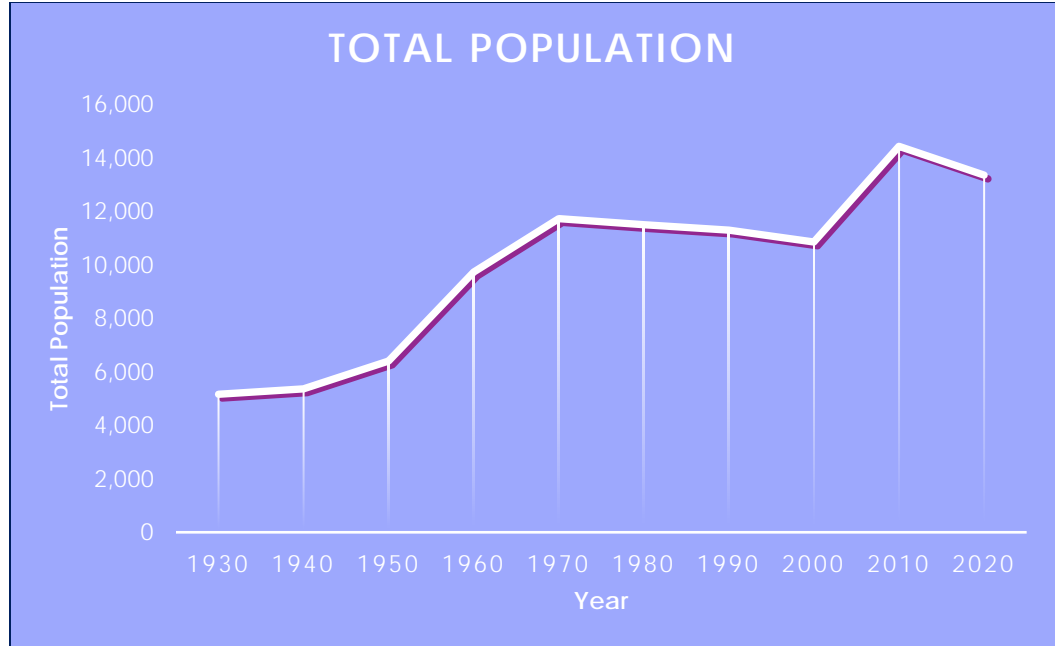
#### **Current, Historic, and Projected Population Growth**

The 2020 Population of Little Falls Township was 13,360 which was 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 below. Little Falls has experienced steady growth since 1930, with a noticeable decrease of 872 people from 1970-2000, however there was a large increase in the population between 2000 and 2010 where the population increased by 32 percent. 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's population decreased by 7.4%. However, review of census data shows that this decrease is likely due to Monclair State University's COVID-19 response, in which the University's dorm residents were asked to return to their family homes. Based on census data, 1,162 fewer MSU students lived in their campus dorms during the time when 2020 Census was being counted. Some of the decrease is also likely due to the number of buyout properties that have occurred in the Signac 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 sixties and seventies.





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

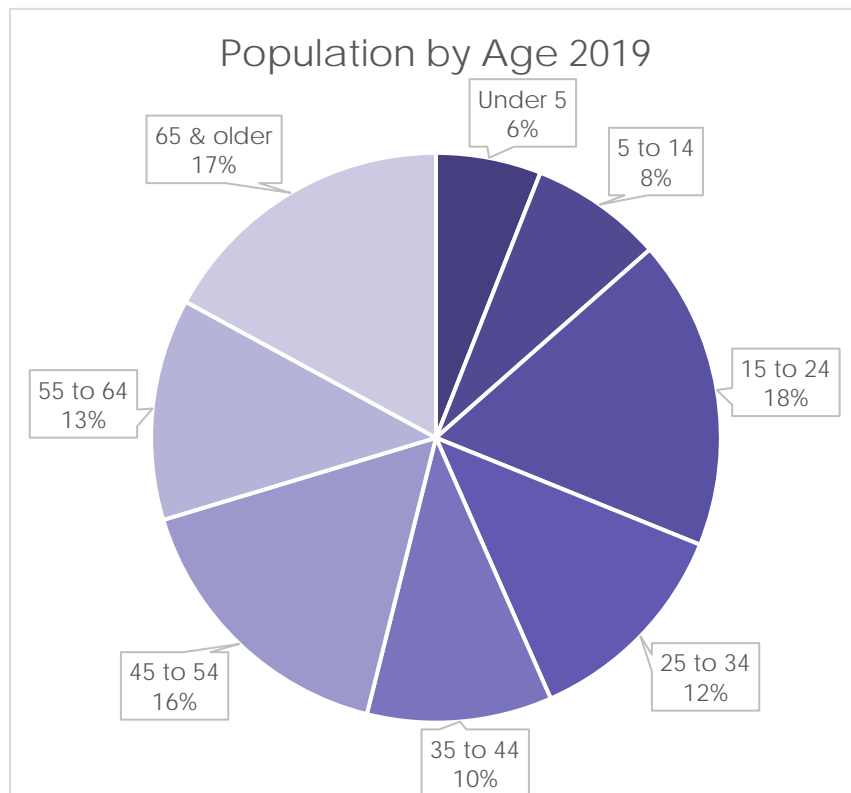


### Population and household Composition

Census data indicates several noteworthy shifts in the age composition of Little Falls. Analysis of age group characteristics provides insight in 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 15-24 cohorts (Montclair State University Students), while the 25-34 and 35 to 44 age cohorts saw decreases in population. These comparisons are helpful in determining 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 2010 was 32.1 years.

Population by Age 2000 and 2019, Little Falls						
Population	2010		2019		Change 2010 to 2019	
	Number	Percent	Number	Percent	Number	Percent
Under 5	519	3.6	865	6.0	346	66.7
5 to 14	1,113	7.7	1,092	7.5	-21	-1.9
15 to 24	4,600	31.9	2,551	17.6	-2,049	-44.5
25 to 34	1,411	9.8	1,778	12.3	367	26.0
35 to 44	1,615	11.2	1,521	10.5	-94	-5.8
45 to 54	1,755	12.2	2,381	16.4	626	35.7
55 to 64	1,541	10.7	1,822	12.6	281	18.2
65 & older	1,878	13.0	2,473	17.1	595	31.7
Total	14,432	100.0	14,483	100.0	51	0.4

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



Source: US Census Bureau, ACS 5-year estimates



<b>Little Falls Township 2010/2020 Population, Household, and Income/Employment Characteristics</b>				
	2010		2020	
	Number	Percent	Number	Percent
Population	14,432		13,360	
<b>Race</b>				
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		2019	
	Number	Percent	Number	Percent
<b>Households</b>				
Total Households	4,740		5,223	
Married couple households	2,173	45.8	2,917	55.8
Female Householder, no spouse present, family household	482	10.2	412	7.9
Nonfamily Household	1,913	40.4	1,714	32.8
<b>Income/Employment</b>				
Median Household Income	78,318		101,651	
Per Capita Income	34,505*		45,898	
Families in Poverty	138*	4.7*	123	3.5

\*5-year ACS estimates

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

Married couples made up 55.8% of households in 2019, while single female householders made up 7.9%. Approximately 27% of households consisted of persons living alone.

<b>2019 Per Capita and Household Income Little Falls Township, Passaic County, and New Jersey</b>		
	2019 Per Capita Income	2019 Median Household Income
Little Falls	\$45,898	\$101,651
Passaic County	\$32,064	\$69,688
New Jersey	\$42,745	\$82,545

Source: US Census Bureau, ACS 5-year estimates

The median household income for 2019 in Little Falls was \$101,651, over \$30,000 more than the County and about \$18,000 above the State’s median household income. Only 3.5% of households in Little Falls live below the poverty line. According to the New Jersey Department of Labor Workforce and Development, the unemployment rate in Little Falls was 3.2% in 2019.



### 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 5,418 units in 2019, an increase of 493 units or about 10.0% - while the rate of population decline, was 7.4%, which was largely due to the decrease in the Montclair State population during the time of the Census due to Covid. In 2019, the vast majority of units (96.4%) were occupied, with (67.9%) 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 1,543 units (28.5% of occupied units) in 2019.

Housing Characteristics Little Falls Township				
	2010		2019	
	Number	Percent	Number	Percent
Total Housing Units	4,925		5,418	
Occupied Housing Units	4,740	96.2	5,223	96.4
Owner Occupied	3,279	66.6	3,680	67.9
Renter Occupied	1,467	29.8	1,543	28.5
Vacant	185	3.8	195	3.6
Avg. Household Size- Owner	2.51		2.66	
Avg. Household Size- Renter	2.03		2.31	

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

### Revised Goals and Objectives

In consideration of the foregoing findings and observations, the Township’s Master Plan goals and objectives should be revised to bring them into alignment with current issues facing the Township. As such proposed modifications and additions to the goals and objectives are provided in Section V – Recommendation Section of this report.

A Master Plan Reexamination Report 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 19-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.



## REGIONAL PLANNING EFFORTS AND POLICIES

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

### NJTPA REGIONAL TRANSPORTATION PLAN 2045: CONNECTING NORTH JERSEY

The 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. The NJTPA's Regional Transportation Plan has a vision to make the regions transit more efficient, livable, and resilient.

The NJTPA adopted the Regional Transportation Plan 2045: Connecting North Jersey on November 13, 2017. Little Falls's development and regulations are consistent with the goals of the NJTPA Regional Transportation Plan.

### 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 challenges 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 taken into consideration, and where appropriate, were integrated into this reexamination report.

Together North Jersey prepared The Plan in 2015. Little Falls's 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 MLUL 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. 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 authorized two new types of guarantees: a temporary certificate of occupancy guarantee and a safety and stabilization guarantee.

The amended law additionally limited maintenance guarantees for improvements that are subject of the performance guarantee and are being released, and for certain private stormwater management improvements. The term of a maintenance guarantee automatically expires and cannot exceed two years.

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 (LHRL).





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.

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 LRHL. 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 and 2011 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 Municipal Land Use Law requires municipal master plans *“include a specific policy statement indicating the relationship of the proposed development of the municipality as described in the master plan to: (1) the master plans of contiguous municipalities, (2) the master plan of the county, and (3) the State Plan adopted pursuant to the State Planning Act...”* This Reexamination Report complies with this requirement of the Municipal Land Use Law in **Relationship to Other Plans** section of this report.

However, the 2012 State Strategic Plan is the revision to 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 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 have 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 parallel the regulations in 2004 and last revised in September 2017. Updates through 2017 include a chapter one update (Impacts of Development on Runoff), updated structural stormwater management measures and one new measure for Blue Roof systems, which are systems designed to provide stormwater detention on roofs effectively reducing flow rates from roof, and reducing the size of downstream detention basins.

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.

New Stormwater Rules were published on March 2<sup>nd</sup>, 2020. These amendments require that green infrastructure is used to meet stormwater management standards for water quality, groundwater recharge, and quality control.

### 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.



## PLANNING BOARD AND ZONING BOARD OF ADJUSTMENTS OPERATIONAL GUIDANCE - COVID-19

Governor Phil Murphy issued Executive Order #107 on March 21, 2020 that required all public hearings to transition to virtual meetings amongst a variety of other restrictions that limited residents' contact with others as a way to stem the spread of the Coronavirus. The Division of Local Government Services (DLGS) issued temporary guidelines amidst the Covid-19 pandemic on operational guidelines. The announcement provides recommendations regarding conducting hearings and facilitating public participation. Statewide restrictions limiting in-person public meetings and hearings are to be conducted by alternative electronic means such as Zoom, Facebook or YouTube. Recommendations regarding providing adequate public notice are broad but make sure to include web conference and dial-in options for the public. The notice must provide conference call access or web-meeting access information. Those lacking the resources or know-how for technological access should contact the Board Secretary for assistance in accessing the plans and the meeting. All plans and application materials must be on file with the Board Secretary for review by the public at least ten (10) days prior to the hearing. The Division encourages local officials to review this guidance with their Board secretaries and professionals. It is unclear whether the guidelines will have lasting effects on the way public bodies conduct public meetings, but it is something that the Township should follow as municipalities continue to improve their access to virtual public meetings as the restrictions are in place

## NATURAL HAZARD CLIMATE CHANGE VULNERABILITY ASSESSMENT AND BUILDOUT ANALYSIS

Senate Bill No. 2607 was signed into law by Governor Phil Murphy on February 4<sup>th</sup>, 2021. 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 provides 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.

## 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. The Comprehensive Plan Element and makes recommendations for future improvements. The plan relates to Little Falls in that it mentions priorities for improving Peckman Preserve via a two phase plan; the first phase entails invasive species removal, landscape restoration and development, while phase 2 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 prosperit; 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.



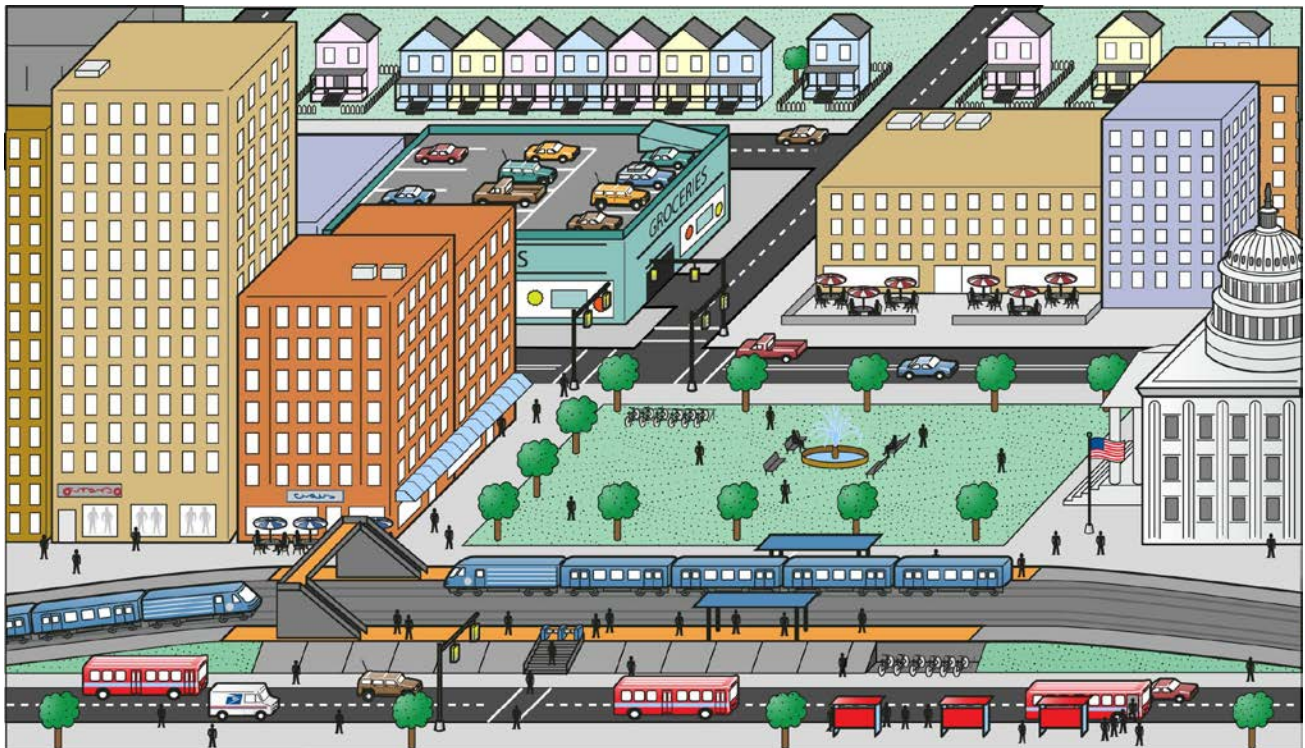


## LOCAL PLANNING EFFORTS AND POLICY CHANGES

Significant changes at the local level include:

### TRANSIT VILLAGE DESIGNATION

The Township is seeking to designate the downtown area as a Transit Village, which is an initiative by the New Jersey Department of Transportation 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 Township is currently in the application process for achieving this designation.



Features (generally encompass multiple city blocks up to a half mile from a transit station)

<p><b>Transit station, such as a light rail station, that is part of a transportation network</b> allows residents to access the region's neighborhoods, destinations, and centers, thereby promoting transit use</p>	<p><b>Open spaces</b> to include transit-plazas, small parks or regional open spaces</p>	<p><b>High-quality walking environments and streetscape</b> that allow people to take care of some of their daily needs by walking or biking</p>	<p><b>Includes moderate- to high-density mix</b> of residential, commercial, employment, and civic/cultural developments</p>	<p><b>Includes residential buildings</b> that can vary from small-lot single family/ duplex/ townhome units to high-rise multifamily units</p>	<p><b>Offers mixed use and employment developments</b> that can vary from mid- to high-rise residential over commercial to low-to-high-rise office/commercial</p>

Source: GAO. | GAO-15-70



### 2017 HOUSING ELEMENT AND FAIR SHARE PLAN

Little Falls's 2017 Housing Element and Fair Share Plan was adopted by the Planning Board on February 2<sup>nd</sup>, 2017, and endorsed by the Council on March 27<sup>th</sup>, 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 TV-MD Zoning District, redevelopment sites, and the AMF Overlay Zone.



## ZONING ORDINANCE AMENDMENTS

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

Zoning Ordinance Amendments		
	<b>Ordinance # and Adoption Date</b>	<b>Purpose</b>
1	# 1194 Adopted June 9 <sup>th</sup> , 2014	Amended Medium Density Residential Zone Bulk Standards
2	# 1224 Adopted August 10 <sup>th</sup> , 2015	Amended Township Code and Zoning Map to establish TOD Zoning Districts
3	# 1245 Adopted October 17 <sup>th</sup> , 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 <sup>th</sup> 2016	Established "Land Use Procedures" chapter into Township code
6	# 1270 Adopted November 28 <sup>th</sup> , 2016	Amended TOD zoning districts regulations
7	# 1280 Adopted March 27 <sup>th</sup> , 2017	Amended Township code to address affordable housing obligations
8	# 1282 Adopted March 27 <sup>th</sup> , 2017	Amendment to replace chapter 280, article IX to address affordable housing obligations
9	# 1283 Adopted March 27 <sup>th</sup> , 2017	Ordinance to address affordable housing obligations
10	# 1284 Adopted March 27 <sup>th</sup> , 2017	Amended and implemented TOD zoning district regulations
11	# 1308 Adopted February 26 <sup>th</sup> , 2018	Amended and supplemented chapter 280, article XXII, Fences
12	# 1334 Adopted September 24 <sup>th</sup> , 2018	Zoning code amendments regarding encroachments in required yards
13	# 1364 Adopted July 22 <sup>nd</sup> , 2019	Amended Article XX, Use, Area and Bulk Regulations
14	# 1365 Adopted July 22 <sup>nd</sup> , 2019	Amended swimming pools ordinance
15	# 1374 Adopted December 16 <sup>th</sup> , 2019	Amended sign ordinance and limited billboards to appropriate areas
16	# 1375 Adopted December 16 <sup>th</sup> , 2019	Amended setback requirements
17	# 1377 Adopted February 10 <sup>th</sup> , 2020	Amended I Industrial district regulations



## **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 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 18<sup>th</sup>, 2020. The project remains in construction and continues to progress toward completion.

### **The Falls 215 Route 23**

A 4-story 50-unit residential building is seeking Preliminary and Final Site Plan approval. The project will be located at 215 Route 23 within the B-1 Zoning District.

### **The Manor- Valley Bank Site Main Street**

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 variance. The project is located at 115 Main Street and 10-12 Warren Street within the TV-CBD Zoning District.

### **Martorana 435 Main Street**

A 4-story age-restricted residential apartment complex composed of 55 1-3 bedroom dwelling units is proposed for a site located at 435 Main Street. The project is currently seeking Subdivision and Site Plan approval and is split zoned, with 2/3's of the property lying in the L1 Industrial District, and the remaining portion in the R-1B Zone.

### **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 produced 15 total units, 3 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 town in meeting its affordable housing obligations.



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# LAND USE AND ZONING ISSUES AND RECOMMENDATIONS





## LAND USE AND ZONING ISSUES AND RECCOMENDATIONS

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 2013 Reexamination Report that still apply today, as well as new recommendations identified as part of this 2021 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 or 2013 Reexam)		Increased or Maintained and Should Continue	Decreased or Resolved
<b>LU-1 Zoning Recommendations</b>			
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	
<b>LU-2 Ordinance Development</b>			
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
<b>LU-3 Redevelopment Sites</b>			
a	Evaluate possible redevelment areas	X	



## PART II

Below is a comprehensive Land Use Recommendation Table that includes recommendations from the 2002 Master Plan and 2013 Reexamination Report that still apply today (indicated with a *LU-1a*, for example), as well as new recommendations identified as part of this 2021 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-1b) Update zoning map to reflect residential use of The Mill	Planner, Planning Board, Township Council	Short-term	X	2017
2	(LU-1d) Rename Paterson Ave Light Industrial Zone to Business Innovation Zone	Planner, Planning Board, Township Council	Short-term	Continue	
3	(LU-1e) Rezone Bradford Ave Light Industrial Zone to permit residential use	Planner, Planning Board	Short-term	X	To find out
4	(LU-1f) Revise zoning map to reflect residential use in Tulip Gardens, Tulip Meadows, and Canterbury/Turnberry Road area	Planner, Planning Board, Township Council	Short-term	Continue	
5	(LU-1g) Revise zoning map to permit new uses in portions of the Signac Industrial Zone	Planner, Planning Board, Township Council	Short-term	Continue	
6	(LU-2a) Update sign ordinance to create cohesive, unifying design for zoning districts	Planner, Planning Board, Township Council	Short- to Medium-term	X	2019
7	(LU-2b) Develop a wayfinding signage program	Township Administrator	Short- to Medium-Term	X	2019
8	(LU-2e) Update zoning code to permit public/private swim clubs in all zone districts	Planner, Planning Board, Township Council	Short-term	Do not continue	
9	(LU-2g) Update Billboard Ordinance	Planner, Planning Board, Township Council	Short-term	X	2019
10	(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
11	(LU-7) 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	



12	(LU-8) Address Route 23 Corridor ordinance limitations	Planner, Planning Board, Township Council	Short-term	Continue	
13	(LU-9) Analyze and address Overlook and Laundry redevelopment sites for affordable housing compliance	Planner, Planning Board, Township Council	Short-term	Continue	
14	(LU-10) Execute redevelopers agreement for Paterson Ave Redevelopment area	Township Council	Short-term (update from mid-term)	Continue	
15	(LU-11) Address localized stormwater and flooding issues	Planner, Planning Board, Township Council	Short-term (updated from mid-term)	Continue	
16	(LU-12) Update zoning map and regulations to facilitate Affordable Housing Settlement compliance and reduce unnecessary variances	Planner, Planning Board, Township Council	Short-term	To Be Completed	2021
17	(LU-13) Undergo full Master Plan in 2022	Planner, Planning Board, Township Council	Short-term	Continue	





## PAST ISSUES AND RECOMMENDATIONS

The following land use issues were identified in the 2002 Master Plan and 2013 Reexamination Report. 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. The remaining B-1 Zone has not been amended to eliminate drive through banks and automobile sales as conditional uses.

### Land Use

#### Past Issues

LU-1 Zone Recommendations

LU-2 Ordinance Development

LU-3 Redevelopment Sites

#### New Issues & Trends

LU-7 TV-CBD Zone

LU-8 Route 23 Corridor

LU-9 Overlook Site and Laundry Site

LU-10 Paterson Ave Redevelopment

LU-11 Flooding

LU-12 Updated Zoning Map and Regulations

LU-13 Comprehensive Master Plan 2022



**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 a re-zoning to permit transit oriented development that would be integrated into any future Transit Village Program.

**What has changed:** The site has be re-zoned to TV-MD Transit Village Medium Density. This re-zoning permits transit oriented development that will be integrated into any future Transit Village Program.

**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 principle structure for goods manufactured or sold on site. In addition it 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& 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&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 16<sup>th</sup>, 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 Signac 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 Signac District does not currently have design guidelines.

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, parking and minimum lot size.

**What has changed:** The swimming pools ordinance was amended in its entirety on July 22<sup>nd</sup>, 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's 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 16<sup>th</sup>, 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's 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.

**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

**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 zoning 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 area plan is currently in preparation. 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 Town Council in 2018.



## 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 or 2013 Reexamination Report are discussed in the **Past Issues and Recommendations** section of this Element.

### LU-7 TV-CBD ZONE AND TV SUB ZONES

The TV-CBD Central Business District is one of Little Falls'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 added 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.

#### Land Use

##### Past Issues

LU-1 Zone Recommendations

LU-2 Ordinance Development

LU-3 Redevelopment Sites

##### New Issues & Trends

LU-7 TV-CBD Zone

LU-8 Route 23 Corridor

LU-9 Overlook Site and Laundry Site

LU-10 Paterson Ave Redevelopment

LU-11 Flooding

LU-12 Updated Zoning Map and Regulations

LU-13 Comprehensive Master Plan 2022





### LU-8 ROUTE 23 CORRIDOR

Little Falls’s Route 23 Corridor is limited by its current ordinance standards. The current B1 zoning regulations lack flexibility in bulk standards and lack a 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.

### LU-9 OVERLOOK SITE AND LAUNDRY SITE

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 2020 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 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.

### LU-10 PATERSON AVE REDEVELOPMENT

In 2021 the Township adopted a redevelopment plan for an area composed of parcels located between Paterson Ave and Main Street in central Little Falls. The plan promotes mixed use residential development that increases housing options for the Township,

*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.



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.

## LU-11 FLOODING

Little Falls's 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.



*In September 2021 Hurricane Ida caused damage resulting from the flooding of Peckman Creek. Shown here is a collapsed garage and bank erosion from the incident.*



## LU-12 UPDATED ZONING MAP AND REGULATIONS

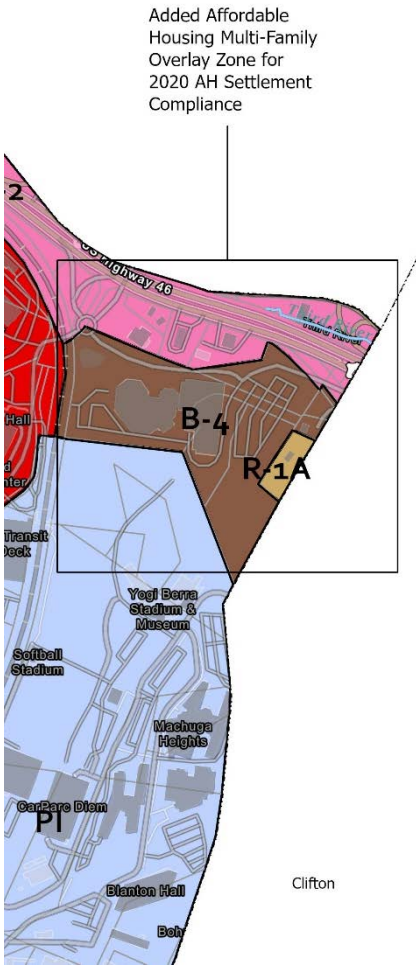
As the code exists in its current state, some residential additions are required to get a D Use-Variance in the R1-A, R1-B, and R1-C zoning districts. These variances place an unnecessary burden on residents and the Township and could be dealt with in a more elegant way.

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 2020 Affordable Housing Settlement compliance
- Changing some parcels along Long Hill Road from B1 to MFS to facilitate 2020 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 2020 Affordable Housing Settlement compliance. These changes are shown in Appendix A which is the proposed Zoning Change Map.





## LU-13 COMPREHENSIVE MASTER PLAN 2022

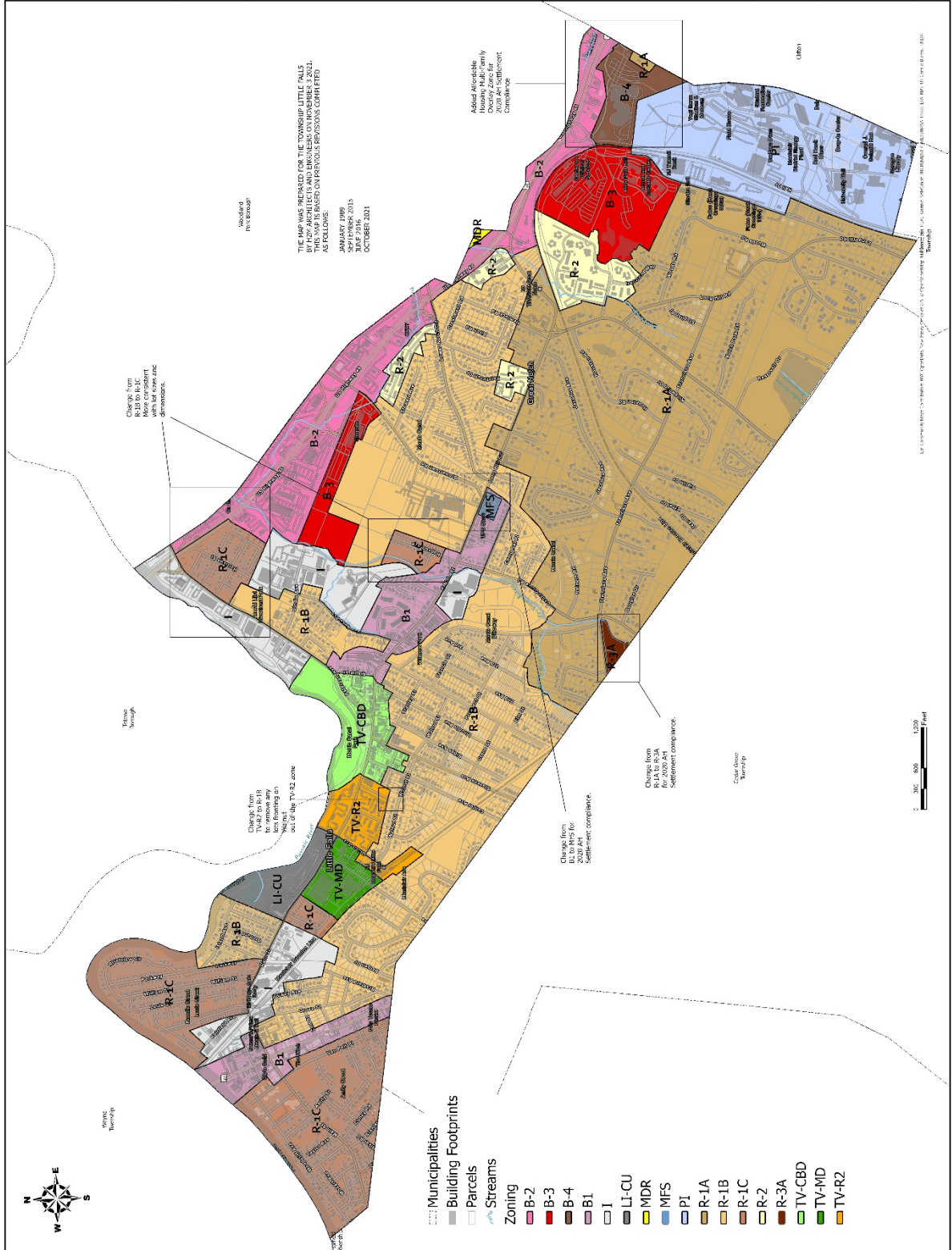
As discussed through these recommendations it is clear that it may be time to update the comprehensive master plan for the Township. The last Comprehensive Master Plan for Little Falls was adopted in 2003. Since the last plan, the Township has authorized and adopted two Master Plan Reexaminations, one in 2008 and one in 2013. It has been 18 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.



## **APPENDIX A: PROPOSED ZONING MAP**

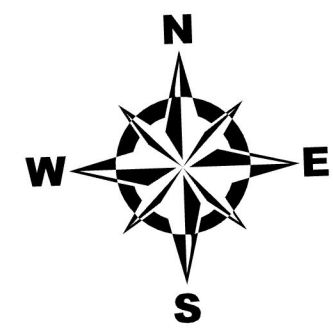


	155 Cherry Hill Road, Suite 110 Little Falls, NJ 07643 P: 973.297.9700 F: 973.254.8897 littlefalls2021.com	MARK    DATE    DESCRIPTION	LFNJ2101 10/01/2021 October 2021 RP/21 RP/21 RP/21 RP/21	Little Falls Township 2021 Zoning Map 	Zoning Map 1 of 1
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## **APPENDIX B: PROPOSED ORDINANCES**



CONSULTANTS:

MARK	DATE	DESCRIPTION

PROJECT #: LFNJ2101	SEAL
DATE: October 2021	
DESIGNED BY: RPC	
DRAWN BY: RPC	
CHECKED BY: REVIEWED BY:	

CLIENT

## Little Falls Township

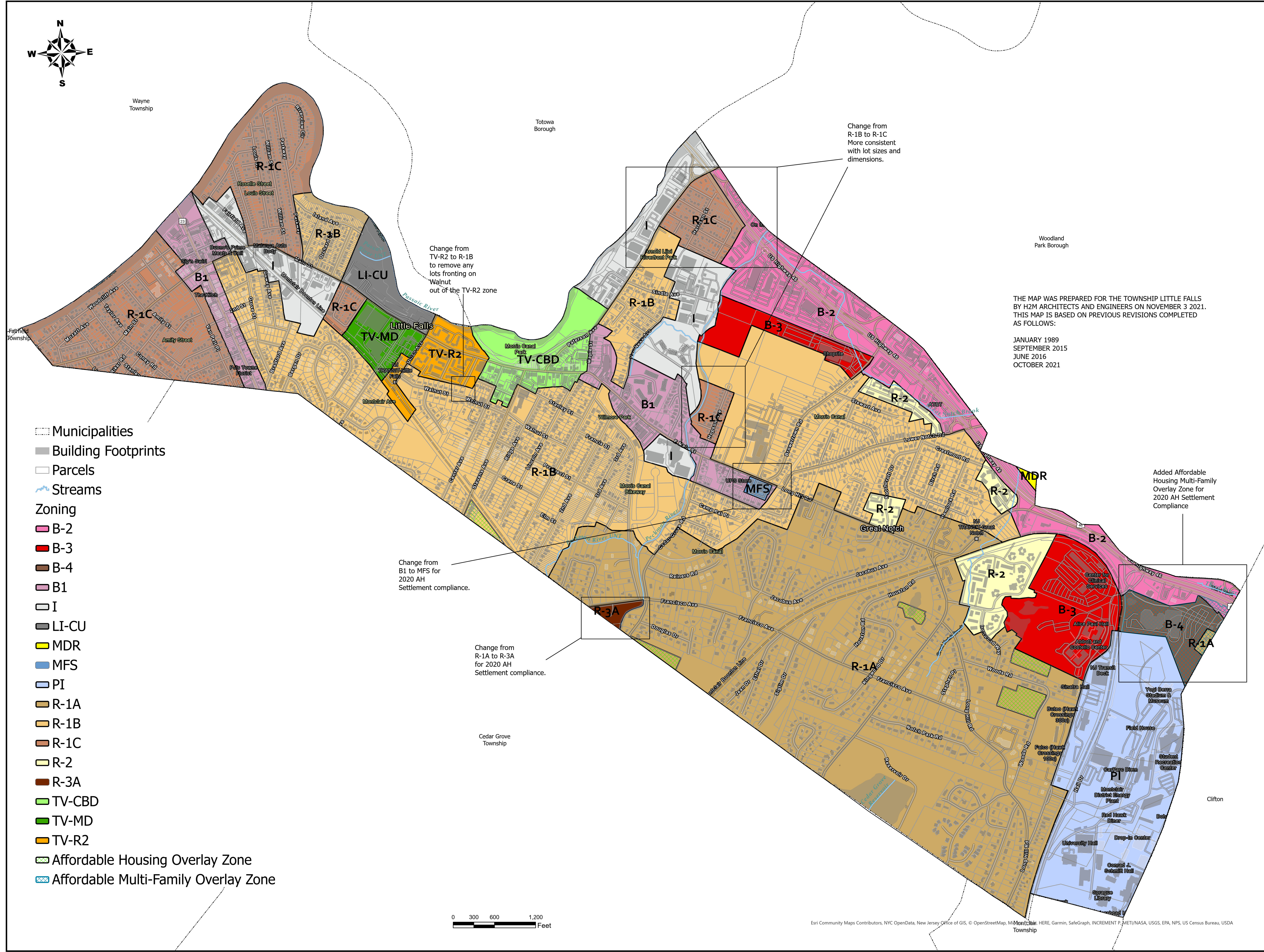
### 2021 Zoning Map

CONTRACT

STATUS

SHEET TITLE

## Zoning Map



Document Path: X:\LFNJ\Little Falls\LFNJ2101\_2021 General Planning\GIS\LF\_ZoningChange\_101121.aprx



# ZONING

280 Attachment 1

## Township of Little Falls Schedule of Use, Area and Bulk Regulations R-1A District

			Min. Lot Dimensions			Min. Yard Dimensions				Max. Building Cvg.	Max. FAR	Max. Bldg. Height (ft.)	Minimum Ground Floor Area (sq.ft.)	Maximum Improved Coverage
			Area (sq. ft.) (ac)	Width (ft.)	Mean Depth (ft.)	Front (ft.)	Minimum Side Yard One//Total (Ft.)	Corner (ft.)	Rear (ft.)					
<b>Principal Permitted Uses</b>	<b>Conditional Uses</b>	<b>Accessory Uses</b>												
Single-family detached dwelling	Home occupations (4) Resident doctors' or dentists' office (1) Essential public utility substations and pumping stations (5) Private schools of general instruction (6)	Customarily incidental to principal permitted use	15,000 sq. ft.	100	150	30	10/25	20	35	25%		2 1/2 Stories or 35 feet	700	55%
Churches and places of worship Public and parochial schools of general instruction		Customarily incidental to principal permitted use	2 ac	250	200	80	30	60	35	25%	25%	35		

# ZONING

280 Attachment 2

## Township of Little Falls Schedule of Use, Area and Bulk Regulations R-1B District

Principal Permitted Uses	Conditional Uses	Accessory Uses	Min. Lot Dimensions			Min. Yard Dimensions				Max. Building Cvg.	Max. FAR	Max. Bldg. Height (ft.)	Minimum Ground Floor Area (sq.ft.)	Maximum Improved Coverage
			Area (sq. ft.) (ac)	Width (ft.)	Mean Depth (ft.)	Front (ft.)	Minimum Side Yard One//Total (Ft.)	Corner (ft.)	Rear (ft.)					
Same as R-1A  Single-family detached dwelling Resident professional office of doctor, dentist, architect, engineer, lawyer or accountant (1) Home occupations as defined in § 280- 4	Same as R-1A	Same as R-1A	9,000 sq. ft.	75	120	25	5/15	10	25	25%		2 1/2 Stories or 35 feet	700	60%
	Noncommercial clubs, lodges or fraternal organizations		1	200	200	75	20	40	50	30%	30%	35		

**Notes:**

(1) With conditions specified in § 280-14A.

# ZONING

## 280 Attachment 3 Township of Little Falls Schedule of Use, Area and Bulk Regulations R-1C District

Principal Permitted Uses	Conditional Uses	Accessory Uses	Min. Lot Dimensions			Min. Yard Dimensions				Max. Building Cvg.	Max. FAR	Max. Bldg. Height (ft.)	Minimum Ground Floor Area (sq.ft.)	Maximum Improved Coverage
			Area (sq. ft.) (ac)	Width (ft.)	Mean Depth (ft.)	Front (ft.)	Minimum Side Yard One//Total (Ft.)	Corner (ft.)	Rear (ft.)					
Same as R-1B	Same as R-1B		5,000 sq. ft.	50	100	20	5/15	10	20	25%		2 1/2 Stories or 35 feet	600	70%
Single-family detached dwellings Public utility substations or pumping stations meeting the requirements of § 280-13C (1)														
Private schools of general instruction, but not business schools (1)	Noncorrectional institutions such as nursing homes and assisted living facilities, whether operated for profit or not		1ac	200	200	75	20	40	50		35%	35ft		

**Notes:**

(1) Requires site plan approval.

**ORDINANCE NO. 1426**

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY,  
AMENDING THE TOWNSHIP CODE CHAPTER 280 ENTITLED ZONING  
TO ELIMINATE THE FLOOR AREA RATIO REQUIREMENTS  
FROM THE R1-A, R1-B AND R1-C ZONES**

**WHEREAS**, the Township of Little Falls (“Township”) is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, the Township’s Code of General Ordinances (“Code”) currently provide for the regulation of development throughout the Township; and

**WHEREAS**, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 280 to eliminate the Floor Area Ratio requirements from the R1-A,R1-B and R1-C Zones in the Township of Little Falls and the corresponding Schedules of Use Area and Bulk Regulations attached to this Ordinance; and

**WHEREAS**, it has been determined that the following changes to the Zoning code in the Township of Little Falls will eliminate the Floor Area Ratio from the R1-A, R1-B and R1-C zones:

## Chapter 280. Zoning

### Article II. Definitions

#### § 280-4. Specific definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**ACCESS DRIVES**

Those drives leading to and from the interior roads and parking areas.

**ACCESSORY**

The term applied to a building or use which is clearly incidental or subordinate to the principal building or use and located on the same lot with such principal building or use. Any accessory building attached to a principal building is deemed to be part of such principal building in applying the bulk regulations to such accessory building.

**ALTERATION**

A change or rearrangement in the structural parts or in the existing facilities or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

**ARTISANAL WORKSHOP**

Shops of special trade, including the small-scale manufacturing, compounding, assembly, processing, packaging or similar treatment of such products as: baked goods, candy, ceramics, pottery, china, weaving and other textile arts, painting, woodworking and other artistic endeavors and similar trades. Retail sales on the premises of products made on the premises are required.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**AUTOMOBILE LAUNDRY**

A building or premises where automobiles are washed either by automatic equipment or by hand.

**BRACKET**

A projection from a vertical surface providing support under cornices, balconies, window frames, etc. They can be structural or decorative.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**BUILDING**

Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and **which has a roof** and is permanently affixed to the land.

**BUILDING COVERAGE**

The ratio of the horizontal area measured from the exterior surface of the exterior walls of the first story of the principle building on a lot to the total lot area. Accessory structures attached to the principle structure shall be excluded from the calculation of building coverage.

**BUILDING, DETACHED**

A building surrounded by open space on the same lot.

**BUILDING, FULLY ENCLOSED**

A building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior or party walls, pierced only by windows and normal entrance or exit doors.

**BUILDING, HEIGHT**

~~The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, to the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roof.~~

The vertical distance measured from the average elevation of the finished grade, six feet from every side of the structure to the highest point of a flat roof; to the deck line of a mansard roof and to the midpoint below the highest peak on a gable sloped or hip roof.

**BUILDING, PRINCIPAL**

A non-accessory building in which a principal permitted use of the lot on which it is located is conducted.

**BULK**

The volume and shape of a building or of a nonbuilding use in relation to lot lines, center lines of streets, other buildings and all open spaces appurtenant to a building or a nonbuilding use.

**BULK, NONCONFORMING**

That part of a building or nonbuilding use which does not conform to one or more of the applicable bulk regulations prescribing the maximum floor area ratio, maximum height per foot of distance from each lot line, length, or height of a building or nonbuilding use, or the minimum lot area per dwelling unit, lot frontage, yards, courts, required spacing between detached buildings on the same lot and usable open space on the lot for the district in which such building or nonbuilding use is located.

**CONSTRUCTION OFFICIAL**

The state-licensed code enforcement official responsible for administering the Uniform Construction Code within the Township of Little Falls. See Chapter 3, Administration of Government, § 3-7.4.

**CORNICE**

A projecting ornamental molding along the top of a building or wall.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**CORNICE LINE**

A continuous horizontal cornice feature that provides a vertical break within the facade and/or defines the roofline along the top of the building.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**COVERAGE**

That percentage of the plot or lot area covered by the building area.

**COVERAGE BY ABOVE GRADE STRUCTURES**

The combined area of all buildings and other above-grade structures on a lot, including but not limited to porches, decks, balconies and cantilevered parts of the building at any level, but excluding however, cornices, eaves and other structures which are specifically excluded by this chapter

**DRIVE-IN FOOD ESTABLISHMENT**

Those establishments which sell food outside the confines of a building to persons in motor vehicles, but shall not preclude drive-through windows where the retail business may be conducted through a window or other aperture of the building to persons in motor vehicles as an adjunct to the retail business conducted within the building, but where, however, consumption of the food thereby dispensed shall not be permitted on the premises upon which the building is located. In order to meet the definitional requirement of this subsection, an applicant for the drive-in facility shall attach to the application an affidavit representing that consumption of the food thereby dispensed shall not be permitted on the premises on which the building is located. The applicant shall further include with the affidavit a statement that if the building permit is issued for a facility which includes drive-through windows, the owner of the property on which the facility is located will cause to be filed in the office of the Register of Deeds of Passaic County an appropriate restriction which shall be binding upon all purchasers and successors in title.

**DWELLING**

A building or portion thereof, but not an automobile house trailer, designed or used exclusively for residential occupancy, including one-family dwellings, two-family dwellings, and multiple-family dwellings, but not including hotels.

**DWELLING, MULTIPLE-FAMILY**

A building, or portion thereof, containing three or more dwelling units.

**DWELLING, ONE-FAMILY**

A building designed or used exclusively for occupancy by one family and including one-family detached dwellings and group houses.

**DWELLING, TWO-FAMILY**

A building designed or used exclusively for occupancy by two families.

**DWELLING UNIT**

One or more rooms in a residential building which are arranged, designed, used or intended for use as living quarters for one family ~~and up to two roomers.~~

**EASEMENT, CONSERVATION**

The grant of a property right requiring that the described land will remain in its existing natural state in perpetuity.

**EASEMENT, DRAINAGE**

Land required for the installation of stormwater sewers or drainage ditches and/or required for the preservation or maintenance of a natural stream or watercourse or other drainage facility.

**FAMILY**

Persons living together as a single nonprofit housekeeping unit, living and cooking together, whose relationship exhibits a kind of stability, permanency and functional lifestyle which is equivalent to that of the traditional family unit, as distinguished from fraternities and sororities, societies, clubs, associations, lodges, halfway houses, shelters and other forms of specialized communal living of a transient nature.

**FILLING STATION**

See "motor vehicle service station."

**FLOODPLAIN**

The area designated by FEMA and shown on the most current Flood Insurance Rate Map (FIRM) to be in a special flood hazard area.

[Added 5-21-2012 by Ord. No. 1156]

**FLOODPLAIN ELEVATION**

The height of expected flood levels above mean sea level (per North American Vertical Datum 1988) for a particular location as shown on the most current FIRM maps by FEMA.

[Added 5-21-2012 by Ord. No. 1156]

**FLOODPLAIN OVERLAY**

The residential development area designated by FEMA FIRM maps as special flood hazard areas which shall overlay all zoning boundaries within the Township.

[Added 5-21-2012 by Ord. No. 1156]

**FLOOR AREA OF BUILDING**

See "gross floor area."

**FLOOR AREA RATIO**

The ratio of a building's gross floor area to the area of the lot on which the building is located.  
[Amended 8-10-2015 by Ord. No. 1224; 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**FRONT LOT LINE COVERAGE**

The width of the building's primary facade measured at the maximum permitted front setback as a percentage of the width of the front street property line.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**GARAGE, PRIVATE**

An enclosed space for the storage of one or more motor vehicles, provided that no business, occupation or service is conducted for profit therein nor space therein for more than one car is rented to a nonresident of the premises.

**GARAGE, PUBLIC**

Any garage other than a private garage, available to the public, operated for gain, and which is used for storage, repairs, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles.

**GROSS FLOOR AREA**

The sum of the gross horizontal area of all floors of a building and its accessory buildings (on the same lot). Gross floor area does not include cellars, basements, attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts, but the area under roofed porches and roofed terraces shall be included. All dimensions shall be measured between exterior faces of walls.

[Amended 8-10-2015 by Ord. No. 1224; 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**GROUND FLOOR AREA**

The first story of the principle building other than a cellar or basement measured from the exterior surface of the exterior walls.

#### **HOME OCCUPATION**

A permitted commercial activity conducted entirely within a residential dwelling unit and conducted by members of the family residing therein with no more than one employee, unless otherwise prohibited. The occupational use shall be clearly incidental and accessory to the residential use of the dwelling in a residential zone, does not change the residential character of the dwelling and is in accordance with the provisions of this chapter, unless otherwise prohibited.

#### **HOTEL**

A building which has a common entrance or entrances and contains living and sleeping accommodations for 10 or more persons, for hire.

#### **HOTEL, APARTMENT**

A hotel which contains dwelling units, or dwelling units and lodging rooms, and in which at least 50% of the gross floor area devoted to residential use shall be allocated to such dwelling units.

#### **IMPERVIOUS COVERAGE**

The building area plus the area of any impervious surfaces, including walks, driveways, patios, above and below ground swimming pools, steps, decks, and any other area that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

#### **IMPROVEMENT COVERAGE**

The coverage by all buildings and other above-grade structures on a lot as defined by this chapter, plus the coverage of any other structures, including but not limited to driveways, sidewalks, patios, deck, swimming pools, tennis courts, parking areas and other paved areas, whether constructed of asphalt, concrete, brick, stone, gravel or other paving materials susceptible to impaction, but excluding structures, or portions of structures, that are located below the surface of the ground and which are not visible from above the surface of the ground. (Thus, subsurface structures such as dry wells, underground tanks, etc., are excluded from such coverage, whereas swimming pools, which may be located below the surface of the ground, but which are visible from above the surface of the ground, are not excluded.) This definition is intended to include all man-made features except vegetation, organic mulch, soil (including soil retained by retaining walls) and structures that may be specifically excluded by this chapter.

#### **JUNKYARD**

An area of land with or without buildings used or occupied for the deposit, collection or the storage outside of a completely enclosed building of used and discarded materials such as waste paper, rags or scrap metal, used building materials, house furnishings, machinery, vehicles, or parts thereof, etc., with or without the dismantling, processing, salvage, sale or other use or disposition of the same. A deposit or the storage on a lot of two or more wrecked or broken down vehicles or parts of two or more such vehicles for one month or more in a residential district or for three months or more in any other district in the Township shall be deemed to be a junkyard.

#### **LOT**

One or more contiguous parcels of land united by a common interest or use considered as a unit, occupied by a principal building or use and its accessory buildings and uses, if any, including the open spaces of such unit of land. It may or may not coincide with the deed description thereof or the boundaries of the same as shown on the Tax Assessment Map of the Township or a map filed for record or otherwise.

#### **LOT, CORNER**

A lot fronting on two or more streets at their intersection. The minimum front yard setback shall be maintained on both frontages.

#### **LOT, DEPTH OF**

The average distance measured from the front lot line to the rear lot line.

#### **LOT FRONTAGE**

The horizontal distance measured along the full length of the front lot line.

#### **LOT LINE**

A boundary line of a lot.

#### **LOT LINE, FRONT**

That boundary of a lot which is along an existing or dedicated public street or, where no public streets exist, is along a public way. The front yard for a corner lot shall be the longer dimension of the lot unless relief is granted by the Planning Board.

#### **LOT LINE, REAR**

That boundary of a lot which is most distant from and is most nearly parallel to the front lot line.

**LOT LINE, SIDE**

Any boundary of a lot which is not a front lot line or a rear lot line.

**LOT, THROUGH**

A lot that fronts on two parallel streets or that front on two streets that do not intersect at the boundaries of the lot. When determining the street frontages the applicant shall designate the front of the structure, and then the opposite yard shall be considered the rear yard.

**LOT WIDTH**

The horizontal distance between the side lines of a lot measured at the right angles to its depth along a straight line parallel to the front lot line at the minimum required setback line.

**METEOROLOGICAL TOWER or MET TOWER**

A structure designed to support the gathering of wind energy resource data, and includes the tower, base plate, anchors, guy cables and hardware, anemometers (wind speed indicators), wind direction vanes, booms to hold equipment anemometers and vanes, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

[Added 10-17-2016 by Ord. No. 1246]

**MIXED-USE BUILDING**

A building of two or more stories comprised of retail/commercial/office located on the ground floor and other permitted uses on the upper floors. The TV-CBD and TV-MD shall only permit residential uses on upper floors.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**MOTOR VEHICLE SERVICE STATION**

Any area of land, including structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be used for polishing, greasing, washing, dry cleaning or otherwise cleaning or servicing such motor vehicles.

**NONBUILDING USE**

A use, generally a principal permitted use of land, to which the buildings on the lot, if any, are accessory, such as an advertising sign, trailer camp, or an open storage yard for materials or equipment and on which the buildings, if any, may be used for processing the materials stored in such yard, for storage of the more valuable equipment and materials than that generally stored in the open, or as an office or place of shelter for the keeper of the yard.

**NONCONFORMING STRUCTURE**

A structure which conforms to the use regulations of this chapter but which violates one or more of the applicable bulk regulations; also a structure which occupies a lot which does not meet one or more of the requirements regarding off-street parking or loading, fences, walls or signs.

**NONCONFORMING USE**

Any use of land, buildings, or structures which does not comply with all the regulations of this chapter governing use for the zoning district in which such use is located.

**OWNER**

An individual or entity that intends to own and operate the small wind energy system in accordance with this section.

[Added 10-17-2016 by Ord. No. 1246]

**PARKING DECK**

A building, or portion thereof, designed exclusively for the purpose of short-term parking or storing of automobiles and not for automobile repairs or service work. This does not include residential garages utilized in single-family detached or townhome uses.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**PARKING GARAGE**

Shall reference the definition of "parking deck."

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]



**PARKING SPACE**

An off-street space accessible and available for the parking of one motor vehicle and having dimensions of at least 10 feet by 20 feet, or as otherwise provided in the Residential Site Improvement Standards. In computing the number of spaces in any given parking area, a total of 300 square feet, inclusive of passageways and aisles, shall be used, or as otherwise provided in the Residential Site Improvement Standards.

**PARKING STRUCTURE**

Shall reference the definition of "parking deck."

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**PERFORMANCE STANDARD**

A criterion established to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, and glare or heat generated by or inherent in uses of land or buildings.

**PERSONAL SERVICES**

Specialized services purchased frequently by the consumer, including barbershops, beauty shops, spas, laundry cleaning, tailoring, shoe repair, and other similar establishments.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**PLANNING BOARD**

The Board duly appointed by the governing body to serve in accordance with the provisions of the Municipal Land Use Law and having all of the rights conveyed in this code to serve in such capacity.

**RESIDENTIAL SITE IMPROVEMENT STANDARD (RSIS)**

This refers to New Jersey Administrative Code Title 5, Chapter 21, entitled "Residential Site Improvement Standards," as promulgated by the Commissioner of the Department of Community Affairs pursuant to the authority of Public Law 1993, Chapter 32 (N.J.S.A. 40:55D-40.1 et seq.), and commonly referred to as the "RSIS standards." All references shall be to latest issue unless otherwise noted.

**ROTOR DIAMETER**

The cross-sectional dimension of the circle swept by the rotating blades of a wind-powered energy generator.

[Added 10-17-2016 by Ord. No. 1246]

**SHARED PARKING**

Joint utilization of a parking area for more than one use, either on site or between nearby properties, through a dedicated arrangement (if possible), in order to fulfill their individual parking requirements because their peak-period parking demands, such as entertainment and office uses, do not overlap.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**SMALL ENERGY SYSTEM**

A wind energy system that is used to generate electricity and has a nameplate capacity of 100 kilowatts or less.

[Added 10-17-2016 by Ord. No. 1246]

**SOLAR ENERGY SYSTEM**

An energy system which converts solar energy to usable thermal, mechanical, chemical or electrical energy through the use of a solar panel or solar panel array and associated equipment.

[Added 10-17-2016 by Ord. No. 1245]

**SOLAR PANEL**

A photovoltaic panel, or solar shingle or hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

[Added 10-17-2016 by Ord. No. 1245]

**SOLAR PANEL ARRAY**

A collection of multiple solar panels mounted or arranged together, providing energy to the same primary user, as part of a solar energy system.

[Added 10-17-2016 by Ord. No. 1245]

**STORY**

That portion of a building included between the surface of any floor and the surface of the floor next above, or if there is no floor above, the space between the floor and the ceiling next above. **A basement shall be counted as a story for the purpose of this chapter when the basement ceiling is greater than five feet above the average grade.**

**STORY, HALF**

Habitable space under a sloping roof that has the line of intersection of the roof and the wall face not more than three feet above the floor level and in which the possible floor area with headroom of 6.5 feet or more occupies no more than 50% of the total floor area of the story directly beneath.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**STREET**

An existing state, county or municipal road, or a street shown upon a plat approved by the Planning Board of the Township, or a street on a plat duly filed and recorded in the office of the County Clerk prior to the creation of such Planning Board and the grant to such Planning Board of the power to approve plats.

**STREETSCAPE**

The streetscape is composed of travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians, as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.).

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**TOTAL HEIGHT**

In relation to a wind energy system, the vertical distance from the ground to the tip of a wind generator blade when the tip is at its highest point.

[Added 10-17-2016 by Ord. No. 1246]

**TOTAL ROOF-MOUNTED STRUCTURE HEIGHT**

The highest point above the main roof structure, not including architectural features such as a chimney, cupola and similar type features, reached by a rotor blade in the vertical position, or any other part of the structure.

[Added 10-17-2016 by Ord. No. 1246]

**TOWER**

A monopole, freestanding, or guyed structure that supports a wind generator.

[Added 10-17-2016 by Ord. No. 1246]

**TRANSIT-ORIENTED DEVELOPMENT (TOD)**

A development approach characterized by higher density, mixed uses, a safe and attractive pedestrian environment, reduced surface parking, and direct and convenient access to a transit facility.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

**USE, CONDITIONAL**

A use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in this chapter and upon the issuance of an authorization therefor by the Planning Board.

**USE, PERMITTED**

See "use, principal permitted."

**USE, PRINCIPAL PERMITTED**

The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained; any use designated as a principal permitted use in this chapter. All required certificates and permits shall be issued without any administrative discretion on the part of any elected or appointed official or duly constituted board, provided the use complies with all requirements of this chapter.

**WIND ENERGY SYSTEM**

A wind generator and all associated equipment, including any base, blade, foundation, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component necessary to fully utilize the wind generator.

[Added 10-17-2016 by Ord. No. 1246]

**WIND GENERATOR**

Equipment that converts energy from the wind into electricity. This term includes the rotor, blades and associated mechanical and electrical conversion components necessary to generate, store and/or transfer energy.  
[Added 10-17-2016 by Ord. No. 1246]

## YARD

The space on a lot extending along a lot line between such lot line and a principal building or buildings, or nonbuilding use occupying such lot.

## YARD, FRONT

A yard extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street line. Covered porches, whether enclosed or unenclosed, shall be considered as a part of the main building and shall not project into a required front yard **unless otherwise permitted by this chapter.**

## YARD, REAR

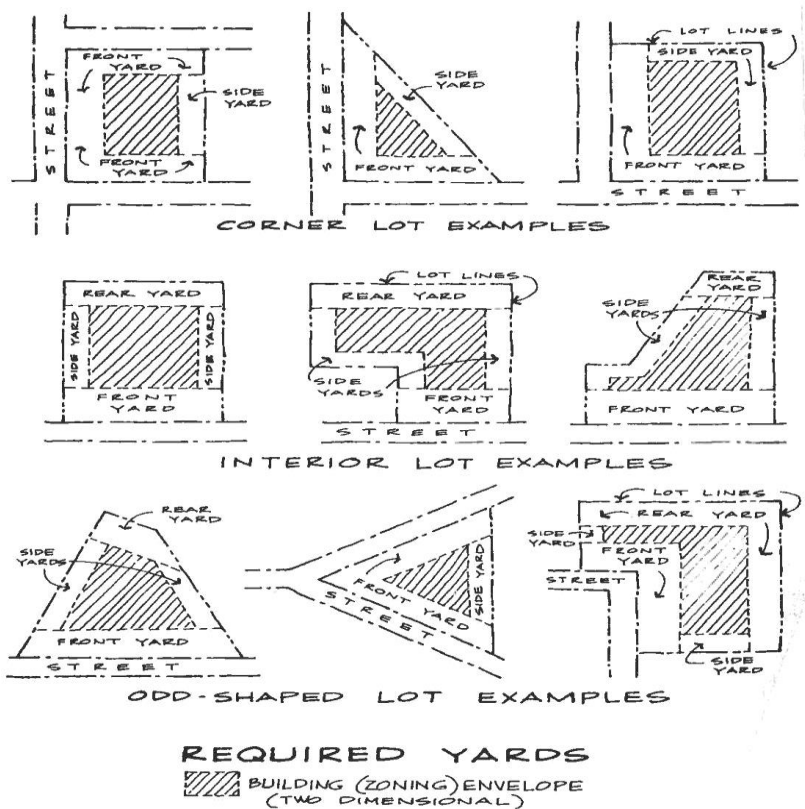
A yard extending the full width of the lot and situated between the rear line of the building and the rear line of the lot.

## YARD SETBACK

That portion of a yard which is required by this chapter to be left open and unoccupied by any part of a building or structure other than by exceptions as provided herein such as fences, retaining walls or accessory buildings, such yard being defined by a minimum distance from an adjoining property line or right-of-way line in the bulk and area tables. **Accessory building shall be prohibited in the front yard unless otherwise permitted by this chapter.**

## YARD, SIDE

A yard situated between the building and side lot line extending from the front yard to the rear yard. When determining the side yards on a corner lot or odd-shaped lot refer to image below. **Side yards on a corner lot shall comply with the minimum yard dimension labeled corner in the bulk regulation for that zone.**



1. This ordinance shall be sent to the Planning Board for their review and comments prior to the final adoption by the Governing Body.
2. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
3. This Ordinance shall take effect upon its final passage by the Municipal Council, and approval by the Mayor and publication as required by law.

\*\*\*\*\*

PASSED: \_\_\_\_\_

ATTEST:

APPROVE:

\_\_\_\_\_  
Cynthia Kraus, Municipal Clerk

\_\_\_\_\_  
James Belford Damiano, Mayor

**ORDINANCE NO. 1427**

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY,  
AMENDING THE TOWNSHIP CODE CHAPTER 280-6 ENTITLED ZONING  
MAP**

**WHEREAS**, the Township of Little Falls (“Township”) is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, the Township’s Code of General Ordinances (“Code”) currently provide for the regulation of development throughout the Township; and

**WHEREAS**, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 280-6 Zoning Map to provide for more compliant building parcels established by the various components of the Zoning Ordinance Chapter 280 of the Code of the Township of Little Falls; and

**WHEREAS**, it has been determined that the changes to the Zoning Map in the Township of Little Falls affixed to this ordinance will be the official Zoning Map of the Township of Little Falls revised with the adoption of this ordinance:

**§ 280-6 Zoning Map.**

The districts are bounded and defined as shown on the map entitled Zoning Map of the Township of Little Falls, New Jersey, adopted January 25, 1979, and revised, October 4, 2021, which map, and all explanatory matter thereon is hereby made a part of this chapter.

1. This ordinance shall be sent to the Planning Board for their review and comments prior to the final adoption by the Governing Body.
2. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
3. This Ordinance shall take effect upon its final passage by the Municipal Council, and approval by the Mayor and publication as required by law.

\*\*\*\*\*

PASSED: \_\_\_\_\_

ATTEST:

APPROVE:

\_\_\_\_\_  
Cynthia Kraus, Municipal Clerk

\_\_\_\_\_  
James Belford Damiano, Mayor