

## **ORDINANCE 2025-18**

### **AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 102 OF THE CODE OF COLTS NECK TOWNSHIP ENTITLED "DEVELOPMENT REGULATIONS"**

**WHEREAS**, On April 23, 1997, The Colts Neck Township Committee amended in its entirety Chapter 102, Development Regulations of the Code of Colts Neck Township; and

**WHEREAS**, Colts Neck Township is continuously and closely involved in the planning and development process in the Township; and

**WHEREAS**, one of the purposes of planning is to review the Township's policies and Development Regulations based on best available information and past experiences and to adopt regulations to guide the use of lands in a manner that promotes the public good and general public welfare; and

**WHEREAS**, N.J.S.A. 40:55D-62 provides authority to adopt zoning ordinances relating to the nature and extent of uses of land and of buildings and structures thereon, and

**WHEREAS**, Cox Treatise 2024 edition Section 10.8 notes that there is nothing improper about municipal concerns about aesthetics since creation of a desirable visual environment is a zoning purpose specified by the Municipal land Use Law (N.J.S.A.40:55D-2.i.), and

**WHEREAS**, the 2004 Master plan recommends supports a study by the Brookdale Community College Department of Architecture which recommended the Business district be developed as a neighborhood commercial area with harmony in building materials and colors, windows, rooflines, signage, lighting, fencing and other improvements by sharing a common architectural theme, and

**WHEREAS**, the Colts Neck Township Committee finds that it is in the public interest to establish guidelines establishing nonresidential building performance standards that contribute to the durability, energy efficiency and aesthetic value of buildings while allowing flexibility in architectural design and style.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of Colts Neck Township, Cuntly of Monmouth, State of New Jersey as follows: (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~).

SECTION I: That Section 102-109, Business District Subsection E. Area, yard and site plan requirements is hereby amended and supplemented in the following parts only.

§102-109

E. Area, yard and site plan requirements

2. In order to encourage shopping center designs that will share parking and other features in common, such as a common architectural theme, lighting, signage and landscaping, a shopping center may be constructed in phases, provided that an overall layout of the entire site is approved. Each phase shall then be constructed consistent with the phasing plan or an amended phasing plan. Any amended phasing plan shall be consistent with any prior phase having preliminary or final approval or having been constructed. A shopping center shall have the exterior appearance of separate, smaller storefronts, whether or not the interior space is divided into smaller, individual stores. ~~The architectural theme shall be either Georgian or Colonial. The maximum width of this exterior storefront appearance shall be 60 feet. Each storefront shall vary by changing from one to two stories or by having building front facades offset more than five feet and by other building features, singly or in combination, which shall include variations from adjacent storefronts by distinguishable differences in building materials, colors, rooflines, window treatments or door styles. Buildings within the shopping center may be attached to one another. The minimum distance between detached buildings shall be the distances set forth in the schedule, except that if there is a driveway, parking area, sidewalk or other improvement~~

located in the space between the buildings the distance between the buildings and these improvements shall be at least 10 feet. Once the site plan is approved, individual sections of buildings may be subdivided along common walls extending from the floor to the roofline in order to locate that building or portion of a building on a separate lot. These sections of the building may be separate lots with zero setbacks for financing and ownership purposes, provided that the approving authority has received and approved, as part of such an application, the condominium documents, cross easements, deed restrictions and other legal documents to assure common and shared vehicle access, parking, loading, emergency access, building maintenance, maintenance of any common property, as well as adherence to the approved signage, lighting, architecture, landscaping, and similar matters as intended and approved as part of the overall site plan.

a. Shopping center applications shall incorporate the following design principles:

- (1) Shared parking with, and viable common access between, parking lots to adjoining properties, whether the adjoining properties are developed or not.
- (2) Shopping centers shall provide a pedestrian walk along the front building facades, having a minimum width of 12 feet. Changes in the surface material used, pattern, and/or color are encouraged, but not required, in order to define each storefront or to identify pedestrian crosswalks. Street furniture, such as benches, planters and trash receptacles, shall be provided in appropriate locations along the walk.
- (3) Outdoor Courtyards, plazas, squares or greens, containing a minimum of 1,500 square feet, shall be required for shopping centers with 10 or more businesses and are encouraged, but not required, for shopping centers with up to nine businesses in an effort to serve as public gathering points and a visual focus. Distinguishable features may be part of the outdoor area, such as fountains, statues, ponds and other forms of artwork or landscaping features with seating arrangements, to promote a comfortable environment for social gatherings.

SECTION II: That Section 102-109, Business District is hereby amended and supplemented to add Subsection "J" entitled :Performance Standards" as follows.

§102-109

J. Performance Standards

1. Nonresidential or mixed use buildings located along Route 34 or the Highway Access Management Road shall be oriented parallel to the street toward Route 34, and the Highway Access Management Road. This shall not apply to any building located behind another building. Orientation shall include the provision of one or more primary building entrance.
2. A Colonial Williamsburg or agricultural architectural style is strongly encouraged but not required. The architectural details and style shall provide varied building elevations, design, and structural appearance within the context of a single unifying theme.
3. Any building used for nonresidential use must incorporate at least three (3) primary Class 1 or Class 2 materials, together composing at least 80% of the façade area. Class 3 and Class 4 materials in aggregate shall not exceed 20% of the façade area. Class 4 materials shall not exceed 10% of the façade area. Appropriately scaled trim of at least three (3) inches in width shall be included around all window and door openings, building corners, roof lines, and façade material transitions. Asphalt shingles, if used, must be laminate style (asphalt shingles that are thicker and more durable than standard 3-tab shingles due to their multiple layers).
4. For this chapter, materials shall be divided into Class 1, Class 2, Class 3, and Class 4 categories as follows:

a. **Class 1 Materials**

1. Fired clay brick laid up in a masonry wall system
2. Fieldstone or natural stone laid up in a masonry wall system
3. Painted or stained wood clapboard
4. Copper panels

b. **Class 2 Materials**

1. Integrally colored, specialty concrete block such as textured, burnished block or split-face block, or concrete brick
2. Thin veneer brick (adhered)
3. Manufactured or cast stone (adhered)
4. Textured architectural concrete panels
5. Masonry stucco

c. **Class 3 Materials**

1. Water-managed Exterior Insulation and Finish System (EIFS) only permitted on facades not facing a public street
2. Fiber-cement board or panels that have the appearance of siding or shingles
3. Decorative opaque panels designed as exterior building finish
4. Ornamental metal

d. **Class 4 Materials**

1. Vinyl siding or panels, irrespective of form or thickness
2. Smooth or scored concrete block
3. Smooth concrete tip-up panels
4. Ceramic
5. Glass block
6. Wood

5. Tripartite structure. Buildings shall have three distinct parts: a base, a midsection, and a top. This evokes the classical column (with its base, shaft, and capital), and the human form (with our feet, body, and head).

6. Embellishment. Traditionally, some parts of a façade that may be embellished/articulated in some fashion or another. A minimum of three of the following elements shall be incorporated in every building.

- a. The horizontal base where the building meets the ground (such as a special treatment for the foundation)
- b. The horizontal top where the building meets the sky (such as a projecting cornice with brackets)
- c. A horizontal section in between (such as a belt course between stories)
- d. The vertical corners on the left and right sides (such as corner boards or quoins)
- e. Vertical articulation in the middle (such as pilasters)
- f. The area around the door/entry (such as a portico or recessed entry)
- g. The areas around the windows (such as window surrounds)

- h. Embellishment of the walls (such as with decorative brickwork, inset tiles, terra cotta panels)
- 7. No façade shall have a length exceeding forty (40) feet uninterrupted by one or more of the following features to eliminate blank walls and create a more interesting design.
  - a. Projections or recessions in the wall plane at least two (2) feet in depth
  - b. Use of porches, balconies, bay windows or arcades
  - c. Patterns of columns, piers, ribs or pilasters, insets, or equivalent elements that subdivide the wall
  - d. Change in fenestration pattern
- 8. Building entrances should be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings, porches steps, porticos, balconies, columns, and architectural treatments.
- 9. Retail store front design. All retail store fronts must contain a minimum of three design features shown on Figure No. 109-1 (cornice, sign band, transom, bulkhead, recessed entry and pilaster).

