

ORDINANCE 2017-21

AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY, AMENDING THE “REDEVELOPMENT PLAN BELLE MEAD GSA DEPOT”, SECTION VI “LAND USE PLAN AND DESIGN GUIDELINES”, SUBSECTIONS B “PERMITTED PRINCIPAL USES”, C “ACCESSORY USES”, E “AREA, YARD AND BULK REGULATIONS”, AND F SUPPLEMENTARY REGULATIONS

WHEREAS, the Township Committee adopted a Resolution on April 22, 2008 determining that the properties identified on the Township’s official Tax Map as Block 175, Lots 39.01 and 39.03 and Block 177, Lots 23.01, 23.03, and 23.04 which property based on recent subdivision is now known as Block 175, Lots 39.01 and 23.01 and Block 177, Lot 23.04 (“Belle Mead GSA Depot Redevelopment Area”) are an “area in need of redevelopment” under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (“LRHL”); and

WHEREAS, the Township Committee subsequently arranged for Bruce Rydel of CME Associates, a licensed professional planner of the State of New Jersey, to prepare a proposed redevelopment plan for the Belle Mead GSA Depot Redevelopment Area; and

WHEREAS, CME Associates prepared a proposed redevelopment plan for the Belle Mead GSA Depot Redevelopment Area, dated October 2008 (the “Redevelopment Plan”); and

WHEREAS, the Township Committee thereafter referred the Redevelopment Plan to the Township of Hillsborough Planning Board (“Planning Board”) for the Planning Board’s review and recommendation in accordance with N.J.S.A. 40A:12A-7e; and

WHEREAS, on October 23, 2008, the Planning Board adopted a Resolution determining that the Redevelopment Plan is consistent with the Township’s Master Plan and recommending that the Township Committee adopt the Redevelopment Plan; and

WHEREAS, the Township Committee reviewed the Redevelopment Plan for the Belle Mead GSA Depot Redevelopment Area and the recommendations of the Planning Board; and

WHEREAS, the Township Committee determined that it is was in the public interest to adopt the Redevelopment Plan for the Belle Mead GSA Depot Redevelopment Area; and

WHEREAS, on December 9, 2009, the Township Committee adopted Ordinance 2008-42 approving the Redevelopment Plan for the Belle Mead GSA Depot; and

WHEREAS, the Township Planning Director reviewed the Redevelopment Plan for the Belle Mead GSA Depot and recommends certain amendments thereto.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the “Redevelopment Plan Belle Mead GSA Depot” be amended as follows:

Section 1.

VI. LAND USE PLAN AND DESIGN GUIDELINES

B. Permitted Principal Uses.

7. A variety of passive and active recreation uses which may contain indoor and/or outdoor facilities, such as ball fields, multi-use fields, basketball courts, tennis courts, and a skate park provided that such uses may include ~~seasonal~~ accessory structures associated therewith, including inflatable bubbles.

C. Accessory Uses

7. An indoor commercial recreation facility may include sales of retail goods related to on-site activities, day-care services, food and beverage concessions, medical offices and clinics, and meeting spaces as accessory uses. All such uses must be accessory to and subordinate to the principal use and must be contained within the principal building(s). The total area for accessory uses shall not exceed, in the aggregate, 20% of the total building area.

E. Area, Yard and Bulk Regulations.

3. The maximum building height shall be three (3) stories and forty (40) feet on average, except as provided for in E.8. below. Building height is defined as the vertical distance from the average grade at the ground level adjoining all exterior walls to the top of the highest gable, slope or hip roof or otherwise to the highest point of the roof. The average height in feet shall be the average of the highest and lowest vertical point of the building. In no case shall any point of a building exceed 50 feet in height.

8. Inflatable domes constructed as part of a public or private recreational facility shall comply with the following standards:

- (a) The dome shall be associated with and ancillary to a permanent indoor structure.
- (b) There shall be no more than two domes affiliated with the facility.

- (c) Only one dome may exceed the height requirements in E.3. above, and only if that dome is used solely to house a regulation size athletic field. In such circumstance, the maximum permitted height shall be 75 feet and no more than 2.5% of the dome roof surface may reach 75 feet in height.
- (d) A dome may only exceed the maximum permitted height in E.3. if it is set back from all lot lines at least 200 feet. Furthermore, the portion of the structure exceeding the maximum permitted height shall not be used for habitable occupancy.
- (e) Domed structures shall be located so as to minimize their visibility from neighboring residential properties or public streets.

F. Supplementary Regulations.

8. Parking and circulation.

(a) The minimum number of required off-street parking spaces for the permitted uses in the RD District is as follows:

(9) Community scale indoor ~~and outdoor~~ recreation facilities at 5 spaces per 1,000 square feet of usable floor area dedicated to the recreational activity; ~~such as an equestrian stable or ball field plus parking for any non-recreational accessory uses in accordance with Section 188-68 of the Hillsborough Land Use and Development Ordinance.~~

(10) Outdoor and indoor athletic fields at 40 spaces for each regulation field.

Section 2. The “Redevelopment Plan Belle Mead Depot” as amended above shall supersede all previous zoning standards and development regulations for the Belle Mead GSA Depot Redevelopment Area.

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 shall submit a copy of this Ordinance to the Planning Board for its review in accordance with N.J.S.A. 40A:12A-7(e). The Planning Board is directed to make and transmit to the Township Committee within 45 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

Pamela Borek, Clerk

Carl Suraci, Mayor

Introduced: 11/08/17
Published: 11/17/17
Public Hearing: 12/12/17
Re-Introduced: 12/12/17
Re-Published: 12/16/17
Adopted: 12/19/17
Published: 12/29/17

**Note to Codifier: Deleted provisions indicated by strike through ----.
New provisions indicated by underline _____.**