

BOROUGH OF WESTWOOD
ORDINANCE NO. 08-10

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE SECTIONS 65C-42, 65C-115 and 65C- 124 OF THE LAND USE AND DEVELOPMENT REGULATIONS FROM THE CODE OF THE BOROUGH OF WESTWOOD PERTAINING TO THE AMENDMENT AND ADDITIONS THERETO OF THE EXISTING “H” HOSPITAL REGULATIONS.

WHEREAS, sections 65C-42, 65C-115 and 65C- 124 and supplementary regulations of the Land Use and Development Regulations governing certain uses pertaining to hospitals allow for hospitals and certain ancillary uses in the “H” zone; and

WHEREAS, the Mayor and Council of the Borough of Westwood in the County of Bergen (the “Mayor and Council”) find it advisable and necessary to refine use, bulk and area requirements applicable to the “H” zone in the interest of promoting the public health, safety and welfare; and

WHEREAS, the Mayor and Council, in the interest of stabilizing the provision of care within the “H” zone, further seek to promote integration between hospital and educational uses primarily affording medical education, research opportunities, and patient care.

BE IT ORDAINED by the Mayor and Council of the Borough of Westwood, County of Bergen, State of New Jersey, that sections 65C-42, 65C-115 and 65C- 124 of the Land Use and Development Regulations entitled “H” zone and the supplementary regulations governing certain uses pertaining to hospitals is hereby amended and supplemented by the following:

Section 1. Amend section 65C-42 to delete the definition of the term ‘Hospital’ and add the following definitions in proper alphabetical order.

COMMUNITY HOSPITAL - A non-federal institution licensed by the State of New Jersey which maintains and operates acute care, long term care and services for diagnosis, treatment or care to persons, on an in-patient or out-patient basis, long term care basis, and emergency room care basis for patients suffering from illness, disease, injury, deformity, and other abnormal physical conditions; and, it may include, as an integral part of the institution, related facilities such as laboratories, research centers, training facilities, patient education and wellness centers and medical offices for hospital and affiliated staff. Specifically excluded from this definition are facilities primarily dedicated to servicing the developmentally disabled or chemical and alcohol dependency.

GRADUATE MEDICAL EDUCATION- The period of didactic and clinical education in a medical specialty which follows the completion of a recognized undergraduate medical education and which prepares physicians for the independent practice of medicine in that specialty, also

referred to as residency education. The term ‘graduate medical education’ also applies to the period of didactic and clinical education in a medical subspecialty which follows the completion of education in a recognized medical specialty and which prepares physicians for the independent practice of medicine in that subspecialty.

MEDICAL SCHOOL- An institution that educates students typically after they have received a bachelor’s degree, carrying out the missions of: medical education leading to the medical degree or medical science graduate degrees, research, and patient care. Medical schools shall be accredited as a medical school by the Liaison Committee on Medical Education (LCME) or be actively in the process of securing accreditation. Medical schools may also have as part of their mission graduate medical education (GME), continuing medical education (CME), and health sciences education. Medical schools shall include, as an integral part of the institution related facilities such as laboratories, research centers, training facilities, faculty and staff offices.

MULTI-LEVEL PARKING GARAGE – A building used principally for the off-street parking of motor vehicles, subject to the standards set forth in § 65C-115.1(L).

Section 2. Amend section 65C-115.1 titled “H Hospital District” with the following criteria:

A. The purpose of the H zone is to provide a community hospital and medically oriented educational facilities benefiting the residents and surrounding areas of the Borough of Westwood and to allow for the integration of such facilities with an institution of higher learning primarily affording medical education leading to a medical degree or medical science graduated degree, research and patient care.

B. Principal permitted uses allowed in the H District include the following:

1. Community hospitals;
2. Medical schools;
3. Essential municipal services; and,
4. Child care centers, subject to §65C-117I.

C. Accessory permitted uses allowed in the H District include the following:

1. Off-street parking, subject to §65C-124;
2. Fences and walls, subject to §65C-117F;
3. Signs, subject to §65C-123;
4. Child care centers, subject to §65C-117I.
5. Multi-level parking garages, subject to § 65C-115.1(L);
6. Pharmacies structurally incorporated into a principal use and structure;
7. Accessory uses and structures customarily incidental to permitted uses.

D. Conditional permitted uses allowed in the H District include the following:

1. None.

E. Area and bulk regulations refer to §65C-116D. This section shall be renamed to read as:

65C-116D. Hospitals and Medical Schools shall comply with the following:

Minimum Lot Area	20 acres
Minimum Lot Frontage	500 feet
Minimum Lot Depth	300 feet
Minimum Front Yard	95 feet
Minimum Side Yard (each/total)	35 feet/100 feet
Minimum Rear Yard	20 feet (existing)* <i>195 feet (new construction)</i>
Maximum Floor Area Ratio	0.91
Maximum Building Height (st. /ft.)	5 st. or 65 ft., whichever is less
Maximum Building Coverage	40%
Maximum Impervious Coverage	70%

** 20 foot setback for building conditions existing as of the date of Ordinance 08-10. New construction shall be required to have a minimum 95 foot setback.*

F. At the issuance of the initial Certificate of Occupancy for a medical school, the medical school shall be affiliated or associated with a community hospital located on the same site as the medical school. This condition for the issuance of an initial Certificate of Occupancy for a medical school shall be met if the affiliated community hospital is in the process of obtaining some or all licenses and approvals necessary to operate a community hospital on the site.

G. Every medical school shall be accredited as a medical school by the Liaison Committee on Medical Education or be actively in the process of securing accreditation.

H. Community hospitals shall include as part of their use acute and long term care facilities and emergency room care facilities. In addition, all medical schools shall be licensed or approved by the New Jersey Board of Medical Examiner in the Office of the Attorney General, as required by applicable regulation.

I. Building Height Exemption. The height limitations otherwise applicable shall not apply to mechanical penthouses, chimneys, ventilators, bulkheads and limited necessary mechanical appurtenances so long as said features do not exceed the building's roof height by more than twenty-five (25) feet, cover no more than 20% of the building's roof surface and are both visually and acoustically screened.

J. More than one principal building and use and more than one accessory building and use are permitted in the H zone.

K. All vehicular access to and from any property in the "H" zone shall be from a County of Bergen roadway.

L. Multi-level parking garages shall be regulated by the same bulk, height and setback standards as applied in this zone to principal buildings. Multi-level parking garages shall not be closer to the front property line than the principal building. Notwithstanding any other provision of the ordinance, multi-level parking garages shall:

1. be included in calculating the site's impervious coverage;

2. not be factored into the calculation of building coverage or floor area ratio; and
3. conform to the following standards:
 - (a) Minimum Parking Aisle Width:
 - (i) For spaces angled at 30 degrees, 15 feet for one-way aisles and 18 feet for two-way aisles.
 - (ii) For spaces angled at 45 degrees, 16 feet for one way aisles and 20 feet for two-way aisles.
 - (iii) For spaces angled at 90 degrees, 18 feet for one-way aisles and 24 feet for two-way aisles.
 - (b) Minimum Stall Dimensions: 8.5 feet by 18 feet.

Section 3. Amend Section 65C-123 to include a new paragraph D 2h. which shall reads as follows:

123D2 h. Permitted signs in the H District:

1. One freestanding sign shall be permitted at each entrance drive that intersects a county roadway. These freestanding signs individually shall not exceed 24 square feet in area per sign face, exclusive of the sign's pedestal. No sign and pedestal combination shall exceed ten (10) feet in height. Said signs shall be setback no less than five (5) feet from any property line and be located outside any necessary sight distance triangle.

2. One front-facing wall sign shall be permitted on a hospital building providing the dimensions of such sign do not exceed 1.5 square feet per linear foot of the front building wall with no sign to exceed 80 square feet.

3. Medical schools in this zone are permitted two additional wall mounted signs. Said signs individually shall not exceed 32 square feet in area.

Section 4. Amend Section 65C-124 Off-street parking requirements Table 1 OFF-STREET PARKING REQUIREMENTS shall be modified in the following parameters only:

LAND USE	REQUIRED OFF-STREET PARKING SPACES
Hospitals	3.9 spaces per bed.
Medical School	1 space per each employee, staff and enrolled student on site during peak hours of operation.

Section 5. Amend section 65C-99 Schedule of Areas and Bulk Regulations to add H Hospital District and include the following parameters and standards:

Zone	Min. Lot Area (Ac.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Min. Front Yd. (ft.)	Min. Side Yd. Each/Total (ft.)	Max. Floor Area Ratio (FAR)	Min. Rear Yd. (ft.)	Max. Building Coverage (%)	Max. Impervious Coverage (%)	Max. Bldg. Ht. (st. /ft.)
H	20	500	300	95	35/100	0.91	20*/95	40	70	5/65

* 20 foot setback for building conditions existing as of the date of Ordinance 08-10. New

construction shall be required to have a minimum 95 foot setback.

Section 6. All Ordinances of the Borough of Westwood which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 7. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Adopted: _____

ATTEST:

BOROUGH OF WESTWOOD
COUNTY OF BERGEN
STATE OF NEW JERSEY

Karen Hughes, Borough Clerk

By: _____
John Birkner, Jr., Mayor