

§ 240-79. Purpose and intent.

- A. Townwide goals and objectives. In furtherance of the goals and objectives in its 1988 Master Plan, and subsequent Reexamination Report of June 2002, the Township diligently undertook the task of developing the Township's Smart Growth Plan, adopted in December of 2002. The Smart Growth Plan directs high-density residential development to the village centers in furtherance of the Township's COAH substantive certification and obligation requirements. Through this article, the Township intends to develop specific standards, regulations and guidelines by which these goals and objectives may be implemented, in accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.). The goals and objectives are intended to be the predominant standards upon which all future development approvals are decided.
- B. General goals:
- (1) To create an attractive diverse community of mixed-use development, open space, civic buildings and residential uses to create a vibrant center.
 - (2) To provide well-designed public places and open spaces to accommodate and promote active community use, which includes larger organized community events and activities.
 - (3) To build upon the planned "traditional" retail development along Route 206 and to redevelop portions of existing development.
 - (4) To create open space trail linkages between the Township's schools, the village center and trails west of Route 206 leading to Allamuchy State Park and beyond.
 - (5) To protect the village center from strip or big-box development.
 - (6) To develop a capital improvement plan for major projects and ensure the consistency of those projects with the Comprehensive Plan.
 - (7) To coordinate investment for roads, water and sewerage facilities, schools, transportation, and other public facilities to support new growth in areas designated for growth.
 - (8) To 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 Wild West City.
 - (9) To support the State Development and Redevelopment Plan, which calls for limited development in the Township and surrounding region.
- C. Environmental goals:

- (1) To support environmental goals, such as reduced land consumption, improved water and air quality.
- (2) To integrate on-site environmental features into the village center.
- (3) To protect environmentally sensitive lands and deter sprawl by directing growth toward areas of the Township with existing infrastructure.

D. Land use goals:

- (1) To create a mixed-use environment offering enhanced social, environmental, economic and aesthetic development design.
- (2) To create a pedestrian-friendly village center easily accessible from neighboring residential areas.
- (3) To provide essential services to residents.
- (4) To encourage housing on upper floors above retail stores in order to provide the necessary residential critical mass to make the village center feasible.
- (5) To develop a village center at a density that creates a sense of place, encourages pedestrian activity and uses infrastructure efficiently.
- (6) To create distinct gateways into the village center area.
- (7) To preserve lake communities and rural environs.

E. Open space goals:

- (1) To provide open space amenities for all residents in the village center and surrounding areas.
- (2) To maintain a greenbelt around the village center to delineate its boundaries.
- (3) To utilize landscaping and theme signage to accentuate the natural and built environment, connectivity and community identity.

F. Circulation goals:

- (1) To create pedestrian walkways, bikeways, and other pathways to enhance both the ability and desirability of walking and bicycling.
- (2) To design the interior roadways of the village center to meet the needs of motor vehicles, pedestrians and bicyclists.
- (3) To establish trails and greenways linking the village center with neighborhoods, schools, recreational facilities, and community facilities.

G. Parking goals:

- (1) To provide sufficient parking spaces to support demand while providing opportunities to reduce automobile trips through development design and opportunities for shared parking.
- (2) To reduce curb cuts on Route 206 to allow more efficient and safe use of the state highway.
- (3) To encourage lateral connections between parking lots.

H. Design goals:

- (1) To create building design that ensures privacy, safety and contributes to the long-term desirability of the community.
- (2) To require mixed-use buildings to be located in close proximity to the street to create an inviting pedestrian-friendly environment.
- (3) To foster small-town charm as a key design element for future development.

I. Economic goals: to promote economic development by encouraging retail, trade, service and tourism uses, particularly in relation to historic and recreational sites and cultural events. Such development should build upon attractions such as Waterloo Village, Wild West City and Tomahawk Lake.

J. Utility goals:

- (1) To provide, maintain, and expand utilities, community facilities and services necessary for the village center.
- (2) To provide public water to service the village center, including the Brookwoods and the Route 206 corridor.

§ 240-80. VC Village Center design standards and procedures.

A. Goals and objectives. To the extent reasonably possible, design and construction shall reduce:

- (1) Volume of cut and fill.
- (2) Area over which existing vegetation will be disturbed, especially on land within 200 feet of a river, pond, or stream, or having a slope of more than 25%.
- (3) Number of mature trees removed.
- (4) Visual prominence of man-made elements which are not necessary for safety or orientation.
- (5) Blockage of vistas through new development.
- (6) Number of driveways on existing streets.

- (7) Alteration in groundwater or surface-water levels.
- (8) Disturbance of important wildlife habitats, outstanding botanical features, scenic or historic environs.
- (9) Soil loss or instability during and after construction.
- (10) The area devoted to motor vehicle travel within the village center.

B. Application procedures: **[Amended 11-7-2005 by Ord. No. 12-2005]**

- (1) Applicants seeking approval for development within the VC Zone are strongly encouraged to submit an application for conceptual approval as the initial step in the process. The concept plan is designed to enable representatives of the Planning Board, its professionals and the Village Center Architectural Review Committee (ARC) to review the goals and standards of the Village Center Zoning District and the Smart Growth Ordinance. Neither the Planning Board nor applicant is strictly bound by the results of a conceptual approval. It is the Township's desire that the planning process in the VC Zone shall be facilitated through concept applications. Fees and escrow fees for a concept plan shall be 1/2 of those charged for a formal application. Credit for such fees shall be granted to any such applicant at the time of application for preliminary and/or final approval, as applicable. Twenty copies of the concept plan and three copies of the application, including specialized checklist for the VC Zone, shall be presented to the Secretary of the Planning Board at least 60 days prior to the date of the requested concept plan meeting. The concept plan will be forwarded by the Secretary to representative members of the Planning Board, its professionals, the ARC and other municipal professionals and representatives. The concept plan shall be drawn by a New Jersey licensed engineer, land surveyor or other approved professional and shall include those items included in the VC Zone checklist designed to highlight the requirements of the VC Zone. In addition, the concept plan shall show or include those requirements delineated in § 215-19 of the Byram Township Code, entitled "Concept submission for major subdivision."
- (2) Applicants seeking approval for development within the VC Zone are required to comply with the Township's Smart Growth Regulations and Standards and shall comply with the submission requirements in Chapters 45 and 215, as well as the additional submission requirements set forth below.
 - (a) The plan(s) shall be to scale and contain sufficient information to establish the identity of proposed uses, grades and the approximate dimension and location of proposed structures, streets, parking areas, walkways, easements and property lines, and any "critical areas," as defined in § 240-7.
 - (b) Proposed development layout.

- (c) Proposed reservation of open space and other areas under conservation easements.
 - (d) Proposed location of commercial/office uses, including all associated off-street parking.
 - (e) Types of dwellings and portions of the tract proposed therefor.
 - (f) Proposed location of dwellings and parking areas.
 - (g) A tabulation of the total number of acres in the proposed project and the percentage thereof designated for each of the proposed dwelling types and densities, neighborhood retail businesses, other nonresidential uses, off-street parking, streets, parks and other reservations, including the gross square footage of all buildings by use. All residential dwelling types should be incorporated in the proposed village center development. The total number of dwelling units by type and the percentage of the total shall be tabulated and submitted.
 - (h) Architectural elevations and floor plans of proposed structures, including details of all materials, colors and additional architectural features as required in this article.
 - (i) Delineation of existing woodland areas and proposed open space areas. All specimen trees shall be indicated on the concept plan.
 - (j) Proposed landscaping and tree preservation plan and tree replacement schedule.
 - (k) A metes and bounds description of the property subject to the application.
- (3) An application for development in the VC Zone is a subdivision and site plan application and requires a completeness review by the Planning Board's Subdivision and Site Plan Committee. The Committee will rely on the Village Center Zone Completeness Checklist, as defined in Article XIII, Smart Growth Regulations and Standards, and shall ensure compliance with the submission requirements in Chapters 45 and 215.
- (4) As a further condition of completeness, all applications shall be submitted to the Architectural Review Committee appointed by the Planning Board for review and comment regarding building styles and/or materials, the design and/or layout of streets and walking or bicycling paths and their furniture and the design of the open space, including tree preservation and landscaping, and the preservation of natural features, including existing topography.

