



Master Plan Reexamination Report

Borough of Englewood Cliffs

Bergen County, New Jersey

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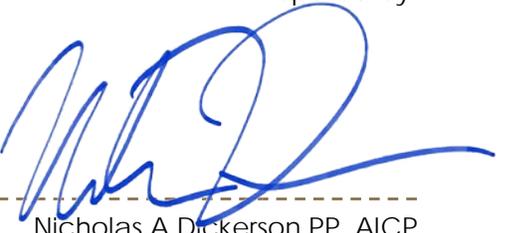
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Bergen County, New Jersey

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The original of this report was signed and sealed in accordance with NJSA 45:14A-12.
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Cover photo courtesy of Mr. Ramon Ferro

I. INTRODUCTION

The Borough of Englewood Cliffs is located in Bergen County and encompasses 3.4 square miles of total area, with just over 2 square miles of land area. While proximate to major urban centers, Englewood Cliffs is largely suburban in character, divided between public parkland, detached single family residential development, and large-tract corporate office campuses. The primary corridors through the borough include the Palisades Interstate Parkway and Sylvan Avenue (U.S. Route 9W), as well as Palisade Avenue (CR 505). Englewood Cliffs shares borders with the Borough of Tenafly, City of Englewood, and the Borough of Fort Lee in New Jersey. Englewood Cliffs also shares a border with New York City, separated by the Hudson River.

While the Municipal Land Use Law requires a general reexamination of the Master Plan and development regulations every ten years, reexaminations can be more frequent than once every ten years. It can be as frequent as an individual municipality believes it to be warranted. In 2009, Englewood Cliffs prepared a new reexamination report of its Master Plan and Development Regulations, which had been previously reviewed in 2003.

This reexamination of the Borough of Englewood Cliffs Master Plan conforms to the requirements of the New Jersey Municipal Land Use Law (MLUL) which stipulates that each municipality in the State of New Jersey shall reexamine its Master Plan and development regulations at least every ten years. Specifically, N.J.S.A. 40:55D-89 states:

"The governing body shall, at least every ten years, provide for a general reexamination of its Master Plan and development regulations by the Planning Board, which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the County Planning Board. A notice that the report and resolution have been prepared shall be sent to the municipal clerk of each adjoining municipality."

This report addresses the requirements of a master plan reexamination in accordance with the MLUL, N.J.S.A. 40:55D-89, by including sections addressing the following:

- 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 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", P.L. 1992, c.79 (C.40A:12A-1 et seq.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

PURPOSE

Englewood Cliffs' most recent Master Plan Reexamination Report¹ was adopted by the Planning Board on June 11, 2009. The purpose of this Master Plan Reexamination Report is to address the ten-year Master Plan Reexamination requirement per the MLUL. The aforementioned Master Plan Reexamination requirements of the MLUL are addressed in Chapter II through VI of this report.

It is important that a Master Plan be kept up to date and flexible so that it can respond to changing conditions and reflect the best current thinking on land use issues. The Master Plan should be a document that is easily amended so that it can respond to both concerns and opportunities.

¹ 2009 Borough of Englewood Cliffs Reexamination Report. Prepared April 20, 2009, by Jason L. Kasler, AICP, PP of Kasler Associates, PA.

II. PROBLEMS & OBJECTIVES RELATED TO THE 2009 MASTER PLAN REEXAMINATION

The first step in the reexamination process, known as Section "A", reviews the major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.

The 2009 Master Plan Reexamination Report reviewed the 21 objectives identified in the Borough's 2003 Master Plan Reexamination,² which themselves were adopted as part of the Borough's 2001 Master Plan and Periodic Re-Examination Report.³ For ease of reference, text excerpted from the 2009 Master Plan Reexamination Report is shown *in italics*.

OBJECTIVES RELATED TO LAND DEVELOPMENT AT THE TIME OF THE 2009 REEXAMINATION REPORT

1. *Established Neighborhood Areas*
To maintain and enhance the attractive and established character of Englewood Cliffs in both its residential and non-residential areas.
2. *Parks, Recreation and Open Space*
To promote and protect parks, recreation and other open space areas and environmentally sensitive areas.
3. *Preservation of the Environment*
To promote and protect environmentally sensitive areas including wetlands and wetland buffers, flood prone areas, steep sloping areas, the quality and purity of rivers and streams and areas of trees and other vegetative cover.
4. *Housing Opportunities*
To provide housing opportunities and a variety of housing types for various income levels including low and moderate income, and senior citizen housing.
5. *Community Services*
To encourage the provision of community services for all portions of Englewood Cliffs at its usual high level.
6. *Development of Limited Areas*
To continue to encourage high quality development of the limited undeveloped areas of the Borough in keeping with the general patterns of land use which now exist.

² 2003 Periodic Re-Examination Report. Prepared May 8, 2003 by Jason Kasler, AICP, PP of Kasler Associates, PA.

³ Borough of Englewood Cliffs Master Plan and Periodic Re-examination Report. Prepared January 11, 2001 by Malcolm Kasler, AICP, PP.

7. *Appropriate Use of All Lands*
To encourage action to guide the appropriate use or development of lands in Englewood Cliffs in a manner which will promote the public health, safety, morals and general welfare.
8. *Provide Security from Hazards*
To secure safety from fire, flood, panic and other natural and man-made disasters.
9. *Prevent Overcrowding*
To provide light, air and open space.
10. *Establish Appropriate Population Densities*
To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment.
11. *Provide Sufficient Space in Appropriate Locations*
To provide sufficient space in appropriate locations for a variety of residential, recreational, commercial, and office uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
12. *Provide and Upgrade Transportation Routes*
To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging the location of such facilities and routes which result in congestion, blight and unsafe conditions.
13. *Promote Desirable Visual Environment*
To promote a desirable visual environment through creative development techniques and good civic design and arrangements
14. *Historic Sites*
To promote and protect the conservation of historic sites and districts, open space, and valuable natural resources in Englewood Cliffs and to prevent sprawl and degradation of the environment through the improper use of land.
15. *Senior Citizen Housing and Assisted Living Facilities*
To encourage senior citizen and assisted living housing development in appropriate locations.
16. *Efficient use of Land*
To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.
17. *Recyclable Materials*
To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to

incorporate the State Recycling Plan goals and complement municipal recycling programs.

18. *Buffer Areas*

To continue to maintain adequate buffer areas separating residential areas from nearby non-residential uses.

19. *Improvement of Business Area*

To upgrade and improve the business areas of the community, where appropriate, by providing off-street parking, upgrading landscaping, signage and street fixtures in a comprehensive and coordinated manner.

20. *Storm Water Management*

To encourage storm water management controls for all new developments.

21. *State Development and Redevelopment Plan*

To continue to participate in the State's cross-acceptance process for the State Master Plan, known as the State Development and Redevelopment Plan.

The 2009 Reexamination Report evaluated selections or selected groups of these objectives as to the extent to which they had been reduced or changed over that time period. It should be noted that the 2009 Master Plan Reexamination did not provide commentary on all 21 objectives. For ease of reference, text excerpted from the 2009 Master Plan Reexamination Report is shown in italics.

SELECTED OBJECTIVES 1, 6, AND 19

1. *Established Neighborhood Areas*

To maintain and enhance the attractive and established character of Englewood Cliffs in both its residential and non-residential areas.

6. *Development of Limited Areas*

To continue to encourage high quality development of the limited undeveloped areas of the Borough in keeping with the general patterns of land use which now exist.

19. *Improvement of Business Area*

To upgrade and improve the business areas of the community, where appropriate, by providing off-street parking, upgrading landscaping, signage and street fixtures in a comprehensive and coordinated manner.

2009 RESPONSE

The Borough of Englewood Cliffs has, in recent years, evaluated conditions along the Sylvan Avenue corridor. Studies of this corridor were performed and identified land use concerns that included the appropriateness of the existing development, the adequacy of currently land Use

regulations, and recommend changes in these regulations to improve the aesthetics and functionality of the corridor.

SELECTED OBJECTIVE 4

4. Housing Opportunities

To provide housing opportunities and a variety of housing types for various income levels including low and moderate income, and senior citizen housing.

2009 RESPONSE

The purpose of the 2009 Englewood Cliffs Housing Element and Fair Share Housing Plan is to meet the provisions of N.J.S. 5:93-1.1 et. seq. and N.J.S. 5:94-1.1 et seq. As specified by law, the New Jersey Council on Affordable Housing is directed to establish state and regional fair share housing needs and is also charged with establishing guidelines and criteria....⁴

SELECTED OBJECTIVE 21

21. State Development and Redevelopment Plan

To continue to participate in the State's cross-acceptance process for the State Master Plan, known as the State Development and Redevelopment Plan.

2009 RESPONSE

The last master plan was approved in the year 2001. The last State Development and Redevelopment Plan was adopted in the year 2001. The last re-examination report was performed in 2003. Since that time, the Office of Smart Growth has experienced its third round of the cross acceptance process. However, the adoption of the most recent State Development and Redevelopment Plan (SDRP) has not occurred, and there is no adoption date contemplated.

RECOMMENDATIONS FROM THE 2009 REPORT

In addition to the evaluation of the 2003 Objectives, a major focus of the 2009 Master Plan Reexamination Report concerned development along the Sylvan Avenue corridor. The report evaluated existing conditions and zoning requirements, outlining recommendations for changes to the zoning ordinance and map that would improve its aesthetics and functionality. These recommendations from 2009 will be addressed in the following section of this report.

⁴ The 2009 Master Plan Reexamination includes a lengthy description of the Borough's efforts to address its affordable housing obligation at that time and has been truncated for the purpose of this report.

III. EXTENT THAT PROBLEMS & OBJECTIVES HAVE CHANGED SINCE 2009

The second step in the reexamination process, known as Section “B” evaluates the extent to which such problems and objectives have been reduced or have increased subsequent to the adoption of the 2009 Master Plan Reexamination Report.

For ease of reference, text excerpted from the 2009 Master Plan Reexamination Report is shown *in italics*.

OBJECTIVES RELATED TO LAND DEVELOPMENT AT THE TIME OF THE 2009 REEXAMINATION REPORT

GOAL 1--ESTABLISHED NEIGHBORHOOD AREAS

To maintain and enhance the attractive and established character of Englewood Cliffs in both its residential and non-residential areas.

2019 REVIEW

As described in Section A, the 2009 Reexamination Report evaluated this in combination with two other objectives, noting that, “The Borough of Englewood Cliffs has, in recent years, evaluated conditions along the Sylvan Avenue corridor. Studies of this corridor were performed and identified land use concerns that included the appropriateness of the existing development, the adequacy of currently land Use regulations, and recommend changes in these regulations to improve the aesthetics and functionality of the corridor.”

This remains an ongoing priority. The Planning Board has prepared multiple studies, plans, and reports that outline recommended improvements to the Sylvan Avenue corridor, including recommended zone changes in the business zones that would promote high quality development. More information on these reports is covered in the following section (Section “C”).

GOAL 2--PARKS, RECREATION AND OPEN SPACE

To promote and protect parks, recreation and other open space areas and environmentally sensitive areas.

2019 REVIEW

This remains an ongoing priority.

GOAL 3--PRESERVATION OF THE ENVIRONMENT

To promote and protect environmentally sensitive areas including wetlands and wetland buffers, flood prone areas, steep sloping areas, the quality and purity of rivers and streams and areas of trees and other vegetative cover.

2019 REVIEW

This remains an ongoing priority.

GOAL 4--HOUSING OPPORTUNITIES

To provide housing opportunities and a variety of housing types for various income levels including low and moderate income, and senior citizen housing.

2019 REVIEW

The 2009 Master Plan Reexamination evaluated this recommendation through an update on the Borough's efforts to address its affordable housing obligations under the rules promulgated by the New Jersey Council on Affordable Housing at that time. As described in the following section, numerous changes have occurred on the state level concerning affordable housing policy, and the Borough continues to work with the court to address its affordable housing obligation. The Borough recently adopted an updated Housing Element and Fair Share Plan in 2019 and continues to work with the Court to remain constitutionally compliant. In addition, the Borough adopted Ordinance 18-14 (described in the following section), which provides for an inclusionary set aside for future multifamily development.

GOAL 5--COMMUNITY SERVICES

To encourage the provision of community services for all portions of Englewood Cliffs at its usual high level.

2019 REVIEW

This remains an ongoing priority.

GOAL 6--DEVELOPMENT OF LIMITED AREAS

To continue to encourage high quality development of the limited undeveloped areas of the Borough in keeping with the general patterns of land use which now exist.

2019 REVIEW

As described in Section A, the 2009 Reexamination Report evaluated this in combination with two other objectives, noting that, "The Borough of Englewood Cliffs has, in recent

years, evaluated conditions along the Sylvan Avenue corridor. Studies of this corridor were performed and identified land use concerns that included the appropriateness of the existing development, the adequacy of currently land Use regulations, and recommend changes in these regulations to improve the aesthetics and functionality of the corridor.”

The issues concerning development along the Sylvan Avenue corridor continue to remain an ongoing priority. The Planning Board has prepared multiple studies, plans, and reports that outline recommended improvements to the Sylvan Avenue corridor, including recommended zone changes in the business zones that would promote high quality development. More information on these reports is covered in the following section (Section “C”).

Considering that the Borough contains limited amounts of undeveloped land, new development is likely to also result from the redevelopment of previously developed sites. Therefore, it is recommended that the objective of Goal 6 (Development of Limited Areas) be revised as follows:

“To continue to encourage high quality development and redevelopment in keeping with the general patterns of land use which now exist.”

GOAL 7--APPROPRIATE USE OF ALL LANDS

To encourage action to guide the appropriate use or development of lands in Englewood Cliffs in a manner which will promote the public health, safety, morals and general welfare.

2019 REVIEW

This remains an ongoing priority.

GOAL 8--PROVIDE SECURITY FROM HAZARDS

To secure safety from fire, flood, panic and other natural and man-made disasters.

2019 REVIEW

This remains an ongoing priority.

GOAL 9--PREVENT OVERCROWDING

To provide light, air and open space.

2019 REVIEW

This remains an ongoing priority.

GOAL 10--ESTABLISH APPROPRIATE POPULATION DENSITIES

To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment.

2019 REVIEW

This remains an ongoing priority.

GOAL 11--PROVIDE SUFFICIENT SPACE IN APPROPRIATE LOCATIONS

To provide sufficient space in appropriate locations for a variety of residential, recreational, commercial, and office uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens.

2019 REVIEW

This remains an ongoing priority.

GOAL 12--PROVIDE AND UPGRADE TRANSPORTATION ROUTES

To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging the location of such facilities and routes which result in congestion, blight and unsafe conditions.

2019 REVIEW

This remains an ongoing priority.

GOAL 13--PROMOTE DESIRABLE VISUAL ENVIRONMENT

To promote a desirable visual environment through creative development techniques and good civic design and arrangements.

2019 REVIEW

This remains an ongoing priority. The 2009 Master Plan Reexamination, along with other studies, plans, and reports prepared by the Planning Board have identified recommended revisions to the Borough's development regulations that would address site design standards to minimize conflicts between residential and non-residential uses, as well as aesthetic enhancements in business zones. More information on these reports is covered in the following section (Section "C").

GOAL 14--HISTORIC SITES

To promote and protect the conservation of historic sites and districts, open space, and valuable natural resources in Englewood Cliffs and to prevent sprawl and degradation of the environment through the improper use of land.

2019 REVIEW

This remains an ongoing priority.

GOAL 15--SENIOR CITIZEN HOUSING AND ASSISTED LIVING FACILITIES

To encourage senior citizen and assisted living housing development in appropriate locations.

2019 REVIEW

This remains an ongoing priority. As described in Goal 5 above, the Borough continues to work with the court to address its affordable housing obligation. The Borough recently adopted an updated Housing Element and Fair Share Plan in 2019 and continues to work with the Court to remain constitutionally compliant.

GOAL 16--EFFICIENT USE OF LAND

To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

2019 REVIEW

This remains an ongoing priority.

GOAL 17--RECYCLABLE MATERIALS

To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and complement municipal recycling programs.

2019 REVIEW

This remains an ongoing priority.

GOAL 18--BUFFER AREAS

To continue to maintain adequate buffer areas separating residential areas from nearby non-residential uses.

2019 REVIEW

This remains an ongoing priority.

GOAL 19--IMPROVEMENT OF BUSINESS AREA

To upgrade and improve the business areas of the community, where appropriate, by providing off-street parking, upgrading landscaping, signage and street fixtures in a comprehensive and coordinated manner.

2019 REVIEW

As described in Section A, the 2009 Reexamination Report evaluated this in combination with two other objectives, noting that, "The Borough of Englewood Cliffs has, in recent years, evaluated conditions along the Sylvan Avenue corridor. Studies of this corridor were performed and identified land use concerns that included the appropriateness of the existing development, the adequacy of currently land Use regulations, and recommend changes in these regulations to improve the aesthetics and functionality of the corridor."

This remains an ongoing priority. The Planning Board has prepared multiple studies, plans, and reports that identify recommended revisions to the Borough's development regulations that would address site design standards to minimize conflicts between residential and non-residential uses, as well as aesthetic enhancements in business zones. More information on these reports is covered in the following section (Section "C").

GOAL 20--STORM WATER MANAGEMENT

To encourage storm water management controls for all new developments.

2019 REVIEW

Similar to Goal 6, the Borough contains limited amounts of undeveloped land, meaning that new development is likely to also result from the redevelopment of previously developed sites. These older sites may have been constructed prior to modern stormwater controls. In other cases, stormwater systems on previously developed sites may require extensive improvements to restore their functionality. Therefore, it is recommended that the objective of Goal 20 (Storm Water Management) be revised as follows:

"To encourage storm water management controls for both new development and the redevelopment of existing sites."

GOAL 21--STATE DEVELOPMENT AND REDEVELOPMENT PLAN

To continue to participate in the State's cross-acceptance process for the State Master Plan, known as the State Development and Redevelopment Plan.

2019 REVIEW

The 2009 Master Plan Reexamination noted that the Borough's master plan was adopted in 2001, the same year as the State Development and Redevelopment Plan. The 2009 Master Plan Reexamination also noted that the last re-examination report was performed in 2003, and *"Since that time, the Office of Smart Growth has experienced its third round of the cross acceptance process. However, the adoption of the most recent State Development and Redevelopment Plan (SDRP) has not occurred, and there is no adoption date contemplated."*

With the exception of those areas located in the Palisades Interstate Park, the Borough is located in Planning Area 1, where the majority of future development and redevelopment is encouraged under the 2001 State Development and Redevelopment Plan (SDRP). The State Planning Commission began efforts to draft a replacement for the SDRP, including approval of a draft in 2011 and public hearings in 2012. Adoption was scheduled for November 2012. Following Hurricane Sandy however, the State Planning Commission voted to table adoption, citing the need to provide time for public review and comment, as well as to consider issues related to coastal recovery. As of May 2019, the State Planning Commission has yet to reintroduce the State Strategic Plan for adoption. The Borough should continue to monitor updates from the State Planning Commission to see how any proposed revisions to the SDRP could affect future land use and development.

RECOMMENDATIONS FROM THE 2009 MASTER PLAN REEXAMINATION

As described in the previous section, a major focus of the 2009 Master Plan Reexamination Report concerned development along the Sylvan Avenue corridor. The report evaluated existing conditions and zoning requirements and outlined recommended changes to the zoning ordinance and map that would improve its aesthetics and functionality. These recommendations, and their present status, are described in the following section. For ease of reference, text excerpted from the 2009 Master Plan Reexamination Report is shown *in italics*.

2009 RECOMMENDATION: GENERAL IMPROVEMENTS TO ALL BUSINESS ZONES

BUFFERS AND LANDSCAPING

Buffers are of particular significance for the parcels on the western side of Sylvan Avenue where nonresidential land uses abut residential neighborhoods. Although the Borough's current zone regulations require buffering when adjacent to residential zones, a number of properties provide insufficient buffering to adjoining residences. In other cases, observations indicate that many lots conform to the minimum buffer requirements but provided little or no visual screening between the two uses. This problem does seem to be related to zoning as the existing buffer standards for each of the "B" zones appear to be practical.

Existing regulations require applicants submitting site plans must illustrate the existing and proposed landscaping. The zoning code requires that parking, lighting and service areas be reasonably screened from view of adjacent residential districts. The lot development pattern and built environment suggests a lack of cohesive landscaping along the Sylvan Avenue corridor. Zoning regulations for landscaping in the front yard should be investigated and where applicable, zoning ordinances should be adopted. Requiring front yard landscaping would enhance the overall image and streetscape along Sylvan Avenue.

2019 REVIEW

Provision of adequate buffers remains an ongoing priority of the Borough. The 2009 Master Plan Reexamination Report stated that the existing buffer standards in each of the business zones appear to be practical. Instead, it is recommended that existing buffers be maintained and improved.

PARKING

In some occurrences, along Sylvan Avenue, office developments contain large parking lots that appear to be underutilized. In other locations, smaller lot sizes do not provide adequate space for off-street parking. Currently, the municipal zoning ordinance requires office use provide off-street parking at a rate of one parking space per 200 square feet of floor area, and research/labs provide parking at a rate of one parking space per 400 square feet. Consideration should be given to relaxing the parking standards somewhat for corporate offices, provided additional land is available should the need arise for additional parking.

Meanwhile, the retail parking standard of one parking space per 200 square feet appears to be high and could be lowered. The current parking standard for restaurants at one parking space per three seats, plus one parking space per employee, would appear to be adequate.

2019 REVIEW

As driving habits continue to change as a result of new technologies (i.e. eCommerce and ride hailing services) and changes in business operations (i.e. telecommuting), it is recommended that the Borough reevaluate its off-street parking requirements.

MAXIMUM IMPERVIOUS COVERAGE STANDARD

Field investigation and assessment of aerial photography reveal many of the lots along Sylvan Avenue have high amounts of impervious surfaces. Introduction of a maximum impervious coverage standard would assure landscaping and green space as a part of any future development.

2019 REVIEW

This remains an ongoing priority. Reducing the quantity of stormwater generated from impervious surfaces helps to limit localized flooding and property damage. Control of stormwater through the maintenance of existing stormwater systems, reduction of impervious surfaces, and, where impervious surfaces are necessary, employing the use of non-structural and innovative techniques to manage stormwater, including green roofs, drainage swales, and rain gardens, should be encouraged. In addition, the reevaluation of off-street parking requirements, as described in the preceding section, may also assist in the reduction of future impervious coverage.

2009 RECOMMENDATION: B-2 ZONE DISTRICT MODIFICATION

It is recommended that the current B-2 zoning district be separated into two distinctive zones, as the northern section of the district has dissimilar characteristics than that of the remainder of the zone. Furthermore, the current zone regulations fail to support the large-scale corporate office presence that exists in the northern section of the B-2 zone. In fact, the existing bulk standards are too permissive, particularly relative to lot size and setbacks. It is therefore recommended that a new corporate office land use classification be created in the land use plan, and hence, a new B-5 zone classification be established in accordance with the proposed zoning map on the following page.

In the new B-5 zone, permitted uses should be limited exclusively to professional offices and corporate office/research facilities. The minimum lot size for these lots in the new B-5 zone should be increased from 80,000 square feet found in the current B-2 zone to at least 5 acres and possibly 15 acres to avoid potential future subdivision of these large corporate campuses. Similarly, the allowable 60-foot front yard setback requirement found in the old B-2 zoning regulations should be increased and an overall impervious coverage limitation should be established to protect the expanses of green space in this district. A front yard landscaping requirement should be considered as well.

The objective for the southern segment of the B-2 zone would be to create a more traditional and less restrictive general office zone that more accurately reflects the existing character of development. The extent of this modified B-2 zone is illustrated on the previous page. Site-intensive uses such as automobile dealerships and restaurants would continue to be prohibited in this district. Moreover, retail strip centers and gyms/health clubs are considered out of context with the other uses in this zone and should continue to be discouraged given their impacts on surrounding properties. An impervious coverage limitation and front yard landscaping requirement should also be considered. Finally, the minimum lot size requirement in the B-2 zoning district should be reduced from 80,000 to 40,000 square feet to better reflect existing conditions.

2019 REVIEW

The Borough continues to recommend that the areas covered by the existing B-2 zone permit office uses that reflect the existing character of development, prohibiting such site-

intensive uses as automobile dealerships, restaurants, as well as other uses, including retail strip centers and gyms/health clubs, which are considered to be out of context with the other uses in this zone. The recommendations proposed in 2009 to modify the B-2 zone have not been adopted. In 2016, the Planning Board amended the Land Use Element of its Master Plan to establish a new B-5 Corporate Business Zone classification for Block 207, Lot 6, the site currently being redeveloped for LG Electronics.⁵ The 2016 Amendment specifically referenced this recommendation in its proposed business zone for the site, and is described in further detail in the following section of this report. The 2009 recommendation to establish a B-5 Corporate Office zone continues to remain for those properties identified in the 2009 Master Plan Reexamination Report.

2009 RECOMMENDATION: B-3 ZONE

The following goals and objectives are proposed for the B-3 zone:

- *Create opportunities for new limited retail commercial development within the district.*
- *Improve traffic flow and seek to reduce the number of curb cuts along Sylvan Avenue.*
- *Establish zoning incentives that encourage:*
 - *Redevelopment and/or rehabilitation of properties;*
 - *Consolidation of contiguous lots under common ownership;*
 - *Shared access and parking.*
- *Modify the zoning regulations in order to foster a unified streetscape and parking scenario while at the same time encouraging redevelopment within the district.*
- *Promote new construction that is contextual and complements the existing built character of the B-3 Zone and implementation of appropriate design standards.*
- *Continue to prohibit strip mall, "big box", and shopping mall type retail development.*
- *Continue to exclude fast food restaurants and gas stations as a permitted use.*
- *Increase the district's maximum lot area requirement to 20,000 square feet.*
- *Replace the maximum lot coverage requirement with a maximum impervious coverage requirement*
- *Require front yard landscaping and limit the amount of impervious surfaces in the front yards.*
- *Require parking in the rear of the property; no parking should be permitted in the front yard.*
- *Parking should also be permitted within the side yard, perpendicular to the street.*
- *Create design guidelines that relate to the existing character of the area and encourage high-quality and aesthetically consistent development which may include the following:*
 - *Limit the size of any single building to perhaps 10,000 or 15,000 square feet.*
 - *Require peaked roofs, with a minimum slope of 5:12, rise : run.*

⁵ Amendment to the Land Use Element of the borough of Englewood Cliffs Master Plan Creating a New B-5 Corporate Business Zone Classification for Block 207, Lot 6. Prepared by Paul A. Phillips, PP, of Phillips Preiss Grygiel, LLC. Adopted March 30, 2016.

- Require one cross gable for every 75 feet of frontage.
- Orient buildings so that the short side faces the street and any wings are perpendicular to the street.
- Require building material to be stucco or brick.
- Require structures to have an articulated entryway or a full porch.
- Restrict canopies or awnings that extend more than four feet from the facade and require that they hang directly from the façade (no supports on the ground).
- Restrict signage area so that it is small and does not overwhelm the building façade.
- Permit signs to be placed in the landscaped front yard, provided they are small in terms of the allowable area and height.

2019 REVIEW

This remains an ongoing priority. The Planning Board has prepared multiple studies, plans, and reports that outline recommended improvements to the Sylvan Avenue corridor, including recommended zone changes in the business zones that would promote high quality development. Most recently, in 2017, the Board adopted the *Englewood Cliffs Rehabilitation Plan*,⁶ a report which found that the area known as the B-3 zone would qualify as an Area in Need of Rehabilitation under the Local Redevelopment and Housing Law (LRHL, N.J.S.A. 40A:12a-1 et. seq.). If adopted by the Borough Council, a rehabilitation designation would provide the Borough and property owners with additional tools to enhance and revitalize this area of Englewood Cliffs. The use of site-specific redevelopment plans could include lighting, signage, design, and stormwater guidelines that are sensitive to the unique conditions of each site. The Planning Board recommends that this designation be considered based on the findings of the 2017 report.

2009 RECOMMENDATION: B-4 ZONE

In general, the B-4 Zone should continue to function as the main service district along Sylvan Avenue. Permitted uses should include restaurants, offices and banks. Any land use that contains drive-through facilities, when permitted, should be permitted in this zone exclusively as a conditional use, subject to specific standards designed to safeguard the public welfare. Select low-intensity retail uses should be permitted in the zone. With the exception of the possible introduction of a minimal front yard landscaping requirement and impervious coverage limitation, the existing B-4 bulk standards appear to be adequate.

Because such uses are more in keeping with the purpose and intent of the B-2 zone, a new B-2A district should be created as indicated on the proposed zoning map. Furthermore, a minimum lot size of 20,000 square feet should be considered to reflect the existing development pattern.

⁶ *Englewood Cliffs Rehabilitation Plan: Block 127, Lots 20.01; Block 131, Lots 1 & 5; Block 132, Lots 1, 2, 3, & 6; Block 134, Lots 2, 3, 4, 6, & 7; Block 201, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, & 14; Block 205, Lots 1, 2, 3, & 4; and Block 206, Lots 1, 2, 3, & 26.* Prepared by Eileen F. Banyra, AICP, PP and Kristin J. Russell, AICP, PP, of Maser Consulting, P.A., July 13, 2017. It should be noted that despite the title, the report evaluated whether or not the site qualified as an Area in Need of Rehabilitation and was not a formal Redevelopment Plan as defined by the Local Redevelopment and Housing Law.

2019 REVIEW

The B-4 Zone currently permits offices, banks, and accessory parking areas on the same lot as the principle use. Banks with drive-in facilities and restaurants (excluding fast food) are permitted as conditional uses. The zone prohibits the operation of taxi, limousine, or livery services and the parking or storage of such vehicles. The “B-2A” zone recommended in the 2009 Master Plan Reexamination differs from the “B-2A” (Limited Business Southeast Overlay) which was adopted in 2012. The B-2A zone recommended by the 2009 Master Plan Reexamination concerned the area of the B-4 zone on the west side of Sylvan Avenue, between Palisade Avenue and Demarest Avenue. In contrast, the B-2A Overlay applies to an area on the east side of Sylvan Avenue, located between Van Nostrand Avenue and New Street. The bulk and use requirements for the proposed B-2A zone and the adopted B-2A overlay also contain significant differences. As part of their resolution adopting an amendment to the Land Use Element of its Master Plan to establish a new B-5 Corporate Business Zone classification for Block 207, Lot 6, the Planning Board noted that “The B-2A Overlay Zone, which was not supported by a preceding master plan amendment, should be rescinded in favor of the proposed B-5 Zone for the Subject Property, and the remainder of the lands in the B-2A Overlay Zone should revert to the B-2 Zone criteria.”⁷

⁷ *Amendment to the Land Use Element of the borough of Englewood Cliffs Master Plan Creating a New B-5 Corporate Business Zone Classification for Block 207, Lot 6.* Prepared by Paul A. Phillips, PP, of Phillips Preiss Grygiel, LLC. Adopted March 30, 2016.

IV. EXTENT OF CHANGES IN POLICIES & OBJECTIVES FORMING THE BASIS OF THE 2009 REPORT

The third step in the reexamination process, known as Section “C”, reviews the extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the Master Plan or changes in the State, County and municipal policies and objectives. Since the 2009 Master Plan Reexamination report, several changes have occurred that impact the policies and objectives that formed the basis of the Master Plan. There have also been relatively minor demographic and land use changes that have transpired as noted in the next section.

DEMOGRAPHIC CHANGES

The 2001 Master Plan, while adopted following the 2000 Census, did not have access to the finalized data produced by the US Census Bureau, instead utilizing 1990 data. This was reiterated in the 2003 Master Plan Reexamination Report, where it was recommended that the next Master Plan incorporate data from year 2000. By the time of the 2009 Master Plan Reexamination, year 2000 data would soon be replaced by 2010 data. Census population and housing data from the 2000 and 2010 census have been incorporated into the Borough’s Master Plan as part of its Housing Element and Fair Share Plan, which was most recently adopted in 2019. This plan utilized historic demographics, data from the two most recent decennial censuses (2000 and 2010), as well as the most recent estimates prepared by the US Census Bureau as part of the American Community Survey.

POPULATION CHANGE

Table 1: Historical Population Trends, 1940-Present

HISTORICAL POPULATION TRENDS		
Year	Population	Change
1940	888	-
1950	966	8.8%
1960	2,913	201.6%
1970	5,938	103.8%
1980	5,698	-4.0%
1990	5,634	-1.1%
2000	5,322	-5.5%
2010	5,281	-0.8%
2013-2017 ACS	5,435	2.9%

Source: 2013-2017 American Community Survey 5-Year Estimates, decennial Census data, and NJ Department of Labor

The population of Englewood Cliffs increased dramatically during the mid-1900’s. At the time of the 1950 census, Englewood Cliffs total population was 966 residents. By 1960 it had reached 2,913, and 5,938 by 1970. Since that time, the population has slowly declined through to the most recent census, where in 2010 the Borough’s population had fallen to 5,281. Recent estimates from the US Census Bureau’s Population Estimates Program suggest that the population may have increased over the past decade, with the most recent estimate in 2017 of 5,453 residents.

The North Jersey Transportation Planning Authority (“NJTPA”), which is the regional planning agency for northern New Jersey, has produced population forecasts through 2045. According to

NJTPA, the Borough’s population is projected to increase to 5,883 residents, from an estimated 2015 baseline of 5,366 residents.⁸

AGE DISTRIBUTION OF POPULATION

An analysis of population by age indicates how the Borough is changing in its demographic composition, and how these changes will impact services provided by the Borough.

Persons 19 years and younger tend to be under the care of their parents as well as attend school while adults ages 65 years or older often require specialized care or assistance than those between 20 years and 64 years. Persons aged 19 years and younger represented 22.2% of the Borough’s population in 2000. This age group increased to 22.9% of the Borough’s population in 2010. The most recent 5-year estimates from the US Census Bureau’s American Community Survey for the 2013-2017 period suggests that this cohort has continued to increase, estimated at 24.6 percent of the population. Persons aged 65 years or older increased from 22 percent in 2000 to 24.1 percent in 2010, however 2013-2017 ACS estimates suggest that the number has decreased to 22.2 percent.

Table 2: Age Distribution

AGE DISTRIBUTION						
Age (Years)	2000		2010		2013-2017 ACS	
	Number of Residents	Percentage of Residents	Number of Residents	Percentage of Residents	Number of Residents	Percentage of Residents
Under 5 Years	304	5.7%	252	4.8%	287	5.3%
5 to 9 years	345	6.5%	354	6.7%	376	6.9%
10 to 14 years	288	5.4%	339	6.4%	415	7.6%
15 to 19 years	242	4.5%	266	5.0%	257	4.7%
20 to 24 years	223	4.2%	171	3.2%	139	2.6%
25 to 34 years	510	9.6%	402	7.6%	365	6.7%
35 to 44 years	764	14.4%	654	12.4%	653	12.0%
45 to 54 years	753	14.1%	826	15.6%	790	14.5%
55 to 59 years	360	6.8%	355	6.7%	574	10.6%
60 to 64 years	362	6.8%	390	7.4%	371	6.8%
65 to 74 years	682	12.8%	615	11.6%	565	10.4%
75 to 84 years	383	7.2%	475	9.0%	471	8.7%
85 years and over	106	2.0%	182	3.4%	172	3.2%
Total	5,322	100.0%	5,281	100.0%	5,435	100.0%
Median Age	44.8		47.2		49	

Source: 2013-2017 American Community Survey 5-Year Estimates, 2000 and 2010 Decennial Census

HOUSEHOLDS

According to the 2010 Census, Englewood Cliffs had an average household size of 2.87 persons and an average family size of 3.17 persons. Two-person households composed the largest proportion of households in the Borough. Table 3 shows the household sizes within the Borough for 2000, 2010, and the most recent estimates from the American Community Survey.

⁸ Plan 2045 Forecasts. Approved by the NJTPA Board on November 13, 2017.

Table 3: Household Size

HOUSEHOLD SIZE						
Size	2000		2010		2013-2017 ACS	
	Number of Households	Percentage of Households	Number of Households	Percentage of Households	Number of Households	Percentage of Households
1-person	228	12.5%	261	14.3%	265	14.5%
2-person	652	35.9%	630	34.5%	698	38.1%
3-person	336	18.5%	350	19.2%	255	13.9%
4+ persons	602	33.1%	583	32.0%	615	33.6%
Total	1,818	100.0%	1,824	100.0%	1,833	100.0%

Source: 2013-2017 American Community Survey 5-Year Estimates, 2000 and 2010 Decennial Census

HOUSEHOLD INCOME

Estimates from the 2013-2017 ACS estimates the median household income in Englewood Cliffs to be \$134,629, which exceeds the median for Bergen County and New Jersey as a whole. Similarly, the ACS estimates that the Borough's median family income and per-capita income exceed that of the county and state, while the percent of people and families in the borough living in poverty is 2.2 percent and 1.3 percent, respectively, which is lower than the county and state.

Table 4: Income Characteristics

INCOME CHARACTERISTICS			
	Englewood Cliffs	Bergen County	New Jersey
Median Household Income	\$134,629	\$91,572	\$76,475
Median Family Income	\$148,750	\$112,099	\$94,337
Per Capita Income	\$65,940	\$46,601	\$39,069
Poverty Status (% of People)	2.2%	7.2%	10.7%
Poverty Status (% of Families)	1.3%	5.5%	7.9%

2013-2017 American Community Survey 5-Year Estimates

HOUSING CHARACTERISTICS

As shown in Table 5, the 2010 Census identified 1,824 occupied housing units within Englewood Cliffs, and the 2013-2017 ACS estimates that the number has increased slightly to 1,833. Both the 2010 Census and the 2013-2017 ACS indicate that nearly 90 percent of occupied households in the Borough are owner-occupied, with the remainder being renter-occupied. Census data from 2000 and 2010, as well as the 2013-2017 ACS estimates, appear to suggest that the proportion of renter-occupied housing is increasing, albeit slightly. In 2000, the total number of renter occupied units in the Borough was 156 or 8.6 percent of occupied housing. By 2010, the number of renter-occupied units increased to 191, or 10.5 percent of occupied housing, and the 2013-2017 ACS suggests that the number of renter occupied units, and their proportion, in comparison to owner-occupied housing, has continued to increase.

Table 5: Housing Tenure

HOUSING TENURE						
Occupancy Type	2000		2010		2017	
	Number	Percentage	Number	Percentage	Number	Percentage
Owner-occupied	1,662	91.4%	1,633	89.5%	1,617	88.2%
Renter-occupied	156	8.6%	191	10.5%	216	11.8%
Total	1,818	100.0%	1,824	100.0%	1,833	100.0%

Source: 2013-2017 American Community Survey 5-Year Estimates, 2000 and 2010 Decennial Census

Occupied units, in contrast to vacant units, continue to characterize the overwhelming majority of housing units in the borough. Census data from 2000 and 2010 show that of the total number of housing units in Englewood Cliffs, over 90 percent are occupied, with estimates from the 2013-2017 ACS suggesting the same. It should be noted, however, that the proportion of occupied units has decreased, from 96.2 percent in 2000, to 94.8 percent in 2010, to an estimated 93 percent for the 2012-2017 ACS. Of the vacant housing units, Census data and ACS estimates indicate that many are the result of housing units that are currently for sale or rent or are in the process of being sold.

Table 6: Housing Occupancy Characteristics

HOUSING OCCUPANCY						
Housing Units	2000		2010		2013-2017 ACS	
	Units	Percentage	Units	Percentage	Units	Percentage
Occupied units	1,818	96.2%	1,824	94.8%	1,833	93.0%
Vacant units	71	3.8%	100	5.2%	137	7.0%
For sale	23	-	27	-	54	-
Sold		-	10	-	20	-
Seasonal use	20	-	23	-	0	-
For Rent	9		20		19	
Rented, not Occupied	10		2			
Other	9	-	18	-	44	-
Total	1,889	100.0%	1,924	100.0%	1,970	100.0%

Source: 2013-2017 American Community Survey 5-Year Estimates, 2000 and 2010 Decennial Census

Housing units in Englewood Cliffs is predominantly characterized as single family detached, as evident from year 2000 Census data and the most recent ACS estimates, composing over 95 percent of housing in the borough.

Table 7: Housing Types

HOUSING TYPE BY UNITS IN STRUCTURE				
Unit Type	2000		2013-2017 ACS	
	Number of Units	Percent	Number of Units	Percent
1, Detached	1,815	96.1%	1,918	97.4%
1, Attached	32	1.7%	9	0.5%
2	20	1.1%		0.0%
3 or 4	9	0.5%	9	0.5%
5 to 9	4	0.2%	29	1.5%
10 to 19	9	0.5%		0.0%
20 or more		0.0%	5	0.3%
Mobile Home		0.0%		0.0%
Other		0.0%		0.0%
Total	1,889	100.0%	1,970	100.0%

2013-2017 American Community Survey 5-Year Estimates and 2000 Decennial Census

Table 8: Age of Housing Stock

AGE OF HOUSING STOCK		
Year Built	Number of Units	Percent
1939 or earlier	89	4.5%
1940 to 1949	76	3.9%
1950 to 1959	328	16.6%
1960 to 1969	678	34.4%
1970 to 1979	258	13.1%
1980 to 1989	142	7.2%
1990 to 1999	109	5.5%
2000 to 2009	261	13.2%
2010 to 2013	19	1.0%
2014 or later	10	0.5%
Total	1,970	100.0%
<i>2013-2017 American Community Survey 5-Year Estimates</i>		

In terms of the age of the housing stock in Englewood Cliffs, the ACS estimates that the largest percentage of housing units was constructed in the 1960s, with a median age of over 50 years (estimated by the ACS at 1967, and the 2000 census at 1965).

EMPLOYMENT CHARACTERISTICS

Table 9: Employment Projections for Year 2045

In their projections through 2045, the NJTPA estimates that employment in the Borough will grow by 5.6 percent, for a total of 9,576 jobs. This is based on a baseline estimate of 9,065 jobs in 2015.

EMPLOYMENT PROJECTION			
Year	Jobs	Change	Percent
2015	9,065	-	-
2045	9,576	511	5.6%
<i>Source: NJTPA</i>			

As part of its most recently published annual report on employment and wages, New Jersey Department of Labor found that Englewood Cliffs was home to 714 private sector businesses, employing 7,380 people in 2017.⁹ Of the industry data publicly released by the Department of Labor, the largest proportion of establishments in Englewood Cliffs were in the "Professional/Technical" industry, at 19.3 percent, providing employment to 1,025 residents, with an average wage of \$102,465.

⁹ As noted in the table, the NJ Department of Workforce Development's Employment and Wages 2017 Annual Report has redacted multiple industries for not meeting the publication standard. In the case of Englewood Cliffs, this includes the following industries: Utilities, Manufacturing, and Management. As a result, the "private sector total" in the table differs from the totals provided in the Annual Report.

Table 10: Employment in Englewood Cliffs (2017)

EMPLOYMENT BY INDUSTRY SECTOR AND NUMBER OF EMPLOYEES (2017)					
Industry	Establishments		Employees		Annual Wages
	Total	Percent	Total	Percent	
Construction	27	3.9%	125	2.2%	\$66,468
Wholesale Trade	86	12.6%	535	9.5%	\$139,556
Retail Trade	23	3.4%	311	5.5%	\$62,289
Transportation/Warehousing	22	3.2%	147	2.6%	\$66,319
Information	30	4.4%	763	13.6%	\$113,433
Finance/Insurance	66	9.6%	626	11.2%	\$160,385
Real Estate	40	5.8%	328	5.8%	\$79,553
Professional/Technical	132	19.3%	1,025	18.3%	\$102,465
Admin/Waste Remediation	34	5.0%	373	6.6%	\$86,056
Education	12	1.8%	159	2.8%	\$30,236
Health/Social	93	13.6%	517	9.2%	\$48,748
Arts/Entertainment	9	1.3%	129	2.3%	\$20,880
Accommodations/Food	17	2.5%	262	4.7%	\$33,515
Other Services	52	7.6%	243	4.3%	\$46,560
Unclassified	42	6.1%	68	1.2%	\$47,649
Private Sector Total	685	100.0%	5,611	100.0%	\$73,607
Federal Govt	1	20.0%	52	21.4%	\$60,521
Local Govt	4	80.0%	191	78.6%	\$66,994
Local Govt Total	5	0.7%	243	4.2%	\$63,758

Note: The table values above are sourced from the NJ Department of Workforce Development's Employment and Wages 2017 Annual Report. It is noted that the Annual Report has redacted multiple industries for not meeting the publication standard. Therefore, the Private Sector Totals row has been calculated by this office using the published numbers.

Source: NJ Department of Labor and Workforce Development, Employment and Wages, 2017 Annual Report

While Department of Labor data examines employment and jobs in Englewood Cliffs, American Community Survey Data for the 2013-2017 period estimates the employment characteristics of residents in the borough. Recent estimates suggest of the total number of residents in the workforce, 97 percent are employed, or 2,197 residents, most of whom are private wage and salary workers. Occupational estimates from the ACS suggest that 65 percent of residents are employed in the field of "management, business, science and the arts," while a quarter of the population is employed in "sales and office."

Table 11: Class of Worker

CLASS OF WORKER		
Class of Worker	Number of Workers	Percent
Private wage and salary workers	1,884	83.1%
Government workers	198	8.7%
Self-employed workers	115	5.1%
Unpaid family workers	0	0.0%
Total employed residents	2,197	97.0%
Total unemployed residents	69	3.0%
Total residents in workforce	2,266	100.0%

2013-2017 American Community Survey 5-Year Estimates

Table 12: Occupations of Employed Population

EMPLOYED CIVILIAN POPULATION BY OCCUPATION				
Occupation	Bergen County		Englewood Cliffs	
	Total	Percent	Total	Percent
Management, business, science, and arts	226,908	47.9%	1,427	65.0%
Service	63,980	13.5%	147	6.7%
Sales and office	115,227	24.3%	557	25.4%
Natural resources, construction, and maintenance	29,806	6.3%	0	0.0%
Production, transportation, and material moving	37,751	8.0%	66	3.0%
Total	473,672	100.0%	2,197	100.0%
<i>2013-2017 American Community Survey 5-Year Estimates</i>				

Commute to work habits for residents of Englewood Cliffs are similar to those for Bergen County in general. Based on 2013-2017 ACS estimates, the mean travel time to work in Bergen County is 32.3 minutes, while Englewood Cliffs residents average 34.3 minutes to work. The largest proportion of residents--14.5 percent--have commute times between 20 and 24 minutes, however, 14.4 percent of residents have commute times that range between 60 and 89 minutes. The ACS also estimates that over 2/3 of residents in both Englewood Cliffs (approximately 67.7 percent) and Bergen County (68.7 percent) in general drive to work alone. This is followed by public transportation, utilized by 15.6 percent of Englewood Cliffs residents, which is followed by carpooling, at 7.6 percent. It is also worth noting that 5.5 percent of residents work from home, which is likely influenced by improvements in telecommunications technology and mobile computing.

Table 13: Commute Time Distribution

COMMUTE TIME				
Travel Time (in minutes)	Bergen County		Englewood Cliffs	
	Number of Workers	Percent	Number of Workers	Percent
Less than 5	8,665	2.0%	44	2.1%
5 to 9	31,078	7.0%	189	9.1%
10 to 14	49,331	11.2%	190	9.2%
15 to 19	50,473	11.4%	133	6.4%
20 to 24	54,960	12.4%	300	14.5%
25 to 29	33,210	7.5%	108	5.2%
30 to 34	59,657	13.5%	234	11.3%
35 to 39	12,380	2.8%	150	7.3%
40 to 44	17,743	4.0%	68	3.3%
45 to 59	41,946	9.5%	273	13.2%
60 to 89	62,478	14.1%	297	14.4%
90 or more	19,649	4.4%	81	3.9%
Total	441,570	100.0%	2,067	100.0%
<i>2013-2017 American Community Survey 5-Year Estimates</i>				

Table 14: Means of Transportation to Work

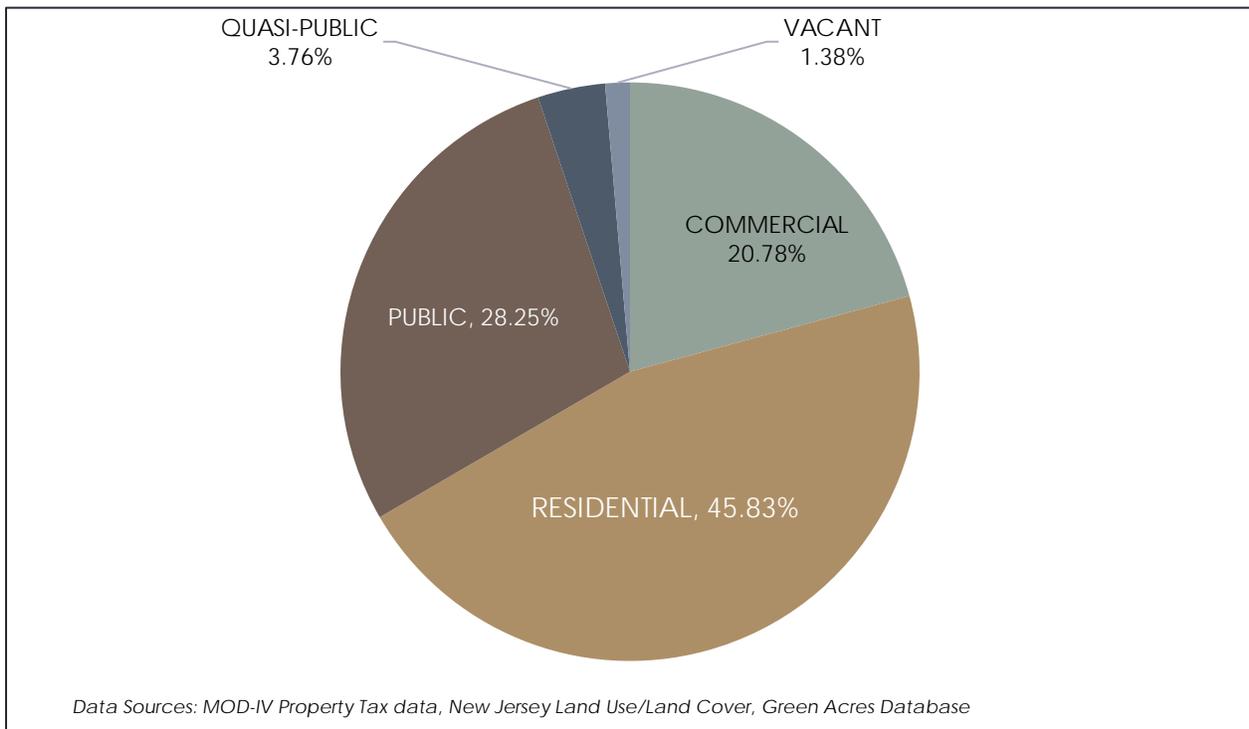
COMMUTE TO WORK (WORKERS 16 AND OVER)				
Means of Transportation	Bergen County		Englewood Cliffs	
	Number	Percent	Number	Percent
Car, Truck, or Van (Drove Alone)	318,577	68.7%	1,482	67.7%
Car, Truck, or Van (Carpooled)	34,420	7.4%	166	7.6%
Public Transportation (Excludes taxicab)	68,983	14.9%	341	15.6%
Walked	12,940	2.8%	38	1.7%
Other Means	6,650	1.4%	40	1.8%
Worked at home	21,847	4.7%	121	5.5%
Total	463,417	100.0%	2,188	100.0%

2013-2017 American Community Survey 5-Year Estimates

LAND USE

Land Use in Englewood Cliffs largely falls into three general categories: single-family residential, commercial, and public lands. Of course, these are generalizations, and there are differences within these categories. For example, a public use would include the Palisades Interstate Park, but there are also “quasi-public” uses, such as utilities, places of assembly, and schools. Nearly half of Englewood Cliffs’ land area is dedicated to single-family residential uses.

Table 15: Generalized Land Use by Area



Over 2,100 parcels make up Englewood Cliffs. Based on the number of parcels, residential properties compose an overwhelming majority of individual land uses in Englewood Cliffs, and nearly three-quarters of the total tax value. Commercial properties account for 18.24 percent of land area and provide 23.1 percent of the total tax value. Table 16 summarizes the land use

categories according to the Division of Local Government Services along with the total number of parcels within and value for each category. This data is based on property taxes, and therefore excludes certain exempt uses, such as parks.

Table 16: Land Use by Taxable Property

Land Use (2018)				
Land Use Class	Number of Parcels	Percentage of Parcels	Total Value	Percentage of Total Value
Vacant	52	2%	\$93,718,400	2.8%
Residential	1,930	92%	\$2,520,047,800	74.1%
Commercial	125	6%	\$ 783,649,800	23.1%
Apartment	1	0%	\$1,750,000	0.1%
Total	2,108	100%	\$3,399,166,000	100.0%

New Jersey Department of Community Affairs, Division of Local Government Services.

STATE CHANGES

STATE DEVELOPMENT AND REDEVELOPMENT PLAN

In March of 2001 the New Jersey State Development and Redevelopment Plan (SDRP) was adopted, which amended the previous plan adopted in 1992.

Despite a requirement by the State Planning Act (N.J.S.A. 52:18A-196 et. seq.) to update the plan every three years, a revised State Plan has not been adopted in nearly 20 years. In 2011-2012, the State Planning Commission prepared a draft State Strategic Plan that would replace the 2001 State Plan (SDRP). The State Planning Commission approved the draft Final State Plan in 2011 (Resolution No. 2011-08) to begin the process of Final State Plan approval, which included public hearings in February, March, and September of 2012, with adoption scheduled for that November. Unfortunately, following the arrival of Hurricane Sandy in late October, the State Planning Commission voted to table adoption, citing the need to provide time for public review and comment, as well as to consider issues related to coastal recovery. As of May 2019, the State Planning Commission has yet to reintroduce the State Strategic Plan for adoption. The draft State Strategic Plan differed from the 2001 plan in that it utilizes a criteria-based identification system for growth, limited growth, and preservation, rather than a State Plan Policy Map that governed the locations of different types of development. State investment and incentives to support development and redevelopment would be directed toward areas identified for growth, while investments and incentives for land preservation, agriculture development and retention, historic preservation, environmental protection and stewardship would be directed toward areas preferred for preservation and protection.

As this is the most recent SDRP, it has been reviewed for the purposes of this report.¹⁰ The document contains only four goals, which are:

- Goal #1: Targeted Economic Growth – Enhance opportunities for attraction and growth of industries of statewide and regional importance.

¹⁰ <http://nj.gov/state/planning/publications/192-draft-final-ssp.pdf> , page 20.

- Goal #2: Effective Planning for Vibrant Regions – Guide and inform regional planning so that each region of the State can experience appropriate growth according to the desires and assets of that region.
- Goal #3: Preservation and Enhancement of Critical State Resources - Ensure that strategies for growth include preservation of the State’s critical natural, agricultural, scenic, recreation, and historic resources, recognizing the roles they play in sustaining and improving the quality of life for New Jersey residents and attracting economic growth.
- Goal #4: Tactical Alignment of Government – Enable effective resource allocation, coordination, cooperation and communication among those who play a role in meeting the mission of this Plan.

It should be noted that this new plan does not include a map, nor does it include planning area designations as the 2001 plan did.

COUNCIL ON AFFORDABLE HOUSING

Englewood Cliffs Housing Element and Fair Share Plan¹¹ was adopted by the Planning Board on January 7, 2019, and subsequently endorsed by the Borough Council on January 24, 2019. Details regarding the status of the plan are in Section V of this Reexamination report.

On March 10, 2015, the Supreme Court ruled that the New Jersey Council on Affordable Housing (“COAH”) has failed to act and as a result, the Courts will be assuming jurisdiction over the Fair Housing Act. The Order divided municipalities into one of three categories – those that achieved Third Round Substantive Certification, those that filed or petitioned COAH and those that had never participated in the COAH process.

The Order permitted towns to file a Declaratory Judgment during a thirty-day window (approximately June 8 to July 8, 2015) to alert the Court that the municipality wishes to comply with its constitutional mandate to provide affordable housing. Englewood Cliffs filed a declaratory judgment action on July 8, 2015.

STATEMENT OF STRATEGY

P.L. 2017, Chapter 275 (A4185/S2873) was adopted on January 8, 2018, which amended the Municipal Land Use Law to require that the adoption of any subsequent Land Use Element to include a “statement of strategy” related to sustainability and storm resilience. In particular, the statement must address: smart growth, with a focus on the potential locations for the installation of electric vehicle charging stations; storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure; and environmental sustainability.

¹¹ Michael Mistretta, PP, Harbor Consultants. Housing Element and Fair Share Housing Plan, Borough of Englewood Cliffs. Prepared December 10, 2018, and adopted by the Planning Board on January 7, 2019, and endorsed by the Borough Council on January 24, 2019.

TIME OF DECISION

Governor Christie signed P.L. 2010, Chapter 9 on May 5, 2010, which repealed the “time of decision” rule. Previously, municipalities could make zoning amendments prior to a formal decision on a development application. Adoption of P.L. 2010 Chapter 9 amended the Municipal Land Use Law (MLUL, N.J.S.A. 40:55D-1 et. seq.) to require that the development regulations in effect on the date of submission of an application for development to govern the review of that application for development (N.J.S.A. 40:55D-10.5). This act went into effect on May 5, 2011. It should be noted, however, that what constitutes an “application for development” was recently before the State Supreme Court in *Dunbar Homes, Inc. v. Zoning Board of Adjustment of Franklin Township* (233 N.J. 546, 563 (2018)), where the Court found that a complete application must be submitted to receive protection under the development regulations in effect at the time. In their analysis of this law and this case, Drill and John-Basta (2019) conclude that “We suspect that over time the courts will be called upon to decide a myriad of issues with the new law, much in the same way they have been called upon to decide a large number of issues surrounding the time of decision rule.”¹²

STORMWATER REGULATION

The State of New Jersey has recently undertaken several efforts to provide for the enhanced regulation of stormwater runoff.

In December 2018, the New Jersey Department of Environmental Protection proposed changes to the state’s stormwater management rules (N.J.A.C. 7:8), requiring developers to utilize green infrastructure to meet the minimum standards for stormwater management standards for water quality, groundwater recharge and stormwater volume control as part of any major development. If approved, these rules could significantly change how stormwater is managed in New Jersey. Previously, developers were only required to consider and incorporate green infrastructure “to the maximum extent practicable,” which the NJDEP now acknowledges involved a measure of subjectivity. A public hearing on these rules was held in January 2019, with a public comment period until February 2019. As of this document, the proposed rules are pending adoption.

In March 2019, Governor Murphy signed the Clean Stormwater and Flood Reduction Act (S1073/A2694) into law, which gives municipalities and counties the option to establish “stormwater utilities.” Stormwater utilities, are a tool used in communities throughout the country to fund maintenance, construction, and operation of stormwater management systems through the assessment of fees on certain impervious surfaces that contribute into the stormwater system.

PERFORMANCE AND MAINTENANCE GUARANTEES

Governor Christie signed into law Assembly Bill 1425/Senate Bill 3233 into law on January 15, 2018, which amends portions of the Municipal Land Use Law (N.J.S.A. 40:55d-1 et seq.). These amendments limit the bonding required for site improvements to those which will be dedicated

¹² *New Jersey Zoning & Land Use Administration, 2019 Edition. William M. Cox and Stuart R. Koenig, revised and updated by Jonathan E. Drill and Lisa A. John-Basta. Gann Law.*

to the municipality (i.e. publicly dedicated streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor monuments, water mains, sanitary sewers, community septic systems, drainage structures, public improvements of open space, and any grading necessitated by these public improvements. In addition, municipalities can require bonding for perimeter landscaping buffers, however, not interior landscaping that is privately owned and maintained. Municipalities can also require a guarantee for site restoration to protect the public from an unsafe or unstable condition on site. The legislation also limits maintenance guarantees to no more than 15 percent of the cost of the improvements covered under the performance guarantee, as well as the cost of the private stormwater management facilities. As part of this legislation, municipalities must adopt an ordinance in order to require performance guarantees.

NONCONTIGUOUS CLUSTER DEVELOPMENT

The New Jersey Legislature amended the Municipal Land Use Law in 2013 to permit municipalities the ability to add the noncontiguous cluster as an available option for the subdivision of land, in addition to such tools as traditional clustering or Transfer of Development Rights (TDR). While traditional cluster development permits the concentration of development on a portion of the site, allowing the remainder to be preserved, noncontiguous cluster development permits clustering across an entire tract, while preserving another tract elsewhere in the municipality for parks, open space, historic preservation or flood control. This differs from a Transfer of Development Rights (TDR) program in that the program is voluntary, relying on individual landowners and developers to purchase and transfer development potential.

COMPLETE STREETS

The New Jersey Department of Transportation (NJDOT) adopted a Complete Streets Policy in late 2009. Complete streets are systems that ensure that roadways can accommodate users of all ages and abilities by providing multiple modes of travel, including: walking, bicycling, mass transit, and the automobile. Communities that adopt a complete streets policy are expected to consider complete streets as part of future road improvements and development projects. At present, eight (8) counties and 151 municipalities have adopted complete streets policies. The intent of the policy is to provide streets to meet the needs of all types of users and all modes of circulation—walking, bikes, cars, trucks, and buses. Several New Jersey municipalities have expanded the complete streets concept to include “Green Streets,” which provide an additional way to improve and manage stormwater as part of future capital improvements to roads and drainage systems. While a complete streets program requires municipalities to consider the needs of all users and abilities as part of a roadway improvement or development project, green streets incorporate green infrastructure into roadway design.

BERGEN COUNTY MASTER PLAN

At around the same time as the adoption of the 2009 Englewood Cliffs Master Plan Reexamination, Bergen County began the process of updating its Master Plan, which was last adopted in the 1960s. Initially, background data was compiled and land uses mapped to prepare a social, economic, cultural, and physical profile of the County, which was followed by a series of visioning sessions in 2011. These events included active participation from residents, business owners, and community leaders, where discussions revealed intrinsic linkages between different countywide key quality of life issues, such as how land use decisions affect transportation, which affects business, trade, and economic viability, which impacts revenue generation and taxes, which in turn affects future land use decisions, and so on. The interplay of these different issues affects quality of life for residents, businesses, visitors, and investors. The feedback and recommendations generated from these discussions was used to identify potential strengths, weaknesses, opportunities, and threats (“SWOT”). The County is currently in the process of using this information to develop an updated Master Plan which recognizes and meets the challenges of a landscape that has dramatically changed since the last Master Plan, evaluating and responding to such factors as:

- Land availability for new development;
- Challenges of redevelopment and shifting economies;
- Population growth and demographic change;
- Traffic congestion;
- Open space and recreation;
- Arts, culture, and historic resources;
- Water quality and natural resources;
- Availability of public services; and
- Resiliency and Sustainability.

This information will be used to provide a comprehensive snapshot of the present-day landscape in Bergen County, and identify a series of goals, objectives, and specific actions that seek to ensure that Bergen County continues to remain an attractive place to live, work, play, and invest.

BERGEN COUNTY MULTI-JURISDICTIONAL ALL-HAZARDS MITIGATION PLAN

Bergen County last updated its Multi-Jurisdictional All-Hazards Mitigation Plan in 2015, which was subsequently approved by FEMA on April 13, 2015. This plan represents Bergen County, all 70 municipalities, the New Jersey Meadowlands Commission (now known as the New Jersey Sports and Exposition Authority), and the Bergen County Utilities Authority (BCUA). This plan emphasized natural hazards, as opposed to human-caused hazards (such as terrorism and cyber-attacks) which are addressed at the federal, state and local levels under other efforts. The natural hazards

identified by the 2015 All-Hazards Mitigation Plan include coastal erosion and sea level rise, dam and levee failure, drought, earthquake, flood (including riverine, coastal, storm surge, tsunami, and stormwater flooding caused by local drainage and high groundwater levels), geological hazards (landslide and subsidence/sinkholes), hurricane and tropical storms, nor'easter, severe weather (high winds, tornadoes, thunderstorms, hail, and extreme temperature), winter storms (snow, blizzards, and ice storms), and wildfire. The plan excluded avalanches, tsunamis, volcanoes, subsidence caused by sinkholes, hailstorms, and expansive soils due to their lack of presence, or negligible impacts in the county.

The All-Hazards Mitigation Plan specifically notes that Englewood Cliffs is one of three (3) municipalities in Bergen County that currently does not participate in the National Flood Insurance Program.

MUNICIPAL CHANGES

ORDINANCE 2010-02 ADOPTION OF STORMWATER BEST MANAGEMENT PRACTICES

The Borough adopted Ordinance 2010-02 on April 14, 2010, which amended its stormwater management regulations, previously adopted under Ordinance 2006-05. This ordinance amendment added provisions for best management practices for the management of stormwater and provided for design and performance standards for stormwater management.

ORDINANCE NO. 12-20 ESTABLISHING B-2A LIMITED BUSINESS SOUTHEAST OVERLAY ZONE (ADOPTED OCTOBER 10, 2012)

The Borough adopted Ordinance No. 12-20 on October 10, 2012, which established the B-2A Limited Business Southeast Overlay. This overlay permits accessory parking lots and parking garages to the principal use. The overlay also contains setback, minimum lot size, and lot coverage requirements that are more stringent than the B-2 zone but permits a greater maximum building height.

Identification of the parcels included in the B-2A Overlay is provided in the ordinance, via text reference, and applies to the following properties:

- Block 207 Lot 5
- Block 207 Lot 6
- Block 207 Lot 7
- Block 412 Lot 1
- Block 412 Lot 2
- Block 412 Lot 3
- Block 412 Lot 4
- Block 412 Lot 5
- Block 412 Lot 6
- Block 412 Lot 7
- Block 412 Lot 8
- Block 412 Lot 9

- Block 412 Lot 10
- Block 412 Lot 11
- Block 515 Lot 3

ORDINANCE 18-14 AFFORDABLE HOUSING SET ASIDE ORDINANCE

The Borough adopted Ordinance No. 18-14 on October 20, 2018, requiring a mandatory inclusionary set-aside for any site that benefits from a rezoning, variance, or redevelopment plan approved by the Borough which results in multi-family residential development of five (5) or more dwelling units. The set-aside would require 20 percent of for-sale units to be affordable, or 15 percent of rental units.

ORDINANCE NO 2014-11 BUILDING HEIGHT LIMITATION

The Borough adopted Ordinance No. 2014-11 on August 13, 2014, which prohibited buildings in excess of 35 feet for all zones.

