
2022 MASTER PLAN REEXAMINATION REPORT

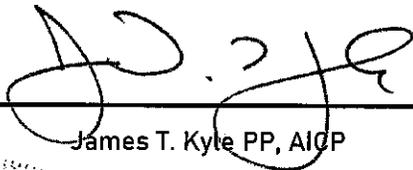
Borough of Califon
Hunterdon County, New Jersey

March 1, 2022

ADOPTED BY THE LAND USE BOARD ON MARCH 16, 2022

The original of this document was signed and sealed
in accordance with N.J.S.A. 45:14A-12

PREPARED BY:

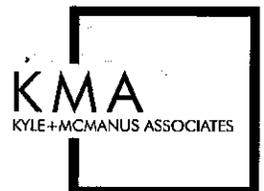
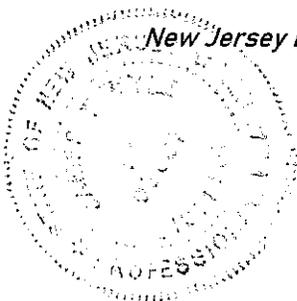


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INTRODUCTION

The municipal Master Plan, adopted by the Planning Board, sets forth the Borough's land use policies and is the principal document that addresses the manner in which development, redevelopment, conservation and/or preservation should occur within a municipality. It is intended to guide the decisions made by public officials and those of private interests involving the use of land. Through its various elements, the Master Plan sets forth a vision for the community in the coming years.

The Master Plan forms the legal foundation for the zoning ordinance and zoning map. New Jersey, among a handful of other states, specifically ties the planning of a community as embodied in the Master Plan to the zoning ordinance and zoning map which are adopted by the Borough Council and constitute the primary law governing the use of land at the local level. Under New Jersey's Municipal Land Use Law N.J.S.A. 40:55D-1 et seq., (hereinafter "MLUL") a zoning ordinance must be substantially consistent with the land use plan.

A Reexamination Report is a review of previously adopted Master Plans, amendments, reexamination reports and local development regulations to determine whether the ideas and policy guidelines set forth therein are still applicable. Under the Municipal Land Use Law, the Planning Board must conduct a general reexamination of its Master Plan and development regulations at least every ten years. The Municipal Land Use Law now includes a provision allowing a municipality to waive the reexamination requirement through a determination by the State Planning Commission and the municipal Planning Board that the municipality is built-out, defined as there being no significant parcels, whether vacant or not, that currently have the capacity to be developed or redeveloped. This provision does not currently apply to the Borough of Califon.

A Reexamination Report must include the following components (N.J.S.A. 40:55D-89):

- 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 planning, 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," into the Planning 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.

A Reexamination Report may contain recommendations for the Planning Board to examine certain land use policies or regulations or even prepare a new Master Plan. Alternatively, if the recommendations set forth in the Reexamination Report are themselves substantially in such

form constituting an amendment or addendum to the Master Plan and adopted in accordance with the procedures prescribed by the MLUL for adoption of a Master Plan, it can be considered to be an amendment to the Master Plan.

This Reexamination Report includes all required components pursuant to the Municipal Land Use Law and is based upon review of the 2007 reexamination report prepared by the Board.

PAST PLANNING EFFORTS

The Borough of Califon has undertaken several planning efforts over time and adopted various planning studies, including:

- 1994 – Master Plan Reexamination Report
- 1995 – Master Plan Update
- 1996 – Housing Element and Fair Share Plan
- 1998 – Amended Housing Element and Fair Share Plan
- 2000 – Master Plan Reexamination Report
- 2001 – Amended Housing Element and Fair Share Plan
- 2004 – Environmental Resource Inventory (Environmental Commission)
- 2007 – Master Plan Reexamination Report
- 2010 – Housing Element and Fair Share Plan
- 2011 – Highlands Preservation Area Master Plan Element
- 2011 – Highlands Environmental Resource Inventory

A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report

The 2007 Master Plan Reexamination Report noted that the goals and objectives cited in the 1995 Master Plan and discussed in the 2000 Master Plan Reexamination Report had remained the same, and that some progress had been made in meeting them and addressing the problems facing the Borough. These are noted below.

Goal 1: To maintain the rural village character of Califon, and to preserve the Borough's unique historic and scenic resources.

Goal 2: To maintain and improve the quality of the existing housing stock and, to the extent possible given environmental and infrastructural constraints, to provide for additional diversity in the supply of housing within the Borough in an effort to meet the housing needs of the elderly, young adults, and low and moderate income households.

Goal 3: To maintain and enhance the Borough's economic base and reinforce its function as a village center for surrounding communities and to improve parking and traffic circulation within the village business district.

Goal 4: To develop a harmonious balance between residential and commercial life in the Borough by maintaining visually attractive business districts and by preventing the intrusion of commercial and industrial activities into residential neighborhoods.

Goal 5: To ensure that future development and redevelopment within the Borough does not exceed the physical and infrastructural capacity of the land to support it.

Goal 6: To promote aquifer recharge, soil erosion and sediment control and stormwater management and to restrict development in flood plains and wooded areas and on steep slopes.

Goal 7: To provide adequate community facilities and services to meet the needs of Borough residents while taking into account the Borough's limited tax base.

Goal 8: To ensure that developers are properly assessed for their pro-rata share of off-tract infrastructural improvements and that necessary improvements are provided on-tract to accommodate development.

Goal 9: To promote the protection and improvement of the existing public water system, in part through a wellhead protection program.

Goal 10: To take steps, in areas of the Borough underlain by limestone, to prevent contamination of the aquifer and surficial collapse.

Affordable Housing

Provision of affordable housing is noted as an ongoing problem in the 2007 reexamination report. It discusses efforts of the Borough and specific projects that were identified including a five-bedroom age-restricted alternative living facility at the former Basket Factory, a 6 bedroom group home and 5 accessory apartments. Despite its best efforts, including deeding the Basket Factory to NORWESCAP and earmarking funding for the accessory apartment program, regulatory issues and a lack of interest in the accessory apartment program meant none of the mechanisms to create affordable housing were realized. In 2005 the Borough also met with Highlands and COAH staff to discuss implementation issues. Following that meeting the Borough received funding from the Highlands Council to study alternative wastewater technologies that could enable projects to move forward, and a report was prepared by Keller and Kirkpatrick that included a summary of available technologies. There is also note of the Borough working with Habitat for Humanity to find sites to develop.

Economic Development

The 2007 reexamination report discusses the limited potential for new economic development in the Borough, largely due to the built-out nature of Califon and limitations presented by the Highlands Act and NJDEP regulations in the Preservation Area. The commercially zoned portion of the Wade Tract was noted as the only opportunity for new businesses in the Borough.

Infrastructure

Lack of centralized sanitary sewers and the likelihood of that continuing due to Highlands Act provisions is noted in the 2007 reexamination report. The Keller and Kirkpatrick report is also referenced as offering potential solutions for smaller on-site treatment systems. Also discussed is the Borough's participation in the South Branch Watershed Association's Municipal Assessment, intended to recommend modifications to master plan policies and ordinances to better protect and preserve natural resources, with a focus on stream corridor, stormwater

quality and quantity and nonpoint source pollution with a goal of improving stream protection and restoring flows in the Upper Raritan Watershed. Recommendations in that report included:

- Adopting ordinances and policies to improve the performance and monitoring of septic systems
- Modify one acre zoning on steep slopes
- Adopt a septic system monitoring strategy, to be implemented by ordinance
- Adopt requirements for regular pump outs and upgrades or expansions whenever an existing dwelling is enlarged
- Disseminate information on septic system maintenance to residents
- Apply for a smart growth grant to fund community septic systems and retrofitting of failing systems
- Adoption of a woodlands protection ordinance
- Stronger steep slope regulations
- Adoption of a stream corridor ordinance
- Adoption of a wellhead protection ordinance

Natural Resources

The 2007 reexamination report notes preparation of a comprehensive Environmental Resource Inventory in 2004. Working with the Stony Brook-Millstone Watershed Association, the Upper Raritan Watershed Association and the Hunterdon County Planning Board, the Environmental Commission prepared the ERI which through mapping and text, identified the Borough's natural resources.

Community Facilities

A brief discussion is presented about the disbanding of the one-man police force in April of 2006, and the possibility of entering an interlocal services agreement with an adjacent municipality. The report also notes a grant received by the Califon Fire Company for new breathing apparatuses and updating of communications equipment.

There is also significant discussion on expansion of the Califon School, focusing largely on efforts undertaken to ensure passage of the referendum.

Open Space

Of note in the 2007 report was the collaborative effort to purchase the Nellie Hoffman tract as public open space, with 18.8 of the 29.8 total acres of the site lying in Califon.

Zoning and Land Development Ordinance Amendments

There were a number of updates to the Borough's ordinances discussed, including establishment of the limestone ordinance and update to the zoning map, update of the stormwater management ordinance to comply with NJDEP regulations adopted in 2004, updates related to affordable housing implementation and potential amendments to the ordinance to permit primarily commercial development on the Wade Tract, although they were noted as having never been adopted. The 2007 report notes that the wellhead protection ordinance recommended in the 2000 reexamination report was never adopted and that amendments to the New Jersey Municipal Land Use Law regarding group homes and consistency with the New Jersey

Residential Site Improvement Standards and the Boroughs design standards needed to be achieved.

