

ORDINANCE 2004-07

AN ORDINANCE AMENDING CHAPTER 188 (DEVELOPMENT REGULATIONS) ADDING SECTION 99.6 (OS-CL OPEN SPACE – CULTURAL LANDSCAPE DISTRICT) TO THE MUNICIPAL CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY

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

Section 1: Chapter 188 of the Municipal Code of the Township of Hillsborough, shall be amended by adding section 99.6 (OS-CL Open Space-Cultural Landscape District) as follows:

- A. Purposes. The purposes of the (OS-CL) Open Space – Cultural Landscape District are to preserve the character of historic estate landscapes by promoting compatible uses of property within the District for public benefit, public visitation, long-term environmental sustainability; to support and encourage the continued use of the property within the District for educational and cultural activities, open space, recreation, environmental conservation, and agriculture; and to provide for the continued financial viability of the stated purposes by allowing related revenue generating activities, including visitor services, amenities and facilities, all in keeping with the intent, scale and character of the District. Accomplishment of the stated purposes for the District is enhanced by establishing a separate zoning district and regulations controlling the future development and alteration of such lands and by encouraging the development of uses and facilities consistent with these purposes.
- B. Principal permitted uses. These uses include one or a combination of the following:
- (1) Preservation and conservation of open space lands and environmental resources.
 - (2) Nature preserves.
 - (3) Dedicated parklands.
 - (4) Arboreta, botanical gardens, horticultural displays, greenhouses, horticultural nurseries and other ornamental landscapes.
 - (5) Adaptive reuse of existing buildings and structures for permitted uses as enumerated herein.
 - (6) Preservation and conservation of agricultural and horticultural uses.
 - (7) Educational and cultural program use related to natural resource and agricultural conservation, historic preservation, and the arts. Program use may include, but not necessarily be limited to, classes, demonstrations, workshops, research, conferences, events, tours, exhibitions, performances, lectures and presentations, and may include the sale of retail goods incidental to said program use.
 - (8) Active and passive recreation, including but not necessarily limited to walking, running and bicycle paths, athletic fields, golf course, tennis courts, picnicking, boating, fishing and horseback riding.
 - (9) Visitor centers.

- (10) Education centers and research facilities.
- (11) Professional and business offices.
- (12) Restaurant.
- (13) Café.
- (14) Caretaker, staff, or tenant residences.
- (15) Overnight and extended accommodations for artists, scholars, lecturers, seminar participants and consultants.
- (16) Conference and meeting facilities.
- (17) Studio and performance space.
- (18) Fundraising events.
- (19) Private events.
- (20) Farm stand.
- (21) Inn or other overnight visitor accommodations.
- (22) Gift shop.

C. Accessory uses. These uses shall be permitted, only in connection with a permitted principal use.

- (1) Required off-street parking areas (See Section 188-68).
- (2) Signs (See Section 188-83).
- (3) Noncommercial structures incidental to permitted principal educational, recreational and agricultural programs, including but not limited to stables, barns, storage sheds, greenhouses and gatehouses.
- (4) Loading (See Section 188-68).

D. Design Standards for the Open Space-Cultural Landscape District

(1) The development of this District shall be considered as a single entity requiring coordination of building locations, access drives, parking areas, buffers, loading and all other design elements. All new facilities and reconstruction of substantial portions (more than 50% of the gross floor area) of existing facilities shall be subject to site plan approval by the Planning Board or Zoning Board as appropriate.

(2) Renovation and Reuse of Existing Structures

- (a) Existing structures may be renovated or repaired, and utilized, to their existing height/stories for uses permitted in the OS-CL Open Space – Cultural Landscape District. All new and expanded portions of existing structures and buildings shall comply with the maximum height/stories requirement as set forth in the Schedule of Regulations for this District as provided in section 188-99.6E.
- (b) If any existing or renovated building shall be destroyed by any means, it may be restored to its former condition. Alternatively, it may be replaced by a building or buildings that conform to the requirements as set forth in the Schedule of Regulations for this District as provided in Section 188-99.6E.

- (3) Construction of New Structures: New structures may be erected or constructed only for uses permitted in the OS-CL Open Space – Cultural Landscape District. All new structures and buildings shall comply with the maximum height/stories requirements as set forth in the Schedule of Regulations for this District as provided in Section 188-99.6E. Clustering of any new permitted residential dwellings is encouraged as appropriate.
- (4) Site Access and Off-street Parking
- (a) Site access and service roads shall be properly related to the public roadway system so as to avoid unsafe conditions and traffic congestion.
- (b) Parking spaces shall be provided on the site to accommodate vehicles as follows:
- (1) For educational and cultural program use, not less than two (2) spaces for each one thousand (1,000) square feet of gross floor area.
 - (2) For office use, not less than one (1) space for each three hundred fifty (350) square feet of gross floor area.
 - (3) For restaurant or café use, not less than one (1) space for every three (3) seats.
 - (4) For all other uses, see Section 188-68.
- (c) The Planning Board (or Zoning Board, as appropriate) may decrease the amount of parking required up to fifty percent (50%) and/or vary the design and location of such parking in the course of site plan review based upon the anticipated utilization and/or joint usage of the spaces, provided that the minimum required spaces are shown as future parking on the site plan and found to be buildable by the Planning Board (or Zoning Board, as appropriate).

E. Schedule of Regulations

- (1) Minimum Setback: Any new structure built in the OS-CL District shall be setback a minimum of 150 feet from all public roadways, adjoining properties and zone lines, except for entrance features and security structures related to access drives and consistent with the purpose of the OS-CL District.
- (2) Maximum Building Height: No new structure shall be constructed that exceed sixty (60) feet in height.
- (3) Maximum impervious coverage: Five percent (5%).
- (4) Maximum Residential Density: 0.1 dwelling unit/acre (10 acres/dwelling unit).

Section 2: The accompanying OS-CL Zone Maps shall amend the Hillsborough Township Zoning Map to reflect the location of the Zone District created in Section 188-99.6.

Section 3: This ordinance shall take effect upon its adoption, passage and publication according to law.

ATTEST:

TOWNSHIP OF HILLSBOROUGH

Kevin P. Davis, Acting Township Clerk

Steven N. Sireci, Mayor

Introduced: 2/24/04

Published:

Public Hearing:

Adoption: 4/27/04

Published: