

ORDINANCE 2007-25

AN ORDINANCE AMENDING CHAPTER 188 (DEVELOPMENT REGULATIONS), ARTICLE V (DISTRICTS AND STANDARDS) OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY TO AMEND THE DEFINITIONS CONTAINED IN SECTION 188-3, CHANGE THE NAME OF THE EXISTING TC, TOWN CENTER RESIDENTIAL ZONE DISTRICT TO THE R2, RESIDENTIAL 2 ZONE DISTRICT AND CREATE A NEW TC, TOWN CENTER DISTRICT BY ADDING SECTION 188-113.5

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

Section 1. Section 188-3 is amended by adding the following new definitions:

188-3 Definitions.

BUSINESS SERVICES- Establishments primarily engaged in rendering services to other business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; personnel and employment services; management and consulting services; protective services; equipment rental and leasing; photo finishing, copying and printing; travel; office supply; and similar services.

BUS STOP SHELTERS/TRANSIT SHELTERS- A freestanding structure, located on a bus transit route, which is designed to accommodate embarking and disembarking bus transit passengers.

COMMERCIAL INSTRUCTIONAL ACTIVITIES- Any educational or recreational programs or activities involving team or individual instruction that is conducted in a commercial structure and related to children or adults, including, but not limited to: dance, musical instruments, singing, cooking, karate or other sports.

CIVIC- The term defining not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit and municipal parking.

CIVIC BUILDING- A building designed specifically for a civic function.

CIVIC SPACE- An outdoor area dedicated for public use. Civic space types are defined by the combination of certain physical constraints including the relationship between their intended use, their size, their landscaping and the building(s) defining the space.

COMMUNITY GARDEN- A parcel of land used for the growing of vegetables, flowers and plants, used for human consumption but not for commercial sales. The garden area may include a greenhouse and an accessory storage building and shall include benches, a watering system and fencing.

DRIVE-THROUGH FACILITY- A facility associated with a use that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services and/or obtain goods while remaining in their motor vehicles.

ELDER-CARE CENTER- A building or space in a building and grounds used for the daycare of senior citizens, including normal daily health-related care, i.e., medication administration, but not nursing care and services and does not preclude services like flu shots.

FLATS OR LOFTS- Residential building containing two (2) or more dwelling units attached at one or more common roofs, walls or floors. Typically, the units' habitable area is provided on a single level with entrances provided from a common corridor. Common lobby elevators are required when more than one story above grade is provided. Flats or lofts may be contained in a residential building or may be residential flats or lofts over first floor commercial uses.

LEED™ Rating System™- The most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building System™, or other related LEED™ Rating System, approved by the US Green Building Council (USGBC).

LEED™ Accredited Professional- An individual who has passed the LEED™ accreditation examination issued by the USGBC in applying LEED™ principles to building design.

LIVE/WORK DWELLING UNITS- Buildings or spaces within buildings that are used jointly for commercial and residential purposes where residential use of the space is secondary or accessory to the primary use as a place of work.

PAD SITE- An area reserved for a freestanding building located within a shopping center.

PLAZA OR SQUARE- Public spaces located within the Township and its neighborhoods. A plaza or square may contain one or more civic building(s) or space located within a primarily unpaved, formally configured area which may contain a small public lawn or park. Portions may be linear in shape though a square, rectangle, circle or other usable shape, as appropriate, shall be the primary focus of the area. Plazas and squares should be surrounded by canopy street trees. These sites should be situated at prominent locations and often dedicated to important events and/or citizens. Plazas and squares may contain water features, amphitheater, farmers market and in some appropriate instances, such as in conjunction with residential neighborhoods, may include limited play equipment and courts, but shall not include ball fields.

REAR ALLEY- A vehicular street or driveway located to the rear of lots providing access to service areas and parking, and containing utility easements, as well as pedestrian access.

SHARED PARKING- Joint utilization of a parking area for more than one use, either on-site or between nearby properties through a dedicated arrangement, in order to fulfill their individual parking requirements because their prime operational hours do not overlap.

STREET FURNITURE- Functional elements of the streetscape, including but not limited to benches, trash receptacles, planters, telephone booths, bus shelters, kiosks, sign posts, street lights and bollards.

STREETSCAPE- The built and planted element of a street which define its character such as street lights, street signs, street furniture, special paving, enclosing walls, fences and hedges and similar features, as well as the relationship of the buildings to the street.

TRADITIONAL NEIGHBORHOOD- A traditional neighborhood incorporates design principles that

produce compact, mixed use, pedestrian scaled communities. The following conventions are generally employed in the design of traditional neighborhoods:

The neighborhood is typically limited in area to that which can be traversed in a 10-15 minute walk.

Residences, shops, workplaces and civic buildings are located within a 10 -15 minute walk from each other.

A well defined and detailed system of interconnected streets serves the needs of the pedestrian and the car equally, providing multiple routes to all parts of the neighborhood.

Physically defined open spaces in the form of plazas, squares, and parks, in addition to finely detailed public streets, provide places for formal and informal social activity and recreation.

Private buildings form a clear edge, delineating the private from the public realm.

Civic buildings reinforce the identity of the neighborhood, providing places of assembly for social, cultural and religious activities.

Traditional neighborhoods pursue certain objectives through their design:

Independence of movement for the elderly and young by bringing many activities of daily living within walking distance.

Reduced traffic congestion and road construction costs by reducing number and length of car trips.

Use and preparation for future use of alternative forms of transportation by organizing appropriate building densities.

Improved security of public spaces organized to stimulate informal surveillance by residents and business operators.

Enhanced sense of community and improved security through provision of a range of housing types and workplaces which are within a 10-15 minute walk to one another.

Accessible places for public assembly and civic engagement by identification of suitable sites for civic buildings.

Section 2. Section 188-98 is amended to change all references in the heading and text of Section 188-98 to the TC, Town Center (Residential) Zone District, to the R2, Residential 2 Zone District

Section 3. Create the following new Zone District by adding Section 113.5:

Section 113.5

TC Town Center District

A. *Purpose.* The purpose of the TC Town Center District is to encourage mixed land uses, as well as compact development pattern that are sensitive to the environmental characteristics of the land and that facilitate and promote the efficient use of public and private services. This type of development is consistent with the adopted recommendations of the Township’s Master Plan Amendment – Phase 2 dated October, 2005. A town center district diversifies and integrates land uses within close proximity to each other and it permits land uses that provide for the daily recreational and shopping needs of Township residents. The TC Town Center District is designed to ensure the development of land as a traditional neighborhood similar to other existing villages and town centers in New Jersey. Its physical design adopts the village and town center settlement patterns which were the norm in the United States from colonial times until the 1940’s. More specifically, the TC Town Center District is characterized by the following design elements:

1. Traditional neighborhoods that are limited in size and oriented toward predominantly local vehicular traffic, pedestrian and bicycle activity, tree-lined streets and mixed land uses;
2. A variety of housing types, job opportunities, shopping, services, and public facilities;
3. Residences, shops, workplaces, civic buildings and civic spaces and places interwoven within the town center area, all within close proximity to each other;
4. A network of interconnecting streets and blocks that maintains respect for both the physical and natural landscape;
5. Natural features and undisturbed areas that are incorporated into the planned open space system of the town center area;
6. A coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit, and automotive vehicles;
7. Well-configured squares, plazas, greens, landscaped streets, natural preserves, greenways, and parks woven into the pattern and fabric of the town center area and dedicated to the collective social activity, recreation, and visual enjoyment of the populace;
8. Civic buildings and spaces, open spaces, and other visual features that act as landmarks, symbols, and focal points for community identity;
9. Compatibility of buildings and other improvements as determined by their

arrangement, bulk, form, character, and landscaping to establish a livable, harmonious, and diverse environment;

10. The creation of a main street with wide sidewalks and associated public spaces and amenities, providing access to a variety of commercial, civic, residential, recreational and pedestrian uses and activities;
11. The provision for and incorporation of the Township's fair share of the regional need for low and moderate income housing and to encourage the provision of a diversity of housing types and lot sizes;
12. Integrate Green Technologies into public spaces and private development parcels in order to achieve flood control, stormwater recharge and water filtration, reduce energy consumption, promote renewable energy resources and improve indoor and outdoor air quality.
13. The potential inclusion of additional development through Transfer of Development Rights in an effort to preserve the remaining rural historic and agricultural character of the Township;
14. The development of buildings that form a consistent, distinct edge and define the border between the public street space and the private block interior;
15. Architectural variety and a streetscape that responds to the unique characteristics of the history of the Township; and
16. Preservation and respect of the land use integrity of adjacent residential neighborhoods and sites.

B. *Permitted Principal Uses.* All uses shall be provided at a scale and size that is appropriate for the district. There may be more than one (1) permitted principal use or structure on a lot subject to compliance with the applicable provisions as contained in Sections B to H.

1. Mixed use building with residential and/or office uses permitted only above the first floor. The only permitted use that shall front onto existing Route 206 (Main Street) and Amwell Road in the TC District is a mixed use building.
17. Retail sales of goods and services on the ground and second floors only.
18. Freestanding offices and medical centers may not be located within 100 feet of existing Route 206 (Main Street) or Amwell Road.
19. Banks and fiduciary institutions, which must be located at least 250 feet from any other bank or fiduciary institution.
20. Business services.

21. Restaurants, including sit-down and carryout as long as food and/or drink shall not be served or sold directly to patrons in motor vehicles.
22. Personal service establishments, including tailor, barbershop or beauty salon, laundry/cleaners.
23. Live/work dwelling units.
24. Elder-care centers may not be located within 100 feet of existing Route 206 (Main Street) or Amwell Road.
25. Child-care centers may not be located on the ground floor of a mixed use building.
26. Child-care centers shall be subject to site plan approval as well as a revised site plan approval where the original site plan did not anticipate use of all or a part of the premises as a child-care center but such other use subsequently occurs.
27. No building permit shall be issued for modification of all or part of premises for use as a child-care center until a revised site plan approval has been obtained from the Planning Board.
28. Public buildings that are generally designed for public access, including but not limited to post office, community center, fire, emergency and police station facilities. Public facilities shall be permitted only if they are they are pedestrian oriented.
29. Farm and open-air markets.
30. Theaters for motion pictures and live performances.
31. Public transportation stations and shelters.
32. Civic buildings, including museums, art galleries, and other cultural facilities of a similar nature which may incorporate outside display areas in civic spaces.
33. Commercial Instructional Activities.
34. Utilities which are compatibly designed and /or screened, as appropriate, and may not be located within 100 feet of existing Route 206 (Main Street) or Amwell Road.
35. Recreational and/or open space facilities including, but not limited to walkways, courtyards, plazas, squares, community gardens and parks.
36. Existing Shopping Centers located south of Amwell Road and east of Route 206.
37. Residential Uses

- a. Residential flats or lofts, only located above the first floor in a mixed-use building.
- b. Affordable units shall be proportionally distributed among the permitted dwelling types to be provided.
- c. In any mixed use building containing residential dwelling units in the TC District, the maximum amount of bedroom types permitted is as follows:
 - Studio/1 bedroom @ 45% of total units
 - 2 bedroom @ 55% of total units
 - 3 bedroom @ 10% of total units
- d. The maximum permitted density for residential flats or lofts is one (1) dwelling unit for each one thousand (1,000) square feet of non residential gross floor area.

B. *Accessory Uses and Structures.*

- 1. Street furniture such as benches, street lamps, bicycle racks, trash receptacles, tree grates, bus stops, landscape planters and hanging baskets shall be provided, as appropriate.
- 2. All streets, alleys, sidewalks and pathways shall connect to other streets within the development and connect to existing streets outside the development, as appropriate. Dead-end streets are not permitted within developments in the TC District.
- 3. Surface parking lots are required and shall be designed to be coordinated and have access to adjoining lots to control the number of access points to Amwell Road, Route 206 and all proposed Master Plan roads. Toward this goal, access drives may be granted temporary approval to be removed when alternate access becomes available in the future. All off-street parking areas shall be located behind existing and/or proposed buildings.
- 4. Carports for residential uses only.
- 5. One story garages for duplex, triplex and townhouses, and which are accessed from the side or rear yards only.
- 6. Sidewalk cafés pursuant to Section 188-78 F.
- 7. Kiosks, sidewalk displays, stalls or merchandise stands for the outdoor sale of goods in conjunction with and along the street frontage of retail stores and/or shops and located such that a minimum of five (5) feet of clear public access is provided along

the sidewalk.

8. Fences and walls which shall be uniform in size and materials and complement the architectural style, type and design of the building and overall project design, as established during the site plan review and approval process. All fences and walls shall be constructed when the development is constructed or design standards shall be prepared by the applicant, subject to Planning Board or Board of Adjustment approval.
9. Porches, decks, patios and terraces, which complement the architectural style and design of the building and the overall project design established during the site plan review and approval process. All decks, patios and terraces shall be constructed when the development is constructed or design standards shall be prepared by the applicant, subject to Planning Board or Board of Adjustment approval. Patios or decks shall not be constructed closer than five (5) feet to the side of or rear property line for duplexes, triplexes or townhouses.
10. All residential accessory storage structures shall be attached to the principal dwelling or a detached garage. Such structures shall be no taller than one (1) story and shall be designed as an integral part of the structure to which it is attached, including the same exterior materials and color. No freestanding structures of this type shall be permitted. The yard setback requirements for such structure shall be the same as the structure to which it is attached.
11. All swimming pools and spas shall be in-ground type and shall be located at least ten (10) feet from all property lines and five (5) feet from a dwelling. Spas, however, may be allowed above ground if incorporated into an attached house deck, to be addressed in design standards which shall be subject to Planning Board or Board of Adjustment approval.
12. Other accessory structures (e.g., gazebo, arbor/trellis) not otherwise enumerated above shall be addressed in design standards prepared by the applicant which shall be subject to Planning Board or Board of Adjustment review and approval.
13. Trash and garbage collection areas which are fully screened and constructed of materials that are compatible with the structure to which it is associated.
14. Loading areas which are fully screened such that the screening materials are compatible with the structure to which it is associated.
15. No outside storage trailers or bins are permitted.

C. *Conditional Uses.*

1. Duplex, triplex and townhouse dwelling units, except for residential flats or lofts

located above the first floor in a mixed-use building are subject to the required transfer of residential development potential, which is a form of noncontiguous clustering, from properties in the AG Agricultural Zoning District, the MZ Mountain Zoning District, the CDZ Corporate Development Zoning District and farmland assessed properties in other residential districts which meet certain requirements to sites incorporating residential developments in TC Town Center District and subject to the following requirements:

2. Duplex and triplex dwellings, pursuant to Tables 1 and 2, respectively, as free standing non-mixed use(s), and only when such proposed use(s) are located wholly within one hundred fifty (150) feet of an existing residential district or directly across the street from such a district.
 3. A duplex residential dwelling shall be defined as a building containing two single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof.
 4. A triplex residential dwelling shall be defined as a building containing three single-family dwelling units totally separated from each other by an unpierced walls extending from ground to roof.
- b. Townhouses, pursuant to Table 3, as free standing non-mixed uses(s), and only when such proposed uses(s) are located wholly within one 150 feet of an existing residential district or directly across the street from such a district.
- c. The transfer of residential development potential is intended to provide an opportunity to create residential development potential that advances the goals of resource conservation and protection in the Township, while supporting the goals and policies of the Master Plan, subject to the following requirements:
 - (1) Residential units shall only be permitted on a one-for-one basis from residential development potential transferred from a property or properties in the AG, MZ and CDZ Districts or farmland assessed property in other residential districts which meet certain requirements as contained in Section D(3) below.
 - (2) The development tract (receiving tract) on which town center development is proposed shall be joined in a single application with the preservation tract(s) (sending areas(s)).
 - (3) Allocation of standards for the transfer of residential development potential to town center developments is as follows:

- i. Land in the AG District is allocated one (1) dwelling unit per six and a quarter (6.25) acres.
- ii. Land in the MZ District is allocated one (1) dwelling unit per fifteen (15) acres.
- iii. Farmland assessed property in other residential districts which exceeds twenty (20) acres is allocated one (1) dwelling unit per 2 acres.
- iv. Although the CDZ District does not permit residential development, the development potential that exists can be reallocated and transferred at a density of one (1) dwelling unit per 6.25 acres.

(4) The owner of the land from which residential development potential has been obtained shall deed restrict the use of that land in perpetuity to those resource conservation uses authorized and enumerated in the sale or conveyance of the residential development potential.

- d. Affordable units shall be proportionally distributed among the permitted dwelling types to be provided and shall not be required to utilize the transfer of residential development potential.
- e. No more than one hundred fifty (150) dwelling units may be transferred into the TC District utilizing the transfer of residential development potential.

2. Other Permitted Conditional Uses.

Any bulk requirements not specifically enumerated in Section D(2) for any other permitted conditional use shall be as provided in Section E.

a. A drive-through facility for Shopping Center pad sites only, subject to the Architectural Standards located in Section H.2 below. Up to four (4) pad site buildings shall be permitted in an existing permitted Shopping Center which shall be located along the frontage of Route 206. A pad site building shall not exceed fifteen thousand (15,000) square feet of gross floor area, nor shall such building exceed one hundred and fifty (150) feet along its longest length.

b. Off-street parking in elevated structures subject to the following standards:

(1) A parking structure no taller than fifteen (15) feet (i.e., on grade plus one elevated level) shall be a permitted conditional use if such structure(s) is/are located behind the associated principal building(s) and are well screened thereby from the existing public right of way.

(2) Parking structures shall be architecturally compatible with primary on-site buildings and structures. The location of parking structures shall be limited by minimum setback requirements to assure adequate shielding from off-site views from surrounding residential neighborhoods. Ample landscape screening shall be provided by the applicant to soften visual impacts associated with the construction of parking structures.

(3) Parking structures shall be included as part of the building coverage calculation.

(4) The development phasing schedule shall include the construction of parking structures in one (1) of the early phases and prior to the issuance of a Certificate of Occupancy for any of the last fifty percent (50%) of the associated land uses.

c. Off-street parking located underneath buildings and fully screened from the existing public right of way(s).

E. *Area, Yard and Bulk Regulations.*

1. Minimums.

- a. Lot area: two (2) acres.
- b. Lot width: 150 feet.
- c. Lot depth: 250 feet.
- d. Front yard setback: zero (0) feet.
- e. Side yard setback: zero (0) feet, unless abutting a residential zone or an existing building in which case the side yard setback shall be ten (10) feet.
- f. Rear yard setback: the minimum rear yard shall be twenty-five (25) feet, unless abutting an existing residential zone, in which case the rear yard setback shall be fifty (50) feet.
- g. Accessory structures shall be located in the rear yard with no minimum rear yard setback, unless abutting an existing residential zone, in which case the minimum rear yard setback shall be ten (10) feet.
- h. Building height: two (2) stories of usable floor area and not less than eighty five percent (85%) of the usable first floor area. In no event shall a one (1) story building be permitted in the TC District.

2. Maximums.
 - a. Impervious coverage: eighty five percent (85%).
 - b. Front yard: five (5) feet for non-residential and mixed use buildings and ten (10) feet for multi-family buildings.
 - c. Building height: three (3) stories or forty five (45) feet permitted throughout the TC Town Center District except for architectural features which enhance the appearance of Town Center and where otherwise indicated for duplex, triplex and townhouse dwellings, but do not contain usable floor area, and which may not exceed fifty five (55) feet in height. Architectural features include, but are not limited to: cupolas, towers and other roofline projections.
3. Buffer areas shall be at least twenty five (25) feet wide and are required along all property lines abutting any residential district, around loading and trash collection points and along street lines where residences or residential zoning is located across the street.
4. The building square footage associated with an enclosed second or third floor breezeway or exterior hallway connection between mixed use and nonresidential buildings shall be permitted and the proposed size shall not be included in the impervious coverage or floor area calculations.
5. Nonresidential and mixed use building size limitation:

No individual nonresidential or mixed use building footprint shall exceed 20,000 square feet nor shall any single nonresidential or mixed use building exceed 200 feet along its greatest length.

F. *Parking Requirements.*

1. On-street parking, where provided within 250 feet of any permitted uses, may count towards the required number of nonresidential off-street parking spaces. The Planning Board or Board of Adjustment may, in its discretion, elect to give such spaces on-street parking credit; deny any credit for such spaces; give partial credit for such spaces depending on the use of the property upon which they front and the uses of intervening properties located between the property seeking to apply the spaces toward its parking need and the space themselves. Creation and maintenance of public transportation options may be used in lieu of some parking needs where such a program is proposed and reviewed by the Planning Board or Board of Adjustment as to the short and long term viability of any such plan.
2. The overall intent for the provision of parking in the TC Town Center District is to balance the mix of uses with available parking opportunities both on and off street. The

minimum number of required off-street parking spaces for the permitted uses in the TC Town Center District are as follows:

- a. Retail and service establishments at three (3) spaces per 1,000 square feet of gross floor area.
 - b. Office, bank, fiduciary institution at three (3) spaces per 1,000 square feet of usable floor area.
 - c. Medical office at four (4) spaces per 1,000 square feet of usable floor area.
 - d. Business service and personal service establishments at three (3) spaces per 1,000 square feet of gross floor area.
 - e. Public and civic uses at three (3) spaces per 1,000 square feet of usable floor area.
 - f. Theater at three (3) spaces per 1,000 square feet of usable floor area.
 - g. Residential at two (2) spaces per dwelling unit, unless otherwise indicated herein.
 - h. Restaurant at four (4) spaces per 1,000 square feet of usable floor area.
 - i. Live/work dwelling units at two (2) spaces per dwelling plus one (1) space per employee.
 - j. Child-care and elder-care centers at one (1) space per employee plus one (1) space per ten (10) persons enrolled.
 - k. Commercial instructional activity at three (3) spaces per 1,000 square feet of usable floor area.
3. If the applicant can demonstrate that not all of the required parking spaces are necessary at the time of initial occupancy and operation of the use(s), then the additional required parking which is demonstrated as not needed may be “banked” or reserved for future parking on a space per space basis. The location of future parking areas shall be indicated on the site plan and left and maintained as landscaped areas. The methodology used by the developer to calculate the reduced number of parking spaces shall take into consideration the methods recommended in Shared Parking, published by the Urban Land Institute (1984) or other recognized standards acceptable to the Planning Board or Board of Adjustment.
 4. The number of required parking spaces may be reduced on a space per space basis if the applicant can demonstrate that suitable alternative parking spaces are located within

close proximity to the subject property or site, through a shared parking arrangement with an adjoining use and/or land area. Those spaces, to be counted towards this shared parking arrangement, must be demonstrated to be available during the hours of operation of the affected uses and access to those spaces must be provided for vehicles and pedestrians in a safe and efficient manner, including shared driveways and interconnected walkways where possible. A minimum twenty five (25) year lease shall be provided. A site plan shall be submitted to the Planning Board or Board of Adjustment and shall be subject to their approval.

5. The Township Zoning Officer shall conduct site visits to confirm that the parking remains sufficient to meet the needs of the development. If the Zoning Officer determines, after three (3) separate site visits that the parking is inadequate, the applicant shall be so informed. The applicant shall then have forty five (45) days to submit to the Planning Board or Board of Adjustment either a technical report prepared by a New Jersey licensed engineer who is an expert in traffic substantiating that additional parking is not now needed or a site plan delineating which of the land banked parking will be constructed along with a specific time line for the construction of same. Either submission shall be subject to approval by the Planning Board or Board of Adjustment.

G. *Supplemental Regulations.*

1. Definitions and standards for a tract upon which a town center development may be developed:
 - a. For the purpose of town center development, a “tract” shall be defined as an area of land comprised of one or more adjacent lots which together have sufficient dimensions and area to make one parcel of land meeting the requirements of Section G for the use(s) intended.
 - b. The original land area may be divided by existing street(s), except for Route 206, and still be considered one tract, provided that the frontages on both sides of the street are opposite one another for a sufficient distance to enable a convenient, safe street system from one side to the other.
 - c. The land area of any existing streets shall not be included in calculating the area of the tract.
2. General Procedures.

The requirements in the Architectural and Site Design Overlay Zone, as contained in Sections 188-167 to 175.12 shall apply, except as otherwise provided in the TC Zone District requirements.

- a. Any development application in the TC Town Center District shall be informally submitted, initially, as a Concept Plan showing proposed buildings, roads, parking and other site improvements and how the proposed development is in keeping with the concepts enunciated in the Township's Master Plan Amendment – Phase 2 dated October, 2005 and how the proposed plan would work with the future development of adjoining or otherwise affected land parcels.
 - b. Following this initial conceptual review and discussion with the Planning Board, the development application shall be formally submitted as either a planned development or, in the nature of a site plan and/or subdivision application. Such application shall describe the relationship to and support of the adopted Township Master Plan Amendment as well as 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.
 - c. In the event any single property owner or consortium of property owners owns properties consisting of two (2) acres or more it or they may apply to the Planning Board for General Development Plan approval for its portions of the town center. Those property owners or consortium of property owners who do not obtain a General Development Plan approval for their property shall be required to obtain site plan and/or subdivision approval as may be required by law in addition to complying with the conditions of this TC Town Center District.
 - d. All applications for development of any subsection of the TC Town Center District shall be required to submit a phasing schedule unless said application is for a single property of less than two (2) acres. In the event the application consists of approval for a site consisting of property of at least two (2) acres and the plan pertaining to said area consists of both residential and nonresidential uses, the phasing schedule shall incorporate the specific mechanism for residential development in conjunction with the build out of the nonresidential portion of the applicable site so as to ensure the balanced development of the property for both residential and nonresidential purposes.
 - e. A planned town center development shall be subject to the requirements of this zone and to the mandatory findings for a planned development as required by the Municipal Land Use Law at N.J.S.A. 40:55D-45.
 - f. A town center development shall conform to a General Development Plan approved by the Planning Board pursuant to the applicable provisions contained in the Township's Land Development Ordinance and in accordance with the bulk requirements for permitted uses.
3. General Design Requirements and Phasing.

- a. A town center development shall be conceived, designed, subdivided, site planned and approved by the Planning Board or Board of Adjustment as a single complex according to a comprehensive site development plan. In addition, site landscaping, building design, and common area maintenance guideline control standards shall be established by the applicant and approved by the Planning Board or Board of Adjustment.
 - b. The entirety of a town center development shall be developed with a common architectural theme which shall be part of the site plan approval process by the Planning Board or Board of Adjustment. The architectural theme shall include buildings, signing, fencing, lighting, paving, curbing, landscaping and other similar and related physical features. Each applicant should carefully review the Township Master Plan Amendment – Phase 2 dated October, 2005 for guidance in this effort.
 - c. Mixed use buildings may include residential units on the second and third stories above commercial or office uses, with the exception that residential uses shall not be permitted on the same floor as office or commercial space.
 - d. The Planning Board or Board of Adjustment shall review and approve a phasing plan prepared by the applicant. The phasing plan shall ensure that development in The TC Town Center District shall be consistent with the development of infrastructure and supporting services and the sound management of growth in the Township. The phasing plan shall indicate the approximate date(s) when construction of the town center development and phases thereof including the mix of residential and commercial, will be initiated and completed.
4. Building Design and Use.
- a. The treatment of side and rear walls of any proposed building in terms of building materials and colors shall be similar to and consistent with the treatment of the front façade of that building.
 - b. Non-residential, mixed use and/or duplex, triplex and townhouse buildings shall reflect the following design elements:
 - (1) Exterior elevations shall have vertical and/or horizontal offsets to create visual breaks on the exterior.
 - (2) A variety of building setbacks, roof lines, color schemes, elevations, and heights shall be required in the development to avoid an overly repetitious and monotonous streetscape.
 - (3) The exteriors of all buildings in the development, including any permitted accessory buildings, shall be architecturally compatible and be constructed of complementary materials. Design guidelines for future building

improvements shall be prepared by the applicant to ensure the ongoing design integrity of the development.

- (4) Architectural detail, style, color, proportion, and massing shall reflect the features of a traditional town center development.
- (5) Natural materials such as stone, wood and masonry are recommended. High quality man-made siding materials, such as “Hardi-Plank,” are permitted. Stucco, vinyl, aluminum or similar materials are prohibited. Aluminum may be used for flashing and wall opening trims.
- (6) A minimum of 6:12 pitched roofs along all facades are required and steeper roofs, where feasible, are recommended. Roof pitches shall generally be consistent throughout the development. Peak roofs are encouraged. Mansard type roofs are prohibited. Interior flat roof treatments may be allowed if the applicant is able to show that all observable facades have pitched roofs and that all roof top equipment is completely screen from public view.
- (7) Dormers, gables and articulated windows across a building façade, and other similar design features are strongly encouraged as is an orderly relationship among all windows, doors, porches, and roof forms.
- (8) Roof materials shall be standing seam metal, artificial slate, woods shingles (but not hand-split wood shakes) and architectural fiberglass shingles.
- (9) Windows shall comprise at least twenty-five, but no more than fifty percent (25-50%) of upper facades visible from public rights-of-way and shall reflect a rhythm, scale and proportion compatible with the overall building design.
- (10) Buildings located at corners of road intersections shall serve as gateways distinguishable from the rest of the buildings. As such, heights at corners shall be allowed greater flexibility as long as architectural design elements reinforce the corner location and are pedestrian friendly. The roof design shall emphasize the corner.
- (11) All buildings along existing Route 206 (Main Street) shall incorporate a traditional storefront design with large display windows of clear glass, recessed entries (where appropriate), transom windows, and suitable locations for signs at their ground levels.
- (12) Multiple storefronts within the same building shall be visually compatible in terms of scale, alignment, color and materials.
 - (a) Minimum distances between non-residential and mixed

use buildings shall be measured horizontally in feet and shall be measured away from the front, side and rear of each building. The distance, at the closest point, between any two (2) buildings shall not be less than twenty (20) feet. In the case of two (2) or more buildings being connected through the use of a breezeway or similar feature, the minimum distance between buildings may be reduced but shall not be less than ten (10) feet.

- (b) The front façade of a duplex, triplex or townhouse unit shall reflect a traditional town center character. Awnings, open and useable porches (minimum 8-foot depth), stoops, bay windows and/or balconies and other decorative entries are required and may encroach into building setback lines. The rear elevations of these structures shall have substantial architectural features to preclude flat and monotonous elevations. Compliance with these requirements shall be subject to approval by the Planning Board or Board of Adjustment.
- (c) Garages are prohibited along the main front façade of duplex, triplex or townhouse units. Garages may be in the side or rear yards only. Windows are encouraged in the walls of such garages to admit light and eliminate blank walls. Sufficient storage area to accommodate tools, auto accessories, trash/recyclable materials storage, lawn and garden maintenance equipment shall be considered in sizing the garage so that an additional accessory storage structure will not be necessary. Individual bay overhead garage doors are strongly encouraged. Detached garages shall be offered as a permitted option.
- (d) All duplex, triplex and townhouse units are encouraged to have clearly defined front yards using hedging, fencing, brick or stone wall, none of which shall exceed three (3) feet in height.
- (e) All duplex, triplex and townhouse dwelling units shall have private outdoor space, which may include a deck, patio and/or terrace. Such outdoor space shall be enclosed, as appropriate, by a decorative wall or fence, evergreen hedge, or combination thereof.
- (f) Townhouse buildings shall consist of no more than eight (8) townhouse dwelling units in order to prevent the development of long and monotonous buildings. There shall be different roofline heights and vertical offsets in each overall townhouse building. No more than two (2) adjacent townhouse units shall have the same building offset, which shall vary by at least four (4) feet.

5. Site Design.

- a. The area of the TC Town Center District shall be divided into blocks, streets, lots and open space and the scale and massing of buildings on any given street shall be harmonious.
- b. Buildings and site improvements shall be designed to minimize changes to existing topography and loss of or damage to existing mature trees.
- c. All permitted uses shall be conducted within completely enclosed buildings, unless otherwise specified herein.
- d. Non-residential and mixed-use buildings shall be oriented to the street which shall include as a minimum, their front facades.
- e. Buildings on corner lots with frontage on existing Route 206 (Main Street) shall orient their longest façade along existing Route 206 (Main Street). In all instances, these buildings shall have at least one (1) principal pedestrian entrance on the primary street serving the site.
- f. The location of non-residential and mixed-use building entrances and orientation of buildings shall minimize the walking distances from building to building. Buildings with more than one (1) façade facing a public street, parking lot, open space area, or plaza and square, shall provide front façade treatments for each such facade.
- g. The layout of non-residential and mixed-use buildings and parking areas shall be designed so as to provide an aesthetically pleasing and efficient arrangement.
- h. Non-residential and mixed-use buildings shall be arranged to substantially eliminate public visibility of service areas from streets, customer parking areas and adjacent properties.
- i. Non-residential and mixed-use buildings shall be provided with off-street loading and service areas separate from parking areas and shall be situated as much as possible to the rear of the building to the extent practicable and out of the general traffic flow.
- j. The primary entrances to each building shall accommodate pedestrian access from both public streets and off street parking lots.
- k. Secondary public entrances, if provided, shall be designed in a manner consistent with primary entrances if visible from public streets and/or parking lots.
- l. Street-level store fronts and building entrances shall be open and inviting to

pedestrians and shall feature no less than four (4) of the following:

- (1) Canopies or porticos.
 - (2) Substantial overhangs.
 - (3) Prominent recess(es)/projection(s).
 - (4) Arcades.
 - (5) Raised corniced parapets over the door.
 - (6) Display windows.
 - (7) Peaked roof forms.
 - (8) Arches.
 - (9) Outdoor patios.
 - (10) Architectural details such as tile work and moldings which are integrated into the building.
 - (11) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
 - (12) Walls or windows facing the street which open onto the sidewalk enabling open air dining in conjunction with eating establishments that otherwise may or may not have sidewalk seating.
- m. Buildings located and oriented around open space shall have awnings, canopies and/or colonnades. Stationary aluminum or metallic awnings shall be prohibited.
- n. Eating and drinking establishments shall be permitted to operate outdoor cafés as provided in Section C6.
- o. Special raised ground texture treatment shall be required for pedestrian crossings in streets.
- p. Air conditioning units, heating, ventilation and air conditioning (HVAC) systems, exhaust pipes or stacks, satellite dishes and other telecommunications sending and receiving devices shall be fully screened or otherwise specially treated so as to be substantially inconspicuous as viewed from the public right-of-way, parking lots and adjacent properties.
- q. The Planning Board or Board of Adjustment may limit hours of operation, hours when trucking and deliveries occur, and other characteristics of the non-residential uses in order to enhance the compatibility with residential uses.
- r. Design methods to reduce energy consumption are encouraged. Energy conservation methods may include, but not be limited to, natural ventilation of structures, location or placement of structures in relation to prevailing breezes and sun angles, insulation of structures, use of landscape materials for shade and transpiration, and orientation.
6. Central Town Center Features.

- a. Each town center development shall contribute to the establishment or enhancement of community and public spaces by providing at least three (3) of the following:
 - (1) Patio/seating area.
 - (2) Pedestrian plaza with benches.
 - (3) Transportation center or shelter.
 - (4) Public art display.
 - (5) Outdoor playground area.
 - (6) Kiosk area.
 - (7) Water feature.
 - (8) Tower.
 - (9) Other such deliberately shaped area and/or focal feature or amenity that, in the judgment of the Planning Board or Board of Adjustment, adequately enhances such community and public spaces.
- b. Any such area shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.
- c. A pedestrian plaza shall be constructed as an integral part and serve as the visual focus of the development as well as providing a site organizing element for the development. Pedestrian connections to and through the plaza shall be provided.
- d. A pedestrian plaza shall include a street on at least one (1) side and be surrounded by non-residential and mixed-use buildings.
- e. Design elements in pedestrian plazas, such as patterns in pavement, a fountain, gazebo, sculpture, bollards, sitting areas and landscaping shall be incorporated into the design of the plaza.

7. Transportation.

- a. The applicant shall be required to submit a detailed traffic study that addresses all forms of transportation, including bicycle and pedestrian access, in showing the project's impact on the existing surrounding roadway network which includes, but is not necessarily limited to, the Route 206/Amwell Road and the Route 206 New Amwell Road intersection and the above road cartways themselves. The applicant's traffic study shall incorporate ingress and egress features that minimize the impact of traffic from the development onto the existing, surrounding roadway network. An off-site contribution shall be assessed for any off-site improvements needed to maintain an acceptable level of service with review input from the Township Engineer.

- b. Vehicular access to and from a town center development to a public street shall be limited to the fewest necessary number of curb cuts as is generally depicted in the Township's Master Plan Amendment – Phase 2 dated October, 2005.
 - c. Cul-de-sacs, gated or dead-end streets are not permitted.
 - d. Shared driveways that serve more than one (1) property shall be provided where appropriate. Cross access documentation shall be required between adjoining properties.
 - e. Pedestrian and/or bicycle connections to the primary public entrance of the building shall be provided.
 - f. Site planning shall address the need for bicycle racks and/or lockers, i.e., location, number, and design.
 - g. All portions of the development site shall be linked via a sidewalk and pathway network as approved by the Planning Board or Board of Adjustment; the site shall be pedestrian-oriented, with a design that enables and encourages pedestrian and bicycle circulation, with linkages to surrounding areas.
 - h. Where a service or commercial lane or access drive is incorporated into the design, the Planning Board or Board of Adjustment may further restrict the number of curb cuts.
 - i. Alleys are permitted and encouraged at appropriate locations.
 - j. The applicant shall actively pursue public transportation service in conjunction with bus stops and/or shelters to be planned for the entire town center development. Bus stop locations shall be coordinated with New Jersey Transit. The Planning Board or Board of Adjustment may require shelters, benches, lighting, trash receptacles, signage, and landscaping.
8. Route 206 right-of-way.
- a. The right-of-way shall be at least ninety-four (94) feet as the illustrative cross section shows.
 - b. A minimum fifteen (15) foot wide sidewalk area with a single row of street trees and curbing shall be provided along property frontage.
 - c. Future reservation shall be provided for an eight (8) foot wide parallel on-street parking strip when existing Route 206 is changed in function as a result of the completion of the Route 206 bypass or its equivalent.
 - d. Future reservation shall be provided for a six (6) foot wide bike lane when

existing Route 206 is changed in function as a result of the completion of the Route 206 bypass or its equivalent.

- e. Fourteen (14) foot wide curbed grass medians with left turn lanes at each major intersection shall be provided.
9. Amwell Road right-of-way.
- a. The right-of-way shall be at least ninety-one (91) feet as the illustrative cross section shows.
 - b. A minimum fifteen (15) foot sidewalk with a single row of street trees and curbing shall be provided along property frontage.
 - c. On-street parking is encouraged, where appropriate.
 - d. Fourteen (14) foot wide curbed grass medians with left turn lanes at each major intersection shall be provided.
10. New service road without landscaped median.
- a. The right-of-way shall be at least seventy (70) feet as the illustrative cross section shows.
 - b. A minimum twelve (12) foot wide sidewalk area with a single row of street trees and curbing shall be provided along property frontage.
 - c. Eight (8) foot wide parallel on-street parking strip shall be provided.
11. New Alleys.
- a. Two Way Traffic:
 - (1) The right-of-way shall be at least twenty five (25) feet.
 - (2) The minimum cartway width shall be sixteen (16) feet and curbed.
 - b. One Way Traffic:
 - (1) The right-of-way shall be at least twenty (20) feet.
 - (2) The minimum cartway width shall be twelve (12) feet and curbed.
 - c. An eight (8) foot wide parallel, on-street, parking strip shall be provided wherever a principal building adjoins that edge of the right of way.

- d. Curbing and an abutting four (4) foot wide sidewalk shall be provided on each side of the alley that adjoins a principal building.

12. Landscaping.

- a. A landscape plan shall be provided for the entire site and shall be prepared by a licensed Landscape Architect.
- b. All trees planted in front buildings shall be at least three to three and one half (3-3½) inches in caliper and single-stemmed, street trees, at the time of planting. All other trees shall be two and one half to three (2½-3) inches in caliper, or multi-stemmed and at least ten to twelve (10-12) feet tall at the time of planting, unless otherwise provided by these standards.
- c. Existing trees having a DBH (diameter-at-breast-height, measured at four and one-half (4½) feet above ground level) over six (6) inches shall be preserved unless removal is approved by the Planning Board or Board of Adjustment. If a preserved tree dies, it must be replaced with a minimum four plus (4+) inch caliper tree of the same or similar tree species, subject to approval by the Township Planning Department.
- d. Impervious materials shall not be placed over the critical root zone of a preserved tree. The critical zone is at least ratio of one (1) inch DBH to one (1) foot radius around the tree or three (3) feet beyond the drip line of the outermost branches of the tree, whichever is larger. Man made pervious materials, other than mulch, shrubs, flowers or ground covers shall be approved by the Planning Board or Board of Adjustment.
- e. All exposed soil areas shall be covered with bark, mulch, ground cover, or other weed control measures as approved by the Planning Board or Board of Adjustment.
- f. A single row of canopy trees shall be planted along property lines abutting a street at a ratio of one (1) tree for every forty (40) linear feet within a minimum ten (10) foot wide planting strip.
- g. Canopy trees shall be planted within the front yard setback area.
- h. Detention basins, headwalls, outlet structures, concrete flow channels, rip rap cannels, and other drainage improvements shall be screened with plant materials and/or berms. Such drainage structures, as appropriate, shall be situated in the least visible location or, if visible, incorporated into the natural curves of the land. Detention basin embankments and the basin itself shall be extensively landscaped with wet site tolerant plant material, with the intention of recreating a seasonal and high water wet eco-system. The detention facility shall be sized to accommodate the future growth of vegetation planted in the basin.

13. Off-street parking design.

- a. Parking areas shall be designed as a series of small lots that provide space for no more than twenty (20) cars for double-sided parking and ten (10) cars for single-sided parking. The small parking lots shall be separated by minimum five (5) foot wide (exclusive of curbing) internal planting areas that feature trees planted in grass or other Planning Board or Board of Adjustment approved landscape material, as appropriate.
- b. Parking areas shall be located behind or on the side of buildings and subject to appropriate screening requirements as provided in Section G13. Parking areas shall not be located between the roadway and front of any buildings.
- c. All parking areas, where visible from a public street, shall be screened by a five (5) foot high solid wall, architectural fence and/or solid evergreen hedge as approved by the Planning Board or Board of Adjustment.
- d. One (1) canopy tree shall be provided at a ratio of one (1) tree to every four (4) parking spaces in the parking area.
- e. Each parking space shall be within fifty (50) feet of a planted or retained tree.
- f. Where slopes of five percent (5%) or greater exist, parking bays shall be terraced, with planting between changes in level.
- g. Where over one hundred (100) parking spaces are provided, clearly demarcated pedestrian pathways identified with small scale pavement (pavers or scoring) oriented toward the principal building entrances shall be provided.
- h. Each separate planting area shall have a minimum of one hundred fifty (150) square feet per tree and shall have a minimum dimension of at least five (5) feet.
- i. In addition to required trees, where approved by the Planning Board or Board of Adjustment, as appropriate, planting areas shall be landscaped with low shrubs, ground cover, or other approved landscaping materials that will not exceed three and one-half (3½) feet in height at maturity.
- j. Where parking is adjacent to a public right-of-way, a ten (10) foot wide landscape buffer shall be provided between the edge of the right-of-way and the edge of the parking lot. In addition to the required trees and screening, the buffer shall consist of one of the following:
 - (1) A solid wall or architectural fence five (5) feet high.
 - (2) Landscaping of at least one (1) shrub every three (3) linear feet in the form

of an evergreen hedge five (5) feet high.

- (3) Berming at least three (3) foot high. Berms shall be planted with ground covers, shrubs, and trees so as to provide a substantially solid screen five (5) feet high.
 - k. Parking areas shall be designed to be interconnected with adjacent properties and shall utilize common entrances and exits where feasible to minimize access points to the street. Such interconnections shall be established through an appropriate cross-access easement. The use of rear lanes or commercial service roads is encouraged to avoid individual curb cuts onto Route 206, Amwell Road and any new Master Plan road or street.
 - l. Shared parking shall be required on-site for multiple use properties and is encouraged between properties. The appropriate Board shall approve a reduced parking ratio subject to a parking utilization study prepared by the applicant.
 - m. Large undivided parking lots are prohibited. Large parking areas shall be functionally divided by internal circulation corridors or aisles to establish several smaller lots to prevent random or high-speed movements and to provide for the planting of street trees and other landscaping. The recommended maximum number of spaces within such a sub-lot, or lots separated by an island or planting strip, shall be one hundred (100) spaces, with fifty (50) or fewer preferred. End aisles should be delineated by a landscaped island, not by painted asphalt.
 - n. There shall be a comprehensive network of sidewalks and pedestrian passageways that connect the parking lots with the front, sides and rear of the buildings. The sidewalks and passageways shall be linked to other off-site pedestrian connections where appropriate based on proximity to existing residential areas, proposed intended use of the building, and provision of existing or planned pedestrian or bicycle improvements.
 - o. Pedestrian passageways shall connect rear parking lots between buildings with textured walking surfaces, street furniture and landscaping. In addition, the design of the building may incorporate window displays, side door entrances, or other interesting features along the passageway. Lighting should be provided for all parking facilities and sidewalks.
14. Pedestrian Circulation.
- a. Paving materials shall identify pedestrian circulation areas within the parking lot.
 - b. Pedestrian walkways, at least five (5) feet in width, shall connect public sidewalks to parking areas, public and civic spaces and other locations where public sidewalks are not otherwise provided.

c. Along building facades with a public customer entrance and along any façade abutting public parking areas, public sidewalks, at least five (5) feet in width, shall be provided along the full length of the façade, except that sidewalks at least twelve (12) feet in width shall be provided along existing Route 206 (Main Street) and Amwell Road.

d. The following features should be addressed in conjunction with walkways and sidewalks as follows:

(1) Landscaped areas may be provided along at least thirty percent (30%) of the length of the property frontage.

(2) Use of smaller scale pavement (pavers or scoring); along the first five (5) feet in from the curb is required, subject to the approval of the Architectural and Site Design (ASD) subcommittee.

(3) Pedestrian scale lighting is required in alleys and pedestrian plazas.

(4) Rain protection (awnings, arcades) is encouraged.

(5) Street trees are required to be planted along the first five (5) feet in from the curb.

e. Common areas shall be accessible from all buildings and connected by a comprehensive, on-site pedestrian circulation system. Clearly defined buffers that enhance the attractiveness of the streetscape and promote pedestrian safety shall be used. Sidewalks and plazas should be made comfortable for use by pedestrians through the use of landscaping, overhangs and canopies in order to provide shade and non-heat absorbing materials. Pedestrian circulation layout on any development site should take into account on-site generators of pedestrian movement, such as open spaces, schools, retail centers, and bus stops.

15. Decorative walls, fences and screening design.

a. Decorative walls and fencing may be required by the Planning Board or Board of Adjustment to complement the structure style, type and design of the principal structure.

b. Walls and fencing are allowed only in side and rear yards and behind the front building line, with the exception of outdoor eating and play areas.

c. Walls and fencing shall be constructed of durable high-quality materials and shall display a high quality in finish and detail; made of masonry, ornamental metal, wood, or a combination of these materials.

- d. Walls and fencing greater than fifty (50) feet in length shall have a change in plane, height, material, or material texture, or significant landscape massing.
 - e. Planting shall be considered as part of any wall or fence plan.
16. Loading, outdoor storage, and service areas.
- a. Where these areas face adjacent residential uses or public rights-of-way, architectural walls or fences, no less than six (6) feet in height, shall be provided.
 - b. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within ten (10) feet of any public sidewalk or twenty five (25) feet from any public right-of-way and said twenty five (25) or ten feet (10) shall be landscaped with trees, shrubs and grounds covers so as to provide a buffer area between the public .right of way or sidewalk
 - c. Materials, colors, and design of screening walls and/or fences shall conform to those used as predominant materials and colors on the principal building.
 - d. Service functions shall be incorporated into the overall design of the building and landscaping, so that they are fully contained and out of view from adjacent properties and rights-of-way.
 - e. Truck delivery and circulation routes shall be separated from customer circulation. Pullover or lay-by short term pickup and drop-off areas may be provided as long as they do not substantially interfere with either vehicular or pedestrian traffic flow.
 - f. No delivery, loading, trash removal or compaction, or other such operations shall be permitted between the hours of 10:00 PM and 7:00 AM unless the applicant or developer submits evidence that sound barriers between all areas for such operations or use effectively reduce noise emissions to a level of forty five (45) dB or less, as measured at the lot line of any adjoining residential property of zone district.
17. All utilities shall be installed underground where feasible, or relocated to a less visible location at the rear of buildings fronting on existing Route 206 (Main Street) and Amwell Road and all uses shall be connected to approved and functioning public water and sanitary systems. Prior to approval, an applicant must obtain a certificate from the appropriate agency allocating capacity in the system to the development.
18. Each permitted use shall provide for the orderly deposit and pickup of refuse which is concealed from adjoining properties, customer parking areas, and nearby roadways. No trash shall be allowed to extend above or beyond the enclosure. This area shall be visually screened by a decorative wall and landscaping. The overall design, including materials and colors, shall be architecturally compatible with the principal building and

shall not be located within landscaped buffer areas. Also, the applicant shall provide an effective litter management plan, subject to Township review and approval. Such management plan shall be submitted with an application for final site plan approval.

19. All provisions and facilities for storage, other than pickup of refuse and recyclable materials, shall be contained within a principal building.
20. Affordable housing shall be provided in accordance with the provisions of the Township Growth Share requirements pursuant to Section 188-139.1. Affordable units may be provided without utilizing the transfer of residential development potential.

H. *Architectural Standards.*

1. 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 in the Architectural and Site Design Overlay Zone, as contained in Sections 188-167 to 175.12 shall apply, except as otherwise provided in the TC Town Center District requirements.
2. Requirements for Establishments with Drive-Through facilities.
 - a. A drive-through facility shall be architecturally coordinated with and integrated into the principal building.
 - b. A drive-through facility shall only be permitted if the permitted principal use it serves does not have direct vehicular access to a public street.
 - c. A drive-through facility shall only be permitted for a pad site associated with a permitted town center shopping center with direct vehicular access thereto.
 - d. A drive-through facility shall not be located on the street side of the building or in front of the front building line.
 - e. A drive-through facility shall be permitted only at locations where such facility is not a dominant visual element within the TC Town Center District.
 - f. A drive-through facility shall be limited to two (2) service lanes.
 - g. A drive-through facility, accompanying driveway and associated signage shall be set back a minimum distance of fifty (50) feet from any land zoned for residential development.
 - h. A drive-through facility and associated signage shall be provided with landscaping to visually enhance views of the facility, signage and driveway as seen from the surrounding area.

- i. A drive-through facility may be permitted, provided that such facility does not adversely impede or conflict with pedestrian and/or vehicular circulation in the area.
 - j. 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 (5) automobiles and shall be separated from any off-street parking areas and their access aisles, loading areas or trash enclosures.
3. Signs. A signage program shall be established as part of the development review and approval process for all permanent signs, as follows:
- a. Permanent Signs
 - (1) There shall be a consistent sign design theme throughout the development. A unifying design theme shall include style of lettering, method of attachment, construction, material, size, proportion, lighting, position and day/night impacts. Color of letters and background shall be carefully considered in relation to the color of the materials of the building(s) or where the signs are proposed to be located. Signs shall be a subordinate rather than predominant feature of any building. The lettering and sign shall be compatible with the architecture of the building.
 - (2) A comprehensive signage plan shall be provided which covers overall project identification, window signage and lettering, individual building/tenant identification, traffic regulations, pedestrian crossing, street identification, parking and directional instructions. A signage hierarchy shall be established governing the above signage categories.
 - (3) All permanent signage (except for traffic, parking and directional instructions) shall be affixed to a building façade, canopy or arcade, be located no higher than the sills of second-story windows; and be visible to both pedestrians and drivers.
 - (4) The maximum sign area in the TC Town Center District for permitted nonresidential uses shall be ten percent (10%) of the first floor façade of each tenant or use, but in no event greater than twenty (20) square feet.
 - (5) Blinking and flashing signs are prohibited.
 - (6) Signs painted on the exterior walls of any building are prohibited.
 - (7) Neon signs and other tube type signs, all flashing, intermittent, moving or

fluttering signs, such as banners, flags or pennant signs, signs producing glare or using bare bulbs, such as fluorescent signs, and signs that obstruct pedestrian traffic are prohibited.

- (8) In addition to all other signage, restaurants, cafes, luncheonettes and delicatessens may be permitted the following: one (1) wall mounted display sign per business; featuring the actual menu, but not to exceed three (3) square feet in area and one (1) sandwich board sign not to exceed three (3) square feet per sign face which shall not obstruct pedestrian traffic.
- (9) The area, brilliance, character, color, degree, density, intensity, location and type of illumination of any sign shall be the minimum necessary to provide for the readability of the proposed sign by the public without shedding further illumination on nearby buildings. All sources of illumination shall be shielded or directed in such a manner that the direct rays there from are not cast upon any property other than the lot on which such illumination is situated. Illumination shall be steady in nature, not flashing, moving or changing in brilliance, color or intensity.
- (10) Special mounting standards shall be used for traffic directional, handicapped parking and other similar on-site signage.
- (11) All signs shall be produced using professional methods.
- (12) An effective signage and wayfinding program shall be instituted by the Township and implemented through the development approval process by developers in the TC Town Center District, as appropriate, to guide visitors to parking facilities and mass transit connections.

b. Window lettering and signs.

- (1) All window lettering and signs shall be inside the window and shall be considered interior signs.
- (2) Window lettering or signs, including temporary and permanent, shall be permitted only if the rectangle or square which encloses the area around such lettering or sign does not exceed thirty percent (30%) of the total window area. Any painted area of any window shall be construed as window lettering or signs, whether or not such area actually contains lettering or advertising.
- (3) The window lettering or sign shall pertain only to the establishment occupying that portion of the premises where the window is located.
- (4) The following window lettering and signs are specifically prohibited: those having an exterior source of illumination and signs which include moving or animated images or text.

(5) All window lettering and signs shall be kept in good repair.

c. Signs on awnings, canopies or similar structures or attachments.

(1) Awnings, including awnings with a sign(s), shall be architecturally compatible with the building to which they are attached. All awnings shall be reviewed and approved by the Planning Board or Board of Adjustment during the site plan review and approval process. Alternatively, design standards relating to awnings, with or without signage, shall be prepared by the applicant for review and approval by the Planning Board or Board of Adjustment.

(2) Awnings must be kept in good repair; clean and unfaded.

(3) Awnings must be substantially attached to the main building structure.

(4) Awning lettering and numbers as well as the style and colors must aesthetically blend with the building.

(5) Letter height shall not exceed one-third (1/3) of the awning height and in no event shall exceed eight (8) inches.

(6) Where applicable, awnings shall contain street numbers.

(7) Awnings shall not contain phone numbers, product advertising, or product logos.

4. Streetscape Elements.

a. Lighting.

(1) Lighting shall be the minimum required for safety and shall be provided in the least intrusive manner. Traditional freestanding light fixtures shall be required in parking lots and along streets and pedestrian pathways. By way of example, a street light and parking lot light fixture shall be similar to the Teardrop Model TF3 by HADCO, which is a high quality freestanding light fixture appropriate to a town center environment.

(2) Streets, parking lots, intersections, points where various types of circulation systems merge, intersect or split, stairways, sloping or rising paths, and building entrances and exits, shall require illumination. Lighting shall be provided where buildings are set back or offset if access is provided at such points.

(3) Freestanding lights shall be located and protected to avoid being easily

damaged by vehicles or vandalized. The height of such lights shall in no case be greater than twelve (12) feet. All lighting shall be serviced underground.

- (4) The source of the illumination for freestanding and building-mounted lights shall be shielded and the style of the light and light standard shall be consistent with the architectural style of the proposed structures. Diffusers and refractors shall be installed to reduce unacceptable glare; particularly adjacent to residential areas. Luminaires shall be translucent or glare-free using opaque glass or acrylic lenses.
- (5) Spot-light fixtures attached to buildings and visible to the public are prohibited. Where lights along property lines are visible from adjacent properties, the lights shall be appropriately shielded and/or the mounting heights shall be reduced.
- (6) All lights under a canopy structure shall be ceiling-mounted and recessed so the lens does not extend beyond the ceiling so as not to produce glare.
- (7) Sidewalks and pathways may be lit with low bollard type standards, not to exceed two (2) feet in height.
- (8) All proposed lighting plans shall be accompanied by a point-by-point plan indicating numerical illumination levels. The plan shall indicate the average, minimum, maximum and minimum to maximum illumination levels for maintained foot-candles.

b. Special Effect Lighting.

- (1) May include string lighting in trees or up-lighting on trees.
- (2) Fixtures shall be waterproof and light shall be shielded so as not to impair a pedestrian's vision or vehicular traffic.

c. Seating, Benches and Bus Shelters.

- (1) Shall be grouped together as much as possible and be placed at busier pedestrian nodes or gathering places.
- (2) Shall be designed and placed appropriately to provide an amenity to the public.
- (3) Can be manifested in permanent planter edges.
- (4) Shall not obstruct views for vehicles, sidewalks for pedestrians, or signs and displays for businesses.

