

**BOROUGH OF NEW PROVIDENCE
ORDINANCE 2015-02**

**“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 310 OF THE CODE OF
THE BOROUGH OF NEW PROVIDENCE ENTITLED ‘ZONING’”**

BE IT ORDAINED by the Mayor and Council of the Borough of New Providence, in the County of Union and State of New Jersey, that Chapter 310 of the Code of the Borough of New Providence entitled “Zoning” is hereby amended as set forth below; and

WHEREAS, the Board desires to revise and replace the utilization of Floor Area Ratio for existing detached housing by implementing and amending certain height, setback and other bulk requirements with the intent of reducing the massing and scale of dwellings as viewed from the street and otherwise preventing the construction of dwellings that are out of character with the neighborhood; and

WHEREAS, based on a review of several recent years’ applications before the Borough’s Zoning Board of Adjustment and the Borough’s desire to expedite and reduce the cost of seeking variance approval for additions and minor construction, where appropriate, the Board finds it beneficial to the public to adopt the following:

1. Part III. Article II, Chapter 310-6, entitled “Definitions” shall be amended to add definitions and replace existing definitions with revised definitions, as follows:

Definitions:

ENCROACHMENT: Any structure that protrudes into a required setback.

STOOP: A small staircase ending in a platform that leads to the entrance of a building.

PORCH: A covered platform that leads to the entrance of a building.

PORTICO: A structure consisting of a roof supported by columns or piers that leads to the entrance of a building.

STORY, ABOVE-GRADE: “Any living area having a finished floor area above grade, except a basement, shall be considered a “story” when the distance from the grade to the finished surface of the floor above the basement is more than four (4) feet for more than 60% of the total perimeter of the building or more than ten (10) feet at any point.”

2. Part III. Article II, Chapter 310-10, entitled “Schedules” shall be amended to revise certain requirements set forth in “Schedule II: Lot and Yard Requirements”, “Schedule III: Height, Coverage and Living Area Requirements” and “Schedule IV: Minimum Required Off-street

Parking” as indicated on the attached amended schedules.

3. Part III, Article II, Chapter 310-10, entitled “Schedules” shall be amended to include the requirements set forth in “Schedule IIA: Lot and Yard Requirements – Existing Lots.”
4. Part III, Article II, Chapter 310-13, entitled “Lot and yard requirements” shall be amended to include reference to Schedule IIA such that it reads as follows:

The regulations set forth in Schedule II: Lot and Yard Requirements and Schedule IIA: Lot and Yard Requirements – Existing Lots, shall apply to all structures and lots within the several districts respectively, unless otherwise specified in this chapter. Where minimum lot widths at the setback line are required, the specified width shall be maintained from the setback line for an additional 40 feet toward the rear lot line.

5. Part III, Article II, Chapter 310-23, entitled “Projections into required yards” at paragraph A, subsection 6, is amended as follows:

A. Subject to the conditions hereinafter set forth, the following additions may be permitted to extend into required yards in residential districts:

(6) A roof with unenclosed sides over an entrance platform of a dwelling or portico may project up to five feet into the required front yard, provided that the roof over an entrance platform shall not extend beyond the platform and steps, nor shall the total area of the extension into the front yard exceed 25 square feet. If front yard encroachments of porches, porticos, stoops and similar structures exist, said encroachments shall be such that the minimum front yard setback may be the average of the front yard setbacks of the dwellings located on the lots within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot, but in no event shall the minimum front yard setback be less than 10 feet.

6. Part III, Article II, Chapter 310-23, entitled “Projections into required yards” paragraph B, subsection 1, shall be amended as follows:

B. Said additions must meet the following conditions:

1. The existing building conforms to the requirements of Schedules II, IIA and III for the yard in question or, if the yard requirement is not met, meets all conditions below:

7. **Repealer.** All ordinances or parts of ordinances inconsistent with this ordinance area hereby repealed as to the extent of such inconsistency.
8. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

9. **Effective Date.** This Ordinance shall take effect immediately upon adoption and publication as provided by law.

