

for New Jersey municipalities is available through the Hunterdon County Environmental Toolbox project.

**(Endnotes)**

- <sup>1</sup> Kelly and Raso, "Sign Regulation for Small and Midsize Communities," Planning Advisory Service
- <sup>2</sup> <http://www.scenic.org>
- <sup>3</sup> Citizens for a Scenic Wisconsin, Model Billboard Control Ordinance, 2003.



## RESOURCES

*Appendix – Sample Protection Techniques, Alabama Scenic Byway Program*  
<http://www.alabamabyways.org/manual/programmanual.pdf>

*Model Billboard Control Ordinance (2003), Citizens for a Scenic Wisconsin*

*Model Municipal Outdoor Lighting Ordinance, Hunterdon County, New Jersey*  
[http://www.co.hunterdon.nj.us/planning/ordinances/toolbox/Environmental\\_Toolbox-Lighting.pdf](http://www.co.hunterdon.nj.us/planning/ordinances/toolbox/Environmental_Toolbox-Lighting.pdf)

*Model Woodlands Ordinance, Hunterdon County, New Jersey*  
[http://www.co.hunterdon.nj.us/planning/ordinances/toolbox/Environmental\\_Toolbox-Woodlands.pdf](http://www.co.hunterdon.nj.us/planning/ordinances/toolbox/Environmental_Toolbox-Woodlands.pdf)

*"Overlay Zoning" Planning Advisory Service, Pace Law School, Land Use Law Center. Series III: Innovative Tools and Techniques, Issue No. 2 (not dated)*  
<http://www.law.pace.edu/landuse/boverlay.html>

*Scenic America*  
<http://www.scenic.org>

*Sign Control on Rural Corridors: Model Provisions and Guidance (2003), University of Georgia Land Use Clinic, School of Law and College of Environment and Design*

*"Sign Regulation for Small and Midsize Communities," by Kelly and Raso*  
 Planning Advisory Service



The Route 57 Corridor is nestled in a valley between natural features that include the Marble, Scotts, and Upper Pohatcong mountains to the north and Pohatcong Mountain and the Musconetcong River to the south. Travelers experience exceptional scenic vistas that have become increasingly vulnerable to development pressures. Over 30 individual viewsheds have been identified along the road's length.

In addition to the Design Guidelines, Conservation Zoning, and other regulatory methods described in this Toolkit, Corridor Overlay Zoning offers a promising technique for preserving the corridor's scenic quality. Under this approach, participating Route 57 municipalities would work together to implement a Scenic Corridor Overlay District that encompasses the corridor's significant viewsheds. Form-based codes may be ideal for some applications of Scenic Corridor Overlay Zoning.



The natural and built environments can coexist in ways that create pleasant and productive landscapes.

The creation of an Overlay District would not change the underlying use categories (e.g., Residential, Highway Commercial, etc.) and it would not prohibit development in the viewshed areas, but any future development would be subject to more stringent standards designed to reduce the visual impact of new structures, parking, signs, and other features that might obstruct existing vistas. Each participating municipality along Route 57 would then adopt a Scenic Corridor Overlay Zoning Ordinance to

## WHAT IS OVERLAY ZONING?

Overlay Zoning applies new provisions "on top of" those already in force through the municipal zoning ordinance. According to the Pace Law School Land Use Law Center, an overlay zone can be used "to conserve natural resources or realize development objectives without unduly disturbing the expectations created by the existing zoning ordinance."

protect the critical Route 57 viewsheds within its own jurisdiction.

## PROCESS OF DEVELOPING CORRIDOR OVERLAY ZONING

The process of developing an Overlay Zoning ordinance for Route 57 would begin with municipalities creating inventories of their locally significant viewsheds. For this effort, NJDOT can assist with information gathered in previous viewshed studies, as well as work being undertaken as part of the Scenic Byway designation initiative that is currently underway.

Once the inventory of significant viewsheds is completed and the boundaries of the Overlay District are mapped,



Roadside billboards can detract from the scenic quality of the landscape.

the municipalities would incorporate specific scenic preservation goals into their master plans. The master plans should also describe the measures that will be taken to preserve, protect and enhance scenic vistas, including Overlay Zoning ordinances and Design Guidelines or other complementary strategies to be enacted. Some municipalities may want to limit their efforts to the Route 57 corridor, while others may choose to develop a town-wide approach that includes views from other scenic local roads. This would depend upon local priorities and the quality and extent of the viewsheds. Municipalities undertaking a more comprehensive approach may wish to prepare a town-wide Viewshed Management Plan.

The following are some the features that could potentially be regulated through Scenic Corridor Overlay Zoning, subject to further discussion among participating municipalities:

- Building height, mass, and siting
- Building materials, colors and styles
- Parking
- Signs, billboards, and telecommunications towers
- Outdoor lighting
- Landscaping and grading
- Tree and woodland conservation

Collectively, these provisions would act to minimize visual obstructions as well as encouraging attractive building and site designs that harmonize with the surrounding landscape. As these ordinances are developed, consideration should be given to any exemptions that may be needed for farming operations. The Overlay Zoning ordinance and each of the individual sections should include clear statements of purpose and intent, such as “To maintain the visual environment and scenic beauty of [municipality].”

## BUILDING HEIGHT, MASS, AND SITING

Housing, commercial, and mixed use development within the viewshed would be subject to height limits, as well as other design standards, including limits on building mass and scale. Guidance would also be provided on the siting of buildings within parcels so as to minimize viewshed impacts. Siting provisions may encompass

distance from the roadway as well as specific steps to be taken to minimize impacts through attention to the characteristics of individual parcels.

## BUILDING MATERIALS, COLORS AND STYLES

Additional requirements or guidelines for building appearance, such as lists of acceptable materials, colors, or style requirements could also be considered, subject to the constraints of the Municipal Land Use Law. For example, some municipalities require or recommend that commercial buildings include windows, surface textural treatments, and a pitched roof to avoid the appearance of a flat “box” on the landscape. Building orientation may also be regulated to avoid exposing rear facades to public roadways. Within residential subdivisions, standards for achieving variety among buildings may also be developed.

Communities may also wish to specify building styles and materials that are aesthetically compatible with the agricultural setting or consistent with existing historical styles (e.g., traditional farmstead, 18<sup>th</sup> century village). Towns may wish to provide several alternative prototype development patterns to aid developers in understanding local preferences.

## PARKING

Scenic vistas are vulnerable not only to poorly designed or situated buildings, but to the visual impacts of large parking lots. For this reason, parking should be carefully regulated within the Scenic Corridor Overlay District. A widely recommended approach is to require that parking be located behind stores, offices or other buildings, or otherwise screened from direct view through landscaping. Landscaping could also be required within parking lots, to help break up the appearance of a sea of asphalt.

## SIGNS, BILLBOARDS, AND TELECOMMUNICATIONS TOWERS

Sign regulations are among the most important elements for a scenic corridor overlay zone. Signage should be “simple, concise and contextual.”<sup>1</sup>

A sign ordinance may address the dimensions, number, location, and appearance of signs to minimize their impact on corridor views and the general appearance of the roadside. It is generally recommended that commercial signs be low in height, to reduce visual impact while still providing effective communication to the motorist. Sign ordinances may regulate color and illumination of signs as well.

Local restrictions on the installation of new billboards are also critical to avoid further obstruction of scenic views. Information on billboard regulation is available from Scenic America,<sup>2</sup> along with strategies for regulating wireless telecommunications towers and reducing the visual impact of overhead utilities.

To avoid First Amendment challenges, this section of the ordinance should indicate the intent to balance the rights of persons to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs. Sample language to this effect is available in a model ordinance developed by Citizens for a Scenic Wisconsin.<sup>3</sup>

## OUTDOOR LIGHTING

Outdoor lighting can also be regulated in a scenic corridor overlay zone, both to control the appearance of light fixtures and illuminated signs and to ensure that lighting complements the visual quality of the corridor at night. Some scenic byway program literature recommends that historic structures be accented with special lighting. Other considerations in drafting a lighting ordinance are the avoidance of light pollution that interferes with the visibility of the night sky, while providing necessary lighting for safety at intersections and pedestrian crosswalks. Sample language concerning light pollution is available in the Model Municipal Outdoor Lighting Ordinance for Hunterdon County, New Jersey.

## LANDSCAPING AND GRADING

The Corridor Overlay zoning ordinance could include requirements for landscaping to soften and buffer constructed features such as commercial buildings, gasoline stations, and signs. Some municipalities also regulate the grading of building sites, in order to

preserve existing contours and help ensure that future development is harmonious with existing topography. Landscaping may also be required to provide for naturalistic transitions between preserved areas and developed areas. To implement these provisions, developers would be required to file landscape plans (and potentially, grading plans) along with their site plans. The landscape plans would show how existing landscape features would be preserved or modified, and the extent and type of new landscaping. Sample provisions for landscaping ordinances are available from Scenic America’s website at <http://www.scenic.org>.

## TREE AND WOODLAND CONSERVATION

Within the Scenic Overlay District, development would be subject to landscape requirements that could include the protection of certain categories of existing trees and other vegetation (such as farm hedgerows and mature tree stands or established meadows that form part of a critical viewshed). For municipalities with significant forested areas, this could be accomplished through a separate Woodland Conservation ordinance that would help protect woodland vistas along local roads as well. (In this case, the Master Plan should be amended to incorporate specific goals for woodland conservation and an inventory of critical woodland resources.) Either type of provision may be applicable to the forested areas along the Musconetcong in the eastern portion of the corridor. A model Woodland Conservation ordinance developed



Cell phone towers have become a common feature in the built environment.