- (5) Shall blend in with the surroundings or be specified in a complimentary accent color.
- (6) Bus shelter locations shall be coordinated with streetscape design and shall include appropriate signage, lighting, trash receptacles, benches, landscaping and access.

d. Fountains.

- (1) Shall be located in key public areas such as square or plazas or at street corners where they help attract attention and draw pedestrians.
- (2) Shall allow for ample pedestrian circulation on all sides.
- (3) May be designed to encourage sitting along the edges.

e. Kiosks.

- (1) Shall be used for retail purposes, limited to the sale of non-food items, or to impart community information to the public.
- (2) Shall be positioned to complement and respect other street furnishings such as benches and lighting.
- (3) Shall be accessible and attractive from all sides and well-illuminated.
- (4) Shall be flexible to allow for up-to-date information.
- (5) Shall consider fixed kiosks to project a sense of permanence with other fixed surroundings.
- (6) Are not required to be fixed and may be mobile to allow for flexibility in public areas.

f. Tree Grates.

- (1) Shall be used wherever a tree is placed within a high traffic area.
- (2) Shall allow for tree growth and be made of ductile iron; should also be factory painted.
- (3) Electrical outlets shall be provided within the grate area to allow for lighting opportunities.
- (4) Shall be designed to support up-lighting.

g. Planting Pots and Planters.

- (1) Used in addition to landscape planting areas to compliment the surrounding streetscape by adding color and variety.
- (2) Can be placed anywhere pedestrian or vehicular traffic is not disturbed, but may function as a separation between pedestrians and vehicles.
- (3) Large pots are preferred to fixed boxes to allow for maintenance or service access.
- (4) Ideal near seating areas, but plant materials shall not interfere with circulation or comfort.

h. Trash Receptacles.

- (1) Shall be located conveniently for pedestrian use and service access in significant areas and gathering places.
- (2) Shall be permanently attached to deter vandalism and have sealed bottoms with sufficient tops to keep contents dry and out of pedestrian view.
- (3) Restaurants with outdoor seating shall provide additional trash receptacles in appropriate locations.
- (4) Should blend in with the surroundings or be specified in a complimentary style or accent color.

i. Bicycle Racks.

- (1) Shall be permanently mounted and placed in convenient locations throughout public spaces to encourage bicycle use.
- (2) Shall be placed so as not to obstruct views or cause hazards to pedestrians or drivers.
- (3) Shall exhibit a simple and easy design that allows for convenient and safe use by the public.

j. Bollards.

- (1) Shall integrate with and aesthetically complement the overall streetscape concept.
- (2) Shall be setback from curbs to allow un-obstructed opening of parked car

doors.

- (3) May be chained or cabled together to ensure pedestrian safety or define areas for public functions.
- (4) Removable bollards shall be used where service vehicles need access and for street closures in the event of festivals or community events.

k. Utility Accessories.

- (1) Includes utility boxes, meters, man-hole covers and fire hydrants; shall be coordinated with other streetscape accessories.
- (2) Readily accessible and placed so as not to obstruct pedestrian movement.
- (3) Minimize visual and physical impact as much as possible.
- (4) Shall blend in with the surroundings or enhance the area.

l. Newspaper Racks.

- (1) Shall be grouped together as much as possible and be placed at busier pedestrian nodes or gathering places.
- (2) Shall be designed and placed appropriately to provide service to the public.
- (3) Shall not obstruct views for vehicles, sidewalks for pedestrians, or signs and displays of businesses.

m. Residential Gazebos, Arbor, Trellis or Pergolas.

- (1) Maximum height of gazebos shall not exceed twelve (12) feet above adjacent grade, excluding rooftop ornaments. Gazebos shall be constructed of wood and shall have a maximum size of 150 square feet.
- (2) Gazebos shall be located no closer than five (5) feet from a principal structure and side and rear property lines.
- (3) Trellises, arbors and gate arbors are permitted in the side and rear yards.
- (4) Trellises, arbors and gate arbors shall be proportionately sized for the overall area of the yard and shall not exceed eight (8) feet in height, five (5) feet in width and three (3) feet in depth. They shall be constructed of wood and compliment the architectural style, type and design of the fence or structure.

- (5) Location of arbors, trellises and pergolas shall be located no closer the five (5) feet to the side and rear property lines.

I. ***Green Technology Requirements***

Currently, the most widely adopted “green” rating system in the country is the Leadership in Energy and Environmental Design (LEED) Green Building Rating System®, as developed by the U.S. Green Building Council.

According to the USGBC, LEED evaluates environmental performance from a whole building perspective over a building’s life cycle, providing a definitive standard for what constitutes a “green building.” It is based on accepted energy and environmental principles and strikes a balance between known established practices and emerging concepts. LEED is a performance-oriented system in which scoring points are earned for satisfying performance criteria in the categories of sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality. Different levels of green building certification are awarded by the USGBC based on the total points earned.

1. All new development located within the town center district, except for additions which are 50% or less than the existing gross floor area, shall meet a minimum LEED™ Certification rating under the LEED Rating System and be so certified by the USGBC or equivalent.
2. All building projects shall have a LEED-accredited professional, or equivalent, as a principal member of the design team from the beginning of the project.
3. Energy Star: For multi-family residential projects; appliances and fixtures must meet United States Environmental Protection Agency’s (EPA’s) Energy Star Standards. Projects must include Energy Star compliant clothes washers; dishwashers, refrigerators, ceiling fans, ventilation fans (including kitchen and bathroom fans), light fixtures (halls and common areas), and exit signs. To enhance energy efficiency further, the project must also choose and install two of the following Energy Star components: Programmable thermostats (in residential units), residential light fixtures, windows and doors; and HVAC systems.
4. All new building projects must meet the following requirements;
 - a. All lighting fixtures located in parking lots must utilize LED lighting systems. The freestanding light fixtures shall be similar to the Teardrop Model TF3 by HADCO. The height of such lights shall not exceed twelve (12) feet.
 - b. No less than fifteen percent (15%) of the property (excluding existing and proposed road rights-of-way) shall be devoted to conservation, open space, drainage and/or recreational purposes and may include vegetated roofs and pedestrian plazas. Individual duplex, triplex, and townhouses are exempted from this requirement.
5. Applicants must submit to the Township the following information at the time of site plan application;
 - a. The name of the LEED Accredited professional working on the project
 - b. A LEED scorecard, or equivalent, must be submitted as part of the plan. The scorecard shall be accompanied by an explanation of how each credit will be

achieved or why the product cannot be achieved for the project.

Section 4. Severability.

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. This ordinance shall take effect immediately upon passage and publication according to law.

Kevin P. Davis, Township Clerk

Anthony Ferrera, Mayor

Introduced: 6/12/07

Published: 6/21/07

Public Hearing: 7/10/07

Adopted: 7/10/07

Published: 7/19/07

**Table 1
Bulk Requirements for Duplex Dwellings**

PRINCIPAL BUILDING:	M	M
Lot Area	3	6
Lot Frontage & Width	3	-
Lot Depth	9	-
Front Yard	1	2
Rear Yard (excluding rear loaded garage)	2	-
Side Yards	1	-
Building Coverage		50% maximum
Impervious Coverage		70% maximum
Building Height		2 ½ stories or 35 feet maximum
GARAGES:	M	M
Rear-loaded or side-loaded garage: setback measured from rear or property line or alley pavement, whichever is closer, as appropriate.	1	-

**TABLE 2
Bulk Requirements for Triplex Dwellings**

PRINCIPAL BUILDING:	MI	M
Lot Area	N 2,500 sq. ft. per interior dwelling unit and 3,500 sq. ft. per end dwelling unit	4
Lot Frontage & Width	25 ft.	-
Lot Depth	90 ft.	-
Front Yard	10 ft.	2
Rear Yard (excluding rear loaded garage)	25 ft.	-
Side Yards	Interior lots — both (0 ft.) End units — 10 ft.	

Building Coverage

55% / 60% int.
maximum

Impervious Coverage

80% maximum

Building Height

2 ½ stories or 35
feet maximum

GARAGES:

