

MEETING TO BE
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AGENDA FOR THE REGULAR BUSINESS MEETING
OF THE TOWNSHIP COUNCIL OF WEST WINDSOR TOWNSHIP
WEST WINDSOR SENIOR CENTER
271 CLARKSVILLE ROAD
TO THE EXTENT KNOWN
VIA Zoom Video Communications

January 25, 2021

7:00 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - January 8, 2021 to The Times and the Princeton Packet.
4. Salute to the Flag
5. Ceremonial Matters and/or Topic for Priority Consideration
6. Public Comment: (30 minutes comment period; 3-minute limit per person)
7. Administration Comments
8. Council Member Comments
9. Chair/Clerk Comments
10. Public Hearings

2021-01 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 168
"TRAFFIC AND PARKING" ARTICLE V - TRAFFIC AND
PARKING REGULATIONS ON PRIVATE PROPERTY; SECTION
168-37 CONTROL OF MOVEMENT AND PARKING ON PUBLIC
AND PRIVATE PROPERTY

11. Consent Agenda

A. Resolutions

2021-R034 Endorsing the Application for Membership to the New Jersey Firemen's Association for Shannon L. Pope of the West Windsor Fire and Emergency Services Division

B. Minutes

Business Session of December 14, 2020 - as amended
Business Session of December 21, 2020 - as amended

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

2021-R035 Granting Reservation of Sewer Capacity and Authorizing the Execution of the Required Treatment Works Approval Permit Application to the New Jersey Department of Environmental Protection for the Project Known as Princeton Executive Park-Phase 1 (PB19-15)

2021-R036 Granting Reservation of Sewer Capacity and Authorizing the Execution of the Required Treatment Works Approval Permit Application to the New Jersey Department of Environmental Protection for the Project Known as Duck Pond Associates (PB20-07)

2021-R037 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Suplee, Clooney & Company as Municipal Auditor for 2021 - \$27,450.00

2021-R038 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Ruderman Roth, LLC as Labor Attorney for 2021 - \$50,000.00

- 2021-R039 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Phoenix Advisors, LLC as Financial Advisor for 2021 - \$3,800.00
- 2021-R040 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Harry Haushalter, Esquire as Special Tax Counsel for 2021 - \$40,000.00
- 2021-R041 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with David P. Lonski, Esquire as Special Tax Conflict Counsel for 2021 - \$1,000.00
- 2021-R042 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with McManimon, Scotland & Baumann, LLC as Bond Counsel and Redevelopment Attorney for 2021
- 2021-R043 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Piazza & Associates as Affordable Housing Consultant for 2021 - \$18,000.00

14. Introduction of Ordinances

2021-02 AN ORDINANCE TO AMEND AND SUPPLEMENT THE PRINCETON JUNCTION REDEVELOPMENT PLAN REGULATING PROVISIONS IN THE RP-1 ZONING DISTRICT OF THE PRINCETON JUNCTION REDEVELOPMENT PLAN CHAPTER 200 OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)

PUBLIC HEARING: February 25, 2021

2021-03 AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR CHAPTER 200 LAND USE; ARTICLE XXXIV; SECTION 200-260 RP-1 DISTRICT

PUBLIC HEARING: February 25, 2021

2021-04 AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR CHAPTER 200 TO ADJUST THE DISTRICT BOUNDARY LINES OF THE E, ROM-1 AND THE R-2 DISTRICTS; ARTICLE XXVI TITLES, PURPOSES, ESTABLISHMENT OF DISTRICTS; CONDITIONS; SECTION 200-143 ZONING MAP

PUBLIC HEARING: February 25, 2021

2021-05 AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR CHAPTER 200; PART 4 ZONING ARTICLE XXVI, TITLES, PURPOSES, ESTABLISHMENT OF DISTRICTS; GENERAL CONDITIONS ROM-1A INDUSTRIAL, RESEARCH, OFFICE, LIMITED MANUFACTURING

PUBLIC HEARING: February 25, 2021

15. Additional Public Comment (three-minute limit per person)
16. Council Reports/Discussion/New Business
17. Administration Updates
18. Closed Session
19. Adjournment

TOWNSHIP OF WEST WINDSOR
MERCER COUNTY, NEW JERSEY

ORDINANCE NO. 2021-01

AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 168, "TRAFFIC AND PARKING," ARTICLE V "TRAFFIC AND PARKING
REGULATIONS ON PRIVATE PROPERTY OF THE
REVISED GENERAL ORDINANCES
OF THE TOWNSHIP OF WEST WINDSOR – The Enclave at Princeton Junction

BE IT ORDAINED, by the West Windsor Township Council, County of Mercer, State of New Jersey, that the Code of West Windsor Township, be amended and supplemented as follows:

SECTION I.

CODE OF THE TOWNSHIP OF WEST WINDSOR, NEW JERSEY

PART II: GENERAL LEGISLATION

CHAPTER 168: TRAFFIC AND PARKING

ARTICLE V: TRAFFIC AND PARKING REGULATIONS ON PRIVATE PROPERTY

Section 168-37: Control of movement and parking on public and private property,

C. Regulation for the movement and the parking of traffic on all other private property in accordance with the provisions of N.J.S.A. 39:5A-1, the regulations of Subtitle 1 of Title 39 are hereby made applicable to the properties listed.

(1) Schedule A, is amended to read as follows:

Property	Regulation	Movement
Enclave at Princeton Junction (apartments, commercial and townhomes)	25 mph Stop signs Parking in designated areas between the painted lines only No Parking anytime in designated areas and fire lanes Yield signs	As shown on sketch on file with Township Police Division

SECTION II

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

SECTION III.

This ordinance shall take effect upon final passage and publication in accordance with the law.

INTRODUCTION: January 11, 2021

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE:

RESOLUTION

WHEREAS, Shannon L. Pope, a member of the West Windsor Fire and Emergency Services Division, has applied for membership in the New Jersey State Firemen's Association; and

WHEREAS, her application is complete in all ways;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it hereby authorizes the municipal endorsement of the application of Shannon L. Pope for membership in the New Jersey State Firemen's Association.

Adopted: January 25, 2021

I hereby certify that this is a true copy of a resolution adopted by the West Windsor Township Council at their meeting held on the 25th day of January, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Bowman Consulting has submitted a request for a reservation of sewer capacity in the public sewer system for the mixed-use project known as Princeton Executive Park – Phase 1 (PB19-15) located at Block 9, Lots 12.01 and 12.02; and

WHEREAS, the development project phase is estimated to generate an additional 17,100 gallons per day (gpd) into the municipal system for the Phase 1 construction; and

WHEREAS, the proposed extension of the collection system to the property as part of the project requires a Treatment Works Approval permit from the New Jersey Department of Environmental Protection; and

WHEREAS, the Township Engineer has certified that there is sufficient capacity in the existing downstream sanitary sewer system to accommodate the increase in average daily flow of 17,100 gpd of wastewater that is estimated to be generated by the proposed improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that a reservation of sewer capacity in the total amount of 17,100 gallons per day, is hereby granted for the mixed-use project known as Princeton Executive Park – Phase 1 (PB19-15) located at Block 9, Lots 12.01 and 12.02; and

BE IT FURTHER RESOLVED that this allocation of Township sewer capacity shall be in effect for a period of one (1) year; and

BE IT FURTHER RESOLVED that the Township Engineer be and hereby is authorized to execute the endorsement of the New Jersey Department of Environmental Protection Treatment Works Approval Permit application, as required to implement this Resolution, upon submission of final design/construction plans and specifications acceptable to the Township Engineer.

Adopted: January 25, 2021

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 25th day of January 2021.

Gay M. Huber
Township Clerk
Township of West Windsor

RESOLUTION

WHEREAS, T&M Associates has submitted a request for a reservation of sewer capacity in the public sewer system for the inclusionary residential development project known as Duck Pond Associates (PB20-07) located at Block 8, Lot 8; and

WHEREAS, the development is estimated to generate an additional 115,025 gallons per day (gpd) into the municipal system; and

WHEREAS, the proposed extension of the collection system to the property as part of the project requires a Treatment Works Approval permit from the New Jersey Department of Environmental Protection; and

WHEREAS, the Township Engineer has certified that there is sufficient capacity in the existing downstream sanitary sewer system to accommodate the increase in average daily flow of 115,025 gpd of wastewater that is estimated to be generated by the proposed improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that a reservation of sewer capacity in the total amount of 115,025 gallons per day, is hereby granted for the inclusionary residential development project known as Duck Pond Associates (PB20-07) located at Block 8, Lot 8; and

BE IT FURTHER RESOLVED that this allocation of Township sewer capacity shall be in effect for a period of one (1) year; and

BE IT FURTHER RESOLVED that the Township Engineer be and hereby is authorized to execute the endorsement of the New Jersey Department of Environmental Protection Treatment Works Approval Permit application, as required to implement this Resolution, upon submission of final design/construction plans and specifications acceptable to the Township Engineer.

