



Township of Hillsborough

COUNTY OF SOMERSET
THE PETER J. BIONDI BUILDING
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ORDINANCE 2019-10

An Ordinance To Amend Chapter 188 of the Code of the Township of Hillsborough by amending Section 113.1. Gateway A to add new subsection K “Mixed-Use Inclusionary Overlay District.”

Further Consideration and Public Hearing to be held on May 28, 2019

Section 113.1. GA Gateway A District.

K. Mixed-Use Inclusionary Overlay District

(1) Purpose, applicability, and affordable housing obligation.

(a) The purpose of the Mixed-Use Inclusionary Overlay District is to provide an incentive for the construction of affordable multifamily housing in the Gateway A District in concert with new and existing commercial uses. The standards are intended to offer maximum flexibility for site design and selection of dwelling unit types in order to offer a balanced housing pattern attractive to all income and age segments of the community as part of the Township's fair share housing plan for meeting the region's low and moderate-income housing needs.

(b) This overlay district applies to the following properties: Block 155.01; Lots 66 and 67 on the Hillsborough Township Tax Map, which must be planned and developed as a single tract to qualify for the overlay option. For the purposes of this section a “tract” is defined as an area of land comprised of one or more adjacent lots which together have sufficient dimension and area to make one parcel of land meeting the requirements of this section for the uses intended.

(c) A minimum of 24% of the total number of residential units shall be low-and moderate-income units in accordance with applicable affordable housing regulations, including but not limited to Article VII of this Chapter; but in no case shall there be less than 29 low-and moderate-income units provided on the tract regardless of the total number of units constructed.

(2) Permitted principal uses in the overlay district.

In addition to principal uses permitted in the underlying GA District, single-use multifamily dwellings and drive-through restaurants may be constructed as part of a planned mixed-use inclusionary development on a single tract in accordance with the standards provided herein.

(3) Permitted accessory uses and structures in the overlay district.

In addition to accessory uses and structures permitted in the underlying GA District, garages, storage sheds, maintenance offices, property management offices, and non-commercial community recreational facilities associated with residential communities.

- (4) Tract requirements. The minimum tract size shall be 10 acres. The tract may be subdivided into no more than two lots.
- (5) Yard and bulk requirements. (Supersedes subsections D.(1) and (2) and F.(1)(a) and (b).)
- (a) Minimum lot size: 5 acres.
 - (b) Minimum lot frontage: 400 feet.
 - (c) Minimum building setbacks: 10 feet from a public right-of-way; 30 feet from a tract boundary.
 - (d) Maximum impervious coverage on the tract: 70%.
 - (e) Maximum building height.

Multifamily dwellings: 45 feet/3 stories.

All other principal buildings: 35 feet/2.5 stories.

Accessory buildings: 20 feet.

- (6) Maximum residential units and minimum commercial square footage.
- (a) The total number of dwelling units on the tract shall not exceed 118 units inclusive of the affordable housing obligation in Section 188-113.1.K.(1)(c).
 - (b) The combined tenantable commercial space on the tract shall be maintained at no less than 50,000 square feet.
- (7) Additional requirements for single-use multifamily buildings.
- (a) Multifamily buildings shall be located to the rear of or in line with an existing mixed-use or retail/commercial building on the tract regardless of the existing front yard setback. In no case shall a single-use multifamily building front on Route 206.
 - (b) Multifamily buildings shall be designed as an integral component of the overall development with pedestrian connections such as sidewalks, plazas, and enhanced crosswalks providing direct access to the commercial uses on the tract.
 - (c) Multifamily buildings shall be appropriately screened from non-residential service areas including but not limited to loading and trash collection areas.
- (8) Additional requirements for drive-through restaurants.
- (a) Exterior building design shall be coordinated with other commercial buildings on the tract with regard to color, types of materials, architectural form, and detailing, creating a cohesive relationship among the buildings. The drive-through facility shall not represent the dominant visual element on the tract.
 - (b) A drive-through service window shall not be located on the street side of the building.

(c) A drive-through facility shall be limited to one service lane and one bypass lane.

(d) A drive-through service window shall be set back a minimum distance of 50 feet from the property line of any adjoining residential use or zone. The accompanying service and bypass lanes shall not encroach on any required buffers including but not limited to the buffers required in subsection (10)(e) below.

(e) A drive-through facility shall not adversely impede or conflict with pedestrian and/or vehicular circulation on the tract.

(f) The Planning Board or Board of Adjustment shall be satisfied that the on-site and off-tract traffic circulation is capable of accommodating the proposed traffic volume associated with such facility, particularly during peak hours. The stacking driveway for the drive-through window shall provide room for at least five automobiles and shall be separated from any off-street parking areas and their access aisles, loading areas or trash enclosures.

(9) Parking requirements.

(a) Residential parking shall be provided in accordance with the R.S.I.S.

(b) Commercial parking shall be provided in accordance with Section 113.1.E.(2).

(10) Supplemental regulations.

(a) To the extent that the regulations contained herein conflict with any other portion of the zoning ordinance, the regulations herein shall control any development in this overlay district.

(b) A landscape plan prepared by a licensed Landscape Architect shall be provided for the entire tract.

(c) Exterior building design shall be coordinated with regard to color, types of materials, architectural form, and detailing. Multiple buildings on the same site shall be designed to create a cohesive relationship between the buildings. The requirements contained in Sections 188-167 to 188-175 of the Architectural and Site Design (ASD) Overlay Zone shall apply, except as otherwise provided in the Gateway A District or this subsection. In addition, residential buildings in this overlay district may exceed the 100-foot maximum wall length established in Section 188-175.B(5) of the ASDO if it can be demonstrated that the appropriate design features have been employed to modulate the facade to give the appearance of several buildings and otherwise comply with that section.

