

## Exhibit D: Ordinances

# Garden Homes Ordinance

ORDINANCE 2018-\_\_\_

AN ORDINANCE TO AMEND AND SUPPLEMENT  
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF  
WEST WINDSOR (1999) TO CREATE A R-5C DISTRICT

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 1, Site Plan, Article II, Terminology, Section 200-4, Definitions, is amended by ADDING the following definitions:

CAR SHARING SERVICE – A membership-based service, available to all qualified drivers in a defined community, that allows members to reserve a vehicle to make vehicle trips.

CAR SHARE VEHICLE – A vehicle owned by a private entity made accessible through a car sharing membership for use by its members.

PODIUM – A single or multi-story parking structure that serves as the base or ground level for one or more permitted uses, including, but not limited to buildings, parking, and site amenities. Structures built on top of a podium may cover all or part of the podium.

Section 2. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-142, Establishment of Zoning Districts, is hereby amended by adding after the line “R-5B Residence Affordable housing” the following:

R-5C Residence      Affordable housing

Section 3. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-143, Zoning Map, is amended to read as follows:

The boundaries of said zoning districts are hereby established as shown on the Zoning Map, Township of West Windsor, dated May 23, 2009, and revised through \_\_\_\_\_, 2018, which, with all explanatory matter thereon, is hereby adopted and made part of this Part IV. An official copy of said Map, indicating the latest amendments shall be kept up-to-date in the office of the Land Use Manager for the use and benefit of the public and shall have the most current revision date shown thereon. The Zoning Map for that shall be the official reference as to the current zoning classification of the land within the boundaries of the Township of West Windsor.

Section 4. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVII, Use and Bulk Regulations for Residence Districts, is amended by adding the following NEW Sections 200-189.1 and 189.2.

**§ 200-189.1 R-5C District use regulations.**

A. General.

- (1) All regulations in Chapter 200 shall apply except for the following, which shall not apply: 200-29C, 200-29M(2), 200-29M(5), 200-29M(8), 200-29O(2), 200-29P, 200-36.1, 200-91P(7)(f), 200-226E(2), and 200-227.
- (2) The standards set forth in Section 200-189.2 shall apply in lieu of the following sections for the entire site: 200-27D(2), 200-29N(3), 200-30A-B, 200-32, 200-91P(6)(c)2[d], and 200-134C.
- (3) The standards set forth in Section 200-189.2 shall apply in lieu of the following sections for podium structures only: 200-91P and 200-134B.
- (4) The District shall be developed in a comprehensive manner pursuant to one development plan.

B. Permitted Uses.

- (1) Permitted Uses. In the R-5C District, no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses:
  - (a) With sewer and public water: mid-rise apartments which may be permitted on podiums where the podium counts as one story and which mid-rise apartments may include buildings in condominium ownership, and garden apartments, which may include buildings held in condominium ownership, are permitted, provided that the equivalent of 25% of the total dwelling units that are the subject of a development application shall be low- and moderate-income housing meeting all of the applicable standards and requirements for affordable units, including those set forth in the *Uniform Housing Affordability Controls (UHAC)*, N.J.A.C. 5:80-26.1 *et seq.* and in Section 200-237. At least 50 percent of the affordable units shall be affordable to low-income households, and at least 13 percent of all rental affordable units shall be affordable to very low-income households earning 30% or less of the regional median household income by household size, which very low income units shall be included as part of the low income requirement. The remaining affordable units shall be made affordable to moderate-income households. The affordable units shall be located on-site and shall be reasonably dispersed throughout the development phased in accordance with the affordable housing construction schedule set forth in N.J.A.C. 5:97-6.4(d). The state-wide non-residential development fee shall apply to the non-residential portion of the development to the extent that it includes other than residential uses.

- (2) Accessory Uses. In the R-5C District, the following uses may be permitted as accessory uses:
- (a) Parking, including structures and surface lots.
  - (b) Community and recreational amenities, including clubhouse, rental office, management office, and convenience market, except that no gasoline dispensing provisions are permitted, cultural facilities, day care facilities, social services, supporting neighborhood retail uses, fitness room, spa, pool, and play lot.
  - (c) Dumpsters, trash compactors, and other trash, recycling, or utility structures.
  - (d) Street furnishings, planters, street lights and exterior, garden-type shade structures.
  - (e) Fences and walls.
  - (f) Decks, patios, and terraces.
  - (g) Shelters for car sharing and shuttles.
  - (h) Loading docks.

**§ 200-189.2 R-5C District bulk, area, and other regulations.**

The following shall be the standards for the R-5C District:

A. Tract Development.

- (1) Minimum tract area: 60 acres
- (2) Minimum tract frontage: 150 feet
- (3) Minimum Yards.
  - (a) Where building façade is parallel to a Tract line: 15 feet from the Tract line.
  - (b) Where corner of the building is tangent to a Tract line: 5 feet from the Tract line.
- (4) Minimum buffer from lot line to parking, drive aisle, or turnaround area: 0 feet when adjacent lots are in common or affiliated principal ownership. Drive aisles may be located on Block 8, Lot 54 or 10.02 when the property is in common or affiliated principal ownership.
- (5) Modification to the proposed greenbelt easement on Block 8, Lots 54 and 10.02 shall be permitted to provide for circulation and fire safety.
- (6) Maximum permissible development density:
  - (a) The average gross density shall not exceed 10 dwelling units per acre.

- (b) The net density of mid-rise and garden apartments shall not exceed 40 dwelling units per acre.
- (7) Maximum improvement coverage to be determined on a Tract wide basis - 40% of the Tract. Additional improvement coverage up to a total improvement coverage of 55% on Block 8, Lots 54 and 10.02 may be permitted to allow for streets, paths, and emergency access serving the development. Any increase in improvement coverage on such lots shall be only for streets, paths, and emergency access serving the development. The applicant shall provide calculations demonstrating compliance with both the 40% and 55% improvement coverage requirements.
- (8) Maximum building height for mid-rise apartments and community building: 85 feet.
- (9) Maximum building height for garden apartments: 50 feet.
- (10) Design Criteria.
  - (a) Distances between structures. In development groups (more than one building or structure on the tract), the following distances shall be maintained between structures:
    - [1] Any building face to street curb or internal road right of way: 7 feet minimum from any front building face or 2 feet from any side building face or corner.
    - [2] Any building face or corner to parking area: 5 feet minimum, or 0 feet where a driveway is fronting a garage.
    - [3] End wall to window wall: 25 feet minimum
    - [4] Window wall to window wall (separate buildings): 25 feet minimum.
    - [5] Window wall to window wall (in same building): 20 feet minimum, exclusive of architectural accents including, but not limited to, nooks, notches, or bays.
  - (b) Building site design principles.
    - [1] Overall principles.
      - a. Parking stalls for residents and visitors shall be located near dwelling unit entrances.
      - b. Screening of private outdoor living areas shall be addressed and may be accomplished with plant materials, masonry structures or wood fencing. Architectural elements such as masonry walls and fences shall be compatible in both style and materials with the dwelling unit of which it is part.
      - c. The design of all accessory uses, including but not limited to street furnishings, planters, street lights, exterior garden-type shade structures, fences, walls, decks, patios, terraces, and shelters for car

sharing and shuttles, shall complement the architectural style, type, and design of the buildings and the overall project design.

[2] Garden apartments.

- a. Each garden apartment structure shall be limited to a maximum of 45 units and a length of 335 feet. Such structures shall be grouped in clusters of consistent architectural design. Architectural treatment, roof changes or vertical or horizontal offsets of a minimum of 2 feet to create visual breaks on the exterior of buildings should be provided.
- b. Open balconies or outdoor private living spaces for individual dwelling units should be provided. Balconies integrated into the architectural façade shall be considered as architectural offsets if more than 2 feet in depth.

[3] Mid-rise apartments (which may include split-level style and on podiums).

- a. Mid-rise apartments shall be located on a site directly adjacent to the major portions of common space or open space in the development.
- b. Open balconies, decks, patios, or garages at the ground floor units should be provided. Balconies integrated into the architectural façade shall be considered as architectural offsets if more than 2 feet in depth.
- c. Architectural treatment, roof or parapet changes, or jogs of a minimum of 2 feet to create visual breaks on the exterior of the buildings should be provided.
- d. Architectural treatments, porticos and material changes at points of principal entry should be provided.

[4] Buildings may be permitted on podiums.

B. Vehicular, Bicycle, and Pedestrian Circulation

- (1) Access. The street system shall be integrated with the existing network of streets so that there are at least two points of unobstructed access to and from the tract. Access drives or driveways shall be provided in accordance with the criteria provided in this section.
- (2) General vehicular circulation design principles.
  - (a) The street system should utilize, where appropriate, cul-de-sacs, roundabouts, loop streets, and other suitable forms of street layout. Varying street widths according to their intended traffic carrying and parking purposes are encouraged.
  - (b) An emergency access drive shall be provided. This access drive may be fenced off or gated when not in use.
  - (c) Connector road to Old Meadow Road. The owner of the tract shall cause an easement to be provided granting one way access in from Old Meadow Road

through the existing access within the apartment community on Block 8, Lot 10.02 leading to the R-5C District and providing access in one direction for a future connection in one direction into Block 8, Lots 17, 24, and 30 on the West Windsor Township Tax Map as of the effective date of this ordinance. The one-way access connector road shall be jointly maintained by the owners of the aforementioned properties and the developer of Block 8, Lot 8.

- (d) Connector road to Route 1. Should the owner of Block 8, Lot 18 redevelop its property, the developer of Block 8, Lot 8 shall cause an easement to be provided granting direct two way access from the access road off of Route 1 to Block 8, Lot 18 on the West Windsor Township Tax Map as of the effective date of this ordinance. Should Block 8, Lot 18 be redeveloped, the costs to upgrade and maintain the access connector roadway and any modifications to the existing curb, or as may be required by NJDOT, shall be paid by the owner of Block 8, Lot 18. The portion of the connector roadway not already completed shall be constructed by the owner of Block 8, Lot 18. An easement so providing shall be a condition of development approval in the R-5C District and shall become effective upon the demolition of all structures and redevelopment of Block 8, Lot 18 as of the date of the adoption of this ordinance and redevelopment of such lot.
- (e) Road and driveway connections from main roads shall be located at grade and not below the crest of vertical curves.
- (f) Vehicular connections to adjacent properties may be provided where appropriate.
- (g) Access ways, but not parking spaces, are permitted on adjacent lots when in common principal ownership. An easement shall be provided therefor.
- (h) Pedestrian circulation.
  - [1] Comprehensive on-site pedestrian circulation shall be provided.
  - [2] Pedestrian connections shall be provided to Block 8, Lots 10.03, 24, 10.02, and 54 on the West Windsor Township Tax Map as of the effective date of this Ordinance.
- (i) Bikeways. Bicycle access shall be combined with motor vehicle access and identified with an appropriate street marking such as a sharrow or striped shoulder outside of vehicle lanes or provided as a separate parallel system adjacent to motor vehicle access. Width and design guidelines for all bikeways shall be as provided in Section 200-36C(3)(c)[2] of the West Windsor Township Land Use Ordinance.

#### C. Parking and Loading Requirements.

- (1) Off-street parking. The standards set forth in the RSIS shall govern all off-street parking, except for the standards that govern the size of parking spaces, circulation in parking structures, and compact parking, which shall conform to the standards in Section 200-29M(6) of the West Windsor Land Use Ordinance.



(2) Location of parking spaces.

- (a) Parking spaces, open or enclosed, shall be on the same lot or tract of land as the building or use to be served.
- (b) A parking space plan addressing parking space allocations shall be submitted with the site plan application.

(3) Car share and shuttles.

- (a) A resident shuttle service or ride-sharing service to the Princeton Junction Station shall be provided on or before the date when a minimum of 50% of units are occupied.
- (b) Drop-off or pick-up areas for car share vehicles or resident shuttles are permitted.

(4) Bicycle parking design principles.

- (a) Location. Bicycle parking facilities shall be located indoors and outdoors.
  - [1] Each garden apartment building shall have a dedicated interior space or enclosed room for storage of bicycles.
  - [2] Mid-rise apartment buildings shall have dedicated interior space or an enclosed room for storage of bicycles. Such spaces may be located within a parking garage.
- (b) Off-street loading requirements.
  - [1] Mid-rise apartments that are on a podium: One loading area shall be provided. Loading areas may be provided in designated parking areas.
  - [2] Mid-rise apartments, which include split-level style and garden apartments: One loading area shall be provided for every fifty apartment units. Driveways fronting garages may satisfy this requirement.

D. Open space and recreational facilities.

(1) Open space distribution requirements are as follows:

- (a) Common active open space, including recreational facilities: 40,000 square feet minimum. Common active open space or recreational space may include areas on top of structures such as parking garages. Common active open space calculations shall not include lands in conservation easements.
- (b) Natural open space: a minimum of 38 acres shall remain as a green belt, defined as greenbelt consisting of natural features, significant wooded areas, vegetation, channels, floodways or water bodies.
- (c) Recreational facilities.
  - [1] Play lots. One play lot, minimum 3,500 square feet in size, primarily for use by older children, is required. Facilities may include swings, slides,

play sculptures, and benches for parents. A tot lot primarily for use by toddlers is not required, as long as there is at least one tot lot accessible to residents on Block 8, Lots 54 and 10.02. Accessibility shall be provided through a reciprocal easement agreement.

- [2] Swimming pools. One swimming pool, minimum 1,800 square feet in size, is required.
- [3] Tennis courts, basketball courts, and play fields. There are no requirements for tennis courts, basketball courts, or play fields on-site, as long as there is at least one tennis court, one half-sized basketball court, and a play field accessible to residents on Block 8, Lots 54 and 10.02. Accessibility shall be provided through a reciprocal easement agreement.
- [4] Multipurpose community facility. A recreation center or multipurpose community facility, including space for permitted accessory uses, is required. The facility may be a freestanding building or integrated into a principal permitted building. The facility may be multi-story. The facility shall be within walking or easy biking distance of the majority of residents it is intended to serve.

#### E. Landscape standards.

- (1) Street trees. Street trees shall be provided in addition to any buffer requirements for municipal or county streets, if any streets are provided in the plan. Street trees shall be in accordance with the West Windsor Land Use Ordinance and Township Comprehensive Master Street Tree Plan standards for location, species selection and spacing. Street trees along fire lanes are not required.
- (2) Landscape buffers. Buffers shall be provided along all site edges as provided for herein:
  - (a) Along property lines adjacent to parking areas or drive aisles a planted 3 foot wide buffer of evergreen shrubs shall be provided. Shrubs shall be a minimum of 3 feet in height at time of planting, placed a maximum of 3 feet on center. Buffer plantings may be located on the adjacent property when in common or affiliated principal ownership. Loading areas shall be excluded from buffering requirements.
  - (b) Along property lines where utility and/or sewer easements interfere, a 5 foot wide buffer shall be provided. The buffer shall contain a mix of evergreen shrubs planted at a maximum of 3 feet on center, and plants planted in naturalistic groups of mixed plant varieties to provide visual interest.
- (3) Parking areas.
  - (a) All open parking areas and access ways thereto shall be properly drained, and all such areas shall be a paved surface. Geo Grid, or an acceptable alternative, shall be permitted for emergency vehicle access ways.
- (4) Podium landscape standards.

- (a) Ground floor units. A hardscape or landscape screen shall be provided between each ground floor apartment outdoor space and other community spaces.
- (b) Deck material. Podium deck shall differentiate spaces by using different materials or finish colors.
- (c) A variety of small plantings that can prosper in shallow soil conditions shall be provided as landscape elements in outdoor community spaces.

F. Sign regulations.

- (1) Development in the R-5C District shall conform to the requirements provided in this subsection.
- (2) General. Each site plan application shall include a signage plan showing the specific design, location, size, height, construction, and illumination of proposed signs in accordance with the regulations contained herein.
- (3) Permitted signs. The following standards shall apply to all signs in the R-5C District. No sign type other than those identified below shall be permitted.

(a) Monument signage.

- [1] Two monument signs shall be permitted (one at the entrances on Old Meadow Road and Route 1).
- [2] The maximum monument sign area, excluding the base structure, shall be 60 square feet per side, of which no more than 50 square feet may be devoted to the LED sign permitted by subsection [4] hereof.
- [3] The maximum monument sign height, including structure and sign area, for signs along Route 1 shall be 12 feet and for signs along Old Meadow Road shall be six feet.
- [4] An electronically programmable and changeable digital LED sign shall be permitted on the monument signs to display information solely related to the development. The sign shall not be used for third-party advertising of any kind except for announcements by the Township, except that political signage shall not be permitted. The LED changeable digital signage must conform to any applicable NJDOT regulations.

(b) Wayfinding signage.

- [1] One free-standing or wall wayfinding sign shall be permitted for each building entrance.
- [2] Free-standing wayfinding signs shall be permitted, to be spaced throughout the site for the purpose of wayfinding as needed.
- [3] The maximum wayfinding sign area shall not exceed 9 square feet and the letter height shall not exceed four inches.

- [4] For freestanding signs, the maximum sign height, including structure and sign area, shall be 6 feet above existing grade.
- [5] One wall sign shall be permitted for the community center. The maximum wall sign area shall not exceed 50 square feet.

(c) Street address signage.

- [1] Street address signage shall be provided on each building or for each individual tenant.
- [2] Street address numbers shall have a maximum height of 8 inches.

(d) Blade signs/banners

- [1] A maximum of two blade signs per mid-rise apartment building shall be permitted. The maximum sign area shall not exceed 60 square feet and may project up to 3 feet from the building.
- [2] Banner signs may be permitted as needed throughout the site.
- [3] Blade signs and banners may be attached to buildings or freestanding posts.

G. Loading, refuse and recycling, and service utility areas.

- (1) All loading, refuse and recycling collection, service and utility areas shall be sufficient in size to collectively serve the development. The required method of screening for dumpsters, trash compactors, recycling facilities or other outdoor storage areas shall conform to the standards outlined in Section 200-189.2B(5)(c).
- (2) Outside deposit areas shall not be permitted in any required yard or setback area, nor shall they interfere with the operation of off-street parking facilities.
- (3) Trash compactors, recycling facilities, and loading areas shall be located on the site so as to provide clear and convenient access for collection vehicles.
- (4) The applicant shall provide a waste management and recycling plan, subject to Township review and approval. Such management plan shall be submitted with an application for preliminary approval.
- (5) Transformers located on the ground shall be screened in the manner set forth in Section 200-189.2B(5)(c).
- (6) Refuse and recycling requirements.
  - (a) Outdoor storage areas.
    - [1] A central area consisting of trash compactors and recycling facility shall be provided to service the entire development. This area shall be conveniently located for residential deposition of waste and recyclables.
  - (b) Dwelling unit storage.

- [1] Individual garden apartment dwelling units shall provide a location within the unit for storage of designated recyclable materials in compliance with Section 200-134B of the West Windsor Land Use Ordinance. Garden apartment units for which a garage is rented may have such storage space within the attached garage structure.
- [2] A separate location for storage of designated recyclable materials within individual mid-rise apartment building dwelling units is not required, provided that each floor of the mid-rise apartment building shall include a central room for trash and recycling with bins for collection of recycling and a chute for trash terminating in a collection area within the structure.

H. Snow storage and removal. Procedures for snow storage and removal shall be identified.

Section 5. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable, and publication according to law.

Introduction:

Public Hearing:

Adoption:

Mayor's Approval:

Effective Date:

# Mack-Cali Ordinance

ORDINANCE 2018-\_\_

AN ORDINANCE TO AMEND AND SUPPLEMENT  
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WEST WINDSOR  
(1999) TO CREATE A PMN-1 DISTRICT

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-142, Establishment of Zoning Districts, is hereby amended by deleting the line reading “ROM-5 Industrial Research, Office, limited manufacturing” and by adding after the line “PMN Residence/Business Planned mixed use neighborhood/affordable” housing” the following:

PMN-1 Residence/Business Planned mixed use neighborhood/affordable housing

Section 2. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-143, Zoning Map, is amended to read as follows:

The boundaries of said zoning district is hereby established as shown on the Zoning Map, Township of West Windsor, dated May 23, 2009, and revised through \_\_\_\_\_, 2018, which, with all explanatory matter thereon, is hereby adopted and made part of this Part IV. An official copy of said Map, indicating the latest amendments shall be kept up-to-date in the office of the Land Use Manager for the use and benefit of the public and shall have the most current revision date shown thereon. The Zoning Map for that shall be the official reference as to the current zoning classification of the land within the boundaries of the Township of West Windsor.

Section 3. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVIII, Use and Bulk Regulations for Residence Districts, is amended by the adding the following NEW Section 200-194.3.

**§ 200-194.3 PMN-1 District use bulk, and other regulations**

- A. Purpose. The Planned Mixed Use Neighborhood-1 (PMN-1) District is intended to encourage a mix of residential development in conjunction with appropriately scaled and compatible commercial development consisting of retail sales and services, hotels, corporate suites, general and administrative offices, fitness and instructional studios and

similar uses with convenient access to Route 1 and proximate to the train station and surrounding commercial employment centers such as Carnegie Center. It is intended to be bicycle and pedestrian friendly and permit a compact mix of restaurants, commercial, market-rate and affordable residential dwelling units and plazas, and a limited service hotel. The PMN-1 District is intended to provide a compatible setting for affordable housing close to mass transit services and employment opportunities.

B. Planned comprehensive development, development application requirements and required uses. Any development application in the PMN-1 District shall be submitted as a planned development, in the nature of a preliminary site plan application, for the entire district. Such application shall describe any phasing of the proposal, together with any on-site and off-tract improvements needed to support such phases. The application for preliminary site plan approval may also include a request for final approvals with respect to such phase or phases. The following shall apply:

- (1) A PMN-1 development shall be subject to the requirements of this District and to the mandatory findings for a planned development as required by the Municipal Land Use Law, N.J.S.A. 40:55D-45.
- (2) A minimum of 15,000 square feet of nonresidential floor area shall be devoted to neighborhood retail commercial goods and services..
- (3) A minimum of 600 residential units, market and affordable, shall be provided.
- (4) A limited service hotel with a minimum of 120 rooms shall be provided.
- (5) A roundabout is preferred for the intersection of Meadow Road and Carnegie Center Drive.

