

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY**

ORDINANCE #26-07

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY ESTABLISHING SECTION 195-57.2 ENTITLED "SPECIAL CIVIC DESIGN ELEMENTS -- MAIN STREET CORRIDOR" OF THE BOROUGH CODE

WHEREAS, the 2006 Master Plan for the Borough of Mendham contained a comprehensive study and planning vision for the Borough; and

WHEREAS, the 2006 Master Plan Land Use Plan Element recommends that the Planning Board perform further Ordinance studies to determine how best to incorporate design features within the Borough's current Ordinances; and

WHEREAS, as part of the Master Plan there are the following goals and objectives relating to Special Civic Design Elements of the Main Street Corridor:

- To retain the small town character of the community;
- To preserve the rural quality of the Borough and its historic heritage beyond the village environs
- To recognize and encourage preservation and designation of those historic properties and buildings that contribute to the unique atmosphere in Mendham
- To integrate re-development and new development into the historic fabric of the village center area
- To maintain the quality and historic character of existing buildings including all structures which contribute to the Borough's history

WHEREAS, the Planning Board has in fact conducted such analysis and studies to set forth Special Civic Design Elements for the Main Street Corridor consistent with the goals of the 2006 Master Plan.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Mendham, in the County of Morris, and State of New Jersey as follows:

SECTION 1. The Code of the Borough of Mendham, is hereby amended and supplemented to establish Section 195-57.2 entitled "Special Civic Design Elements -- Main Street Corridor" as follows:

§195-57.2.1. Purpose

The purpose of the Special Civic Design Elements for the Main Street Corridor (MSC), as defined in the 2006 Borough Master Plan, is fourfold:

1. To acknowledge the importance of gateways to the Borough, one of which is at Cold Hill Road and East Main Street;
2. To provide an appropriate land use transition on Main Street between Cold Hill Road on the east and the Historic District;

3. To form the basis for village streetscape design features which support and coordinate with the Historic Business Zone standards and which are supportive of visual compatibility with the Historic District.

4. To contribute to the present and the future historic character of the Borough. It is the specific intent of §195-57.2. to advance purpose "1" of NJSA 40:55D-2 of the Municipal Land Use Law and to implement the 2006 Master Plan with respect to East Main Street.

§195-57.2.2 Application.

The provisions of §195.57.2.3 and §195-57.2.4 herein below shall be deemed design standards and not zoning regulations except for those provisions regulating the type, light sources and height of lighting fixtures and maximum footcandle levels at property lines, and for the front yard setback averaging requirements of §195-57.2.6 which shall be deemed zoning regulations.

§195-57.2.3 Project Design.

Within the MSC, as delineated in the 2006 Master Plan, the following civic design elements, visual enhancements, treatments, and site details shall be applied in a manner to be approved by the Planning Board or the Board of Adjustment as the case may be, when hearing, evaluating and deciding applications for development approval and/or relief from ordinance requirements at site plan and subdivision review. Upon referral by the Zoning Officer, application of these standards shall also be recommended by the MSC Design Review Committee on an advisory, non-binding basis to applicants for construction permits not requiring any Board approval. For purposes of administering this section, the MSC Design Review Committee membership shall be the Borough Zoning Officer, the Chair of the Historic Preservation Committee (HPC) and one other member of the HPC. The following MSC design standards are intended to be consistent, compatible and supportive of the purposes of this section:

- A. Principal buildings or structures and accessory structures visible from a public way shall be of designs evoking local historic or architectural style as shall other uses or structures which create focal points and points of interest within the corridor; special ground texture treatments, including use of paving brick, concrete paver, and cobblestone surfaces, shall be used whenever practical and as will be approved by the reviewing entity. The

- design elements and standards for non-historic buildings, specifically section 215-19.E, shall be adhered to in the construction, reconstruction and renovation of buildings and structures within the MSC as provided herein.
- B. Landscaping site details and street furniture, including traditional-style benches, decorative trash receptacles, ornamental tree grates and planting beds edged with Belgian block, brick or other decorative masonry materials where appropriate shall be used and shall comply with the standard Borough details. Landscaped courtyards, atriums, and other greens and common open spaces shall be favored in the design of site plans. Varied conceptual design options for same shall be provided to the reviewing entity prior to a final plan submission.
- C. Street trees which are tolerant of roadway and parking lot environments. A list of recommended species is available from the Borough Engineer. Other species which will assist in achieving a similar planting effect may also be used as will be approved by the reviewing entity upon recommendation of the Shade Tree Commission.
- D. Fences, low walls and ornamental metal work, pursuant to §215-29. Fences, and hedges are permitted where appropriate to define on-site open space, courtyards, parking areas, and pedestrian walks and like spaces. Masonry elements may include brick, stone or stucco. All fencing shall be of traditional design appropriate to the property and location. Chainlink fencing shall not be used for decorative purposes and shall be used only if it is black vinyl coated and approved by the Planning Board or Board of Adjustment at site plan review for facilities such as dumpster enclosures or security fencing.
- E. All internal site walkways for non-residential developments shall be constructed of rectangular brick paving stones in accordance with the Borough of Mendham standard detail. Walkways shall be a minimum of three (3') feet wide. A walkway shall be provided from the front door of all principal structures to the sidewalk along

