



Downtown Ordinance Revision

Borough of New Providence, Union County



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INTRODUCTION



Introduction

The heart and identity of a traditional neighborhood or municipality is often located in its downtown, where residents and visitors converge to shop, socialize, and engage in the civic and cultural life of their community. In recent years, the Borough of New Providence has undertaken a careful analysis of its Downtown, so that land use, design, and other regulations can be put into place that will foster its transformation into a more attractive, walkable, and economically viable Downtown with the qualities of an identifiable and desirable destination.

In January 2016, the Borough adopted a Downtown Master Plan Element that included a detailed study of the existing conditions in the Downtown area with recommendations for achieving the Plan's vision. This implementation document is the next step, providing a new set of development regulations aimed at bringing about the desired physical elements associated with an active, pedestrian-oriented Downtown.

Where traditional zoning regulations focus on the definition of detailed and distinctive use zones, form-based codes have emerged as an alternative approach to regulating the built environment that focuses on form, design, and the role of individual sites and buildings in constructing the public realm. This document provides a Form-Based Code (Code) and Design Guidelines for New Providence's Central Commercial Districts.

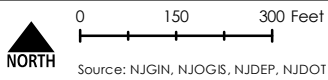
Consistency with New Providence Master Plan

The Design Guidelines and Form Based Code are consistent with the New Providence Master Plan. The policy underpinnings for this Code and the vision that it supports come directly from the Borough's 2016 Downtown Master Plan Element, which notes that the Downtown has been caught between the conflicting purposes of developing as a pedestrian-oriented traditional downtown and catering to the convenience of an auto-oriented suburban lifestyle. Over time, the standards in this ordinance will mediate these conflicting land use patterns by establishing a traditional main street atmosphere that still accommodates cars.

Guiding Principles

The guiding principles for the regulatory standards that have been established in this document are:

1. To create a proper framework for new buildings and renovation of existing buildings with a Form-Based approach and to reinforce the positive elements of the Downtown area.
2. To define distinctive street profiles that balance the needs of various groups of users - businesses, pedestrians, motorists, bicyclists, and transit riders - while creating a public realm that is active, comfortable and attractive.
3. To specify quality streetscape elements and signage of districts, gateways and landmarks to create a positive identity for the Downtown.
4. To create an adequate amount of parking for automobile users, and to provide for a variety of circulation options within the Downtown area.



Downtown New Providence

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April 2017

FORM-BASED CODE



Form-Based Code

The Form-Based Code is structured into two main components; a Regulating Plan and Design Guidelines.

Regulating Plan

The Regulating Plan sets standards for the following aspects of development:

- Term Definitions;
- Permitted uses;
- Building envelope, building height, and other bulk standards; and
- Design of parking areas.

Definitions

Form-based zoning districts require more detailed definitions than are typically provided by conventional zoning and land use regulations. This section contains a glossary to ensure the precise use of such technical terms.

Permitted Uses

Permitted Uses are the specific set of uses that are allowed within the buildings in each of the Regulating Plan Districts. The Form-Based Code approach emphasizes building form and allows for somewhat greater flexibility in permitted uses. Mixed-use buildings are encouraged, as long as the compatibility of commercial, retail, office and residential uses located within a building is ensured.

Building Envelope and Height Standards

The Building Envelope Standards regulate basic building form such as the placement of buildings from the street/sidewalk (e.g. setbacks), the location of parking areas, and other building form elements. The Building Height Standards designate the maximum and minimum building height in stories and in feet permitted in each district. The height regulations shall apply to existing buildings as well as demolition and replacement. These standards ensure that each building complements the neighboring structures, the spaces between buildings and the public street.

Off-Street and Shared Parking Strategy

Within the CCD and CCD-TH districts, there are requirements for the minimum amount of off-street parking associated with every non-residential, residential and mixed-use development. Any time a building or structure is erected, enlarged, increased in capacity, or undergoes a change of use, off-street parking spaces must be provided in accordance with the requirements set forth in this Code. Developments in the CCD and CCD-TH districts may meet the required off-street parking requirements by participation in a shared parking and/or loading program. The intent of the shared parking strategy is to maximize efficiency and utilization of existing parking, providing more areas for open spaces, walkways, or other amenities.

The overall goal of these parking strategies is to promote development patterns that create a sense of community and vibrancy in Downtown New Providence.

Design Guidelines

The Design Guidelines regulate the following development features:

- Site layout;
- Storefronts;
- Building facades;
- Roofs;
- Awnings and canopies;
- Windows and doors;
- Fences;
- Lighting;
- Outdoor areas;
- Plantings and planters;
- Signage;
- Utility screening; and
- Streetscape configuration

Applicability

The Regulating Plan and Design Guidelines of this Form-Based Code shall supersede the New Providence Zoning Ordinance within the designated Central Commercial and Central Commercial-Town House (CCD and CCD-TH) districts (see map on page 15). For development standards not covered by the Form-Based Code (such as the subdivision and site plan regulations), the applicable sections of the New Providence Land Use Legislation shall be in effect. If inconsistencies exist, the provisions of this Code shall prevail.

Any deviation from the Form-Based Code Regulating Plan will require a variance. Any deviation from standards of this Code that would result in a "D" variance pursuant to N.J.S.A. 40:55D-70 shall be granted by the Borough's Zoning Board of Adjustment. "C" variance relief pursuant to Section N.J.S.A. 40:55D-70C may be addressed by the Planning Board through the development application process.

Deviations from the Design Guidelines section of the Code will require a design waiver.

DEFINITIONS



DEFINITIONS

The terms defined below are a supplementary set of definitions added to this ordinance for clarification of the detailed design and zoning standards included in this Code. Unless noted here, definitions of terms can be found in the Borough's Zoning Ordinance (Chapter 310-6).

Arcade: A type of building frontage wherein the first floor façade is setback from the frontage line, and a permanent roof supported by a series of arches on columns or piers extends up to the frontage line. The upper floors of the building are built up to the frontage line.

Architectural Features: Shall mean a prominent or significant element extending beyond the main façade or wall of a building or structure. An architectural feature shall not be included in the calculation of building coverage, and lot coverage.

Awning: A flexible roof-like cover that extends out from an exterior wall and shields a window, doorway, sidewalk, or other space below from the elements.

Banks and Financial Institutions. Consumer service establishments including but not limited to a commercial bank, savings bank, savings and loan association, credit union, mortgage office, automated teller machine facility, office of tax preparer, or securities broker.

Bay Window: Generally, a U-shaped architectural feature that is an enclosure containing windows, which extends the interior space of the building outward of the exterior building wall along its street-facing facade.

Building Envelope: The three-dimensional space within which a structure is permitted to be built on a lot; it is defined by maximum height regulations, and minimum yard setbacks.

Canopy: An flat overhead roof or structure over which fabric or metal covering is attached that extends horizontally from a building's facade at the building's principal entryway, which is able to provide shade or shelter from weather conditions.

Column: A structural or decorative vertical element, usually circular, supporting or framing the upper parts of a building.

Cornice: Any horizontal member, structural or non-structural, projecting outward from the exterior walls at the roofline, including eaves and other roof overhang.

Dormer: A projection from a sloping roof that contains a window and its own roof.

Eating and Drinking Establishment. An establishment whose primary activity is the sale of prepared food or beverages for consumption by the public either on or off its premises. This use shall include sit-down restaurants and take-out restaurants.

Eaves: The overhang at the lower edge of a roof.

Exterior Building Walls: Any wall that defines the exterior boundaries of a building or structure.

Façade: The exterior face of a building, including but not limited to, walls, window sills, doorways, and such traditional design elements as horizontal lines, cornice, and parapet.

Façade Transparency: The ratio between opaque building surfaces, such as brick, or wood, to transparent surfaces, such as glass, that make up the façade of a building. It determines the amount of visibility into and out of the space inside the building

Frontage: The property along a public street.

Gable Roof: A ridged roof forming a gable at both ends.

Ground Floor: The floor of a building at or nearest to ground level.

Hip roof: A roof with pitched ends and sides.

Infill: A style of development on scattered sites in a built-up area.

Lintel: A structural or merely decorative horizontal member spanning a window opening.

Mixed-Use Development: A building consisting of non-residential uses with residential units on upper stories.

Parapet: The extension of the main walls of a building above the roof level.

