

Introduced: 2/10/11
Public Hearing: 3/31/11
Effective: 4/24/11

February 9, 2011

TOWNSHIP OF MAHWAH
ORDINANCE NO. 1684

AN ORDINANCE AMENDING CHAPTER XXIV OF THE CODE OF THE TOWNSHIP OF MAHWAH TO CREATE A NEW SECTION §24-19 ENTITLED "CROSSROADS TOWN CENTER OVERLAY ZONE" FOR BLOCK 26, LOTS 2, 10 AND 11 AND BLOCK 183, LOT 1 AND TO AMEND SECTION 24-3.1 ENTITLED "DISTRICTS DESIGNATED" AND 24-3.2 ENTITLED "ZONING MAP" TO INCORPORATE THE NEW OVERLAY ZONE.

WHEREAS, the Mayor and Council of Mahwah Township find it in the interest of the community to create a zoning alternative for land located at the junction of Interstate Route 287 and NJ Route 17; and

WHEREAS, the site has the potential to accommodate substantially greater square footage than currently exists by virtue of its size and its unique location at the junction of an interstate and state highway connecting the region; and

WHEREAS, the land situated at the junction of the aforementioned highways totals in excess of 100 acres and has the potential to provide a variety of uses to complement the existing hotel and office development, known as International Crossroads; and

WHEREAS, and the Township has determined that commercial uses and retail development will complement the existing land use pattern in the area and such use is not currently permitted per the existing zoning for the site; and

WHEREAS, the current OP-200 Zone District regulations limit retail sales to accessory uses within office buildings; and

WHEREAS, the subject property is in the Highlands Planning Area and is designated in the State Plan for Development and Redevelopment as a Metropolitan Planning Area and is thereby envisioned in state land use documents as an area capable of accommodating future development; and

WHEREAS, the Township Planning Board recently updated its planning policies in a periodic Reexamination of the Master Plan in June 2007; and

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NOW, THEREFORE BE IT ORDAINED by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey as follows:

Section 1. Chapter XXIV, Section 24-3, of the Code of the Township of Mahwah entitled "Districts Designated", shall be amended to add the following:

<u>Zone</u> <u>Designation</u>	<u>Zone</u> <u>Description</u>
CTC Zone	Crossroads Town Center Overlay Zone

Section 2. Chapter XXIV, Section 24-3.2 of the Code of the Township of Mahwah entitled "Zoning Map" is hereby amended to add the following subsection to read as follows:

p. The Zoning Map of the Township of Mahwah is hereby amended to designate the properties described as Block 26, Lots 2, 10 and 11 and Block 183, Lot 1, commonly referred to as the Crossroads property, as part of the Crossroads Town Center Overlay Zone. This overlay designation is in addition to and does not, except as may be provided in Section 24-19 of this Chapter, supersede or supplant the existing designation of these properties as part of the OP-200 Office Park Zone District.

Section 3. Chapter XXIV of the Township's Zoning Ordinance, is hereby amended to create a new section, §24-19 entitled "Crossroads Town Center Overlay Zone" to read as follows:

§ 24-19 **CROSSROADS TOWN CENTER OVERLAY ZONE**

24-19.1 **Intent and Purpose.** The intent of the Crossroads Town Center Zone is to provide a zoning overlay encompassing Block 26 Lots 2, 10 and 11 and Block 183 Lot 1 in the OP-200 Office Park Zone, in order to facilitate a comprehensive integrated redevelopment of the International Crossroads site, and provision for open space and recreational amenities. The accompanying regulations are designed to enhance the character of the property in the overlay zone, improve the aesthetic appeal of the Route 17 corridor, and provide a reasonable range of uses and intensities of use that will complement the community's planning efforts, including the provision of open space amenity along the Ramapo River and elsewhere within the overlay zone. All of this is to be done within the context of the State's smart growth initiatives.