C. Open space requirement:

- (1) Applications for development in the village center shall contain a detailed explanation of how the minimum open space requirements have been met.

- (2) Applications for development in the village center shall include a minimum of 40% open space, based on net developable land, exclusive of wetlands, wetland buffers and stream buffers. This open space shall be accessible and usable by the village center residents, such as the required five-acre central green, neighborhood squares or commons, recreational playing fields, woodland walking and/or bicycling trails, footpaths, community or pocket parks, or any combination of the above. In addition, no more than 20% of the minimum required open space may be comprised of active recreation facilities, such as playing fields, tennis courts, and the like.
- (3) The required open space shall be located and designed to add to the visual amenities of the village center and surrounding areas by maximizing the visibility of internal open space as terminal vistas and by maximizing the visibility of external open space as perimeter greenbelt land.
- (4) All open space shall be transferred to the Township as permanent, deed-restricted, open space and shall be added to the Township's permanent Open Space Inventory.

D. Commercial uses: **[Amended 6-7-2004 by Ord. No. 12-2004]**

- (1) A contiguous 10% of the gross tract area of the entire project shall be occupied by new commercial buildings and associated parking spaces. The projected footprint for new commercial buildings is 80,000 total square feet.
- (2) A contiguous area up to 15% of the gross tract area may be occupied by new commercial buildings and associated parking spaces if it includes second-story residential units. To qualify for the fifteen-percent figure, new commercial buildings shall be of two-story construction and at least 25% of the second-story space shall be designated for residential units.

E. Commercial/residential mixed uses:

- (1) When used to meet the minimum rental percentage, residential units above commercial uses shall comply with COAH standards and those set forth in § 240-81, Affordable housing. A separate residential entrance shall be required and constructed within the building footprint.
- (2) Permitted encroachments:
 - (a) Open front porches on the street level, not to extend further than six feet from the facade nor into the pedestrian right-of-way.
 - (b) Awnings shall not extend more than five feet from the facade.
- (3) Permitted roof types: gable, hip or combination.

F. General design guidelines for all structures:

- (1) 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 guidelines established for use by the Architectural Review Committee.
 - (2) Two- to four-family dwellings shall be designed to emulate traditional large single-family residences and shall not have "mirrored" or duplicate front facades.
 - (3) 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 housing styles, shapes, and materials within the overall theme of the village center as described in the Smart Growth Plan and the guidelines established for use by the Architectural Review Committee. Alternative materials may be approved if the Architectural Review Committee finds that they are appropriate and do not detract from the overall visual conformity of the traditional styles.
 - (4) One-third of all single-family homes shall be oriented with gable ends facing the street and at least 35% shall have a covered front-entry porch, raised a minimum of 18 inches above ground level.
 - (5) 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.
- G. 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 imposing if they are situated in a visual environment that is smaller in scale, such as the village center.
- (1) 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.
 - (2) 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.
 - (3) Expansive blank walls are prohibited.
 - (4) Buildings should be designed so the facade is the prominent architectural feature and the roof is visually less dominant in the total design.
 - (5) Gable and hip roofs are encouraged. Other roof types may be permitted if the Architectural Review Committee concludes that they are generally consistent

with traditional architectural styles and if materials suitable to such styles are used.

- (6) 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.
- (7) 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.

H. Exterior building design:

- (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. 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. Other walls shall incorporate architectural features and landscaping for at least 30% of the wall length.
- (2) Architectural features.
 - (a) 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 and are acceptable to the Architectural Review Committee.
 - (b) 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. Additional landscaping requirements are set forth in § 240-80R.
- (3) Building materials.
 - (a) 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.
 - (b) Alternative siding, metal panels or roofs, mirrored glass surfaces, or faux facade materials shall require the approval of the Architectural Review Committee and special care would be needed to not detract from the overall visual conformity of the traditional styles.
 - (c) Buildings may not be painted in bold colors, patterns, checks or stripes.

- (d) The use of earth-tone 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.
- (e) Exterior colors shall be subtle, neutral or earth-tone 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.

I. Facade treatment:

- (1) 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.
- (2) Commercial and mixed-use building facades shall have architectural features on all sides to appear as though all sides are the front.
- (3) 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.
- (4) 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.
- (5) Facade renovations should be consistent with the architectural styles detailed and encouraged in the Smart Growth Plan and this Article XIII.
- (6) Surface detailing should be integrated within the structure rather than applied for decorative purposes.
- (7) Exterior-mounted mechanical and electrical equipment shall be architecturally screened.
- (8) 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 1/2 hour after closing, whichever is earlier.
- (9) Clearly defined, highly visible customer entrances are encouraged, such as through the use of canopies, porticos, arches, wing walls, integral planters and similar features.

J. Roofs:

- (1) Roofs should be designed to reduce the apparent exterior mass, add visual interest and be appropriate to the architectural style of the building. Variations within one architectural style are highly encouraged. 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.
- (2) 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.
- (3) The roofline at the top of the structure should incorporate offsets and jogs to reduce the monotony of an uninterrupted roof plane.
- (4) 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.

K. 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 of five feet from adjoining properties. 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.
- (2) 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 Architectural Review Committee and shall include, but are not limited to, walls, fences, and landscaping. Screening must be at least five feet tall and visually impervious. In developments of multiple uses, all fences, walls, etc. shall be of similar materials.

L. Community amenities: 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.

M. Lighting and flagpoles:

- (1) Lighting shall be shielded and directed down onto the site so as not to shine or glare onto adjacent property or streets.
- (2) Freestanding light poles and/or fixtures and flagpoles shall not exceed 25 feet in height.

- (3) Streetlighting design shall be traditional in style and consistent throughout the village center and is subject to approval by the Architectural Review Committee.

N. Other requirements:

- (1) The use of street furniture (benches, tables, trash receptacles, etc.) is encouraged, provided that materials are consistent with the overall concept of the building design and locale in which the building is located.
- (2) 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. No awning shall extend more than five feet from the building facade or be less than eight feet above the ground. 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. Awning material shall be limited to cloth, canvas, metal and similar materials; stretched plastic or vinyl are prohibited. Awning colors should complement the building exterior and shall comply with § 240-80H(3)(e) such that awning colors shall be subtle, neutral or earth-tone colors and of low reflectance. The use of high-intensity colors, such as neon, metallic or fluorescent, for awning material is prohibited. **[Amended 11-7-2005 by Ord. No. 12-2005]**
- (3) At least one principal building entrance must be oriented toward the primary frontage property line.

O. Parking areas:

- (1) Parking for commercial structures is prohibited in front yard setback areas. Driveways and parking 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. Parking lots exposed to view shall be surrounded by a year-round, visually impervious screen, hedge or wall a minimum of 4 1/2 feet high. The height of the screen shall gradually decrease in height where driveways, walkways and sidewalks approach to provide adequate sight triangles.
- (3) 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. Landscaping should be utilized to soften the edges of parking lots and to provide a sense of lot borders or boundaries.
- (4) Parking lot layout should take into consideration pedestrian movement, and pedestrian crossings shall be installed where deemed necessary by the Planning Board.

- (5) Stormwater design must be approved by the Board engineer and is subject to all applicable standards.

P. Signs:

- (1) A maximum of three signs in combination shall be allowed for each permitted nonresidential use in any one structure, for any new development or change of use, or upon renovation of existing uses or structures in the village center. There shall only be one of each of the permitted signs dedicated to each permitted use on any one facade or ground space. When more than one business is proposed or exists in any one structure, all proposed signage shall be uniform, with the same combination of sizes, types, and materials used. Mixed-use or residential structures containing more than two dwelling units are permitted only one identification sign no larger than six square feet. Signs advertising a commercial use are prohibited above the first floor of any structure where residential uses exist on the second floor.
- (2) Permitted signs:
 - (a) Awning: limited to the business name and/or logo and street number, which shall not cover more than 25% of the total square footage of the surface of the awning. Signage is only permitted on one surface or side of the awning. Stretched plastic or vinyl awnings are prohibited. **[Amended 11-7-2005 by Ord. No. 12-2005]**
 - (b) Wall-mounted: limited to the business name and/or logo and street number, which shall not cover more than 15% of the total square footage of the first floor facade of the storefront to be advertised.
 - (c) Projecting: a two-sided sign mounted perpendicular to the facade of the approved use or business and shall have a maximum square footage of four feet.
 - (d) Window: painted lettering limited to the business name and/or logo and street number and shall not cover more than 15% of the total square footage of the window.
 - (e) Freestanding ground: with a total square footage of four square feet and a maximum height of five feet, permitted only when no directory sign exists, the maximum number of signs is not exceeded, and the structure contains only one advertised use.
 - (f) Directory: a combination of signs to advertise multiple approved uses within a structure, with a total square footage of no more than two square feet multiplied by the total number of approved uses. The height shall not exceed 15 feet or the height of the first story, whichever is less. No other ground signs are permitted where a directory sign exists or is proposed.

