

§ 240-59. VC Village Center Form-Based Code. [Added 6-20-2017 by Ord. No. 10-2017¹]

The Byram VC - Village Center Zone shall be considered a Form-Based Code Planned Development, in accordance with the Municipal Land Use Law requirements. The planned development will be consistent with the standards and intent set forth in this code. The Planning Board shall find the following facts and conclusions:

- a. That departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the zoning ordinance standards pursuant to Subsection 52c. of this act;²
- b. That the proposals for maintenance and conservation of the common open space are reliable, and the amount, location, and purpose of the common open space are adequate;
- c. That provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment are adequate;
- d. That the proposed planned development will not have an unreasonably adverse impact upon the area in which it is proposed to be established;
- e. In the case of a proposed development, which contemplates construction over a period of years, that in the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development in the total completion of the development are adequate.

The Byram VC - Village Center Zone shall be developed in accordance with the standards contained in this section and the standards and objectives of Article XIV (Affordable Housing) of the Byram Township Land Development Ordinance, as well as Chapters 45 and 215. Where standards are in conflict, the provisions or standards of this section shall control.

The primary intent of this section of the Land Development Ordinance is to establish the VC Zone and create a regulatory framework to implement the Form-Based Code. This section applies to area described below, and as designated by the Highlands Council as the Byram Village Center.

1. **Editor's Note: Former § 240-59, VC Village Center Mixed-Use District, added 1-5-2004 by Ord. No. 22-2003, as amended, was repealed 6-20-2017 by Ord. No. 10-2017.**

2. **Editor's Note: See N.J.S.A. 40:55D-65c.**

A. Village Center Zone - location and description.

- (1) For the purposes of this code, the Village Center is composed of two lots: Block 365, Lot 2 (HRS Drilling Company, Incorporated), and Block 365, Lot 5 (Western World, Incorporated). The Village Center encompasses lands immediately adjacent to Lackawanna Drive and Route 206. It is approximately 56 acres in size and is located along Route 206. The Village Center is bound by Route 206 to the west, Lackawanna Drive to the north, the Wild West City Theme Park to the east, and the East Brookwood neighborhood (under the current R-2, R-3, and R-4 Residential Zones) to the south.
- (2) Four other properties are also included within the VC Zone boundary: Block 365, Lot 1.03, containing the DOT's detention basin and Lackawanna Drive realignment area; Block 365, Lot 1.01, 56 Route 206, containing the Byram Car Wash (automobile car wash); Block 365, Lot 1.02, 58 Route 206, containing the Mavis Tire Sales (automobile repair shop); and Block 365, Lot 3, containing a historic cemetery and included in the preserved land in the southern portion of the VC Zone. These properties are subject to the VC Zone, however, the existing uses Block 365, Lot 1.01, 56 Route 206, containing the Byram Car Wash (automobile car wash); Block 365, Lot 1.02, 58 Route 206, containing the Mavis Tire Sales (automobile repair shop) shall be regulated by the VB Zone standards.
- (3) The Village Center Zone is outlined in Map 1: Byram Village Center Zone, as attached and adopted as part of the Zone Map of the Township of Byram.³

B. Intent, vision and principles.

- (1) Intent. The Village Center is intended to be the primary focal point of new development in Byram for two main purposes:
 - (a) Implement the objectives and goals of the Township's Smart Growth Plan.
 - (b) Satisfy the Township's affordable housing obligation and 2016 Judgment of Compliance.
- (2) Smart growth. The area is intended to take advantage of its central location and proximity to community amenities and

3. Editor's Note: Said map is on file in the Township offices.

infrastructure. The primary purpose is to provide for carefully planned development through mixed uses and specific commercial and residential developments, oriented around new civic buildings and public spaces. The area is intended to provide pedestrian-oriented commercial services to future and existing residential neighborhoods and to create a new "center" as a community focus for the Township. The commercial and residential areas within the Village Center must be well integrated to create a neo-traditional, pedestrian-oriented, village-like development. The intent of the Plan is to encourage new development while still providing for open space, common greens, and civic centers.

(3) Affordable housing. The Village Center is designated as the Township's smart growth approach to aid in satisfying its Second and Third Round Mt. Laurel Superior Court Judgment of Compliance. The Village Center allows for additional commercial development if affordable rental apartments are included in mixed-use buildings, creating a mix of residential over commercial in the village. The Township specifically withheld the remaining (40,000 gpd) sewer gallonage allotted to it to provide the density necessary to provide for affordable housing through the Third Round. The number of rental units mandated by this Plan will utilize the existing infrastructure and provide housing in the limited extent of the Highlands Planning Area, rather than attempting to increase density in the Preservation Area. The mandatory set aside of affordable units in the Village Center is to be internally subsidized by the market rate housing and the market commercial development.

(4) Vision.

(a) The Village Center Form-Based Code envisions the highest density of development adjacent to Route 206 or Lackawanna Drive. Such development would consist of mixed-use retail with office and residential spaces on upper floors. The interior of the Village Center is intended to feature a central green with civic buildings having a high degree of pedestrian uses. Surrounding the green and in relation to protected open space should be a mix of housing types creating identifiable neighborhoods.

(b) Village Center Form-Based Code concept is designed to permit a planned development with a mixture of land uses that collectively will generate less vehicular traffic

and encourage pedestrian activity to the maximum extent possible. The area will consist of a dynamic mixture of shops, offices, entertainment, housing, recreation and community facilities. Accordingly, this design envisions the best aspects of small village downtowns, while providing connections to greenways and trails. A village green is the central focal point of the center. The green is surrounded by a mix of housing types, civic uses, retail shops and has multiple connections to nearby retail uses along Route 206 and trailways. Entertainment and mixed uses are arranged to enhance community life. Small locally owned stores benefit from foot traffic generated between them and nearby parking. Housing located in the center creates a twenty-four-hour presence and is convenient for seniors and others who place a high value on convenience and proximity to activity.

- (c) A mixture of land uses is a critical component in creating a vibrant center. While the existence of attractive buildings aids in establishing the market for the center, a mix of land uses results in diversity necessary for a successful center. Typically, the most successful centers encourage uses ranging from retail sales and service, office on upper floors, public buildings, public spaces, entertainment and residences. Almost without exception, all successful centers have residents living within and around the center, which encourages "after hour" vitality. In creating a center, one of the primary goals is to encourage this diverse mixture of people, stores, services, and attractions.
- (5) Principles. The Village Center's design and implementation through this Form-Based Code is based on a philosophy of smart and sustainable development, as reflected in the following set of principles:
- (a) Smart growth principles.
 - [1] Create an attractive diverse community of mixed-use development, open space, civic buildings and residential uses to create a vibrant center.
 - [2] Provide well-designed public places and open spaces to accommodate and promote active community use, which includes larger organized community events and activities.

- [3] Build upon the planned neo-traditional retail development along Route 206 and redevelop portions of existing development in keeping with new zoning and design standards.
- [4] Protect the area from strip or big-box development.
- [5] Coordinate investment for roads, water and sewerage facilities, schools, transportation, and other public facilities to support new growth in areas designated for growth.
- [6] Enhance the visual character and beauty of the Township through preservation of important visual corridors, landscaping, and perpetuation of the architectural themes consistent with Waterloo Village and this plan.
- [7] Promote economic development by encouraging retail, trade, service and tourism uses, particularly in relation to historic and recreational sites and cultural events.
- [8] Support the State Development and Redevelopment Plan, which calls for limited development in the Township and surrounding region, and the Highlands Water Protection and Planning Act,⁴ which calls for limited development in the Highlands region.

(b) Land use principles.

- [1] Develop the area at a density that creates a sense of place, encourages pedestrian activity and uses infrastructure efficiently.
- [2] Encourage housing on upper floors above retail stores in order to provide the necessary residential critical mass to make the project feasible.
- [3] Create a pedestrian-friendly center easily accessible from neighboring residential areas.
- [4] Offer enhanced social, environmental, economic and aesthetic development design.

(c) Environmental principles.