Introduced: March 20, 2015
 Public Hearing: April 13th and 27th, 2015
 Adopted: April 27, 2015

Record of Council Vote

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO	X			
KAPNER	X			
MADDEN	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

BOROUGH OF NEW PROVIDENCE
 COUNTY OF UNION
 STATE OF NEW JERSEY

 Allen Morgan, Mayor

Attest:

 Wendi B. Barry, Borough Clerk

ZONING

310 Attachment 2

Borough of New Providence

**SCHEDULE II
LOT AND YARD REQUIREMENTS**

Dimension	Requirement
*R1 District: Single-Family District	
Minimum lot area	18,000 square feet
Minimum yards	See Schedule IIA
Minimum lot width	
Interior	
At setback line	120 feet
At right-of-way line	75 feet
Corner	
At setback line	130 feet
At right-of-way line	85 feet
*R2 District: Single-Family District	
Minimum lot area	15,000 square feet
Minimum yards	See Schedule IIA
Minimum lot width	
Interior	
At setback line	110 feet
At right-of-way line	60 feet
Corner	
At setback line	110 feet
At right-of-way line	70 feet
*R2A District: Single-Family District [Added 6-27-2005 by Ord. No. 2005-8]	
Minimum Lot Area	18,000 square feet
Minimum yards	See Schedule IIA
Minimum lot width	
Interior	
At setback line	80 feet
At right-of-way line	60 feet
Corner	
At setback line	110 feet
At right-of-way line	70 feet
Minimum lot depth	200 feet

¹ The standards set forth in the schedule for single-family uses shall apply for all subdivisions. For existing lots in all zones permitting single-family dwellings as a principal permitted use, see Schedule IIA.

²* The standards set forth in the schedule for single-family uses shall apply for all subdivisions. For existing lots in all zones permitting single-family dwellings as a principal permitted use, see Schedule IIA.

R3 District: Two-Family District

Minimum lot area	
One-family	8,000 square feet
Two-family	10,000 square feet
Minimum yards**	
Front	30 feet
Rear	40 feet
Side	
One	8 feet
Both	20 feet
Minimum lot width	
Interior	
At setback line	75 feet
At right-of-way line	50 feet
Corner	
At setback line	85 feet
At right-of-way line	60 feet

R3A District: Single-Family and Two-Family District [Added 8-8-2005 by Ord. No. 2005-13]

Minimum lot area	
Single-family	10,000 square feet
Two-family	15,000 square feet
Minimum yards**	
Front	30 feet
Rear	40 feet
Side	
One	12 feet
Both	30 feet
Minimum lot width	
Single-family	
At the Setback Line	80 feet
At the right-of-way Line	80 feet
Two-family	
At the Setback Line	100 feet
At the right-of-way Line	100 feet
Minimum lot depth	
Single-family	125 feet
Two-family	150 feet

R4 District: Multifamily District

Minimum lot area	
Garden apartments and townhouses	2 acres
One-family	8,000 square feet

Two-family	10,000 square feet
Planned unit residential developments	5 acres
Minimum yards**	
Front	30 feet
Rear	40 feet
Side	
One	15 feet
Both	35 feet
Minimum lot width	
Interior	
At setback line	—
At right-of-way line	100 feet
Corner	
At setback line	—
At right-of-way line	100 feet

OR District: Office and Residential District

Minimum lot area	
Hotel	2 acres
Planned unit residential developments	5 acres
Office	20,000 square feet
Residential	
One-family	8,000 square feet
Two-family	10,000 square feet
Garden apartments and townhouses	2 acres
Minimum yards**	
Front	
Office or hotel	20 feet
Other Residential	30 feet
Rear	40 feet
Side	
One	15 feet
Both	35 feet
Minimum lot width	
Interior	
At setback line	100 feet
At right-of-way line	—
Corner	
At setback line	100 feet
At right-of-way line	—

CCD District: Central Commercial District

Minimum lot area	None
------------------	------

** For single-family dwellings, see Schedule IIA for all minimum yard requirements.

Minimum yards

Front
an existing established setback, then
structures on either side. If one setback
continued.

5 feet from right-of-way line except where there is
the setback shall be the same as the setback of the
is deeper than the other, the deeper setback shall be

Rear

None, except as required by §§ 310-19C and 310-21

Side

None, except as required by §§ 310-19C and 310-21

Minimum lot width

Interior

At setback line

None

At right-of-way line

None

Corner

At setback line

None

At right-of-way line

None

C1 District: Specialty Commercial District

Minimum lot area	
Planned commercial developments	5 acres
Planned unit residential developments	5 acres
Minimum yards	
Front	15 feet from right-of-way line except where there is an existing established setback, then the setback shall be the same as the setback of the structures on either side. If one setback is deeper than the other, the deeper setback shall be continued.
Rear	None, except as required by §§ 310-19C and 310-21
Side	None, except as required by §§ 310-19C and 310-21
Minimum lot width	
Interior	
At setback line	None
At right-of-way line	None
Corner	
At setback line	None
At right-of-way line	None

C2 District: Neighborhood Commercial District

Minimum lot area	None
Minimum yards	
Front	Same as C1 Zone
Rear	None, except as required by §§ 310-19C and 310-21
Side	None, except as required by §§ 310-19C and 310-21
Minimum lot width	
Interior	
At setback line	None
At right-of-way line	None
Corner	
At setback line	None
At right-of-way line	None

TBI-1 District: Technology and Business Innovation Zone I (former RL District)

Minimum lot area	150,000 square feet
Planned Commercial Developments	5 acres
Minimum yards	
Front	100 feet
Rear	None, except as required by §§ 310-19C and 310-21
Side	50 feet for each side yard, except as required

by §§ 310-19C and 310-21

Minimum lot width	
Interior	
At setback line	300 feet
At right-of-way line	300 feet
Corner	
At setback line	300 feet
At right-of-way line	300 feet

TBI-2 District: Technology and Business Innovation Zone II (former LI District)

Minimum lot area	100,000 square feet
Planned commercial developments	5 acres
Minimum yards	
Front	100 feet
Rear	Same as TBI-1 District
Side	Same as TBI-1 District
Minimum lot width	
Interior	
At setback line	300 feet
At right-of-way line	300 feet
Corner	
At setback line	300 feet
At right-of-way line	300 feet

A1 District: Affordable Housing District [Amended 8-10-1992 by Ord. No. 92-12]

Minimum lot area	As designated on Zoning Map, except that single-family detached housing on conventional lots in residential clusters shall have a minimum lot area of 10,000 square feet
Minimum yards	
Front	30 feet
Rear	20 feet*
Side	
One	15 feet*
Both	35 feet*

*NOTE: Except as required by §§ 310-19C and 310-21

A2 District: Affordable Housing District

Same as A1 District

A3: Affordable Housing District

Same as A1 District

RS: Residential Senior Citizen Community Affordable Housing District [Added 9-28-1992 by Ord. No. 92-14]

Minimum lot area	Determined by borough
Minimum square feet of common space (may be a combination of interior and exterior space)	900 square feet
Minimum lot frontage	100 feet
Maximum building height, principal structure	3 stories, not to exceed 35 feet
Maximum lot coverage	50%
Maximum improved lot coverage	80%

(Setbacks, curblines, sidewalks, buffers, distances between buildings, landscaping, lighting, utilities, streets and access shall all be as approved for the specific dwelling on the specific site, as determined by the borough to achieve the maximum use of the lot for this specific purpose in combination with the best interests of the senior citizen tenants, their neighbors and the borough.)

Maximum residential density	16 units per acre
Minimum required off-street parking	3/4 space per unit

With the exception of those improvements necessary to comply with the pertinent federal laws, all other requirements of a senior citizen dwelling not specifically amended by this ordinanceⁱ shall be in conformance with minimum requirements for multifamily dwellings in the borough, unless otherwise designated by the borough, in its sole discretion.

ⁱ Editor's Note: "This ordinance" refers to Ord. No. 92-14, adopted 9-28-1992, which provided for the establishment of the RS District.

ZONING

310 Attachment 2A

Borough of New Providence

SCHEDULE IIA
LOT AND YARD REQUIREMENTS – EXISTING LOTS

Dimension	Requirement
R1 District: Single-Family District	
Minimum lot area	18,000 square feet
Minimum yards	
Front	40 feet or the prevailing front yard setback line* ⁴ of existing dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot, whichever is less, but in no event less than 10 feet
Rear	40 feet or 35% of lot depth; whichever is greater
Side	
One	For lots wider than 75 feet, the setback shall be 12 feet and for lots 75 feet wide or less, the setback shall be 8 feet; further, in no event shall any new building or addition be permitted to be closer to any side lot line than 60% of said building's or addition's height
Both	30% of the lot width
Minimum lot width	
Interior	
At setback line	120 feet
At right-of-way line	75 feet
Corner	
At setback line	130 feet
At right-of-way line	85 feet
R2 District: Single-Family District	
Minimum lot area	15,000 square feet
Minimum yards	
Front	40 feet or the prevailing front yard setback line* ⁵ of existing dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot, whichever is less, but in no event less than 10 feet
Rear	40 feet or 35% of lot depth; whichever is greater
Side	
One	For lots wider than 75 feet, the

⁴* Setback line shall be measured to the front principal building wall. If front yard encroachments of porches, porticos, stoops and similar structures exist, said encroachments shall be permitted to the same extent as exist with respect to dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot.