(d) No rear walls or blank walls shall face a public right-of-way.

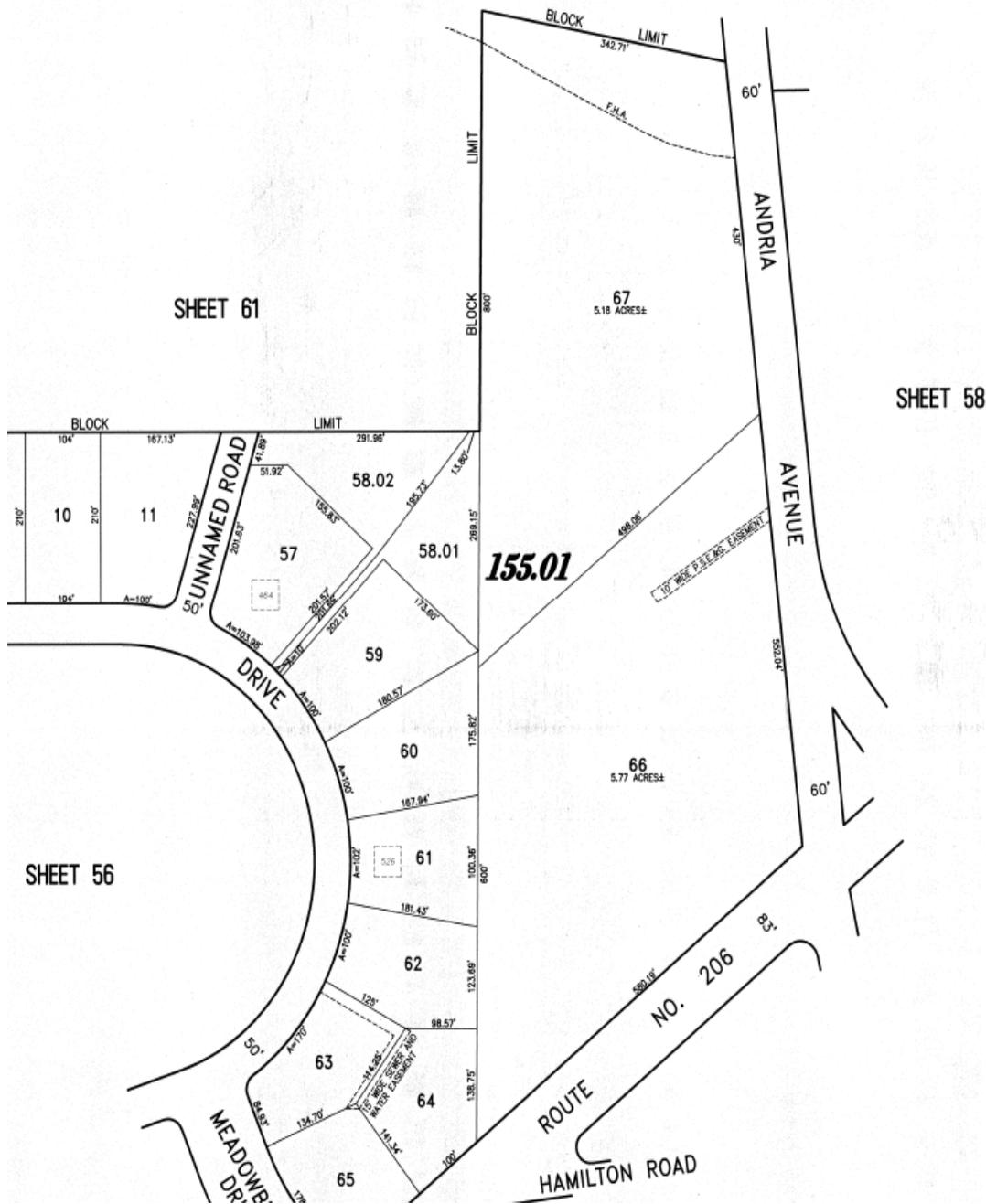
(e) There shall be a minimum 20-foot buffer adjacent to any residential district or existing residential use. The buffer may be reduced to 10 feet when abutting a parking lot. Such buffer shall be reviewed by the proper approving board to determine if the existing vegetation provides a sufficient year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or a fence or berm. Once all screening/landscaping improvements are completed, a conservation easement shall be established by the applicant for the buffer area.

(f) Walls and fencing may be included on the perimeter of the tract, or within the tract, in accordance with Section 188-113.1.F(6) with the following exceptions. Solid fences are prohibited except where used to screen a parking lot from an abutting residential use or zone or to screen a trash enclosure. No fence or wall shall exceed a height of five feet above finished grade unless it is abutting a residential use or zone, or screening a

trash enclosure, in which case the maximum height shall be six feet.

(g) An internal pedestrian circulation system shall be provided in accordance with Section 113.1.F. and . Appropriate sidewalks, pavement treatments, crosswalks, and signage shall be provided. A pedestrian walkway at least five feet in width shall connect the internal pedestrian system to a public sidewalk along Andria Avenue.

(h) Any phasing of the project shall be subject to approval of a phasing plan by the applicable Board submitted with the site plan application. The required commercial space shall be included in the first phase of the development on the tract.



Block 155.01; Lots 66 & 67

ATTEST:

TOWNSHIP OF HILLSBOROUGH:

Pamela Borek, Township Clerk

Frank DelCore, Mayor

Introduced: 4/23/2019

Published:

Public Hearing:

Adopted:

Published: