

CRANBURY TOWNSHIP
ORDINANCE # 03-21-04

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW
JERSEY, AMENDING CHAPTER 150-29.3 OF THE TOWNSHIP CODE

WHEREAS, on December 16, 2010, Cranbury Township adopted a Master Plan which recommended, among other things, that the Township implement a Scenic Corridor Overlay Zone;

WHEREAS, the November 7, 2019 Master Plan Reexamination Report reiterated this proposal;

WHEREAS, on December 14, 2020, the Township Committee adopted Ordinance # 11-20-11 (codified at Section 150-29.3 of the Township Code), which added the Scenic Corridor Overlay Zone to the Township Land Use Code;

WHEREAS, since the passage of the Ordinance, members of the community have provided valuable feedback on the standards that govern the Scenic Corridor Overlay Zone, specifically with regard to how single-family residential uses are addressed;

WHEREAS, the Township Committee has determined that certain amendments to the Scenic Corridor Overlay Zone standards are required;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury, as follows:

Section 1. Section 150-29.3 of the Cranbury Township Code is amended as follows [deletions are struck through and additions are in bold]:

§ 150-29.3 Scenic Corridor Overlay Zone

A. Boundaries

The boundaries of the SCO – Scenic Corridor Overlay Zone shall be all land within the underlying A-100 Agricultural Preservation District and R-LI Residential Light Impact District within four hundred (400) feet of the front property-line of the right-of-way of the following roads in Cranbury Township:

- Dey Road
- Plainsboro Road
- Cranbury Neck Road
- John White/George Davison Road
- Ancil Davison Road

B. Exceptions

All construction uses and activities which are conducted or protected under the “right-to farm” provisions of the Township Code at Chapter 81-1 et. seq shall be exempt from the requirements of the SCO Zone **as are single family residential uses, unless they are part of a subdivision application.** However, ~~all properties~~ **property owners** exempt under Right to Farm within the SCO Zone **and single-family residential uses which are exempt from adherence to these requirements as noted above** are encouraged to adhere to the spirit and intent of this ordinance for the overall benefit of the Township.

C. Purposes

- (1) To assure maximum preservation and enhancement of the scenic corridor’s outstanding and unique scenic features and resources.
- (2) To preserve the scenic corridor roadways so as to foster a more rural scenic driving experience.
- (3) To assure that the design and placement of buildings and other improvements preserve, complement and/or enhance views of lands visible from the scenic corridor roadways.
- (4) To reduce disturbance of the existing topography and vegetation within the corridor and reduce the visual intrusion caused by excessive lighting.
- (5) To provide a review process of all disturbance or construction of improvements including buildings, parking, driveways, and all other man-made structures to assure their conformance with the purposes and development standards set forth herein.
- (6) To ensure that the standards herein in no way interfere, inhibit or otherwise obstruct activities which are protected under “right-to-farm” provisions of Township Code at Chapter 81-1 et seq.

D. Application and Conflicts

All construction or development ~~that occurs or is proposed or intended to occur~~ within the SCO – Scenic Corridor Overlay district **that requires site plan approval or subdivision approval** shall adhere to the provisions of the underlying zone and in addition **to** the requirements of the SCO district as set forth herein. Where the provisions of the SCO district conflict with those of the underlying zone, the requirements of the SCO district shall apply.

E. Corridor Roadway Improvements

- (1) The regulations that are set forth in subsection F below, both acknowledge and recognize that improvements that are proposed or undertaken within the right-of way of some of the scenic corridor roadways, are under the jurisdiction of Middlesex County. However, it is the intent of the Township to encourage the

County to the extent possible, not to require, endorse or otherwise encourage any improvements which undermine the purposes set forth in subsection C above, unless absolutely necessary for the health and safety of the public.

- (2) Such improvements would include the following:
 - (a) Widening the paved cartway of the roadway, including the provision of turn lanes or acceleration or deceleration lanes.
 - (b) The provision of curbs along the roadway edge.
 - (c) The provision of sidewalks, street lighting fixtures or shade trees.
 - (d) Requiring or/undertaking the realignment of any portion on the roadway.
 - (e) Increasing the posted speed limit along the roadway.
 - (f) Unnecessarily requiring or undertaking the removal of mature trees and vegetation within the right-of-way.
 - (g) The following improvements within the right-of-way are not discouraged: roadway striping for bike lanes, the addition of bike lanes or the widening of the paved cartway to add separate bike lanes and the addition of appropriate signage related thereto.

F. Scenic Corridor Overlay Standards

All developments that require site plan approval (which excludes single family residential uses and agricultural activities protected under the right-to-farm act) shall adhere to the following standards in addition to those of the underlying district. All applications for subdivision approval, including those which involve single family residential uses, shall also adhere to these requirements.

(1) Building Materials, Colors and Styles

Buildings located within the corridor shall use building materials, color and styles that are **muted, in earth tones or which are** aesthetically compatible with the agricultural setting or that are consistent with existing historical styles in Cranbury. ~~For residential buildings, adherence to the architectural styles articulated in Cranbury's historic district are encouraged if a farmstead style is not utilized. Farm related structures shall be compatible with the farmstead style to the extent possible.~~ All other buildings should include windows and suitable textural treatments and pitched roofs to avoid the appearance of a flat "box" on the landscape. Buildings shall be oriented so as to avoid exposing rear facades to the roadway.

(2) Siting of Buildings

Within 400 feet of the roadway, buildings which do not adhere to the standards for building materials, colors, and styles set forth in § 150-29.3 F(1) above, should be sited in a manner which minimizes their visibility, or to the extent impractical, shall screen all elements that are incompatible with the rural and agricultural character of the corridor, by means of landscaping.

(3) Parking

The provision of outdoor parking areas for more than four (4) vehicles that are directly visible from the roadway is discouraged. To the extent possible, outdoor parking areas should be located behind buildings, walls, fences, hedges or other natural screening to prevent a direct view from the roadway. To the extent that views of such parking areas are unavoidable, landscaping shall be used around the perimeter of parking area to screen such views from the roadway and within the parking lots to break up the sea of asphalt.

(4) Outdoor Lighting

The height, location, and intensity of any outdoor lighting provided within the scenic corridor shall be reduced to that which is necessary for security and safety purposes. Lighting fixtures which produce glare or which otherwise interferes with the visibility of the night sky shall be avoided. The design of all light fixtures shall be compatible with rural and agricultural character of the scenic corridor.

(5) Tree and Woodland Conservation

The removal or destruction of existing trees and vegetation which contribute to the scenic corridors rural and agricultural character, such as hedgerows, stands of mature trees or meadows that are a part of an agricultural viewshed, shall be avoided to the extent practical.

(6) Landscaping and Grading

Significant changes to the existing topography shall be avoided to the extent practical and landscaping should be utilized to soften and buffer views of structures, buildings and driveways, parking areas that are necessary, but which are not compatible with the rural and agricultural character of the corridor. Existing native vegetation shall be retained in place wherever possible. Where native plants must be removed, the transplantation of salvaged plants is encouraged as well as replacement by native landscaping. Such landscaping shall include species and locations which maintain the corridor's natural vegetative or agricultural appearance.

(7) Billboards, Telecommunication Towers and Utilities

Billboards and telecommunication towers shall be prohibited within the scenic corridor. The placement of above-ground utility structures (such as electrical substations, water pumping facilities, etc.) within the scenic corridor shall be avoided to the maximum extent possible. Aside from electrical and telephone

wires serving agricultural uses and single-family homes, all utilities shall be located underground within the corridor.

(8) Signs, Walls and Fences

For those signs, walls and fences which are subject to review for site plan approval, their The location, height, size, lighting and design of any signage within the corridor shall be reduced to the smallest necessary to serve their intended function and shall utilize materials, colors and designs which are consistent with the rural and agricultural character of the scenic corridor. Chain link fencing is discouraged within the scenic corridor. Fences and walls should be of a location, height and design that maintain the corridor's agricultural and rural character.

Section 2. Repealer. All ordinances or parts thereof inconsistent herewith are repealed as to such inconsistencies.

Section 3. 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.

Section 4. Effective date. This ordinance shall take effect upon its passage, publication, filing with the County of Middlesex, and entry of final judgement of compliance and repose.

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Cranbury, in the County of Middlesex, State of New Jersey, held on March 22, 2021. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held in the meeting room of Town Hall, 23-A North Main Street, in the Township of Cranbury on April 12, 2021 at 7:00 P.M., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

Debra A Rubin, RMC
Municipal Clerk