ORDINANCE 2012-04 EXTENSIONS INTO REQUIRED YARDS AND GENERATORS

The Borough adopted Ordinance 2012-04 on March 14, 2012, permitting the placement of stationary generators in residential zones. The ordinance permits stationary generators, subject to specific guidelines on size, noise, screening, and location from dwellings, windows and doors. The ordinance also permits the location of generators in the front, side, and rear yard.

2013 LAND USE PLAN ELEMENT – B-3 ZONING DISTRICT STUDY

In 2013, the planning firm of Burgis Associates was retained to conduct a study of the existing land uses in the B-3 Business District, and provide planning, zoning and design recommendations to revitalize and encourage investment in the B-3 District properties.

Among the recommendations set forth in this report are traffic calming measures, increased diversity of permitted uses, improved connectivity within and between parking areas, added on-street parking on Sylvan Avenue, a unified streetscape design with landscaping improvements, safer pedestrian crossings, and the possibility of a public space.

2016 LAND USE PLAN ELEMENT AMENDMENT –B-5 CORPORATE BUSINESS ZONE CLASSIFICATION

In 2015, the planning firm of Phillips Preiss Grygiel LLC was retained to provide zoning and master plan recommendations for the site known as 111 Sylvan Avenue and the larger Sylvan Avenue corridor, consistent with a 2015 settlement agreement.

The 2016 Amendment recommended the consideration of a new zone district, referred to as the “B-5 Corporate Business Zone” for Lot 6, Block 207. This B-5 zone would permit the same uses as

those in the B-2 zone, while also permitting accessory parking structures. Building heights in the B-5 would have a maximum height of 70 feet but would be permitted only in certain portions of the property so as to respect the existing tree line of the Palisades. Notably, the B-5 would include a maximum impervious coverage requirement, a minimum requirement for outdoor common space amenities, and a 125-foot buffer to neighboring residential zones.

In addition, this amendment noted that Ordinance No. 2014-11, prohibiting building heights in excess of 35 feet, effectively nullified the building heights permitted in the B-2A Overlay Zone. The Amendment also noted that because the B-2A Overlay had not been part of any prior Master Plan Amendment, it should be rescinded in its entirety.

The Planning Board adopted this amendment to the Borough's Land Use Element of its Master Plan on March 30, 2016. In its resolution of adoption, the Planning Board resolved that the B-2A overlay was "not supported by a preceding master plan amendment" recommending that the overlay be rescinded in favor of the B-5 zone.

2017 ENGLEWOOD CLIFFS REHABILITATION PLAN

In 2017, the Governing Body adopted a resolution (17-120) entitled "Resolution Referring Study of B-3 Zone to Borough's Combined Planning Board," directing the Combined Planning Board to "[S]tudy methods and means for improvement to the real property, character and community of the B-3 zone within the Borough" including the consideration of an Area In Need of Rehabilitation Designation pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.). A subsequent report was prepared by the Planning Board on July 13, 2017,¹³ which reviewed the different studies and plans that had been conducted over the past decade on potential recommended improvements to the B-3 Zone. The report also found the water and sewer infrastructure in the study area exceeded 50 years in age, which would qualify the area as an Area in Need of Rehabilitation.

2018 HOUSING ELEMENT AND FAIR SHARE PLAN

As described in the previous section, Englewood Cliffs Housing Element and Fair Share Plan¹⁴ was adopted by the Planning Board on January 7, 2019 (Resolution No. 2019-01) as an amendment to the Borough's Master Plan, and subsequently endorsed by the Borough Council on January 24, 2019 (Resolution 19-51). Per the Borough Council's resolution of endorsement, the Borough authorized and directed its professionals to file with the court the 2018 Housing Element and Fair Share Plan, the resolutions of adoption by the Planning Board, the resolution of endorsement by the Borough Council, and any additional documents deemed necessary by its professionals or

¹³ *Englewood Cliffs Rehabilitation Plan: Block 127, Lots 20.01; Block 131, Lots 1 & 5; Block 132, Lots 1, 2, 3, & 6; Block 134, Lots 2, 3, 4, 6, & 7; Block 201, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, & 14; Block 205, Lots 1, 2, 3, & 4; and Block 206, Lots 1, 2, 3, & 26.* Prepared by Maser Consulting, P.A., July 13, 2017. It should be noted that despite the title, the report evaluated whether or not the site qualified as an Area in Need of Rehabilitation and was not a formal Redevelopment Plan as defined by the Local Redevelopment and Housing Law.

¹⁴ Michael Mistretta, PP, Harbor Consultants. *Housing Element and Fair Share Housing Plan, Borough of Englewood Cliffs.* Prepared December 10, 2018, and adopted by the Planning Board on January 7, 2019, and endorsed by the Borough Council on January 24, 2019.

the Court, in order to seek Court approval with the ongoing declaratory judgement action initiated by the Borough pursuant to Mount Laurel IV. The Borough has further noted that it reserves the right to amend its Affordable Housing Plan, if necessary, upon determination by the Court of the Borough's realistic development potential and any other concerns the Court may express.

V. MASTER PLAN REEXAMINATION RECOMMENDATIONS

The fourth step in the reexamination process, known as Section “D”, identifies the specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

Recommended changes for the Master Plan and Development Regulations are detailed in the sections that follow.

MASTER PLAN

The Borough last amended its Goals and Objectives as part of its 2001 Master Plan, reflecting the existing conditions and recommendations outlined in each of the constituent elements of that plan. These Goals and Objectives provide a general vision for the community and continue to remain relevant. The Borough should consider supplementing additional objectives and actions for each of the goals that are specific, measurable, attainable, relevant and timely. This will enable future reexaminations and Master Plans to evaluate the extent to which these goals have been achieved.

LAND USE ELEMENT

In 2016, the Land Use Plan was amended to recommend the creation of a new B-5 Zone, and the rescindment of the B-2A Overlay district. The 2003 Master Plan Reexamination recommended the establishment of unique zone districts for public lands, which are zoned similarly to neighboring properties, and the Palisades Interstate Park, which does not appear to be zoned. None of these recommendations have been implemented. Prior to this amendment, the Borough’s Land Use Plan Element was last revised in 2001. Considering that the Borough contains limited vacant, developable lands, and is largely built out, the Planning Board should consider preparing a revised Land Use Plan element that examines existing conditions, including land uses, and particularly underlying lot sizes and dimensions, to ensure that the Borough’s Zoning Ordinance reflects the prevailing character of neighborhoods, minimizes conflict through appropriate buffer requirements, and ensures clear and consistent application of standards. Further consideration should be given to the existing B-2 Zone, and the recommendation of the 2009 Master Plan Reexamination Report to establish a B-5 Zone for the northern section of this zone.

CIRCULATION ELEMENT

The Borough’s 1996 Master Plan Report, prepared by Michael F. Kauker Associates notes that “Due to the fact that there are no large areas of developable land within the Borough of Englewood Cliffs that would constitute the installation of additional infrastructure, the Borough’s circulation plan and street layout system has remained the same over the last 15 years.” This statement echoes the Circulation Plan Element of the Borough’s 1980 *Master Plan Up-Dating*, prepared by Staff Services: The Planning Association of New Jersey, which makes minor recommendations to improve or vacate portions of the Borough’s remaining unimproved streets.

While the improvement of unimproved or paper streets continues to remain a recommendation where property access is proposed, the Borough should consider an update to its Circulation Plan Element. This document could examine and propose recommended actions that would enhance and improve circulation for motorized vehicle traffic, while also evaluating the safety of the existing road network for non-motorized bicycle and pedestrian traffic. An update to the Circulation Plan Element could examine existing and potential demands on the Borough's circulation network that consider potential changes caused by different commuting patterns, such as telecommuting or the use of ride-sharing/ride-hailing services and impacts from increased eCommerce delivery traffic. In conjunction with other elements of the Master Plan, such as Land Use, Conservation, and Green Buildings and Environmental Sustainability, a revised Circulation Plan could evaluate corridor design standards for different street typologies to identify appropriate standards for lighting, buffering, landscaping, curbing, and non-motorized (bicycle/pedestrian) travel.

GREEN BUILDINGS AND ENVIRONMENTAL SUSTAINABILITY ELEMENT

The New Jersey Municipal Land Use Law (MLUL) permits municipalities to adopt a "Green Buildings and Environmental Sustainability" element to the master plan, "which shall provide for, encourage, and promote the efficient use of natural resources and the installation and usage of renewable energy systems; 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." (N.J.S.A 40:55D-28 b (16)) The Planning Board, through its annual reports, and through the recommendations of its Master Plan Subcommittee, have identified numerous problems and concerns related to lighting, landscaping, stormwater management, and noise. Preparation of a Green Buildings and Environmental Sustainability element could help the Borough to identify recommendations that are context-sensitive to the particular needs and community character.

CONSERVATION PLAN ELEMENT

The Borough's 2001 Master Plan included an analysis of existing "Environmental Features," including topography and steep slopes, wetland areas, flood prone areas, and soil conditions. The MLUL enables municipalities to prepare a "Conservation Plan Element," which provides for the preservation, conservation, and utilization of natural resources. In addition to the features identified in 2001, a conservation plan can also examine energy, open space, critical habitat, and waterbodies. While it is likely that many of these conditions have not changed significantly during this time period, the Borough may wish to consider a Conservation Plan element, building upon the 2001 findings, as part of a comprehensive approach to reducing and managing stormwater.

UTILITY SERVICE PLAN ELEMENT

The 2001 Master Plan included a Utility Services Element, which identified the existing water, electric, gas, and wastewater providers in the Borough. Despite minor changes that have occurred with utility providers, such as the acquisition of United Water by Suez, a revised Utility Services Plan Element is not recommended at this time.

COMMUNITY FACILITIES PLAN ELEMENT AND RECREATION PLAN ELEMENT

The 2001 Master Plan included a Recreation and Open Space Plan Element, which identified the Borough's existing parks, recreation, and open space amenities, and outlined specific recommendations for the improvement of these sites, and the potential addition of new sites. The Borough should consider an update to the Recreation Plan Element to evaluate existing conditions of the Borough's Parks and Recreation facilities and the relevance of the 2001 recommendations. A revised plan element could complement other elements, including Circulation, Land Use, and Conservation to ensure recreational amenities meet the needs of the community.

The 2001 Master Plan also included an inventory of historic sites within Englewood Cliffs, which is usually considered as part of a Community Facilities Plan Element and can include existing and proposed locations of educational or cultural facilities, historic sites, libraries, hospitals, firehouses, police stations, and other related facilities. While no additional community facilities may be proposed at this time, at minimum, the Borough should review its listing of historic sites in order to remove sites that have since been demolished, as well as add any new sites worthy of consideration.

RECYCLING PLAN ELEMENT

The Borough's 2001 Master Plan included a Recycling Plan Element. The MLUL recommends a recycling plan element which incorporates the State Recycling Plan goals. While a revised Recycling Plan Element is not recommended at this time, recycling guidelines in some communities have changed due to reduced demand for processing certain recycled products. The Borough should continue to monitor this issue, in coordination with the State and County.

ECONOMIC PLAN ELEMENT

The MLUL permits municipalities to prepare, and adopt an "economic plan element considering all aspects of economic development and sustained economic vitality, including (a) a comparison of the types of employment expected to be provided by the economic development to be promoted with the characteristics of the labor pool resident in the municipality and nearby areas and (b) an analysis of the stability and diversity of the economic development to be promoted." (N.J.S.A 40:55D-28 b (9))The Planning Board has prepared multiple studies and plans over the years that have outlined recommended actions to improve the look and design of its commercial corridors. Preparation of an Economic Plan Element may complement these studies and identify economic conditions and potential strategies to maintain and enhance the economic base of Englewood Cliffs.

HOUSING

As described in the previous section, Englewood Cliffs Housing Element and Fair Share Plan¹⁵ was adopted by the Planning Board on January 7, 2019 (Resolution No. 2019-01) as an amendment to the Borough's Master Plan, and subsequently endorsed by the Borough Council on January 24, 2019 (Resolution 19-51). Per the Borough Council's resolution of endorsement, the Borough reserves the right to amend its Affordable Housing Plan, if necessary, upon determination by the Court of the Borough's realistic development potential and any other concerns the Court may express.

DEVELOPMENT REGULATIONS

As part of the Master Plan Reexamination, a review of the variance reports prepared by the Planning Board was performed to determine the type of variances requested and granted. Those that were repeatedly granted were looked at closely to determine if a change to the regulations should be recommended. The list below addresses these matters along with other development regulation changes that are deemed to be positive for the overall aesthetic enhancement and economic growth of the community. In addition, the Master Plan Subcommittee and staff detailed numerous development regulations that have caused repeated problems or variance situations over the years. The following potential zoning ordinance and map changes have been identified as meriting consideration:

DURATION OF VARIANCE APPROVAL

- Currently section 18-2.9 (Expiration of Variance), limits the amount of time a variance is valid following approval by the Board. If development does not commence within nine (9) months from the time the variance was granted, the variance expires. The Board has repeatedly evaluated applications where variances have expired during this time frame. Consider increasing the amount of time granted following variance approval for development to commence from nine (9) months to one (1) year.

USE AND DESIGN

- Consider adoption of the B-5 zone for the area delineated in the 2009 Master Plan Reexamination. The properties in the northern section of the B-2 zone, characterized by many of the Borough's corporate office parks, generally exceed the minimum lot size requirement (80,000 square feet); to reflect the existing developed character of the area; It is recommended that the B-5 zone contain a minimum lot size of 10 acres. No changes are recommended to the current height regulations in any zone.
- Similar to the above recommendation, the 2016 Amendment to the Master Plan noted that Ordinance No. 2014-11, which prohibited building heights in excess of 35 feet, effectively nullified the building heights permitted in the B-2A Overlay Zone. The 2016 Amendment to the

¹⁵ Michael Mistretta, PP, Harbor Consultants. Housing Element and Fair Share Housing Plan, Borough of Englewood Cliffs. Prepared December 10, 2018, and adopted by the Planning Board on January 7, 2019, and endorsed by the Borough Council on January 24, 2019.

Master Plan also noted that because that B-2A Overlay had not been part of any prior Master Plan Amendment, it should be rescinded in its entirety. It is recommended that for clear and consistent enforcement of the Borough's development regulations, the Borough should revisit this overlay to ensure that it does not conflict with other ordinance requirements, including Ordinance No. 2014-11.

- Consider amending the requirements for permanent barbecue pits/structures (Section 30-7.2 e). Currently, the ordinance requires such structures be located within 10 feet of the principal building. To protect neighboring properties, it is not recommended that barbecue pits follow the setback requirements of other accessory structures. Instead, consideration should be given to permitting permanent barbecue pits/structures within the buildable area permitted for principal structures.
- Conduct an analysis of existing yard setbacks and building heights to determine if the current requirements are appropriate. If not, setback requirements should be modified.
- Reevaluate residential zoning to simplify and better reflect the existing housing stock in each zone.
- Streamline the stormwater and drainage ordinances to ensure clear and consistent standards. Consider provisions that encourage the use of permeable pavements and pavers for better stormwater management.
- Consider establishing impervious coverage requirements for commercial zones. Such requirements could include provisions for the use of green infrastructure, such as vegetated roofs.
- Consider establishing tree preservation and removal ordinances for commercial zones. Currently, such requirements only apply to residential zones.
- Consider revisions to the Borough's performance standards for lighting and noise to limit impacts on neighboring properties.
- The current bulk and design standards for back-up generators are limited to residential zones; no specific standards exist for commercial installations. Consider amendments to this ordinance that would establish setback, design, and screening requirements for backup generators as part of commercial development.
- Reevaluate commercial zoning to ensure that permitted, conditional, and prohibited uses are relevant and reflect current demands and business types.
- Review ordinance definitions to determine terms that may need to be added or modernized, particularly as applied to permitted and prohibited uses in commercial zones.
- Incorporate the Borough's sign ordinance (Chapter XIX) into the Zoning Code (Chapter XXX) to allow for more stringent regulation of signage, whereby noncompliant signs would require variance relief.

- Signage standards and requirements for illumination, brightness and digital displays should be considered to minimize potential impacts on neighboring properties.
- Amendments to the Municipal Land Use Law require that Land Use Elements adopted after January 8, 2018, include a “statement of strategy,” where one of the requirements is to identify potential locations for the installation of electric vehicle charging stations. Standards and requirements for electric vehicle charging stations are not included in the Borough’s ordinance, therefore, it is not clear how they would be regulated under the existing framework, including locations, relationship to parking standards (i.e. does a charging station qualify as an off-street parking space), lighting requirements, and buffering standards.
- Review circular driveways. The R-A (Single-Family Residential) District permits single-family detached dwellings, public schools, and public parks and public recreation areas, as well as accessory uses, including private garages or other accessory buildings customarily incidental to any permitted use and not occupied for residential purposes, under principal permitted uses. In addition, the ordinance, under principal permitted uses, also describes standards for driveway access, and driveway side yards (including those in the R-B Single Family Residential) and R-B1 (Single Family Residential) zones. These driveway standards permit circular driveways in the “front yard area or in the front of the front building wall of the residence,” subject to driveway width and front yard coverage requirements. Based on how the ordinance is currently written, it is not clear if circular driveways apply to the other residential zones in the Borough, as the R-B zone defers to the R-A zone for its principal permitted uses, and the R-B1 zone defers to the R-B zone for its principal permitted uses. While a driveway is not often considered to be a “use,” it could be interpreted that the circular driveway standards in the R-A zone might apply to the other residential zones as they are listed under principal permitted uses for the R-A zone. Section 30-2 (Definitions) defines “Use, *principal*” as “[T]he specific purpose for which land or building is designed, arranged, intended, or for which it is or may be occupied or maintained.” Further, listing these standards under the use requirements could suggest that deviation from the standards would require a use, rather than bulk, variance. At minimum, to reduce the need for interpretation, and provide for the consistent application and enforcement of regulation, circular driveways should be permitted as an option in all residential zones, however, consideration should be given to additional amendments that would remove circular driveways and accessory buildings as principal permitted uses, and into another section of the ordinance, such as accessory structures, or Section 30-7 Supplementary Regulations.
- Related to the above recommendation, further clarification of driveway requirements in residential zones should address corner lots. Currently, the circular driveway requirements prohibit the paving of any other portion of the front or side yards except for sidewalks, however, this section is followed by side yard setbacks for driveways. To improve the consistent application of these requirements, revisions to these standards should address corner lots, permitting a circular driveway in the front yard area, a corner side access driveway, and coverage requirements applicable to the driveways in the front and corner side yards.
- Review ordinances to ensure clear and consistent standards related to places of assembly for compliance with the Religious Land Use and Institutionalized Persons Act (RLUIPA).

- Consider amendments to Chapter 13 (Streets, Sidewalks and Sanitation) concerning the improvement of unimproved rights-of-way. Such amendments should also consider the incorporation of green infrastructure design elements for any improvements made to new or existing streets and sidewalks.

ZONING MAP

- Review the existing zone map, last updated in 1999, to evaluate if any boundary changes necessitate a revision. Consider updating the existing zone map to show property boundaries.
- Analyze the existing zone boundaries to ensure that lots are not split zoned and that zone boundaries fall in appropriate locations. Map amendments are recommended to resolve any inconsistencies.
- The 2003 Master Plan reexamination report noted that the Palisades Interstate Park is not zoned in the Borough's zoning map, and recommended the creation of a new zone, "PIP" (Palisades Interstate Park). The proposed zone would permit only park and governmental uses. While not shown in the existing zoning map as a specific zoning district, the Palisades Interstate Park is noted on the Zoning Map. In addition, Section 30 (Use Regulations), Subsection 5.9 (Lands Under Jurisdiction of the Palisades Interstate Park Commission) of the Borough's zoning ordinance currently states that "Lands under the jurisdiction of the Palisades Interstate Park Commission shall be used for park purposes only; any new construction shall be subject to site plan approval by the Borough of Englewood Cliffs Planning Board." The Palisades Interstate Park contains the New Jersey Palisades, a natural feature along the Hudson River that has been designated both a National Historic Landmark¹⁶ and a National Natural Landmark.¹⁷ The Planning Board should consider any adverse potential effect to the Palisades Interstate Park when determining the appropriateness of applications presented.

In addition to zoning revisions, it is recommended that the Borough consider developing design guidelines that address all types of development, possibly in the form of a Pattern Book which provides visual examples. Such a document can serve as a guide to the types of design elements that the Borough finds to be aesthetically acceptable. The guide should include, but not be limited to, building materials, façade treatments, street furnishings, parking layout options, hard and soft landscape elements, green infrastructure, lighting, and signage.

¹⁶ Designation by the United States Secretary of the Interior in 1965.

¹⁷ Designation by the National Park Service in 1983.

VI. RECOMMENDATIONS CONCERNING THE INCORPORATION OF REDEVELOPMENT PLANS

The fifth, and final step in the reexamination process, known as Section “E”, outlines the recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law”, P.L. 1992, c.79 (C.40A:12A-1 et seq.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

In 2017, the governing body adopted a resolution (17-120) entitled “Resolution Referring Study of B-3 Zone to Borough’s Combined Planning Board”, directing the Combined Planning Board to evaluate if the B-3 (Special Retail) zone district might qualify as an “Area in Need of Rehabilitation” pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.). A subsequent report was prepared by the Planning Board on July 13, 2017,¹⁸ that found the water and sewer infrastructure in the study area exceeded 50 years in age, which would qualify the area as an Area In Need of Rehabilitation. This area remains under consideration but has not been deemed An Area in Need of Rehabilitation to date. A Rehabilitation designation gives the Borough the power to create a Redevelopment Plan to facilitate revitalization through supplemental zoning and design standards. Rehabilitation prohibits any use of eminent domain; instead, encouraging a coordinated effort of public and private investment to achieve its goals. A rehabilitation designation may provide the economic and regulatory incentives needed to encourage reinvestment of this commercial corridor.

¹⁸ *Englewood Cliffs Rehabilitation Plan: Block 127, Lots 20.01; Block 131, Lots 1 & 5; Block 132, Lots 1, 2, 3, & 6; Block 134, Lots 2, 3, 4, 6, & 7; Block 201, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, & 14; Block 205, Lots 1, 2, 3, & 4; and Block 206, Lots 1, 2, 3, & 26.* Prepared by Maser Consulting, P.A., July 13, 2017. It should be noted that despite the title, the report evaluated whether or not the site qualified as an Area in Need of Rehabilitation and was not a formal Redevelopment Plan as defined by the Local Redevelopment and Housing Law.