

NOTICE IS HEREBY GIVEN that Ordinance #24-1 was introduced and passed on first reading at the regular meeting of the Mayor and Council on the 16th day of January, 2024, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 6th day of February, 2024 at 8:00 p.m. or as soon thereafter as said matter can be reached, at 101 Washington Avenue, Westwood, NJ, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Karen Hughes, Borough Clerk
Borough of Westwood

ORDINANCE 24-1

Ordinance To Amend Article XIV, Chapter 195, Land Use And Development Of The Borough Of Westwood, Zone Districts and Permitted Uses

WHEREAS, to compliment the SC Shopping Center district by expanding upon the variety of commercial uses and activities which are directed towards providing the related needs of the local area's residents; and

WHEREAS, in response to the changing needs and patronage in the retail marketplace that increased during and following the COVID-19 pandemic; and

WHEREAS, to further the goal of preserving and enhancing the borough's commercial areas by defining their functional role in the community and enhancing the quality of life within a commercial center of the Borough; and

WHEREAS, the Borough finds for added vibrancy, educational and entertainment options in the SC district, the expansion of the list of permitted uses to include commercial indoor sports training and recreation would support such efforts; and

WHEREAS, the Borough finds the resulting increased patron foot traffic would help provide greater exposure to other businesses in the district; and

WHEREAS, the Borough finds such establishments would help to foster occupation of building space and improve the retail environment; and

WHEREAS, the Borough finds existing developed larger floor plates can be adaptively reused for such recreation and instructional uses with sufficient off-street public parking facilities; and

WHEREAS, the Borough concludes such uses would contribute to and not disrupt the retail context of the SC Shopping Center District as intended in the Master Plan for this zone; and

BE IT ORDAINED by the Mayor and Council of the Borough of Westwood, in the County of Bergen and State of New Jersey, that Article XIV section 195 entitled “SC Shopping Center District” hereby amending and supplemented the existing code in the following particulars only:

Section 1. Amend section 195 amending section 195-120 A and B., entitled SC Shopping Center District Purpose, Principal Permitted Uses and adding the following (deleted sections are noted by ~~strikethroughs~~, new sections are **bold**).

AMEND THE FOLLOWING:

Amend Section §195-120 A. Purpose completely replacing it with the following:

The purpose of the SC District is to acknowledge the site's developed character as a shopping center with a mix of retail, service and commercial and restaurant uses. The underlying intent is to serve the local market area with consumer goods and services with the intent to complement and not conflict with the purposes of the surrounding zones specifically the Central Business District (CBD) and the Central Business District/Special Pedestrian Environment (CBD/SPE).

Amend Section §195-120 B. by adding the following section:

(5) Commercial indoor recreation including instructional sports training facilities, courts for tennis, squash, handball, and racquetball; skating rinks, including roller and/or ice skating, bowling alleys, golf driving range, gymnastics facility and similar recreational uses provided that their activities are carried on entirely within the enclosed building.

Section 2. Amend Section §195-Attachment 15, Schedule B. Schedule of Principal, Accessory and Conditional Uses as follows:

In the “SC District” row of the table add the following to the “Principal Use” column:

ADD THE FOLLOWING:

Commercial indoor recreation including instructional sports training businesses for a fee, courts for tennis, squash, handball and racquetball; skating rinks, including roller and/or ice skating, bowling alleys, golf driving range, gymnastics facility and similar recreational uses provided that their activities are carried on entirely within the enclosed building.

Section 3. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section 4. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough clerk is further directed to publish notice of the passage thereof and to file copy of this ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

Section 6. This ordinance shall take effect twenty (20) days after final passage and publication as prescribed by law.

Adopted: _____

Approved:

Attest:

Ray Arroyo, Mayor

Karen Hughes, Borough Clerk