Adopted: January 25, 2021

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 25th day of January 2021.

Gay M. Huber
Township Clerk
Township of West Windsor

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire Professional Auditing Services; and

WHEREAS, Suplee, Clooney and Company, has completed and submitted a Business Entity Disclosure Certification which certifies that Suplee, Clooney and Company has not made any reportable contributions to a political or candidate committee in the Township of West Windsor in the previous year, and that the contract will prohibit Suplee, Clooney and Company from making any reportable contributions through the term of the contract; and

WHEREAS, the Township's Business Administrator, Chief Financial Officer and Mayor recommend that Warren M. Korecky., CPA, RMA, a partner in the firm of Suplee, Clooney and Company, is appointed to fulfill the requirements of the State of New Jersey for the purposes of an annual audit; and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds for said contract are available in the following line item appropriation accounts:

2020 Audit and Accounting Service	Other Expenses 105-07-203A	\$27,450.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor:

1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Warren M. Korecky as the Township Auditor through December 31, 2021, as set forth in the attached agreement; and
2. The Agreement so authorized shall require the provider to perform Professional Auditing Services. The Contract may be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1) (a) (i) because the services are "Professional in nature".
3. A notice of this action shall be published in the newspaper used by the Township for Legal Publications as required by law within ten (10) days of its passage.

4. An executed copy of the Contract between the Township and Suplee, Clooney & and Company and copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: January 25, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th the day of January, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire a labor attorney and related legal services; and

WHEREAS, the term of the contract is January 1, 2021 through December 31, 2021; and

WHEREAS, Ruderman Roth, LLC , to provide labor attorney and related legal services including but not limited to collective bargaining negotiations, grievances, administrative proceedings, arbitration, litigation and other projects authorized by the Business Administrator and/or Director of Law; and

WHEREAS, the Township Chief Financial Officer has certified that funding for the labor attorney and related legal services is available in the account entitled:

Legal Consulting Services – 105-46-210 \$50,000.00.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor as follows:

1. The law firm of Ruderman Roth, LLC, New Jersey is hereby retained through December 31, 2021 to provide labor attorney services as needed.
2. This contract is being awarded without competitive bidding as a “professional service” in accordance with N.J.S.A 40A:11-5(1) (a) of the Local Public Contracts Law; and
3. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Ruderman Roth, LLC.
4. A notice of this action shall be printed once in a Township legal newspaper.

Adopted: January 25, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of January 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, there exists a need for specialized financial advisory services in connection with the issuance of bonds or notes of the Township of West Windsor (the "Township") in the County of Mercer, State of New Jersey, including the planning and development of a financing strategy and structure, coordinating the financing process, providing consulting services through the actual execution of the financing and provide follow-up reporting and analyses after the transaction is complete, and

WHEREAS, such specialized financial advisory services can be provided by Phoenix Advisors, LLC, a financial advisory group of Bordentown, New Jersey, so recognized by the financial community; and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds for said contract are available in the following line item appropriation accounts:

Roadway Improvements 405-2019-18-011 \$3,800.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor as follows:

- (1) The Mayor and Clerk are hereby authorized and directed to execute an Agreement with Phoenix Advisors, LLC, of Bordentown, New Jersey, is hereby retained through December 31, 2021 to provide the specialized financial advisory services necessary in connection with the issuance of bonds or notes by the Township.
- (2) The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law; N.J.S.A. 40A:11-5(1) (a), because the services are professional in nature.
- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
- (4) An executed copy of the Contract between the Township and Phoenix Advisors, LLC and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: January 25, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of January, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire additional legal services pursuant to the defense of assessment appeals; and,

WHEREAS, the Township wishes to enter into an agreement with Harry Haushalter, Esquire for the aforesaid services; and

WHEREAS, funds are available as certified by the Chief Financial Officer in the appropriations entitled:

Legal/Litigation	105-46-228	\$40,000.00
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NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that:

1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Harry Haushalter, Esquire, as Special Tax Counsel, through December 31, 2021 as set forth in the attached agreement; and
2. This contract is being awarded without competitive bidding as a “professional service” in accordance with N.J.S.A 40A:11-5(1) (a) of the Local Public Contracts Law; and
3. A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
4. An executed copy of the Contract between the Township and Harry Haushalter, Esquire and a copy of this Resolution shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: January 25, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of January, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire additional legal services pursuant to the defense of assessment appeals; and,

WHEREAS, the Township wishes to enter into an agreement with David P. Lonski, Esquire for the aforesaid services; and

WHEREAS, funds are available as certified by the Chief Financial Officer in the appropriation entitled:

Legal/Litigation 105-09-210 Assessment–Consultant \$1,000.00

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that:

1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with David P. Lonski, Esquire, as Special Tax Conflict Counsel, through December 31, 2021; and
2. This contract is being awarded without competitive bidding as a “professional service” in accordance with N.J.S.A 40A:11-5(1) (a) of the Local Public Contracts Law; and
3. A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
4. An executed copy of the Contract between the Township and David P. Lonski, Esquire and a copy of this Resolution shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: January 25, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of January, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, there exists a need for specialized legal services in connection with the authorization and the issuance of bonds or notes and for the redevelopment projects of the Township of West Windsor (the "Township") in the County of Mercer, State of New Jersey, and

WHEREAS, such specialized legal services can be provided by McManimon, Scotland & Baumann, LLC of Roseland, New Jersey, so recognized by the public finance and redevelopment community.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township Of West Windsor as follows:

1. The Mayor and Township Clerk are hereby authorized to execute on behalf of the Township an agreement with McManimon, Scotland & Baumann, L.L.C. through December 31, 2021
2. To provide the specialized legal services necessary in connection with 1) the authorization and the issuance of bonds or notes by the Township and 2) redevelopment projects.
3. A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
4. An executed copy of the Agreement between the Township and McManimon, Scotland & Baumann, L.L.C. and a copy of the Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: January 25, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of January 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township needs a consultant to assist in compliance with our obligations and desire to provide quality affordable housing in West Windsor Township; and

WHEREAS, it is in the Township's best interests to continue our past agreement with Piazza & Associates to perform such affordable housing services for ongoing and new projects; and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds for said contract are available in the following line item appropriation account:

Affordable Housing Trust Fund	121201	\$18,000.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor as follows:

1. The Mayor and Clerk are hereby authorized to execute, on behalf of the Township a professional services agreement with Pizza & Associates for services through December 31, 2021.
- (2) The contract is awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.
- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
- (4) An executed copy of the Contract between the Township and Piazza & Associates and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted January 25, 2021

I hereby certify that the above resolution was adopted by the West Windsor Council at their meeting held on the 25th day of January, 2021.

Gay H. Huber
Township Clerk
West Windsor Township

ORDINANCE 2021-02

AN ORDINANCE TO AMEND AND SUPPLEMENT THE PRINCETON JUNCTION REDEVELOPMENT PLAN REGULATING PROVISIONS IN THE RP-1 ZONING DISTRICT OF THE PRINCETON JUNCTION REDEVELOPMENT PLAN CHAPTER 200 OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. The first full paragraph on page 8 is amended as necessary to reflect the new district regulations set forth below.

Section 2. The Executive Summary is amended as necessary to reflect the new district regulations set forth below.

Section 3. The Redevelopment Plan Development Summary on page 12 is amended to reflect the new district regulations set forth below.

Section 4. The following shall amend the RP-1 District regulations included in “The Plan” that were amended by Ordinance 2018-28. Added text is underlined, and text being eliminated is [brackets].

DISTRICT RP-1

RP-1 District use regulations

RP-1 District.

A. RP-1 District Use Regulations.

- (1) Purpose. The RP-1 District is envisioned as the core of the Redevelopment Area on the west side of the rail line where a mix of residential, retail, office and civic space can be designed as a distinctive walkable center with a sense of place for Princeton Junction.
- (2) Principal permitted uses. In the RP-1 District, no building or premises shall be used and no building shall be erected or altered on a lot which is arranged, intended or designed to be used, except for one or more of the following uses:
 - (a) Multi-family dwellings, townhouses, stacked townhouses, senior housing and live-work units, including affordable housing meeting all Uniform Housing Affordability Controls (“UHAC”) standards. Residential structures will comply with all federal and state accessibility laws. Senior housing is

defined as housing consisting of a bed and/or unit in one or more of the following housing arrangements: nursing home, senior citizen housing, age-restricted units (independent living), assisted living residence (which may include memory and/or dementia care), and any other housing designed for persons aged 55 and older.

- (b) Civic spaces and uses, including a farmer's market.
- (c) One hotel.
- (d) Stores and shops for the conduct of any retail business, including specialty and gift shops and boutiques, excluding drive-through facilities.
- (e) Personal service establishments (e.g., tailor, barbershop, or beauty salon).
- (f) Offices for professional services (e.g., physicians, lawyers, financial advisors or architects); commercial offices (e.g., realtors or travel agencies); governmental offices (e.g., post office branch); and offices incidental to uses permitted in this section.
- (g) Restaurants, cafes, luncheonettes and delicatessens, excluding curb service establishments and drive-through facilities but not excluding walk-up services and outdoor dining.
- (h) Indoor recreation facilities, including instructional studios and fitness centers.
- (i) Banks and similar financial institutions, including walk-up automated teller machines (ATM), provided that such are compatible with the design of the building and are appropriately located at the side or rear of a building. ATMs located within a building or vestibule are not subject to this restriction. Drive-through facilities serving such uses are not permitted.
- (j) Attended laundry and retail dry-cleaning services, not including bulk processing and, in the case of dry-cleaning establishments, not providing for the storage of more than five gallons of flammable or toxic cleaning fluid on the premises.

- (k) Book, newspaper, periodical and stationery stores and copy centers.
 - (l) Parcel package shipping stores or mailing centers.
 - (m) Artisan studios, craftsman workshops, and art galleries.
 - (n) Museums and other cultural and civic facilities of a similar nature.
 - (o) Parks and plazas.
 - (p) Buildings and uses for municipal purposes owned or operated by West Windsor Township or not-for-profits designated by the Township.
 - (q) Taverns, limited breweries, and brew pubs.
- (3) Permitted accessory uses.
- (a) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
 - (b) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.
 - (c) Signs.
 - (d) Street furnishings, planters, street lights, and exterior, garden-type shade structures.
 - (e) Sidewalk cafes and outdoor dining facilities associated with permitted restaurants, cafes, luncheonettes, and delicatessens.
 - (f) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
 - (g) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.

- (h) Community bulletin or message boards, including electronic signs with changeable type only for the purpose of conveying information about community events. However, animated type signs shall not be permitted.
- (i) Public service facilities.
- (j) Accessory uses customarily incidental to permitted principal uses, including structured parking, management and maintenance offices, fitness and other resident amenities, storm water management facilities and structures.
- (k) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.
- (l) Kiosks, which may have restrooms.

(4) Conditional uses. In the RP-1 District, the following uses may be permitted as conditional uses: Child-care centers meeting the standards set forth in § 200-241, except that (i) they shall not be permitted in freestanding buildings, (ii) the minimum standards applicable to a freestanding child-care center in § 200-241A(1), (3) and (4) shall not be applicable and (iii) the provisions related to an outdoor play area center in § 200-241A(8) and (9) shall not be applicable, if one is not provided as permitted by the New Jersey Department of Human Services.

B. RP-1 District intensity, bulk and other regulations. The following shall be the standards for the RP-1 District:

- (1) Minimum tract area: The entirety of the District, which shall be conceptually planned in a comprehensive integrated manner showing the proposed development for the entire District. Individual components of the District may be shown conceptually to allow for the District to be developed in phases.
- (2) Number of dwelling units: The redeveloper may construct up to 800 dwelling units as of right, at least 95 of which shall be senior housing. 16.5% of the dwelling units constructed shall be set aside as affordable units complying with all UHAC regulations. If a hotel is constructed, the maximum number of dwelling units shall remain at 800 units. If a hotel is not constructed, a maximum of sixty (60) additional dwelling

units may be constructed anywhere within the RP-1 District, and 25% of such additional dwelling units constructed shall be set aside as affordable units complying with all UHAC regulations and the distribution of such additional affordable units may be located within any residential component of the development. At least 37% of the affordable units shall be made available to low-income households and at least 13% shall be made available to very-low-income households as defined by the New Jersey Fair Housing Act and such very-low income households may be located within any residential component of the development. The remaining affordable units shall be made available to moderate-income households. The affordable units within each residential component of the development shall be dispersed throughout such component.

- (3) Amount of indoor nonresidential square footage: At least [37,000] 17,000 square feet of indoor nonresidential space shall be constructed by the redeveloper. Nonresidential uses may be located on the first floor of multiuse buildings, except that freestanding one- or two-story nonresidential structures are permitted to be located within the promenade as kiosks or fronting the promenade in a corner location as a nonresidential building. Kiosks and commercial uses within a hotel shall not be counted towards the minimum indoor nonresidential square footage requirement.
- (4) Required outdoor civic space and uses: Consistent with Exhibit E of the Settlement and Redeveloper's Agreement, civic uses shall include a minimum of 50,000 square feet contained in the promenade and shall be provided, owned and maintained by the redeveloper at its cost in perpetuity. It may be used for a farmer's market and other public events sponsored by civic organizations which shall be according to a schedule of availability and rules of usage established by the redeveloper in cooperation with the Township. The promenade shall include a sheltered public gathering space permanently affixed and constructed primarily of glass or other transparent material subject to the approval of the Township. The promenade shall also include a plaza, utilities, and shall be located at a place where the streets could be closed for vehicular traffic at appropriate locations. If necessary, the redeveloper shall provide public use easements allowing the public to use and enjoy the promenade. [Public access to restrooms shall be provided during normal business hours and scheduled public events.]
- (5) A hotel may be constructed and shall be fronting the promenade.
- (6) Maximum improvement coverage: 95%.

- (7) Maximum building height: Four stories with the exception of:
- (a) Mixed-use buildings with nonresidential uses on the ground floor can be up to five stories, provided that the fifth floor facade is stepped back a minimum of six feet from the fourth floor facade below.
 - (b) Senior housing buildings may be up to five (5) stories and seventy (70) feet.
 - (c) One hotel may be up to six stories and eighty-five (85) feet, plus open or partially covered rooftop terraces and outdoor dining facilities. If a hotel is not constructed, another principal permitted use may be located in its place at the terminus of the promenade and may be up to six stories and eighty-five (85) feet, plus open or partially covered rooftop terraces.
 - (d) Parking structures attached to buildings with principal permitted uses may be up to six levels and seventy (70) feet. Parking levels located below grade shall not be counted in calculating the number of levels or height. In those instances where a side of a garage is not attached to a building, a parapet shall be provided in order to shield from view any parked vehicles.
 - (e) In accordance with New Jersey Building Code (N.J.A.C. 5:23-3.14), Building Height shall be defined as the vertical distance from grade plane to the average height of the highest roof surface. A grade plane shall be defined as a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

In this district, height limitation references to footage and number of stories are intended to limit building height to the specified maximum footage and number of stories within said footage. Building height calculations shall exclude building service equipment (e.g., mechanical services, elevator penthouses, condensers, exhaust fans, air-conditioning and similar equipment), stair enclosures, skylights or atrium

structures, roof-access stairwells and amenities on a rooftop terrace (e.g., decking, landscaping, railing, walls, furniture, lighting, pergolas and similar amenities), and architectural enhancements and appurtenances (e.g., parapets, chimneys, cupolas, steeples, spires, belfries, towers, corner towers, flagpoles and similar elements).

[1] Section 200-229 F of Chapter 200 of the Township's Code relating to height exceptions shall not apply.

[2] Mezzanines and lofts that qualify as mezzanines under the International Building Code (Section 505.2) shall not constitute a story or half story and shall be considered part of the story below.

(8) Minimum Parking requirements.

- (a) 1.4375 off-street parking spaces per residential unit are to be provided within the district except for senior housing and townhouses.
- (b) 2.0 off-street parking spaces per townhouse shall be provided.
- (c) Senior housing requires 0.7 off-street parking spaces per unit.
- (d) Non-residential uses may rely on shared parking and, if available, commuter parking spaces during off-hours and on weekends without the provision of dedicated parking except for employees at a ratio of 1.0 space per 1,000 square feet of non-residential square footage excluding hotels.
- (e) Parking serving hotel guests and employees shall be provided at the rate of 0.6 spaces per room, except that the required number of spaces may be reduced if a shared parking analysis demonstrates that a lower number of spaces will be sufficient.
- (f) The applicable parking requirement may be reduced where it can be demonstrated to the satisfaction of the Planning Board that such reductions are justified by reason of proximity to public transportation and/or documented arrangements for shared parking supported by analyses consistent with the Urban Land Institute's Shared Parking Analysis or other generally accepted standards applicable to shared parking.

(9) Other standards

- (a) No development shall proceed in the District without a redeveloper's agreement with the Township.
- (b) There shall be no FAR (floor area ratio) or MIC (maximum improvement coverage) requirements for individual lots, such requirements applying only district-wide regardless of subdivisions created to separate buildings, uses, ownership or financing within the overall RP-1 District. Setback and building distance standards are not applied in order to maximize flexibility of the design and to achieve the goals of the RP-1 District as a compact, walkable center with an active public space and street life.
- (c) Procedures for snow storage and removal shall be identified.

C. RP-1 District Design Standards

The RP-1 District is intended to promote redevelopment to achieve the goals of the District as a compact, walkable center with active street life and a promenade as the primary public space. The creation of a cohesive built environment where existing and proposed commercial and residential development are integrated is essential to this district. These design standards are intended to maximize flexibility of the design to achieve the goals of the district. All standards set forth in the Township Land Use Code, other than District regulations, shall continue to apply except when inconsistent with the design standards set forth below.

- (1) Promenade public space (which is shown conceptually in Exhibit E of the Settlement and Redeveloper's Agreement).
 - (a) The promenade shall be designed to include passive areas and active public gathering space that can host a farmer's market and other public events.
 - (b) If applicable, the farmer's market shall include stall areas, an open-air pavilion structure, a plaza and utilities such as electric and water. It shall be located on the promenade at a place where the streets could be closed to vehicular traffic at appropriate locations.
 - (c) The promenade shall utilize shared space principles that combine movement and other civic functions of streets and public space. This includes aesthetic treatments considering

decorative materials and/or patterns for all vehicular, pedestrian and shared paved surfaces. Pavements should be specifically designed to emphasize the creation of spaces and transition between spaces or zones and to provide visual clues to pedestrians, bicyclists and motorists to reinforce the use and function of the area as a low speed pedestrian-oriented public space through which motor vehicles travel and park. Bollards or visual clues (including, but not limited to, pavement, colors/textures, pedestrian/bicycle symbols and/or signage, planters, landscaping, street trees, ground cover landscaping, street furniture, lampposts and other street lighting techniques, fixed benches and moveable seating, and outdoor café zones) shall be utilized for defining separation of pedestrian circulation from vehicular travel lanes and on-street parking. More refined pavements should be utilized to emphasize and enhance areas designed for larger volumes of pedestrian activity such as building entrances, plazas and terraces, nodes, drop-off and pick-up zones and crosswalks. A palette of compatible decorative pavements and/or pavement patterns should be developed for the entire promenade.

- (2) Circulation and parking.
 - (a) Streets may include on-street parallel or angled parking in order to promote pedestrian street activity, lower vehicular speeds, and provide convenient access to retail uses and the promenade.
 - (b) Off-street parking and service access shall be designed to avoid the backing in and out of streets to the greatest extent possible.
 - (c) Roadway identified on the concept plan as Road A shall be contained in a maximum right-of-way of 50 feet.
 - (d) Sidewalk widths shall measure at least 10 feet in the core retail and promenade area in the RP-1 District and shall be a minimum of five feet wide in all other areas (except where vehicle parking overhang of a sidewalk area can occur wherein the width of the sidewalk area is to be a minimum of six feet). All sidewalks should be durably paved and smoothly surfaced to provide for the free movement of pedestrians. All sidewalks and pathways must be designed to provide access for the physically disabled in accordance with state and federal regulations. Access ramps shall be conveniently placed and

sloped to provide easy connection to streets and sidewalks, in conformance with the applicable accessibility standards.

- (e) The minimum width for off-road bike lanes is eight feet.
 - (f) Surface parking cannot be located between the building and the front property line. Where surface parking may be located along a street frontage, such must be screened from the street by a solid fence or wall at a minimum height of 48 inches.
 - (g) Structured parking may be contained within, under or attached to buildings. Parking structures or podium-type parking under buildings may not front toward the promenade public space. Where parking structures front on public streets, such may feature liner buildings which are shallow commercial or residential buildings on the facades of parking structures or ground floor space along the sidewalk designed as amenity, utility, retail, commercial or office space.
 - (h) There shall be one bicycle parking space per 10 automobile parking spaces for the first 100 parking stalls allocated to nonresidential uses for the public, and one bicycle space for every 20 automobile parking spaces allocated to nonresidential uses for the public beyond that.
 - (i) A minimum of two spaces will be provided for parking for shared car services.
 - (j) Loading for nonresidential uses fronting on the promenade may be accommodated by collective provision for loading facilities that allow for sharing of such facilities among two or more uses and may be located in either on-street loading zones or off-street loading areas, which may be located within a building or a parking structure. A hotel shall provide an off-street loading area.
- (3) Landscape architectural treatments and guidelines.
- (a) All plants, trees, shrubs, pedestrian pavements and streetscape elements shall be installed in accordance with a landscape plan and schedule provided by the redeveloper, subject to the approval of the Planning Board.

- (b) Landscape architectural treatments shall be provided throughout the redevelopment area to create spatial definition or separation, shade, visual interest, seasonal color, visual buffering, microclimatic enhancement, and habitat and to improve safety.
 - (c) Indigenous plant species shall be primarily specified within the District and invasive exotic species shall be avoided. Any landscaping that is not resistant to the environment, or that dies, shall be replaced by the redeveloper in accordance with the maintenance guarantee provisions of the municipal land use law.
 - (d) In landscaped spaces, passive systems such as cisterns and water gardens that collect rainwater for irrigation or recharge are encouraged.
 - (e) Soil moisture-sensing irrigation systems shall be used.
- (4) Building orientation, massing and facade composition.
- (a) New buildings within the District should be considered an integral part of the overall site design and developed with appropriate consideration for both proposed and existing buildings with respect to height, mass, siting, location, materials, orientation, signs, lighting and use.
 - (b) Buildings shall front on the promenade and public streets to provide form and function to the streetscape. The streetscape should be continuous and varied through the use of street furniture, landscaping, building articulation, building frontage setbacks and changes in sidewalk types and textures. Driveway intersections with the public street should be minimized to avoid excessive interruptions in the streetwall.
 - (c) Buildings shall be designed to present an articulated facade from all vantage points. Parking structures shall not front on the promenade. Parking structures or that portion of a building containing a parking structure that is not fronting on the promenade may have an exterior clad in a vine-covered trellis, graphic panels, solar panels, a window-like facade treatment,

liner buildings or ground floor space along the sidewalk designed as retail, commercial, residential or office space.

- (d) The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building with the exception of parking structures or that portion of a building containing a parking structure. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors and details. Blank wall or service area treatment of side and/or rear elevations visible from public view shall be avoided.
- (e) Unless the redeveloper proposes a specific use that requires a unique building, such as a hotel, buildings should be designed utilizing base, middle and top forms as the primary method relating buildings to each other.
- (f) The base shall be considered the first story of the facade facing a public street, depending on the overall heights of the building. The design of the base, as well as the quality and durability of its materials, should be emphasized to create visual interest and support pedestrian activity. The building's base should be presented to the Planning Board at a larger scale of drawing and greater detail than the remainder of the facade to ensure it meets the building design objectives.
- (g) In addition to the base, the exterior design of mixed-use residential buildings shall include a middle field section and a cap on the top. The middle of the building shall be differentiated from the base by a horizontal transition line. A horizontal transition line should also be established separating the middle field from the cap or top of the buildings.
- (h) The base transition line should generally be defined at the water table, sill of the ground floor windows or top of the ground floor. The upper transition line articulating the cap should generally be defined by a cornice, projecting overhang or other appropriate means that defines the cap of the building.
- (i) Building exteriors shall have vertical and/or horizontal offsets to create visual breaks on the exterior. Long, monotonous, uninterrupted walls or roof planes shall be avoided. Building wall offsets, including projections such as balconies, canopies,

awnings, and signs, recesses, and changes in floor level shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, roofline offsets, dormers, or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

- (j) For townhouses or stacked townhouses, buildings may contain a maximum of 12 townhouse dwellings or stacked townhouse modules (24 stacked townhouses) in a single row and shall not require any facade, height or roofline offsets. The base of townhouses or stacked townhouses should generally be defined at the water table, sill of the ground floor windows or top of the ground floor and the cap should generally be defined by a cornice or overhanging eave line. Townhouses or stacked townhouses shall have a front entry that faces a street, courtyard, mews or other open space, with garages accessed from the rear (via a driveway and/or alley), and are not required to have private outdoor space at the ground level.
- (k) In general, it is preferred to keep the street facade parallel to the property line in alignment with adjacent buildings.
- (l) Blank walls must contain architectural relief such as expressive details, blind windows, murals, etc.
- (m) All buildings shall provide scale-defining architectural elements or details at the first two floor levels minimum, such as windows, spandrels, awnings, porticos, pediments, cornices, pilasters, columns and balconies.
- (n) Windows for residential buildings shall be primarily vertically proportioned. Tinted and highly reflective glass are discouraged.
- (o) Ground-floor retail, services, and restaurant uses shall have large transparent windows. Such windows shall be framed by the surrounding wall and shall be a minimum of 75% of the total ground-level facade area adjoining the sidewalk. The window wall facade area may be reduced if, due to a particular use or settings, the provision of windows will present concerns for aesthetic design or security. However, the facade design should employ an arrangement of materials that reflects the

required window area and/or lines to be compatible with the intent of these guidelines.

