

ORDINANCE 2022-16

*Borough of Metuchen
County of Middlesex
State of New Jersey*

**ORDINANCE AMENDING SECTION 110-112.7 (DESIGN AND
LANDSCAPE PROVISIONS) AND SECTION 110-178 (SPECIFIC STANDARDS)
IN CHAPTER 110 (LAND DEVELOPMENT) CONCERNING SPECIFICATION
OF LANDSCAPE SPECIES**

BE IT ORDAINED, by the Borough Council of the Borough of Metuchen as follows:

SECTION 1. Section 110-112.7 (Design and landscape provisions) in Article 23 (Supplementary Regulations) in Part III (Zoning) in Chapter 110 (Land Development) of the Code of the Borough of Metuchen is hereby amended to read as follows:

§110-112.7 Design and landscape provisions.

Design provisions. The following provisions shall apply to all applications involving construction, reconstruction or addition to a single- or two-family detached dwelling. In the case of an application involving less than 500 square feet of construction, reconstruction or an addition to a single- or two-family detached dwelling, the following provisions may be waived at the determination of the reviewing agency or the Zoning Officer.

- A. Orientation. The dwelling shall be oriented to face to and relate to the street and sidewalk in terms of the footprint location and front entrance. On corner lots, the reviewing agency or the Zoning Officer shall have the ability to determine which street such dwelling shall face and relate to as the primary street and which side shall be treated as a secondary street for the purposes of orientation.
- B. Facade width. The width of the foremost portion of the front of the structure shall not extend greater than 50% of the required lot width. A structure may gradually become wider by stepping back and outward with offsets of a minimum of eight (8) feet from the foremost portion of the front of the structure. For the purposes of this subsection, a covered porch at least eight (8) feet in width at the foremost portion of such structure shall meet the intent of being a portion of the principal structure. This provision shall apply to preexisting dwellings that currently conform to this provision and new dwellings only.
- C. Garage locations and design. A one- or two-car garage facing the street shall be recessed behind the nearest portion of the facade by a minimum of eight (8) feet. Any three-car garage shall be located to face the side or rear of the property and not the street. In relation to the facade, any garage facing a street shall be designed as a less obvious feature of the home in terms of location, massing, recessing,

shadowing by overhangs and architectural treatments. In no case shall the garage door(s) be closer to the street than the main entry door. For the purposes of this subsection, a covered porch at least eight (8) feet in width at the foremost portion of such structure shall meet the intent of being a portion of the principal structure. This provision shall apply to preexisting dwellings that currently conform to this provision and new dwellings only.

- D. Repetition of building design. The same building design shall not be utilized on adjacent lots not within 200 feet of another dwelling of the same design. Building design shall vary in terms of footprint, architectural elevations, fenestration, type of roof, height, entrance and garage location, architectural style, materials and colors and details. This provision shall only apply to an application involving a subdivision.
- E. Existing vegetation. To the greatest extent possible, significant existing vegetation in good health and condition shall be preserved. Particular consideration shall be given to preserving any tree greater than four (4) inches in caliper, as well as existing stands of trees and tall shrubs and hedgerows along property lines. In cases where trees are removed, their replacement shall be provided in accordance with Article 46 of this chapter.
- F. Foundation plantings. The base along the front(s) and side(s) of each dwelling as well as porches and entrance platforms in the front yard(s) and side yard(s) of each dwelling shall be planted consisting of evergreen and deciduous shrubs. Such plantings shall be a minimum of two (2) feet tall at time of planting and spaced an average of three feet on center. To avoid monocultures, the following species diversity shall be used: where up to 10 plants are proposed, not more than 1/2 proposed plants shall be of any one species; where 11 to 30 plantings are proposed, not more than 1/3 of the proposed plantings shall be of any one species; and where greater than 30 plantings are proposed, not more than 1/4 of the proposed plantings shall be of any one species. Plantings shall be selected from the recommended Borough plant list. A planting bed containing extensive flower and ground cover shall extend a minimum of two (2) feet in front of the foundation plantings along the entire façade facing a street.
- G. Front yard tree plantings. The front yard(s) of each dwelling shall be planted with a minimum of one (1) shade tree and one (1) flowering tree for each 50 feet of frontage along the street or part thereof. On front yards where healthy and mature shade and/or flowering trees currently exist and are being preserved, such shall count toward the requirement. Shade trees shall be a minimum of three (3) inches in caliper, and flowering trees shall be a minimum of two (2) inches in caliper at time of planting. To avoid monocultures, the following species diversity shall be used: where three (3) to five (5) shade and/or three (3) to five (5) flowering trees are proposed, not more than 2/3 of the proposed shade and/or flowering trees shall be of any one species; and where greater than five (5) shade and/or five (5) flowering trees are proposed, not more than 1/2 of the proposed shade and/or

flowering trees shall be of any one species. Shade trees shall be selected from the recommended Borough street tree list. If the approving authority determines that some or all of the shade and/or flowering trees cannot be accommodated in the front yard(s) on the subject premises, the applicant shall pay to the Shade Tree Commission the sum of \$500 per shade tree and \$200 per flowering tree required, to be used by the Shade Tree Commission for the planting of trees on public lands in the Borough. Newly planted trees shall be monitored for a period of one (1) year to ensure the health of the trees. If the trees die within the one-year period, the developer/applicant shall replace the dead tree(s). The developer/applicant shall remain liable to replace trees, notwithstanding that the subject premises may have been conveyed to another person or entity.

