

Kathy Nemeth

TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2022

AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD

BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I. The Town of Westfield Land Use Ordinance Article 18 provides for conditional uses to be granted by the Planning Board according to definite specifications and standards in accordance with NJSA 40:55D-67.

SECTION II. The Legislature of the State of New Jersey has recently enacted a law permitting, with certain limitations, alternative treatment centers to be established subject to local land use controls.

SECTION III. The Town Council of the Town of Westfield has determined that an amendment to Article 18 of the Land Use Ordinance is prudent for the protection of the Town's Master Plan and zone plan to establish specific restrictions and land use regulations controlling the location of such a facility.

SECTION IV. The Town Council of the Town of Westfield hereby amends Article 18 Conditional Uses of the Land Use Ordinance by establishing a new section 18-22 as follows.

SECTION V. Article 18 is hereby amended by adding a new Section 22 titled Alternative Treatment Center as follows:

A licensed alternative treatment center as defined by NJSA 24:6I-3 providing specialized medical services to patients possessing lawful prescriptions issued by medical doctors is permitted in the C zone district, but only if they comply with all of the following minimum requirements:

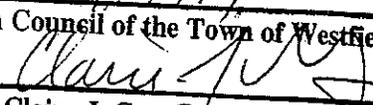
- A. **Certificate to operate.** A certificate issued by the State of New Jersey shall accompany an application made to the Planning Board.
- B. **Single use of the property.** The primary use of the property shall be for the operation of the alternative treatment center. There shall be no other use of the property upon which the subject center is to be located except for the sale of items, products or materials related to or accessory to the primary function of the alternative treatment center.
- C. **Accessory uses.** Parking for the staff and patrons of the facility only.

- D. **Minimum lot area.** The minimum lot size on which the center is to be located shall not be less than twenty thousand (20,000) square feet.
- E. **Minimum lot width.** There shall be a minimum lot width of one hundred (100) feet.
- F. **Minimum front yard.** There shall be a minimum front yard of thirty (30) feet within which there shall be no building, mechanical equipment or other appliance, and no parking.
- G. **Minimum side yard.** There shall be a minimum side yard of twenty five (25) feet within which no building shall be located.
- H. **Minimum rear yard.** There shall be a minimum rear yard of fifty (50) feet within which no building shall be located.
- I. **Required parking.** There shall be one (1) space for each employee of the center plus one (1) space for each three hundred (300) square feet of gross floor area.
- J. **Signage.** There shall be permitted one (1) non-illuminated professional sign advertising the center, said sign not to exceed ten square feet and affixed to the front façade of the building.
- K. **Hours of operation.** Business hours for the operation of the center shall be limited to weekdays between the hours of 7:00 o'clock am and 7:00 o'clock pm.
- L. **Landscape buffer.** The parking lot shall be screened from adjacent properties by a buffer, minimum ten(10) feet in width, within which a landscape screen or solid fence shall be installed.

SECTION VI. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION VII. In the event that any section, part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION VIII. This ordinance shall take effect after passage and publication as soon as and in the manner provided by law.

This is to certify that the within Ordinance is a true and exact copy of the Ordinance adopted on 6/17/14 by the Town Council of the Town of Westfield

 Claire J. Gray, Town Clerk