- (p) The predominant material of all street walls on primary and secondary streets shall be brick, precast, cement-board siding, wood, metal storefront, tile, stone, stone veneer, resin panels, composites, metal panels and finished masonry block, or curtain wall. Stucco may be used as an accent. All materials, colors and elevations shall be approved by the Planning Board.
- (q) Shop fronts may have a kick plate that ranges in height from 8 inches to 42 inches running continuously beneath the required fenestration.
- (r) Public access to commercial and governmental buildings shall be provided at sidewalk grade. The primary floor of and access to residential structures may be elevated.
- (s) The front doors of all buildings shall be visible from the street unless fronting on a courtyard, mews or other open space. If located more than 10 feet from the front building line, their location must be reinforced with additional graphics, signage, lighting, marquees or canopies.
- (t) All entrances to a building, except service and emergency egress doors, shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades, canopies, awnings, and other elements, where appropriate. Any such element utilized, including doors, shall be architecturally compatible with the style, materials, colors and details of the building as a whole. The main entrance shall face the street on which the property fronts.
- (u) Awnings, which add visual richness to the commercial corridor while enhancing the quality of public walkways, are encouraged for all storefronts. Awnings shall have fixed or retractable metal framework.
- (v) Canopies, unlike awnings, are nonretractable. They shall be constructed of wood or metal framing, standing-seam metal roof or glass roof as solid canopies or semi-open trellises.

Canopies may incorporate signage and down lighting. Security shall be implemented so that it cannot be seen, and security grille housing is specifically prohibited. For flat solid panel clad canopies, a membrane could be used if concealed from pedestrian view.

- (w) All awnings and canopies shall be securely attached to the building so that the lowest part of the awning or canopy is mounted a minimum of eight feet above the sidewalk at the storefront. Awnings and canopies may project over a sidewalk and/or in the public right-of-way.
- (x) Buildings directly fronting the promenade shall be designed to appear as landmark buildings. One possible treatment to achieve this goal would have buildings designed with additional height or architectural embellishments, such as corner towers, to emphasize their location.
- (y) Appropriate design of the corner of mixed-use buildings directly fronting the promenade shall include one of the following patterns:
 - [1] Opening the space at ground level for people to walk across the corner, with the building mass above redefining the corner.
 - [2] A recessed entry at the corner such as the familiar angled wall with an entry door.
 - [3] A corner window with an important view into the building.
 - [4] Balconies or bay windows that wrap the corner.
 - [5] A tower element.
- (z) Multistory buildings with flat roofs shall provide light color roof surfaces. Green roof plantings and solar photovoltaic systems on roofs and parking decks shall be permitted.

- (aa) Excepting the antenna itself, all parts and components of personal communications antennas, satellite dishes, and television and radio antennas shall be screened from view regardless of elevation, or shall be disguised within an enclosed structure. The screening shall be designed as part of the overall design theme of the building to which it is associated.
 - (bb) Dish antennas may not exceed 12 feet in diameter.
 - (cc) Mechanical equipment located on building roofs shall be screened so as not to be visible from the ground level from adjacent developments and from public streets and spaces. Mechanical equipment at ground level shall be screened and in the rear.
- (5) Lighting.
- (a) Lighting levels along paved portions of public walks shall be an average of no less than one footcandle for commercial areas and 0.5 footcandle for residential areas.
 - (b) Fixtures serving to light streets shall be at a height of no greater than 20 feet above the adjacent roadway surface. The light center of a fixture for a pedestrian walkway shall be mounted at a height of 12 feet to 14 feet above the adjacent surface of the walkway, except for bollard fixtures, footlight fixtures and other low-mounted fixtures. The fixtures may include attachments to accommodate such amenities as banners, seasonal lighting, and flower pots.
 - (c) The design for a proposed facade must consider the appearance of the building in the evening and develop an exterior lighting plan that includes display window lighting, building lighting, and pedestrian-scaled lighting for both buildings and pedestrian areas within the site. Lighting shall be warm in color, with control of glare for the pedestrian.
- (6) Streetscape.
- (a) A palette of compatible site furnishings should be developed for the entire District. Street furnishings may include elements such as benches, gazebos, trash and recycling receptacles, bicycle racks, bird houses, drinking fountains, kiosks,

sculptural elements, decorative fountains, bollards, decorative fences, seat walls, and pedestrian-scale lighting.

- (b) Community bulletin boards, such as kiosks, may be provided at strategic locations, including on the promenade.
 - (c) Freestanding newspaper and advertising dispensers shall not be permitted in the right-of-way of primary streets and shall be incorporated into approved buildings or pavilions.
 - (d) Outdoor cafes may extend onto the public right-of-way upon issuance of a license by the Township. Such encroachment shall convey no rights to the licensee beyond those enumerated in the license. Outdoor cafes may be delineated from the public way by planters and/or barriers such as metal fencing. A clear width of at least four feet shall be maintained for pedestrians to pass either outboard or inboard.
- (7) Signage. In lieu of § 200-258D, the following shall apply:
- (a) The temporary display of signs, banners, flags, pennants and similar devices in connection with special events or activities of a public or nonprofit nature shall be permitted, provided that temporary signs which are displayed between one (1) and eighty-nine (89) days shall not occur more than twelve (12) times per calendar year and temporary signs that are displayed between ninety (90) and one hundred and twenty (120) days shall not occur more than six (6) times per calendar year. The materials for temporary signage shall consist of vinyl, mesh, fabric, or other durable material. Such temporary signs shall be permitted in the RP-1, RP-4, and RP-6 Districts.
 - (b) The temporary display of signs, banners, flags, pennants and similar devices, in connection with the opening of a new business use or reopening of an existing business use shall be permitted provided such display shall not exceed three months for nonresidential uses and 15 months for hotel and residential uses.
 - (c) Existing nonconforming signs shall be removed from this District within a period of 12 months after building permit issuance.

- (d) All signs within the project area shall be part of the overall total design scheme and in keeping with the architectural character of the District in which the sign is located.
- (e) Each type of signage shall be permitted on the same site, provided that the standards set forth below are satisfied.
 - [1] Wall signage.
 - [a] The following types of wall signs shall be permitted:
 - [i] Internally lit raised letters.
 - [ii] Backlit raised letters.
 - [iii] Signage board with gooseneck lighting.
 - [iv] Individual cut letters with gooseneck lighting.
 - [b] The maximum sign area shall be no greater than five percent (5%) of the total tenant wall area.
 - [2] Hanging signs and blade signs.
 - [a] One (1) hanging sign or blade sign is allowed per twenty-five (25) linear feet of frontage with a maximum of two (2) signs per frontage.
 - [b] The maximum sign area shall be 10 square feet per side.
 - [c] The letter and logo height shall be a maximum of eighteen (18) inches.
 - [d] Hanging signs may project a maximum of five (5) feet over a sidewalk and/or in the public right-of-way. A blade sign may only project beyond five (5) feet if attached to the underside of a tenant's canopy but may not exceed the canopy projection or an overall projection of eight (8) feet, whichever is less.
 - [e] Hanging signs and blade signs must have a clearance height of eight (8) feet above the sidewalk and shall not be mounted above a tenant façade.

