

**BOROUGH OF NEW PROVIDENCE
ORDINANCE 2020-01**

“AN ORDINANCE OF THE BOROUGH OF NEW PROVIDENCE, COUNTY OF UNION, STATE OF NEW JERSEY, AMENDING ZONING ORDINANCE”

BE IT ORDAINED by the Mayor and Borough Council of the Borough of New Providence, County of Union and State of New Jersey as follows:

Section 5. Schedule IIA , Section 310b Of Chapter 310 of the Code Of The Borough Of New Providence Entitled “Schedule IIA – Lot And Yard Requirements – Existing Lots” is amended to read as follows:

**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 ¹ 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	
Principal structure	40 feet or 35% of lot depth; whichever is greater
Deck	40 feet
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

¹* 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.

R2 District: Single-Family District

Minimum lot area	15,000 square feet
Minimum yards	
Front	40 feet or the prevailing front yard setback line* ² 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	
Principal structure	40 feet or 35% of lot depth; whichever is greater
Deck	40 feet
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	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

Minimum Lot Area	18,000 square feet
Minimum yards	
Front	40 feet or the prevailing front yard setback line* ³ 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	
Principal structure	40 feet or 35% of lot depth; whichever is greater
Deck	40 feet
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

* 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.

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
Two-family	10,000 square feet
Minimum yards	
Single-family	
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	
Principal structure	40 feet or 35% of lot depth; whichever is greater
Deck	40 feet
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; in no event shall any new building or addition be permitted closer to any side lot line than 60% of said building's or addition's height.
Both	20 feet
Minimum lot width	
Interior	
At setback line	75 feet
At right-of-way line	50 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.

Corner	
At setback line	85 feet
At right-of-way line	60 feet

R3A District: Single-Family and Two-Family District

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* 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	
Principal Structure	40 feet or 35% of lot depth; whichever is greater
Deck	40 feet
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	12 feet; in no event shall any new building or addition be permitted closer to any side lot line than 60% of said building's or addition's height.
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
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* 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
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Rear

Principal Structure	40 feet or 35% of lot depth; whichever is greater
Deck	40 feet

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
Rear	40 feet
Side	
One	15 feet; in no event shall any new building or addition be permitted closer to any side lot line than 60% of said building's or addition's height.
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

* 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.

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* ⁷ 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		
Principal Structure		40 feet or 35% of lot depth; whichever is greater
Deck		40 feet
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; in no event shall any new building or addition be permitted closer to any side lot line than 60% of said building's or addition's height.
Both		
Single-Family		30% of the lot width
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		—

* 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.

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

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

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 Ordinance 92-14 shall be in conformance with minimum requirements for multifamily dwellings in the borough, unless otherwise designated by the borough, in its sole discretion.

This ordinance shall take effect upon final adoption and publication according to law.

INTRODUCTION: February 24, 2020
PUBLIC HEARING: March 9, 2020
ADOPTION: March 9, 2020

BOROUGH OF NEW PROVIDENCE
COUNTY OF UNION
STATE OF NEW JERSEY

Allen Morgan, Mayor

Attest:

Wendi B. Barry, Borough Clerk