C. Principal permitted uses. In the PMN-1 District, no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses:

- (1) Neighborhood retail uses providing for the sale of goods and services, not exceeding 30,000 square feet of floor area, including but not limited to convenience food stores, pharmacies, restaurants (excluding curbside establishments and drive-through facilities), cafes, luncheonettes, and delicatessens, indoor recreation facilities, including instructional studios and fitness centers, attended laundry and retail dry-cleaning services (not including bulk processing and, in the case of dry-cleaning establishments, not providing for the storage of more than five gallons of flammable or toxic cleaning fluid on the premises), book, newspaper, periodical and stationery stores, copy centers, parcel package shipping stores or mailing centers, bicycle shops and bicycle rental facilities, banks, and personal services establishments (e.g., barber or beauty salon and spa and massage services).



- (2) Hotels
- (3) General and administrative offices and professional offices (e.g., physicians, lawyers and architects); small commercial offices (e.g., realtors and travel agencies); and offices incidental to uses permitted in this section.
- (4) Garden and mid-rise apartments and townhouse dwellings. The residential units shall be subject to a twenty five percent low- and moderate-income housing set aside in accordance with Subsection I.
- (5) Affordable housing in accordance with Subsection I.

D. Permitted accessory uses.

- (1) Recreational, clubhouse, swimming pool, recycling buildings, and open space facilities, including, but not limited to, walkways, courtyards, plazas, community centers, and community gardens.
- (2) Off-street parking and loading designed in an aesthetically appealing manner in terms of layout and materials.
- (3) Signs.
- (4) Street furniture, planters, approved public art elements, gazebos, information kiosks, and waste/recycling receptacles.
- (5) Sidewalk cafes associated with permitted restaurants.
- (6) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design. They shall be constructed in accordance with a fence and wall design plan approved by the board of jurisdiction.
- (7) Decks, patios and terraces, which shall complement the architectural style, type and design of the building and the overall project design. They shall be constructed in accordance with a deck, patio, and terrace design plan approved by the board of jurisdiction.
- (8) Walk-up ATMs.
- (9) Garages for use by tenants

E. Minimum tract size. The minimum tract area shall be comprised of Block 9, Lots 12.01 and 12.03, and Block 9.03, Lot 12.02, as shown on the tax maps of the Township of West Windsor.

- F. Location of nonresidential uses. Non-residential uses shall be located on Block 9, Lot 12.01 within 700 feet of the Route 1 North Service Road right-of-way.
- G. Maximum improvement coverage. The maximum improvement coverage shall be 70%.
- H. Greenbelt preservation. No development other than walking trails shall be permitted in the Greenbelt as depicted in the Conservation Plan Element of the Master Plan, except that the Greenbelt on Block 9.03, Lot 12.02 may be modified at the time of development application review based upon the Delaware and Raritan Canal Commission buffer line. An easement shall be provided for all Greenbelt shown on the approved plans not already subject to Greenbelt easements. Any walking trail shall be designed so as to enhance the Greenbelt.
- I. Affordable housing. Twenty five percent of the residential component shall be low- and moderate-income housing meeting all of the applicable standards and requirements for affordable units, including those set forth *Uniform Housing Affordability Controls (UHAC)*, N.J.A.C. 5:80-26.1 *et seq.*, and Section 200-237. At least 50 percent of the affordable units shall be made affordable to low-income households, and at least 13 percent of all rental affordable units shall be made affordable to very low-income households earning 30% or less of the regional median household income by household size, which very low income units shall be included as part of the low income requirement. The remaining affordable units shall be made affordable to moderate-income households. The affordable units shall be located on site and shall be reasonably dispersed throughout each residential component phased in accordance with the affordable housing construction schedule set forth in NJAC 5:97-6.4(d). The state-wide non-residential development fee shall apply to the non-residential portion of the development to the extent that it includes other than residential uses.
- J. Public activity area. The PMN-1 development shall contain a public space on Block 9, Lot 12.01. The public space shall have a minimum area of 10,000 square feet, which shall be designed as a public activity focus for the development. Design elements, which may include patterns in the pavement, a fountain, gazebo, sculpture, bollards, sitting areas and landscaping, shall be incorporated into this public space.
- K. Residential unit standards
- (1) The average gross density shall not exceed 12 dwelling units per acre for the entire tract.
  - (2) Of the housing types provided, no one type shall exceed 75% of the total dwelling units to be developed.
  - (3) Building heights for all dwellings may not exceed four (4) stories.

(4) Yard dimensions:

[a] Front yard: minimum of 15 feet on internal streets and drives and 25 feet on public streets measured from the property line. Paved areas for access to garages and parking lots are permitted in front yards.

[b] For dwellings that front Carnegie Center Drive, the yard setback shall be a minimum of 15 feet from the property line.

L. Area, bulk, and other regulations for nonresidential uses on fee simple lots.

(1) Hotel

[a] Lot area: minimum of 1 acre.

[b] Lot width: minimum of 200 feet.

[c] Minimum lot depth: 200 feet

[d] Yard dimensions:

[1] Front yard: minimum of 15 feet on internal streets and drives, and 35 feet on public streets, measured from the property line. Paved areas for access to garages and parking lots are permitted in front yards.

[2] Side yard (each side): minimum of 15 feet, exclusive of any canopy.

[3] Rear yard: minimum of 20 feet on internal streets and drives, measured from the property line.

[e] Maximum building height: 60 feet or five stories, whichever is less

[f] Maximum improvement coverage: 75%.

(2) Commercial other than hotel and office

[a] Lot area: minimum of 1 acre.

[b] Lot width: minimum of 200 feet.

[c] Minimum lot depth: 200 feet

[d] Yard dimensions:

[1] Front yard: 25 feet.

[2] Side yard (each side): minimum of 20 feet

[3] Rear yard: minimum of 20 feet on internal streets and drives, measured from the property line.

[e] Maximum store size: no more than 40% of the total gross floor area.

[f] The maximum building height shall be two stories or 30 feet, whichever is less.

(3) Office

[a] Area, bulk, and other regulations for office uses on fee simple lots shall be in accordance with the standards enumerated in the ROM-1 zoning district.

(4) All non-residential buildings shall be set back a minimum of 20 feet from any existing residential lot not separated by a public road.

M. Required off-street and on-street parking.

(1) All streets shall be designed to accommodate two travel lanes.

(2) The off-street parking standards set forth in § 200-27B shall apply, except as follows:

(a) Off-street parking for hotels shall be 1 space per room plus .5 parking space/employee.

(b) Off-street parking for all retail or office uses shall be a minimum of one space per each 500 square feet of gross floor area. The applicant shall demonstrate that parking is sufficient for each use.

(c) Off street parking for restaurants set forth in Section 200-27B shall apply in the PMN-1 District unless authorized otherwise by the board of jurisdiction based on the applicant demonstrating that parking is sufficient for the use.

(3) Except for hotels and retail, off-street parking lots shall be prohibited in any front yard setback from a public street and shall be accessed by means of common driveways, preferably from side streets or lanes. Cross-access easements for adjacent lots with interconnected parking lots shall be provided where necessary. Shared parking facilities are encouraged where possible. Where off-street parking areas are visible from existing public streets of the development, they shall be buffered by landscaping or a low masonry wall.

N. Pedestrian and bicycle accessibility.

- (1) A comprehensive bicycle and pedestrian circulation system shall be provided between all uses, along roads, and through the open space.
  - (2) The developer shall provide paved pedestrian/bicycle linkages, including crosswalks, to all off-tract adjacent residential developments on the project side of Meadow Road as well as a sidewalk linkage or path to Old Meadow Road and Carnegie Center Drive.
  - (3) Pedestrian crossings in streets and alleys shall include special ground texture treatment such as brick, stone, cobblestones, concrete and other suitable material and shall be ten feet in width. The treatment of any crosswalk shall be designed with materials that indicate the different traffic characteristics of intersecting streets.
  - (4) Safe and secure bicycle parking shall be provided.
- O. Signs. A comprehensive sign plan shall be prepared for all use types proposed within the PMN-1 District. The signs shall be compatible in design and integral to the architectural design. A mix of wall and hanging signs is required. The sign standards set forth in § 200-258D shall apply.
- P. Architectural design standards and guidelines.
- (1) Buildings shall generally relate in scale to the surrounding buildings in the development and off-tract. Buildings shall reflect a continuity of treatment obtained by maintaining the building scale or by subtly graduating changes; by maintaining base courses; by maintaining cornice lines in buildings of the same height; by extending horizontal lines of fenestration; and by reflecting architectural styles and details, design themes, building materials, and colors used in surrounding buildings.
  - (2) Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as balconies, canopies, and signs, recesses, and changes in floor level, shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, roofline offsets, dormers, or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
  - (3) The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors, and details. Blank wall or service area treatment of side and rear elevations visible from the public views is discouraged.

- (4) For residential units, gable roofs with a minimum pitch of 6/12 shall be used to the greatest extent possible. Where hipped roofs are used, it is recommended that the minimum pitch be 6/12. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of one foot beyond the building wall. Flat roofs are permitted provided that all visibly exposed walls have an articulated cornice that projects horizontally from the vertical building wall plane. Other roof types shall be appropriate to the building's architecture. Mansard roofs are prohibited on buildings less than three stories in height. Architectural embellishments that add visual interest to roofs, such as dormers, belvederes, masonry chimneys, cupolas, clock towers, and other similar elements, are encouraged.
- (5) Fenestration shall be architecturally compatible with the style, materials, colors, and details of the building. Windows shall be vertically proportioned wherever possible. To the extent possible, upper-story windows shall be vertically aligned with the location of windows and doors on the ground level.
- (6) All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades, or others, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors, and details of the building as a whole, as shall the doors.
- (7) Ground-floor retail, services, and restaurant uses shall have large-pane display windows. Such windows shall be framed by the surrounding wall and shall not exceed 75% of the total ground-level facade area.
- (8) For residential units, natural materials such as wood, stone and masonry are recommended. High-quality artificial siding and metal roof materials are permitted. Other roof materials, whether asphalt or other material, must mimic slate or tile. Stucco or similar treatment may be used as an accent. Materials manufactured from local or regional manufacturers and from recycled or renewable resources shall be considered.
- (9) Heating, ventilating and air-conditioning (HVAC) systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.
- (10) Street furniture such as benches, street lamps, bicycle racks, receptacles for litter, including mandatory recycling receptacles, bus stops, landscape planters and hanging baskets shall be provided. A standard street furnishing plan shall be established for the entire district. Options shall be established in order to permit variety. Furnishings manufactured from recycled materials shall be considered. Furnishings manufactured from local or regional sources shall be considered.

- (11) All ground-level residential units are encouraged to have clearly defined front yards using landscaping, hedging, fencing or brick, stone, or masonry walls, none of which, except for approved planting, shall exceed three feet in height. Wood and chain link fences are not permitted.

Q. Snow storage and removal. Procedures for snow storage and removal shall be identified.

Section 4. Chapter 200 of the Code of the Township of West Windsor, Land Use, Part 4, Zoning, Article XXIX, Research/Office/Manufacturing, Research/Office and Research and Development Districts, is amended by deleting Section 200-217, ROM-5 Industrial District, and by marking Section 200-217 as “Reserved.”

Section 5. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable, and publication according to law.

Introduction:

Public Hearing:

Adoption:

Mayor’s Approval:

Effective Date:

# American Properties/ Heritage Village Ordinance



ORDINANCE 2018-\_\_\_

AN ORDINANCE TO AMEND AND SUPPLEMENT  
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WEST WINDSOR  
(1999) TO CREATE A R-5D DISTRICT

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-142, Establishment of Zoning Districts, is hereby amended by adding after the line “R-5C Residence Affordable housing” the following:

R-5D Residence

Affordable housing

Section 2. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes Establishment of Districts; General Conditions, Section 200-143, Zoning Map, is amended to read as follows:

**§ 200-143. Zoning Map.**

The boundaries of said zoning districts are hereby established as shown on the Zoning Map, Township of West Windsor, dated March 23, 2009, and revised through \_\_\_\_\_, 2017, which, with all explanatory matter thereon, is hereby adopted and made a part of this Part 4. An official copy of said Map, indicating the latest amendments, shall be kept up-to-date in the office of the Land Use Manager for the use and benefit of the public and shall have the most current revision dated shown thereon. The Zoning Map shall be the official reference as to the current zoning classification of land within the boundaries of the Township of West Windsor.

Section 3. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVII, Use and Bulk Regulations for Residence Districts, is amended by adding the following NEW Section 200-189.3:

**§ 200-189.3 R-5D District use, bulk and other regulations.**

A. Use and bulk standards. The use, bulk and other regulations governing the R-5B District shall apply, except that:

- (1) Stacked flats/apartments attached to townhouses restricted to units set aside for low-and moderate income households are permitted.

- (2) Group homes in detached dwellings or attached to townhouse buildings with a minimum capacity of three bedrooms intended for individuals with development disabilities are permitted.
- (3) A commercial building or buildings not to exceed 10,000 square feet in total gross floor area which may be occupied by any principal use or conditional use as permitted in the P-3 Business District, subject to the bulk and area regulations of that district, are permitted.
- (4) 25 percent of the total dwellings that are the subject of the development application shall be low- and moderate-income housing meeting all of the applicable standards and requirements for affordable units, including those set forth in the *Uniform Housing Affordability Controls* (UHAC), N.J.A.C. 5:80-26.1 *et seq.*, and in Section 200-237. At least 50 percent of the affordable units shall be made affordable to low-income households and at least 13 percent of all rental affordable units shall be made affordable to very low-income households earning 30% or less of the regional median household income by household size, which very low income units shall be included as part of the low income requirement. The remaining affordable units shall be made available to moderate-income households. The affordable units shall be located on site and shall be reasonably dispersed throughout the residential component phased in accordance with the affordable housing construction schedule set forth in NJAC 5:97-6.4(d). Parking spaces shall be reserved for the affordable units.
- (5) In lieu of the net density requirements set forth in Section 200-184A(4)(b), the following shall apply:
  - (a) The net density of townhouses and stacked flats attached to the townhouses shall not exceed 25 dwelling units per acre.
- (6) Accessory uses: street furniture, decks, patios, fences, walls, pump stations and garbage corrals

B. Modifications of design standards. The design standards set forth in this Chapter 200 shall apply, except that:

- (1) Parking for a commercial building or buildings shall be permitted within the front yard provided that a minimum 40 foot planted buffer area be maintained to said parking area from the street right-of-way. No separate off-street loading space shall be required for a commercial building or buildings.
- (2) The minimum window wall to window wall requirement shall be 30 feet.
- (3) A minimum of 30 acres shall be preserved for open space.

(4) Useable recreation facilities as set forth in 200-36C(3)(c ) shall be 2.5% of the gross tract area

(5) The following requirements as to recreational facilities shall apply:

(a) Play Lots. One play lot shall be required with a minimum of 2,000 square feet for toddlers and up to 5,000 square feet for older children.

(b) Tennis. One court shall be required

(c) Swimming pools. Shall not be required

(d) Community building. Shall not be required

(6) In lieu of the active recreation purpose requirement set forth in Section 200-190C1, the following shall apply:

Such designated open space shall include no less than 2 acres of land developed for active recreation purposes.

C. Snow storage and removal. Procedures for snow storage and removal shall be identified.

Section 4. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable. Publication will be according to law.