- [f] Hanging signs and blade signs may be externally or internally lit.
- [3] Banner signs
- [a] One (1) banner sign shall be permitted per fifty (50) linear feet of frontage with a maximum of two (2) banners per frontage with the exception of residential and hotel entries which can have one (1) per entry and one (1) for each exterior building corner.
 - [b] The maximum sign area shall be 100 square feet per side.
 - [c] Banner signs shall have a maximum projection of eight feet.
 - [d] Banner signs must have a clearance height of ten feet above the sidewalk.
 - [e] Banner signs may be mounted to the base building above the ground floor but shall not exceed an overall height of fifty feet above the finished sidewalk.
 - [f] Letters are limited to twenty-four inches in height.
 - [g] Banner signs may be externally or internally lit.
 - [h] Banner signs may project over a sidewalk and/or in the public right-of-way.
- [4] Street address signage.
- [a] Street address signage shall be provided on each building or for each individual tenant.
 - [b] Street address numbers shall have a maximum height of eight inches.
- [5] Kiosk signage.

- [a] Freestanding signs such as Parisian-style kiosks and interactive digital kiosks shall be permitted in order to identify the promenade and individual uses located in the District to passersby on major roads at the edges of the District as well as within or leading to the promenade and to advertise local events.
 - [b] The maximum kiosk sign area shall be 30 square feet, as measured on each face.
 - [c] The maximum kiosk sign height shall be 16 feet above finished grade.
 - [d] Kiosks may be located in a paved sidewalk area including within the public right-of-way of streets and sidewalks.
 - [e] The base of the kiosk sign shall be landscaped with plants that extend a minimum of two feet in all directions unless such kiosk is located within a paved sidewalk area.
- [6] Awnings and canopies.
- [a] Awnings and canopies shall be architecturally compatible with the building or retail tenant.
 - [b] Awnings and canopies shall be kept in good order.
 - [c] One sign on an awning or canopy shall be permitted, provided that:
 - [i] The letter logo height does not exceed 50% of the main area of the awning or canopy.
 - [ii] The letter and logo area may be located on the valance of the awning or face of the canopy and shall not exceed 12 inches in height.

- [iii] The letter and logo area may be located above the canopy and shall not exceed 12 inches in height.
- [7] Window lettering and signs. Window lettering and signs shall be permitted, provided that they:
 - [a] Are inside the window.
 - [b] Do not exceed 15% of the window area if solid and 25% of the window area if die-cut.
 - [c] Pertain only to the establishment occupying the premises where the window is located except when premises are unleased/empty.
- (f) Temporary construction and sales signage.
 - [a] Signage shall be removed within the later of (a) three years of the issuance of a sign permit or (b) one year of the time of the final certificate of occupancy. One sign per each road frontage shall be permitted. However, construction signs which contain noncommercial messages, such as signs identifying individual lots, construction ingress and/or egress or safety protocols, shall be permitted.
 - [b] Temporary contractor signage. Only one sign shall be permitted identifying lenders, architects, engineers or contractors doing work on the site. Such sign shall be a maximum of four square feet per entity, but not to exceed 25 square feet. This sign shall be removed when work ceases or is abandoned or when a final certificate of occupancy for the project is issued, whichever occurs sooner.
- (g) Billboards are prohibited.
- (h) A signage package shall be submitted as a part of any application for final site plan approval.

Section 5. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council whichever is applicable, and publication according to law.

INTRODUCTION: January 25, 2021

PLANNING BOARD REVIEW:

PUBLIC HEARING:

ADOPTION:

MAYOR'S APPROVAL:

EFFECTIVE DATE:

ORDINANCE 2021-03

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR CHAPTER 200 LAND USE; ARTICLE XXXIV; SECTION 200-260 RP-1 DISTRICT

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 5, Princeton Junction Redevelopment Plan Regulatory Provisions, Article XXVII, Use and Bulk Regulations for Residence Districts, Section 200-260 is hereby amended to read as follows. Added text is underlined, and text being eliminated is in [brackets].

§ 200-260 RP-1 District.

A. RP-1 District Use Regulations.

- (1) Purpose. The RP-1 District is envisioned as the core of the Redevelopment Area on the west side of the rail line where a mix of residential, retail, office and civic space can be designed as a distinctive walkable center with a sense of place for Princeton Junction.
- (2) Principal permitted uses. In the RP-1 District, no building or premises shall be used and no building shall be erected or altered on a lot which is arranged, intended or designed to be used, except for one or more of the following uses:
 - (a) Multi-family dwellings, townhouses, stacked townhouses, senior housing and live-work units, including affordable housing meeting all Uniform Housing Affordability Controls (“UHAC”) standards. Residential structures will comply with all federal and state accessibility laws. Senior housing is defined as housing consisting of a bed and/or unit in one or more of the following housing arrangements: nursing home, senior citizen housing, age-restricted units (independent living), assisted living residence (which may include memory and/or dementia care), and any other housing designed for persons aged 55 and older.
 - (b) Civic spaces and uses, including a farmer’s market.
 - (c) One hotel.

- (d) Stores and shops for the conduct of any retail business, including specialty and gift shops and boutiques, excluding drive-through facilities.
- (e) Personal service establishments (e.g., tailor, barbershop, or beauty salon).
- (f) Offices for professional services (e.g., physicians, lawyers, financial advisors or architects); commercial offices (e.g., realtors or travel agencies); governmental offices (e.g., post office branch); and offices incidental to uses permitted in this section.
- (g) Restaurants, cafes, luncheonettes and delicatessens, excluding curb service establishments and drive-through facilities but not excluding walk-up services and outdoor dining.
- (h) Indoor recreation facilities, including instructional studios and fitness centers.
- (i) Banks and similar financial institutions, including walk-up automated teller machines (ATM), provided that such are compatible with the design of the building and are appropriately located at the side or rear of a building. ATMs located within a building or vestibule are not subject to this restriction. Drive-through facilities serving such uses are not permitted.
- (j) Attended laundry and retail dry-cleaning services, not including bulk processing and, in the case of dry-cleaning establishments, not providing for the storage of more than five gallons of flammable or toxic cleaning fluid on the premises.
- (k) Book, newspaper, periodical and stationery stores and copy centers.
- (l) Parcel package shipping stores or mailing centers.
- (m) Artisan studios, craftsman workshops, and art galleries.
- (n) Museums and other cultural and civic facilities of a similar nature.

- (o) Parks and plazas.
 - (p) Buildings and uses for municipal purposes owned or operated by West Windsor Township or not-for-profits designated by the Township.
 - (q) Taverns, limited breweries, and brew pubs.
- (3) Permitted accessory uses.
- (a) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
 - (b) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.
 - (c) Signs.
 - (d) Street furnishings, planters, street lights, and exterior, garden-type shade structures.
 - (e) Sidewalk cafes and outdoor dining facilities associated with permitted restaurants, cafes, luncheonettes, and delicatessens.
 - (f) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
 - (g) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.
 - (h) Community bulletin or message boards, including electronic signs with changeable type only for the purpose of conveying information about community events. However, animated type signs shall not be permitted.
 - (i) Public service facilities.

- (j) Accessory uses customarily incidental to permitted principal uses, including structured parking, management and maintenance offices, fitness and other resident amenities, storm water management facilities and structures.
 - (k) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.
 - (l) Kiosks, which may have restrooms.
- (4) Conditional uses. In the RP-1 District, the following uses may be permitted as conditional uses: Child-care centers meeting the standards set forth in § 200-241, except that (i) they shall not be permitted in freestanding buildings, (ii) the minimum standards applicable to a freestanding child-care center in § 200-241A(1), (3) and (4) shall not be applicable and (iii) the provisions related to an outdoor play area center in § 200-241A(8) and (9) shall not be applicable, if one is not provided as permitted by the New Jersey Department of Human Services.
- B. RP-1 District intensity, bulk and other regulations. The following shall be the standards for the RP-1 District:
- (1) Minimum tract area: The entirety of the District, which shall be conceptually planned in a comprehensive integrated manner showing the proposed development for the entire District. Individual components of the District may be shown conceptually to allow for the District to be developed in phases.
 - (2) Number of dwelling units: The redeveloper may construct up to 800 dwelling units as of right, at least 95 of which shall be senior housing. 16.5% of the dwelling units constructed shall be set aside as affordable units complying with all UHAC regulations. If a hotel is constructed, the maximum number of dwelling units shall remain at 800 units. If a hotel is not constructed, a maximum of sixty (60) additional dwelling units may be constructed anywhere within the RP-1 District, and 25% of such additional dwelling units constructed shall be set aside as affordable units complying with all UHAC regulations and the distribution of such additional affordable units may be located within any residential component of the development. At least 37% of the affordable units shall be made available to low-income households and at least 13% shall be made available to very-low-income households as defined by the New Jersey Fair Housing Act and such very-low income households may be located within any residential component

of the development. The remaining affordable units shall be made available to moderate-income households. The affordable units within each residential component of the development shall be dispersed throughout such component.