4. Editor's Note: See N.J.S.A. 13:20-1 et seq.

- [1] Support environmental stewardship through reduced land consumption, improved water and air quality, protection of natural resources and attractive landscapes, and permanent preservation of substantial open space.
 - [2] Integrate on-site natural features into future development.
 - [3] To preserve substantial open space and protect environmentally sensitive lands, natural resources and attractive landscapes.
 - [4] Provide open space amenities for all residents in the center and surrounding areas.
- (d) Infrastructure principles.
- [1] Create pedestrian walkways, bikeways, and other pathways to enhance both the ability and desirability of walking and bicycling.
 - [2] Design interior roadways to meet the needs of motor vehicles, pedestrians and bicyclists.
 - [3] Provide sufficient parking spaces to support demand while providing opportunities to reduce automobile trips through development design and opportunities for shared parking.
 - [4] Encourage lateral connections between parking lots.
 - [5] Provide, maintain and expand utilities, community facilities and services necessary for the area.
 - [6] Where feasible and appropriate, integration of green infrastructure (nonstructural mechanisms and elements) is the preferred approach in the management of stormwater.
- (e) Affordable housing principles.
- [1] Provide the affordable housing for Township citizens including seniors, young professionals, young families and working adults in a traditional neighborhood within the Township.
 - [2] Aid in meeting the Township Second and Third Round COAH obligation in the only remaining area of the

Township with adequate utility infrastructure and sewer allocation within the Highlands Planning Area.

(f) Design principles.

- [1] Foster small-town charm as a key design element for future development.
- [2] Create building design that ensures privacy, safety and contributes to the long-term desirability of the community.
- [3] Require mixed-use buildings and new or redeveloped commercial construction to be located in close proximity to the street to create an inviting pedestrian-friendly environment.
- [4] Utilize landscaping and theme signage to accentuate the natural and built environment, connectivity and community identity.

C. Form-Based Code: components of the Code.

(1) Form-Based Code. According to the Form Based Code Institute (2008), a form-based code is defined as "a means of regulating development to achieve a specific urban form. The Code addresses the relationship between building facades and the public realm, the form, and mass of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards are keyed to a regulating plan that designated the appropriate form and scale of development." Form-based codes are regulatory and are intended to serve as a tool to designate the locations where different building uses apply, while enforcing appropriate bulk standards and design guidelines, per the Township's ordinance.

(2) Components of the Code:

(a) The Code consists of eight main components:

- [1] District Regulating Map (Map 2).⁵
- [2] Zone standards.
- [3] District standards.
- [4] Density Regulating Map (Map 3).⁶

5. Editor's Note: Said map is on file in the Township offices.

[5] Height Regulating Map (Map 4).⁷

[6] Architectural standards.

[7] Development standards.

[8] Building use plan/illustrative site layout (Map 5).⁸

(b) Each of these components are defined and described below:

[1] District Regulating Map (Map 2,⁹ as attached and adopted as part of the Zone Map of the Township of Byram). The Regulating Plan serves as the zoning map in the VC. The district boundaries established by Map 2: District Regulating Map shall supersede the boundaries of any existing zoning within the Village Center Zone. The Regulating Plan specifically regulates locations of the various residential, commercial uses, and green spaces permitted within the VC Zone. The Regulating Plan also depicts the street network, open space, and overall land use plan of the VC. The Regulating Plan ensures compliance with the zone and district standards and design standards presented in this Code. Any deviation from the land uses designated in the Regulatory Plan requires a use variance.

[a] The Code and the District Regulating Map establish the following districts:

[i] One-Family Residential.

[ii] Two- and Four-Family Residential.

[iii] Townhouse Residential.

[iv] Village Core.

[v] Village Mixed-Use.

[vi] Civic Use.

[vii] Park.

6. Editor's Note: Said map is on file in the Township offices.

7. Editor's Note: Said map is on file in the Township offices.

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9. Editor's Note: Said map is on file in the Township offices.

- [b] The following districts are also delineated on the District Regulating Map and will follow specific standards as established by the development standards and the appropriate authority:
- [i] Preserved Open Space (Byram Township/ Highlands Commission).
 - [ii] Roads (New Jersey Department of Community Affairs Residential Site Improvement Standards, N.J.A.C. 5:21-1.1; Byram Township LU Ordinance/AASHTO Standards).
 - [iii] DOT Detention Basin (New Jersey State Department of Transportation).
 - [iv] DOT Realignment Area (New Jersey State Department of Transportation).
- [2] Zone standards. The zone standards subsection establishes the primary goals and the general development regulations including the uses, coverage and deviations permitted on the Village Center Zone as a whole.
- [3] District standards. The district standards subsection establishes the uses, lot sizes, setbacks, building heights, and the other applicable standards in each VC District. Any deviation from the principal permitted uses requires a "d" variance.
- [4] Density Regulating Map (Map 3,¹⁰ as attached and adopted as part of the Zone Map of the Township of Byram). The Density Regulating Map illustrates the maximum amount of development permitted in each VC District - either in number of residential units, in square feet of nonresidential development or both. The density standards shall apply to all proposed buildings within all VC districts to comply with the Highlands Council and the available infrastructure for the VC Zone. Any deviation from the Density Regulating Map requires a variance in accordance with the Municipal Land Use Law.¹¹ Increase in the total amount of development is not permitted.

10. Editor's Note: Said map is on file in the Township offices.

11. Editor's Note: See N.J.S.A. 40:55D-1 et seq.

- [5] Height Regulating Map (Map 4,¹² as attached and adopted as part of the Zone Map of the Township of Byram). The Height Regulating Map illustrates the maximum building height in stories and feet permitted in each VC district. The height standards shall apply to all proposed buildings within all VC districts. Any deviation from the Height Regulating Map requires a variance in accordance with the Municipal Land Use Law.¹³
- [6] Architectural standards. The architectural standards regulate the architectural elements of a building and set the parameters for configurations, styles, construction techniques, and desired materials. The standards also regulate the design of various elements of the buildings within the districts including facades, roofs, fences, walls, and awnings. Any deviations shall be considered design standard waivers in accordance with the Byram Land Use Ordinance and the Municipal Land Use Law.¹⁴
- [7] Development standards. The development standards regulate the site planning and improvement within the VC Zone. These include parameters for parking, loading and service areas; streets and streetscaping; landscaping; lighting; and utilities and infrastructure. Any deviations shall be considered design standard waivers in accordance with the Byram Land Use Ordinance and the Municipal Land Use Law.¹⁵
- [8] Illustrative Site Layout/Building Use Plan (Map 5).¹⁶
- [a] The illustrative site layout/building use plan serves as the preferred relationship of buildings, commercial areas, and parking, based on the regulatory plan and the remainder of the bulk requirements and design standards. The illustrative plan specifically depicts the parcel layout, pedestrian network, open space amenities, and overall preferred building locations for the VC. However, it is recognized

12. Editor's Note: Said map is on file in the Township offices.

13. Editor's Note: See N.J.S.A. 40:55D-1 et seq.

14. Editor's Note: See N.J.S.A. 40:55D-1 et seq.

15. Editor's Note: See N.J.S.A. 40:55D-1 et seq.

16. Editor's Note: Said map is on file in the Township offices.

that the core principles of the illustrative plan contained herein can be applied in many different and creative ways. Therefore, although the proposed design elements depicted in the illustrative plan are binding in principle as elements of the final outcome, flexibility is allowed in the manner that these improvements are ultimately designed by the property owner/applicant and built.

[b] It is proposed that a maximum deviation of 20% of the parcel layout, pedestrian network, open space amenities, and overall preferred building locations of the VC, depicted in the illustrative plan is permitted. Deviation from this requirement would require a design waiver from the illustrative plan. All development applications must file for major subdivision and preliminary and final site plan before the Township's Planning Board.

D. VC Zone standards.

(1) Tract standards.

Provision	Requirement
Minimum tract	Block 365, Lot 2, and Block 365, Lot 5, approximately 56 acres in size.
Total tract impervious coverage	Maximum 50% of total tract area.
Commercial space (buildings)	Maximum of 90,550 square feet of nonresidential area, including retail, office and other commercial space.
Preserved open space	Minimum 45% of tract area, including environmentally sensitive areas, stream corridors and critical habitats.
Municipal use area	1. Minimum of 2 acres located on the village green, which shall include a public park.

Provision	Requirement
	<ol style="list-style-type: none"> <li data-bbox="678 254 1325 478">2. A 12,000-square-foot building for municipal purposes, such as use by the Township administratiotn for offices, community meeting space, to serve the public interest of the residents of Byram Township. <li data-bbox="678 495 1325 758">3. Mature or specimen trees shall be preserved, and trails and park amenities and furniture shall be included. This open space requirement shall not include lawn or landscaped areas on private residential or commercial lots.
Perimeter setback	Minimum 15 feet to Village Center bBoundary.
Setback from Lubbers Run	Minimum of 300 feet or the setback required by NJDEP, whichever is greater.
Streets and drives	<ol style="list-style-type: none"> <li data-bbox="678 989 1325 1178">1. All areas identified as roads on Map 2: District Regulating Map will comply with the New Jersey Residential Site Improvement Standards (RSIS). <li data-bbox="678 1194 1325 1335">2. These areas will be designated as public right-of-way and shall be transferred to the Township for public use. <li data-bbox="678 1352 1325 1503">3. Additional standards for design, streetscaping, and lighting are regulated through Subsection H, Development standards, of this code.
Signage	In accordance with Chapter 240, Zoning, Article VIII, Signs, of the Township Combined Land Use Ordinance.