The purpose of the ordinance is to provide for a mixed-use commercial development involving a

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combination of compatible retail and service commercial uses, offices, as well as complementary related activities, public spaces and amenities to create a pedestrian friendly environment that affirms a strong sense of place for the community. The ordinance is also designed to create a passive and active open space amenity encompassing significant portions of the area identified as Block 183 Lot 1 and Block 26 Lots 2, 10 and 11. The regulatory controls are to create a comprehensive, integrated design that acknowledges the site's environmental features, regulates the size, location and relationship of buildings, public open space areas, landscape amenity, vehicular circulation and pedestrian movement, and parking, and impose appropriate architectural design criteria to ensure that an aesthetically pleasing development will result.

24-19.2 Description of the Crossroads Town Center Overlay Zone (CTC Zone). The Crossroads Town Center Zone shall be deemed to constitute the following lands as shown on the accompanying map: Block 26 Lots 2, 10 and 11 and Block 183 Lot 1.

24-19.3 Overlay Zone. The regulations set forth herein are to be imposed as the Crossroads Town Center Overlay Zone (CTC Zone), and are provided as an overlay on the portion of the Township's OP-200 Office Park Zone as noted by block and lot numbers above. The OP-200 zone regulations shall continue to be in force, provided that, at the time a retail development obtains building permits for an approved development pursuant to the CTC Zone regulations, the existing OP-200 zone regulations shall only apply to that portion of the property (approximately 40 acres) developed with a mixed-use hotel/office building and parking structure at the date of the adoption of this ordinance.

24-19.4 Permitted Uses. In the CTC Zone, no building or structures shall be erected nor shall any land or building be designed, used, or intended to be used for any purpose other than the following:

- a. Principal Permitted Uses.
 1. Banks and financial services and institutions;
 2. Business and professional offices, including medical offices;
 3. Child care centers;
 4. Existing mixed-use hotel/office buildings existing as of the date of the adoption of this ordinance;
 5. Hotels;
 6. Personal service establishments (see Section 24-19.5 for exclusions);
 7. Restaurants, eating and drinking establishments, including outdoor seating but not including drive-thru facilities;
 8. Retail sales and service commercial including retail wholesale or retail warehouse stores;
 9. Sports and recreation/entertainment, including but not necessarily limited to ice skating or rollerblading, indoor sports such as soccer,

lacrosse, baseball, football, tennis or golf. Sport-specific strength training facilities shall not exceed 5,000 square feet;

10. Supermarkets;
11. Theaters;
12. Municipal facilities.

b. Permitted Accessory Uses.

1. Off-street parking and loading facilities, including parking decks;
2. Signs;
3. Accessory storage (within a fully enclosed permanent structure) of materials, goods, and supplies intended for sale or consumption on the premises;
4. Seasonal outdoor displays and storage;
5. Automobile tire and battery installation;
6. Accessory uses customarily incidental to permitted and conditional uses;
7. Accessory retail uses in office buildings, including newsstands, tobacconists, gift shops, restaurants, beauty parlors, and related uses and activities;
8. Accessory uses customarily incidental to hotels including workout rooms or pools and personal service establishments.

c. Permitted Conditional Uses.

1. Essential services as defined and regulated by Chapter 24.

24-19.5 **Prohibited Uses.** The above noted list of permitted uses is designed to indicate only those uses that are permitted in the CTC Zone, and any use that is not enumerated in the above list is not permitted. However, to reinforce the intent of the ordinance and its prohibition of certain uses, the following are specifically prohibited from this zone: home improvement centers including lumberyards, garden centers and any outdoor storage (exclusive of seasonal outdoor display and storage), independent full service automotive repair centers, vehicular storage, gasoline stations, fast food establishments requiring drive-through facilities, self storage facilities, massage parlors, tattoo parlors, tanning parlors, adult novelty stores, adult bookstores, and health and fitness clubs not accessory to a hotel.

24-19.6 **Total Tract Development**

- a. Minimum total tract development in the CTC Zone shall be not less than 135 acres.
- b. To accommodate the existing mixed use hotel/office buildings, up to a

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maximum of 40 acres of the total tract shall be governed under existing OP-200 Zoning requirements.

- c. A minimum of 100 vacant acres of the total tract shall be required for any development under the CTC Zone Development Regulations.