- (3) Amount of indoor nonresidential square footage: At least [37,000] 17,000 square feet of indoor nonresidential space shall be constructed by the redeveloper. Nonresidential uses may be located on the first floor of multiuse buildings, except that freestanding one- or two-story nonresidential structures are permitted to be located within the promenade as kiosks or fronting the promenade in a corner location as a nonresidential building. Kiosks and commercial uses within a hotel shall not be counted towards the minimum indoor nonresidential square footage requirement.
- (4) Required outdoor civic space and uses: Consistent with Exhibit E of the Settlement and Redeveloper's Agreement, civic uses shall include a minimum of 50,000 square feet contained in the promenade and shall be provided, owned and maintained by the redeveloper at its cost in perpetuity. It may be used for a farmer's market and other public events sponsored by civic organizations which shall be according to a schedule of availability and rules of usage established by the redeveloper in cooperation with the Township. The promenade shall include a sheltered public gathering space permanently affixed and constructed primarily of glass or other transparent material subject to the approval of the Township. The promenade shall also include a plaza, utilities, and shall be located at a place where the streets could be closed for vehicular traffic at appropriate locations. If necessary, the redeveloper shall provide public use easements allowing the public to use and enjoy the promenade. [Public access to restrooms shall be provided during normal business hours and scheduled public events.]
- (5) A hotel may be constructed and shall be fronting the promenade.
- (6) Maximum improvement coverage: 95%.
- (7) Maximum building height: Four stories with the exception of:
 - (a) Mixed-use buildings with nonresidential uses on the ground floor can be up to five stories, provided that the fifth floor facade is stepped back a minimum of six feet from the fourth floor facade below.

- (b) Senior housing buildings may be up to five (5) stories and seventy (70) feet.
- (c) One hotel may be up to six stories and eighty-five (85) feet, plus open or partially covered rooftop terraces and outdoor dining facilities. If a hotel is not constructed, another principal permitted use may be located in its place at the terminus of the promenade and may be up to six stories and eighty-five (85) feet, plus open or partially covered rooftop terraces.
- (d) Parking structures attached to buildings with principal permitted uses may be up to six levels and seventy (70) feet. Parking levels located below grade shall not be counted in calculating the number of levels or height. In those instances where a side of a garage is not attached to a building, a parapet shall be provided in order to shield from view any parked vehicles.
- (e) In accordance with New Jersey Building Code (N.J.A.C. 5:23-3.14), Building Height shall be defined as the vertical distance from grade plane to the average height of the highest roof surface. A grade plane shall be defined as a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

In this district, height limitation references to footage and number of stories are intended to limit building height to the specified maximum footage and number of stories within said footage. Building height calculations shall exclude building service equipment (e.g., mechanical services, elevator penthouses, condensers, exhaust fans, air-conditioning and similar equipment), stair enclosures, skylights or atrium structures, roof-access stairwells and amenities on a rooftop terrace (e.g., decking, landscaping, railing, walls, furniture, lighting, pergolas and similar amenities), and architectural enhancements and appurtenances (e.g., parapets, chimneys, cupolas, steeples, spires, belfries, towers, corner towers, flagpoles and similar elements).

[1] Section 200-229 F of Chapter 200 of the Township's Code relating to height exceptions shall not apply.

[2] Mezzanines and lofts that qualify as mezzanines under the International Building Code (Section 505.2) shall not constitute a story or half story and shall be considered part of the story below.

(8) Minimum Parking requirements.

- (a) 1.4375 off-street parking spaces per residential unit are to be provided within the district except for senior housing and townhouses.
- (b) 2.0 off-street parking spaces per townhouse shall be provided.
- (c) Senior housing requires 0.7 off-street parking spaces per unit.
- (d) Non-residential uses may rely on shared parking and, if available, commuter parking spaces during off-hours and on weekends without the provision of dedicated parking except for employees at a ratio of 1.0 space per 1,000 square feet of non-residential square footage excluding hotels.
- (e) Parking serving hotel guests and employees shall be provided at the rate of 0.6 spaces per room, except that the required number of spaces may be reduced if a shared parking analysis demonstrates that a lower number of spaces will be sufficient.
- (f) The applicable parking requirement may be reduced where it can be demonstrated to the satisfaction of the Planning Board that such reductions are justified by reason of proximity to public transportation and/or documented arrangements for shared parking supported by analyses consistent with the Urban Land Institute's Shared Parking Analysis or other generally accepted standards applicable to shared parking.

(9) Other standards

- (a) No development shall proceed in the District without a redeveloper's agreement with the Township.
- (b) There shall be no FAR (floor area ratio) or MIC (maximum improvement coverage) requirements for individual lots, such requirements applying only district-wide regardless of subdivisions created to separate buildings, uses, ownership or financing within the overall RP-1 District. Setback and

building distance standards are not applied in order to maximize flexibility of the design and to achieve the goals of the RP-1 District as a compact, walkable center with an active public space and street life.

- (c) Procedures for snow storage and removal shall be identified.

C. RP-1 District Design Standards

The RP-1 District is intended to promote redevelopment to achieve the goals of the District as a compact, walkable center with active street life and a promenade as the primary public space. The creation of a cohesive built environment where existing and proposed commercial and residential development are integrated is essential to this district. These design standards are intended to maximize flexibility of the design to achieve the goals of the district. All standards set forth in the Township Land Use Code, other than District regulations, shall continue to apply except when inconsistent with the design standards set forth below.

- (1) Promenade public space (which is shown conceptually in Exhibit E of the Settlement and Redeveloper's Agreement).
 - (a) The promenade shall be designed to include passive areas and active public gathering space that can host a farmer's market and other public events.
 - (b) If applicable, the farmer's market shall include stall areas, an open-air pavilion structure, a plaza and utilities such as electric and water. It shall be located on the promenade at a place where the streets could be closed to vehicular traffic at appropriate locations.
 - (c) The promenade shall utilize shared space principles that combine movement and other civic functions of streets and public space. This includes aesthetic treatments considering decorative materials and/or patterns for all vehicular, pedestrian and shared paved surfaces. Pavements should be specifically designed to emphasize the creation of spaces and transition between spaces or zones and to provide visual clues to pedestrians, bicyclists and motorists to reinforce the use and function of the area as a low speed pedestrian-oriented public space through which motor vehicles travel and park. Bollards or visual clues (including, but not limited to, pavement, colors/textures, pedestrian/bicycle symbols and/or signage,

planters, landscaping, street trees, ground cover landscaping, street furniture, lampposts and other street lighting techniques, fixed benches and moveable seating, and outdoor café zones) shall be utilized for defining separation of pedestrian circulation from vehicular travel lanes and on-street parking. More refined pavements should be utilized to emphasize and enhance areas designed for larger volumes of pedestrian activity such as building entrances, plazas and terraces, nodes, drop-off and pick-up zones and crosswalks. A palette of compatible decorative pavements and/or pavement patterns should be developed for the entire promenade.

- (2) Circulation and parking.
 - (a) Streets may include on-street parallel or angled parking in order to promote pedestrian street activity, lower vehicular speeds, and provide convenient access to retail uses and the promenade.
 - (b) Off-street parking and service access shall be designed to avoid the backing in and out of streets to the greatest extent possible.
 - (c) Roadway identified on the concept plan as Road A shall be contained in a maximum right-of-way of 50 feet.
 - (d) Sidewalk widths shall measure at least 10 feet in the core retail and promenade area in the RP-1 District and shall be a minimum of five feet wide in all other areas (except where vehicle parking overhang of a sidewalk area can occur wherein the width of the sidewalk area is to be a minimum of six feet). All sidewalks should be durably paved and smoothly surfaced to provide for the free movement of pedestrians. All sidewalks and pathways must be designed to provide access for the physically disabled in accordance with state and federal regulations. Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks, in conformance with the applicable accessibility standards.
 - (e) The minimum width for off-road bike lanes is eight feet.
 - (f) Surface parking cannot be located between the building and the front property line. Where surface parking may be located

along a street frontage, such must be screened from the street by a solid fence or wall at a minimum height of 48 inches.