- (g) Temporary: a banner, sale, grand opening, or similar sign, no larger than two feet by eight feet. There may only be one temporary sign on any one structure, for a maximum of 30 days, and limited to a maximum of three per calendar year. A temporary sign will not to be considered in the total number of permitted signs.
- (3) 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.
 - (4) 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.
 - (5) 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.
 - (6) The applicant shall provide additional information deemed necessary to determine whether the master signage plan complies with the sign regulations.
 - (7) When installation or modification of a sign has been approved by the Planning Board as part of a development application, the Construction Official shall issue a sign permit only if the proposed sign is consistent with the approval.
 - (8) Measurement of sign area:
 - (a) Measurement of area of individual signs.

- [1] The total square footage of a sign shall be the total outside measurement of the surface or materials containing any writing or graphic illustration, picture, symbol or other display, together with any material or color forming an integral part of the background of the sign and used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets zoning regulations and is clearly incidental to the sign itself.
 - [2] Signs may not have more than two display faces. The sign area for a sign with two faces shall be computed by adding together the area of all sign faces visible from any one point. When a sign having two faces is such that both faces cannot be viewed from any point at the same time, the sign area shall be computed by the measurement of the larger of the two faces.
 - [3] For purposes of calculating window signs, a window shall be considered the glass area.
 - [4] Signs that are required by county, state or federal authorities are exempt from calculation up to the minimum size required (or one square foot if no minimum is required); any area in excess of the minimum shall be included in the sign calculation.
- (b) Measurement of height. The height of a freestanding sign is the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. A sign cannot be located on a berm or mound solely for the purpose of adding height to the sign. If the normal grade cannot reasonably be determined, the sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public road or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.
- (9) Design guidelines and regulations:
- (a) Signs shall be in harmony and consistent with the architecture of the building and relate to the features of the building in terms of location, scale, color, lettering, materials, texture and depth. Signs shall not be dominant, but shall be proportionate, and shall complement the building, existing signs, and surroundings.
 - (b) There shall be consistent sign design throughout a particular project. The design elements include style of lettering, construction materials, size and illumination.

- (c) Freestanding ground signs shall be integrated with the landscaping on site but shall not be raised on a berm for the sole purpose of increasing the height of the sign.
- (d) Building signs shall not obscure, conflict with, or cover any architectural element, and must be aligned with major building elements such as windows, trim and structure lines.
- (e) A sign shall not extend or project above the highest elevation of the wall to which it is attached or above the lowest part of the roofline of the building.
- (f) Electric wiring associated with a sign shall not be visible to public view.

(10) Illuminated signs:

- (a) Internally illuminated signs shall have characters, letters, figures and designs that are illuminated by electric lights as part of the sign proper, with dark or translucent background, and shall not blink or flash.
- (b) Externally lit signs shall be located in such a manner so as not to cause glare on any adjacent property or residential uses. Sources of sign illumination shall be completely shielded from the view of vehicular traffic using the road or roads abutting the lot on which the sign is located.
- (c) External lights used for the illumination of a sign on a building, whether or not such light fixtures are attached to or separate from the building, shall not extend above the highest elevation of the front wall of the building or more than 18 feet above the street level of the premises, whichever is less.

(11) Prohibited signs:

- (a) Billboards. **[Amended 12-4-2006 by Ord. No. 22-2006]**
- (b) Signs that advertise uses, special announcements or special interests not related to permitted uses within the zoning district. **[Added 12-4-2006 by Ord. No. 22-2006¹]**
- (c) Signs on fences, utility poles, trees, railway or road bridges, bridge supports or abutments, retaining walls or water towers, unless approved by the Planning Board.
- (d) A sign, device or object installed or placed on the roof of any structure.
- (e) Signs on poles.

1. Editor's Note: This ordinance also redesignated former Subsection P(11)(b) through (r) as Subsection P(11)(c) through (s), respectively.

- (f) Signs on an accessory structure.
- (g) Signs lit by means of a flashing light, or that are moving, mobile, revolving, electrically and/or mechanically activated in whole or in part.
- (h) Signs with the optical illusion of movement by means of a design, that presents a pattern capable of reverse perspective, giving the illusion of motion or changing of copy.
- (i) Commercial signs in a window that serves a residential use.
- (j) Signs on street furniture.
- (k) Televised advertising in a window.
- (l) The use and display of temporary portable signs, windsocks, banners, strings, streamers of flags, pennants, spinners, or similar objects and devices across, upon, over or along any premises or building, whether as part of a sign or for advertising or public attraction, or otherwise, except for:
 - [1] Temporary displays as provided for in this section.
 - [2] Temporary decorations customarily used for holidays or for special events, as may be approved by the Township.
- (m) Signs that are placed on or affixed to vehicles and/or trailers parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way, to advertise a product, service or activity or direct people to a business or activity located on the same or nearby property. This is not intended to prohibit signs placed on or affixed to vehicles or trailers where the sign is incidental to the primary use of the vehicle or trailer. However, the latter may not be parked on commercial property overnight or for more than a twenty-four-hour period for advertisement purposes.
- (n) Signs that obstruct any window or door opening used as a means of egress, or interfere with an opening required for ventilation, or are attached to or obstruct any standpipe, fire escape or fire hydrant.
- (o) Signs that obstruct the view of vehicle operators or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley or other thoroughfare.
- (p) Signs with trademarks or brand names (including umbrella signs) when the product is not available in the establishment or the maximum signage allowed has already been met.
- (q) Sign elements as part of the architectural elements of the building.

- (r) Inflatable signs and tethered balloons.
- (s) Neon or gas-filled decorations that outline facade elements or windows.

(12) Nonconforming signs:

- (a) A nonconforming sign may not be enlarged or altered in a way that would increase its nonconformity.
- (b) Existing nonconforming permanent signs may continue to exist until modified in shape, size, illumination or structure; at which time, the sign shall be made to conform with the provisions of this section.
- (c) A nonconforming sign that is damaged by any means shall not be reconstructed if the cost would be 50% or more of its replacement cost at time of damage; in which case, it can only be reconstructed in conformity with the provisions of this section.

(13) Removal of certain signs:

- (a) In the event that a business ceases operation for a period in excess of 60 days, the sign owner, lessee and/or the property owner shall immediately remove any sign identifying or advertising said business or any product. Should the sign owner, lessee and/or property owner fail to comply with this section, the Zoning Officer shall issue a written notice that such sign must be removed within the following time periods: sign face: 60 days; posts, columns and supporting structures: one year.
- (b) If the sign owner, lessee and/or or property owner fails to comply with a written notice to remove, the Zoning Officer is hereby authorized to cause removal of such sign, and any incidental expense shall be charged to the owner of the property and shall constitute a lien upon the property. For the purpose of this section, the word "remove" shall mean:

[1] The sign face, along with posts, columns or supports of freestanding signs, shall be taken down and removed from the property.

[2] The sign face and supporting structures of projecting or wall signs shall be taken down and removed from the property.

[3] Awnings: Lettering advertising the business may be removed, if possible, in lieu of complete removal of the awning. If this cannot be accomplished without remnants of the signage remaining, the entire awning shall be removed.

- (14) Sign permit revocable. All rights and privileges under the provisions of this chapter or any amendment thereto are revocable at any time by the Zoning Officer if the applicant fails to accurately depict the sign erected or to be

erected or if the sign that is erected does not meet the details of the drawing submitted.

Q. Streets, roadways, alleys, streetscapes: **[Amended 11-7-2005 by Ord. No. 12-2005]**

- (1) Design guidelines for streets and roadways. Where practicable, development within the village center shall create or encourage land use and street design that is compatible with and encourages pedestrian traffic. Building placement, in conjunction with display windows on all sides, further enhances the pedestrian orientation of the area. Shade trees shall be located to frame the streets and roadways to create a canopy effect when matured. Street furniture, such as benches, decorative streetlighting and trash receptacles, will also help to create an enhanced pedestrian environment.
- (2) Design guidelines for alleys. Residential development within the VC Zone 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. Alleys within the VC Zone will be constructed in compliance with RSIS standards for alleys (one-way or two-way). Alleyways are intended to provide a secondary means of access to lots. Off-site parking shall be prohibited in the alleyways, which should be designed to discourage through traffic. Alleys should accommodate the storage and collection of garbage and recycling. Alleys become the property of a homeowners' association, and all maintenance and repairs shall be the responsibility of the homeowners' association. Alleys will not become Township streets.
- (3) To the extent reasonably possible, design and construction shall increase the following:
 - (a) Use of 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) Solar orientation of buildings facilitated by street layout;
 - (d) Use of curvilinear or grid patterns;
 - (e) The view of, and the view from, buildings and other prominent vistas within the village center;
 - (f) Convenient and pleasant pedestrian travel rather than driving within the village center; and
 - (g) The creation of vista terminations within the village center.
- (4) Referenced standards. A Policy on Geometric Design of Highways and Streets, by the American Association of State Highway and Transportation

Officials (AASHTO), latest edition, as amended, contains guidelines as follows. The design guidelines herein further amend AASHTO standards insofar as they apply to the Township of Byram.

- (a) Layout. Wherever possible, easements shall be continuous from block to block and laid out to minimize irregularities. The minimum easement width shall be 20 feet, except within the commercial component, where the minimum easement width shall be 13 feet.
- (b) Watercourses. 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. Streets or pedestrianways that are parallel to streams or watercourses and/or appropriate accesses may be required in connection therewith. The placement of streams or watercourses into open or covered culverts shall be kept to a minimum.
- (c) Utilities. Utility easements shall at least 20 feet wide and shall generally follow lot lines or be centered on the rear or side lot lines. 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 free easement immediately abutting the right-of-way. Utilities may also be permitted to be located within the right-of-way under parking areas and pedestrianways abutting the right-of-way.
- (d) Pedestrianways/sidewalks:
 - [1] Pedestrianways shall be required for convenient circulation and access to schools, playgrounds, shopping, transportation, parks, conservation areas and other facilities. The minimum requirement for pedestrianways within the commercial core shall be a ten-foot-wide easement immediately abutting the road right-of-way, including an eight-foot-wide sidewalk. Throughout the remainder of the village center, pedestrianways shall consist of an easement at least 10 feet wide, including a sidewalk at least six feet wide.
 - [2] Pedestrianways 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, dropoff bays and

bicycle facilities for at least 50% of the length of the walkway. Walkways shall be connected to adjacent sites wherever practical.

- [4] Walkways from parking areas to building entrances: Internal pedestrian walkways shall be developed to provide access to building entrance(s) from parking lot(s). Walkways shall be designed to separate people from moving vehicles to the maximum extent possible. 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 in accordance with the Building Code and Americans with 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 acceptable to the Architectural Review Committee.
- (5) Arrangement. Proposed streets shall be considered in relation to existing and planned streets, topographic and geologic conditions, public convenience and safety and safe vehicular travel. Due consideration shall also be given to the attractiveness of the street layout in order to obtain the maximum amenity of the subdivision and avoid excessive cut and fills.
- (a) Long straight sections of roadway shall be avoided where possible. All streets shall have a design speed of 25 miles per hour. Straight roadway sections shall have a vista termination (i.e., a lot, building, church with spire, government building, monument/statue site, fountain) located at an intersection or at the end of the street(s) or pedestrianways. A vista termination shall be prominently visible from one or more streets or ways approaching said site.
 - (b) Proposed street design shall also provide for appropriate continuation of existing streets of similar design speed and the extension of streets into adjoining land.
 - (c) Access to feeder streets: Subdivisions and extensions of subdivisions serving or capable of serving 25 lots or more shall have at least two roadway accesses to existing or proposed street(s) having a design speed of 25 miles per hour or greater.
- (6) Reconstruction. Where development of a subdivision may cause congestion or a safety hazard to pedestrian or vehicular traffic on adjacent public ways, provision shall be made for the reconstruction of adjacent public ways or the addition of alternate access roads or other remedial steps, subject to Planning Board approval.

- (7) Street jogs. Continuation of a street through an intersection where the center line of the paved surface is not aligned on both sides of the intersection is prohibited.
- (8) Reverse curves. Reverse curves on streets may be separated by a straight section of road of least 150 feet in length if a street has a design speed of 25 miles per hour or less. This can be addressed on a case-by-case basis during the plan review process to ensure that public safety is not impacted.
- (9) Level of service. All development applications shall provide the appropriate level-of-service (LOS) flows for traffic analysis.

R. Landscaping:

- (1) Tree removal:
 - (a) 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.
 - (b) 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 immediate construction. Other areas shall remain in the natural state.
- (2) Landscape design:
 - (a) 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.
 - (b) Landscaping for commercial uses should 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.
 - (c) 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.
 - (d) Trees should be located throughout the parking lot and not simply at the ends of parking aisles.

- (e) Landscaping should be protected from vehicular and pedestrian encroachment by raised planted surfaces, depressed walks, or the use of curbs.
 - (f) The use of vines and climbing plants on buildings, trellises and perimeter garden walls is strongly encouraged.
 - (g) Plants in boxed, clay or wood containers should be used to enhance sidewalk shops, plazas, and courtyards.
 - (h) Landscaping shall not obstruct visibility at drive-aisle intersections.
- (3) Shade trees along streets:
- (a) 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. Said 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

- (b) 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.
- (c) Shade trees shall meet all of the following requirements:
 - [1] Measure three to 3 1/2 inches in diameter six inches above the ground.
 - [2] 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.
 - [3] Have a straight trunk and be properly staked.

- [4] Be balled and burlapped, well-branched and with a good root system. Backfill shall consist of fifty-percent humus for each tree, and each tree shall be thoroughly watered and properly pruned at the time of planting.
- (d) Trees to be planted in any street right-of-way shall be subject to the approval of the Township Engineer.
 - (e) 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.
 - (f) 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.
- (4) The planting of shrubbery, bushes, flowers and similar plantings shall be designed to serve decorative and ornamental functions as well as screening and buffering. Junipers, yews and similar evergreen plants shall largely be used for screening and buffering, while 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. The use of flowerbeds and planters is strongly encouraged in all nonresidential zones.
- (5) Parking areas. 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 shade tree requirements of § 240-80Q(3)(a), Shade trees, 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.
- (6) Loading areas. 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.

- (7) Replacement. 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.
- (8) Post development inspection. All landscaping shall be subject to a post development inspection by the Township Engineer and/or a representative of the Planning Board.
- (9) 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.
- (10) Landscape coverage:
 - (a) 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.
 - (b) Parking lot landscaping shall consist of a minimum of 5% of the total parking area, excluding the perimeter landscaping and buffer areas required in § 240-80Q, plus a ratio of one tree per 10 parking stalls to create a canopy effect upon maturity.
 - (c) Landscaped buffers between parking areas, parking pads and internal streets shall have a minimum width of five feet with no car overhang and 10 feet with a car overhang.
 - (d) Landscaped buffers between parking and on abutting property line shall have a minimum width of 10 feet.
 - (e) Front or exterior yard landscaping may not be substituted for the landscaping required for interior parking stalls.
 - (f) 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).
 - (g) Landscaped buffers shall consist of evergreen ground cover and shrubs mixed with a variety of flowering and deciduous plant species of trees and shrubs.
 - (h) 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.
 - (i) Required landscaping shall be continuously maintained.

- (11) Replacement and maintenance. 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.

S. Walls and fences:

- (1) Walls shall not be utilized within commercial areas unless required for screening, security or separation of incompatible land uses.
- (2) Walls should be designed to blend with the site's architecture. Both sides of all perimeter walls or fences should be architecturally treated. Brick, stone, and stucco shall be used whenever possible. Landscaping should be used in combination with all walls.

