

## ORDINANCE 2017-08

### AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY, AMENDING CHAPTER 188 “LAND USE AND DEVELOPMENT”, ARTICLE V “DISTRICTS AND STANDARDS”, SECTION 188-113.1 “GA GATEWAY A DISTRICT” OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH TO PERMIT EXTENDED CARE FACILITIES IN THE GA GATEWAY A DISTRICT

New language is underlined thus.

**BE IT ORDAINED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Chapter 188 “Land Use and Development”, Article V “Districts and Standards”, Section 188-113.1 “GA Gateway A District”, of the Code of the Township of Hillsborough, is hereby amended to add the underlined language as follows:

**Section 1.** §188.113.1.B. Principal permitted uses. All uses shall be provided at a scale and size that is appropriate for the district. There may be more than one principal permitted use or structure on a lot subject to compliance with § 188-113.1C through H as contained below.

- (1) Retail sales of goods and personal service establishments.
- (2) Offices, medical centers and veterinary hospitals.
- (3) Indoor and outdoor recreation facilities, including fitness centers, gymnasiums, tennis courts and pools.
- (4) Banks, fiduciary institutions and insurance offices.
- (5) Business services.
- (6) Restaurants, including sit-down and carry out as long as food and/or drink shall not be served directly to patrons in motor vehicles.
- (7) Utilities which are compatibly designed and/or screened, as appropriate.
- (8) Public playgrounds, conservation areas, parks and other public gathering places.
- (9) Mixed used development, including the permitted principal uses indicated above, shall be permitted where a property located in the Gateway A District directly abuts the Town Center and any existing residential development, such that the residential component shall not exceed a density of four dwelling units per acre and shall be located as a buffer between existing residential development and commercial development in the Town Center.
- (10) Art studios, for the creation, assembly or production of works of art including, but not limited to paintings and sculpture; art education and instruction; and art galleries where works of art are exhibited to the public and sold.

(11) Commercial instructional activities.

(12) **Extended care facilities.**

**Section 2.** Amend Article V. Districts and Standards, Section 188-113.1.E. as follows:

§188.113.1.E. Off-street parking requirements.

(2) The minimum number of required off-street parking spaces for the permitted uses in the GA District are as follows:

(a) Retail at 3.5 spaces per 1,000 square feet of gross floor area.

(b) Office, bank, fiduciary institution at three spaces per 1,000 square feet of usable floor area.

(c) Medical office, veterinary hospital at four spaces per 1,000 square feet of usable floor area.

(d) Theater, bowling alley and indoor/outdoor recreation facility at 3.5 spaces per 1,000 square feet of gross floor area.

(e) Business service at 3.5 spaces per 1,000 square feet of gross floor area.

(f) Restaurant at four spaces per 1,000 square feet of gross floor area.

(g) Public uses at four spaces per acre or portion thereof.

(h) Residential at 1.5 spaces per dwelling unit.

**(i) Extended care facilities at one space for every three beds plus one space for each employee.**

**Section 3.** This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations. All other ordinances or other local requirements that are inconsistent or in conflict with this Ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this Ordinance shall apply.

**Section 4.** If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

**Section 5.** After introduction, the Township Clerk is hereby directed to provide a copy of the within Ordinance to the Planning Board of the Township of Hillsborough for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A.40:55D-64. The Planning Board is directed to make and transmit to the Township Committee within 35 days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

**Section 6.** This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

**ATTEST:**

**TOWNSHIP OF HILLSBOROUGH**

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Pamela Borek, Clerk

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Carl Suraci, Mayor

*Introduced: July 11, 2017*  
*Published: July 21, 2017*  
*Public Hearing: August 8, 2017*  
*Adopted: August 8, 2017*  
*Published: August 18, 2017*