

**TOWNSHIP OF WEST WINDSOR  
COUNTY OF MERCER, NEW JERSEY**

1st Reading June 24, 2024  
 2nd Reading & Public Hearing August 12, 2024  
 Date Adopted August 12, 2024  
 Date Effective September 2, 2024  
 DOT APPROVAL RECEIVED \_\_\_\_\_  
 Planning Board Approval July 17, 2024

Date to Mayor August 13, 2024  
 Date Signed August 13, 2024  
 Date Resubmitted to Council \_\_\_\_\_  
 Approved as to Form and Legality [Signature]  
 Township Attorney  
Michael W. Herbert  
 Esq.

**ORDINANCE 2024-15**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) CHAPTER 200 ENTITLED LAND USE BY AMENDING THE R-1/C DISTRICT, THE RP-7 DISTRICT, AND THE PARKING STANDARDS**

RECORD OF VOTE													
First Reading							Second Reading						
Council	Yes	No	NV	AB	Mov	Sec	Council	Yes	No	NV	AB	Mov	Sec
Gawas				✓			Gawas	✓				✓	
Geevers	✓						Geevers	✓					
Mandel	✓					✓	Mandel	✓					
Weiss	✓						Weiss	✓					
Whitfield	✓				✓		Whitefield	✓					✓

x-Indicates Vote AB-Absent NV-Not Voting Mov-Moved Sec-Seconded

[Signature]  
 Hemant Marathe, Mayor

August 12, 2024  
 Date

Rejected \_\_\_\_\_

Reconsidered by Council \_\_\_\_\_

Override Vote: YES \_\_\_\_\_ NO \_\_\_\_\_

[Signature]  
 Gay M. Huber, Township Clerk

## ORDINANCE 2024-15

### AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) CHAPTER 200 ENTITLED LAND USE BY AMENDING THE R-1/C DISTRICT, THE RP-7 DISTRICT, AND THE PARKING STANDARDS

BE IT ORDAINED, by 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 XXVII, Use and Bulk Regulations for Residence Districts, Section 200-158, R-1/C District use regulations, is hereby amended as follows. Added text is underlined, and text being eliminated is [brackets].

#### § 200-158 R-1/C District use regulations.

- A. Permitted uses. In the R-1/C 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) Any use permitted in an RR/C District.
  - (2) Day-care centers on properties located immediately adjacent to the Princeton Junction Redevelopment Plan area.
- B. Conditional uses. In an R-1/C District, the following uses may be permitted as conditional uses:
- (1) Any use permitted by condition in an RR/C District, as may be modified herein.
  - (2) Nursing home, rest home or home for the aged, subject to the following special requirements:
    - (a) The minimum lot area required for each four or remainder over a multiple of four resident patients or resident guests shall be the same as the minimum lot area required for each dwelling unit in the district in which the use is to be created.
    - (b) Such buildings shall conform to the standards issued by appropriate agencies of the State of New Jersey and be duly licensed under appropriate state laws.
    - (c) A landscape strip shall be provided along each side or rear property line in accordance with the standards established in Article XXXI of this Part 4.

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 200-159, R-1/C District bulk and area regulations, is hereby amended as follows. Added text is underlined, and text being eliminated is [brackets].

**§ 200-159 R-1/C District bulk and area regulations.**

The following shall be the standards for the R-1/C District:

- A. Minimum lot area: 1 2/3 acres.
- B. Minimum lot frontage: 85 feet.
- C. Minimum lot width: 175 feet.
- D. Minimum lot depth: 175 feet.
- E. Minimum yards:
  - (1) Front yard: 40 feet.
  - (2) Rear yard: 20 feet.
  - (3) Side yard: 20 feet.
- F. Maximum FAR: 13%.
- G. Maximum improvement coverage: 17%.
- H. Maximum building height: 2 1/2 stories, 35 feet.
- I. Standards for day-care centers. The following shall be the standards for day-care centers as permitted by Section 200-158. For the purposes of calculating compliance with these requirements, the entirety of the tract within the district shall be considered.
  - (1) Minimum lot area: 5 acres.
  - (2) Minimum lot frontage: 300 feet.
  - (3) Minimum lot width: 300 feet.
  - (4) Minimum lot depth: 500 feet.
  - (5) Minimum yards:
    - (a) Front yard: 135 feet.
    - (b) Front yard parking setback: 66 feet.
    - (c) Rear yard: 25 feet.
    - (d) Side yard: 20 feet.
  - (6) Maximum improvement coverage: 20%.

- (7) Maximum building floor area: 15,000 square feet.
- (8) Outdoor play areas.
  - (a) An outdoor play area shall be provided on the same lot as the day-care center.
  - (b) Outdoor play space shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas or land unsuited by other usage or natural features for children's active play space. Fencing or other enclosures shall be a minimum height of four feet, unless otherwise governed by applicable State regulatory requirements in which event fence height shall be compliant with such regulations, and shall be subject to all setback requirements for the district in which it is located. Gate doors, where provided, shall be equipped with safety locking devices so as to preclude inadvertent opening of the fenced enclosures.
- (9) The location of access driveways, landscaping, and site plan design are compatible with the neighborhood in which it is to be located.
- (10) Such facilities shall be licensed by the New Jersey Department of Children and Families, Office of Licensing and/or any other applicable state agency.
- (11) Adequate landscaping or screening from adjacent residential lots along each side and rear lot line in accordance with standards established in Article XXX of this Part 4, is provided.
- (12) The hours of operation shall be limited to 6:00 a.m. to 8:00 p.m.
- (13) Maneuvering room must be provided on site for parking and unloading/loading of children so as to preclude the necessity for stacking or backing out onto a public street. Procedures for the drop-off and pick-up of children shall be consistent with industry standards, provided that no unsafe conditions for pickup and drop-off of children shall be permitted.
- (14) Architectural and site design standards. The following architectural and site design standards shall apply.
  - (a) Architectural detail, style, color, proportion and massing shall reflect the features of a traditional village center to the greatest extent feasible. Buildings shall reflect a continuity of treatment from the Princeton Junction Area, 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 (windows); 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.

- (b) 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.
  - (c) Pitched roofs (6/12 to 12/12) are recommended. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of one foot beyond the building wall. Generally, flat and mansard-type roofs should be avoided; however, such roof treatments may be allowed if the architectural detail, style, proportion and massing is complementary of adjacent structures and consistent with a small-scale village character. Buildings may have flat roofs, provided that all visibly exposed walls have an articulated cornice that projects horizontally from the vertical building wall plane and presents a two-story facade.
  - (d) There shall be shared parking and cross-easements to the maximum extent practicable.
- (15) Conservation Easement. A conservation easement with an average width of at least 165 feet shall be provided along any property line which immediately abuts a single-family residential zone or property, provided that the minimum width of the buffer at any given point is 100 feet.

Section 3. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 5, Princeton Junction Redevelopment Plan Regulatory Provisions, Article XXXIV, Land Use Controls, Section 200-266, RP-7 District, Item A, RP-7 District use regulations, is hereby amended as follows. Added text is underlined, and text being eliminated is [brackets].

A. RP-7 District use regulations.

- (1) Purpose. The RP-7 District is intended to create a "Main Street" on the eastern side of the rail line through small-scale, lot-by-lot incremental development so as to transform the existing more strip commercial form of development into a village form with buildings close to the street and bicycle access. The object is to achieve a desirable mix of commercial, office, civic and residential land uses within a vibrant, pedestrian-friendly, village environment with an emphasis on uses that service local needs. The village is intended to encourage pedestrian flow throughout the area by generally permitting stores and shops and personal service establishments on the ground floor of buildings and promoting the use of upper floors for offices and residential dwelling units. The mechanisms to do this include sharing off-street parking and stormwater detention opportunities; having well-landscaped and appropriate building setbacks from surrounding roads; providing off-street parking that is well screened from public view; controlling means of vehicular access and coordinating internal pedestrian and vehicular traffic flows relating to existing and proposed development patterns; and ensuring design compatibility with existing development that considers building height, materials, colors, landscaping and signage.

- (2) Permitted principal uses. In the RP-7 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 one or more of the following areas:
- (a) Stores and shops for the conduct of any retail business, including specialty and gift shops and boutiques, excluding drive-through facilities.
  - (b) Personal service establishments (e.g., tailor, barbershop or beauty salon).
  - (c) Offices for professional services (e.g., physicians, lawyers, financial advisors or architects); small commercial offices (e.g., realtors or travel agencies); small governmental offices (e.g., post office branch); and offices incidental to uses permitted in this section.
  - (d) Restaurants, cafes, luncheonettes and delicatessens, excluding curb service establishments and drive-through facilities but not excluding walk-up services and outdoor dining.
  - (e) Indoor recreation facilities, including instructional studios and fitness centers.
  - (f) Repair and servicing, indoors only, of any article for sale which is permitted in this district, except that automotive service stations in existence as of the date of adoption of this Part 5 shall be permitted.
  - (g) Banks and similar financial institutions existing in the district or for which development applications have been approved as of the date of adoption of this Part 5, either on their sites at the time of adoption of this Part 5 or on other sites in the district. Banks may include walk-up automated teller machines (ATM), provided that such are compatible with the design of the building and are appropriately located at the side or rear of a building. Drive-through facilities serving such uses shall be permitted, provided that the scale of the drive-through windows and lanes is compatible with the design of the building and site design. A maximum of three drive-through lanes shall be permitted (inclusive of lanes for ATMs).
  - (h) 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.
  - (i) Book, newspaper, periodical and stationery stores and copy centers.
  - (j) Parcel package shipping stores or mailing centers.
  - (k) Museums, art galleries and other cultural and civic facilities of a similar nature.
  - (l) Parks and plazas.

- (m) Buildings and uses for municipal purposes owned or operated by West Windsor Township or not-for-profits designated by the Township.
  - (n) Apartments over retail and live-work dwelling units, including affordable housing meeting all COAH standards.
  - (o) Veterinary clinics.
- (3) Permitted accessory uses.
- (a) Recreational and/or open space facilities, including, but not limited to, walkways, courtyards and plazas.
  - (b) Off-street parking and loading located to the rear of principal buildings or appropriately screened from public view.
  - (c) Signs.
  - (d) Street furnishings, planters, streetlights, and exterior, garden-type, shade structures (gazebos).
  - (e) Sidewalk cafes associated with permitted restaurants.
  - (f) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
  - (g) Decks, patios and terraces, which shall complement the architectural style, type and design of the building and the overall project design.
  - (h) Community bulletin or message boards, including electronic signs with changeable type only for the purpose of conveying information about community events. However, animated-type signs shall not be permitted.
  - (i) Public service facilities.
  - (j) Accessory uses customarily incidental to permitted principal uses, including structured parking for residential dwelling units.

Section 4. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 5, Princeton Junction Redevelopment Plan Regulatory Provisions, Article XXXIV, Land Use Controls, Section 200-266, RP-7 District, Item B, RP-7 District intensity, bulk and other regulations, is hereby amended as follows. Added text is underlined, and text being eliminated is [brackets].

B. RP-7 District intensity, bulk and other regulations.

- (1) Maximum FAR: 0.25. For the purposes of calculation FAR, upper story residential units shall not be considered "floor area."
- (2) Maximum improvement coverage: ~~80%~~ 85%

- (3) Yards
  - (a) Build-to line: 15 feet from curb.
  - (b) Side yard (each side): minimum of zero feet, if attached to an adjacent building, or a minimum of five feet if not attached to an adjacent building; maximum of 20 feet.
- (4) Except for new buildings which are constructed within shopping centers that existed prior to the adoption of the Princeton Junction Redevelopment Plan, [T]the majority of the building must be at the build-to line, but at least 15% of the facade shall be set back a minimum of 10 feet therefrom to create one or more alcoves enclosed on three sides. Outdoor dining and arcades are permitted within such alcove areas. For new buildings constructed within shopping centers that existed prior to the adoption of the Princeton Junction Redevelopment Plan, the new building setback shall be consistent with the setback of the existing building.
- (5) Building overhangs, including canopies and balconies, can project up to five feet over the build-to line.
- (6) Minimum and maximum building height: The minimum and maximum building height shall be 2 1/2 stories, except that the maximum building height shall be three stories for properties abutting the Acme Woods (which is the wooded portion of Block 6.20 Lot 22 in the R-1/C District).
- (7) First-floor use. Retail or personal service uses, or veterinary clinics, or small commercial offices are required on the first floor. Office or apartments are permitted only on the top floor.
- (8) Parking standards.
  - (a) In lieu of the standards set forth in § 200-27B, the following off-street parking standards shall apply: one space for every 350 square feet of nonresidential use and one space per apartment or the residential part of the live-work unit.
  - (b) Off-street parking lots shall be accessed by means of common driveways to the extent practicable. Cross-access easements for adjacent lots with interconnected parking lots shall be required. Shared parking facilities are encouraged where possible.
- (9) Affordable housing. At least 20% of the residential units 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. 5:26.1 et seq. At least 37% of the affordable units shall be made available to low-income households and at least 13% shall be made available to very-low-income households as defined by the New Jersey Fair Housing Act. 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 nonresidential development fee authorized by the Statewide Non-Residential Development Fee Act shall apply to the nonresidential portion of mixed-use developments containing residential components.

[(10)] The multiuse trail through the Crawford/Acme Woods shown on the Conceptual Plan shall be constructed by any developer developing the land upon which the path is located as part of a development approval in order to facilitate access to Berrien City and Circle Drive from Sherbrook Estates and The Gables.]

[(11)](10) Architectural and site design standards. In addition to the standards applicable to all districts and the goals and policies, the following shall apply:

- (a) The front facade of principal structures constructed on vacant lots or on lots on which the existing structures have been or will be demolished shall be 15 feet from the right-of-way, except that this provision shall not apply to the extent front yard space is used for a gateway feature or outdoor restaurant seating or to accommodate sight distance at intersections. There shall be setbacks and indents in the facade to the extent necessary to satisfy the architectural and landscape architectural guidelines.
- (b) For buildings constructed on vacant lots or on lots on which the existing structures have been or will be demolished, the side yard setbacks for each side shall be as follows: minimum of zero feet, if attached to an adjacent building, or a minimum of five feet if not attached to an adjacent building; maximum of 20 feet.
- (c) 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 (windows); 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. However, 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.
- (d) 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.

- (e) Pitched roofs (6/12 to 12/12) are recommended. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of one foot beyond the building wall. Generally, flat and mansard-type roofs should be avoided; however, such roof treatments may be allowed if the architectural detail, style, proportion and massing is complementary of adjacent structures and consistent with a small-scale village character. Buildings may have flat roofs, provided that all visibly exposed walls have an articulated cornice that projects horizontally from the vertical building wall plane and presents a two-story facade.
  - (f) Except for new buildings which are constructed within shopping centers that existed prior to the adoption of the Princeton Junction Redevelopment Plan, [T]the building facade shall be along a minimum of 2/3 of the length of street frontage to create a defining wall along the streetscape. Covered archways (minimum eight feet wide and maximum 50 feet wide) connecting buildings, enabling pedestrian circulation, shall be permitted to achieve the defining wall. The building facade length may be reduced if, due to particular site constraints, compliance with the requirements set forth herein is impracticable. For new buildings constructed within shopping centers that existed prior to the adoption of the Princeton Junction Redevelopment Plan, the new building facade shall be consistent with the facade of the existing buildings.
  - (g) There shall be shared parking and cross-easements to the maximum extent practicable. Shared driveways shall be provided for access to Princeton-Hightstown Road and Alexander Road unless the applicant demonstrates that such is not practicable.
  - (h) Connections and appropriate improvements, as determined by Township officials, shall be made to Carlton Place to provide safe and efficient access.
  - (i) Bedrooms in all apartments shall have at least one window and shall otherwise comply with the requirements of the Uniform Construction Code.
- (11) Veterinary clinics. In addition to those standards identified above, veterinary clinics shall be subject to the following regulations.
- (a) Tenant spaces housing animals shall be soundproofed to a maximum transmission of 65 dB measured on the outside of the exterior wall. Other soundproofing requirements may be imposed by the board of jurisdiction, such as, but not limited to, the following: non-opening windows and forced-air ventilation, solid core doors and sound-absorbent ceilings.
  - (b) Proper and ample ventilation of all animal areas in buildings shall be demonstrated to the satisfaction of the board of jurisdiction and shall meet all state licensing requirements.

- (c) Animals may be kept overnight for medical reasons only.
- (d) Animals shall be housed indoors and may be allowed outside only for short periods under staff supervision for hygienic or medical reasons.
- (e) A maximum percentage of floor area for overnight holding of animals shall be limited to 30% of the gross floor area of the veterinary clinic/hospital building.
- (f) No cremation or disposal of dead animals is allowed on the premises. Disposal of used and contaminated veterinary medical supplies shall comply with applicable State regulations governing waste disposal.
- (g) Signage shall be installed to provide that pets shall be curbed in a designated area.

(12) No development shall proceed in the district without a [re]developer's agreement with the Township or redevelopment entity.

Section 5. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 1, Site Plan Review, Article VI, Design Details, Section 200-29, General circulation; parking and loading area design standards, Item 6, Size of parking spaces, is hereby amended as follows. Added text is underlined, and text being eliminated is [brackets]

1. Size of parking spaces. Parking space sizes shall be measured as follows, exclusive of interior driveway or maneuvering areas:
  - (a) Standard spaces: nine feet in width by 18 feet in length.
  - (b) Compact car spaces: eight feet in width by 14 feet in length.
  - (c) Parking spaces for people with disabilities shall be in accordance with the New Jersey Uniform Construction Code (N.J.A.C. 5:23-7) or the Americans with Disabilities Act, as applicable.
  - (d) Spaces within a parking garage or structure;
    - [1] Standard spaces: 8 1/2 feet in width by 15 feet in length.
    - [2] Compact spaces: 7 1/2 feet in width by 15 feet in length.
    - [3] Aisle widths: Requirements of Subsection M(6)(d)[1] above may be reduced by two feet for aisles serving standard spaces or combination standard/compact bay arrangements. Aisles exclusively serving compact bays may be 20 feet in width.
  - (e) Spaces for day-care centers, child-care centers, preschools, kindergartens, day camps or institutional homes: 10 feet in width by 18 feet in length. Such spaces shall utilize hairpin striping.

Section 6. In the event of any conflict between the provisions and requirements of this section and the provisions and requirements of any other section of this chapter, the provisions and requirements of this section shall govern.

Section 7. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law, or an override of a mayoral veto by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

Introduction: June 24, 2024  
Planning Board Approval: July 17, 2024  
Public Hearing: August 12, 2024  
Adoption: August 12, 2024  
Mayor Approval: August 13, 2024  
Effective Date: September 2, 2024

Ordinance Amending the R-1/C, RP-7, and Parking Standards