Provision	Requirement
Parking	Residential: in accordance with district standards of this code and RSIS. Nonresidential: in accordance with the district standards, and with the Township Combined Land Use Ordinance.
Use area boundaries	Minor deviation shall be considered within 5% of the land area and subject to site design waiver approval. Major deviation shall be considered from 5% to 20% of the land area and subject to "c" variance approval. In no case shall any deviation be greater than 20% of the land area.

- (2) Planning and phasing. The VC shall be developed under an overall preliminary and final major subdivision and preliminary and final site plan submission/approval process. The VC shall also be subject to a developer's agreement with the Township.
- (3) Phasing of the development and construction. Affordable housing units shall follow the phasing of Article XIV (Affordable Housing), § 240-86, Zoning for inclusionary development.
- (4) Preserved open space. Approximately 25 acres in the southern portion of the VC Zone are reserved as preserved open space, to comply with the Byram's Highlands Commission Plan Conformance Consistency Review Report (dated March 2010), as shown on Map 2: District Regulating Map.¹⁷ According to the report, this preserved open space ". . .provides protection of approximately 25 acres . . .representing high integrity forest, Prime Ground Water Recharge Area and Critical Habitat in the Planning Area. . . ." and "ensures that protected lands constitute contiguous forest resource lands, eliminating what would otherwise have been fragmented areas of open space, likely requiring significant areas of forest disturbance."

17. Editor's Note: Said map is on file in the Township offices.

- (5) DOT detention basin and realignment area. Approximately 3.9 acres in the northwest portion of the VC Zone contain a detention basin and the realignment of Lackawanna Drive going west from Route 206, as shown on Map 2: District Regulating Map.¹⁸ These areas have been designed and developed by the New Jersey Department of Transportation.

E. District standards.

(1) One-Family Residential District.

- (a) District purpose. One-family residential development is located in the interior of the Village Center and provides detached residential dwellings. The district provides for 30 units on approximately 6.56 acres (an average density of 4.6 dwelling units per acre), as shown on the Map 3: Density Regulating Map.¹⁹
- (b) Permitted, accessory and conditional uses:

	Permitted	Accessory	Conditional
One-family dwelling (principal)	Yes		
Garage - attached		Yes	
Garage - detached		Yes	
Parking		Yes	
Pool		Yes	
Shed/gazebo		Yes	
Deck/patio		Yes	
Public uses	Yes		
Public utilities			Yes

- (c) Lot area, building coverage, massing and setbacks:

Standard	Minimum	Maximum
Lot area	8,500 square feet	10,000 square feet
Lot depth	100 feet	None
Lot width	50 feet	65 feet

18. Editor's Note: Said map is on file in the Township offices.

19. Editor's Note: Said map is on file in the Township offices.

Standard	Minimum	Maximum
Street frontage	50 feet	65 feet
Lot disturbance	None	50%
Principal building coverage	None	15%, up to 2,000 square feet
Building height	1 story/15 feet	2.5 stories/32 feet
Garage (attached or detached)	1-car garage	2-car garage
Front yard setback [1]	12 feet	20 feet
Rear yard setback (principal building)	30 feet	None
Side yard setback	5 feet one side, 12 feet combined	10 feet one side, 30 feet combined
Attached garage (rear-loaded, rear setback)	20 feet from alley	None
Detached garage (rear-loaded, rear setback)	20 feet from alley	None
Accessory buildings setback (shed) [2]	5 feet from all property lines	None
Accessory structure setback (pool, deck, etc.) [2]	10 feet from all property lines	None

NOTES:

[1] Front porches are encouraged and may encroach into the front yard setback for up to a maximum of eight feet.

[2] Located behind front yard setback on any street line.

(d) Location/access of parking and accessory uses:

[1] Garage (attached or detached): 100% of all garages must be solely accessed from a side or rear alley.

[2] Parking: as per RSIS standards and Chapter 215.

[3] Alleyways: rear alleys provide access to parking and trash collection.

(2) Two- to Four-Family Residential District.

(a) District purpose. Two- to four-family residential development is located in the interior of the Village Center and provides medium-density multistory, multifamily residential dwellings. They act as a transition between the mixed-use core and one-family areas. The district provides for eight units on approximately 1.6 acres (an average density of five units per acre), as shown on the Map 3: Density Regulating Map.²⁰

(b) Permitted, accessory and conditional uses:

	Permitted	Accessory	Conditional
Multifamily dwelling	Yes		
Condominiums	Yes		
Garage - attached		Yes	
Garage - detached		No	
Parking		Yes	
Deck/patio		Yes	
Public uses	Yes		
Public utilities			Yes

(c) Lot area, building coverage, massing and setbacks:

Standard	Minimum	Maximum
Lot area	7,200 square feet	15,000 square feet
Lot depth	120 feet	200 feet
Lot width	60 feet	100 feet
Bedrooms	1 per unit	2 per unit
Units per structure	2 units	4 units
Building height	2 stories/24 feet	2.5 stories/32 feet
Front yard setback	12 feet	20 feet
[1]		

20. Editor's Note: Said map is on file in the Township offices.

Standard	Minimum	Maximum
Rear yard setback	30 feet	None
Side yard setback	12 feet one side; 30 feet combined	15 feet one side; 40 feet combined

NOTES:

[1] Front porches are encouraged, and may encroach into the front yard setback for up to a maximum of eight feet.

(d) Parking requirements:

[1] Minimums: Two parking spaces per unit are required for the two-to-four-family dwellings.

[2] Location: All parking must be on site and no parking calculation can include on-street parking.

[3] Parking type: The on-site parking needs can be met through a combination of surface parking, internal attached garages, and external attached garages.

[4] Access: 100% of all garages must be solely accessed from a side or rear alley.

[5] Internal garages: Internal attached garages may include up to four spaces or parking bays.

[6] External garages: External attached garages may not exceed two parking spaces or parking bays.

[7] Setbacks: The on-site parking requirements are subject to these additional requirements.

[a] Attached garages shall be located in the rear, shall have a minimum rear setback of 20 feet from rear alleyway, and shall have a side yard setback of 10 feet.

[b] Surface parking shall be located in the rear, shall have a minimum setback of 10 feet from rear alleyway, and shall have a side yard setback of five feet.

(3) Townhouse Residential District.

(a) District purpose. Townhouse residential development is located in the interior of the Village Center and provides

medium-density attached residential dwellings. They act as a transition between the mixed-use core and one-family areas. The district provides for 24 units on approximately 3.38 acres (an average density of seven units per acre), as shown on the Map 3: Density Regulating Map.²¹

(b) Permitted, accessory and conditional uses:

	Permitted	Accessory	Conditional
Townhouse dwelling (principal)	Yes		
Garage - attached		Yes	
Garage - detached		No	
Parking		Yes	
Deck/patio		Yes	
Public uses	Yes		
Public utilities			Yes

(c) Lot area building coverage, massing and setbacks:

Standard	Minimum	Maximum
Lot area	15,000 square feet	30,000 square feet
Lot depth	120 feet	300 feet
Lot width	120 feet	300 feet
Principal building coverage	20%	35%
Bedrooms	1 per unit	4 per unit
Units per structure	4	6
Building height	2 stories/24 feet	2.5 stories/32 feet
Garage, number [1]	1-car garage	2-car garage
Front yard setback [2]	10 feet/each unit; 20 feet offset 4 feet	
Rear yard setback principal building	20 feet	None

21. Editor's Note: Said map is on file in the Township offices.

Standard	Minimum	Maximum
Side yard setback	10 feet one side, 15 feet combined	15 feet one side, 30 feet combined
Garage, setback	20 feet from alley	None

NOTES:

- [1] Only internal garages are permitted.
- [2] Front porches are encouraged and may encroach into the front yard setback for up to a maximum of six feet.

(d) Location/access of parking and accessory uses:

- [1] Garage (attached only): 100% of all garages must be solely accessed from a rear alley.
- [2] Parking: as per RSIS standards.
- [3] Visitor parking: to be provided in accessible locations.
- [4] Alleyways: rear alleys provide access to parking and trash collection.

(4) Village Core Mixed-Use Districts.

(a) The core of the Village Center contains the highest density of development adjacent to Route 206 and/or Lackawanna Drive. Such development would consist of mixed-use retail with office and residential spaces on upper floors. The districts together provide for a maximum of 90,550 square feet of commercial/retail space and 68 apartment units on the upper floors on approximately seven acres.

(b) Principles:

- [1] Create a strong street edge of mixed-use buildings with retail on ground floor with residential and commercial uses permitted by right in the upper floors.
- [2] Create opportunities for a mix of retail, office, eating/dining and entertainment uses.
- [3] Create opportunities for pedestrian-friendly spaces such as outdoor dining, plazas and a walkable "Main Street" environment.

(c) Permitted, accessory and conditional uses:

Village Core and Village Mixed-Use		
	Permitted	Accessory Conditional
Apartments above the first floor		Yes
Art galleries	Yes	
Banks and financial institutions	Yes	
Bars and taverns	Yes	
Inns and hotels	Yes	
Brewpubs and microbreweries	Yes	
Dry-cleaning and laundry pickup stations	Yes	
Government, fraternal, civic, charitable, and emergency services/ organizations	Yes	
Health and fitness centers	Yes	
Live/work uses [1]	Yes	
Sidewalk cafes		Yes
Outdoor displays and sidewalk sales		Yes
Pharmacies	Yes	
Professional and medical offices	Yes	
Restaurants	Yes	
Retail sales	Yes	
Retail services	Yes	
Small movie theaters [2]	Yes	

Village Core and Village Mixed-Use		
	Permitted	Accessory Conditional
Tent sales and special events		Yes
Wellness centers/ spa	Yes	
Plaza/open space	Yes	
Public/quasi-public uses [3]	Yes	
Public utilities		Yes
Parking		Yes
Signage		Yes

NOTES:

- [1] Live/work uses: offices, studio, display/sales areas and living areas for licensed professionals, service providers and artisans.
- [2] Small movie theaters: one or two screens, with maximum 500 seating capacity.
- [3] Public/quasi-public use: such as museum, civic space, community center, library, etc. Public plazas, either standalone or in combination with these public/quasi-public uses, are encouraged.

(d) Lot area, building coverage, massing and setbacks:

	Village Core		Village Mixed-Use	
	Minimum	Maximum	Minimum	Maximum
Lot depth	100 feet	None	100 feet	None
Lot width	60 feet	None	60 feet	None
Building depth	40 feet	60 feet	40 feet	60 feet
Building width	50 feet	100 feet	75 feet	100 feet
Building height [1]	2 stories/ 25 feet	3 stories/ 35 feet	2 stories/ 25 feet	3 stories/ 35 feet

	Village Core		Village Mixed-Use	
	Minimum	Maximum	Minimum	Maximum
Building footprint	2,000 square feet	8,000 square feet	3,000 square feet	6,000 square feet
Front yard setback	0 feet	12 feet	6 feet	18 feet
Rear yard setback [2]	40 feet	None	40 feet	None
Side yard setback	8 feet	None	15 feet	None

NOTES:

[1] The ground floor level shall have a minimum height of 14 feet with floor surface no more than two feet higher than the sidewalk.

[2] Minimum 10 feet of buffer and landscaping.

(e) Parking requirements:

[1] Location and access: Surface parking areas shall be located behind buildings and accessed by a rear alleyway. Centralized rear parking areas shall be considered to increase efficiency and minimize curb cuts.

[2] On-street parking: On-street parallel parking shall be provided and encouraged throughout the mixed-use core.

[3] Parking requirements: Parking shall be provided according to these minimum requirements, in addition to the requirements set forth in § 240-38. Where standards are in conflict, the provisions or standards of this section shall control.

[a] Offices uses shall require one space per 400 square feet of gross floor area.

[b] Retail uses shall require one space per first 400 square feet plus one space per each additional 350 square feet.

[c] All residential apartment parking shall be provided as per RSIS standards. Residential

parking must be provided on site and shall not rely on on-street parking to meet requirements.

[d] Inn/hotel uses shall have one space per room plus one space per four restaurant seats.

[e] Restaurant/bar/tavern uses shall have one space per three seats or three persons, according to the occupancy maximum permitted by the fire code official.

[f] Parking requirements for other uses (not listed) shall be determined by the Planning Board.

(5) Civic Use District.

(a) The primary use of land within this district shall be for civic buildings, parks, plazas, greenways or other types of public spaces including surface or structured facilities for the provision of public parking.

[1] A minimum of one civic building with a building footprint area of approximately 12,000 square feet.

[2] Architecturally unique buildings that shall have a dominant presence on the Village Green.

[3] The municipal use lot and the municipal building shall be located and designed to maximize the visibility of the civic building, creating a visual terminus from the central green.

[4] The municipal building shall be designed in accordance with all other design guidelines for all structures in the Village Center, unless the design concept enhances the Village Center in such a manner as to be more beneficial than strict adherence to the design guidelines.

[5] The municipal use lot and building shall be transferred to the Township for public use.

(6) Park District.

(a) The interior of the Village Center is intended to feature a central green with civic buildings having a high degree of pedestrian uses. The Village Green is proposed to be large and prominent and provide space for community events, such as outdoor concerts, fireworks displays, etc.

[1] A public library, community center, post office and a municipal building may be located either directly on or along the perimeter of the Village Green.

[2] The green area should have sidewalks and benches both on its perimeter and throughout.

(b) Civic Use District and Park District permitted, accessory and conditional uses:

	Permitted	Accessory	Conditional
Civic buildings [1]	Yes		
Parks and playgrounds	Yes		
Farmers' markets and seasonal events	Yes		
Outdoor entertainment (amphitheater, concerts)	Yes		
Parking		Yes	
Public uses	Yes		
Signage		Yes	
Public utilities			Yes

NOTES:

[1] Community and municipal buildings such as public library, community center, post office and a municipal building.

(7) Additional district regulations.

(a) Prohibited uses. Any use not listed above is prohibited. This shall include, but is not limited to, the following:

[1] Any use not specifically permitted in the zone.

[2] Automobile car wash.

[3] Automobile dealership.

[4] Automobile fueling stations.

[5] Automobile repair shop.

[6] Banquet halls and catering facilities.

[7] Drive-up facilities and uses.

[8] Junkyard or salvage yard.

[9] Light industry.

[10] Manufacturing.

[11] On-site dry-cleaning facilities.

[12] Outdoor advertising or billboard.

[13] Retail warehouse.

[14] Sexually oriented business.

[15] Warehousing.

(8) Conditional uses. The following conditional uses are subject to the standards and provisions set forth in Article X of this chapter. Where standards conflict, the objectives and standards set forth in Article X shall govern, except where federal or state regulations supersede:

(a) Public utility facilities are conditionally permitted when necessary for development build-out within the Village Center Zone, or if required by a federal, state or county agency.

(b) Apartments are conditionally permitted if on the second or third floor. No apartment shall be built on a first floor or in a one-story building, unless the number of apartments on site would require an elevator, then a first-floor apartment would be permitted for ADA compliance only.

(c) Sidewalk cafes. The provision of food and drink as an addition or extension of a permitted principal use on a sidewalk outside the principal building is subject to site plan approval in accordance with this chapter and subject to the following conditional use standards:

[1] Operations. The operator of the sidewalk cafe and the hours of operation shall be the same as the principal business. No food shall be prepared outside the building.

- [2] Contents. Sidewalk cafes may include seats, tables, umbrellas, and plant materials. Sidewalk cafes may not include refuse receptacles within the confines of the eating area. All materials shall be durable and moveable; lightweight plastic tables and seats shall not be permitted.
- [3] Location. Sidewalk cafes may be delineated by nonpermanent barriers such as planters or decorative railings. Sidewalk cafes shall be located upon sidewalk areas, adjacent to the building facade, must provide for and maintain at least five feet of unobstructed sidewalk for the circulation of patrons and pedestrians. Sidewalk cafes may not be located along the curbside; the curbside must be kept free of all obstructions to provide visibility for pedestrians and motorists.
- [4] Music. Live or recorded music shall be permitted within the sidewalk cafes provided that all such music shall comply with decibel level limits per municipal and state sound regulations.
- [5] Lighting. All sidewalk cafes shall be illuminated in accordance with municipal regulations. Flashing, blinking, glowing, or animated lighting shall not be permitted.
- [6] Umbrellas. Opened umbrellas shall not impede visibility of other business's storefronts, doorways, or windows, or impede pedestrian circulation.
- [7] Maintenance. All sidewalk cafes shall be maintained in a clean and neat fashion, free of debris and litter. Sidewalks shall be washed by the business operator on a regular basis. All furniture shall be maintained in neat order when not in use for extended periods, such as the colder winter months.
- [8] Parking. Sidewalk cafes shall be included in any calculation of on-site seating capacity. This shall include on-site parking requirements, necessary sewer allocation, and/or on-site septic requirements. Indoor and outdoor seating combined shall not exceed the total approved seating capacity of the facility.

- (d) Outdoor displays and sidewalk sales. The display and sale of goods, products, and services associated with a permitted principal use, outside the confines of the building associated with said use is subject to site plan approval in accordance with this chapter and subject to the following conditional use standards:
- [1] Operations. The operator of the outdoor display area and the hours of operation shall be the same as the principal business.
 - [2] Contents. Outdoor display areas may consist of any item that may be sold inside the business. Products may be stacked or displayed on racks, shelves, or tables. All materials, racks, shelves, or tables shall be readily moveable and shall be brought inside at the end of business each night. Lightweight materials that cannot remain stationary as a result of winds or breezes shall not be permitted. No signs are permitted except for merchandise price indicators.
 - [3] Location. Outdoor display areas may be delineated by nonpermanent barriers such as planters or decorative railings. Outdoor display areas shall only be located on sidewalk areas, adjacent to the building facade, and must provide for at least five feet of unobstructed access for sidewalk circulation for patrons and pedestrians. Outdoor display areas may not be located along the curbside, the curbside must be kept free of all obstructions to provide visibility for pedestrians and motorists.
 - [4] Area. The area devoted to outdoor display shall not exceed 10% of the ground floor area of the principal building. In the case of shopping centers the area devoted to outdoor display for any tenant shall not exceed 10% of the tenant's lease area.
 - [5] Height. The height of outdoor display items shall not exceed seven feet.
 - [6] Setbacks. Areas devoted to outdoor display shall comply with all building setbacks and yard requirements for the zone in which they are located.
 - [7] Surfacing. Areas devoted to outdoor display shall be paved with concrete and free of dust.

- [8] Maintenance. All outdoor display areas shall be maintained in a clean, neat, and orderly fashion.
- [9] Parking. The area devoted to outdoor display shall not be included in the parking requirements for the principal use.
- (e) Tent sales and special events. Temporary or interim activities conducted on permitted commercial properties for the purpose of promoting seasonal sales and special events including car washes, information fairs and other nonprofit and charity events as well as commercial events are subject to site plan approval in accordance with this chapter and subject to the following conditional use standards:
- [1] Operations. No tent sale or special event shall operate between the hours of 8:00 p.m. and 8:00 a.m. and shall not occur from November 1 through March 31. No tent sale or special event shall operate for more than three consecutive days. All tent sales or special events are subject to an additional special event permit process.
- [2] Contents. Tent sale or special event areas may include seats, tables, merchandise and materials related to the promotional event. Any tent or canopy shall have at least 50% of its sides open. All materials shall be secured to ensure nothing is windblown beyond the tent area.
- [3] Location. Tent sale or special event areas shall be located within a parking lot or lawn areas and their locations subject to site plan approval. All tent sales or special events shall occur within those areas identified on an approved site plan. The tent sale or special event area shall be delineated by nonpermanent barriers such as planters, decorative railings, cones or temporary fencing. No tent sale or special event area shall exceed 2,000 square feet in area, or 30% of the site's parking lot, whichever is less.
- [4] Maintenance. All tent sale or special event areas shall be maintained in a clean and neat fashion, free of debris and litter. Any structures related to the tent

sale must be removed within 24 hours of the end of the event.

[5] Parking. The area devoted to tent sales and/or special events shall not diminish the parking requirements for the principal use. The area devoted to tent sales and/or special events must be surplus parking or lawn areas.

(9) Supplemental standards. All development applications for the VC Village Center District are subject to the standards, principles, and procedures set forth in Article XIV of this chapter as well as Chapters 45 and 215. Where standards are in conflict, those set forth in Article XIV of this chapter shall govern.

F. Affordable housing.

(1) Byram Township adopted a revised 2016 Fair Share Plan and Housing Plan Element on November 3, 2016. This section regulates the provision of very low, low, and moderate-income units (affordable units) within the VC Zone. The Township's Second Round affordable housing obligation of 33 units shall be met by 26 new construction units. The maximum number of residential units shall be 130. The minimum residential construction in the VC Zone shall comply with the Township's Fair Share Plan and Housing Plan Element. All affordable housing shall be subject to the provisions of Chapter 240, Article XIV, of the Byram Township Code titled "Affordable Housing."

(2) Affordable housing parameters. All residential housing types are encouraged, with the following minimum/maximum percentages:

(a) The number of market residential units shall not exceed 104.

(b) In all, not less than 26 housing units shall be income-restricted in accordance with the Township's fair share obligation as follows:

[1] Two-bedroom for-sale units (age restricted): six.

[2] One-bedroom rental units: five.

[3] Two-bedroom rental units: nine.

[4] Three-bedroom rental units: six.

- (c) Senior housing shall constitute a maximum of 25% of the total.
 - (d) One-family detached shall constitute a minimum of 25% and a maximum of 40% of the total.
- (3) Mandatory set-aside requirements.
- (a) All residential inclusionary developments in the VC Village Center District shall be required to set aside a mandatory 20% of the dwelling units for the construction of affordable housing.
 - (b) Fifty percent of the affordable units constructed be affordable by very-low- and low-income households and that the remaining 50% be affordable by moderate-income households.
 - (c) Set-aside in apartments (residential above retail) as a second principal use:
 - [1] Fifteen percent of the residential units be deed restricted as affordable housing if the project is a rental project.
 - [2] Twenty percent of the residential units be deed restricted as affordable housing if the project is a for-sale project.
 - (d) All affordable units shall be income-restricted, in accordance with the Township's Second and Third Round fair share obligation.
 - (e) All affordable units would be subject to any applicable Council on Affordable Housing rules and be compliant with the Uniform Construction Code.
- (4) Location of affordable housing.
- (a) Housing types shall be distributed on the site per the Village Center District Regulating Map.²²
 - (b) The housing units are to be a mix of one-family, apartments (residential above retail), townhouse, and two- to four-family units.

22. Editor's Note: Said map is on file in the Township offices.

- (c) Apartments are only to be on a second or third floor, no apartment shall be built on a first floor or in a one-story building.

G. Architectural design standards.

- (1) The architectural design standards regulate the architectural elements of a building and set the parameters for configurations, styles, construction techniques, and desired materials. The standards also regulate the design of various elements of the buildings within the districts including facades, roofs, fences, walls, and awnings. The architectural design guidelines serve as the preferred types of designs intended for development within the VC. Deviation from these guidelines must be reviewed with the proposed development application presented to the Planning Board. Any deviation from the following design standards creates a waiver or exception pursuant to N.J.S.A. 40:55D-51 and not a variance pursuant to N.J.S.A. 40:55D-70. Appendix A²³ of this Form-Based Code includes Visual Design Guidelines which were created by the Architectural Review Committee to assist development in the Village Center to better understand the vision and intent of the Form-Based Code.
- (2) General design standards for all structures.
 - (a) All structures shall be designed to reflect traditional building design in general accordance with housing styles identified and/or pictured in the Smart Growth Plan and the Visual Design Guide created by the Architectural Review Committee. (Appendix A).²⁴ The purpose of this Visual Design Guide is to assist any and all developers in the Village Center to better understand the vision and intent of the design requirements.
 - (b) Brick, stone, and painted wood clapboard or shingle siding is encouraged, as are pitched roofs with slopes between 8:12 and 12:12. The overall design should have varying styles, shapes, and materials as described in the Smart Growth Plan and the guidelines established for use by the Architectural Review Committee. Alternative materials may be appropriate if they do not detract from the overall visual conformity of the traditional styles.