Highlands Act

The most significant issue identified in the 2007 reexamination report is the adoption of the Highlands Water Protection and Planning Act in 2004, and the subsequent adoption of the Land Use Management Rules by the New Jersey Department of Environmental Protection to implement the Act. Califon lies entirely within the Preservation Area and is further divided into Land Use Capability Zones including the Protection Zone, Conservation Zone, Conservation Environmentally Constrained Subzone, Existing Community Zone and Existing Community Environmentally Constrained Subzone. Conformance with the Highlands Regional Master Plan, under consideration by the Highlands Council at the time the 2007 reexamination report was prepared, is mandatory for the Preservation Area. The report notes it was unknown at the time how the Regional Master Plan and NJDEP regulations would affect future growth opportunities.

State Plan

While not seen as a problem at the time of the 2007 reexamination report, discussion is presented on the New Jersey State Plan. The report notes that while the Borough is identified as a Village Center in the Plan, formal center designation was never pursued. Interplay of the State Plan and Highlands Regional Master Plan is discussed in the context of affordable housing compliance and center designation, and thinking at the time was that the conformance process for the Highlands Regional Master Plan would likely supplant center designation and Plan Endorsement related to the State Plan.

Specific Changes Recommended for the Master Plan and Development Regulations

A number of changes were recommended to the Borough's Master Plan and development regulations, which can be seen as part of the major problems and objectives identified in 2007, including:

1. Prepare and adopt a new Master Plan conforming to the Highlands Regional Master Plan.
2. Prepare and adopt a new third round Housing Element and Fair Share Plan and petition COAH for third round substantive certification within the required time frame established by COAH.
3. Adopt zoning amendments conforming to the Highlands Regional Master Plan, specifically reducing the densities/intensities of development permitted to reflect the Highlands Regional Master Plan and applicable NJDEP rules.
4. Adopt the stream corridor ordinance, steep slope regulations, wildlife protection regulations, woodlands protection ordinance, tree removal ordinance and wellhead protection ordinance prepared with the assistance of the ANJEC grant.
5. Amend the revised and finalized Wastewater Management Plan incorporating the recommendations of the South Branch Watershed Association's Municipal Assessment, and adopt is as a "Wastewater Management Plan Element" of the Master Plan.
6. Prepare and adopt appropriate architectural guidelines to include among the design standards for the G-B and H-B zoning districts in the Borough.

7. In the course of obtaining plan conformance approval from the Highlands Council, seek center designation for the portion of Califon Borough that is included in the Preservation Area's Planned Community Zone.
8. Update the Recycling Element of the Master Plan to reflect changes in State and County objectives regarding the collection, disposition and recycling of designated recyclable materials and to assess the status of Califon's current recycling efforts relative to those objectives; amend the Land Development Ordinance to require that all eligible developments are required to provide for the collection, disposition and recycling of all recyclable materials generated by their development in their site plans.
9. Adopt various amendments to the Land Development ordinance as recommended by the Borough's past and current Zoning Officers to promote clarification and correct internal inconsistencies within the Ordinance, as an aid to its enforcement.
10. Adopt amendments to the Land Development Ordinance to incorporate all amendments to the Municipal Land Use Law, to delete the design standards that are superseded by the Residential Site Improvement Standards and substitute references to the Residential Site Improvement Standards, instead, and to modify the regulations for group homes to be consistent with federal fair housing law, to wit: the lists of permitted uses in each residential district which specify Community Residences for the Developmentally Disabled and/or Community Shelters for Victims of Domestic Violence should be amended to include Community Residences for the Terminally Ill and Community Residences for Persons with Head Injuries and to delete the restriction on the maximum number of persons and the lists of conditional uses in each residential zone and the conditional use regulations in Section 309 should be amended to delete all references to and regulations for facilities housing more than six (6) persons.
11. Amend the Land Development Ordinance to establish floor area ratio limits for each of the Borough's residential zones. Along with this analysis, it may be appropriate to reconsider the impervious surface coverage limitations applicable to residential lots. The current restrictions do not appear to be realistic, particularly for older homes on small lots. Any change in impervious surface coverage limitations will have to be consistent with NJDEP Highlands regulations.
12. Amend the Land Development Ordinance to include among the list of permitted accessory uses, individual subsurface disposal systems, and to require all components of individual subsurface disposal systems to be located on the same lot with the principal use it serves.
13. Identify and describe in detail all historic sites located outside of the Califon Historic District, so that they can be regulated along with sites that are located within the Historic District and to determine whether changes need to be made to the boundaries of the Historic District.

B. The extent to which such problems and objectives have been reduced or have increased subsequent to such date

Reviewing the goals and objectives of the 1995 Master Plan, the status of meeting them has remained much the same. Specific discussion of each issue identified in section A above is presented below.

Affordable Housing

Provision of affordable housing continues to be an issue for the Borough. With transfer of jurisdiction over affordable housing matters to the Court in 2015 (see discussion further in this

report), the Borough was presented with a decision to make regarding whether or not to file a Declaratory Judgment action in Superior Court, settle with Fair Share Housing Center and prepare a compliance plan. Given the expense involved with that process, the lack of viability for mechanisms attempted over the last 20 years, the lack of available land and lack of a centralized sanitary sewer, the Borough opted not to participate in the process. In the end the Borough has expended significant time and money over the last two decades to provide the realistic opportunity for the creation of affordable housing, to no avail. The limitations imposed by the entirety of the Borough being within the Preservation Area has proven to be a barrier that cannot be overcome, a barrier that will not be reduced in the foreseeable future.

Economic Development

Supporting economic development in the Borough through the creation of new business opportunities continues to be a challenge. An Eckerd Pharmacy (which changed to CVS then to Walgreens) was constructed on the Highway Business zoned portion of the Wade Tract in 2006, and a variety of proposals have been brought forth for the balance of the tract, the most recent being a Chase Bank, which never came to fruition. Given the limitations presented by lack of sanitary sewer coupled with a limited market given the rural nature of the surrounding area, the challenge of business growth in the Borough is expected to remain and continue in the future.

Infrastructure

Lack of centralized sanitary sewers continues to be an ongoing issue with no short-term solution in sight. While the Keller and Kirkpatrick report offered options for smaller on-site treatment systems that at the time were not favored by NJDEP, the Highlands Council maintains interest in continuing review of those alternative technologies identified. The recommendations contained in the Municipal Assessment and the current status of each is noted below.

- Adopting ordinances and policies to improve the performance and monitoring of septic systems. Status – not completed
- Modify one acre zoning on steep slopes. Status – not completed. The Land Development Ordinance, 16.12.100A, does require each lot to have a minimum contiguous usable area, which specifically excludes slopes greater than 15%. 16.12.100B limits development of slopes between 15% and 25% to 15% of the total area, and development on slopes greater than 25% is prohibited.
- Adopt a septic system monitoring strategy, to be implemented by ordinance. Status – not completed
- Adopt requirements for regular pump outs and upgrades or expansions whenever an existing dwelling is enlarged. Status – not completed
- Disseminate information on septic system maintenance to residents. Status – not completed at the local level, however the Hunterdon County Health Department provides such information.
- Apply for a smart growth grant to fund community septic systems and retrofitting of failing systems. Status – not completed
- Adoption of a woodlands protection ordinance. Status – not completed
- Stronger steep slope regulations. As noted on the previous page, the ordinance contains regulations that effectively regulate development on steep slopes.
- Adoption of a stream corridor ordinance. Status – not completed
- Adoption of a wellhead protection ordinance. Status – not completed

Natural Resources

Subsequent to the adoption of the Environmental Resource Inventory by the Environmental Commission, a second Inventory was prepared in conjunction with Highlands Plan Conformance. This second document was adopted by the Land Use Board along with the Highlands Preservation Area Master Plan Element.

Open Space

The Borough has received plan conformance implementation grant funding from the New Jersey Highlands Council to prepare a comprehensive update to the Open Space and Recreation Plan. This project will commence in late 2021 and is expected to be completed in the first quarter of 2022.

Zoning and Land Development Ordinance Amendments

Since the 2007 reexamination report, the Borough has adopted the recommended changes related to achieving consistency between the Land Development Ordinance and case law and Municipal Land Use Law provisions related to group homes. While the Borough has not adopted a wellhead protection ordinance, this is largely covered by the NJDEP regulations governing wellhead protection as implemented for the Preservation Area, which covers the entirety of the Borough. Amendments to the Land Development Ordinance to achieve consistency with the New Jersey Residential Site Improvement Standards have not specifically been adopted, however the RSIS supersedes any local ordinance with respect to residential land development.

Highlands Act

The Highlands Act and requirements of the NJDEP related to development in the Preservation Area continue to impact development potential within the Borough. This is mostly related to the lack of and inability to implement a centralized sewer system. This is expected to continue.

Specific Changes Recommended for the Master Plan and Development Regulations

The section below provides updates to specific recommendations from the 2007 reexamination report relative to the Master Plan and Zoning Ordinance.

1. Prepare and adopt a new Master Plan conforming to the Highlands Regional Master Plan. The Borough has adopted the Highlands Preservation Area Master Plan Element along with the Environmental Resource Inventory. An exemption ordinance was also adopted giving designated persons the ability to approve certain exemptions within the Preservation Area.
2. Prepare and adopt a new third round Housing Element and Fair Share Plan and petition COAH for third round substantive certification within the required time frame established by COAH. While a new Housing Element and Fair Share Plan was adopted by the Land Use Board in 2010 and a petition was filed with COAH, the plan was never considered and substantive certification was never granted. The Borough has elected not to participate in the declaratory judgment and court process at this time, as there is no ability to provide for realistic opportunities for affordable housing development other than the accessory

apartment program which remains in place and is permitted by the Land Development Ordinance.

3. Adopt zoning amendments conforming to the Highlands Regional Master Plan, specifically reducing the densities/intensities of development permitted to reflect the Highlands Regional Master Plan and applicable NJDEP rules. Amendments to achieve consistency with recommended minimum lot sizes based on septic density has not been completed. Subdivision potential is limited by septic density requirements for the Preservation Area.
4. Adopt the stream corridor ordinance, steep slope regulations, wildlife protection regulations, woodlands protection ordinance, tree removal ordinance and wellhead protection ordinance prepared with the assistance of the ANJEC grant. Of these recommendations, only the steep slope regulations have been adopted.
5. Amend the revised and finalized Wastewater Management Plan incorporating the recommendations of the South Branch Watershed Association's Municipal Assessment, and adopt it as a "Wastewater Management Plan Element" of the Master Plan. Status - not completed
6. Prepare and adopt appropriate architectural guidelines to include among the design standards for the G-B and H-B zoning districts in the Borough. Status - not completed
7. In the course of obtaining plan conformance approval from the Highlands Council, seek center designation for the portion of Califon Borough that is included in the Preservation Area's Planned Community Zone. Status - not completed
8. Update the Recycling Element of the Master Plan to reflect changes in State and County objectives regarding the collection, disposition and recycling of designated recyclable materials and to assess the status of Califon's current recycling efforts relative to those objectives; amend the Land Development Ordinance to require that all eligible developments are required to provide for the collection, disposition and recycling of all recyclable materials generated by their development in their site plans. Status - not completed
9. Adopt various amendments to the Land Development ordinance as recommended by the Borough's past and current Zoning Officers to promote clarification and correct internal inconsistencies within the Ordinance, as an aid to its enforcement.
10. Adopt amendments to the Land Development Ordinance to incorporate all amendments to the Municipal Land Use Law, to delete the design standards that are superseded by the Residential Site Improvement Standards and substitute references to the Residential Site Improvement Standards, instead, and to modify the regulations for group homes to be consistent with federal fair housing law, to wit: the lists of permitted uses in each residential district which specify Community Residences for the Developmentally Disabled and/or Community Shelters for Victims of Domestic Violence should be amended to include Community Residences for the Terminally Ill and Community Residences for Persons with Head Injuries and to delete the restriction on the maximum number of persons and the lists of conditional uses in each residential zone and the conditional use regulations in Section 309 should be amended to delete all references to and regulations for facilities housing more than six (6) persons. While the Land Development Ordinance was not amended to address conflicts between Borough design standards and the Residential Site Improvement Standards, it was amended to address case law and definitions within the Municipal Land Use Law related to community residences for the developmentally disabled and persons with head injuries. The restriction on the number of persons was removed along with conditional use standards.

11. Amend the Land Development Ordinance to establish floor area ratio limits for each of the Borough's residential zones. Along with this analysis, it may be appropriate to reconsider the impervious surface coverage limitations applicable to residential lots. The current restrictions do not appear to be realistic, particularly for older homes on small lots. Any change in impervious surface coverage limitations will have to be consistent with NJDEP Highlands regulations. While the Land Development Ordinance was amended in 2016 to address impervious surface coverage limitations, floor area ratio limits have yet to be implemented for residential zones.
12. Amend the Land Development Ordinance to include among the list of permitted accessory uses, individual subsurface disposal systems, and to require all components of individual subsurface disposal systems to be located on the same lot with the principal use it serves. Although the Land Development Ordinance does not specifically permit individual subsurface disposal systems, it does permit "accessory uses incidental to a farm or single-family dwelling", which a septic system would clearly qualify as.
13. Identify and describe in detail all historic sites located outside of the Califon Historic District, so that they can be regulated along with sites that are located within the Historic District and to determine whether changes need to be made to the boundaries of the Historic District. Status - not completed.

C. | Relevant changes in assumptions, policies and objectives at the local, county and state levels

Since adoption of the 2007 reexamination report, the US Census was conducted in both 2010 and 2020. The most recently available data is presented and discussed on the following pages, with the data source cited within each table. It should be noted that much of the detailed data from the 2020 Census is not yet available, therefore 2019 American Community Survey data is provided in its place. Unfortunately this means that some data from the 2019 ACS is out of synch with actual counts taken in the 2020 Census, but the statistical information from the ACS remains useful.

TABLE 1: TOTAL HOUSING UNITS						
2020 Decennial Census; Table H1						
Type	Califon Borough		Hunterdon County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Occupied Housing Units	404	94%	48,978	95%	3,426,102	91%
Vacant Housing Units	25	6.0%	2,709	5%	335,127	9%
TOTAL HOUSING UNITS	429		51,687		3,761,229	

TABLE 2: TOTAL HOUSING UNITS BY NUMBER OF UNITS IN STRUCTURE

2019 ACS 5-Year Estimates; Table DP04

Units in Structure	Total Housing Units	Percent
1, detached	394	89%
1, attached	5	1%
2	18	4%
3 or 4	11	3%
5 to 9	10	2%
10 to 19 units	0	0%
20 or more units	3	1%
Mobile Home	0	0%
Boat, RV, Van, etc.	0	0%
TOTAL HOUSING UNITS	441	

TABLE 3: OCCUPIED HOUSING UNITS BY NUMBER OF UNITS IN STRUCTURE

2019 ACS 5-Year Estimates; Table S2504

Units in Structure	Owner-Occupied	Percent of Owner-Occupied	Renter-Occupied	Percent of Renter-Occupied	Total Occupied	Percent of Total Occupied
1, detached	360	99%	32	42%	392	89%
1, attached	3	1%	2	3%	5	1%
2	0	0%	18	24%	18	4%
3 or 4	0	0%	11	15%	11	3%
5 to 9	0	0%	10	13%	10	2%
10 or more	0	0%	3	4%	3	1%
Mobile home or other	0	0	0	0	0	0
TOTAL OCCUPIED HOUSING UNITS	363	83%	76	17%	439	-

TABLE 4: TOTAL HOUSING UNITS BY YEAR STRUCTURE BUILT

2019 ACS 5-Year Estimates; Table DP04

Year Structure Built	Units	Percent
Built 2014 or later	2	1%
Built 2010 to 2013	0	0%
Built 2000 to 2009	5	1%
Built 1990 to 1999	40	9%
Built 1980 to 1989	45	10%
Built 1970 to 1979	80	18%
Built 1960 to 1969	47	11%
Built 1950 to 1959	56	13%
Built 1940 to 1949	6	1%
Built 1939 or earlier	160	36%
TOTAL HOUSING UNITS	441	

TABLE 5: TOTAL HOUSING UNITS BY NUMBER OF ROOMS

2019 ACS 5-Year Estimates; Table DP04

Number of Rooms	Units	Percent
1 room	8	2%
2 rooms	0	0%
3 rooms	15	3%
4 rooms	32	7%
5 rooms	92	21%
6 rooms	115	26%
7 rooms	51	12%
8 rooms	61	14%
9 rooms or more	67	15%
TOTAL HOUSING UNITS	441	

TABLE 6: TOTAL HOUSING UNITS BY NUMBER OF BEDROOMS

2019 ACS 5-Year Estimates; Table DP04

Number of Rooms	Units	Percent
No bedroom	8	2%
1 bedroom	30	7%
2 bedrooms	86	20%
3 bedrooms	221	50%
4 bedrooms	93	21%
5 or more bedrooms	3	1%
TOTAL HOUSING UNITS	441	

TABLE 7: OWNER OCCUPIED HOUSING VALUES

2019 & 2010 ACS 5-Year Estimates; Table DP04

Housing Values	2010 Units	Percent	2019 Units	Percent
Less than \$50,000	6	1%	2	1%
\$50,000 to \$99,999	0	0%	0	0%
\$100,000 to \$149,999	3	1%	0	0%
\$150,000 to \$199,999	0	0%	3	1%
\$200,000 to \$299,999	30	7%	84	23%
\$300,000 to \$499,999	288	69%	245	68%
\$500,000 to \$999,999	84	20%	27	7%
\$1,000,000 or more	7	2%	2	1%
Califon Borough Median	\$397,700.00	-	\$294,900.00	-
Hunterdon County Median	\$446,700.00	-	\$415,100.00	-

TABLE 8: OCCUPIED HOUSING UNITS BY GROSS RENT

2019 ACS 5-Year Estimates; Table DP04

Gross Rent	Califon Borough Units	Percent	Hunterdon County Units	Percent
Less than \$500	0	0%	306	4%
\$500 to \$999	22	33%	668	9%
\$1,000 to \$1,499	24	36%	3134	42%
\$1,500 to \$1,999	16	24%	2241	30%
\$2,000 to \$2,499	2	3%	762	10%
\$2,500 to \$2,999	0	0%	260	4%
\$3,000 or more	3	5%	98	1%
Median (dollars)	\$1,120	-	\$1,446	-
No rent paid	9	-	625	-
TOTAL OCCUPIED UNITS PAYING RENT	67	-	7,469	-

TABLE 9: MONTHLY HOUSING COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME
 2019 ACS 5-Year Estimates; Table B25074

Income	Califon Borough Households	Percentage of Household Income (Califon Borough)					
		0-19.9%	20-24.9%	25-29.9%	30-34.9%	35%+	Not computed
< \$10,000	0	0	0	0	0	0	0
\$10,000 - 19,999	10	0	0	0	0	10	0
\$20,000 - 34,999	13	0	0	0	0	13	0
\$35,000 - 49,999	12	0	0	0	19	5	7
\$50,000 - 74,999	29	10	8	2	6	3	0
\$75,000 - 99,999	7	5	0	0	0	0	2
\$100,000 or more	5	5	0	0	0	0	0
Total	76	20	8	2	25	31	9
Percent Total		26%	11%	3%	33%	41%	12%
Income	Hunterdon County Households	Percentage of Household Income (Hunterdon County)					
		0-19.9%	20-24.9%	25-29.9%	30-34.9%	35%+	Not computed
< \$10,000	691	0	18	3	53	468	149
\$10,000 - 19,999	771	10	36	80	0	624	21
\$20,000 - 34,999	1425	10	29	24	19	1266	77
\$35,000 - 49,999	791	11	27	34	74	537	108
\$50,000 - 74,999	1717	226	353	452	281	238	167
\$75,000 - 99,999	1020	303	314	169	83	38	113
\$100,000 or more	1679	1173	320	59	11	13	103
Total	8094	1733	1097	821	521	3184	738
Percent Total		21%	14%	10%	6%	39%	9%

TABLE 10: INDICATORS OF HOUSING DEFICIENCY

2019 ACS 5-Year Estimates; Table DP04

Total Number of Occupied Units	Lack of Plumbing	Lack of Kitchen	No Telephone Service
439	0	0	0

There are a number of noteworthy facts from the preceding 10 tables related to housing characteristics of the Borough, including:

- Of the Borough's 441 total estimated housing units, 99.5% are occupied, significantly more than the rate of occupancy for the County (94%) and New Jersey as a whole (89%).
- Single- family detached units make up the vast majority (89%) of the Borough's housing stock, with 2-family units having the next highest share (4%).
- 50% of the housing units within the Borough were built prior to 1960, and 36% of all housing units were built prior to 1939.
- 79% of housing units have 3 bedrooms or less.
- Median housing values have dropped in the last 9 years, both in the Borough and the County as a whole.
- Monthly housing costs exceed 30% of household income for 74% of households in the Borough. This is a much higher percentage compared to Hunterdon County overall, where 45% of households have monthly costs exceeding 30% of household income.

Overall these statistics highlight a lack of housing variety within the Borough and point to an issue of affordability, as most households are spending more than 30% of monthly income on housing costs.

TABLE 11: POPULATION OVER TIME				
1990 & 2000 & 2010 & 2020 Census Data; Table P2				
Geography	1990	2000	2010	2020
Califon Borough	1,073	1,055	1,076	1,005
Hunterdon County	107,776	121,989	128,349	128,947
New Jersey	7,730,188	8,414,350	8,791,894	9,288,994

TABLE 12: AGE DISTRIBUTION OVER TIME

2010 & 2019 ACS 5-Year Estimates; Table S0101

Age Group	2010	Percent	2019	Percent	Percent Change
Under 5 years	91	7%	71	5%	-0.28%
5 to 9 years	96	8%	83	8%	-0.16%
10 to 14 years	136	11%	84	7%	-0.62%
15 to 19 years	100	8%	82	8%	-0.22%
20 to 24 years	46	4%	51	7%	0.09%
25 to 29 years	44	3%	49	8%	0.11%
30 to 34 years	95	7%	94	9%	-0.01%
35 to 39 years	115	9%	57	9%	-1.03%
40 to 44 years	119	9%	88	6%	-0.36%
45 to 49 years	114	9%	110	8%	-0.04%
50 to 54 years	78	6%	115	7%	0.32%
55 to 59 years	64	5%	66	4%	0.03%
60 to 64 years	73	6%	61	6%	-0.20%
65 to 69 years	72	6%	62	4%	-0.16%
70 to 74 years	6	1%	31	3%	0.79%
75 to 79 years	9	1%	16	1%	0.44%
80 to 84 years	14	1%	4	0%	-2.53%
85 years and over	12	1%	15	1%	0.23%
TOTAL POPULATION	1,283		1,139		-0.13%
Median Age (years)	37		39.8		

TABLE 13: AGE DISTRIBUTION

2019 ACS 5-Year Estimates; Table S0101

Age Group	Califon Borough		Hunterdon County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
Under 5 years	71	6%	5,003	4%	511,925	6%
5 to 9 years	83	7%	6,206	5%	524,592	6%
10 to 14 years	84	7%	7,237	6%	563,204	6%
15 to 19 years	82	7%	7,978	6%	555,206	6%
20 to 24 years	51	5%	7,170	6%	536,034	6%
25 to 29 years	49	4%	6,548	5%	576,949	7%
30 to 34 years	94	8%	5,557	5%	571,509	6%
35 to 39 years	57	5%	6,642	5%	576,841	7%
40 to 44 years	88	8%	7,526	6%	567,263	6%
45 to 49 years	110	10%	8,260	7%	584,884	7%
50 to 54 years	115	10%	10,567	9%	615,092	7%
55 to 59 years	66	6%	9,925	8%	620,252	7%
60 to 64 years	61	5%	11,443	9%	603,364	7%
65 to 69 years	62	5%	8,104	7%	464,475	5%
70 to 74 years	31	3%	6,279	5%	372,527	4%
75 to 79 years	16	1%	4,811	4%	264,771	3%
80 to 84 years	4	0%	3,161	3%	179,292	2%
85 years and over	15	1%	1,954	2%	194,010	2%
TOTAL POPULATION	1,139		124,371		8,882,190	
Median Age (years)	39.8		46.3		40.2	

TABLE 14: RACIAL & ETHNIC BREAKDOWN

2020 Census Data; Table P1

Races & Ethnicities	Califon Borough		Hunterdon County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
White alone	901	93%	104,667	89%	4,816,381	66.1%
Black or African American alone	1	0.1%	3,030	2.6%	1,154,142	15.8%
American Indian and Alaska Native alone	1	0.1%	92	0.1%	11,206	0.2%
Asian alone	15	1.6%	5,677	4.8%	942,921	12.9%
Native Hawaiian and Other Pacific Islander	0	0.0%	8	0.0%	1,944	0.0%
Other	5	0.5%	535	0.5%	70,354	1.0%
Multi-racial	41	4.3%	4,009	3.4%	289,471	4.0%
NOT HISPANIC OR LATINO TOTAL	964	95.9%	118,018	91.5%	7,286,419	78.4%
Hispanic or Latino	41	4.1%	10,929	8.5%	2,002,575	21.6%
2020 POPULATION TOTAL	1,005		128,947		9,288,994	

As seen in Table 11, the Borough's population has fluctuated over the last 30 years, declining initially in 2000, rebounding in 2010 and then dropping by about 71 residents to 1,005 as counted in the 2020 Decennial Census. Median age of residents has increased by almost 3 years from 2010 to 2019, with most age ranges seeing slight decline with slight growth in the 70 to 79 year range. Ethnicity of Borough residents is predominantly white alone at 93%, with small percentages being multi-racial, Asian alone and other with a small percentage of the population being Hispanic or latino.

TABLE 15: HOUSEHOLD INCOME IN THE PAST 12 MONTHS

2019-ACS 5 YEAR ESTIMATES; Table S1901

Incomes (In 2019 Inflation-Adjusted Dollars)	Califon Borough Estimate	Hunterdon County Estimate	New Jersey Estimate
Less than \$10,000	1.1%	2.6%	4.9%
\$10,000 to \$14,999	1.6%	1.2%	3.2%
\$15,000 to \$24,999	8.0%	3.9%	7.1%
\$25,000 to \$34,999	0.9%	5.5%	6.9%
\$35,000 to \$49,999	8.0%	5.8%	9.4%
\$50,000 to \$74,999	16.6%	12.3%	14.6%
\$75,000 to \$99,999	15.7%	11.1%	12.1%
\$100,000 to \$149,999	19.1%	20.2%	17.7%
\$150,000 to \$199,999	15.5%	13.7%	10.1%
\$200,000 or more	13.4%	23.7%	14.0%
Median income (dollars)	\$97,019.00	\$115,379.00	\$82,545.00

TABLE 16: POVERTY STATUS

2019-ACS 5 YEAR ESTIMATES; Table S1701

	Califon Borough Estimate	Hunterdon County Estimate	New Jersey Estimate
Population (for whom status was determined)	1,136	121,059	8,706,202
Population below poverty level	39	5,474	869,081
Percent below poverty level	3.4%	4.5%	10.0%

TABLE 17: EDUCATIONAL ATTAINMENT

2019-ACS 5 YEAR ESTIMATES; Table S1501; *Percentages do not add up 100%

Population 25 years and over	Califon Borough		Hunterdon County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Highschool or equivalent		16.9%		21.0%		27.2%
Some college, no degree		13.0%		15.1%		16.4%
Associate's degree		10.7%		6.2%		6.5%
Bachelors degree		36.6%		31.4%		24.2%
Graduate or professional degree		20.3%		21.3%		15.5%

TABLE 18: SELECTED TRANSPORTATION CHARACTERISTICS

2019-ACS 5 YEAR ESTIMATES; Table DP03

Method of Transportation	Califon Borough		Hunterdon County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Drove Alone (car, truck, or van)	511	83.5%	51,770	79.2%	3,086,231	71.2%
Carpooled (car, truck, or van)	37	6.0%	3,893	6.0%	346,868	8.0%
Public Transportation	7	1.1%	2,053	3.1%	505,619	11.7%
Walked	14	2.3%	1,173	1.8%	122,948	2.8%
Other	3	0.5%	587	0.9%	79,061	1.8%
Worked from Home	40	6.5%	5,874	9.0%	196,157	4.5%
Total Workers (16 years and over)	612		65,350		4,336,884	
Mean travel to work (minutes)	35.2		35.0		32.2	

TABLE 19: SELECTED ECONOMIC CHARACTERISTICS

2019-ACS 5 YEAR ESTIMATES; Table DP03

Employment Status	Califon Borough		Hunterdon County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Employed	614	69.9%	66,913	64.4%	4,422,491	61.9%
Unemployed	33	3.8%	2,647	2.5%	258,093	3.6%
Armed forces	0	0.0%	24	0.0%	9,265	0.1%
Not in labor force	231	26.3%	34,324	33.0%	2,458,460	34.4%
Population 16 years and older	878		103,908		7,148,309	
Unemployment Rate	5.1%		3.8%		5.5%	

Median income of Borough residents lags behind that of Hunterdon County but continues to outpace the state median, and 3.4% of the population is estimated to be below poverty level. More than 67% of residents have attained some form of college degree, and 57% have attained a bachelor's degree or higher. Unemployment was estimated to be around 5% in 2019, with nearly 70% of Borough residents employed in the workforce.

A. Existing Land Use and Zoning

Based on analysis of geographic information system digital data and tax records, the Borough currently has 516 tax lots covering 572 acres of land. The table below summarizes the number of lots within each property tax class, along with the total acreage within each class.

TABLE 20: SUMMARY OF LAND USE BY PROPERTY TAX CLASS		
Property Class	Total Properties	Total Acreage
1 - Vacant	45	35.04
2 - Residential	383	310.67
3A - Farm Regular	1	1.75
3B - Farm Qualified	15	103.89
4A - Commercial	27	23.74
4B - Industrial	1	0.38
4C - Apartment	1	0.28
15A - Public School	2	3.67
15C - Public Property	23	73.48
15D - Church and Charitable	6	4.16
15E - Cemetery	1	2.77
15F - Other Exempt	11	12.61
TOTALS	516	572.44

Califon is divided into 6 zoning districts, including 4 residential zone districts and 2 commercial districts, as shown on the zoning map on the following page. Residential zone districts cover approximately 93% of the Borough (585.54 acres) while the two commercial zone districts cover the remaining 7% of the Borough (44.17 acres). The primary difference between residential districts is the minimum required lot size, which ranges from 22,000 square feet in the R-3 district to 3 acres in the R-1 district. The GB General Business district forms the heart of the Borough's downtown and permits retail shopping facilities, retail service establishments, lumberyards, dance and exercise studios, music studios, post offices, single-family dwellings in existence at the time the zone was created and residential apartments above the first floor, provided they were in existence as of July 1, 2017. Accessory apartments are also permitted within the GB district. The HB Highway Business district is located along High Bridge Califon Road (County Route 513) and permits shopping centers, furniture and appliance stores, lumberyards, garden centers, nursing homes, hospitals and professional clinics, professional office complexes, warehouses, repair and machine shops, laboratories, woodworking, fabrication, processing and assembly of goods and materials, carpentry, electrical, masonry, plumbing and paint services and post offices. Conditionally permitted uses in the HB district

include public utility uses, childcare centers, gasoline service stations, automobile dealerships, museums, art galleries and libraries, churches, wireless telecommunications towers and auto repair facilities.

October 2014 Zoning Map

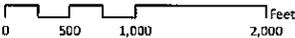
Borough of Califon
 Hunterdon County, NJ
 November 2021

Legend

-  Tax Parcel Boundaries
-  FP/R-1 - Floodplain Residential (3 Acre)
-  R-1 - Residential (3 Acre)
-  R-2 - Residential (1 Acre)
-  R-3 - Residential (22,000 s.f.)
-  GB - General Business
-  HB - Highway Business



Map Scale = 1:12,000
 or 1" = 1,000'



Map Prepared by:
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 Hopewell, NJ 08525
 jkyle@jylencms.com

Data Sources: NJDOT Office of
 Geographic Info. Services

Several state, regional, county, and local planning events have occurred subsequent to the 2007 Master Plan Reexamination Report. The following section identifies the relevant changes in assumptions, policies and objectives that have occurred and the impact on land use and planning policies in Califon Borough.

B. Climate Change Related Hazard Vulnerability Assessment

In 2021, the Municipal Land Use Law, N.J.S.A. 40:55D-28 was amended to include a provision requiring a hazard vulnerability assessment related to climate change be included in any adopted land use plan elements of the Master Plan. N.J.S.A. 40:55D-28.h was added and states that a climate change related hazard vulnerability assessment shall (i) analyze current and future threats and vulnerabilities to the municipality from climate change-related natural hazards (ii) include a build-out analysis of future development and an assessment of the threats

and vulnerabilities associated with the future development (iii) identify critical facilities, utilities, roadways, and other infrastructure necessary for evacuation and sustaining quality of life during a natural disaster (iv) analyze the potential impact of natural hazards on relevant components and elements of the master plan (v) provide strategies and design standards that may reduce or avoid natural hazard risks (vi) include a specific policy statement on the consistency, coordination, and integration of the climate change-related hazard vulnerability assessment with any existing or proposed plan (vii) rely on the most recent natural hazard projections and best available science provided by the New Jersey department of Environmental Protection. In (i), the statute defines climate change-related natural hazards as including but not limited to increased temperatures, drought, flooding, hurricanes and sea-level rise. In (vi), the statute details the plans which include natural hazard mitigation plan, floodplain management plan, comprehensive emergency management plan, emergency response plan, post-disaster recovery plan, or capital improvement plan.

The New Jersey Highlands Council is currently seeking a consultant to prepare a model document for municipal use in preparing the required hazard vulnerability assessment, which will also include climate resiliency and environmental sustainability recommendations. It is anticipated the model will be available in late 2022 and that implementation funding will be available from the Highlands Council through the plan conformance process to permit the Borough to prepare and adopt the required assessment.

C. Master Plan Sustainability Element

In 2008 the Municipal Land Use Law was amended to include the option to prepare a "Green Buildings and Environment Sustainability Element" of the municipal master plan. As noted in the amendment to N.J.S.A. 40:55D-29b(16), this element "shall provide for, encourage, and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider, encourage and promote the development of public electric vehicle charging infrastructure in locations appropriate for their development, including but not limited to, commercial districts, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; 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".

D. State Development and Redevelopment Plan

In March 2001 a new State Development and Redevelopment Plan was adopted by the State Planning Commission. As with the first State Plan (adopted in 1992), the 2001 State Plan delineated a series of Planning Areas based on natural and built characteristics and sets forth the State's vision for the future development of those areas. The five Planning Areas (listed in descending order from the most developed to the least developed condition) include the Metropolitan Planning Area (PA1), Suburban Planning Area (PA2), Fringe Planning Area (PA3), Rural Planning Area (PA4) and Environmentally Sensitive Planning Area (PA5.). This State Plan places the Borough in the Metropolitan Planning Area (PA1).

In April 2004, the State Planning Commission released a Preliminary Plan proposing amendment to the 2001 State Plan, triggering a third round of the State Plan Cross-Acceptance process. While significant input was gathered from municipalities and Counties during the Cross-Acceptance process, this Plan was never adopted.

Rather a new State Plan, the "State Strategic Plan: New Jersey's State Development & Redevelopment Plan", was drafted and released in 2012. This draft State Plan takes a significantly different approach than the 2001 State Plan with the elimination of Planning Areas in favor of "Investment Areas". After a series of public hearings at various locations throughout the State, the 2012 Plan was scheduled for adoption by the State Planning Commission on November 13, 2012. However, the adoption was delayed to further refine the Plan and to better account for the impact of Superstorm Sandy which occurred on October 30, 2012. No Plan revisions have been released to date and no further public hearings on the Plan have been scheduled. Until such time as a new State Plan is adopted, the 2001 State Plan remains in effect. The Borough should monitor the State's efforts toward adopting a new State Plan and respond accordingly.

Current mapping provided by the New Jersey Department of State Office of Planning Advocacy no longer shows Planning Area designations for the Borough, as it is entirely within the Highlands Preservation Area, and the Highlands Act and Regional Master Plan addresses such areas within the State.

E. Wireless Telecommunications Facilities

There have been two changes to regulation of wireless telecommunication facilities. The first, a federal law, prohibits municipalities from denying a request by an "eligible facility" to modify an existing wireless tower or base station if such a change does not "substantially change" the physical dimensions of the tower or base station. The term "substantial change" is not defined by the law. Until regulation or case law is issued on this topic, the Borough will need to carefully interpret this on a case-by-case basis.

The second regulatory change is an amendment to the Municipal Land Use Law, N.J.S.A. 40:55D-46.2. This new section states applications for collocated equipment on a wireless communications support structure shall not be subject to site plan review provided three requirements are met: 1) the structure must have been previously approved; 2) the collocation shall not increase the overall height of the support structure by more than 10 percent, will not increase the width of the support structure, and shall not increase the existing equipment compound to more than 2,500 square feet; and 3) the collocation shall comply with all of the terms and conditions of the original approval and must not trigger the need for variance relief. Borough ordinances should be revised to reflect federal law.

In the coming years, it is anticipated that providers of fifth-generation wireless technology ("5G") will seek to install wireless facilities, typically on utility poles and lampposts, throughout the region. 5G offers subscribers much faster data speeds and, with that, new and enhanced technological capabilities. The Borough should take appropriate steps to control and regulate the implementation of 5G technology by adopting ordinances which implement processes and regulate, among other things, the size, location, and appearance of 5G wireless facilities.

F. Affordable Housing

On December 20, 2004, COAH's first version of the Third Round rules became effective some five years after the end of the Second Round in 1999. At that time, the Third Round was defined as the time period from 1999 to 2014 but condensed into an affordable housing delivery period from January 1, 2004 through January 1, 2014. The Third Round rules marked a significant departure from the methods utilized in COAH's Prior Round. Previously, COAH assigned an affordable housing obligation as an absolute number to each municipality. These Third Round rules

implemented a “growth share” approach that linked the production of affordable housing to residential and non-residential development within a municipality.