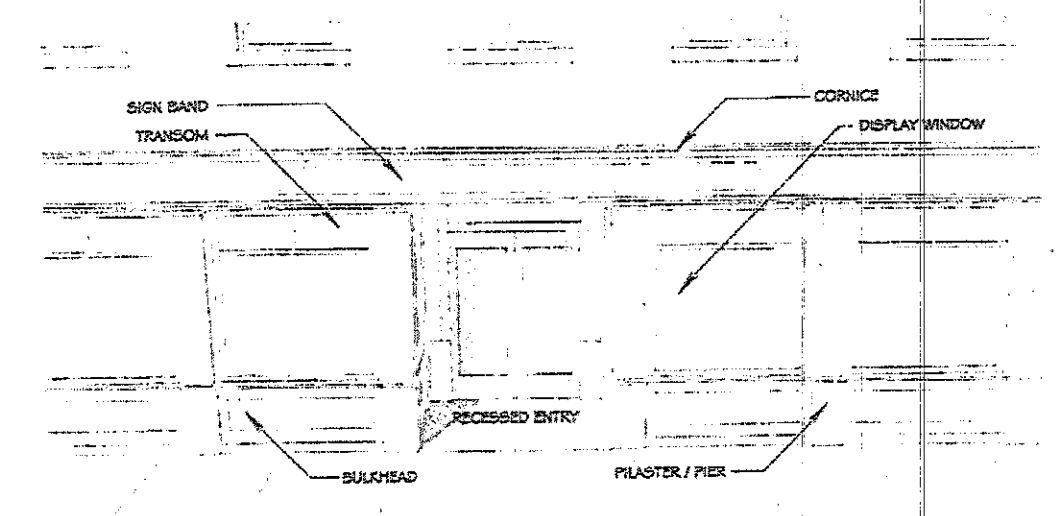


Figure No. 109-1

- 10. Awnings, if used, shall be constructed and installed so that the frame and fabric of the awning is affixed to the building facade. Awnings shall not extend beyond six feet of the subject building. Awnings shall not be placed so as to conceal or disfigure any architectural feature or detail. Plastic and/or internally illuminated awnings are prohibited. Awnings may be solid or striped but shall be in the same color family as the facade colors. If the building has several tenants, the overall awning design should be consistent and compatible across the entire façade.
- 11. Roof design:
  - a. Flat roofs are prohibited
  - b. Roof shape, color, and texture should be coordinated with the exterior materials of the building's façade.
  - c. Roof design should minimize the negative impact of roof protrusions by grouping plumbing vents, ducts, and other utility structures together and screened from public streets.
  - d. Rooftop equipment such as mechanical units, vents, and flues should be located centrally on the building roof, to the extent practicable. Any equipment visible from a publicly accessible area, adjacent lots, and pedestrian corridors shall be screened using parapets, pitched roof forms, or penthouses. Screening shall be constructed of the same or complementary material as the building.