Introduction:

Public Hearing:

Adoption:

Mayor's Approval:

Effective Date:

R-5D District Ordinance clean version 10-2-18 American Properties Heritage Village

Bear Creek Senior Living Ordinance  
(PRRC Amendment)

ORDINANCE 2018-XX

AN ORDINANCE TO AMEND AND SUPPLEMENT  
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) CHAPTER 200 LAND  
USE, PART 1, SITE PLAN REVIEW, ARTICLE II, TERMINOLOGY, SECTION 200-4,  
DEFINITIONS, SUBSECTION B REGARDING THE DEFINITION OF  
“CONGREGATE HOUSING,”  
AND  
PART 4, ZONING, ARTICLE XXVII, USE AND BULK REGULATIONS FOR  
RESIDENCE DISTRICTS, SECTION 200-194, PLANNED RESIDENTIAL  
RETIREMENT COMMUNITY USE REGULATIONS, SUBSECTION B(2)(f)  
REGARDING MAXIMUM PERMISSIBLE DENSITY

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 1, Site Plan Review, Article II, Terminology, Section 200-4, Definitions, Subsection B is amended as follows. Added text is underlined, and text being eliminated is in brackets.

**Congregate Housing**

Specifically designed multi-unit housing for independent to semi independent older persons in which there [is at least one hot meal served per day and some housekeeping services] may be meal service; if meal service is not provided, the facility shall include a restaurant open to the general public. Such restaurant shall be located within the congregate housing building or the community building within the complex. Living units shall include at least a [living/bedroom] living room, bathroom [and kitchenette], kitchen, and no more than two bedrooms, except that studio apartments are permitted. All of the affordable units must have one or two bedrooms. Access by PRRC residents to an on-site wellness center offering health and fitness services and/or equipment is required. Personal care service, housekeeping services, and transportation may also be available by arrangement.

Section 2. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 4, Zoning, Article XXVII, Use and Bulk Regulations for Residence Districts, Section 200-194, Planned Residential Retirement Community Use Regulation, Subsection B(2)(f) is amended as follows. Added text is underlined, and text being eliminated is in brackets.

- A. Maximum permissible density. Maximum gross density in a PRRC is 1.45 dwelling units per acre. For the purpose of calculating maximum permissible density, individual beds and units in a congregate care, congregate housing, nursing home, continuing care

facility, extended care facility or outpatient clinic are not considered units. The PRRC shall have no more than 500 total beds and 306 dwelling units in congregate care, continuing care, extended and outpatient care facilities.

Section 3. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 4, Zoning, Article XXVII, Use and Bulk Regulations for Residence Districts, Section 200-194, Planned Residential Retirement Community Use Regulation, is amended by adding a NEW Subsection G as follows.

G. Other Provisions.

For any development application filed for vacant land within the congregate care component of the PRRC District as of the date of this ordinance, at least 51 of the units shall be low- and moderate-income housing meeting all the applicable standards and requirements for affordable units, including those set forth in the *Uniform Housing Affordability Controls (UHAC)*, N.J.A.C. 5:80-26.1 *et seq.*, and Section 200-237. A 25% set aside of low- and moderate-income units shall apply to any units in excess of 220 in the development application. At least 50% of the affordable units shall be made affordable to low-income households, and at least 13% of all rental affordable units shall be made affordable to very low-income households earning 30% or less of the regional median household income by household size, which very low income units shall be included as part of the low income requirement. The remaining affordable units shall be made available to moderate-income households. The affordable units shall be located on-site and shall be reasonably dispersed throughout the development phased in accordance with the affordable housing construction schedule set forth in N.J.A.C. 5:97-6.4(d). The state-wide non-residential development fee shall apply to the non-residential portion of the development to the extent that it includes other than residential uses.

Section 4. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable, and publication according to law.

Introduction:

Public Hearing:

Adoption:

Mayor's Approval:

Effective Date:

**400 Steps Ordinances**  
**(Ordinances Amending the West Windsor Code and**  
**Redevelopment Plan)**

ORDINANCE 2018-\_\_

AN ORDINANCE TO AMEND AND SUPPLEMENT  
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WEST WINDSOR  
(1999) TO CREATE AN RP-12 DISTRICT

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-142, Establishment of Zoning Districts, is hereby amended by adding after the line “RP-11 – “Overlay of the Princeton Junction Redevelopment Plan” the following:

RP-12 Residence/Affordable Housing

Section 2. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-143, Zoning Map, is amended to read as follows:

The boundaries of said zoning district is hereby established as shown on the Zoning Map, Township of West Windsor, dated May 23, 2009, and revised through \_\_\_\_\_, 2018, which, with all explanatory matter thereon, is hereby adopted and made part of this Part IV. An official copy of said Map, indicating the latest amendments shall be kept up-to-date in the office of the Land Use Manager for the use and benefit of the public and shall have the most current revision date shown thereon. The Zoning Map for that shall be the official reference as to the current zoning classification of the land within the boundaries of the Township of West Windsor.

Section 3. Chapter 200 of said Code, Land Use, Part 5, Princeton Junction Redevelopment Plan Regulatory Provisions, Article XXXIV, Land Use Controls, is hereby amended by the adding a New Section 200-272 as follows and by renumbering the subsequent sections accordingly:

**§ 200-272 RP-12 District.**

A. RP-12 District use regulations.

- (1) Purpose. The goal of the RP-12 District is to develop the property in the RP-12 District with attractive, multi-family housing, to include 20% affordable housing.



- (2) Comprehensive development. The District shall be comprehensively developed in accordance with one development application for the entire district.
- (3) Permitted principal uses. In the RP-12 District, no building or premises shall be used and no building shall be erected or altered on a lot which is arranged, intended or designed to be used, except for the following use:
  - (a) Multifamily dwellings, provided that twenty percent (20%) of such units are affordable housing meeting all of the applicable standards and requirements for affordable units, including those set forth in the *Uniform Housing Affordability Controls (UHAC)*, N.J.A.C 5:80-26.1 *et seq.*, and Section 200-237. At least 50% of the affordable units shall be affordable to low-income households, and at least 13% of all rental affordable units shall be affordable to very low-income households earning 30% or less of the regional median household income by household size, which very low income units shall be included as part of the low income requirement. The remaining affordable units shall be made affordable to moderate-income households. The affordable units shall be dispersed in at least three buildings each having no more than 50% of such units. Affordable housing shall be architecturally indistinguishable from market-rate housing.
- (4) Permitted accessory uses.
  - (a) Recreational and open space facilities, including, but not limited to walkways, courtyards and plazas.
  - (b) Off-street parking and loading associated with multifamily dwellings and townhouses.
  - (c) Signs.
  - (d) Street furnishings, planters, streetlights, and exterior, garden-type shade structures such as gazebos and pavilions.

- (e) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (f) Decks, patios and terraces, which shall complement the architectural style, type and design of the building and the overall project design.
- (g) Stand alone on grade garages, trash enclosures, stand alone storage facilities for apartment tenants, and office and maintenance areas for onsite rental business operations.
- (h) Accessory uses customarily incidental to permitted principal uses.

B. RP-12 District intensity, bulk and other regulations.

(1) Maximum improvement coverage: 80%.

(2) Minimum yards.

(a) Front yard: 10 feet.

(b) Side yard: 5 feet.

(c) Rear yard: 5 feet.

(3) Number of dwelling units: The developer may construct up to one hundred (100) dwelling units.

(4) Maximum building height:

(a) The maximum building height shall be three stories with loft, but no greater than 45 feet.

(5) Building spacing: A minimum of 30 feet shall be provided between buildings.

(6) Parking standards.

- (a) In lieu of the standards set forth in § 200-27B, the following off-street parking standards shall apply: a minimum of 1.4 spaces per dwelling.
- (b) Off-street parking lots shall be accessed by means of common driveways to the extent practicable. Cross-access easements with adjacent lots shall be required. Shared parking facilities are encouraged where possible.