On January 25, 2007, a New Jersey Appellate Court decision, *In re Adoption of N.J.A.C. 5:94 and 5:95*, 390 N.J. Super. 1, invalidated key elements of the first version of the Third Round rules, including the growth share approach. The Court ordered COAH to propose and adopt amendments to its rules within six months to address the deficiencies identified by the Court. COAH missed this deadline but did issue revised rules effective on June 2, 2008 (as well as a further rule revision effective on October 20, 2008). COAH largely retained the growth share approach, but implemented several changes intended to create compliance with the 2007 Appellate Court decision. Additionally, the Third Round was expanded from 2014 to 2018.

Just as various parties challenged COAH's initial Third Round regulations, parties challenged COAH's 2008 revised Third Round rules. On October 8, 2010, the Appellate Division issued its decision, *In re Adoption of N.J.A.C. 5:96 and 5:97*, 416 N.J. Super. 462, with respect to the challenge to the second iteration of COAH's third round regulations. The Appellate Division upheld the COAH Prior Round regulations that assigned rehabilitation and Prior Round numbers to each municipality but invalidated the regulations by which the agency assigned housing obligations in the Third Round. Specifically, the Appellate Division ruled that COAH could not allocate obligations through a “growth share” formula. Instead, COAH was directed to use similar methods that had been previously used in the First and Second rounds. The Court gave COAH five months to address its ruling and provide guidance on some aspects of municipal compliance.

COAH sought a stay from the NJ Supreme Court of the March 8, 2011 deadline that the Appellate Division imposed in its October 2010 decision for the agency to issue new Third Round housing rules. The NJ Supreme Court granted COAH's application for a stay and granted petitions and cross-petitions to all the various challenges to the Appellate Division's 2010 decision. On September 26, 2013, the NJ Supreme Court upheld the Appellate Court decision in *In re Adoption of N.J.A.C. 5:96 and 5:97 by New Jersey Council On Affordable Housing*, 215 N.J. 578 (2013), and ordered COAH to prepare the necessary rules.

Although ordered by the NJ Supreme Court to adopt revised new rules on or before October 22, 2014, COAH deadlocked 3-3 at its October 20th meeting and failed to adopt the draft rules it had issued on April 30, 2014. In response, FSHC filed a motion in aid of litigant's rights with the NJ Supreme Court, and oral argument on that motion was heard on January 6, 2015.

On March 10, 2015, the NJ Supreme Court issued a ruling on the Motion In Aid of Litigant's Rights (*In re Adoption of N.J.A.C. 5:96 & 5:97*, 221 NJ 1, aka “Mount Laurel IV”). This long-awaited decision provided a new direction for how New Jersey municipalities are to comply with the constitutional requirement to provide their fair share of affordable housing. The Court transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges. The implication of this was that municipalities may no longer wait for COAH to adopt Third Round rules before preparing new Third Round housing elements and fair share plans and municipalities must now apply to the Courts, instead of COAH, if they wish to be protected from exclusionary zoning lawsuits. These trial judges, with the assistance of an appointed Special Master to the Court, reviewed municipal plans much in the same manner as COAH previously did.

While the NJ Supreme Court's decision set a process in motion for towns to address their Third Round obligations, it did not assign those obligations. Instead, that was to be addressed by the trial courts. However, the NJ Supreme Court did direct that the method of determining municipal affordable housing obligations were to be “similar to” the methodologies used in the First and Second Round rules. Additionally, the Court stated that municipalities should rely on COAH's

Second Round rules (N.J.A.C. 5:93) and certain components of COAH's 2008 regulations that were specifically upheld (including but not limited to Redevelopment Bonuses), as well as the Fair Housing Act (N.J.S.A. 52:27D - 301 et seq.), in their preparation of Third Round housing elements and fair share plans.

On January 17, 2017, the NJ Supreme Court rendered a decision, In Re Declaratory Judgment Actions Filed By Various Municipalities, 227 N.J. 508 (2017), that found that the "gap period," defined as 1999-2015, generates an affordable housing obligation. This obligation requires an expanded definition of the municipal Present Need obligation to include low- and moderate-income households formed during the gap period; however, this component of the obligation is a new-construction obligation rather than a rehabilitation obligation.

Accordingly, the municipal affordable housing obligation is now composed of the following 4 parts:

- Present Need (rehabilitation),
- Prior Round (1987-1999, new construction),
- Gap Present Need (Third Round, 1999-2015, new construction), and
- Prospective Need (Third Round, 2015 to 2025, new construction).

In addition to the State agency activity and judicial decisions, the New Jersey Legislature has amended the Fair Housing Act in recent years. On July 17, 2008, Governor Corzine signed P.L. 2008, c. 46 (referred to as the "Roberts Bill", or "A500"), which amended the Fair Housing Act. Key provisions of the legislation included the following:

- It established a statewide 2.5% nonresidential development fee instead of requiring nonresidential developers to provide affordable housing;
- It eliminated new regional contribution agreements (hereinafter "RCAs") as a compliance technique available to municipalities whereby a municipality could transfer up to 50% of its fair share to a so called "receiving" municipality;
- It added a requirement that 13% of all affordable housing units and 13% of all similar units funded by the state's Balanced Housing Program and its Affordable Housing Trust Fund be restricted to very low-income households (30% or less of median income); and
- It added a requirement that municipalities had to commit to spend development fees within four (4) years of the date of collection after its enactment, which commenced on the four-year anniversary of the law (July 17, 2012).

These amendments to the Fair Housing Act are not promulgated in any valid COAH regulations. However, the requirement to expend development fees within four-years of their collection was determined in a Middlesex County Superior Court case to instead have the first four-year period to begin upon a Judgment of Repose, or upon a finding by the Court that the municipality is determined to be non-compliant (IMO of the Adoption of the Monroe Borough Housing Element and Fair Share Plan and Implementing Ordinances). Superior Courts around the State have been guided by this decision.

As noted previously, the Borough's last Housing Element and Fair Share Plan was adopted in 2010 and petition for substantive certification was submitted to COAH in June immediately upon adoption by the Planning Board and endorsement by Borough Council. The 2010 plan identified the Borough's affordable housing obligation to include 3 components:

Prior Round Obligation - 0 units (21 unit unmet need)

Rehabilitation Obligation – 3 units

Third Round Obligation – 3 units

It is well documented in the Borough's 2010 Fair Share Plan that inclusion of the entirety of the Borough within the Preservation Area presents significant limitations to providing realistic opportunity for affordable housing. With no centralized sanitary sewer system and septic density limitations imposed by the Highlands Regional Master Plan for the Preservation Area, there is no opportunity to construct projects of sufficient density and yield to support affordable housing. Coupled with the fact the Borough is essentially built out, and that any currently vacant lands are constrained by steep slopes and floodplain, there is little hope compliance can be achieved.

Rather than file a declaratory judgment action and participate in the settlement process through Superior Court, the Borough has chosen not to engage in settlement discussions with Fair Share Housing Center. Regardless of the affordable housing obligation determined, there is little hope of providing for that obligation. Should any of the potential mechanisms identified in the 2010 Fair Share Plan come to fruition, they will be supported by the Borough, as currently available data points to an issue of affordability for many residents. These mechanisms include accessory apartments and group home bedrooms.

G. COVID-19 Pandemic

While the COVID-19 pandemic continues today, it is clear it will have a lasting impact on the State's economy and how its residents and business operate and interact with one another well into the future. The impact of the pandemic on the Borough will likely not be fully understood, however this Reexamination Report offers opportunity to consider what changes to land use policies are necessary to facilitate businesses and residents enjoying success and quality of life during and after the pandemic.

Since the Governor declared a State of Emergency on March 9, 2020, Borough business and residents have suffered the health and economic consequences. Through these challenging times, a few trends have appeared, and it seems likely they will continue through the pandemic and perhaps beyond.

- **Economic Repercussions.** While the impact remains unknown, it is clear that temporary business closures, and reduced business activity, may result in permanent business closures that could lead to vacant commercial and office spaces. The Borough may need to contend with vacancies and will need to monitor this trend and potentially consider if additional permitted uses are appropriate so as to welcome new businesses to the Borough. The economic repercussions may go beyond the commercial market and impact the residential market.
- **Work from home.** Employees across the state have been forced to work from home during the pandemic. For some people and businesses, this has been very successful and is desired to continue beyond the pandemic. This will increase the demand for home offices – perhaps a den, spare bedroom, or finished basement or attic space. It may also increase the desire for a home office as small business owners realize convenience and reduced costs of working from home.
- **Multigenerational Housing.** It is likely the Borough will see increased instances where adult children and/or parents of homeowners are living together. This is a trend that predates the pandemic but is likely to be exacerbated by economic repercussions. This

may increase the demand for larger homes, in-home and accessory suites, and accessory apartments.

- **Outdoor dining.** With the rates of virus transmission significantly lower in outdoor spaces employing social distancing, the desire for restaurants to have outdoor dining has dramatically increased. As such, demand for outdoor dining along sidewalks and in areas of parking lots may increase. It is possible this demand for outdoor dining may extend beyond the COVID-19 Pandemic. This change in demand should be supported in the Borough beyond the pandemic since it has the potential to enhance the attractiveness of commercial areas and can contribute toward these areas serving as Borough gathering spaces.
- **Pedestrian and bicycle facilities.** With the temporary closure of businesses and residents working from home, the desire to walk and bike around the community for recreation increased. It is likely this will create new habits among residents and increase the demand for safe and convenient pedestrian and bicycle facilities. The Borough should explore how these facilities can be provided between destinations where they do not exist and where enhancements are necessary.
- **Drop-off / Pick-up.** Temporary closure of businesses and concern about safety of indoor spaces have exacerbated trends in increased demand for take-out food and deliveries of online purchases and restaurant food. The Borough may be faced with increased demand for customer pick up locations and home delivery. Such accommodations may require a reconfiguration of parking lots and drive aisles for convenient pick-up. Additionally, these accommodations will not only address safety concerns during the pandemic but will also enhance convenience of local businesses.

H. Electric Vehicles

The popularity of electric personal vehicles has grown substantially. In lieu of purchasing fuel at a gas station, these vehicles charge their batteries between trips. While many owners will conduct charging at their home and will do so in accordance with the applicable building code, many will also need and/or desire to charge while at work, shopping or otherwise out of their homes. This requires electric vehicle charging stations. In fact, support for charging stations is consistent with the Strategy 1 of the *2020 New Jersey Energy Master Plan* which states, "Reducing Energy Consumption and Emissions from the Transportation Sector, including encouraging electric vehicle adoption, electrifying transportation systems, and leveraging technology to reduce emissions and miles traveled."



Example electric vehicle charging station

Amendments to the Municipal Land Use Law adopted in August of 2021 included many provisions specific to the installation of electric vehicle supply equipment, including:

- New definitions for "make-ready" and "electric vehicle supply equipment".

- Applications proposing the installation of electric vehicle supply equipment in any zoning district within the Borough must be treated as a permitted accessory use or structure.
- Applications proposing the installation of electric vehicle supply equipment or make-ready parking spaces at an existing gasoline service station, existing retail establishment or any other existing building shall not require site plan or other land use board review nor variance relief and shall be approved by the issuance of a zoning permit by the administrative officer, provided the following requirements are met:
 - The proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
 - All other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
 - The proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L. 1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charge stations.
- An application shall be deemed complete if:
 - The application, including the permit fee and all necessary documentation, is determined to be complete;
 - A notice of incompleteness is not provided within 20 days after the filing of the application; or
 - A one-time written correction notice is not issued by the jurisdiction within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
- Installations are subject to applicable local and Department of Community Affairs inspection requirements.
- Each application involving multiple dwellings with 5 or more units, as a condition of preliminary site plan approval shall:
 - Prepare as make-ready parking spaces at least 15 percent of the required off-street parking spaces, and install electric vehicle supply equipment in at least one-third of the 15 percent of make-ready parking spaces
 - Within three years following the date of the issuance of a certificate of occupancy, install electric vehicle supply equipment in an additional one-third of the original 15 percent of make-ready parking spaces; and
 - Within 6 years following the date of issuance of a certificate of occupancy, install electric vehicle supply equipment in the final one-third of the original 15 percent of make-ready parking spaces.
- Throughout the installation of electric vehicle supply equipment in make-ready parking spaces, at least 5 percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
- As a condition of preliminary site plan approval, each application involving a parking lot or parking garage shall:
 - Install at least 1 make-ready parking space if there are 50 or fewer off-street parking spaces

- Install at least 2 make-ready parking spaces if there will be 50 to 75 off-street parking spaces
- Install at least 3 make-ready parking spaces if there will be 76 to 100 off-street parking spaces
- Install at least 4 make-ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces
- Install at least 4 percent of the total parking spaces as make-ready parking spaces, at least 5 percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces
- Parking spaces with electric vehicle supply equipment or make-ready equipment shall count as at least 2 parking spaces for the purposes of complying with a minimum parking requirement, but may not reduce total required parking by more than 10 percent.
- Requiring the adoption of a model land use ordinance by the Commissioner of Community Affairs, which shall be effective in each municipality.
- Permitting municipalities to adopt reasonable standards to address installation, sightline and setback requirements or other health and safety-related specifications for electric vehicle supply equipment or make-ready spaces.

H. Time of Application Law

The Municipal Law Use Law “time of decision” rule was altered by adoption of the “time of application” rule in May of 2010. This amendment changed the long-standing practice that permitted municipalities to change zoning requirements and standards up until the time a decision was rendered by an approving board on a particular application. Provided an applicant submits an “application for development”, which is defined as “the application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, cluster development, conditional use, zoning variance or direction of the issuance of a permit pursuant to section 25 or section 27 of P.L. 1975, c.291 (C.40:55D-1 et seq.)”, the zoning requirements in place at the time of submission shall govern the application. The only exception is for those ordinance requirements relating to health and public safety. Recent case law on this issue has determined that an applicant is required to submit all information necessary to be considered a complete application, including all information required by submission checklists contained in the ordinance.

I. Stormwater Management Requirements

All municipalities in the State were required to adopt new comprehensive stormwater management regulations by March 2, 2021, regulations that were required to be consistent with NJDEP stormwater management rules. The new rules implement more stringent requirements for stormwater control and promote the use of nonstructural stormwater management techniques. The Borough adopted its new Stormwater Control ordinance in April of 2021.

J. Renewable Energy

Since the 2007 reexamination report, there have been a number of amendments to the Municipal Land Use Law relative to renewable energy facilities. These include:

- A new definition for “inherently beneficial use”, which includes solar, wind and photovoltaic energy generating facilities
- Solar panels not counting as impervious surface, therefore exempting them from impervious coverage requirements
- Permitting solar, photovoltaic and wind electrical generating facilities as being permitted on sites over 20 acres within any industrial zone district in the State

K. New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act

On the heels of a 2020 referendum where the voters of New Jersey approved the legalization of personal cannabis use by adults, the legislature adopted the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act. The Act established different classes of licensing applicable to the cultivation, processing, wholesaling, sale and delivery of cannabis products and required municipalities to either opt out of permitted cannabis businesses or establish local land use controls related to any of the classes established in the Act. Inaction by a municipality by the August 21, 2021 deadline established in the Act required a waiting period of 5 years to enact land use controls and made cultivation, manufacturing, selling and reselling of cannabis permitted uses within all industrial zones and the selling of cannabis permitted uses within all retail zones within a municipality. Even upon opting out of permitting cannabis businesses, a municipality may not restrict the delivery of cannabis within its borders. While the Borough has opted out of permitting cannabis businesses, a Cannabis Committee was established to study the issue.

L. Short Term Rentals

Since the last reexamination of the master plan in 2007, short term rentals brokered through companies such as Air-BnB and VRBO have become increasingly popular. While certainly more of an issue for shore towns and municipalities near other popular vacation spots in New Jersey, there are land use considerations for the Borough, as short term rentals brokered through websites present potential impacts to single family neighborhoods. While recent review of these websites showed no short term rentals offered within Califon, the possibility exists in the future and regulations should be explored.

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.

The Borough's goals and objectives were developed as part of the 1995 Master Plan and discussed in both the 2000 and 2007 reexamination reports. In reviewing these policies, the Land Use Board finds they reflect the areas of focus that should continue to guide planning into the near future.

Goal 1: To maintain the rural village character of Califon, and to preserve the Borough's unique historic and scenic resources.

Goal 2: To maintain and improve the quality of the existing housing stock and, to the extent possible given environmental and infrastructural constraints, to provide for additional

diversity in the supply of housing within the Borough in an effort to meet the housing needs of the elderly, young adults, and low and moderate income households.

Goal 3: To maintain and enhance the Borough's economic base and reinforce its function as a village center for surrounding communities and to improve parking and traffic circulation within the village business district.

Goal 4: To develop a harmonious balance between residential and commercial life in the Borough by maintaining visually attractive business districts and by preventing the intrusion of commercial and industrial activities into residential neighborhoods.

Goal 5: To ensure that future development and redevelopment within the Borough does not exceed the physical and infrastructural capacity of the land to support it.

Goal 6: To promote aquifer recharge, soil erosion and sediment control and stormwater management and to restrict development in flood plains and wooded areas and on steep slopes.

Goal 7: To provide adequate community facilities and services to meet the needs of Borough residents while taking into account the Borough's limited tax base.

Goal 8: To ensure that developers are properly assessed for their pro-rata share of off-tract infrastructural improvements and that necessary improvements are provided on-tract to accommodate development.

Goal 9: To promote the protection and improvement of the existing public water system, in part through a wellhead protection program.

Goal 10: To take steps, in areas of the Borough underlain by limestone, to prevent contamination of the aquifer and surficial collapse.

While the current goals and objectives of the Borough remain valid, there are a number of areas where additional study or changes to the development regulations are recommended. These are covered in more detail below and include those recommendations from the 2007 Master Plan Reexamination Report that are still valid.

1. The Board recommends the governing body adopt an update to the zoning map related to the extent of the FP/R-1 Floodplain Residential District. Current digital data available from FEMA has modified the original mapping of flood hazard areas upon which the extent of this district was originally based, and many properties are no longer within the 100-year floodplain. Conversely, other properties have seen an increase in the amount of land located within the 100-year floodplain. The prior methodology created many properties along the river that are split-zoned, with a portion of the lot being within the R-3 district and the balance being within the FP/R-1 district. While subdivision potential of these lots is largely limited by the septic density requirements of the NJDEP's Highlands Rules related to the Preservation Area, better zoning practice, particularly in residential areas, is to include the entire lot within one district. The Board has carefully reviewed FEMA flood hazard data and prepared a recommended zoning map, which is included as Appendix 1 at the end of this reexamination report. In addition to adjustments related to the FP/R-1 District, the Board recommends the boundary of the HB Highway Business District be modified to include Block 3, Lot 6, located on the south side of School Street near the intersection with Route 513. At present, the parking area for the business on Lot 5 is located in the R-3 District on Lot 6. This adjustment would place the parking area in the same zoning district as the business.

2. There are many areas within the Borough where homeowners have constructed or placed items that encroach upon the public right of way. The Board recommends the governing body study this issue and adopt regulations forbidding such encroachments in the interest of the public welfare and safety.
3. Removal of dams along the South Branch of the Raritan River is an issue that effects all residents of the Borough. The Millpond is a central element and amenity of Califon and contributes to its scenic beauty. It is also an important part of the history of the Borough. While the issue may not be entirely within the control of the Borough, there is certainly the ability to influence the ultimate decision. Consensus should be sought and appropriate input should be provided to those agencies involved with deciding the ultimate fate of the dams, particularly in light of the contribution the Millpond makes to the historic character of the Borough.
4. The Borough should work with the New Jersey Highlands Council to study and understand the potential benefits of designating a Highlands Center, with focus on Existing Community zones but considering the entirety of Califon. While most Centers are located within the Planning Area, implementation funding would allow the Borough to study potential options, including but not limited to redevelopment areas and cluster development. Although the NJDEP Highlands Rules related to septic density cannot be waived, study of these options could lead to further consideration of innovative wastewater approaches as identified in the Keller and Kirkpatrick report. This could open up additional opportunities for businesses in the GB and HB districts in the downtown and along 513, but could also offer opportunity for additional residential development, the latter being important in the context of providing affordable housing.

The map below depicts current areas of the Borough that are within Existing Community Zones.

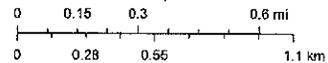
Borough of Califon Land Use Capability



December 11, 2021

1:19,774

- Municipalities
- Land Use Capability Zones
- Protection Zone
- Wildlife Management Area
- Conservation Zone
- Conservation Environmentally Constrained Subzone
- Existing Community Zone



NJ Highlands Council

Me
Copyright 2020, NJ Highlands Council

5. Based on the septic density limitations of the NJDEP's Highlands Rules related to the Preservation Area, many existing residential lots within the Borough have no subdivision potential other than through the exemption process. While current zoning and required minimum lot sizes do not correlate to those required by NJDEP, those regulations control, as the entirety of the Borough is in the Preservation Area. The Board does not recommend changing minimum lot sizes to be consistent with septic densities required

for the Preservation Area at this time, particularly given the recommendation above to consider further study of a possible Highlands Center designation. Once study of this issue is complete, consideration should be given to modifying zoning requirements related to minimum required lot sizes.

6. Design standards should be considered for both the HB and GB districts. While the HB district has little influence on the historic character of the Borough, the GB district represents the heart of the Califon Historic District. Development of reasonable regulations for the commercial districts would ensure that upgrade and redevelopment of properties is done in a manner that bolsters the historic charm that is a hallmark of Califon. It would also ensure that new commercial development or redevelopment outside the historic district is constructed in a manner that promotes a cohesive vision for the Borough.
7. The Board recommends the issue of establishing floor area limits for residential districts be studied. This is particularly important for properties located within the historic district. While the Borough has a mix of housing styles and sizes, significant increases in dwelling sizes has the potential to negatively impact the aesthetic quality and historic charm that exists.
8. Recent changes to the New Jersey Municipal Land Use Law related to the provision of EV charging infrastructure has set forth new requirements related to the approval and construction of EV charging stations. The Board recommends the model ordinance promulgated by the New Jersey Department of Community Affairs be incorporated into the Borough's land development ordinance.
9. The New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act has given the Borough the ability to regulate the types and number of cannabis-related establishments permitted. While the Borough chose to opt out of permitting cannabis establishments, it can revisit the issue and adopt standards permitting such uses. The Borough should continue to study the issue in conjunction with the Planning Board to determine if such establishments will be permitted and if permitted, where they should be located.
10. Located along County Route 513 at the northern end of the Borough, the HB Highway Business district represents the best chance for location of additional businesses. The Board recommends the current extent of the district be examined to see if opportunity for new business can be provided.
11. The Board recommends the process related to driveway expansion and modification be reviewed. Aside from potential safety issues related to driveway location, expansion of pavement without appropriate grading and consideration of stormwater runoff can potentially impact adjacent properties in a negative way. Setback standards for driveways should be considered and included in the land development regulations.
12. The Borough's lighting standards should be reviewed for adequacy. This should include assessing the use of LED light fixtures for street lighting. Appropriate standards relating to preferred correlated color temperature index (expressed in Kelvin scale) should be developed to ensure that installed lighting is in the range of 3000K or lower, which is a warmer tone with less emission in the blue-appearing part of the spectrum. LED lighting with higher blue-appearing spectrum has potential negative impacts on both humans and nocturnal animals and represents a potential health and safety issue that can easily be addressed with appropriate regulation.
13. Ongoing assessment of compliance with the Borough's constitutional obligation to provide opportunities for affordable housing should be continued. While the inclusion of the entirety of the Borough in the Preservation Area is certainly a major impediment to

that effort, study of the creation of a Highlands Center may present opportunity for innovative approaches to meeting this mandate. Further consideration of the innovative wastewater technologies outlined in the Keller and Kirkpatrick report may lead to new options for systems that could serve a greater number of units.

14. The Borough should study historic resources outside of the Califon Historic District to determine if regulations should be adopted to better protect these important assets. The current boundaries of the historic district should also be reviewed to determine if additional properties should be included. The status of the Highlands Plan Conformance task related to historic preservation should be reviewed and work completed as necessary.
15. Based on the manner in which new 5G wireless telecommunications technology will be implemented by carriers, the Board recommends standards be considered for inclusion in the land development ordinance. 5G technology may include location of smaller nodes within developed areas, and antennas can easily be mounted to buildings and utility poles. Given the potential impact of such facilities on the Califon Historic District, regulations should be developed to ensure visual impact is adequately addressed.
16. Other communities in New Jersey have established more stringent thresholds for additional impervious coverage where stormwater management measures are required. As an example, Princeton requires that all increases in impervious coverage greater than 400 square feet provide stormwater attenuation. The Board recommends the Borough study this issue further and potentially implement lower thresholds where stormwater management is required.
17. The Board recommends the issue of providing additional opportunity for multifamily housing in the GB General Business district be explored. While wastewater limitations will certainly affect the ability to construct such units, there may be a means to work within these limitations. This issue is important to the potential provision of opportunities for more affordable housing in the Borough, even if units are not deed restricted.
18. In conjunction with consideration of innovative strategies to address wastewater treatment and potential reconsideration of the findings in the Keller and Kirkpatrick report, the Borough should create a program to address septic monitoring and maintenance. Repair or replacement of failing septic systems and elimination of cesspools is critical to both surface and groundwater quality protection and is therefore important to protecting the general welfare.
19. The Borough should utilize available implementation funding to prepare a stream corridor protection plan and ordinance and a woodland protection ordinance. While these would be somewhat redundant in light of the NJDEP's Highlands Rules, studying the issue and codifying requirements in the local ordinance has benefit.
20. As part of preparation of the updated Open Space and Recreation Plan in 2022, the Board recommends that bicycle and pedestrian facilities be studied, including links within the Borough and to adjacent municipalities. A recommendation for a trails plan (separate study) should also be considered, which would follow adoption of the Open Space and Recreation Plan.
21. While the Borough adopted an updated stormwater management ordinance in 2021, the status of the Borough's overall stormwater management plan with respect to Highlands Plan conformance should be updated. This should include identification of mitigation sites within the Borough.
22. The Board recommends study of accessory buildings and uses within the GB and HB Districts. Presently the ordinance permits "buildings and uses customarily incidental" to permitted uses, "private garages and off-street parking and truck loading spaces,

provided same are in compliance with other applicable sections of this title", and "child care centers on the same lot with a permitted principal use". More specificity should be provided in the ordinance to better address the types of structures and uses permitted.

provided same are in compliance with other applicable sections of this title”, and “child care centers on the same lot with a permitted principal use”. More specificity should be provided in the ordinance to better address the types of structures and uses permitted.

E. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law,” into the Planning 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.

As the Borough has no redevelopment areas designated or anticipated, no recommendation is necessary.

F. The recommendations of the Planning Board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts and, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

The Planning Board notes the most appropriate locations for public electric vehicle infrastructure is within the HB Highway Business district. Running along County Route 513, the Highway Business district includes many commercial uses where charging infrastructure could reasonably be provided. While the GB General Business district has many commercial uses, parking areas are generally smaller in scale, with less space available for charging infrastructure. There are also historic district considerations in the GB district. Provided visual compatibility with adjacent properties and historic district considerations can be adequately addressed, the GB district may be appropriate for such charging infrastructure, although less so than the HB district.

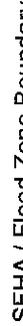
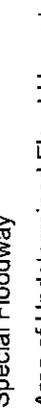
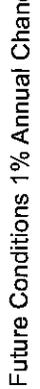
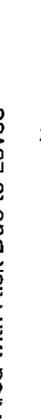
Any changes to local development regulations required can be accommodated through incorporation of the model EV charging ordinance into Califon's ordinance.

Proposed Zoning Map

Borough of Califon
 Hunterdon County, NJ
 January 2022



Legend

-  Proposed Zoning District Boundaries
-  Tax Lots
-  Limit Lines
-  SFHA / Flood Zone Boundary
-  1% Annual Chance Flood Hazard
-  Regulatory Floodway
-  Special Floodway
-  Area of Undetermined Flood Hazard
-  0.2% Annual Chance Flood Hazard
-  Future Conditions 1% Annual Chance Flood Hazard
-  Area with Reduced Risk Due to Levee
-  Area with Risk Due to Levee

Map Scale = 1:8,400
 or 1" = 700'