24-19.7 Area and Bulk Regulations.

a. CTC Zone Development.

1. Minimum tract area shall be 100 vacant acres.
2. Minimum street frontage: 300 feet.
3. Minimum lot depth: 400 feet.
4. Building Setbacks to External Roads. Buildings shall be set back from the Route 17 right-of-way a minimum of 100 feet. A minimum setback of 50 feet shall be maintained from any other public street and all other external property lines.
5. Minimum Setback to Internal Roads: 10 feet to curb line of any internal roads or driveway.
6. Floor Area Ratio. The maximum permitted floor area ratio of new development in the zone shall be 0.20, provided that in no event shall there be more than a total of 750,000 square feet, limited as follows: 600,000 square feet of gross retail floor area, 150,000 total square feet of new office, hotel and/or recreation gross floor area, and further provided that the office space is limited to a maximum of 50,000 square feet of gross floor area and is located solely above the pedestrian oriented retail corridor, as set forth in Section 24-19.8(e) herein.

b. Lot Development.

1. Minimum lot area for individual lots within the Crossroads Town Center Overlay Zone shall be one acre.
2. Building Setbacks to Internal Roads and Property Lines. Buildings shall be set back a minimum distance of 10 feet from all internal roadways.
3. Minimum building setback between buildings. The following shall apply to principal buildings only.
 - (a) Where either building is a one or two story buildings: 20 feet
 - (b) Where either building is three or more stories: 30 feet
 - (c) Accessory uses such as kiosks, clock towers, etc., shall not be subject to the regulations in this sub-section.

4. Building Height.

- (a) Retail sales and service commercial uses. Retail sales and service commercial uses shall be permitted to be located in the first two stories above grade provided that in no event shall such use exceed a height of 35 feet.
- (b) Office/Medical. Office buildings, including medical offices, shall be permitted a maximum height of two stories above retail, to a maximum building height of 45 feet inclusive of the retail floor.
- (c) Banks and restaurants. Banks and restaurants shall be permitted a maximum building height of 30 feet.
- (d) Hotels. Hotels shall be permitted a maximum building height of 5 stories not to exceed 60 feet, provided that the existing mixed-use hotel/office building existing at the time of the date of adoption of this ordinance shall continue to be permitted.
- (e) Theaters and recreation uses. Theaters and recreation uses shall be permitted a maximum building height of 60 feet.
- (f) Ancillary rooftop appurtenances. Ancillary rooftop appurtenances including decorative features may exceed the height limitations set forth herein, provided that such appurtenances shall not exceed 15 feet in height and 20 percent of the area of the roof of such building, and that such appurtenances shall be appropriately shielded.

5. Multiple retail buildings shall be permitted on site, provided that no more than two (2) buildings shall be permitted to be in excess of 100,000 square feet and, in addition, neither shall be more than 150,000 square feet of gross floor area. Any theatre cannot exceed 60,000 square feet.

6. Maximum Building Coverage: 25 percent.

7. Maximum Impervious Coverage: 70 percent

- (a) Not less than 200,000 square feet of gross retail floor area shall be developed with a minimum 600 foot long pedestrian-oriented retail corridor. This requirement is designed to ensure the establishment of a pedestrian friendly shopping and entertainment corridor within the development that reflects a traditional neighborhood character. It shall be typified by buildings fronting upon both sides of the street with sidewalks and on-street parallel or angled parking, with commercial loading and/or deliveries located to the rear of the buildings. It shall also contain at least one cross street for the purposes of

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reinforcing this traditional neighborhood character. The following shall apply to the pedestrian oriented retail corridor:

- (1) No building located in the pedestrian-oriented corridor, including a theater, shall exceed 60,000 square feet unless the equivalent additional gross retail square footage is added to the 200,000 square foot minimum.
 - (2) If, instead of a 60,000 square foot theater, an anchor store of up to 100,000 square feet is constructed in the retail pedestrian corridor, for each square foot above 60,000 square feet there shall be an additional square foot of floor area added to the 200,000 square foot retail pedestrian oriented retail corridor. In this event, there shall be a 1:1 reduction of retail square footage elsewhere on the site to ensure that the maximum 600,000 square foot cap on retail development on the site is not exceeded.
- (b) The design shall include areas devoted to public plazas to serve the various sections of the project, and which shall be made an integral part of the overall design. Such plazas shall be designed to serve as focal points and gathering spaces for patrons, and shall incorporate seating areas, public art, sculpture and similar amenities.
8. At the discretion of the approving authority, a minimum of twenty (20) acres shall be devoted to passive open space use located along the Ramapo River.
 9. At the discretion of the approving authority, a minimum of six (6) acres contiguous to the passive open space shall be developed with active recreation. This multi-purpose recreation field to be developed by the applicant shall include a field of not less than 165 feet by 360 feet, and include adequate spectator areas and fencing as may be required. The recreation facilities to be provided may include such activities as soccer, lacrosse, baseball, football, tennis, rollerblading and similar, and the activities shall be selected with the advice of the Recreation Commission. A parking lot for up to seventy-five vehicles shall be provided, as well as a structure containing lavatory facilities. The field shall be graded and drained with sod surface and an irrigation system. Lighting shall be at the direction of the approving authority. This facility shall be constructed entirely at the expense of the applicant.
 10. At the discretion of the Township, at least one emergency services building and equipment shall be constructed by the applicant, subject to review and approval by the approving authority with advice and consent

of emergency services.

24-19.8 Supplemental Regulations Governing Specific Uses.

- a. Multiple buildings on a lot shall be permitted.
- b. Maximum total new development shall not exceed 750,000 square feet.
- c. Maximum total retail development shall not exceed 600,000 square feet and may be phased as set forth in the accompanying table:

Phase	Development*
1 st Phase	a. A single user, big box wholesale/warehouse retailer, of not more than 150,000.00 square feet of gross floor area; or b. Substantial completion ⁽¹⁾ of not less than 200,000 square feet of gross floor area along a pedestrian-oriented corridor;
2 nd Phase	If "a" above is constructed as the first phase, then "b" above must be constructed as the second phase.
3 rd Phase	Installation of recreation field(s), irrigation and lavatory facilities, which shall be constructed prior to or upon completion of 1 st Phase A or 1 st Phase B, whichever comes first.
4 th Phase	Remaining retail development up to the maximum permitted in the CTC Zone.

⁽¹⁾ For purposes of clarification, the term "Substantial Completion" shall mean a weather tight building must be constructed.

^(*) Nothing in this Section 24-19.8(c) is intended to prevent the development of the pedestrian-oriented corridor in the initial phase.

- d. Recreation facilities are not included as retail development.
- e. Office Use/Individual Building.
 - 1. Offices constructed in the CTC Zone following the date of adoption of this ordinance shall be limited to a maximum of 50,000 square feet of gross floor area, and shall be located in the pedestrian oriented corridor.
 - 2. Permitted types of office uses shall include general business, medical and professional offices, and ancillary uses within office buildings may include such activities as coffee shops, snack bars, newsstands, convenience stores, child care facilities, workout areas, parking lots and

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decks, and other accessory uses as are customarily part of an office development.

3. Offices shall be limited to two stories above the pedestrian oriented retail corridor, or three stories total inclusive of the at-grade retail.
4. Construction of any office use shall not require substantial completion of any pedestrian-oriented corridor.

f. Hotels.

1. Hotels constructed in the CTC Zone following the date of adoption of this Ordinance shall be permitted to contain a maximum of 150,000 square feet of gross floor area less the amount of any office and/or commercial active recreation space.
2. Hotels may include such facilities as restaurants, dining room areas, bars, pools, convenience stores and other accessory uses as are customarily part of a hotel development.
3. Hotels shall not exceed a building height of 5 stories a maximum of 60 feet, regardless of any other height limitations set forth herein.
4. Construction of any hotel use shall not require substantial completion of any pedestrian-oriented corridor.

24-19.9 Signage.

a. Monument Signs.

1. Uses greater than 100,000 square feet in gross leasable area may have one (1) monument sign located at the principal entrance point to the user's site.
2. The height of a monument sign shall be limited to 8 feet in height inclusive of the base of the sign. The monument sign shall be setback at least 10 feet from any right-of-way. The sign shall not exceed 100 square feet in area.
3. Monument signs may be internally or externally illuminated.
4. Monument sign location shall be subject to review and approval by the Planning Board.

b. Pylon Signs.

1. Uses greater than 100,000 square feet in gross leasable area may have one (1) pylon sign with an area not to exceed 100 square feet. Pylon signs shall be set back at least 10 feet from any right of way. The sign may be double sided.
2. Uses greater than 40,000 square feet in gross leasable area may have

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one (1) pylon sign with an area not to exceed 40 square feet. Pylon signs shall be set back at least 10 feet from any right of way. The sign may be double sided.

3. Pylon signs may be internally or externally illuminated.
4. Pylon signs shall not exceed fifty (50) feet in total height above grade.
5. Pylon sign location shall be subject to review and approval by the Planning Board.

c. Wall-Mounted Signs.

1. Each commercial use shall be entitled to a wall-mounted sign.
2. Uses greater than 100,000 square feet in gross leasable area shall be permitted to have up to two (2) façade or wall signs totaling not more than 400 square feet or two (2) square feet of signage for every linear foot of the front façade of the portion of the building occupied by the use being advertised, whichever is less. No wall-mounted sign permitted under this sub-section shall exceed a vertical dimension (height) of greater than six (6) feet.
3. Uses less than 100,000 square feet in gross leasable area shall be permitted to have up to one (1) façade or wall sign totaling not more than 100 square feet or two (2) square feet of signage for every linear foot of the front façade of the portion of the building occupied by the use being advertised, whichever is less. No wall-mounted sign permitted under this sub-section shall exceed a vertical dimension (height) of more than three (3) feet.
4. Wall-mounted signs that are placed parallel to the building wall shall be permitted to project no more than 8 inches from the building nor be attached to a wall at a height of less than 8 feet above the sidewalk or ground.
5. Canopies and awnings shall be permitted to overhang the pedestrian right-of-way, with a minimum vertical clearance of 8.5 feet, a maximum overall height of 5 feet, and may extend no further than 5 feet from the curb. Lettering on a canopy or awning shall be limited to the valance area and shall not exceed 75 percent of the linear width of the valance. The valance shall be no more than one foot in height.

- d. Window Signs. In addition to any signs permitted pursuant to this section, window display signs, as well as affixed window signs limited to indicate membership in a retail or professional organization or credit card or credit association, to show manufacturers' or required licenses, or advertisements referable to sales within, shall be permitted to be attached to windows on the interior of the business use provided that the aggregate area employed for

such purpose shall not exceed 15 percent of the total window area on which it is located.

- e. Signage must comply with all other applicable regulations in this Chapter.
- f. Logos and trademarks shall be considered signage for the purposes of this ordinance.

24-19.10 **Parking.**

- a. The following parking standards shall apply:

- 1. Retail and service commercial uses: 1 space per 250 square feet of gross floor area
- 2. Office uses: 1 space per 250 square feet of gross floor area
- 3. Hotel uses: 1 space per room
- 4. Restaurants:
 - (i) Free standing 1 space per 250 square feet of gross floor area
 - (ii) Attached 1 space per 250 square feet of gross floor area
- 5. Theaters: 1 space per 3.0 seats*
- 6. Banks 1 space per 300 square feet of gross floor area
- 7. Sports and recreation uses: 1 space per 250 square feet of gross floor area

* A standard of 1 space per 3.0 seats shall be required where a theater is constructed as part of the initial phase of development. However, at full build out the development is required to maintain the equivalent of minimally one space per 12 seats in recognition of the fact that the theater's peak parking demand coincides with other on-site occupants (office) limited parking usage.

- b. Parking Area Design Standards

- 1. Except as otherwise set forth herein, the terms of Section 22-6.2c shall control.
- 2. Size of Parking Stalls. Parking stalls shall have a minimum area of one hundred sixty two (162) square feet of space with dimensions of 9 x 18 ft.

- c. The Planning Board is authorized to approve a reduction in the number of required parking spaces to the extent that it can be demonstrated through a shared-parking analysis that parking demand for a particular use occurs at times when parking demand for another proximate use is less than that required by code.

24-19.11 General Design Standards.

a. Building Form and Mass.

1. All buildings should relate harmoniously to the site's natural features and existing buildings, as well as other structures in the vicinity that have a visual relationship and orientation to the proposed buildings. Such features should be incorporated into the design of building form and mass, and assist in the determination of building orientation in order to preserve visual access to natural and man-made community focal points.
2. Large horizontal buildings that are less than four stories in height should be broken into segments having vertical orientation. A visual or physical break should be provided minimally every 150 linear feet.
3. Buildings with expansive blank walls are prohibited. Appropriate façade treatments should be imposed to ensure that such buildings are integrated with the rest of the development.
4. New buildings are encouraged to incorporate such building elements as entrances, corners, graphic panels, display windows, etc., as a means to provide a visually attractive environment.
5. Cornices, awnings, canopies, flag poles, signage, and other ornamental features should be encouraged as a means to enhance the visual environment. Such features may be permitted to project over pedestrian sidewalks, with a minimum vertical clearance of 8.5 feet, to within 5 feet of a curb.

b. Facade Treatment.

1. A "human scale" of development should be achieved at grade and along street frontages through the use of such elements as windows, doors, columns, awnings and canopies.
2. Multi-tenant buildings shall provide varied storefronts and such elements as noted above for all ground floor tenants. Upper floors shall be coordinated with ground floors through common materials and colors.
3. Design emphasis should be placed on primary building entrances. They should be vertical in character, particularly when there is the need to provide contrast with a long linear building footprint, and such details as piers, columns, and framing should be utilized to reinforce verticality.

c. Material and Texture.

1. A variety of materials may be appropriate. Masonry, which works well at the base of a building, can vary in size, color and texture and enables the provision of a decorative pattern or band. Above 12 feet, it can be substituted with other suitable materials.
2. The use of fabric or metal canopies is to be encouraged, especially over storefronts, at entrances, or over display windows.
3. Integration of large-scale graphics into the facade, where appropriate, is encouraged. Logos and trademarks shall be considered signage for the purposes of this ordinance.

d. Lighting.

1. The use of creative lighting schemes to highlight building facades and related areas of a site shall be encouraged. The use of traditional style lanterns and similar fixtures shall also be encouraged. Exterior neon lights and lighting generating glare and unnecessary night-glow impacts shall be prohibited.
2. Whenever possible, light poles should be integrated into landscaped islands.

e. Streetscape Design.

1. The use of street furniture (benches, tables, trash receptacles, etc.) shall be encouraged throughout the development, provided the materials used are consistent with the overall concept of the building design.
2. Sidewalks should have a width of at least 10 feet along main pedestrian streets where active pedestrian corridors are located and active pedestrian movements are encouraged, and located along building frontages so as to tie the various building together. Wider sidewalks may be designed for special places such as plazas or courts.

f. Landscape.

1. A hierarchy of landscape features should be established for the site. The main entrance road should include street trees on each side of the roadway, and such trees should be different than the trees used in parking areas. Spacing between trees shall be a maximum of 40 feet unless another vertical element, such as a decorative light fixture or blade sign, is used between the trees, in which case a maximum 60 feet shall be permitted. Trees along primary streets should be in a formal

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arrangement, while informal planting may be provided along access roads.

2. Street trees and other plant material should be provided at the ends of parking bays. Landscaped island should be at least six feet in width.
3. Trees should be a 2.5 to 3 inch caliper.
4. Parking rows longer than 20 parking spaces should have a six foot wide landscape island to break the pavement after the 20th space. The landscaped area shall be 6 ft wide x 18 ft long to allow for sufficient landscaping.

24-19.12 **Administrative Procedures/Submittal Requirements.** In addition to the required submission requirements as set forth in the township land development ordinances for site plan submission, the following shall be provided.