- e. Use of dormers, cupulas, railings, ridge tile friezes, and changes to roof lines to minimize the monotonous appearance of bulky structures.
12. Windows
- a. For all retail buildings, at least one street-facing building façade and the façade containing the main building entry, if different from the street faced, shall consist of no less than 25% glass fenestrations (windows and full glass doors) on the first level.
  - b. First-floor windows of nonresidential uses facing Route 34, Route 537, or the Highway Access Management Road shall be clear; tinted windows in this location are prohibited.
  - c. Upper windows should use clear glass as opposed to smoked or reflective glass.
  - d. Upper floor windows should be consistent in style and range proportionately from 1:2 to 3:5 in ration of width to height.
  - e. Upper floor windows should be divided into individual units or groupings of individual units, rather than a continuous “ribbon.”
  - f. Upper level windows should align with those on the lower level.
  - g. Use of mullions and lintels on windows is encouraged.
13. Lighting. All exterior buildings and site lighting shall be focused downward with a solid top. Lighting fixtures shall have a maximum height of 25 feet. Fixtures shall not have a shoe box design.
14. All refuse containers shall be enclosed within and screened by a masonry enclosure with an exterior treatment that is the same color and materials of the principal building(s).
15. Street furniture. The installation of all street furniture, including benches, fencing, trash cans, lighting, planters, etc., that is visible from public ways should be selected to match the character of the development.
16. Public Art
- a. Public art including murals, sculptures, and similar visual art, is required in developments containing 10 or more businesses to promote arts and culture in the area.
  - b. Public art shall be exempt from the following standards:
    - 1. Signage standards defined in §102-109 H. Public art shall not be deemed a sign unless the name of the business is included in the art.
    - 2. Total lot coverage as defined in §102-114
    - 3. Setbacks as defined in §102-114
    - 4. Buffer standards as defined in §102-115. Public art may be in buffer areas.
  - c. Public art shall not be internally illuminated
  - d. Public art shall not obstruct a site triangle, and shall not impede pedestrian, vehicular, or general safety.
17. Attachment 9 – Dictionary of Architectural Terms contains the Pennsylvania Historical and Museum Commission Architectural Field Guide, undated, found at <https://www.phmc.state.pa.us/portal/communities/architecture/>.

## Attachment 9

### Dictionary of Architectural Terms

#### Bays

The number of bays refers to the width of a building by counting the number of openings including both doors and windows. A house with a center door and a window on either side has 3 BAYS.



#### Belfry

A small square bell tower placed atop a roof to house a bell, often found on churches and schools.

#### Board and Batten

A construction method for doors or walls in which the wood is arranged in vertical boards and held in place with a horizontal board called a batten.

#### Brackets

Ornamental supports, usually of wood or pressed metal, which appear at the cornice line of a building. They may be incised into a scrolled pattern or be more simply molded and are common to all Italianate style buildings, but often appear with other styles as well.

#### Bulkhead

A bulkhead is a set of metal door providing an outdoor entrance to the cellar.

#### Buttress

A wall support usually of stone or brick placed at the sides of a building, commonly seen on some Gothic Revival style churches.

#### Chair Rail

A chair rail is decorative wooden trim attached horizontally at the approximate height of the back of a straight chair.

#### Chimneys

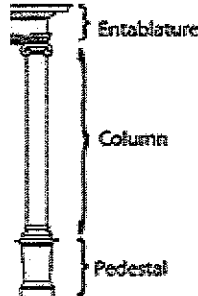
Chimneys are usually built of stone or brick (more modern chimneys may be of cinder block) and are located at either the exterior side walls of the building or at the center or interior of the building. Certain vernacular folk building patterns locate the chimney at the center of the house or at the corner.

#### Clapboard

A narrow wooden board, thinner at one edge than the other, applied horizontally to the exterior walls of buildings to form a weather-tight wall surface.

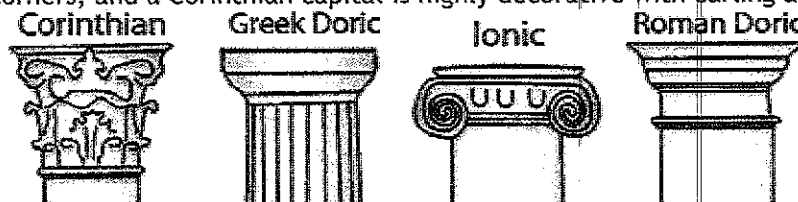
#### Column

A support pillar, usually round, found on porches and as a decorative detail.



#### Column Capitals

Capitals are the tops of round columns and may be of several distinct types or orders. Greek Doric capitals are fluted and plain, Roman Doric capitals are smooth and plain, Ionic capitals have a ram's horns at all four corners, and a Corinthian capital is highly decorative with curling acanthus leaves.