- H. Street trees. Street trees shall be provided in accordance with Article 46 of this chapter.
- I. Public sidewalks and private walkways. Public sidewalks and private walkways shall be provided in accordance with Article 34 of this chapter.

SECTION 2. Section 110-178 (Specific standards) in Article 45 (Landscaping Design Guidelines and Standards) in Part IV (Development and Design Standards) in Chapter 110 (Land Development) of the Code of the Borough of Metuchen is hereby amended to read as follows:

§ 110-178 Specific standards.

The following standards shall be used to prepare and review landscaping on any development plan:

- A. Parking lots. The interior area of all parking lots shall be landscaped to provide visual relief from the undesirable and monotonous appearance of extensive parking areas and to provide shading that will reduce solar heat gain to both the surface of the parking lot and vehicles parked thereon. Such landscaped areas shall be provided in protected planting islands or peninsulas within the perimeter of the parking lot and shall be placed so as not to obstruct the vision of motorists. The area and types of plantings shall be provided based on the number of parking spaces in the lot, as follows:
 - (1) For parking lots with 10 spaces or less, no such interior landscaping shall be required if the Board determines there is adequate landscaping directly surrounding the perimeter of the parking lot. If the Board finds that such landscaping is inadequate, then the requirements of Subsection A(2) below shall apply.
 - (2) For parking lots with 11 or more spaces, a minimum of 5% of the interior area of the parking lot shall be landscaped with a minimum of one deciduous tree planted for every five parking spaces. The remainder of any such interior planting areas not containing trees

shall be planted with low-growing evergreen shrubs. If all of the above required trees can not all be located within such interior planting areas, then such remaining trees shall be planted in locations directly surrounding the perimeter of the parking lot.

- B. Foundation plantings. The base of all sides of a building shall be planted with foundation plantings consisting of evergreen and deciduous shrubs. Such plantings shall be a minimum of two (2) feet tall at time of planting and spaced an average of three (3) feet on center. To avoid monocultures, the following species diversity shall be used: where up to 10 plants are proposed, not more than 1/2 proposed plants shall be of any one species; where 11 to 30 plantings are proposed, not more than 1/3 of the proposed plantings shall be of any one species; and where greater than 30 plantings are proposed, not more than 1/4 of the proposed plantings shall be of any one species. A planting bed containing extensive flower and ground cover shall extend a minimum of two (2) feet in front of the foundation plantings along the entire facade facing a street.
- C. Slope plantings. All cut and fill areas, terraces, earth berms and roadway embankments with slopes steeper than one increment vertical to three increments horizontal (1 to 3) shall be sufficiently landscaped to prevent erosion.
- D. Drainage facilities. Detention basins, headwalls, outlet structures, concrete flow channels, riprap channels and other drainage facilities shall be suitably planted with shrubs and trees. Detention basin embankments shall be extensively landscaped with wet-site-tolerant plantings.
- E. Energy conservation. Landscaping shall be designed to conserve energy, such as the planting of evergreen windbreaks to provide shielding from northwesterly winds during the winter and deciduous shade trees to reduce solar heat gain during the summer.
- F. Street or site furniture. Benches, trash receptacles, kiosks, phone booths and other street or site furniture shall be located and sized in accordance with the functional need of such. Selection of such furniture shall take into consideration issues of durability, maintenance and vandalism. All such furniture shall be architecturally compatible with the style, materials, colors and details of buildings on the site.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

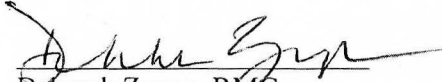
SECTION 5. This ordinance shall ordinance shall take effect upon final passage and publication in accordance with law and upon filing with the Middlesex County Planning Board.

Introduction: August 22, 2022

Date of Publication: August 25, 2022

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH				X	KANDEL	X			
DELIA	X				KOSKOSKI	X			
HIRSCH				X	RASMUSSEN	X			
MOTION	DELIA				SECOND	RASMUSSEN			
X - INDICATES VOTE					AB- ABSENT		NV- NOT VOTING		

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on August 22, 2022.


 Deborah Zupan, RMC
 Borough Clerk



Adopted: September 12, 2022

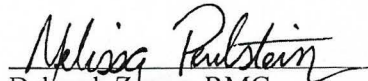
Date of Publication: September 15, 2022

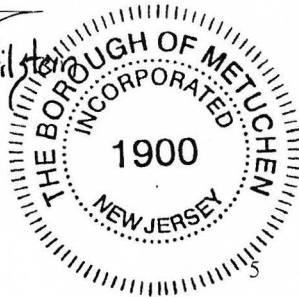
COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				KANDEL	X			
DELIA	X				KOSKOSKI	X			
HIRSCH	X				RASMUSSEN	X			
MOTION	DELIA				SECOND	RASMUSSEN			

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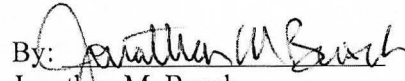

 Deborah Zupan, RMC
 Borough Clerk *Melissa Perilstein*

ATTEST:


 Deborah Zupan, RMC
 Borough Clerk *Melissa Perilstein*



BOROUGH OF METUCHEN

By: 
 Jonathan M. Busch
 Mayor