**M
I
N**

M

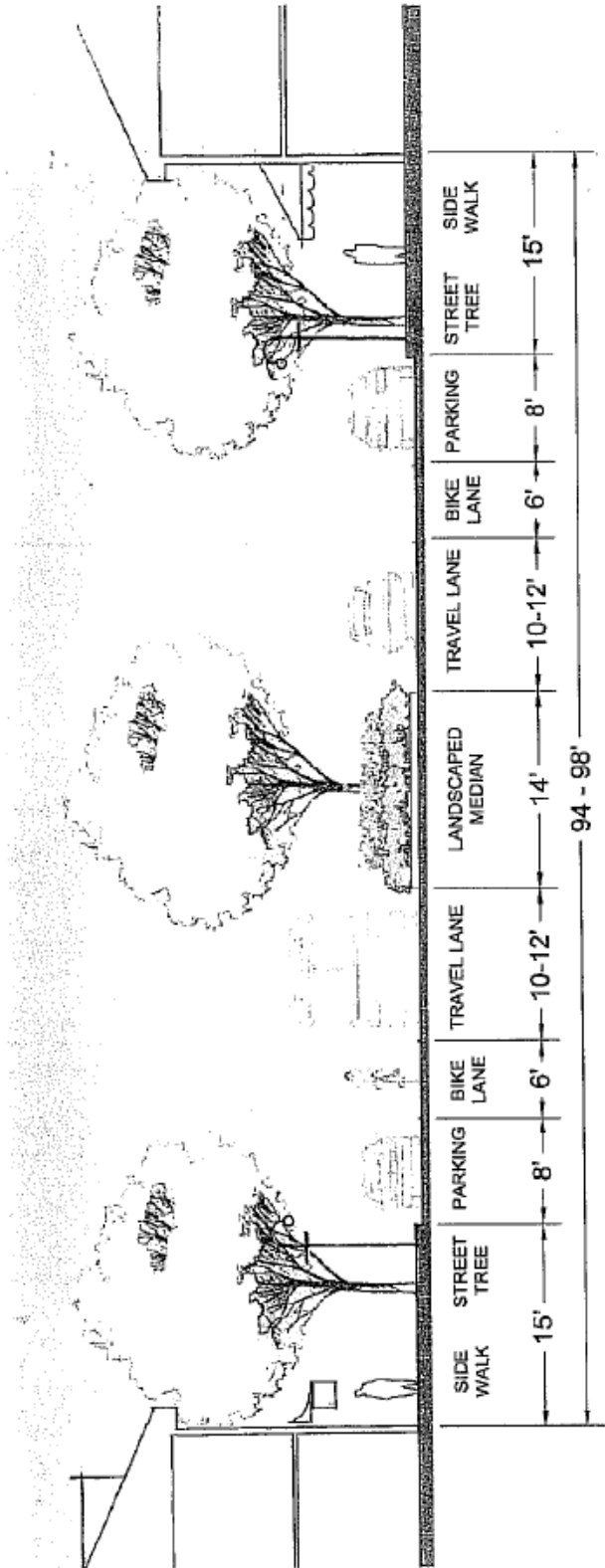
Rear-loaded or side-loaded garage:
setback measured from rear or side
property line or alley pavement,
whichever is closer, as appropriate.

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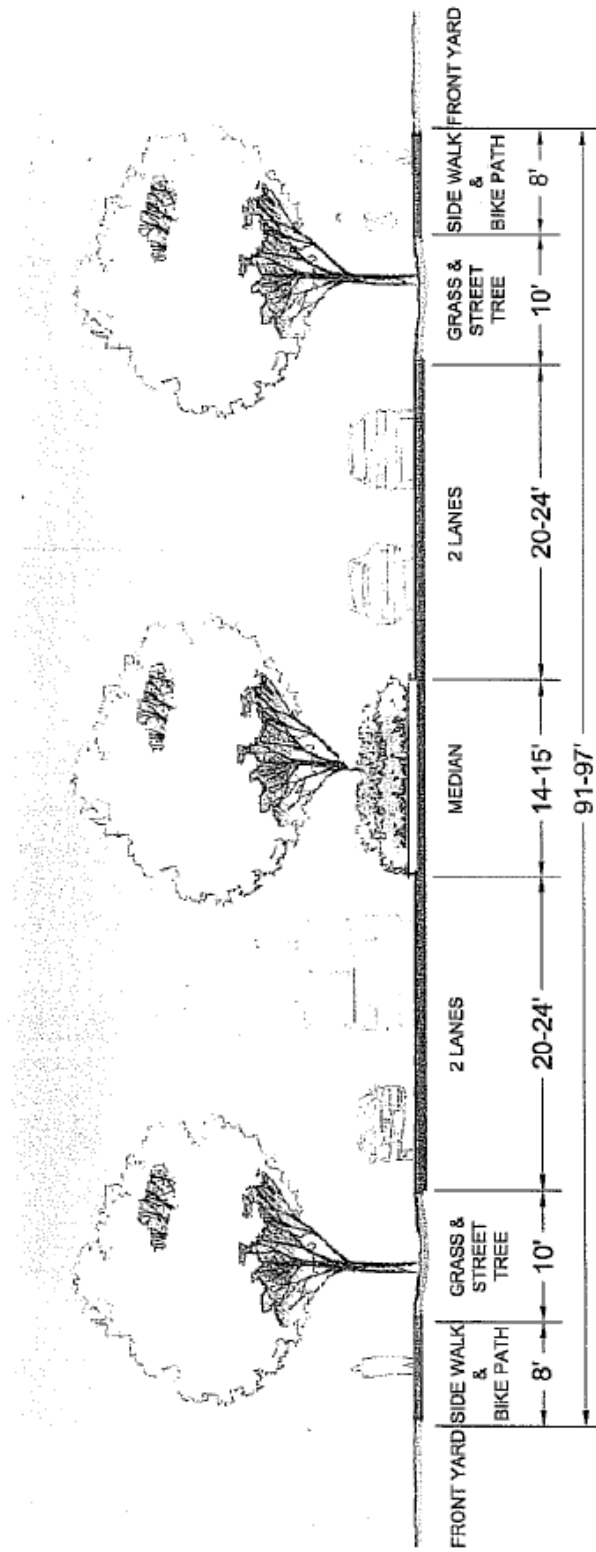
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**TABLE 3
Bulk Requirements for Townhouses**

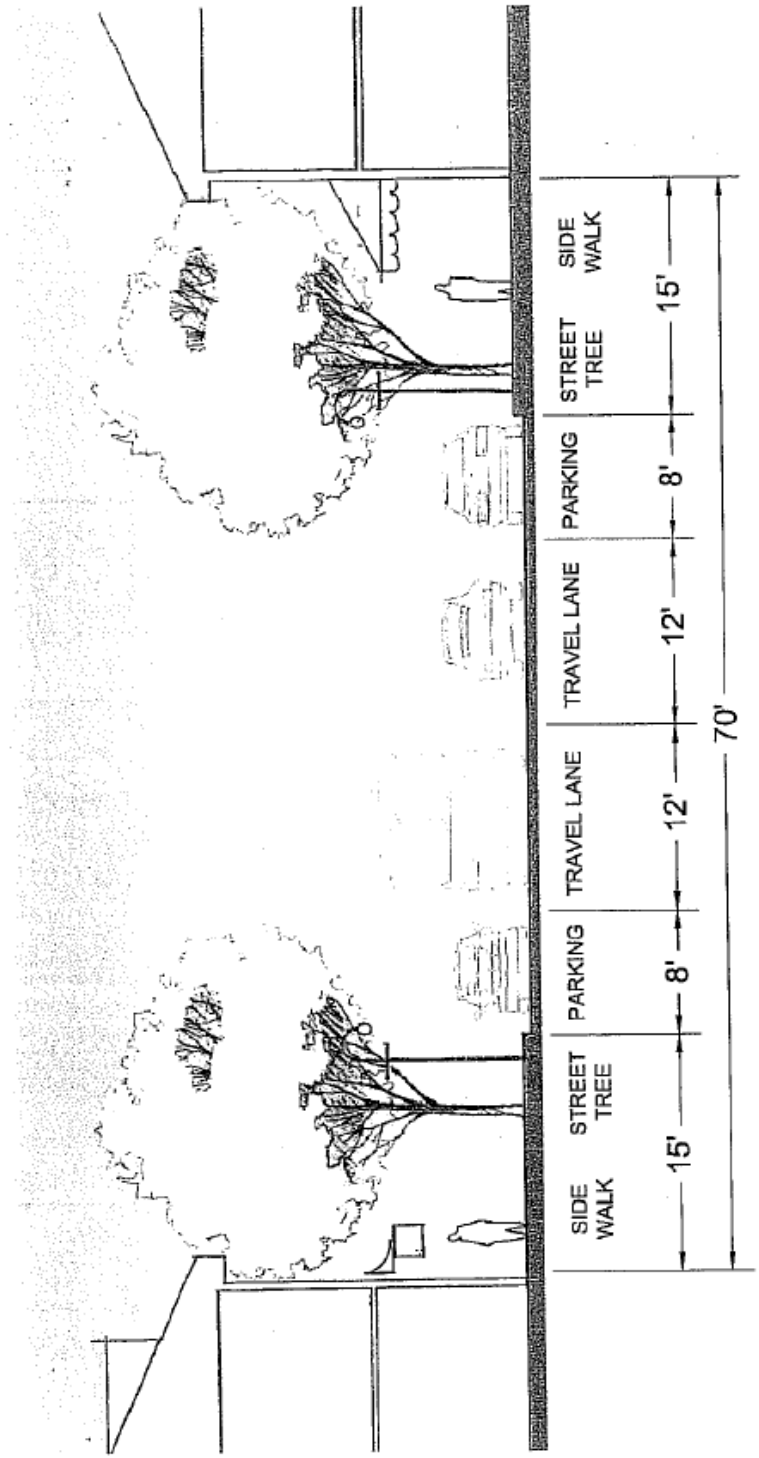
PRINCIPAL BUILDING:	MIN	M
Lot Area	2,000	3
Lot Frontage & Width	sq. ft. 20 ft.	-
Lot Depth	90 ft.	-
Front Yard	10 ft.	2
Rear Yard (excluding rear loaded garage)	25 ft.	-
Side Yards	Interi or lots – both (0 ft.) End units – 10 ft.	
Building Coverage	55% / 60% int. maximum	
Impervious Coverage	80% maximum	
Building Height	2 ½ stories or 35 feet maximum	
Number of Units per building	8 maximum	
Length of Building	200 feet	
Distance between buildings	20 feet	
GARAGES:	MIN	M
Rear-loaded or side loaded garage: setback measured from rear or side property line or alley pavement, whichever is closer, as appropriate.	10 ft.	-



EXISTING ROUTE 206 IN TOWN CENTER (MAIN STREET)



AMWELL ROAD



SERVICE ROAD WITHOUT LANDSCAPED MEDIAN

REVISED ZONING MAP
 TC TOWN CENTER DISTRICT
 TOWNSHIP OF HILLSBOROUGH
 JUNE 2007



- ■ ■ ■ PROPOSED TC-TOWN CENTER DISTRICT
- ▨ CHANGE EXISTING TC DISTRICT TO R2 DISTRICT