23. Editor's Note: Appendix A is on file in the Township offices.

24. Editor's Note: Appendix A is on file in the Township offices.

- (c) At least half of all one-family homes shall be oriented with gable ends facing the street and all shall have a covered front-entry porch, raised a minimum of 18 inches above ground level.
- (3) Building massing and scale. Scale is the relationship between the size of a structure and the size of adjoining permanent structures. Large-scale building elements will appear out-of-place if they are situated in a visual environment that is smaller in scale, such as the Village Center.
- (a) Dominant structures should be broken up by creating horizontal emphasis, such as through the use of trim, awnings, eaves, windows, or other architectural ornamentation, use of combinations of complementary colors, and varied landscape materials.
 - (b) Long, horizontal facades should be broken down into segments having vertical orientation; and tall vertically oriented facades shall be broken down into horizontal components through use of appropriate design features.
 - (c) Expansive blank walls are prohibited.
 - (d) Buildings should be designed so the facade is the prominent architectural feature and the roof is visually less dominant in the total design.
 - (e) Gable and hip roofs are encouraged. Other roof types may be permitted by the Planning Board at the recommendation of the Architectural Review Committee if it concludes that they are generally consistent with traditional architectural styles and if materials suitable to such styles are used.
 - (f) A human scale should be achieved at ground level and along street frontages and entryways through the use of scale elements such as windows, doors, columns, plazas, awnings and canopies.
 - (g) The height of structures should relate to adjacent open spaces to allow maximum natural light and ventilation, to protect from prevailing winds, to enhance public views, and to minimize obstruction of the view from adjoining structures.
- (4) Exterior building design.

(a) Exterior walls:

- [1] Buildings with exterior walls greater than 50 feet in horizontal length shall be constructed using a combination of architectural features and a variety of building materials and landscaping near the walls.
- [2] Walls that can be viewed from public streets shall be designed using architectural features and landscaping (abutting the building) for at least 50% of the wall length.
- [3] Other walls shall incorporate architectural features and landscaping for at least 30% of the wall length.

(b) Architectural features:

- [1] Architectural features may include, but are not limited to, the following: recesses, projections, wall insets, arcades, window display areas, awnings, balconies, window projections, landscape structures or other features that complement the design intent of the structure.
- [2] In addition, a portion of the on-site landscaping shall abut the walls so that the vegetation combined with the architectural features will significantly reduce the visual impact of the building mass as viewed from the street.

(c) Building materials:

- [1] The predominant building materials shall be materials characteristic of traditional developments in northwestern New Jersey, such as brick, wood, native stone, traditional clapboard, and stylized shingles.
- [2] Alternative siding, metal panels or roofs, mirrored glass surfaces, or faux facade materials may be recommended by the Architectural Review Committee; and special care would be needed to not detract from the overall visual conformity of the traditional styles.
- [3] Buildings may not be painted in bold colors, patterns, checks or stripes.

[4] The use of earthtone colors (browns, beige, grays, soft greens, and the like) and/or other colors generally associated with traditional building design is encouraged on all buildings. Accent or complementary colors that harmonize with the main facade color(s) shall be permitted for trim, awning and other building details.

[5] Exterior colors shall be subtle, neutral or earthtone colors and of low reflectance. The use of high-intensity colors such as black, neon, metallic or fluorescent for the facade and/or roof is prohibited except as approved for building trim.

(5) Facade treatment.

- (a) Multitenant buildings shall provide offset storefronts, doorways, windows, awnings and/or other design features for all ground-floor tenants. The minimum offset shall be four feet. Offsets that incorporate small courtyards are strongly encouraged. At a minimum, the upper floor of said buildings shall be coordinated with the ground floor through the use of common materials and colors. Storefronts should include display windows with a minimum sill height of two feet from grade.
- (b) Commercial and mixed-use building facades shall have decorative architectural features on all sides.
- (c) Two-to-four-family dwellings shall be designed to emulate traditional large one-family residences and shall not have "mirrored" or duplicate front facades.
- (d) New or renovated facades should incorporate rhythms that carry through a block, such as storefront patterns, window spacing, entrances, canopies or awnings, and the like.
- (e) Where fire escapes are required, they may not be on the principal facade of a building and should blend with the exterior design as balconies and stairs where possible.
- (f) Facade renovations should be consistent with the architectural styles detailed and encouraged in the Smart Growth Plan and the guidelines established by the Architectural Review Committee.

- (g) Surface detailing should be integrated within the structure rather than applied for decorative purposes.
 - (h) No facade design or layout shall be the same as the adjacent structure. No less than three major alterations to a facade are required to define the facade as different from that of the adjacent structure. Changes in exterior building materials may be counted as one alteration.
 - (i) Exterior-mounted mechanical and electrical equipment shall be architecturally screened.
 - (j) The use of creative lighting schemes to highlight building facades and related areas is encouraged as long as it would not interfere with residential uses. Nonresidential lighting above the first floor shall be shut off by 10:00 p.m. or one-half hour after closing, whichever is earlier.
- (6) Roofs.
- (a) Roofs should be designed to reduce the apparent exterior mass, add visual interest and be appropriate to the architectural style of the building, while avoiding excessive complexity of line or massing. Variations within one architectural style are highly encouraged.
 - (b) Visible rooflines and roofs that project over the exterior wall of a building enough to cast a shadow on the ground are highly encouraged, as are overhanging eaves, sloped roofs and multiple roof elements.
 - (c) Gable, hip or combination roof types are permitted. Flat roofs are prohibited unless incorporated with combination roofs and may not exceed 20% of the total roof area. Roof pitches of 8:12 and 12:12 are recommended.
 - (d) The roofline at the top of the structure should incorporate offsets and jogs to reduce the monotony of an uninterrupted roof plane.
 - (e) All rooftop equipment shall be screened from public view by materials of the same nature as the main structure. Mechanical equipment shall be located below the highest vertical element of the building.
- (7) Entrances.

- (a) At least one principal building entrance must be oriented toward the primary street frontage property line.
 - (b) Clearly defined, highly visible customer entrances are encouraged, such as through the use of canopies, porticos, arches, wing walls, integral planters and similar features.
- (8) Awnings and projections.
- (a) Awnings are encouraged on retail buildings. All awnings shall be constructed and installed so that the frame and fabric of the awning is integrated into the overall building design.
 - (b) No awning shall extend more than five feet from the building facade or be less than eight feet above the ground.
 - (c) Awnings shall not project into any roadway, driveway, parking or loading area nor be placed so as to conceal or disfigure an architectural feature or detail.
 - (d) Awning material shall be limited to cloth, canvas, metal and similar materials; stretched plastic or vinyl are prohibited.
 - (e) Awning colors should complement the building exterior and shall comply with § 215-30C(3)(e) such that awning colors shall be subtle, neutral or earthtone colors and of low reflectance. The use of high-intensity colors such as neon, metallic or fluorescent for awning material is prohibited.
- (9) Walls and fences.
- (a) Walls shall not be utilized within commercial areas unless required for screening, security or separation of incompatible land uses.
 - (b) Walls should be designed to blend with the site's architecture. Both sides of all perimeter walls or fences should be architecturally treated.
 - (c) Brick, stone, and stucco shall be used whenever possible. Landscaping should be used in combination with all walls.
- (10) Building signs.

(a) Signage shall be in accordance with Chapter 240: Zoning, Article VIII, Signs, of the Township Combined Land Use Ordinance.

(b) Master signage plan.

[1] A master signage plan shall be submitted with any plan for new development, change of use or renovation of existing use or structure in the village center. The following information shall be submitted for each existing and proposed sign:

[a] Size (i.e., length, height, area, thickness, number of faces).

[b] Letter style and size.

[c] Illumination.

[d] Colors (i.e., letter, background, trim), including color samples.

[e] Construction materials, structural integrity and installation details.

[f] Window size (if applicable).

[g] Location (i.e., height above grade, distance from roofline, building width, location from property lines, streets, sidewalks, and structures).

[h] Enumeration of relevant requirements and compliance with same.

[2] The master signage plan shall graphically depict the signs and may be prepared by the applicant or a sign professional. The master signage plan shall include a sketch or photograph showing the dimensions of each facade, window and canopy of the building to which a sign is to be attached in sufficient detail to clearly indicate the location, dimension and area of all existing and proposed permanent signs. Samples of construction materials should be submitted.

[3] In the case of a freestanding ground sign, a plot plan of the lot shall be required as part of the master signage plan to show the location of buildings, parking lots, driveways, landscaped areas, and other existing and proposed signs.

- [4] The applicant shall provide additional information deemed necessary to determine whether the master signage plan complies with the sign regulations.
- [5] When the Planning Board as part of a development application has approved installation or modification of a sign, the Construction Official shall issue a sign permit only if the proposed sign is consistent with the approval.

H. Development standards.

(1) Parameters; deviations.

- (a) The development standards regulate the site planning and improvement within the VC Zone. These include parameters for:

- [1] Parking, loading and service areas.
- [2] Streets and streetscaping:
 - [a] Streets and roadways.
 - [b] Alleys.
 - [c] Pedestrian connections and sidewalks.
 - [d] Street trees and streetscaping.
 - [e] Streetlighting and furniture.
- [3] Landscaping.
- [4] Lighting.
- [5] Utilities and infrastructure.

- (b) Any deviations shall be considered design standard waivers in accordance with the Byram Land Use Ordinance and the Municipal Land Use Law.²⁵

(2) Parking, loading and service areas.

(a) Parking areas.

- [1] Parking for commercial structures is prohibited in front yard setback areas. Driveways and parking

25. Editor's Note: See N.J.S.A. 40:55D-1 et seq.

spaces shall be set back at least five feet from all building units to provide room for a landscaped area.

- [2] Parking lot layout, landscaping, buffering and screening shall be used to minimize direct views of parked vehicles from streets and sidewalks and to avoid spillover light, glare, noise, or exhaust fumes onto adjacent properties.
- [3] Parking lots exposed to view shall be surrounded by a year-round, visually impervious screen, hedge or wall a minimum of 4.5 feet high. The height of the screen shall gradually decrease in height where driveways, walkways and sidewalks approach to provide adequate sight triangles.
- [4] The interior of all parking lots shall be landscaped to provide shade and visual relief. At a minimum, one deciduous tree shall be planted inside a landscape island for every 10 parking stalls.
- [5] Landscaping should be utilized to soften the edges of parking lots and to provide a sense of lot borders or boundaries.
- [6] Parking lot layout should take into consideration pedestrian movement, and pedestrian crossings shall be installed where deemed necessary by the Planning Board.
- [7] Stormwater design must be approved by the Board engineer and is subject to all applicable standards.

(b) Loading and service areas.

- [1] Loading areas, recycling facilities, solid waste facilities and other service areas shall be placed to the rear of buildings a minimum five feet from adjoining properties.
- [2] Developments containing more than one commercial/residential use shall design loading areas, recycling facilities, solid waste facilities and other service areas for multiple users to limit the total number.
- [3] A loading area and its driveway shall be screened to minimize direct view and the effect of spillover lighting, noise and exhaust fumes on adjacent

properties. Options for screening must be approved by the Planning Board and shall include, but are not limited to, walls, fences, and landscaping.

- [4] Screening must be at least five feet tall and visually impervious. In developments of multiple uses, all fences, walls, et cetera, shall be of similar materials.

(c) Landscaping/screening.

- [1] Parking lot landscaping shall consist of a minimum of 5% of the total parking area, excluding the perimeter landscaping and buffer areas required in § 215-29, plus a ratio of one tree per 10 parking stalls to create a canopy effect upon maturity.
- [2] Landscaping in a parking or loading area shall have a width of at least five feet and be located in defined landscaped areas that are uniformly distributed throughout the parking or loading area.
- [3] Landscaped buffers between parking areas, parking pods and internal streets shall have a minimum width of five feet with no car overhang and 10 feet with a car overhang.
- [4] Parking areas containing 10 or more parking stalls shall contain the following landscaping features:
 - [a] Five percent of the interior portion of the parking areas shall be landscaped, excluding all perimeter landscaping and required buffer areas. No more than 15 parking stalls shall exist in a continuous row without a landscaped break.
 - [b] In addition to the general shade tree requirements, one shade tree shall be provided for every 10 parking stalls to create a canopy effect.
 - [c] A landscaped island at least five feet in width shall separate the ends of parking rows from access aisles.
 - [d] Evergreen plantings shall be required to screen parking areas from public rights-of-way and all residential property.

- [5] Landscaped buffers between parking and on abutting property lines shall have a minimum width of 10 feet.
- [6] Front or exterior yard landscaping may not be substituted for the landscaping required for interior parking stalls.
- [7] All loading areas shall be landscaped in a manner that sufficiently screens the view of the loading area and vehicles from any public right-of-way and residential property. Landscaping in this instance may include berms, fencing, walls or a combination thereof.

(3) Streets and streetscaping.

(a) Streets and roadways.

- [1] Development within the Village Center shall create or encourage land use and street design that is compatible with and encourages pedestrian traffic.
- [2] Building placement, in conjunction with display windows on all sides, further enhances the pedestrian orientation of the area.
- [3] Design and construction shall enhance and increase the following:
 - [a] Configuration using collector/major arterial streets to avoid traffic congestion on primary streets upon which buildings front;
 - [b] Visual prominence of natural features and topography of the landscape;
 - [c] Street layout facilitation of solar orientation of buildings;
 - [d] Use of curvilinear or grid patterns;
 - [e] Improve the view of, and the view from, buildings and other prominent vistas within the Village Center;
 - [f] Promote pedestrian design that makes it more convenient and pleasant for the community to walk short distances than to drive within the Village Center; and

[g] Promote the creation of vista terminations within the Village Center.

- [4] Proposed streets shall be considered in relation to existing and planned streets, existing topographic and geologic conditions, public convenience and safety, and safe vehicular travel.
- [5] Long straight roadway sections shall be avoided. Straight roadway sections in the Village Center shall have a vista termination (i.e., a lot, park or open space, building — church with spire, government building —, monument/statue site, fountain) located at an intersection or at the end of the street(s) or pedestrian ways. A vista termination shall be prominently visible from one or more streets or ways approaching said site.
- [6] Proposed street design shall also provide for appropriate continuation of existing streets of similar design speed and the extension of streets onto adjoining land.

(b) Alleys.

- [1] Residential development within the village center will have on-site parking accessed solely from side (corner lots) or rear alleys. The predominance of residential dwellings will have rear frontage on alleys.
- [2] Alleys within the village center will be constructed in compliance with RSIS standards for alleys (one-way or two-way).
- [3] Alleyways are designed to accommodate secondary means of access to lots, no off-site parking shall be allowed in the alleyways and should be designed to discourage through traffic.
- [4] Alleys should accommodate garbage and recycling storage and collection.
- [5] Alleys become the property of a homeowner's association and all maintenance and repairs of the alleys are the responsibilities of a homeowners' association; at no time do alleys become Township streets.

(c) Pedestrian connections and sidewalks.

- [1] Pedestrian ways or footpaths shall be required for convenient circulation and access to schools, playgrounds, shopping, transportation, parks, conservation areas and other facilities. The minimum requirement for pedestrian ways within the commercial core shall be a ten-foot-wide easement immediately abutting the right-of-way, including an eight-foot-wide sidewalk. Throughout the remainder of the Village Center, pedestrian ways shall consist of an easement at least 10 feet wide, including sidewalks at least six feet wide.
- [2] Pedestrian ways are required to include sidewalks, trees and grass strips abutting the right-of-way, street furniture (benches and trash receptacles), and decorative streetlighting. Trees within the sidewalk shall have tree grates and tree guards.
- [3] Walkways from sidewalk to building entrance(s). A continuous pedestrian walkway shall be provided from the primary frontage sidewalk to building entrance(s). This internal walkway shall incorporate a mixture of landscaping, benches, drop-off bays and bicycle facilities for at least 50% of the length of the walkway. Walkways shall be connected to adjacent sites.
- [4] Walkways from parking areas to building entrances. Internal pedestrian walkways shall be developed to provide access to building(s) entrance(s) from parking lot(s). Walkways shall be designed to separate people from moving vehicles. These walkways shall have a minimum width of five feet with no car overhang or other obstruction. The walkways must also be designed for disabled access according to the building code and American Disabilities Act (ADA).
- [5] Walkways shall be distinguished from parking and driving areas by use of any of the following materials: special pavers, bricks, raised elevation or scored concrete. Other materials may be used if appropriate to the overall design of the site and building and

recommended by the Architectural Review Committee.

(d) Street trees.

- [1] Shade trees shall be planted along all streets. Shade trees shall be planted on all sites at a minimum rate of 10 trees per acre, inclusive of trees required along any street line.
- [2] Shade trees shall be located to frame the streets and roadways to create a canopy effect when matured.
- [3] Shade trees shall be selected from the following groups, with at least 20% of the trees to be from Group A, and at least 30% each to be selected from Group B and Group C:

Group A	Group B	Group C
White flowering dogwood	American beauty crabapple	Princeton sentry ginko
Red flowering dogwood	Snow crabapple	Emerald queen maple
Crimson cloud hawthorn	Shademaster honeylocust	Sugar maple
Washington Hawthorn	Katsura tree	Red maple
	Crimson king maple	Northern Red Oak
		Sweetgum

- [4] The Planning Board may permit or require the substitution of evergreen trees for shade trees from Groups B and C only. Evergreens must be at least eight feet high at planting.
- [5] Shade trees shall meet all of the following requirements:
 - [a] Measure three inches to 3.5 inches in diameter six inches above the ground.
 - [b] Group A trees shall be planted at thirty-foot intervals; Group B trees shall be planted at forty-foot intervals; and Group C trees shall be planted at fifty-foot intervals.