Main Street except for the Mendham Village Shopping Center. Any new sidewalk to be constructed along Main Street shall be concrete to be consistent with the existing sidewalks along Main Street. All new sidewalks along Main Street shall be set back from the curb line a distance of three (3') feet. The area between the sidewalk and curb shall be maintained as turf.

In considering projects submitted for review under this section, the relevant reviewing authority is to assure that projects within the same viewshed are visually compatible and blend properly with their surroundings. The Design Review Committee may provide illustrative samples, diagrams, sketches or other visual media to an applicant to support the visual compatibility objectives of this process.

§195-57.2.4 Outdoor Lighting.

The following outdoor lighting requirements for all site plans shall apply:

- A. Site lighting fixtures shall be Sternberg "Carson City" or approved equal. The poles/fixtures shall be black. The light source and optics shall be shielded in the cap of the luminaire. The lantern shall include a frosted glass chimney. The mounting height to the source shall be a maximum of sixteen (16') feet. For parking lots with less than 15 stalls, the maximum mounting height shall be fourteen (14') feet. The light source shall be white of appropriate minimum wattage. Poles shall be straight, tapered poles. Fixture and pole details may be obtained from the Borough Engineer's office.
- B. Sites shall provide adequate lighting with fixtures in compliance with §195-57.2.4A. above. All fixtures shall minimize adverse visual impacts, such as glare, light spillage and overhead sky glow, on adjacent properties and on any public right-of-way. Light cut-off shields shall be provided, if required in addition to the standard internal light shields, where fixtures abut residential uses and in

other locations as directed by the Planning Board or Board of Adjustment, as the case may be.

C. Along sidewalks, walkways, courtyards, community greens and interior open spaces, lighting complying with the design standards of §195-57.2.4A. above shall be installed in accordance with a lighting plan that shall be approved by the Planning Board or Board of Adjustment with the advice of the Board Engineer.

D. Incandescent light sources may be used for single- and two-family dwellings which are exempt by statute from site plan review.

E. Building façade lights and yard post lighting shall be incorporated into the overall lighting plan design; all fixtures shall be of compatible design and detail with site lights. Façade floodlights or “wall washer” fixtures are prohibited.

F. Lighting for permitted freestanding signs shall be by an external ground-mounted fixture or fixtures shielded from adjoining properties and any public street or right-of-way.

G. Lighting levels at all property lines shall not exceed 0.1 footcandle except where driveways meet a public street.

§195-57.2.5 Signage.

All signage shall comply with Section 215-8 Billboards, sign boards and advertising signs. and shall be consistent with the theme of the village center as defined in the 2006 Master Plan.

§195-57.2.6 Special Front Yard Setback Averaging

Where there are two or more buildings preexisting in the block fronting on Main Street, the front setback line of any new proposed building shall be, instead of the specific distance for the zone, within three (3) feet of the average of the setback observed by the adjacent building to the left and the adjacent building to the right, or if the other buildings are all to the left or all to the right, then the average of the setbacks observed by the adjacent and the next adjacent buildings, in both cases exclusive of garages or any other accessory use structures.

NOTE

Also, a new Footnote 5 to Zoning Section 215, Attachment 2 --
Schedule II Minimum Building Setbacks, should be added for each
Zone affected by the MSC. The Footnote should read:

"Special front yard setback averaging applies in the 1/4-Acre,
1/2-Acre, East Business and Limited Business Zones of the
Main Street Corridor as set forth in §195-57.2.6."

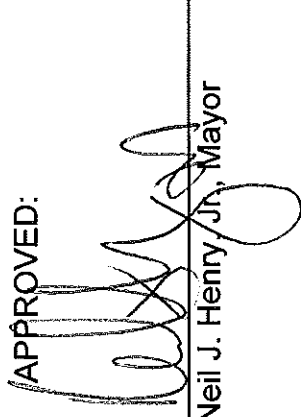
Introduced: November 19, 2007

Adopted: December 17, 2007

ATTEST:


Maureen Massey, RMC CMC
Borough Clerk

APPROVED:


Neil J. Henry, Jr., Mayor