T. Lighting:

- (1) 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 approved by the Architectural Review Committee. 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. Wherever possible, the lighting shall be similar and conforming.
- (2) 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.
- (3) Lighting shall not shine directly or reflect into windows, or shine onto streets and driveways so as to interfere with driver vision.
- (4) Lights that have a yellow, red, green or blue beam and/or that rotate, pulsate or operate intermittently are prohibited.
- (5) 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.
- (6) The maximum height of lights shall be 15 feet measured from the surrounding grade.

U. Utilities:

- (1) 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.

- (2) 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. 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.
 - (3) Year-round screening of aboveground utility apparatus is required except for utility poles.
- V. Construction. After the entire village center project has been designed and approved, 100% of the commercial component must be completed before construction of single-family housing will be permitted. The village center project may be constructed in phases at the developer's request, subject to Planning Board approval and the following restrictions: **[Amended 6-7-2004 by Ord. No. 12-2004]**
- (1) Up to 1/3 of the multifamily (apartment and/or townhouse) residential dwellings may be constructed in the initial phase.
 - (2) The entire commercial component must be completed before construction may be commenced on any single-family residence.
- W. Preliminary plats shall be drawn by a New Jersey licensed professional engineer or land surveyor and shall meet all the provisions of §§ 215-19 and 215-20 and shall show or be accompanied by the following information: **[Added 11-7-2005 by Ord. No. 12-2005]**
- (1) General information. Information required for all preliminary plats for major subdivision

General Information	Included	Not Included (Board Use Only)	Waiver Sought
1. Byram land development application form properly filled out			
2. A key map showing the entire village center and the proposed street pattern in the area and the relationship of the tract to the adjacent property, to be drafted at no larger than 1 inch equals 1,500 feet			
3. Tract name			
4. Tax Map sheet			
5. Block and lot numbers			
6. Date			
7. Reference meridian			
8. North arrow			
9. Graphic scale			
10. The name and address of the record owner(s)			
11. The name and address of the applicant(s)			
12. The name and address of the person who prepared the map			
13. The name and lot and block of all adjoining landowners within 200 feet as disclosed by the most recent Township tax records			
14. The total acreage of the tract to the nearest 1/10 of an acre			

General Information	Included	Not Included (Board Use Only)	Waiver Sought
15. The location of existing and proposed property lines showing the dimensions of each			
16. All existing structures on the tract to be subdivided and within 200 feet			
17. All zoning districts and the location of any zoning boundaries within the tract			
18. Bulk standards charts and any requested variances			
19. All requested waivers			
20. A place for the signature of the Chairman and Secretary of the Planning Board			
21. A place for the signature of Planning Board Engineer			
22. A copy of any existing or proposed protective or restrictive covenants or deed restrictions applying to land being subdivided shall be submitted with the preliminary plat			
23. Certification as to whether or not the property sought to be developed is within a one-hundred-year floodplain			

General Information	Included	Not Included (Board Use Only)	Waiver Sought
24. Certification as to whether or not the property sought to be developed is within a critical area as designated in this chapter			
25. An environmental impact statement meeting all the standards set forth in Article VII			
26. A soil erosion and sedimentation control plan meeting all of the standards set forth in Article VIII			
27. A traffic impact study of the proposed development			
28. List of other permits from other approving authorities (NJDEP, Sussex County, Highlands) filed for in conjunction with this application			

(2) Statement of purpose and intent. A narrative statement that addresses how that applicant will meet the goals of the Smart Growth Regulations for the village center.

Statements of Purpose and Intent	Included	Not Included (Board Use Only)	Waiver Sought
29. General goals			
30. Environmental goals			

Statements of Purpose and Intent	Included	Not Included (Board Use Only)	Waiver Sought
31. Land use goals			
32. Open space goals			
33. Circulation goals			
34. Parking goals			
35. Design goals			
36. Economic goals			
37. Utility goals			

(3) Notes. Provide a series of notes either together or on appropriate plan pages that provide the following information and reference the appropriate plan pages where compliance is demonstrated:

Statements of Compliance	Included	Not Included (Board Use Only)	Waiver Sought
38. Compliance with open space requirements			
39. Compliance with commercial use requirements			
40. Compliance with commercial/residential use conditions			
41. Compliance with general design guidelines for all structures			
42. Compliance with building massing and scale requirements			
43. Compliance with exterior building design requirements			

Statements of Compliance	Included	Not Included (Board Use Only)	Waiver Sought
44.	Compliance with facade treatment requirements		
45.	Compliance with roof requirements		
46.	Compliance with loading and service area requirements		
47.	Compliance with lighting requirements		
48.	Compliance with parking requirements		
49.	Compliance with signage requirements		
50.	Compliance with streets, roadways and streetscape requirements		
51.	Compliance with landscaping requirements		
52.	Compliance with other requirements (street furniture, awnings, walls)		
53.	Volume of cut and fill		
54.	Area of disturbance with separate figures for critical areas		
55.	Number of mature trees removed and number of trees to be planted		
56.	Number of driveways on existing streets		

Statements of Compliance	Included	Not Included (Board Use Only)	Waiver Sought
57.	Total area devoted to vehicle travel in village center		
58.	Area tabulation forms (see below)		
 (4) Site plan requirements.			
(a)	General site plan. General site plan showing the site in its entirety and portray the general land use plan for the village center. It shall clearly illustrate the applicant's proposal to fully comply with the intent and purpose of the Smart Growth Regulations for the village center.		

General Site Plan	Included	Not Included (Board Use Only)	Waiver Sought
59.	The plat shall be drawn accurately to scale; general site plan to be drafted at no larger than 1 inch equals 100 feet		
60.	Contour lines at five-foot intervals		
61.	General development layout to include location of:		XXXXXX
	a. Proposed commercial/ office uses and associated parking		
	b. Proposed residential uses and associated parking		

General Site Plan	Included	Not Included (Board Use Only)	Waiver Sought
c. Proposed mixed uses and associated parking			
d. Proposed civic spaces and associated parking			
e. Structures numbered and labeled to show compliance with use requirements			
f. All access drives on the property, existing or proposed			
g. Existing and proposed streets and rights-of-way			
h. Walkways, sidewalks and trails			
i. Watercourses and drainage ditches			
j. Railroads, bridges, culverts, drainpipes			
k. Parking areas, parking stalls, parking circulation			
l. Signage			

General Site Plan	Included	Not Included (Board Use Only)	Waiver Sought
m. Landscaping elements and buffers, including existing vegetation			
n. Natural features such as wooded areas or rock formations			
o. Critical areas, including required buffers and transition areas			
p. Easements, restrictions			
q. Stormwater retention areas			
r. Pre- and post development grading			
s. Adjacent structures, streets, highways and property boundaries			

General Site Plan	Included	Not Included (Board Use Only)	Waiver Sought
<p>t. Provisions for fire protection, including the type of construction, volume of the building, fire zones, location of the two nearest fire hydrants and any and all other provisions for fire protection</p>			

- (b) Detailed site plans. Detailed site plans showing detailed sections of each portion of the site and portray the detailed plan for elements of the village center. It shall clearly illustrate the applicant's proposal to fully comply with the technical requirements of the Smart Growth Regulations for the village center.

Detailed Site Plans	Included	Not Included (Board Use Only)	Waiver Sought
<p>62. The plat shall be drawn accurately to scale; detailed site plan sections to be drafted no larger than 1 inch equals 5 feet</p>			
<p>63. Contour lines at five-foot intervals</p>			
<p>64. Detailed development layout to include location of and dimensions for:</p> <ul style="list-style-type: none"> a. Principal structures b. Accessory structures c. Open space areas d. Building setback lines, as required e. Lot dimensions and property boundaries f. Individual lot areas g. Block and lot numbers assigned by Tax Assessor 			

Detailed Site Plans	Included	Not Included (Board Use Only)	Waiver Sought
h. Street address assigned by Tax Assessor and approved by Sussex County Emergency Services			
i. Rights-of-way			
j. Cartways			
k. Walkways, sidewalks and trails			
l. Parking areas, parking stalls, parking circulation			
m. Landscaping elements and buffers, including existing vegetation			
n. Signage			
o. Critical areas, including required buffers and transition areas			
p. Stormwater detention/retention areas			
q. Pre- and postdevelopment grading			
r. Adjacent structures, streets, highways and property boundaries			

(5) Landscaping and lighting plans. Landscaping and lighting plans showing detailed sections of each portion of the site and portray the detailed plan for landscaping and lighting elements of the village center. They shall clearly illustrate the applicant's proposal to fully comply with the technical requirements of the Smart Growth Regulations for the village center.

Landscaping and Lighting Plans	Included	Not Included (Board Use Only)	Waiver Sought
65. The plat shall be drawn accurately to scale; landscaping and lighting plan sections to be drafted no larger than 1 inch equals 50 feet			
66. Contour lines at five-foot intervals			
67. Landscaping and lighting plans to include location of and dimensions for: <ul style="list-style-type: none"> a. Tree removal b. Tree replacement c. Shade trees and other plant materials d. Planting areas e. Berms and water features f. Parking areas g. Loading areas h. Streetlights with iso-footcandle drawings i. Building lights with iso-footcandle drawings j. Parking area lighting with iso-footcandle drawings 			XXXXXXXX

Landscaping and Lighting Plans	Included	Not Included (Board Use Only)	Waiver Sought
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- k. Other landscape features and furniture (gazebos, patios, benches, etc.)

(6) Utilities plan. Utilities plan showing feasible connections to existing or any proposed utility system or plans for any proposed treatment plant.

Utilities Plan	Included	Not Included (Board Use Only)	Waiver Sought
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- 68. The plat shall be drawn accurately to scale; utilities plan sections to be drafted no larger than 1 inch equals 100 feet
- 69. Contour lines at five-foot intervals
- 70. Utilities plan to include location of and dimensions for:
 - a. Sanitary sewers
 - b. Storm drains
 - c. Waterlines
 - d. Fire hydrants
 - e. Gas lines
 - f. Electricity
 - g. Telephone
 - h. Cable

XXXXXXX

(7) Grading plan. Preliminary grading and drainage system plan. This shall conform to the specifications furnished by the Township Engineer.

		Not Included (Board Use Only)	Waiver Sought
Grading Plan	Included		
71. The plat shall be drawn accurately to scale; grading plan to be drafted no larger than 1 inch equals 100 feet			
72. Contour lines at five-foot intervals			
 (8) Master signage plan. Master signage plan showing detailed, scaled renderings for all proposed signage throughout the village center. They shall clearly illustrate the applicant's proposal to fully comply with the technical requirements of the Smart Growth Regulations for the village center.			

		Not Included (Board Use Only)	Waiver Sought
Master Signage Plan	Included		
73. The plat shall be drawn accurately to scale			
74. Master signage plan to include:			XXXXXX
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)			

Master Signage Plan	Included	Not Included (Board Use Only)	Waiver Sought
<ul style="list-style-type: none"> g. Location (i.e., height above grade, distance from roofline, building width, location from property lines, streets, sidewalks, and structures) h. Elevation sketches or photo simulations of signs 			
<p>(9) Building and street elevations. Building and street elevations showing detailed, scaled renderings for all proposed building and street types throughout the village center. They shall clearly illustrate the applicant's proposal to fully comply with the technical requirements of the Smart Growth Regulations for the village center and the village center design guidelines.</p>			

Building and Street Elevations	Included	Not Included (Board Use Only)	Waiver Sought
75. The plat shall be drawn accurately to scale; the building and street elevations to be drafted no larger than 1/16 inch equals one foot			
76. The building and street elevations to include:			XXXXXX
a. Cross sections of all proposed streets based on the design standards of Articles V and VI			
b. Center-line profiles of all proposed streets based on the design standards of Articles V and VI			

Building and Street Elevations	Included	Not Included (Board Use Only)	Waiver Sought
c. Tentative grades of all proposed streets based on the design standards of Articles V and VI			
d. Renderings of representative street elevations			
e. Architectural building elevations for each major residential building type:			
[i] Single-family			
[ii] Multifamily			
[iii] Townhouse			
[iv] Commercial with second-story apartment			
f. Architectural building elevations for each commercial building			
g. Architectural building elevations for each civic use building			
77. Statement of compliance with building massing and scale requirements			
78. Statement of compliance with exterior building design requirements			
79. Statement of compliance with facade treatment requirements			
80. Statement of compliance with roof requirements			

- (10) Waivers sought from Article XIII checklist for completeness and reason for waiver. The applicant shall provide a reason for each waiver sought to deviate from the checklist. Each shall reference the checklist number.

Waiver Sought	Checklist Number	Reason
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- (11) Area tabulation forms for all land uses per the Smart Growth Ordinance.

Area Tabulation Forms

Land Area by Use	Acres	Total Acres =
		Percent of Total Acres

Residential lots - total		
Single-family		
Multifamily		
Townhouse		
Commercial with second-story apartment		
Retail, commercial and mixed-use lots (including the off-street parking)		
Civic use		
Off-street parking		
Roads		
Publicly dedicated		
open space - total		
Passive recreation		
Active recreation		
Central green		
Buffer areas		

Total:

Total Square Feet

Building Area by Use	Square Feet	Percent of Total
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Residential above commercial		
Retail		
Office		
Civic use		

		Total Square Feet	
Building Area by Use	Square Feet	Percent of Total	
Total:			
		Total Number of	Percent of Total
Dwelling Units	Senior Units	Units	Dwelling Units
by Type			
Single-family			
Multifamily			
Townhouse			
Commercial with second-story apartment			
Total:			
COAH Units	Senior Units	Total Number of Units	
Single-family			
Multifamily			
Townhouse			
Commercial with second-story apartment			
Total:			

§ 240-59. VC Village Center Mixed-Use District.¹ [Added 1-5-2004 by Ord. No. 22-2003]

A. Purpose. The Village Center Mixed-Use Zone (VC Zone) is intended to be the primary focal point of new development in order to implement the objectives and goals of the Township's Smart Growth Plan, as well as satisfy its COAH certification and obligation. The zone is intended to take advantage of its central location and proximity to community amenities and infrastructure. The primary purpose of the VC Zone 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 Village Center Zone is intended to provide pedestrian-oriented commercial services to planned 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 Zone must be well integrated to create a neotraditional, pedestrian-oriented, village-like development. The intent of this district is to encourage new development while still providing for open space, common greens and civic centers. The Village Center concept, through comprehensive project design, shall be the defining element for any new development. All new development proposals, as well as proposed changes, alterations and rehabilitation of existing structures or uses, shall be subject to the standards and objectives in Article XIII of this chapter. All housing components are subject to the provisions of Article XIV, Affordable Housing. **[Amended 11-7-2005 by Ord. No. 12-2005]**

B. Definitions. As used in this article, the following terms shall have the meanings indicated: **[Added 3-15-2004 by Ord. No. 6-2004²; amended 11-7-2005 by Ord. No. 12-2005]**

APARTMENTS — One or more rooms with cooking, sleeping and private sanitary facilities comprising an independent self-contained dwelling unit in a building containing three or more dwelling units. Apartments are rental units only.

ARCHITECTURAL REVIEW COMMITTEE — An advisory panel to the Byram Township Planning Board, appointed annually by the Mayor. The Committee shall consist of five to eight members, to include two sitting members of the Planning Board, two members of the general public and a Township employee.

BANQUET HALL/CATERING FACILITY — A facility for use by businesses engaged in selling prepared food (ready to be consumed) and beverages for celebrations, parties, seminars, meetings and similar functions where waiters serve the guests/participants.

BED-AND-BREAKFAST FACILITY (B&B) — An owner-occupied premises where overnight accommodations and a morning meal are provided for

1. Editor's Note: Former § 240-59, I Industrial District, amended 12-21-1987 by Ord. No. 15-1987, was repealed 9-7-1993 by Ord. No. 5-1993.

2. Editor's Note: This ordinance also renumbered former Subsection B, Primary Intended Uses, as Subsection C, and subsequent subsections were renumbered consecutively.

compensation to transients who stay less than one week. The impact of a B&B should not be much greater than that of a private residence with frequent house guests. Food services shall be limited to breakfast for guests.