#### Coping

The capping at the top of a wall for protection from weather elements.

#### Corbel

A decorative use of brick atop the windows, walls or chimney or to create the shape of a bracket or dentil at the top of a building beneath the cornice.

#### Cornice

A cornice is the finished edge of the roof where it meets the exterior wall, of varying sizes, sometime plain, but often decorative and marked by brackets, dentils, medallions or some other decorative feature.



#### Crenelated Parapet

A low retaining wall at the edge of a roof or porch with a uniform pattern of openings creating a battlement. In medieval times the openings were used for the defense of fortresses, hence the term battlement.

**Cresting**

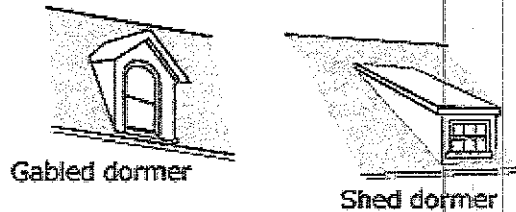
Roof cresting is a lacy decorative fencing made of wrought iron, rimming the edge or peak of a roof, often seen in Second Empire (Mansard) style buildings.

**Cupola**

A cupola is a decorative, small, projecting tower at the top of the roof of a building, often square, round or octagonal in shape.

**Dormer**

A window opening at the roof level, topped by a front gable or shed roof.



**Eaves**

The edge of the roof that overhangs the exterior walls, sometimes with exposed rafters.

**Eyelid Dormer**

A half-elliptical decorative window placed in the roof surface, resembling the shape of an eye.

**Facade**

The face of a building, usually referring to the front.

**Fanligh**

A semi-circular (fan shaped) window placed atop a door, commonly seen in Federal and Colonial Revival style buildings.

**Fenestration Pattern**

The arrangement of windows across the facade of a building.

**Finial**

A decorative piece set atop a spire, cupola, gable or gate post.

**Flemish Gable**

A decorative gable form, often seen in Flanders and the Netherlands, the sides of which drop in a cascade of right angles, also called a crow-stepped gable. Used as a decorative embellishment in Victorian era styles in the USA.

**Floor Plan**

The layout of the various levels of a building, showing the location of rooms, interior walls, chimneys, porches and staircases.

**Fluting**

Fluting is a decorative finish for wooden columns or trim where parallel grooves are carved vertically along the surface.

**Frieze**

A frieze is the panel beneath the cornice at the top of a building's exterior wall which is often ornamented with brackets, dentils or modillions.

**Lintel**

The flat horizontal piece at the top of a window.

**Masonry**

A type of construction using stone, brick, tile or concrete block using mortar.

**Molding**

A decorative raised surface along the edge of an architectural feature such as a window, column, door or wall.

**Mortar**

A mixture of sand, water, lime and cement used to lay bricks, stone, tile or concrete block.

**Mullions**

The wooden divisions between panes of glass on windows.

**Ogee Arch**

A center pointed arch with reverse curve sides, often seen on Exotic Moorish Revival style buildings.

**Oriel Window**

A projecting bay window supported by brackets or a triangular support piece.

**Palladian Window**

A three-part, round-arched window, named for the 15th century Italian architect Andreas Palladino, also known as a Venetian Window and common in the Georgian and Colonial Revival styles.

**Parapet**

A parapet is a low stone or brick wall at the top of a building. A crenelated parapet has rhythmic breaks in the wall to create a pattern of battlements.

**Pediment**

A triangular space created by a front facing gable roof, often seen in Classical Revival style buildings.

**Pendant**

An ornamental piece of wood or metal hanging down from a porch, cornice or bracket.

**Pent Roof**

A narrow shed style roof placed above the first floor of a building to protect the doors, windows and lower walls, often covering all four sides of the building.

**Pilar**

A support column without classical detailing.

**Pilaster**

A pilaster is a narrowly protruding column attached to a wall, giving the illusion of a real free standing support column.

**Pointed Arch**

An arch with a strong center point, usually seen in Gothic Revival style buildings.