[c] Have a straight trunk and be properly staked.

[d] Be balled and burlapped, well branched and with a good root system. Backfill shall consist of 50% humus for each tree, and each tree shall be thoroughly watered and properly pruned at the time of planting.

[6] Trees to be planted in any street right-of-way shall be subject to the approval of the Township Engineer.

[7] Where the placement of required trees within a street right-of-way is impossible or impractical due to the presence of sidewalks, critical areas or other physical or environmental features, the Planning Board may require a ten-foot-wide street tree easement to be located adjacent to the right-of-way.

[8] The Planning Board may require that existing trees on a site be replanted for reuse on the subject property or elsewhere in the Township on public property only.

(e) Streetlighting.

[1] Streetlighting design shall be traditional in style, consistent throughout the Village Center and is subject to review and comment by the Architectural Review Committee.

[2] Streetlighting shall meet the minimum standards set forth below and shall be designed to conform with the Village Center historical design vision set forth in the Smart Growth Plan and is subject to review and comment by the Architectural Review Committee.

[3] All lighting throughout the Village Center shall be designed in a manner that conforms to the style and architectural design of adjacent structures and uses.

[4] Wherever possible, the lighting shall be similar and conforming.

(f) Street furniture and flagpoles.

[1] The use of street furniture (benches, tables, trash receptacles, et cetera) is encouraged, provided that materials are consistent with the overall concept of

the building design and locale in which the building is located.

[2] Street furniture, such as benches, decorative streetlighting and trash receptacles, shall also be provided to create an enhanced pedestrian environment.

[3] Flagpoles shall not exceed 25 feet in height.

(4) Landscaping.

(a) Landscape design.

[1] Landscaping is to be integrated into building arrangements, topography, parking, buffering and other site features. Landscaping may include trees, shrubs, ground cover, berms, flowers, sculpture, art and similar materials and shall be designed to provide aesthetic, buffer, climatological, environmental, ornamental, and other related functions. All landscaping plans must be prepared by a New Jersey-registered landscape architect or other individual deemed suitably qualified by the Planning Board.

[2] Landscaping plans should avoid the use of exotic species and shall not include invasive species, as described in Table III (Recommended Native Plant List) and IV (Exotic/Invasive Plant List) in the Lubbers Run Greenway Project, prepared for the Township Environmental Commission in 1997.

[3] Landscaped buffers shall consist of evergreen ground cover and shrubs mixed with a variety of flowering and deciduous plant species of trees and shrubs.

[4] Community amenities such as patio/seating areas, water features, artwork, sculpture, clock towers, pedestrian plazas with park benches and other features, located adjacent to the primary entrances of buildings are highly encouraged and may be calculated as part of the landscaping requirement.

[5] Landscaping for commercial uses shall define entrances to buildings and parking lots, define the edges of various land uses, provide transition (buffering) between neighboring properties and provide screening for loading and equipment areas.

- [6] Plants in boxed, clay or wood containers should be used to enhance sidewalk shops, plazas, and courtyards.
- [7] Landscaping around the entire base of structures is recommended to soften the edge between the parking lot and the structure and should be accented at entrances to provide focus.
- [8] Trees shall be located throughout the parking lot and not simply at the ends of parking aisles.
- [9] Landscaping shall be protected from vehicular and pedestrian encroachment by raised-planted surfaces, depressed walks, or the use of curbs.
- [10] The use of vines and climbing plants on buildings, trellises and perimeter garden walls is strongly encouraged.
- [11] Landscaping shall not obstruct visibility at drive-aisle intersections.

(b) Landscape coverage.

- [1] Coverage of the landscaped area, excluding lawns, shall be 50% at the time of installation and 90% at five years. Lawns shall be fully established within two growing seasons.
- [2] Landscaped buffers between parking and on abutting property lines shall have a minimum width of 10 feet.
- [3] Front or exterior yard landscaping may not be substituted for the landscaping required for interior parking stalls.
- [4] A landscaped and/or screened buffer area is required between commercial uses, parking areas and buildings in parking areas adjacent to residential dwellings. The minimum height and width shall be five feet of continuous evergreen hedge screen in two years (or a wall or fence with a minimum height of five feet).

(c) Screening and ornamental planting.

- [1] The planting of shrubbery, bushes, flowers and similar plantings shall be designed to serve

decorative and ornamental functions as well as screening and buffering.

- [2] Junipers, yews and similar evergreen plants shall largely be used for screening and buffering.
- [3] White hollies, rhododendron, azaleas, and similar plants shall be used at highly visible locations such as front yards, building entrances and adjacent to ground signs.
- [4] The use of flowerbeds and planters is strongly encouraged in all nonresidential zones.

(d) Tree removal.

- [1] Existing mature trees shall be preserved wherever possible. Existing mature trees and vegetation shall not be removed in an area greater than 70% of the total project area. Preservation of specimen trees within the developable area of the property counts at a rate of 2:1 when calculating the total shade tree requirement.
- [2] When it is necessary to remove existing mature trees and vegetation, removal shall be in conjunction with the phasing of the total project, with trees and vegetation removed only in those parts of the project area slated for grading. Other areas shall remain in the natural state.

(e) Replacement.

- [1] A two-year guarantee is required so that all new plantings and existing trees and other vegetation are maintained after construction and replaced where necessary.
- [2] The owner, its successors and/or assigns, shall maintain vegetation planted in accordance with an approved site plan. Plants or trees that die or are damaged shall be replaced and maintained.

(f) Postdevelopment inspection.

- [1] All landscaping shall be subject to a postdevelopment inspection by the Township Engineer, Township Planner and/or a representative of the Planning Board.

[2] Required landscaping shall be continuously maintained.

(g) The Planning Board shall have the right to impose additional landscaping requirements after due consideration of the size and type of proposed development, the extent of existing vegetation to be removed during construction, and the nature of surrounding land uses.

(5) Lighting.

(a) Lighting shall be shielded and directed down onto the site so as not to shine or glare onto adjacent property or streets.

(b) All outdoor lighting shall be shown on the site plan in sufficient detail to allow a determination of its effect at the property line and on nearby streets, driveways, residences and overhead sky glow. At a minimum, the lighting design submitted for review shall include iso-footcandle drawings indicating 0.1 and 1.0 footcandle traces for all site lighting.

(c) Lighting shall not shine directly or reflect into windows, or shine onto streets and driveways so as to interfere with driver vision.

(d) Lights that have a yellow, red, green or blue beam and/or that rotate, pulsate or operate intermittently are prohibited.

(e) The intensity, shielding, direction, reflection and similar characteristics of lighting shall be subject to site plan approval. The objective is to minimize undesirable off-site effects.

(f) The maximum height of lights shall be 15 feet measured from the surrounding grade.

(6) Utilities and infrastructure.

(a) All utilities (both main and service lines) servicing new developments, or where there is a change, renovation or expansion of an existing use, shall be constructed underground within easements or dedicated public rights-of-way, and installed in accordance with the

prevailing standards and practices of the utility or other company providing such services.

- (b) Lots that abut existing easements or public rights-of-way where overhead utility distribution supply lines and service connections have heretofore been installed may be supplied with service from those overhead lines, but the service connections from the utilities' overhead lines shall be installed underground.
- (c) In the case of existing overhead utilities, should a road widening, extension of service, or other such condition occur as a result of the subdivision, and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground.
- (d) Year-round screening of aboveground utility apparatus is required except for utility poles.
- (e) Watercourses.
 - [1] An emergency/maintenance access easement shall be provided for streams or watercourses. Said easement shall conform substantially with the line of the watercourse and be at least 20 feet in width centered on its midpoint.
 - [2] Streets or pedestrian ways that are parallel to the streams or watercourses and/or appropriate accesses may be required in connection therewith.
 - [3] The placement of streams or watercourses into open or covered culverts shall be kept to a minimum.
- (f) Utility easements.
 - [1] Easements shall be at least 20 feet wide and shall generally follow lot lines or be centered on the rear or side lot lines.
 - [2] Within the commercial component of the Village Center, utility easements shall have a minimum width of five feet in order to reduce right-of-way widths, and the Planning Board may permit utilities to be placed in the two-foot grassed area between the paved way and the property line and the tree easement immediately abutting the right-of-way.

- [3] Utilities may also be permitted to be located within the right-of-way under parking areas and pedestrian ways abutting the right-of-way.