setback shall be 12 feet and for lots 75 feet wide or less, the setback shall be 8 feet; further, in no event shall any new building or addition be permitted to be closer to any side lot line than 60% of said building's or addition's height

Both	30% of the lot width
Minimum lot width	
Interior	
At setback line	110 feet
At right-of-way line	60 feet
Corner	
At setback line	110 feet
At right-of-way line	70 feet

R2A District: Single-Family District [Added 6-27-2005 by Ord. No. 2005-8]

Minimum Lot Area	18,000 square feet
Minimum yards	
Front	40 feet or the prevailing front yard setback line* ⁶ of existing dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot, whichever is less, but in no event less than 10 feet
Rear	40 feet or 35% of lot depth; whichever is greater
Side	
One	For lots wider than 75 feet, the setback shall be 12 feet and for lots 75 feet wide or less, the setback shall be 8 feet; further, in no event shall any new building or addition be permitted to be closer to any side lot line than 60% of said building's or addition's height
Both	30% of the lot width
Minimum lot width	
Interior	
At setback line	80 feet
At right-of-way line	60 feet
Corner	
At setback line	110 feet
At right-of-way line	70 feet
Minimum lot depth	200 feet

R3 District: Two-Family District

Minimum lot area	
Single-family	8,000 square feet

* Setback line shall be measured to the front principal building wall. If front yard encroachments of porches, porticos, stoops and similar structures exist, said encroachments shall be permitted to the same extent as exist with respect to dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot.

Two-family	10,000 square feet
Minimum yards	
Single-family	
Front	40 feet or the prevailing front yard setback line* of existing dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot, whichever is less, but in no event less than 10 feet
Rear	40 feet or 35% of lot depth; whichever is greater
Side	
One	For lots wider than 75 feet, the setback shall be 12 feet and for lots 75 feet wide or less, the setback shall be 8 feet; further, in no event shall any new building or addition be permitted to be closer to any side lot line than 60% of said building's or addition's height
Both	30% of the lot width
Two-Family	
Front	30 feet
Rear	40 feet
Side	
One	8 feet
Both	20 feet
Minimum lot width	
Interior	
At setback line	75 feet
At right-of-way line	50 feet
Corner	
At setback line	85 feet
At right-of-way line	60 feet

R3A District: Single-Family and Two-Family District [Added 8-8-2005 by Ord. No. 2005-13]

Minimum lot area	
Single-family	10,000 square feet
Two-family	15,000 square feet
Minimum yards	
Single-family	
Front	40 feet or the prevailing front yard setback line* of existing dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot, whichever is less, but in no event less than 10 feet
Rear	40 feet or 35% of lot depth; whichever is greater
Side	
One	For lots wider than 75 feet, the setback shall be 12 feet and for lots 75 feet wide or less, the setback

* Setback line shall be measured to the front principal building wall. If front yard encroachments of porches, porticos, stoops and similar structures exist, said encroachments shall be permitted to the same extent as exist with respect to dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot.

	shall be 8 feet; further, in no event shall any new building or addition be permitted to be closer to any side lot line than 60% of said building's or addition's height
Both	30% of the lot width
Two-Family	
Front	30 feet
Rear	40 feet
Side	
One	12 feet
Both	30 feet
Minimum lot width	
Single-family	
At the Setback Line	80 feet
At the right-of-way Line	80 feet
Two-family	
At the Setback Line	100 feet
At the right-of-way Line	100 feet
Minimum lot depth	
Single-family	125 feet
Two-family	150 feet
R4 District: Multifamily District	
Minimum lot area	
Garden apartments and townhouses	2 acres
One Single-family	8,000 square feet
Two-family	10,000 square feet
Planned unit residential developments	5 acres
Minimum yards	
Single-family	
Front	40 feet or the prevailing front yard setback line* of existing dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot, whichever is less, but in no event less than 10 feet
Rear	40 feet or 35% of lot depth; whichever is greater
Side	
One	For lots wider than 75 feet, the setback shall be 12 feet and for lots 75 feet wide or less, the setback shall be 8 feet; further, in no event shall any new building or addition be permitted to be closer to any side lot line than 60% of said building's or addition's height
Both	30% of the lot width
Two-Family/All Other Uses	
Front	30 feet

* Setback line shall be measured to the front principal building wall. If front yard encroachments of porches, porticos, stoops and similar structures exist, said encroachments shall be permitted to the same extent as exist with respect to dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot.

Rear	40 feet
Side	
One	15 feet
Both	35 feet
Minimum lot width	
Interior	
At setback line	—
At right-of-way line	100 feet
Corner	
At setback line	—
At right-of-way line	100 feet

OR District: Office and Residential District

Minimum lot area	
Hotel	2 acres
Planned unit residential developments	5 acres
Office	20,000 square feet
Residential	
One-family	8,000 square feet
Two-family	10,000 square feet
Garden apartments and townhouses	2 acres

Minimum yards

Front	
Single-Family	40 feet or the prevailing front yard setback line* of existing dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot, whichever is less, but in no event less than 10 feet
Other Residential	30 feet
Office or hotel	20 feet
Rear	
Single-Family	40 feet or 35% of lot depth; whichever is greater
All other uses	40 feet
Side	
One	
Single-Family	For lots wider than 75 feet, the setback shall be 12 feet and for lots 75 feet wide or less, the setback shall be 8 feet; further, in no event shall any new building or addition be permitted to be closer to any side lot line than 60% of said building's or addition's height
All other uses	15 feet
Both	
Single-Family	30% of the lot width

* Setback line shall be measured to the front principal building wall. If front yard encroachments of porches, porticos, stoops and similar structures exist, said encroachments shall be permitted to the same extent as exist with respect to dwellings located within 200 feet of the perimeter of the subject lot and located on the same side of the street as the subject lot.

All other uses	35 feet
Minimum lot width	
Interior	
At setback line	100 feet
At right-of-way line	—
Corner	
At setback line	100 feet
At right-of-way line	—
CCD District: Central Commercial District	
Minimum lot area	None
Minimum yards	
Front	5 feet from right-of-way line except where there is an existing established setback, then the setback shall be the same as the setback of the structures on either side. If one setback is deeper than the other, the deeper setback shall be continued.
Rear	None, except as required by §§ 310-19C and 310-21
Side	None, except as required by §§ 310-19C and 310-21
Minimum lot width	
Interior	
At setback line	None
At right-of-way line	None
Corner	
At setback line	None
At right-of-way line	None
C1 District: Specialty Commercial District	
Minimum lot area	
Planned commercial developments	5 acres
Planned unit residential developments	5 acres
Minimum yards	
Front	15 feet from right-of-way line except where there is an existing established setback, then the setback shall be the same as the setback of the structures on either side. If one setback is deeper than the other, the deeper setback shall be continued.
Rear	None, except as required by §§ 310-19C and 310-21
Side	None, except as required by §§ 310-19C and 310-21
Minimum lot width	
Interior	
At setback line	None
At right-of-way line	None
Corner	
At setback line	None
At right-of-way line	None

C2 District: Neighborhood Commercial District

Minimum lot area	None
Minimum yards	
Front	Same as C1 Zone
Rear	None, except as required by §§ 310-19C and 310-21
Side	None, except as required by §§ 310-19C and 310-21
Minimum lot width	
Interior	
At setback line	None
At right-of-way line	None
Corner	
At setback line	None
At right-of-way line	None

TBI-1 District: Technology and Business Innovation Zone I (former RL District)

Minimum lot area	150,000 square feet
Planned Commercial Developments	5 acres
Minimum yards	
Front	100 feet
Rear	None, except as required by §§ 310-19C and 310-21
Side	50 feet for each side yard, except as required by §§ 310-19C and 310-21
Minimum lot width	
Interior	
At setback line	300 feet
At right-of-way line	300 feet
Corner	
At setback line	300 feet
At right-of-way line	300 feet

TBI-2: Technology and Business Innovation Zone II (former LI District)

Minimum lot area	100,000 square feet
Planned commercial developments	5 acres
Minimum yards	
Front	100 feet
Rear	Same as TBI-1 District
Side	Same as TBI-1 District
Minimum lot width	
Interior	
At setback line	300 feet
At right-of-way line	300 feet
Corner	
At setback line	300 feet
At right-of-way line	300 feet

A1 District: Affordable Housing District [Amended 8-10-1992 by

Ord. No. 92-12]

Minimum lot area As designated on Zoning Map, except that single-family detached housing on conventional lots in residential clusters shall have a minimum lot area of 10,000 square feet

Minimum yards

Front 30 feet

Rear 20 feet*

Side

One $\frac{1}{2}$ 15 feet*

Both 35 feet*

*NOTE: Except as required by §§ 310-19C and 310-21

A2 District: Affordable Housing District

Same as A1 District

A3: Affordable Housing District

Same as A1 District

RS: Residential Senior Citizen Community Affordable Housing District [Added 9-28-1992 by Ord. No. 92-14]

Minimum lot area Determined by borough

Minimum square feet of common space 900 square feet
(may be a combination of interior and exterior space)

Minimum lot frontage 100 feet

Maximum building height, principal structure 3 stories, not to exceed 35 feet

Maximum lot coverage 50%

Maximum improved lot coverage 80%

(Setbacks, curblines, sidewalks, buffers, distances between buildings, landscaping, lighting, utilities, streets and access shall all be as approved for the specific dwelling on the specific site, as determined by the borough to achieve the maximum use of the lot for this specific purpose in combination with the best interests of the senior citizen tenants, their neighbors and the borough.)

Maximum residential density 16 units per acre

Minimum required off-street parking $\frac{3}{4}$ space per unit

With the exception of those improvements necessary to comply with the pertinent federal laws, all other requirements of a senior citizen dwelling not specifically amended by this ordinanceⁱ shall be in conformance with minimum requirements for multifamily dwellings in the borough, unless otherwise designated by the borough, in its sole discretion.

ⁱ Editor's Note: "This ordinance" refers to Ord. No. 92-14, adopted 9-28-1992, which provided for the establishment of the RS District.

ZONING

310 Attachment 3

Borough of New Providence

SCHEDULE III
COVERAGE AND LIVING AREA REQUIREMENTS

Type of Restriction	Restriction
R1 District: Single-Family District	
Maximum building height	
Principal structure	2 1/2 stories not to exceed 30 feet ¹¹
Accessory structure	1 story not to exceed 14 feet
Maximum lot coverage	
Principal building	25% 20% of the first 7,500 square feet of lot area and 10% of each additional square foot of lot area in excess of 7,500 square feet
Accessory building	5%
Maximum improved lot coverage	40%
FAR (does not include basement or attic space) [Added 5-24-2004 by Ord. No. 2004-5; amended 5-23-2005 by Ord. No. 2005-9]	See end of this Schedule III
R2 District: Single-Family District	
Maximum building height	
Principal structure	2 1/2 stories not to exceed 30 feet*
Accessory structure	1 story not to exceed 14 feet
Maximum lot coverage	
Principal building	25% 20% of the first 7,500 square feet of lot area and 10% of each additional square foot of lot area in excess of 7,500 square feet
Accessory building	5%
Maximum improved lot coverage	40%
FAR (does not include basement or attic space) [Added 5-24-2004 by Ord. No. 2004-5; amended 5-23-2005 by Ord. No. 2005-9]	See end of this Schedule III

¹¹ In no event shall any new building or addition be permitted to be closer to any side lot line than 60% of said building's or addition's height.

R2A District: Single-Family District

Maximum building height	
Principal structure	2 1/2 stories not to exceed 30 feet*
Accessory structure	1 story not to exceed 14 feet
Maximum lot coverage	
Principal building	25% 20% of the first 7,500 square feet of lot area and 10% of each additional square foot of lot area in excess of 7,500 square feet
Accessory building	5%
Maximum improved lot coverage	40%
FAR (does not include basement or attic space) [Added 5-24-2004 by Ord. No. 2004-5; amended 5-23-2005 by Ord. No. 2005-9]	See end of this Schedule III

R3 District: Two-Family District

Maximum building height	
Principal structure	2 1/2 stories not to exceed 30 feet
Accessory structure	Not to exceed 14 feet
Maximum lot coverage	
Principal structure building	25%
Accessory structure building	5%
Maximum improved lot coverage	50%
FAR (does not include basement or attic space) [Added 5-24-2004 by Ord. No. 2004-5; amended 5-23-2005 by Ord. No. 2005-9]	See end of this Schedule III**

R4 District: Multifamily District

Maximum building height	
Principal structure	2 1/2 stories not to exceed 30 feet
Accessory structure	Not to exceed 16 feet
Maximum lot coverage	30%
Maximum improved lot coverage	70%
Maximum residential density of dwelling units	14 per acre
FAR (does not include basement or attic space) [Added 5-24-2004 by Ord. No. 2004-5; amended 5-23-2005 by Ord. No. 2005-9]	See end of this Schedule III**

* In no event shall any new building or addition be permitted to be closer to any side lot line than 60% of said building's or addition's height.

** The maximum floor area ratio requirement shall not apply to single-family dwellings.

OR District: Office and Residential District

Maximum building height	
Residential	
Principal structure	2 1/2 stories not to exceed 30 feet
Accessory structure	Not to exceed 16 feet
Nonresidential	30 feet (Hotel: 3 stories not to exceed 35 feet)
Maximum floor area ratio	
Hotel	0.50
Office	0.35
Residential	
One-family	Not Applicable
Two-family	0.35
Garden apartment and townhouse	0.35
Maximum improved lot coverage	
Office or hotel	90%
Residential	
One-family	40%
and Two-family	50%
apartment and townhouse	70%
FAR (does not include basement or attic space)	See end of this Schedule III
space) [Added 5-24-2004 by Ord. No. 2004-5; amended 5-23-2005 by Ord. No. 2005-9]	

CCD District: Central Commercial District

Maximum building height	
Principal structure	2 stories not to exceed 30 feet
Accessory structure	Not to exceed 14 feet
Maximum floor area ratio	0.50
Maximum improved lot coverage	100%
Minimum living area	Not applicable

C1 District: Specialty Commercial District

Maximum building height	
Principal structure	
Residential	2 1/2 stories not to exceed 30 feet
Nonresidential	2 stories not to exceed 30feet
Accessory structure	Not to exceed 14 feet
Maximum floor area ratio	0.30
Maximum improved lot coverage	80%

C2 District: Neighborhood Commercial District

Maximum building height	
Principal structure	2 stories not to exceed 30 feet
Accessory structure	Not to exceed 14 feet

NEW PROVIDENCE CODE

Maximum floor area ratio	0.30
Maximum improved lot coverage	80%

TBI-1 District: Technology and Business Innovation Zone I (former RL District)

Maximum building height	
Principal structure	3 stories not to exceed 45 feet
Accessory structure	45 feet
Maximum floor area ratio	0.35
Maximum improved lot coverage	80 %

TBI-2 District: Technology and Business Innovation Zone II (former LI District)

Maximum building height	
Principal structure	40 feet
Accessory structure	35 feet
Maximum floor area ratio	0.40 (TBI-1 uses: 0.35)
Maximum improved lot coverage	80%

A1 District: Affordable Housing District

Maximum building height	
Principal structure	2 1/2 stories not to exceed 30 feet
Accessory structure	Not to exceed 16 feet, buildings and facilities shall be governed by the height limitations for principal structures
Maximum lot coverage	30%
Principal structure building	
Accessory structure building	
Maximum improved lot coverage	50%
Minimum living area	
1-bedroom	550 square feet
2-bedroom	660 square feet
3-bedroom	850 square feet
Maximum gross density of dwelling units	6 per acre

A2 District: Affordable Housing District

Same as A1 District, except that maximum gross density of dwelling units shall be 10 per acre. [Amended 11-13-1989 by Ord. No. 89-16]

A3 District: Affordable Housing District

Same as A1 District, except that maximum gross density of dwelling units shall be 14 per acre; the maximum lot coverage shall be 35%; and the maximum improved lot coverage shall be 70%.

The maximum permitted floor area for residential use by lot size shall be as follows:

LOT SIZE	FAR
4,999 sq ft and under	0.275
5,000-5,999 sq ft	0.275
6,000-6,999 sq ft	0.271
7,000-7,999 sq ft	0.267
8,000-8,999 sq ft	0.263
9,000-9,999 sq ft	0.260
10,000-10,999 sq ft	0.256
11,000-11,999 sq ft	0.252
12,000-12,999 sq ft	0.248
13,000-13,999 sq ft	0.244
14,000-14,999 sq ft	0.240
15,000-15,999 sq ft	0.237
16,000-16,999 sq ft	0.233
17,000-17,999 sq ft	0.229
18,000-18,999 sq ft	0.225
19,000-19,999 sq ft	0.220
20,000-20,999 sq ft	0.215
21,000-21,999 sq ft	0.210
22,000-22,999 sq ft	0.205
23,000-23,999 sq ft	0.201

LOT SIZE	FAR
24,000-24,999 sq ft	0.197
25,000-25,999 sq ft	0.193
26,000-26,999 sq ft	0.189
27,000-27,999 sq ft	0.184
28,000-28,999 sq ft	0.180
29,000-29,999 sq ft	0.176
30,000-30,999 sq ft	0.171
31,000-31,999 sq ft	0.166
32,000-32,999 sq ft	0.162
33,000-33,999 sq ft	0.158
34,000-34,999 sq ft	0.154
35,000-35,999 sq ft	0.150
36,000-36,999 sq ft	0.146
37,000-37,999 sq ft	0.142
38,000-38,999 sq ft	0.139
39,000-39,999 sq ft	0.136
40,000-40,999 sq ft	0.133
41,000-41,999 sq ft	0.130
42,000-42,999 sq ft	0.127
43,000 sq ft and over	0.125

ZONING

310 Attachment 4

Borough of New Providence

SCHEDULE IV
Schedule of Parking Requirements

Type of Use	Required Off-Street Parking
Residential Uses	
Single Family Building	2 for each dwelling unit, one of which shall be in the garage*
Two Family dwelling	1 1/2 for each 1-bedroom unit; 2 for all other dwelling units; 1 space per unit shall be in a garage, except in affordable housing districts
Townhouse	Same as 2-Family
Garden Apartment	Same as 2-Family
Rooming or Boarding House	1 for each guest room, plus 1 for owner
Non Residential Uses	
Ambulatory Health Care Facility	10 per building plus 1 per 200 square feet
Assembly hall, auditorium, community center building, theatre and public meeting room	1 for each 100 square feet of gross floor area; or 1 for each 3 seats, whichever is greater.
Auto repair and gasoline stations	4 for each bay; plus 1 for every 1 1/2 employees, plus 10%

* The requirement for a minimum of one garage space per dwelling unit shall not apply to existing single-family dwellings enlarged by 200 square feet or less of principal building coverage.

Banks	1 per 300 square feet
Buildings with mixed uses	Calculated separately and added to the parking requirement of the other uses
Commercial Office	1 Per 300 square feet
Corporate Office	1 per 250 square feet of gross floor area; or 1 for every 1/1/2 employees, plus 10% whichever is greater; plus 6 for visitors
Child day-care services	1 per employee plus 1 per 10 children or fraction thereof for freestanding uses
Club or Lodge	20 plus 1 additional space for each 200 square feet of gross floor area
Data Center	1 per space per employee plus 4 visitors
Educational services, such as service training schools, data processing schools, business and secretarial schools and job training and vocational rehabilitation services but excluding primary and secondary schools and colleges	1 per employee and 0.9 per student
Electronic computer and data processing services	1 per employee or 1 per 350 square feet, whichever is greater
Fast food restaurant	1 for each 2 seats devoted to service, or 1 for each 125 square feet of gross floor area,, whichever is greater; plus 1 for every 1 1/2 employees, plus 10%
Headquarters mixed used complex, including offices, laboratories, and research facilities	Calculated separately and added to the parking requirement of the other uses
Health Care Testing Service Facility	10 per building plus 1 per 150 square feet
Hotel/Conference Center	1.25 per sleeping room and 1 per employee; 0.5 spaces per seat (conference rooms); 10 spaces per 1,000 SF of gross leasable area (restaurant)
Inbound and outbound call centers	1 per space per employee plus 4 visitors
Light industry/ Manufacturing	1 for each 800 square feet of gross floor area; or 1 for every 1 1/2 employees on maximum shift, plus 10%, whichever is greater; plus 6 visitors

Nursing Homes	1 for each 2 beds
Personal Services	1 per employee or 1 per 350 square feet, whichever is greater
Professional offices	1 per 300 square feet
Recreation, Sports Facility, Multi-Pool Commercial Training Facilities.	5 per 1,000/Square feet (Fitness centers)
	Multi-Pool Commercial Training Facilities. 1 per 50 sf of water surface of all pools. 25% of required parking may be reserved subject to approval of Planning Board.
	1 per employee and 3 per court (tennis or badminton courts, shuffleboard courts, and handball or squash)
	4 per 1,000/ SF (Recreation Center)
	14 per 1,000/SF (Multi-Purpose Recreation Center)
Religious uses	1 for each 3 seats or 72 inches of seating spaces when benches rather than seats are used.
Restaurants and taverns (excluding fast food service restaurants)	1 for each 2 seats, plus 1 for every 2 employees
Retail sales and service businesses	1 per 250 square feet
School, Elementary	2 for each classroom and 2 for every 8 seats in auditorium and or assembly halls; or 1 space for each teacher and employee, plus 10%, whichever is greater
School, Secondary	10 for each classroom
Scientific engineering and/or research laboratories devoted to research, design, and/or experimentation and processing and fabrication incidental thereto	1 per employee or 1 per 350 square feet, whichever is greater, plus 6 for visitors
Telecom Hotel	1 per 300 square feet
Unlisted Uses	Determined by the approving authority, as applicable, pursuant to site plan review criteria and considering the nature and intensity of the proposed use and its impact on the surrounding areas.
Veterinary Center	1 per 400 square feet

Wellness and Lifestyle center	Calculated separately and added to the parking requirement of the other uses
Wholesale business	1 per employee or 1 per 350 square feet, whichever is greater