CENTRAL GREEN — A large parcel of land (minimum five acres) set aside, dedicated, designated or reserved for public use or enjoyment, which may include such complementary structures and improvements as are necessary and appropriate for entertainment or recreation, with such facilities being a small portion of the overall space.

COMMUNITY PARK/POCKET PARK — A small parcel of land set aside, dedicated, designated or reserved for public use or enjoyment, which may include such complementary structures and improvements as are necessary and appropriate for entertainment or recreation, with such facilities being no more than 1/2 of the overall space.

COUNCIL ON AFFORDABLE HOUSING (COAH) — New Jersey Council on Affordable Housing established by P.L. 1985, Chapter 222, Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

DESIGNATED VILLAGE CENTER (referred to as "DESIGNATED VC") — The area of commercial and mixed-use development officially declared by the State Planning Commission as Byram Township's Designated Village Center pursuant to the State Development and Redevelopment Plan. This area is approximately defined as those parcels immediately adjacent to Route 206, from Acorn Street to the northern boundary of the Byram Plaza parcel and including the Village Center Zone (VC Zone). Exact boundaries of the Designated Village Center are contained in the State Plan and the Highlands Protection Act.

DRIVE-UP SERVICE/FACILITY — An establishment that by design, physical facilities, service or by packaging procedures encourages or permits customers to receive goods or services while remaining in their motor vehicles.

DWELLING UNIT — One or more rooms designed, occupied or intended for occupancy as a separate living quarters, with cooking, sleeping and private sanitary facilities provided within the dwelling unit for the exclusive use of one or more persons living together and maintaining a common household.

EXTERNAL ATTACHED GARAGE — A structure accessory to a residential dwelling used for the parking and storage of vehicles owned and operated by the residents thereof and not a separate enterprise available to the general public. Said garage must be adjacent and attached to the principal structure and shall not have any portion of the second floor above it and is not to be considered as living space.

FACADE DESIGN/LAYOUT ALTERATIONS — Facade design or layout alterations are defined as, but not limited to, changes in building materials (brick, wood, native stone, clapboard or stylized shingles); changes in window location, size, shape or type; changes in roof type or orientation; inclusion or exclusion of shutters or style of shutters; inclusion or exclusion of awnings or style/shape of

awnings; or any other variations deemed appropriate by the Architectural Review Committee.

INN — A commercial facility for the housing and feeding of transients. An inn is commonly distinguished from a hotel or motel by its smaller size and purportedly more personal atmosphere. Full food and beverage service to lodgers or dining guests is allowed when proper zoning requirements are met.

INTERNAL ATTACHED GARAGE — A structure accessory to a residential dwelling used for the parking and storage of vehicles owned and operated by the residents thereof and not a separate enterprise available to the general public. Said garage is integral to the principal structure and occupies a portion of the first floor not to be considered as living space.

LANDSCAPE PLAN — A plan that identifies areas of tree preservation and methods of tree protection within the protected zone as well as areas of replanting. Within replanting areas, the common and botanical name of the proposed species, the number of plants of each species, the size of all plant materials, the proposed location of all plant materials and any unique features of the plant material shall be indicated.

MIXED-USE BUILDING — A structure containing a combination of permitted uses. Residential shall be on the second floor only.

NEIGHBORHOOD COMMONS — Lands within or related to a development, not individually owned or dedicated to public use, that is designed and intended for the common use and enjoyment of the residents and their guests, and may include such complementary structures and improvements as are necessary and appropriate.

OPEN SPACE — Permanently preserved, publicly owned lands accessible to and usable by all residents of Byram Township. Open space shall include but not be limited to a central green, neighborhood square(s) or commons, recreational playing fields, woodland walking and/or biking trails, footpaths, community or pocket parks or any combination of the above. Open space shall not include lawns and landscaped areas on private residential or commercial lots. Within the Village Center Zone, no more than 20% of the minimum required open space may be comprised of active recreation facilities, such as playing fields, tennis courts and the like.

PERSONAL SERVICES — Establishments primarily engaged in providing services involving the care of a person or his/her personal goods or apparel, including but not limited to laundry, cleaning and pressing services; beauty and barbershops; shoe repair; health clubs; clothing retail; and domestic services.

PROFESSIONAL OFFICE — The office of a professional maintained for the conduct of that profession, including but not limited to attorneys, medical practitioners, engineers, accountants, financial planners and architects.

PROTECTED ZONES — All areas of a parcel that fall outside of the building area and which are required to remain an open space, together with all areas required as

landscaping strips, according to provisions of zoning regulations or conditions of zoning approval.

REPAIR SERVICES — Establishments primarily providing repair services to individuals and households, rather than businesses, including but not limited to appliance repair, shoe repair, watch or jewelry repair or repair of musical instruments (exclusive of automobile, small engine, motor, equipment and automobile parts refurbishing, rebuilding and repair).

SERVICE ESTABLISHMENTS — Establishments primarily engaged in providing assistance, as opposed to products, to individuals and businesses, including but not limited to personal, health, educational, entertainment, recreation or repair service; (exclusive of automobile repair).

SPECIMEN TREE — Any tree that has a caliper of greater than 18 inches, measured 4 1/2 feet above the surrounding ground, or that has been determined by a certified arborist to be of high value because of its type, size, age or other professional criteria.

STREET/PARK FURNITURE — Aboveground objects constructed to improve the appearance and/or function of a street or park in accordance with its planned use, including but not limited to outdoor seating, benches, bus shelters, sculptures, landscape planters, trash receptacles, fountains, telephone booths, kiosks and any other objects that have potential for enlivening and giving variety to streets, sidewalks, plazas and any other outdoor space open to the public.

TOWNHOUSE — Attached single-family dwelling units, each having its own front and rear entrance and separated from adjoining units by one or more common fire-resistant walls, which are established in accordance with New Jersey Condominium Law and controlled by a condominium association that controls and maintains all structures, landscaping and other common elements as approved by the Planning Board and defined in bylaws and master deed(s).

TWO- TO FOUR-FAMILY DWELLING — A building on a single lot containing two to four dwelling units, each of which is totally separated from the others by an unpierced wall extending from ground to roof, and/or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to multiple-dwelling units.

VILLAGE CENTER — That area of Byram Township consisting of the Designated Village Center and Village Center Zone.

VILLAGE CENTER ZONE (REFERRED TO AS VC ZONE) — The area zoned for mixed-use commercial and residential development and subject to Byram Township's Village Center Ordinance. It is located at the southeastern corner of Route 206 and Lackawanna Drive and is bounded on the south by Lubbers Run and on the east by the Family Theme Park Zone. The VC Zone is part of the Designated VC (Designated Village Center) and is the only part of the Designated VC zoned

for single-family, townhouse, condominium or other nonapartment residential development.

WHOLESALE STORE/WAREHOUSES — Establishments or places of wholesale business primarily used to sell or warehouse merchandise to retailers, industrial, commercial, institutional or professional business users, other wholesalers, individuals or companies.

C. Primary intended uses.

- (1) Retail stores, such as bookstore, clothing and accessory boutique, bakery, jeweler, florist, pharmacy.
- (2) Service establishments. **[Amended 3-15-2004 by Ord. No. 6-2004]**
- (3) Professional offices.
- (4) Financial institutions exclusive of drive-up service.
- (5) Restaurants exclusive of drive-up service.
- (6) Mixed-use buildings containing a combination of permitted uses. Residential shall be on the second floor only.
- (7) Community and municipal buildings.
- (8) Public open space.
- (9) Apartments (on upper floors) of permitted commercial uses.
- (10) Single-family detached dwellings.
- (11) Townhouses.
- (12) Two- to four-family dwellings.
- (13) Senior housing.
- (14) Live/work uses for licensed professionals, service providers and artisans.
- (15) Bed-and-breakfast facilities; inns.
- (16) Bars and taverns.
- (17) Health and fitness centers.
- (18) Open space land permanently protected through conservation easements.

D. Prohibited uses. Any use not listed in § 240-59C, or deemed compatible by the Planning Board, is prohibited. This shall include, but is not limited to, the following:

- (1) Gasoline stations or auto repair, auto body uses.

- (2) Commercial uses with a footprint of structure in excess of 10,000 square feet or requiring more than 40 parking spaces.
 - (3) Drive-up facilities and uses.
 - (4) Wholesale stores and/or warehouses.
 - (5) Industrial uses.
 - (6) Uses requiring delivery by tractor-trailer.
 - (7) Outdoor display or storage.
 - (8) Dump, junkyard, or environmentally destructive or contaminating uses.
 - (9) On-site dry-cleaning facilities.
 - (10) Banquet hall/catering facilities.
- E. Zoning bulk requirements: **[Amended 6-7-2004 by Ord. No. 12-2004; 11-7-2005 by Ord. No. 12-2005]**
- (1) Minimum tract size shall be 65 acres gross.
 - (2) Minimum setback from Lubbers Run shall be 200 feet or the minimum setback required by NJDEP, whichever is greater.
 - (3) Minimum open space of 40%, which shall include a minimum five-acre centrally located green from which all development shall radiate. 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.
 - (4) Total new commercial construction in the VC Zone shall occupy a minimum of 10% of the gross tract area, except as permitted by § 240-80D(2).
 - (5) The minimum residential construction in the VC Zone shall comply with the Township's substantive certification for affordable housing from COAH (25 units), plus any growth share obligation pursuant to the revised COAH regulations (Phase III). The number of market residential units shall not exceed 100. All housing shall be subject to the provisions of Article XIV.
 - (6) All residential housing types are encouraged, with the following minimum percentages:
 - (a) Total rental units shall be a minimum of nine units, as required by COAH. In all, not less than 34 housing units shall be income-restricted in accordance with the Township's fair share obligation.
 - (b) Senior housing shall constitute a minimum 25% of total.

- (c) Single-family detached shall constitute a minimum of 25% and a maximum of 40% of the total.
 - (d) Housing types must be mixed throughout the site, and any one particular housing type cannot be concentrated into any one area of the site.
 - (e) Affordable units as defined by COAH must be mixed throughout the site and cannot be concentrated into any one area of the site.
- (7) Table I. Area, Yard and Building Requirements for Mixed Use Commercial/Retail/Office and Apartment Units. Note: All development is subject to the additional requirements of § 240-80.

	Minimum	Maximum
Building depth	36 feet	100 feet
Building height*	2 stories	35 feet
Building square footage		10,000 square feet
Lot width	40 feet with rear alley 60 feet without alley	
Lot depth	100 feet	150 feet
Front yard setback	12 feet	18 feet
Rear yard setback	Sufficient space to accommodate off-street parking, with minimum 10 feet of buffer and landscaping	
Side yard setback (see diagram) ³	Attached: (maximum 2 buildings) 0 feet one side, 8 feet the other Detached: 8 feet both sides, or 8 feet one side and 0 feet the other	
Parking requirements	As per Table V	In accordance with § 240-800

*The ground floor level shall be a minimum of 14 feet high. The ground floor shall be level with the sidewalk.

- (8) Table II. Area, Yard and Building Requirements for Detached Single-Family Dwellings. Note: All development is subject to the additional requirements of § 240-80.

3. Editor's Note: Diagram for § 240-59 is included in attachments at the end of this chapter.

	Minimum	Maximum
Lot area	6,000 square feet, on average; up to 20% of the lots may be reduced to 5,000 square feet	
Building height*	N/A	2 stories/30 feet
Lot depth	100 feet	180 feet
Street frontage	50 feet	65 feet
Lot width	50 feet	65 feet
Front yard setback	12 feet (principal building), 6 feet (front porch)	20
Rear yard setback, principal building	30 feet	
Garage (attached or detached)	100% of all garages must be solely accessed from a side or rear alley	
Garage (attached or detached)	1-car garage	2-car garage
Attached garage (rear-loaded, rear setback)	20 feet from alley	N/A
Detached garage (rear-loaded, rear setback)	20 feet from alley	N/A
Lot disturbance	N/A	50%
Principal building coverage	N/A	15% up to 2,000 square feet
Accessory buildings (shed)	Setback 5 feet	One at 50 square feet/height 10 feet
Accessory uses (pool, deck, gazebo, patio)	Setback 10 feet from all property lines; behind front yard setback on any street line	
Side yard setback	10 feet	12 feet
Parking requirement	As per RSIS standards and § 240-80	N/A

*The ground floor level shall be a minimum of nine feet high.

- (9) Table III. Area, Yard and Building Requirements for Townhouses: Note: All development is subject to the additional requirements of § 240-80.

	Minimum	Maximum
Building height*	2 stories	2.5 stories/35 feet (maximum 40 feet, including nonhabitable architectural features)
Minimum lot area	20,000 square feet	30,000 square feet
Lot width	130 feet	300 feet
Lot depth	130 feet	300 feet
Front yard setback	10 feet/each unit; offset 4 feet	20 feet
Rear yard setback	20 feet	N/A
Side yard setback	15 feet to exterior property line	24 feet to exterior property line
Garage (attached or detached)	100% of all garages must be solely accessed from a side or rear alley	
Attached garages per unit (internal or external garage)	1-car garage	2-car garage
Detached garages	Not permitted	Not permitted
Attached garage (rear- loaded, rear setback)	20 feet from alley	N/A
Number of bedrooms	1	30%; may be 3
Parking requirement	As required by RSIS and § 240-80	
Units per structure	4	6

*The ground floor level shall be a minimum of nine feet high.

(10) Table IV.

(a) Area, Yard and Building Requirements for Two- to Four-Family Dwellings. Note: All development is subject to the additional requirements of § 240-80.

	Minimum	Maximum
Building height	2 stories	30 feet (maximum of 35 feet, including nonhabitable architectural features)
Minimum lot area	7,200 square feet	15,000 square feet

	Minimum	Maximum
Lot width	60 feet	100 feet
Lot depth	120 feet	200 feet
Front yard setback	12 feet (principal structure); 6 feet (front porch)	20 feet
Rear yard setback	30 feet	N/A
Side yard setback	12 feet one side, but both sides must total 30 feet	15 feet one side, but both sides must total 40 feet
Number of bedrooms	1 per unit	2 per unit
Units per structure	2	4

(b) Parking Requirements for Two-to-Four-Family Dwellings. Note: All development is subject to the additional requirements of § 240-80.

[1] Two parking spaces per unit are required for the Two-to-Four-Family Dwellings. All parking must be on site and not on street. The on-site parking needs can be met through a combination of surface parking, internal attached garages, external attached garages and detached garages. All garages must be solely accessed from a side or rear alley. Internal attached garages may include up to four spaces or parking bays. External attached garages and detached garages may not exceed two parking spaces or parking bays. On-site parking is subject to these additional requirements:

	Minimum	Maximum
Surface parking and garage (attached or detached)	100% of all garages must be accessed from a side or rear alley	
Attached garage (rear-loaded, rear setback)	20 feet from alley	N/A
Detached garage (rear-loaded, rear setback)	20 feet from alley	N/A
Surface parking (rear-loaded, rear setback)	10 feet from alley	N/A
Attached garage (rear-loaded, side setback)	10 feet	N/A
Detached garage (rear-loaded, side setback)	10 feet	N/A

	Minimum	Maximum
Surface parking (rear-loaded, side setback)	5 feet with landscape buffer	N/A

(11) Table V. Parking shall be provided according to these minimum requirements, subject to maximums set forth in § 240-800.

Use	Minimum
Offices	One space for each 400 square feet of gross floor area
Retail	One space for the first 500 square feet and one space for each additional 350 square feet
All residential	As per RSIS standards
Bed-and-breakfasts/inns	One space per room plus 1 space per every 4 restaurant seats
Restaurants, bars and taverns	One space for every 3 seats or 3 persons, according to the occupancy maximum permitted by the Fire Code Official
Uses not specified	As determined by the Planning Board

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

(1) Public utility facilities, when necessary for development build-out within the zone, or required by a federal or state agency.

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

H. COAH obligations. The Township's current (Round II) obligation of 34 affordable units would normally generate a maximum number of 170 residential units from a twenty-percent set-aside. However, nine of the affordable residential units will be affordable rental units and this reduces the maximum number of residential units to 125 when additional credits are received for affordable rental units. **[Added 11-7-2005 by Ord. No. 12-2005]**