(7) Sidewalks.

- (a) In lieu of the standards set forth in § 200-258A sidewalk widths shall be a minimum of four feet wide, except where sidewalk borders head-in parking stalls, the sidewalk shall be a minimum of six feet wide.
- (b) All internal sidewalks and pathways shall be designed to provide access for the physically disabled. Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks, in conformance with the American with Disabilities Act. This requirement does not apply to connections to Block 5, Lot 20. A minimum of one accessible route shall be provided to the RP-12 development from the public street and sidewalk, through Block 5, Lot 20.

(8) Landscaping.

- (a) All Section 200-91P standards shall apply except that:
  - [1] In lieu of the standards set forth in §200-91P(4), the following shall apply: Storm water management facilities shall be designed in accordance with the guidelines set forth in the New Jersey Stormwater Best Management Practices Manual.
  - [2] Section 200-91P(5) (Open Space) shall not apply.
  - [3] Section 200-91P(6)(c) (Filtered Buffer) shall not apply to locations where internal drives and parking adjoin new residential buildings.

- [4] Section 200-91P(6)(d)(4) is amended to allow a solid fence no greater than ten feet high. The fence is only required along a portion of the property line between the apartment buildings and the railroad tracks. The fence is not considered a structure.
- [5] Section 200-91P(7)(a) and (b) shall not apply.
- [6] Section 200-91P(7)(c) is amended to require that trees within the uncovered parking areas shall be provided at a minimum rate of two trees per 10 parking spaces.
- [7] Section 200-91P(7)(d), (e), and (f) shall not apply.
- [8] Existing trees over 5 inches DBH that are within ten feet of property lines shall be located and preserved to the extent possible. All other existing trees will be cleared and are not required to be relocated.

(9) Architectural and site design standards.

In lieu of the standards set forth in §200-258C, the following shall apply:

- (a) Architectural detail, style, color, proportion and massing shall reflect the features of a traditional village center. Buildings shall reflect a continuity of treatment through the district, obtained by maintaining the building scale or by subtly graduating changes; by maintaining base courses; by maintaining cornice lines in buildings of the same height; by extending horizontal lines of fenestration; and by reflecting architectural styles and details, design themes, building materials and colors used in surrounding buildings. To the extent possible, upper-story windows shall be vertically aligned with the location of windows and doors on the ground level. A variety of building setbacks, roof lines, color schemes, elevations and heights shall be developed, relative to adjacent structures, to avoid a repetitious and monotonous streetscape.
- (b) Any sound barrier along the railroad right-of-way may not be higher than ten (10) feet.
- (c) Signage and lighting shall be designed in a manner complementary to the building's architecture and in keeping with the goal of achieving a traditional village center.

- (d) Pitched roofs (6/12 to 12/12) are required. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of one foot beyond the building wall.

(10) Signage.

- (a) Street address signage.

In lieu of the standards set forth in §200-258D4c, the following shall apply:

- [1] Street address signage shall be provided on each building.

- [2] Street address numbers shall have a maximum height of 24 inches.

- (b) Monument signage.

In lieu of the standards set forth in § 200-258D4d, the following shall apply:

- [1] Two monument signs shall be permitted for the RP-12 District. One of the two signs shall be an identification sign along Cranbury Road at the entrance to the Ellsworth Center.

- [2] The maximum monument sign area for each sign shall be 40 square feet.

- [3] The maximum monument sign height for each sign shall be six feet above existing grade.

(11) Internal Streets.

- (a) Geometry of streets shall be sufficient for Township emergency vehicles and private waste removal.

- (b) Street names shall not duplicate or nearly duplicate the names of existing streets in the municipality or surrounding communities. The continuation of an existing street shall have the same name.

- (c) Endings of proposed street names shall reflect street classification for a cul-de-sac: lane, court, place, or circle.
- (12) Other Standards.
- (a) No development shall proceed in the District without a redeveloper's agreement with the Township or redevelopment entity.
  - (b) Section 200-20 (Common Open Space) shall not apply.
  - (c) The standards set forth in § 200-23 requiring an environmental appraisal of the property are not applicable.
  - (d) Interconnection with Block 5, Lot 20 for storage or other complimentary service uses is allowed.
  - (e) In lieu of the standards set forth in § 200-25B2, steps shall be taken to minimize indoor noise levels. Building code requirements shall be met.
  - (f) In lieu of the standards set forth in § 200-25C2, steps shall be taken to minimize vibration levels.

**Section 4.** This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable, and publication according to law.

Introduction:

Public Hearing:

Adoption:

Mayor's Approval:

Effective Date:

**ORDINANCE 2018-\_\_**

**AN ORDINANCE TO AMEND AND SUPPLEMENT  
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)**

**AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN  
FOR PRINCETON JUNCTION BY ADDING A NEW RP-12 DISTRICT**

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. The first full paragraph on page 8 of the Redevelopment Plan for Princeton Junction is amended to reflect the new district regulations set forth below.

Section 2. The Executive Summary is amended by adding the following at the end:

**District 12** is intended to facilitate redevelopment of a portion of what was District 7 by providing for an inclusionary development consisting of 80 market units and 20 affordable units.

Section 3. The Redevelopment Plan Development Summary on page 12 is amended to reflect the new district regulations set forth below.

Section 4. The Study Area District Map on page 25 is amended by creating a RP-12 District in the portion of the RP-7 District north of the most northerly lot line shown on the Map and known as Block 5, Lot 19.

Section 5. The following shall be added at the end of the District Regulations.

**DISTRICT RP-12**

**RP-1 District use regulations**

- A. Purpose. The goal of the RP-12 District is to develop the property in the RP-12 District with attractive, multi-family housing, to include 20% affordable housing.
- B. Comprehensive development. The District shall be comprehensively developed in accordance with one development application for the entire district.
- C. Permitted principal uses. In the RP-12 District, no building or premises shall be used and no building shall be erected or altered on a lot which is arranged, intended or designed to be used, except for the following use:
  - (1) Multifamily dwellings, provided that twenty percent (20%) of such units are affordable housing meeting all of the applicable standards and requirements for affordable units, including those set forth in the *Uniform Housing Affordability Controls* (UHAC), N.J.A.C 5:80-26.1 *et seq.*, and Section 200-237. At least 50% of the affordable units shall be affordable to low-income households, and at least 13% of all rental affordable units shall be affordable to very low-income households earning 30% or less of the regional median household income by household size, which very low income units shall be included as part of the low income requirement. The remaining affordable units shall be made affordable to moderate-income households. The affordable units shall be dispersed in at least three buildings each having no more than 50% of such units. Affordable housing shall be architecturally indistinguishable from market-rate housing.
- D. Permitted accessory uses.
  - (1) Recreational and open space facilities, including, but not limited to walkways, courtyards and plazas.
  - (2) Off-street parking and loading associated with multifamily dwellings and townhouses.
  - (3) Signs.
  - (4) Street furnishings, planters, streetlights, and exterior, garden-type shade structures such as gazebos and pavilions.



- (5) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (6) Decks, patios and terraces, which shall complement the architectural style, type and design of the building and the overall project design.
- (7) Stand alone on grade garages, trash enclosures, stand alone storage facilities for apartment tenants, and office and maintenance areas for onsite rental business operations.
- (8) Accessory uses customarily incidental to permitted principal uses.

**RP-12 District intensity, bulk and other regulations.**

- A. Maximum improvement coverage: 80%.
- B. Minimum yards.
  - (1) Front yard: 10 feet.
  - (2) Side yard: 5 feet.
  - (3) Rear yard: 5 feet.
- C. Number of dwelling units: The developer may construct up to one hundred (100) dwelling units.
- D. Maximum building height:
  - (1) The maximum building height shall be three stories with loft, but no greater than 45 feet.
- E. Building spacing: A minimum of 30 feet shall be provided between buildings.
- F. Parking standards.
  - (1) In lieu of the standards set forth in § 200-27B, the following off-street parking standards shall apply: a minimum of 1.4 spaces per dwelling.

- (2) Off-street parking lots shall be accessed by means of common driveways to the extent practicable. Cross-access easements with adjacent lots shall be required. Shared parking facilities are encouraged where possible.

G. Sidewalks.

- (1) In lieu of the standards set forth in § 200-258A sidewalk widths shall be a minimum of four feet wide, except where sidewalk borders head-in parking stalls, the sidewalk shall be a minimum of six feet wide.
- (2) All internal sidewalks and pathways shall be designed to provide access for the physically disabled. Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks, in conformance with the American with Disabilities Act. This requirement does not apply to connections to Block 5, Lot 20. A minimum of one accessible route shall be provided to the RP-12 development from the public street and sidewalk, through Block 5, Lot 20.

H. Landscaping.

- (1) All Section 200-91P standards shall apply except that:
  - (a) In lieu of the standards set forth in §200-91P(4), the following shall apply: Storm water management facilities shall be designed in accordance with the guidelines set forth in the New Jersey Stormwater Best Management Practices Manual.
  - (b) Section 200-91P(5) (Open Space) shall not apply.
  - (c) Section 200-91P(6)(c) (Filtered Buffer) shall not apply to locations where internal drives and parking adjoin new residential buildings.
  - (d) Section 200-91P(6)(d)(4) is amended to allow a solid fence no greater than ten feet high. The fence is only required along a portion of the property line between the apartment buildings and the railroad tracks. The fence is not considered a structure.
  - (e) Section 200-91P(7)(a) and (b) shall not apply.

- (f) Section 200-91P(7)(c) is amended to require that trees within the uncovered parking areas shall be provided at a minimum rate of two trees per 10 parking spaces.
- (g) Section 200-91P(7)(d), (e), and (f) shall not apply.
- (h) Existing trees over 5 inches DBH that are within ten feet of property lines shall be located and preserved to the extent possible. All other existing trees will be cleared and are not required to be relocated.

J. Architectural and site design standards.

In lieu of the standards set forth in § 200-258C, the following shall apply:

- (a) Architectural detail, style, color, proportion and massing shall reflect the features of a traditional village center. Buildings shall reflect a continuity of treatment through the district, obtained by maintaining the building scale or by subtly graduating changes; by maintaining base courses; by maintaining cornice lines in buildings of the same height; by extending horizontal lines of fenestration; and by reflecting architectural styles and details, design themes, building materials and colors used in surrounding buildings. To the extent possible, upper-story windows shall be vertically aligned with the location of windows and doors on the ground level. A variety of building setbacks, roof lines, color schemes, elevations and heights shall be developed, relative to adjacent structures, to avoid a repetitious and monotonous streetscape.
- (b) Any sound barrier along the railroad right-of-way may not be higher than ten (10) feet.
- (c) Signage and lighting shall be designed in a manner complementary to the building's architecture and in keeping with the goal of achieving a traditional village center.
- (d) Pitched roofs (6/12 to 12/12) are required. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of one foot beyond the building wall.

K. Signage.

- (1) Street address signage.

In lieu of the standards set forth in § 200-258D4c, the following shall apply:

- (a) Street address signage shall be provided on each building.
  - (b) Street address numbers shall have a maximum height of 24 inches.
- (2) Monument signage.
- In lieu of the standards set forth in § 200-258D4d, the following shall apply:
- (a) Two monument signs shall be permitted for the RP-12 District. One of the two signs shall be an identification sign along Cranbury Road at the entrance to the Ellsworth Center.
  - (b) The maximum monument sign area for each sign shall be 40 square feet.
  - (c) The maximum monument sign height for each sign shall be six feet above existing grade.

K. Internal Streets.

- (1) Geometry of streets shall be sufficient for Township emergency vehicles and private waste removal.
- (2) Street names shall not duplicate or nearly duplicate the names of existing streets in the municipality or surrounding communities. The continuation of an existing street shall have the same name.
- (3) Endings of proposed street names shall reflect street classification for a cul-de-sac: lane, court, place, or circle.

L. Other Standards.

- (1) No development shall proceed in the District without a redeveloper's agreement with the Township or redevelopment entity.
- (2) Section 200-20 (Commons Open Space) shall not apply.
- (3) The standards set forth in § 200-23 requiring an environmental appraisal of the property are not applicable.

- (4) Interconnection with Block 5, Lot 20 for storage or other complimentary service uses is allowed.
- (5) In lieu of the standards set forth in § 200-25B2, steps shall be taken to minimize indoor noise levels. Building code requirements shall be met.
- (6) In lieu of the standards set forth in § 200-25C2, steps shall be taken to minimize vibration levels.

Section 6. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable, and publication according to law.

INTRODUCTION:  
PUBLIC HEARING:  
ADOPTION:  
MAYORAL APPROVAL:  
EFFECTIVE DATE:

RP-12 Ordinance Amending the Redevelopment Plan clean version 10-2-18

**Mandatory Set Aside Ordinance**  
**(Replacing Existing Mandatory Set Aside**  
**Ordinance)**

ORDINANCE 2018-\_\_

AN ORDINANCE TO AMEND AND SUPPLEMENT  
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF  
WEST WINDSOR (1999) TO MODIFY AN AFFORDABLE HOUSING SET ASIDE  
REQUIREMENT

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor (1999), Zoning, Part 4, Article XXXI, General Provisions and Supplemental Regulations Governing Certain Uses, is amended by repealing Section 200-243.2, Affordable Housing Set Aside for Rezoning Properties, and replacing with a NEW Section 200-243.2 as follows:

**§ 200-243.2 Affordable Housing Set Aside.**

- A. A mandatory affordable housing set-aside requirement of 25% shall be imposed on any multi-family development created through any Township or land use board action involving a rezoning, use variance, density variance, redevelopment plan or rehabilitation plan permitting redevelopment, which density is at or above six dwelling units per acre and results in the construction of five or more new units over the number of units previously permitted. The low- and moderate-income housing shall meet all of the applicable standards and requirements for affordable units, including those set forth in the *Uniform Housing Affordability Controls* (UHAC), N.J.A.C. 5:80-26.1 *et seq.*, and Section 200-237.
- B. At least 50% of the affordable units shall be affordable to low-income households and at least 13% of all rental affordable units shall be made affordable to very low-income households earning 30% or less of the regional median household income by household size, which very low income units shall be included as part of the low income requirement. The remaining affordable units shall be made affordable to moderate-income households. The affordable units shall be located on-site and shall be reasonably dispersed throughout the development phased in accordance with the affordable housing construction scheduled set forth in *N.J.A.C. 5:97-6.4(d)*.
- C. Subdivision and site plan approval shall be denied by the board unless the developer complies with the requirements to provide low- and moderate-income housing pursuant to the provisions of this section. A property shall not be permitted to be subdivided so as to avoid meeting this requirement. The board may impose any reasonable conditions to ensure such compliance.
- D. The mandatory affordable housing set-aside requirement shall not give any developer the right to any such rezoning, variance, or other relief as set forth above or establish any obligation on the part of the Township to grant such rezoning, variance or other relief.

Section 2. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable, and publication according to law.

Introduction:

Public Hearing:

Adoption:

Mayor's Approval:

Effective Date:

Ordinance Modifying Affordable Housing Set Aside clean version 10-2-18