**Porch**

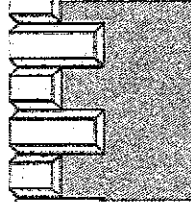
A roofed space outside the main support walls of a building.

**Portico**

A small entrance porch.

**Quoins**

Quoins are decorative rectangles or squares of stone, brick, wood or concrete, placed at the corners of buildings to add architectural interest.



**Rafters**

The wooden structural support beams for a roof, sometimes visible on the exterior for certain building types and styles.

**Roof**

Roofs can be steep, flat or gently sloped and take many forms, gable, gambrel, hipped, stepped gable, shed, pent or Mansard. The roof type is an important key to identifying the style of a building.



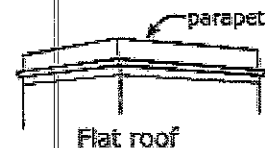
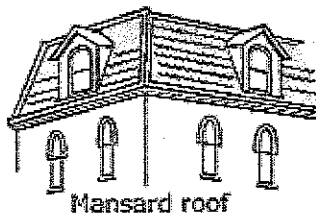
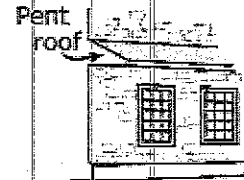
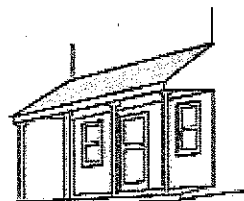
Gabled roof



Gambrel roof



Hip roof



**Round Arch**

A semicircular arch over a window or door.

**Segmental Arch**

A slightly rounded arch over a window or door.

**Semi-Elliptical Arch**

A elongated round arch over a window or door.

**Sill**

The flat horizontal bottom piece of a window or door, often of wood, but sometimes of stone.

**Stoop**

The uncovered wide step leading into the front or main door of a building.

**Stories**

The number of stories a building reflects its height by counting the stacked floors. If a building has dormer windows inset into the roof, that top section of the building is called a 1/2 story.

**Stucco**

A thin coating of plaster applied over exterior walls.

**Tourelle**

A small tower, often trimmed with corbelling.

**Tower**

A tall structure, either square or round in shape, rising higher than the rest of the building.

**Tracery Window**

A pointed arch window filled with curving stone mullions often seen on Gothic Revival style buildings.

**Transom Light**

A flat, glass panel above a door, usually multi-paned.

**Tudor Arch**

A flattened arch with a center point above a door or window, commonly seen in Tudor Revival style buildings, (also called a 4 centered arch).

**Turret**

A small tower at the corner of a building.

**Wainscot**

The wainscot is the wood covered lower portion of an interior wall, usually topped by a chair rail. A wooden wainscot can be plain or paneled with a pattern of raised wooden trim.



## Walls

Historic exterior wall construction can be of log, stone, brick, frame or stucco over such. In the more modern era, wall material could be of formed concrete, glass, or metal. Carrera glass was an early 20th century innovation producing a sleek, smooth colored glass finish, often applied to first floor walls of commercial buildings.

## Weatherboard

An exterior horizontal wooden board applied with the lower edge overlapping the board below used to form exterior walls (wider and less shaped than a clapboard, although used for the same purpose).

**SECTION III Severability.** If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

**SECTION IV Repealer.** The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

**SECTION V Inconsistent ordinance.** All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

**SECTION VI** This ordinance shall take effect immediately upon passage, publication and filing according to law.

I hereby certify the Ordinance foregoing to be a true copy of an Ordinance adopted by the Township Committee of Colts Neck Township on the 10<sup>th</sup> day of September, 2025.

Tara Torchia Buss, Mayor

Michael Viola, Deputy Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	August 13, 2025					September 10, 2025				
	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Torchia Buss		X								X
Deputy Mayor Viola	M	X					X			
Buzzetta		X				M	X			
Fitzpatrick	S	X				S	X			
Rizzuto		X					X			
M - Moved      S - Seconded      X - indicates vote      NV - Not Voting      Ab - Absent										