Parking, Structured. A building or structure which may be located above or below ground, with parking stalls accessed via interior aisles, and used for temporary storage of motor vehicles. Structured parking can be a stand-alone use or a part of a building containing other uses.

Plaza: An unroofed public open space designed for pedestrians that is open to public sidewalks on at least one side.

Portico: An open-sided structure attached to a building, sheltering an entrance or serving as a semi-enclosed space, a columned porch.

Public Realm: The space between buildings, including publicly owned streets, sidewalks, rights-of-ways, parks and other publicly accessible open spaces, and public and civic buildings and facilities

Right-of-Way (R.O.W.): The publicly owned land that makes up a street and sidewalk including everything up to the front property line of lots fronting on a given street.

Sidewalk: A paved, surfaced, or leveled area, paralleling and usually separated from the traveled way, used as a pedestrian walkway.

Sill: A horizontal member beneath a window opening, constructed of wood, stone, concrete, or similar material.

Storefront: The street-facing facade of a retail or service establishment.

Street Light: A lamp supported on a lamppost for illuminating a street.

Streetscape: A representation of a street and its surrounding environment.

Theater. An indoor facility for public assembly and group entertainment, other than for sporting events, which is used primarily for and designed for the purpose of exhibiting films, live theater, concerts, or similar performances. A theater shall not include a sexually oriented business of any kind.

Waiver: Permission to depart from the requirements of an ordinance with respect to design standards or other non-zoning requirements in the ordinance.

REGULATING PLAN



REGULATING PLAN

The standards in this Regulating Plan amend the following sections of the Borough of New Providence Zoning Ordinance for the designated areas of the Central Commercial District and Central Commercial - Town House District (see map at right):

- 310-12 - Schedule I: Permitted Uses;
- 310-13 - Schedule II: Lot and Yard Requirements;
- 310-14 - Schedule III: Height, Coverage and Living Area Requirements;
- 310-15 - Schedule IV: Minimum Required Off-Street Parking; and
- 310-20.F - Off-Street Parking Requirements

Central Commercial District (CCD)

In accordance with the New Providence Downtown Master Plan Element, the purpose of the CCD district is to allow for mixed-use development that will cultivate a traditional “Main Street” downtown area, with uses that are typically found in a vibrant downtown commercial district. The standards envision a walkable, pedestrian-friendly downtown area, and consequently employ parking and other streetscape standards that are meant to increase connectivity, provide for comfortable public spaces, increase residential uses, and limit the impacts of vehicular traffic.

Central Commercial - Town House District (CCD-TH)

The Downtown Master Plan element includes the goal of attracting more residential uses to the downtown district, providing a nearby customer base for businesses that would be within easy walking distance.



PERMITTED USES

CCD District - Central Commercial District	Type of Use
Principal permitted uses	<ul style="list-style-type: none"> • Retail store. • Personal service establishment. • Office • Eating and Drinking Establishment. • Theater. • Mixed-use development. • Banks and Financial Institutions. • Parking Area, Commercial. • Parking, Structured.
Permitted accessory uses	<ul style="list-style-type: none"> • Any other use customary and incidental to a principally permitted use in the zone. • Parking Area, Private. • Sign.
Permitted conditional uses	<ul style="list-style-type: none"> • Educational Uses.
CCD-TH District - Central Commercial Town House District	Type of Use
Principal permitted uses	<ul style="list-style-type: none"> • Retail store. • Personal service establishment. • Office. • Eating and Drinking Establishment. • Theater. • Mixed-use development. • Town house. • Parking, Structured. • Parking Area, Commercial.
Permitted accessory uses	<ul style="list-style-type: none"> • Any other use customary and incidental to a principally permitted use in the zone. • Parking Area, Private. • Sign.
Permitted conditional uses	<ul style="list-style-type: none"> • Educational Uses.

Mixed-Use development is a permitted use in the CCD district, but not the CCD-TH District. Per the definition of mixed-use development, residential units are permitted on the upper floors only, above a permitted non-residential use. The following map shows the parcels of the CCD district, where there is a non-residential ground floor requirement.



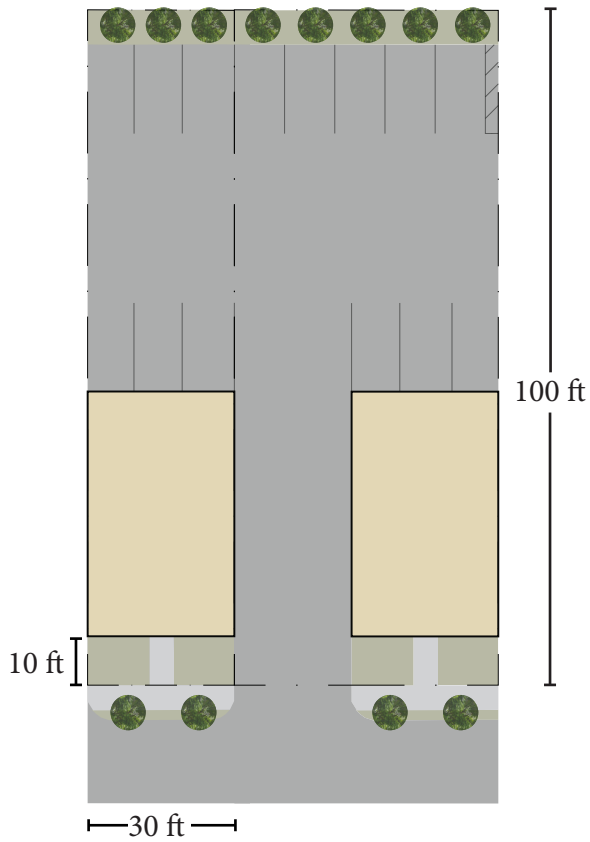
BUILDING AND SITE LAYOUT STANDARDS

CCD District	
Dimension	Requirement
Minimum Lot Area	3,000 square feet
Yards	
Front	10 feet maximum setback from the right-of-way line. Eating and drinking establishment uses are permitted an additional front yard setback up to 15 feet if an outdoor dining area is provided.
Rear	None
Side	None
Minimum Lot Width	
Interior and Corner	
At setback line	30 feet
At right-of-way line	30 feet
Height	
Maximum Building Height	3 stories not to exceed 45 feet
Minimum Building Height	2 stories no less than 30 feet
Minimum Ground Floor Height	The ground floor height shall be at least 12 feet high to the ceiling.
Coverage	
Maximum Improved Lot Coverage	90%
Maximum Ratio of Lot Coverage to Building Coverage	Total improved lot coverage shall amount to no more than double the area of building coverage.
Minimum Building Facade Length	70% of lot width at setback line

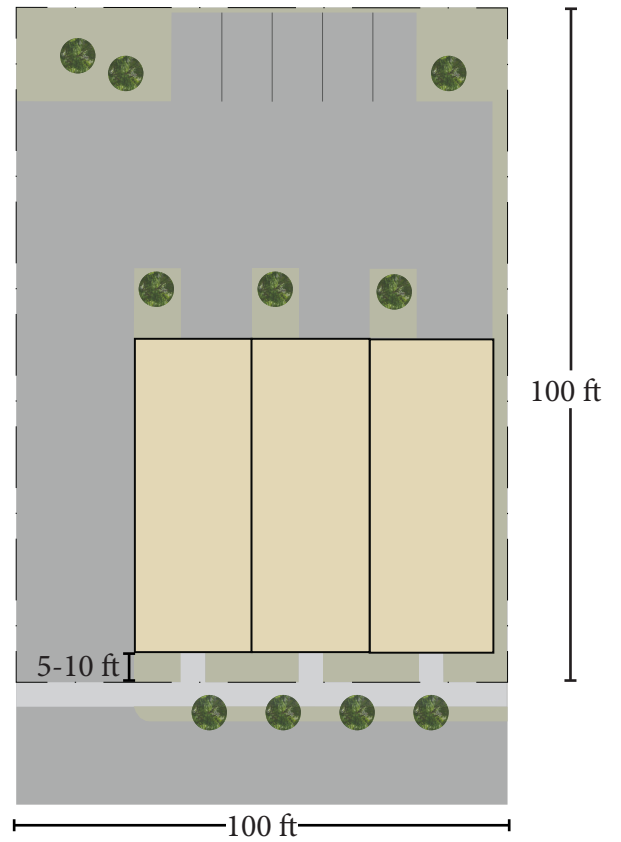
CCD-TH District - Town House Building Type	
Dimension	Requirement
Minimum Lot Area	10,000 square feet
Yards	
Front	10 feet maximum from the right-of-way line.
Rear	15 feet
Side	15 feet
Minimum Lot Width	
Interior and Corner	
At setback line	100 feet
At right-of-way line	100 feet
Height	
Maximum Building Height	3 stories not to exceed 45 feet
Minimum Building Height	2 stories no less than 30 feet
Minimum Ground Floor Height	The ground floor height shall be at least 12 feet high to the ceiling.
Maximum Improved Lot Coverage	75%

CCD-TH District - All Building Types except for Town House	
Dimension	Requirement
Minimum Lot Area	3,000 square feet
Yards	
Front	10 feet maximum setback from the right-of-way line. Eating and drinking establishment uses are permitted an additional front yard setback up to 15 feet if an outdoor dining area is provided.
Rear	None
Side	None
Minimum Lot Width	
Interior and Corner	
At setback line	30 feet
At right-of-way line	30 feet
Height	
Maximum Building Height	3 stories not to exceed 45 feet
Minimum Building Height	2 stories no less than 30 feet
Minimum Ground Floor Height	The ground floor height shall be at least 12 feet high to the ceiling.
Coverage	
Maximum Improved Lot Coverage	90%
Maximum Ratio of Lot Coverage to Building Coverage	Total improved lot coverage shall amount to no more than double the area of building coverage.
Minimum Building Facade Length	70% of lot width at setback line

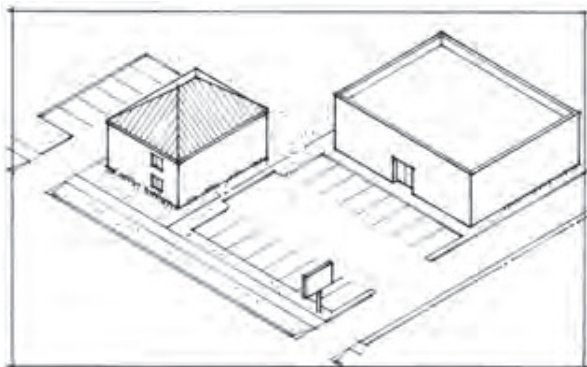
Central Commercial Lots



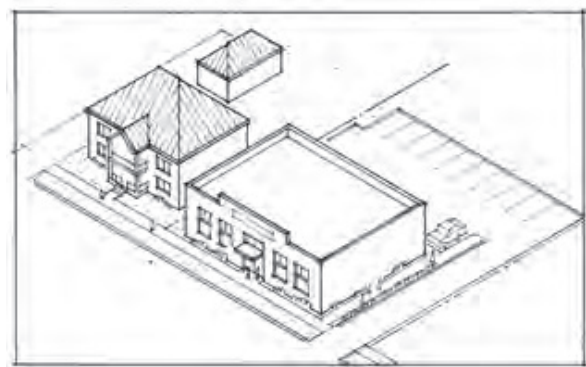
Town House Lot



INCOMPATIBLE STREET FRONTAGE



COMPATIBLE STREET FRONTAGE



Source: Planning Advisory Service Report Number 526: Codifying New Urbanism p 23 : American Planning Association 2004

OFF-STREET PARKING REQUIREMENTS FOR THE CCD AND CCD-TH DISTRICTS

Type of Use	Required Off-Street Parking
All non-residential uses in the CCD and CCD-TH Districts	1 space for every 250 feet of floor area
All residential uses in the CCD and CCD-TH Districts	1.5 spaces per dwelling unit
Developments with both residential and non-residential uses in the CCD and CCD-TH Districts	The sum of required parking for the residential and non-residential components of the development

Additional parking requirements

1. Required parking can be provided off-tract when the applicant meets the following conditions:
 - b. The applicant obtains a permanent and irrevocable easement of the land on which the parking facilities are to be located in favor of the premises being benefited as a condition of such use.
 - c. For non-residential uses, parking can be located off-tract from the principal use, but shall be located no more than 700 feet walking distance from the nearest point of the entrance to the principal use.
 - d. Parking for non-residential uses may be accommodated on lots developed with mixed-use residential buildings if excess capacity is available after the requirements of the residential use have been fully satisfied.
 - e. Parking spaces for multi-family residential developments may be provided in one or more common parking areas which shall be located within 300 feet of the dwelling unit served.
2. Front overhang of the vehicle onto a paved or grass area not used for circulation, parking or landscaping is not permitted.
3. All parking spaces for residential developments shall be provided off street.
4. Parking is not permitted between the building and the street line.
5. Lighting for parking areas shall comply with Ordinance 2008-22 as amended.
6. All spaces, with the exception of provisions for handicapped spaces, shall be 9 by 18 feet in dimension.
7. Wherever possible, the number of curb cuts should be minimized. The use of shared driveways through cross access easements is preferred.

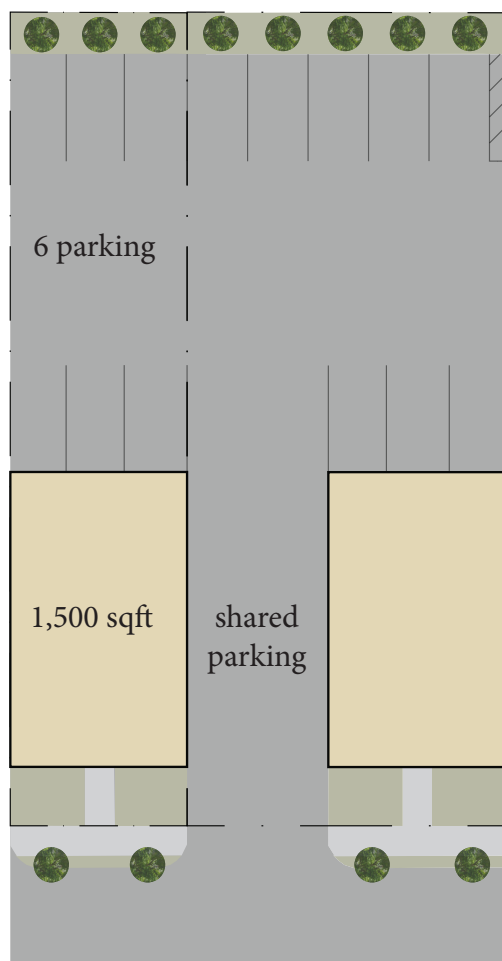
Driveways and Walkways

1. Access drives or driveways in the CCD or CCD-TH district shall adhere to the following dimension requirements:

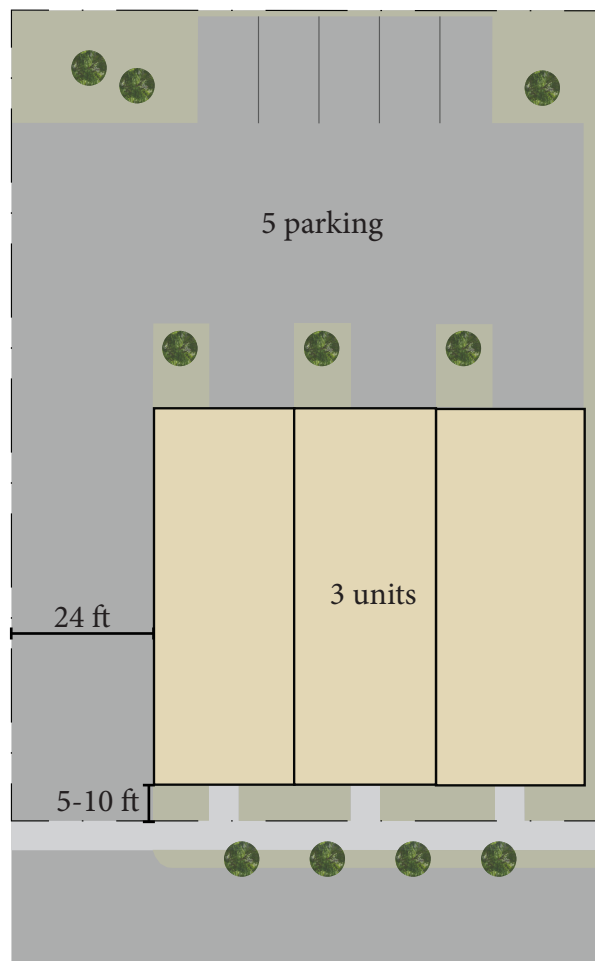
Driveway Type	Minimum Width	Maximum width
One-way	10 feet	12 feet
Two-way	20 feet	24 feet

2. A sidewalk at least four feet wide shall be provided to permit ingress and egress to and from the building.
3. Wherever possible, new developments and redevelopment of existing properties should seek to reduce or limit the amount of driveway curbcuts, utilizing shared driveways or other strategies as appropriate.

Central Commercial Lots



Town House Lot



SHARED PARKING

Definition

Shared parking can be defined as parking areas or spaces that are used to serve two or more individual land-uses. This arrangement occurs when individual land-uses, either on the same site or from nearby sites, form an agreement to share available parking spaces and/or land developable for parking.

Purpose

The overall goal of shared parking is to promote development patterns that create a sense of community and vibrancy in Downtown New Providence. Shared parking can benefit participating businesses by reducing costs of developing and maintaining parking areas, and creating cross-traffic as customers walk to and from a common parking area. Shared parking also has positive environmental effects, because land that would be used for excess parking can remain pervious and unimproved, leaving more room for swales, vegetation, and other features that prevent stormwater runoff from reaching storm sewers. Finally, shared parking increases communication and coordination between individual businesses and among business districts.

Requirements

Developments in the CCD District may meet the required off-street parking requirements by participation in a shared parking and/or loading program of two or more uses, provided that plans for such a program have been approved by the Planning Board.

The Board may approve a shared parking plan with a maximum reduction of 30% of fewer parking spaces than the total combined parking requirement for the participating uses without the need for a variance, if all of the following standards are complied with:

1. The developer must demonstrate that the particular combination of uses and the peak periods of demand for parking and/or loading spaces, as applicable, are such that a lesser number of spaces are necessary to meet the total parking and/or loading needs for the development at all times. Standards such as the Urban Land Institute Shared Parking Report or ITE Shared Parking Guidelines may be of assistance in presenting the case for adequate parking arrangements.
2. The developer must demonstrate that the parking and/or loading spaces are located to be reasonably convenient, safe and suitable for use by the various uses, buildings and/or lots involved in the shared parking program.
3. In all shared parking arrangements, a building, structure or use for which a Shared Parking Agreement is proposed shall be located within seven hundred (700) feet walking distances of the shared parking lot, measured from the entrance of the building, structure or use or the nearest parking space within the shared parking lot.

Shared Parking Agreement

In all shared parking arrangements, the developer must execute a Shared Parking Agreement as a mechanism that will ensure that the shared parking and/or loading spaces, as applicable, will continue to comply with this section for the life of the development. The Shared Parking Agreement must include the following sections:

1. Use of facilities, describing the nature of the shared use such as times and days of the week.
2. Maintenance, describing the responsibility for aspects of maintenance of the facilities between the lessor and the lessee regarding cleaning, striping, seal coating, repair.
3. Utilities and taxes, describing responsibility for utilities and taxes.
4. Signage, describing signage allowances and restrictions.
5. Enforcement, describing facility usage enforcement methods.
6. Cooperation, describing anticipated communication methods should conflict arise between parties.
7. Insurance, describing insurance requirements for the facilities.
8. Indemnification, describing indemnification as applicable and negotiated.
9. Termination, describing how to or if this agreement can be terminated and post termination responsibilities.
10. Supplemental covenants, as needed.

DESIGN GUIDELINES



DOWNTOWN DESIGN STANDARDS

Design Standards

The architectural design standards regulate the architectural elements of a building, and set the parameters for allowable materials, configurations, styles, and construction techniques. The standards also regulate the design of various elements of the buildings within the Districts including facades, roofs, windows, and awnings.

The streetscape design standards are meant to guide public investment in streetscape improvements, and to assist property owners and developers in designing their own building in relation to the public realm. These standards specify the allowable streetscape furniture, planters, storefront signage, and lighting.

§ 305-12A. Design Standards for the Central Business District.

- A. **Applicability.** The following design standards apply to all new construction projects and projects involving the renovation of existing buildings/structures that are located within the CCD and CCD-TH districts as established in the revised Zoning Map included in this ordinance.
- B. **Purpose of Design Standards.** A streetscape that is comfortable, safe, and interesting will draw pedestrians to the shops and residences in Downtown New Providence. Design standards for building facades, building relationships, and streetscape elements define the experience of the public realm, articulate the common culture and history of a place, and reflect how it is valued by and within the community at-large. The design standards that follow are enacted for the purpose of creating a distinctive identity for Downtown New Providence, establishing a destination atmosphere that draws people and business. The standards are organized around the following characteristics of good urban form:
 - Defining the downtown layout and public realm;
 - Enlivening downtown with inviting and prosperous commercial establishments;
 - Adding visual interests while respecting the Borough's Architecture of Place;
 - Transitioning the public and private realms;
 - Securing a safe and comfortable public realm;
 - Promoting decipherable and coherent signage;
 - Installing appropriate utility screening; and
 - Promoting a multi-modal circulation network for pedestrians and cyclists.
- C. **Resolution of Conflicts.** In addition to the following design standards, development in the CCD and CCD-TH shall continue to abide by the general design standards found in the Borough's Subdivision of Land and Site Plan Review ordinance (Chapter 305). Where design standards conflict, the standards in this section shall rule.

D. The Design Standards for Downtown New Providence are as follows:

(1) Defining the downtown layout and public realm. The following regulations relate to site planning principles that shape the fundamental structure of the built environment in downtown New Providence. Basic regulations for the relationship between buildings and their on-site orientation create the bones on which all other aspects of design are applied. Continuous facades, shorter setbacks, and shorter blocks can create the sense of physical definition and enclosure that produces a comfortable public realm. The standards below are in the style of Traditional Neighborhood Design and encourages development in Downtown New Providence that gives visitors a coherent and comfortable sense of the public realm.

Note: Those standards which can be communicated graphically are keyed to illustrative drawings throughout the design guidelines by the letter of the standard.

- (a) Building Orientation.** New buildings shall relate to public streets and plazas, both functionally and visually.
- (b) Entrance Orientation.** Primary building entrances shall face the public realm, whether that be the street, or the public parking lot in the case of the Village Shopping Center.
- (c) New Streets.** Street layouts shall be aimed at achieving a grid pattern connecting to the major street network. The use of cul-de-sacs and other roadways with a single point of entry is prohibited.
- (d) Infill Projects.** Proposed infill projects shall complement and strengthen the surrounding neighborhood and reinforce desirable community design patterns and architectural features referenced in this chapter.
- (e) Gateways.** Buildings located at obvious entrances to residential, mixed-use, or commercial areas shall mark the transition into and out of the neighborhood with distinct elements using massing, additional height and/or contrasting materials. Walkway areas at these entrances shall be marked with pedestrian-oriented decorative gateways.
- (f) Focal Points.** Points of visual termination shall be occupied by monuments, fountains, or distinctive civic buildings and spaces. These structures shall generally employ enhanced height, massing and architectural treatments.
- (g) Corner Lots.** Buildings situated on corner lots shall treat side facades that face a street or driveway the same as the front yard façade. For example, fences, cornice treatments, top and bottom window alignments, parapets, etc. should wrap around the front and side façades exposed to the public right of way.
- (h) Loading and Service Areas.** Loading and service areas of a building shall be located in the rear of the property, and shall be screened from public view if visible.



(2) Enlivening downtown with inviting and prosperous retail establishments. The following regulations relate to the design and appearance of the commercial uses of the Downtown. They address storefronts and other design elements that mediate the exterior realm of the street and the interior space of the shop, encouraging visibility and permeability between exterior and interior areas. The standards operate on the assumption that potential customers are more likely to be drawn into a business when they have a clear idea of the goods and services for sale, and when they can observe other customers inside enjoying their shopping, dining, or other consumer experience.

(a) Storefront Transparency. First floor retail, restaurant and service uses shall have at least 70% of their surface area glazed.

maximum percentage of glass that is blocked with interior furnishings or paper signs exceed 20% of the window's surface area.

(b) Sill Height. The maximum height of the sill above the sidewalk shall be 3 feet.

(c) Entrance Recessions. Entrances should be recessed so that doors do not open into the sidewalk's flow of traffic.

(d) Door Design. Flat metal doors without glass are prohibited. Glass panel doors are required so that a site line exists between the pedestrian realm and inside of the shop.

(e) Transom Windows. Transom windows are encouraged in new development and should be restored if possible in rehabilitation projects.

(f) Window Coverings. In no event shall the

(g) New Providence Color Palette. The New Providence color palette consists of a fairly small range of earth tones: beiges, greens, browns, reds and tans for the main surfaces, with deeper, bolder colors for awnings, accents, and signage. These should be complemented in new construction. Avoid white and black, which can look stark when viewed next to warmer tones, particularly when used over large surfaces. They also appear dirty more easily than other colors.

(h) Interior Display Illumination. Front windows and



portions of the store interior should remain lit at night through the use of specially-located interior lighting. This illumination will make the street feel friendlier and safer.

(i) Storefront Vacancy. In the event of storefront vacancy, the storefront windows should be covered with historical images of the Borough, leased to other businesses for promotional displays, or provided to local citizens groups for display presentations. Covering windows with newspapers, sheets, clothes, or any other material that promotes a negative image of the downtown is prohibited.

(j) Display Windows. Furniture, shelves, etc. placed within view of the store's exterior is discouraged. A display area should be created as a visually pleasing transition from outside to inside. Some basic design principles to follow include the following:

- Keep it simple. Do not try to put in everything at once.
- Change displays frequently to keep the

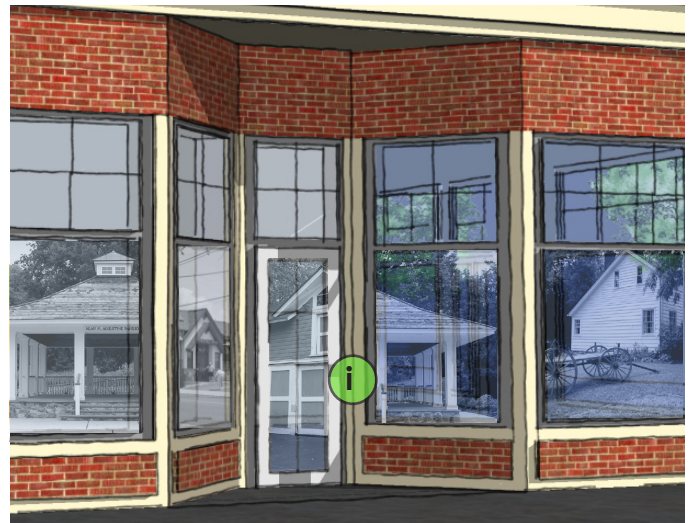
look fresh.

- Use lighting, both during the day and at night to highlight individual items or signs.
- Consider making windows available to local non-profit organizations that are promoting a good cause. Window displays used for community projects often create good will for the retailer.
- Continue the theme of the window display with other displays inside the store.
- Place items in the window at varying heights and depths to catch shoppers' attention and make the overall display inviting to the eye.
- Keep windows clean to maximize the effectiveness of window displays.

Examples of quality storefronts



Heyer, Gruel & Associates



(3) Adding visual interest while respecting the Borough's Architecture of Place. The following standards are meant to encourage designers to make aesthetic decisions that contribute to creating an Architecture of Place in downtown New Providence. Such an Architecture of Place is achieved through an approach to design that depends on historical precedent and patterns for guidance and inspiration while including reinterpretations that are incremental and respectful of the value of what already exists. A downtown aesthetic should be generated that is both visually interesting by virtue of its variation and harmonious by virtue of its respect for existing characteristic design elements.

Building Facades

(a) Building Variation. While they should be complementary in general style, adjacent buildings may vary in terms of architectural elements, roof orientation, entrance treatments, or other design elements, so that visual interest within the district is strengthened. Window dimensions, cornice lines, sign band locations, and base treatments should establish a harmonious and uniform theme.

(b) Exterior Walls. Buildings shall have varied and interesting facades. Mixed-use and commercial buildings shall avoid long, monotonous, uninterrupted walls. Facades shall be articulated at a minimum interval of 25 feet, achieved through changes in building plane, material color, or features such as columns, bay windows, pilasters, or others. Use of texture and window variations should be encouraged.

(c) Entryways. Building entrances should be clearly defined through the use of detailed paving, architectural treatment, canopies, porticos, overhangs arcades, recesses, outdoor patios, and/or site furnishings. All pedestrian entryways and/or lobbies shall be prominent, well-lit and separate from service entrances. Entrances shall be at grade with the adjacent sidewalks to the greatest extent possible.

(d) Building Scale. To modulate scale, multi-story buildings shall articulate the base, middle, and top, separated by cornices, stepbacks, or other architectural features. Where a building height exceeds the dominant pattern for adjacent buildings, consistent cornice lines between buildings, or building setback for upper floors should be created to reduce the scale of the building.





(e) Cornice Projection. A cornice, which terminates or caps the top of a building wall, may project horizontally from the vertical building wall plane no more than 12 inches, and may be ornamented with moldings, brackets and other details.

(f) Division of uses. A horizontal division shall define the ground floor from the upper floors on the front facades of mixed-use buildings. Differentiation can be achieved through cornice lines and changes in materials. Further differentiation can be achieved through signs, awnings, and exterior lighting.

(g) Height of architectural features. Non-habitable architectural features such as parapets, clock towers, spires, belfries, cupolas, domes, or chimneys may exceed height restrictions by a maximum of 10 feet.



(h) Permitted Materials. Permitted building materials include brick, wood clapboard, natural or cultured stone, stucco that is not textured, concrete siding (Hardy Plank lap siding or shingle), and non-reflective and non-tinted glass. These should be used for new construction, and to the extent practical, for rehabilitation and redevelopment. No synthetic stucco is permitted on the first floor facade.

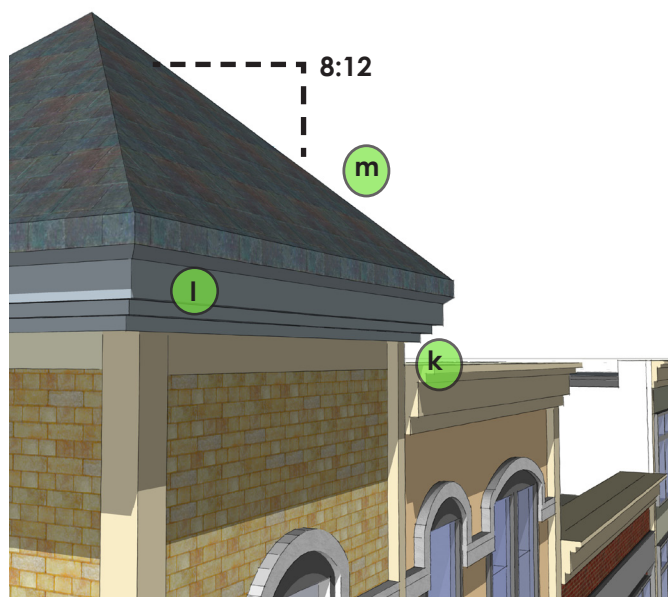
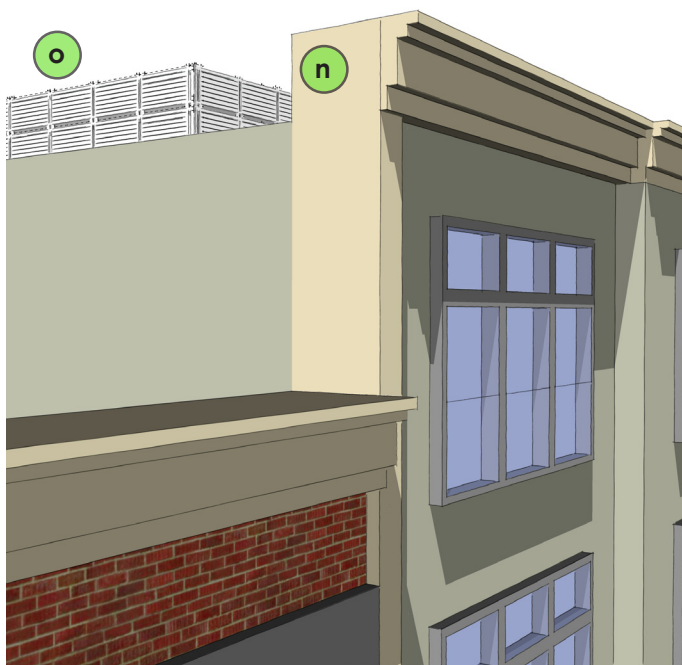
(i) Base Course. All visibly exposed sides of a building shall have an articulated base course and cornice. The base course shall align with the sill level of the first story.

(j) Exposed Foundations. Exposed foundations to a building shall be limited to no more than 30 inches above grade, and are only permitted on side or rear sides of a building.



Roofs

- (k) Roof Design.** The type, shape, pitch, texture and color of a roof shall be considered an integral part of the design of a building and shall be architecturally compatible with the type, materials, colors and details of the buildings. Roof forms should be similar to those predominantly found on adjacent buildings.
- (l) Eaves.** All hipped or gabled roofs must have eaves, and the eaves must overhang the exterior building wall surface by a minimum of 12 inches.
- (m) Roof Pitch.** All pitched roofs must have a minimum roof pitch of 8:12.
- (n) Parapets.** All flat roofs shall have a parapet wall along the front façade of the building of at least 2 feet height that spans the entire width of the façade.
- (o) Screening of Roof Penetrations.** Roof penetrations shall be located so as to limit or eliminate their visibility from the public realm.



- (p) Climate Considerations.** Building exteriors shall employ porticos, arcades and porches to the maximum extent possible to provide shelter from sun, rain and wind.



Awnings and Canopies

- (q) Awning Location.** If awnings are to be used in a multi-tenant building, awnings should be located in each retail bay and have a consistent design (profile, color & dimensions). Awnings should fit the opening of each single bay fully and the base of the awning should align with the bottom of the transom.
- (r) Awning Type.** Retractable and non-retractable awnings are permitted. However it should be noted that in winter, awnings may limit sunlight and become undesirable. Retractable awnings provide options for use.
- (s) Awning Dimensions.** Awnings should provide a minimum clearance of 8 feet (8') and project a minimum of 3 feet (3') and a maximum of 4 feet (4') from the building face.
- (t) Awning Limitations.** Awnings should not obstruct architectural ornaments.
- (u) Permitted Awning Materials.** Awnings should be canvas and waterproof cloth materials over metal frames as these will better weather the elements.
- (v) Prohibited Awning Materials.** Metal, vinyl or plastics awnings are not permitted. Translucent backlit awnings are prohibited.
- (w) Awning Colors.** Colors should be chosen to coordinate with the facade color palette.
- (x) Awnings Shape.** Awnings should be open sided in order to ensure a lighter feel and to provide thermal and weather protection with adequate diffused light.
- (y) Permitted Canopies.** Canopies are permanent elements of the facade constructed of stone, metal, wood or glass. (See definitions section for a differentiation of canopy and awning).
- (z) Canopy Location.** Canopies identify and occur at the major entrance to a building.
- (aa) Canopy Character.** As with awnings, a canopy should fit the opening of the entrance, be appropriately scaled to the building, and should not obscure any architectural detail.

(v) Not pictured



- (4) Transitioning the public and private realms.** One hallmark of a comfortable and coherent public realm is a clear distinction between public and private areas, with elements that allow for interaction between the two in semi-public areas such as shops and plazas. Windows, doors and fences are elements of design that help to transition the public and private realms. The standards below seek to foster transitions that provide for an easily discernible public-private interface, while also providing adequate light and air to building interiors.

Transparency, Windows and Doors

(a) Transparency requirements for street-facing facades. Any street-facing façade must have a minimum transparency level of 40% of the area of the wall, with the exception of the ground floor storefront types listed in Section 2(a) that must adhere to the higher 70% requirement for the first-floor wall area.

(b) Transparency requirements for non-street facing facades. Non-street-facing facades must have a minimum transparency of 20%. A reduction in this standard is permitted if required by the Uniform Construction Code.

(c) Window Alignment. Windows on upper levels should be aligned with the location of windows and doors on ground level.

(d) Window Dimensions. The horizontal dimension of wall openings for windows (excluding storefronts) and doors shall not exceed the vertical dimension.

(e) Window Mounting. All windows on the second or third story of a structure that are visible from the public realm shall not be mounted flush with the exterior wall surface, and shall be set back a minimum of 2 inches, so as to create a sense of depth on the primary building façade.



Transparency, Windows and Doors (cont.)

- (f) Window Sills.** All windows shall have windowsills that project a minimum of 2 inches from the exterior building wall surface.
- (g) Window Decoration.** Windows should have design elements including louvers, shutters, cornerstones, keystone, and wide frames to prevent large expanses of blank walls.
- (h) Entrance Location – Corners.** When a building is located on a corner, the entrance must be along the main street or oriented diagonal at the corner.
- (i) Entrances for Individual Uses.** Each individual use on the ground floor is required to have its own primary entrance.
- (j) Entrance Definition.** All entrances to a building

shall be defined and articulated by architectural elements that are compatible with the style, materials, colors and details of the building as a whole.

- (k) Door Design.** The proportions between doors and windows should be compatible with the architectural style and character of the surrounding area. Doors should be simple and traditional in design. Doors shall not be flush with applied trim. Doors should not have window treatments such as shades or curtains.
- (l) Trim.** All window or door trim or framing elements shall be painted and sealed.
- (m) Lintels.** All windows or entryway openings shall have lintels that project a minimum of 3 inches from the exterior building wall surface.



Fence Standards

(n) Fence Material. Fences should have the appearance of wrought iron, i.e. square metal posts mounted on horizontal metal bars with the posts protruding through the upper bar often with a decorative cap that does not make them dangerous to the public.

(o) Fences Color and Placement. Fences should be painted a flat black, and where there is room, set in a landscaped flowerbed. Fences and their landscaping should allow pedestrians to easily see through them.

(p) Prohibited Fences. Highway-style guard rails, stockade fences, chain-link fences, vinyl or PVC fences, or fences that block vision, fences with barbed wire or razor wire are prohibited.

(q) Fence Height. Fence height in front and side yard areas shall not exceed 3 feet. In rear yard areas where a non-residential use abuts a residential property or zone, a maximum fence height of 6 feet shall be permitted. In the rear yard, fences may be board-on-board, and must be 100% opaque.



(p) Not pictured

STREETSCAPE DESIGN STANDARDS

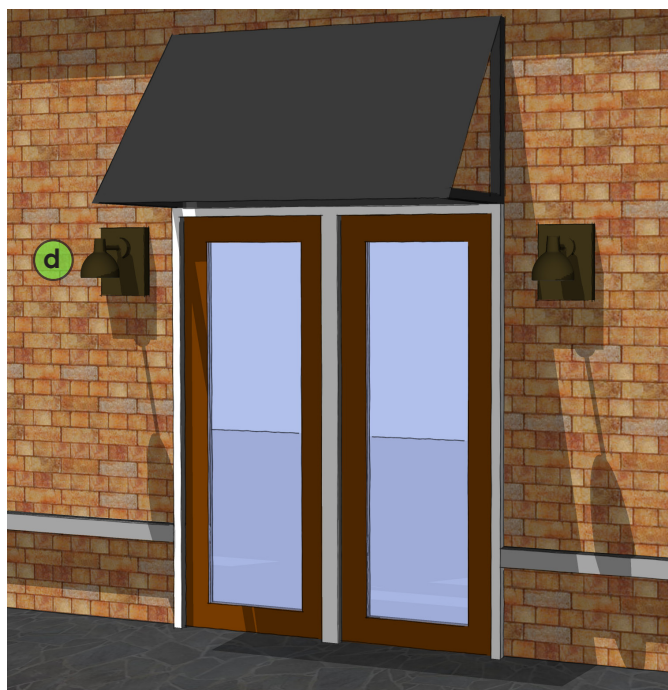


- (5) Securing a safe and comfortable public realm.** Residents, pedestrians, customers and visitors to downtown New Providence are encouraged to walk throughout the downtown area if they are provided with a safe, well-lit, comfortable corridor. The following standards are meant to promote use of the pedestrian realm by providing reasonable and quality lighting, shade (plantings), and seating.

Lighting Standards on Private Sites

- (a) Lighting Style.** Outdoor light fixtures must be compatible with the style and period of the building and not obscure or conflict with significant architectural details of the building. Building and signage lighting must be indirect, with the light source(s) hidden from direct pedestrian and motorist view.
- (b) Signage Lighting.** Internally illuminated signs are prohibited. Gooseneck or stemmed flood or spotlight fixtures are appropriate for lighting signage.
- (c) Lighting Color.** Colored lighting schemes should not be permitted.
- (d) Lighting at Display Windows.** Lighting at display windows and entrances shall be LED and concealed from direct view.
- (e) Prohibited Lighting.** No rotating, blinking, animated, or flashing lights shall be permitted. Neon lights are not permitted.
- (f) Wiring.** Overhead and exposed wiring and conduits for outdoor lighting are not permitted.
- (g) Recommended Lighting.** Light sources should be LED lights in the “warm” spectrum.
- (h) Conformance with Additional Standards.** In addition to the lighting standards stated in these design standards, all lighting levels and specifications must also adhere to the current Borough lighting ordinance (2008-22 as amended).

(e-h) Not pictured



Outdoor Area and Streetscape Standards

- (i) **Alleyway treatment.** If open and accessible to the public, alleys between buildings that connect the street with an interior lot area should be treated as extensions of the public street or sidewalk and should be paved, landscaped and lit accordingly.
- (j) **Alleyway adornment.** Alleys should have decorative treatments that help to define the space of the alleyway and help to identify these pathways as part of the public realm. Such decorative elements should be present in the pavers used to define the path on the ground, and can be extended to murals or other elements of visual interest on the walls of the buildings adjacent to the path.
- (k) **Outdoor dining areas.** Outdoor dining areas are permitted in the Downtown as regulated by the

Borough's current Outdoor Seating Ordinance (2011-11, or its most recent amendment).

- (l) **Seating.** Seating may be provided when space allows for a clear pedestrian walking zone and separate seating areas. Seating expands opportunities for people to use the street, especially in commercial streetscapes. Seating may be provided by benches, planter walls, edges, steps, or moveable chairs.
- (m) **Seating design.** Walls, ledges and steps made available for seating should be between 12 and 20 inches high and 16 inches wide wherever possible. Walls used for seating on both sides should be a minimum of 30 inches wide.
- (n) **Seating anchors.** Except for moveable chairs, seating should be secured permanently to paved surfaces for safety and to avoid vandalism.



Planting Pots and Planters Standards

- (o) Planter character.** Pots should not block other elements such as streets, signs, meters, or street lights, or block pedestrian activity. Planters must always be leveled with leveling shims when installed on sloped surfaces. Combined height of containers and plantings should not obstruct motorists' or pedestrians' views at street intersections and access drives.
- (p) Location of planters.** Planters should be used within front yard or right of way areas where safe access to and from buildings is maintained. Avoid placing planters within pedestrian traffic areas. Containers should be sited near street corners (with respect to previously noted location requirements), to flank entrances to buildings, or to physically and visually define outdoor seating spaces.
- (q) Planter materials.** A neutral stone planter color should be used to harmonize with pavers, concrete sidewalks, most building facades, and the countless color combinations produced by annual plantings. Planter colors are simple and intentionally understated in character. Planters should be considerably heavy and difficult to move to prevent vandalism.
- (r) Hanging baskets.** Hanging baskets can be attached to 1) building facades with suitable attachment brackets or 2) combined with the selected light poles. When attached to pedestrian lights, two baskets are recommended.



(6) Promoting decipherable and coherent signage. Though it may seem counter-intuitive, the most eye-catching signs are often the simplest. People reach a visual saturation point quickly, after which they simply ignore visuals that include too much clutter. The following signage standards strive for eye-catching simplicity in the Downtown area.

(a) Permitted Signs. The following types of signs are permitted in the CCD and CCD-TH districts:

- Wall signs
- Projecting signs
- Awning signs
- Window signs

Definitions for these signage types are as defined in the Borough's general signage ordinance (2011-20, or its most recent amendment).

(b) Signage Zone. New construction shall include a "signage zone" above the doorways, display windows, transom, and awnings of retail use frontage that is integrated into the overall architectural design of the building.

(c) Sign Number. Each use in a building is permitted no more than two signs, not to exceed a combined total area of 60 square feet. One sign may be a horizontally-oriented wall sign (preferably located in the signage zone) or window sign, and the other sign may be a projecting sign.

(d) Signage on Corner Lots. Corner lots are permitted one wall or window and one projecting sign for each building façade facing a public street.

(e) Sign Area. The total square footage of each individual sign associated with a particular use shall not be greater than three times the width of the street frontage of the ground floor establishment, or 60 square feet, whichever is smaller. (For example, a ten-foot-wide store could erect a sign no larger than 30 square feet.)

(f) Sign Lettering. Letters shall not be taller than 18 inches in height.

(g) Sign Position. Horizontally-oriented signage shall not protrude above the sill line of the second floor (vertically-oriented projecting signs are exempt.)

(h) Awning Signage. Lettering is permitted on the valance of awnings, but shall be not more than 12 inches high. Only the name and address of the business are permitted to be printed on the awning.



(7) Installing appropriate utility screening. While utilities and waste removal are vital functions within the built environment, they should be screened from public view so as to promote a clean and attractive Downtown.

(a) Placement of utility areas. Utility meters, trash and recycling receptacles, and mechanical equipment such as air conditioning units shall not be located in the front yard of a property.

(b) Ground-mounted screening. All exterior mechanical, trash and storage areas, service yards, loading areas and air conditioning units must be screened from view. Efforts should be made for the screening of these mechanical and utility areas to become part of the building or landscape. Screening treatments should be similar materials, colors and/or style as the primary

building in order to be architecturally compatible with adjacent buildings. Alternatively, utility equipment can be “screened” via the installation of public art on its surface (see photos below).

(c) Roof-mounted screening. All roof equipment must be screened from public view if visible from the street.



GUIDELINES FOR STREETScape RECONFIGURATION



INCREASED CONNECTIVITY THROUGH STREETScape RECONFIGURATION

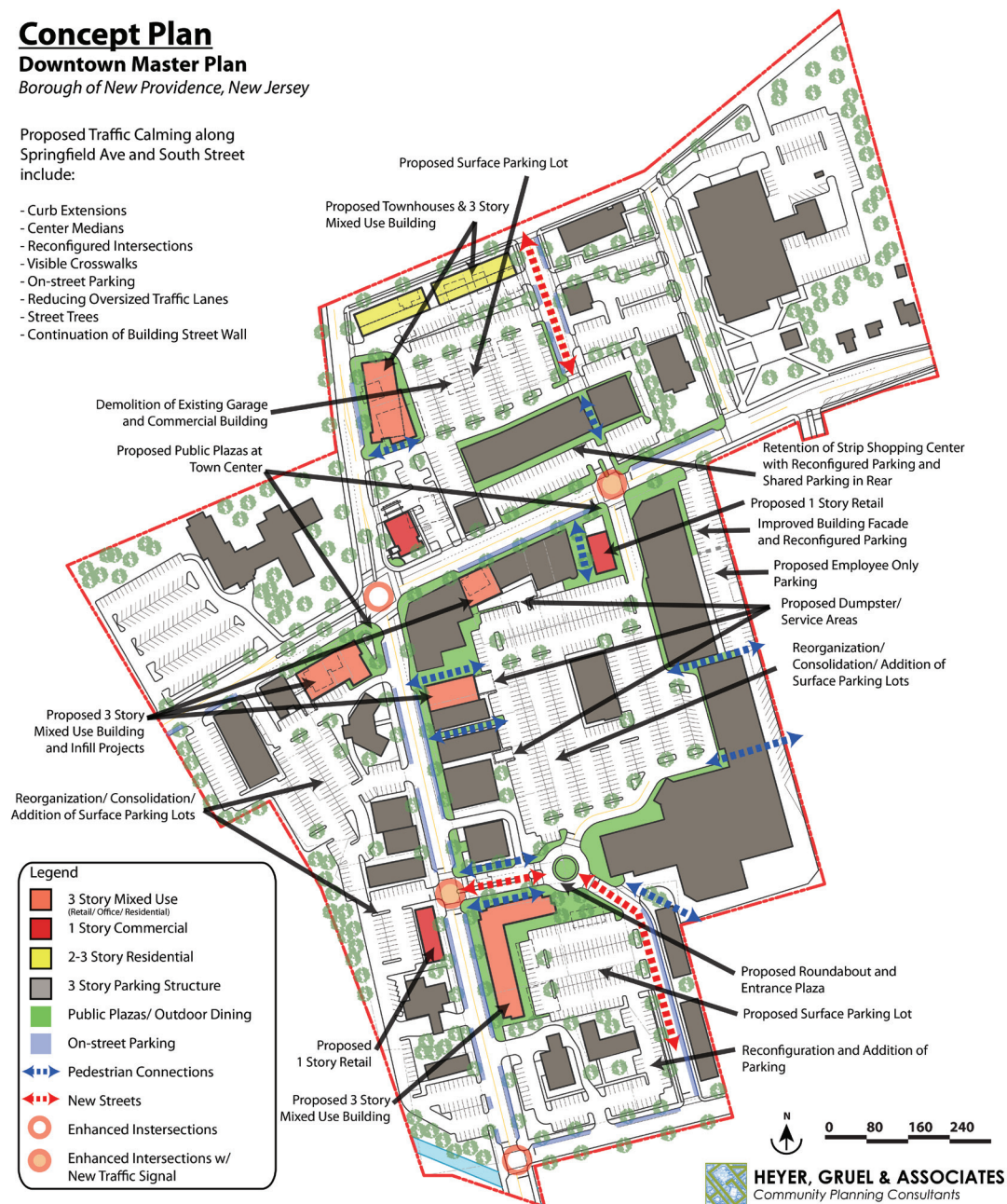
Downtown Mater Plan Element Recommendations

The Downtown Master Plan Element emphasized greater walkability and an enhanced pedestrian experience as means for building a vibrant downtown. The concept plan for Downtown New Providence that is included in the Master Plan element (reproduced below) intends to seamlessly facilitate the movement of people and vehicles through the Downtown area, stitching together isolated blocks and facilitating a “park once” approach. (Note that the image below is not regulatory, but suggestive of a desirable transformation of the existing street configuration).

Concept Plan Downtown Master Plan Borough of New Providence, New Jersey

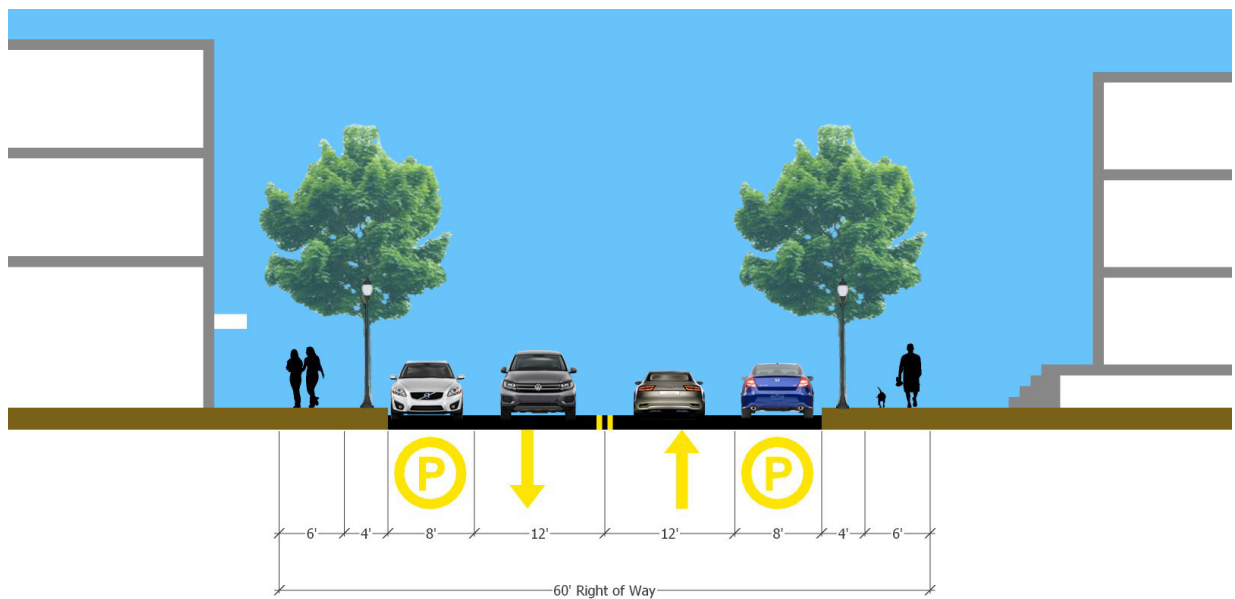
Proposed Traffic Calming along Springfield Ave and South Street include:

- Curb Extensions
- Center Medians
- Reconfigured Intersections
- Visible Crosswalks
- On-street Parking
- Reducing Oversized Traffic Lanes
- Street Trees
- Continuation of Building Street Wall

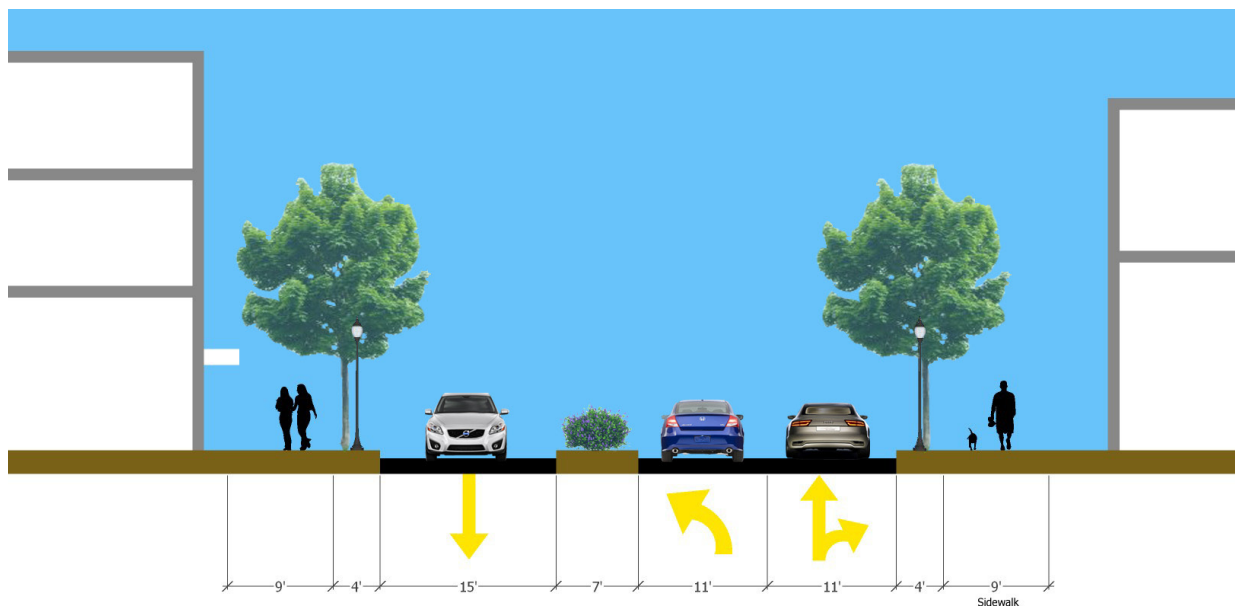


The concept plan envisions three new streets or major street enhancements: one street in the CCD-TH district off of Elkwood Avenue leading to a mid-block shared parking area for the proposed townhouses and mixed use commercial developments fronting on Passaic Street and Springfield Ave; and two new streets that lead to a new traffic circle entranceway at the southern side of the Village Shopping Center. While the form-based code downtown ordinance does not specifically require the dedication of land and / or easements for the construction of these roads, development proposals that include these new streets would further the Borough's goals for the downtown area. The following street sections demonstrate the layout of the proposed streets.

NEW STREET OFF ELKWOOD AVENUE



NEW ENTRANCE TO THE VILLAGE SHOPPING CENTER OFF SOUTH STREET



The concept plan also shows the location of important pedestrian connections. These areas tie in with the architectural and streetscape design guidelines of this chapter, especially the standards related to alleyway treatment. Photographic and conceptual examples for such treatments that are consistent with the Downtown Master Plan Element are provided below.

PREFERRED ALLEYWAY PAVERS



Pedestrian Walkways in Freehold

EXAMPLES OF EXTERIOR ALLEYWAY ART



*Image from Graffiti Lux and Murals
(graffitiluxandmurals.com)*