

h. Other Requirements.

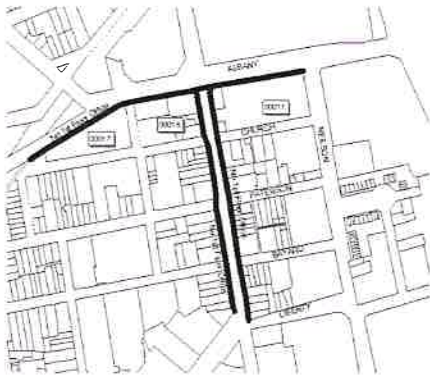
- i. Storage. All materials and equipment shall be stored in completely enclosed buildings or shall otherwise be screened by walls, fences, and landscaping adequate to screen such materials and equipment from outside the boundaries of the lot. The height of the material stored shall not exceed the height of the screening.

6. C-4 Downtown Commercial/Office District.

- a. Intent. The intent and purpose of this district is to provide for the expansion and preserve the integrity of the character and pedestrian scale of the downtown central business district which serves as an urban regional center.

b. Permitted Principal Uses.

- i. Retail shops;
- ii. Personal service businesses, e.g. hair salons, travel agencies;
- iii. Restaurants, except drive-in or drive-through restaurants;
- iv. Indoor theaters, concert halls and exhibition galleries;
- v. Offices, except that no office shall be permitted on the first floor areas of buildings that front on the portion of George Street between Albany Street, Livingston Avenue/Liberty Street, and on the eastern face of Albany Street (blocks 11, 16, and 17), between Nielson Street and the railroad.



- vi. Medical care centers and clinics;
 - vii. City, County, State and Federal government offices and services;
 - viii. Hotels;
 - ix. Financial, insurance and real estate offices;
 - x. Public, private and proprietary schools;
 - xi. Transportation and communication offices and public transportation passenger stations;
 - xii. Radio and television stations;
 - xiii. Public utility offices;
 - xiv. Taverns;
 - xv. Nightclubs;
 - xvi. Mixed use ground floor commercial with residential uses above;
 - xvii. Internet cafes;
 - xviii. Computer and electronic sales and service businesses.
 - xix. Research and development offices and laboratories.
 - xx. Residential apartment buildings (permitted without ground floor commercial except for properties with a frontage on George Street between Albany Street and Liberty Street).
 - xxi. Class 5 Cannabis Retail (permitted only on properties with a frontage on George Street between Albany Street and Liberty Street or with a frontage Easton Avenue between Little Albany Street and Hamilton Street and subject to the regulations and restrictions in [Chapter 5.09](#) Cannabis Licensing and Regulation, Chapter 3.44 Cannabis Taxes, and all applicable State laws).
 - xxii. Class 2 Cannabis Manufacturer (only on second floors or higher, cannot be combined with any other license and subject to the regulations and restrictions in [Chapter 5.09](#) Cannabis Licensing and Regulation, Chapter 3.44 Cannabis Taxes, and all applicable State laws).
 - xxiii. Body art establishments (only on properties with an Easton Avenue frontage).
 - xxiv. Gyms, indoor recreation, libraries and museums.
- c. Permitted Accessory Uses. Uses and buildings customary and incidental to a principal permitted use.
- d. Conditional Uses. Subject to the additional standards and conditions as specified herein:
- i. Reserved.
 - ii. Reserved.

- iii. Quasi-public, Nonprofit Clubs and Organizations.
 - (a) No such use shall be established within two hundred (200) feet of a public or nonprofit school, library or place of worship except for those uses directly associated or affiliated with any public or nonprofit school or place of worship.
 - (b) Each such use shall provide an access driveway to provide access to a side or rear yard off-street parking area.
 - (c) Off-street parking requirement of one space per one hundred (100) square feet of gross floor area or one space per three seats, whichever is greater.
 - (d) All off-street parking provided within thirty (30) feet of any property line shall be protected from adverse impact upon adjacent residential properties through a visual screen of plantings not less than six feet on center, six feet high at planting, with buffer areas designed in conformance with this title.
- iv. Churches and Places of Worship. The minimum lot area shall be ten thousand (10,000) square feet and the minimum frontage shall be one hundred (100) feet.
- v. Sidewalk Cafes. As defined by the General Police Regulations of the Revised General Ordinances of the city of New Brunswick.
- e. Bulk and Height Regulations. As specified in the bulk schedule at the end of this section and elsewhere within Section 17.04.050 of this title.
- f. Design Guidelines.
 - i. General Provisions.
 - (a) Overall Design Concept. All new buildings should be related harmoniously to the terrain (natural features) and to existing buildings and other substantial structures in the vicinity that have a visual relationship to the proposed building or buildings. The achievement of such a relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and/or the creation of focal points with respect to avenues of approach, terrain features or other buildings.
 - (b) Building Height and Setting. The particular location of new buildings on a site should provide an appropriate harmonious relationship to existing area structures, land forms and water bodies, in terms of height, setback, view preservation and related aspects of its urban context. In particular areas, building height and orientation may have to be adjusted in order to maintain such relationships or to preserve visual access to community focal points either nature, e.g., river, or manmade, e.g. cultural institutions, churches, etc. Where the site slopes, a new building's design should fit within an envelope that follows the lands contours. Stepped designs may be appropriate to preserve light, views, and to reinforce the scale of a particular site or an assemblage of lots, the heights, massing and siting of buildings need special care to reinforce existing relationships.
 - (c) Building Design Elements. The selection of building design elements, for example, in the use of materials, fenestration, color, texture, etc., should ensure that such treatment is harmonious with that prevalent in the area, where such prevalence exists and where such harmony is desirable. The building façades should "reflect" the size, scale and setbacks of adjacent buildings and those across the street.
 - (d) Building Orientation. New buildings should be oriented to the natural environment; for example, the design and location of pedestrian areas and plazas, with respect to building orientation, should be based on use in all weather conditions at all times of the year. Appropriate uses of outdoor space related to buildings, such as outdoor cafes are encouraged if they conform to all other ordinance requirements.
 - (e) Building Additions. Building additions should be designed to reflect the existing building in terms of scale, materials, fenestration and color. A change in scale, for example, may require a transitional design element between the addition and the existing building. Additions are encouraged that are sympathetic to the original building yet contemporary in spirit. Additions to designated historic buildings should conform to the Secretary of Interior's Standards for Historic Preservation.
 - (f) Side and Rear Elevations. Appearance of the side and rear elevations of buildings is important in commercial districts, especially if parking is provided next to the buildings. It may be desirable to develop alternate entries. Other guidelines for fronts of buildings shall also apply to the rear and sides.
 - (g) Parking Decks. The first level of a parking deck should be oriented to the pedestrian, by incorporating commercial space at sidewalk level or by screening with architectural or landscape material at street level.
 - (h) Area Design Features. New buildings should, where appropriate, strengthen the particular urban design features of its locale by, for example, framing a view corridor, enclosing an open space area, or continuing a particular design feature of statement. New construction should respect the existing street pattern to preserve the town plan and reinforce it where possible and appropriate. Existing views should be reinforced with restored or new buildings that serve as termination points or landmarks.
 - (i) Façade Composition. Commercial buildings generally consist of a base, shaft and crown. The base is generally more open and accessible than the upper areas of the building. Stability, proportion and visual interest are established by buildings with clear vertical organization and this is the acceptable treatment.
 - iii. Specific Standards. Each individual building façade has its own architectural character, scale and style. Aligned along a block, these façades collectively establish a unified pattern by repeating forms, colors, textures and rhythms of doors and windows. If this pattern is respected, it can accommodate individual storefronts and many design variations. The block façade is the base element that the design guidelines seek to address.
 - (a) Massing. Large, horizontal buildings of limited height in the commercial zone should be broken down into segments having vertical orientation (bays). Repetition of bays and traditional façade elements creates patterns which help establish a sense of scale while allowing individual identify for each storefront.

- (b) Character of Primary Façades. Buildings with expansive blank walls and all curtain wall structures are prohibited. Blank walls and curtain wall buildings have no relationship to the overall design character of the downtown area and undermine the qualities of human scale that the traditional commercial and residential structures have established.
- (c) Roof Forms. In commercial areas, buildings should be designed to be "wall dominated" in that the roofs are visually less dominant in the total design. Roof forms should be similar to those predominantly found on adjacent buildings.
- (d) Scale. A human scale should be achieved at ground level and along street frontages and entryways through the use of such elements as windows, doors, transoms, sidelines, columns, awnings, stoops, bulkheads, and areaways. The rhythm of entrances and windows on the street contributes to visual continuity and is encouraged on all commercial and residential buildings. Recessed entries on commercial buildings identify the entrance, provide shelter and are also encouraged.
- (e) Building Height. The actual and perceived height of buildings is important. Buildings that are perceived from the pedestrian perspective as departing greatly from the height of their established neighbors can visually disrupt the sense of pedestrian scale. By providing building set backs for new buildings at the cornice line of established buildings and providing design amenities at the street that encourage pedestrian activity, taller buildings can better fit into the neighborhood. Low, one-story structures often cause gaps in urban fabric that is generally a minimum of three stories in height. An additional story (or stories) is an appropriate improvement; or a combination of a higher parapet wall with signage and awnings.
- (f) Relationship to the Street. In infill construction, maintain alignments of façades at the sidewalk edge or uniform set back lines of buildings on a block. In areas of irregular set backs, new construction setbacks shall conform to the ordinance requirement.
- (g) Proportion of Façades. The relationship of the width to the height of the front elevation shall be visually compatible with the buildings and places to which it is related.
- (h) Proportion of Openings. The relationship of the width to the height of window proportions on the front elevation shall be visually compatible with the buildings and places to which it is related. Original window and door sizes and shapes should not be altered in any renovation. If window replacement is required, original masonry or framed window openings shall be filled completely with new windows of the same design as original. Decorative panels or filler strips that reduce the size of the original openings to accommodate standard windows are prohibited. If earlier "improvements" to original window openings were not well done, and are in conflict with the guidelines, it is the intent of the standard to encourage the reversal of such alterations.
- (i) Window and Door Types. Select window and door types that are compatible to original architectural style in existing buildings. In new buildings, use windows and doors that are harmonious to those prevalent in the area or as approved by the technical advisory committee. Glazing shall be transparent with low reflectance, although tinted and coated glass of slight coloration may be used above the first floor for energy conservation.
- (j) Shutters. Use paneled or louvered shutters that when closed will fully cover the window opening.
- (k) Rhythm of Solid (Wall) to Void (Window and Door). The use of vertically proportioned windows is generally encouraged as they reinforce established rhythms. The distinction between upper and lower floor windows should be maintained. The first floor is primarily transparent, whereas the upper floor façades are more traditionally solid with smaller window openings. New construction shall use windows of similar sizes and shapes or incorporate other façade elements that establish the same pattern of other buildings in its content.
- (l) Rhythm. Rhythms which carry through a block such as window spacing, entrances, canopies or awnings, etc., should be incorporated into new or renovated façades.
- (m) Fire Escapes. Fire escapes are prohibited on the principal façade of a building. They may be permitted on the side or rear if not in conflict with zoning, property ownership or code requirements.
- (n) Architectural Style. Façade renovations should be in accordance with the original architectural style of the building. Original details should be retained. When it becomes necessary to introduce new features, they should harmonize with existing features. If windows and doors must be replaced, use new windows and doors that match the original in design.
- (o) Historical Appropriateness. False historical styles that do not have a design relationship to the rest of the building are prohibited.
- (p) Exterior Spaces. Exterior spaces should be related in scale to the building which defines them. Exterior spaces should be organized in sequence. Abrupt changes from very small to very large, without the use of transitional space, should be avoided. Exterior parking areas should be screened from view by walls, fences, buildings or vegetation with a minimum height of thirty-six (36) inches nor shall it exceed any height limits for fences. Screening shall not violate any sight triangles.
- (q) Building Materials. On existing buildings, retain original material wherever possible. Do not cover original materials for cosmetic reasons. In a renovation, incorporate elements of the original façade and its materials by covering it with metal panels or plastic. Aluminum siding, metal panels, EFIS systems on the ground floor and mirrored glass surfaces are prohibited unless already used on the building or adjacent structures. Masonry cleaning should be accomplished by the most gentle cleaning method possible. Masonry intended to be painted should stay painted and unpainted masonry should remain unpainted.
- (r) Lighting of Façades. Façade lighting shall be arranged to reflect the light and glare away from adjoining lots and streets. No façade lights shall be permitted with a beam, beacon or flashing illumination. Façades shall be lighted from the top or bottom with the light source angled no closer to the horizontal than two vertical to one horizontal; and the light source shall be shielded from adjoining lots, streets and interior

drives. All façade lights shall be either shielded or shall have a translucent fixture to reduce off-site effects. New lighting shall be prohibited for use around storefront borders or storefront or window outlines.

- (s) Security Gates. Exterior security gates are prohibited. Interior security gates are only permitted provided the storefront or area to be secured remains visible. Solid security gates and exterior doors (roll-ups) are prohibited. "Panelized" gates of an open design that will correspond to individual window or door openings, or will break up a large storefront window into small increments, are permitted. Existing security gates and doors, to be retained in a project renovation, shall be painted in accordance with the color standards specified within this title. Existing solid security gates and exterior doors (roll-ups) are not permitted during any repair or renovation.
 - (t) Awnings, Canopies and Marquees.
 - (1) Marquees are prohibited.
 - (2) Awnings shall consist of only fabric. All fixed or retractable awnings shall be constructed and installed so that the frame and fabric are of an integral part of the design of the structure.
 - (3) No awning shall extend more than four feet from the building surface; no awning shall be less than eight feet above grade.
 - (4) Awnings shall not be placed so as to conceal or disfigure an architectural feature or detail.
 - (5) Awnings shall be coordinated, in terms of design, color and height, with awnings on adjacent buildings.
 - (u) Color. The painting of buildings with bold patterns, checks, or using buildings as signs, and the use of fluorescent coloring, is prohibited.
- iii. Signs. All signs shall conform to the requirements as set forth within Chapter 17.06 of this title and the following additional requirements:
- (a) Advertisements painted upon the surface or façade of structures or buildings are prohibited.
 - (b) All signs shall be installed so that the method of installation is concealed or made an integral part of the design of the sign.
 - (c) Freestanding signs are prohibited.
 - (d) Plastic, internally illuminated signs are prohibited.
 - (e) Signs shall fit within the existing features of the façade.
 - (f) Where possible, signs shall be aligned with other signs on adjacent buildings.
 - (g) Sign colors, materials, size, shapes, and methods of illumination shall reinforce the overall composition of the façade.
 - (h) If two establishments share a common storefront, then both shall use the same signing format, but only when the existing signage conforms to these standards.
 - (i) Second floor businesses may be permitted to display signs which are placed either directly beside or immediately above a related window, but such signs may not extend beyond the building line.
 - (j) Except as permitted in this section, signs are prohibited on balconies, roofs, doors or windows, or placed in a way that they disfigure or conceal any architectural feature or detail of the building.
 - (k) Banners and similar flag-like devices, regardless of banner materials or absence of an advertising message, shall be considered as signs for the purpose of this section.
 - (l) Window Signs. One business sign may be painted on the window and/or door of each business bearing the name, street number and/or type of business of the principal occupant, and the total area of all such signs shall not exceed ten (10) square feet, or twenty (20) square feet for a corner property, with ten (10) square feet per exposure to street front. Window signs designed to promote the sale of an article or business activity shall not exceed in total sign area fifteen (15) percent of the total window area of the first floor or street level of the building involved. Each individual window sign shall not exceed six square feet in area.
 - (m) Façade Signs. Façade signs are permitted, and when combined with other signs displayed on or above said façade shall not exceed in the aggregate a total of ten (10) percent of the area of that face of the building used in such business at the location in question.
- iv. Prohibited Signs.
- (a) Billboards, pylon signs and roof signs.
 - (b) Signs on trailers, truck trailers or unregistered motor vehicles.
 - (c) Internally illuminated, animated, flashing or illusionary signs using mechanical and/or electrical devices to revolve, flash or display movement or the illusion of movement, except time and temperature or barber shop poles.
 - (d) Illuminated signs using red, yellow or green light when they are situated within two hundred (200) feet of any street intersection.
 - (e) Signs advertising goods and services available at the premises upon which the sign is located.
 - (f) Any sign that uses the word "danger" or "stop" or otherwise presents or implies the need or requirement to stopping or caution or the existence of danger or which is likely to be confused with any sign displayed by public authority.
 - (g) Pennants, banners, and mobiles, except where allowed with approval of the technical advisory committee and the administrative officer and/or director of planning.
 - (h) Temporary, transportable and/or "sandwich" signs are prohibited within all street rights-of-way including sidewalk areas.
 - (i) Exterior neon signs and decorative neon lighting is prohibited.
- v.

Exemptions from Strict Application of Standards: It shall be the intention of this chapter to encourage property owners to maintain their properties in such a manner as to create, within the downtown commercial/office C-4 district, a coordinated and aesthetically attractive composition of building façades. This chapter shall not be interpreted in a manner that would tend to discourage property owners in the improvement or modification of their properties. In addition to all other remedies provided to property owners by this title for the appeal from any decision or determination by the administrative officer or for the acquisition of any variance or exception provided by law, owners of properties within the downtown commercial/office district shall be entitled to seek an exemption from the strict application of or the strict interpretation of any standard or requirement imposed by this chapter by demonstrating to the administrative officer that:

- (a) An exemption from the strict application of any such standard is necessary to avoid hardship relating to expense or otherwise associated with structural alterations or other building modifications necessary to achieve compliance with said standards; and
- (b) The exemption relates to a fixture regulated by this chapter, the design or location of which constitute an element of an overall plan or proposal for the design or redesign of the structure or façade thereof; and
- (c) The relaxation or modification of the standards would not subvert the intent and purpose of this chapter by substantially detracting from the aesthetic design and composition among the properties within the downtown commercial/office district which is intended to be coordinated, maintained and preserved by this chapter.

g. Parking.

Use	Parking Requirement
Non-residential or mixed-use w/residential buildings with less than 20,000 sq. ft. of gross floor area	None
Non-residential or mixed-use w/residential buildings with 20,000 sq. ft. or more of gross floor area	Parking standards as per <u>Chapter 17.05</u> . Residential in mixed-use buildings shall comply with the RSIS parking standards, notwithstanding the non-applicability of RSIS standards to mixed-use buildings.
Residential buildings	RSIS off-street parking standards.

h. Other Requirements.

- i. No driveway access to private property shall be permitted to connect to George Street or Albany Street in order that the efficient and safe flow of traffic shall be maintained;
- ii. All materials or equipment shall be stored, displayed and maintained indoors with the exception of all tables, chairs and other materials or equipment usually associated with permitted sidewalk cafes.

7. C-5 Highway Commercial District.

- a. Intent. The intent and purpose of this district is to provide for the development of regional uses which are appropriate along major arterial highways. Further in order to provide for the safe and efficient flow of traffic within and thorough this district, specific bulk requirements and design standards are also established.
- b. Principal Permitted Uses.
 - i. Professional and general offices;
 - ii. Restaurants, drive-thru, and drive-in restaurants;
 - iii. Retail stores, excluding flea markets;
 - iv. Reserved;
 - v. Indoor theaters;
 - vi. Art galleries;
 - vii. Automotive supply stores;
 - viii. Supermarkets and retail food stores;
 - ix. Body art establishments;
 - x. Public and non-profit private schools;
 - xi. Automobile dealerships, excluding the sale of used automobiles as a principal use;
 - xii. Public passenger transportation stations and parking facilities;
 - xiii. Medical care centers and clinics;
 - xiv. Hotels and conference centers, and motels;
 - xv. Banks;
 - xvi. Research and development facilities and laboratories;

D-HI	Downtown Hospital	10,000	100'	100'	10'	5'	10'	10'	150'	70%	95%	12.0:1	10'	10'	15'
I-1	Light Industrial	20,000	100'	200'	25'	10'	30'	50'	50'	40%	75%	1.0:1	10'	10'	15'
I-2	[See] <u>Title 17, Chapter 17.04</u> , Section <u>17.04.040</u> , "Zoning district regulations.," F. "Industrial Zones," 2. "I-2 General Industrial District. a. "Intent Standards."														
I-2-E	Industrial/Entertainment	40,000	200'	200'	50'	25'	50'	50'	50'	35%	85%	1.0:1	20'	20'	15'
IN-1	Institutional	5,000	50'	100'	10'	5'	12'	20'	35'	40%	50%	0.8:1	3'	3'	15'
IN-2	Institutional	10,000	100'	100'	20'	15'	35'	25'	35'	35%	60%	1.0:1	10'	10'	15'
C	Single—att.	10,000	100'	100'	20'	10'	20'	25'	25'	25%	45%	0.35:1	3'	3'	10'
C	Single—detach.	5,000	50'	100'	20'	14'	-	20'	25'	20%	45%	0.35:1	3'	3'	10'
C	Townhouses	1,800	18'	100'	20'	14'	-	20'	25'	20%	45%	0.5:1	3'	3'	10'
ROSE	See Bulk and Height Regulations located <u>Title 17, Chapter 17.04</u> , Section <u>17.04.045</u> , "Overlay Zones," 1. "ROSE Remsen Overlay District.," b. "R Standards."														
MDGO	See Bulk and Height Regulations located <u>Title 17, Chapter 17.04</u> , Section <u>17.04.045</u> , "Overlay Zones," 2. "MDGO Graduated Density Medium-D Rise Apartments.," b. "MDGO Bulk Standards."														

C-4 Graduated Density

Min. Lot Size	Lot Width	Lot Depth	Min. Front Setback	Min. One Side Setback	Min. Total Side Setback	Min. Rear Setback	Height	FAR	Max. Bld. Cover	Max. Impervious
5,000	50	100	0	0	0	0	55/4 stories	4.0	100	100
10,000	100	100	0	0	0	0	75/6 stories	5.0	100	100
20,000	150	100	0	0 ft., unless the property abuts a residential zone R-5, R-6 or R-7, where a 10 ft. side yard setback shall be required	0 ft., unless the 10 ft. one, side yard setback applies	0	180	12.0	95	95
30,000	150	100				0	225	15.0	95	95
40,000	150	150				0	300	20.0	95	95

Sky-Exposure Plane Setback

Height	Setback
At or below 60 feet	0 feet