- a. **General Development Plan Contents.** An applicant for a tract in the CTC Zone may initially submit a General Development Plan to the Planning Board. Said plan shall be sufficient to indicate the general distribution of use and estimated intensity of use of land within the tract. The General Development Plan shall contain the following:
 1. A general land use plan at a scale of one inch equals 100 feet indicating the tract area and general location of the land uses to be included in the planned development. In addition, the proposed types of non-residential land uses shall be identified. The density and intensity of uses of the entire planned development shall be noted.
 2. A circulation plan showing the general location and types of transportation facilities, including pedestrian as well as vehicular access, shall be provided.
 3. A utility plan indicating the need for and showing the proposed location of sewage and water lines, any drainage facilities necessitated by the physical characteristics of the site, and a plan for the operation and maintenance of proposed utilities.
 4. A storm water management plan setting forth the proposed method of controlling and managing storm water on the site.
 5. An environmental inventory including a general description of the vegetation, soils, topography, geology, surface hydrology, existing man-made structures or features and the probable impact of the development on the environmental attributes of the site.
 6. A proposed timing schedule in the case of a planned development whose construction is contemplated over a period of years, including any terms or conditions which are intended to protect the interests of the public and the residents who occupy any section of the planned

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- development prior to the completion of the development in its entirety.
7. The approving authority may waive the submittal of one or more of the component elements set forth above.
- b. Any development application shall be accompanied by a planning report, regional and site related traffic report and proposed security plan. These reports shall contain, at a minimum, the following:
1. The planning report shall indicate the manner in which the development application affirms the goals, objectives and policies of the township master plan and the applicable provisions of the township development regulations. In addition, the planning report shall include a fiscal impact analysis, indicating the impact of the development on municipal services and costs associated with serving the development. The planning report shall also calculate the project's affordable housing obligation based upon the effective provisions of the New Jersey Council on Affordable Housing or other State mandated provisions that may supersede COAH.
 2. The traffic impact analysis shall indicate the manner in which the proposed development will impact the area's surrounding road network including a regional impact analysis of the Route 17/287/87 interchange, providing, at a minimum, details regarding existing conditions, data on current a.m. and p.m. traffic volumes, projections of future traffic volumes, and necessary roadway improvements, to ensure the safe and efficient movement of traffic. Issuance of a final Certificate of Occupancy for any retail development in the proposed development shall be premised upon: (i) completion of all traffic mitigation provisions as set forth in any Access Permit as approved by New Jersey Department of Transportation, and as approved by the township engineer; and (ii) payment of any impact fees required under any municipal traffic improvement district or similar impact fee Ordinance of the Township.
 3. The Security Plan shall indicate the manner in which the proposed development will mitigate impacts to emergency services of the Township by providing full time private security adequate for the development.
- c. The Planning Board shall act on the General Development Plan pursuant to the applicable provisions of the Municipal Land Use Law. Once approved, the applicant may file site plans for individual sections of the mixed-use planned development. The applicant has the right to file a site plan for the entire tract in lieu of a general development plan.

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Section 4: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

Section 5: The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

Section 6: This ordinance shall take effect upon passage and publication in accordance with N.J.S.A. 40:49-2(d).

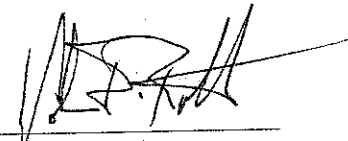
BE IT FURTHER ORDAINED that this ordinance shall become effective after final passage, adoption and publication according to law.

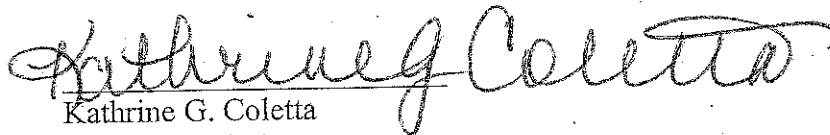
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Dated: August 18, 2011


Attest



John F. Roth
Council President

Kathrine G. Coletta
Municipal Clerk

I, Kathrine G. Coletta, Municipal Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the 31 day of March, 2011.



Kathrine G. Coletta, RMC/CMC/MMC
Municipal Clerk