- (g) Structured parking may be contained within, under or attached to buildings. Parking structures or podium-type parking under buildings may not front toward the promenade public space. Where parking structures front on public streets, such may feature liner buildings which are shallow commercial or residential buildings on the facades of parking structures or ground floor space along the sidewalk designed as amenity, utility, retail, commercial or office space.
 - (h) There shall be one bicycle parking space per 10 automobile parking spaces for the first 100 parking stalls allocated to nonresidential uses for the public, and one bicycle space for every 20 automobile parking spaces allocated to nonresidential uses for the public beyond that.
 - (i) A minimum of two spaces will be provided for parking for shared car services.
 - (j) Loading for nonresidential uses fronting on the promenade may be accommodated by collective provision for loading facilities that allow for sharing of such facilities among two or more uses and may be located in either on-street loading zones or off-street loading areas, which may be located within a building or a parking structure. A hotel shall provide an off-street loading area.
- (3) Landscape architectural treatments and guidelines.
- (a) All plants, trees, shrubs, pedestrian pavements and streetscape elements shall be installed in accordance with a landscape plan and schedule provided by the redeveloper, subject to the approval of the Planning Board.
 - (b) Landscape architectural treatments shall be provided throughout the redevelopment area to create spatial definition or separation, shade, visual interest, seasonal color, visual buffering, microclimatic enhancement, and habitat and to improve safety.

- (c) Indigenous plant species shall be primarily specified within the District and invasive exotic species shall be avoided. Any landscaping that is not resistant to the environment, or that dies, shall be replaced by the redeveloper in accordance with the maintenance guarantee provisions of the municipal land use law.
 - (d) In landscaped spaces, passive systems such as cisterns and water gardens that collect rainwater for irrigation or recharge are encouraged.
 - (e) Soil moisture-sensing irrigation systems shall be used.
- (4) Building orientation, massing and facade composition.
- (a) New buildings within the District should be considered an integral part of the overall site design and developed with appropriate consideration for both proposed and existing buildings with respect to height, mass, siting, location, materials, orientation, signs, lighting and use.
 - (b) Buildings shall front on the promenade and public streets to provide form and function to the streetscape. The streetscape should be continuous and varied through the use of street furniture, landscaping, building articulation, building frontage setbacks and changes in sidewalk types and textures. Driveway intersections with the public street should be minimized to avoid excessive interruptions in the streetwall.
 - (c) Buildings shall be designed to present an articulated facade from all vantage points. Parking structures shall not front on the promenade. Parking structures or that portion of a building containing a parking structure that is not fronting on the promenade may have an exterior clad in a vine-covered trellis, graphic panels, solar panels, a window-like facade treatment, liner buildings or ground floor space along the sidewalk designed as retail, commercial, residential or office space.
 - (d) The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building with the exception of parking structures or that portion of a building containing a parking structure. All sides of a building shall be architecturally designed to be consistent

with regard to style, materials, colors and details. Blank wall or service area treatment of side and/or rear elevations visible from public view shall be avoided.

- (e) Unless the redeveloper proposes a specific use that requires a unique building, such as a hotel, buildings should be designed utilizing base, middle and top forms as the primary method relating buildings to each other.
- (f) The base shall be considered the first story of the facade facing a public street, depending on the overall heights of the building. The design of the base, as well as the quality and durability of its materials, should be emphasized to create visual interest and support pedestrian activity. The building's base should be presented to the Planning Board at a larger scale of drawing and greater detail than the remainder of the facade to ensure it meets the building design objectives.
- (g) In addition to the base, the exterior design of mixed-use residential buildings shall include a middle field section and a cap on the top. The middle of the building shall be differentiated from the base by a horizontal transition line. A horizontal transition line should also be established separating the middle field from the cap or top of the buildings.
- (h) The base transition line should generally be defined at the water table, sill of the ground floor windows or top of the ground floor. The upper transition line articulating the cap should generally be defined by a cornice, projecting overhang or other appropriate means that defines the cap of the building.
- (i) Building exteriors shall have vertical and/or horizontal offsets to create visual breaks on the exterior. Long, monotonous, uninterrupted walls or roof planes shall be avoided. Building wall offsets, including projections such as balconies, canopies, awnings, and signs, recesses, and changes in floor level shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, roofline offsets, dormers, or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

- (j) For townhouses or stacked townhouses, buildings may contain a maximum of 12 townhouse dwellings or stacked townhouse modules (24 stacked townhouses) in a single row and shall not require any facade, height or roofline offsets. The base of townhouses or stacked townhouses should generally be defined at the water table, sill of the ground floor windows or top of the ground floor and the cap should generally be defined by a cornice or overhanging eave line. Townhouses or stacked townhouses shall have a front entry that faces a street, courtyard, mews or other open space, with garages accessed from the rear (via a driveway and/or alley), and are not required to have private outdoor space at the ground level.
- (k) In general, it is preferred to keep the street facade parallel to the property line in alignment with adjacent buildings.
- (l) Blank walls must contain architectural relief such as expressive details, blind windows, murals, etc.
- (m) All buildings shall provide scale-defining architectural elements or details at the first two floor levels minimum, such as windows, spandrels, awnings, porticos, pediments, cornices, pilasters, columns and balconies.
- (n) Windows for residential buildings shall be primarily vertically proportioned. Tinted and highly reflective glass are discouraged.
- (o) Ground-floor retail, services, and restaurant uses shall have large transparent windows. Such windows shall be framed by the surrounding wall and shall be a minimum of 75% of the total ground-level facade area adjoining the sidewalk. The window wall facade area may be reduced if, due to a particular use or settings, the provision of windows will present concerns for aesthetic design or security. However, the facade design should employ an arrangement of materials that reflects the required window area and/or lines to be compatible with the intent of these guidelines.
- (p) The predominant material of all street walls on primary and secondary streets shall be brick, precast, cement-board siding, wood, metal storefront, tile, stone, stone veneer, resin panels, composites, metal panels and finished masonry block, or

curtain wall. Stucco may be used as an accent. All materials, colors and elevations shall be approved by the Planning Board.

- (q) Shop fronts may have a kick plate that ranges in height from 8 inches to 42 inches running continuously beneath the required fenestration.
- (r) Public access to commercial and governmental buildings shall be provided at sidewalk grade. The primary floor of and access to residential structures may be elevated.
- (s) The front doors of all buildings shall be visible from the street unless fronting on a courtyard, mews or other open space. If located more than 10 feet from the front building line, their location must be reinforced with additional graphics, signage, lighting, marquees or canopies.
- (t) All entrances to a building, except service and emergency egress doors, shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades, canopies, awnings, and other elements, where appropriate. Any such element utilized, including doors, shall be architecturally compatible with the style, materials, colors and details of the building as a whole. The main entrance shall face the street on which the property fronts.
- (u) Awnings, which add visual richness to the commercial corridor while enhancing the quality of public walkways, are encouraged for all storefronts. Awnings shall have fixed or retractable metal framework.
- (v) Canopies, unlike awnings, are nonretractable. They shall be constructed of wood or metal framing, standing-seam metal roof or glass roof as solid canopies or semi-open trellises. Canopies may incorporate signage and down lighting. Security shall be implemented so that it cannot be seen, and security grille housing is specifically prohibited. For flat solid panel clad canopies, a membrane could be used if concealed from pedestrian view.

- (w) All awnings and canopies shall be securely attached to the building so that the lowest part of the awning or canopy is mounted a minimum of eight feet above the sidewalk at the storefront. Awnings and canopies may project over a sidewalk and/or in the public right-of-way.
- (x) Buildings directly fronting the promenade shall be designed to appear as landmark buildings. One possible treatment to achieve this goal would have buildings designed with additional height or architectural embellishments, such as corner towers, to emphasize their location.
- (y) Appropriate design of the corner of mixed-use buildings directly fronting the promenade shall include one of the following patterns:
 - [1] Opening the space at ground level for people to walk across the corner, with the building mass above redefining the corner.
 - [2] A recessed entry at the corner such as the familiar angled wall with an entry door.
 - [3] A corner window with an important view into the building.
 - [4] Balconies or bay windows that wrap the corner.
 - [5] A tower element.
- (z) Multistory buildings with flat roofs shall provide light color roof surfaces. Green roof plantings and solar photovoltaic systems on roofs and parking decks shall be permitted.
- (aa) Excepting the antenna itself, all parts and components of personal communications antennas, satellite dishes, and television and radio antennas shall be screened from view regardless of elevation, or shall be disguised within an enclosed structure. The screening shall be designed as part of the overall design theme of the building to which it is associated.

- (bb) Dish antennas may not exceed 12 feet in diameter.
 - (cc) Mechanical equipment located on building roofs shall be screened so as not to be visible from the ground level from adjacent developments and from public streets and spaces. Mechanical equipment at ground level shall be screened and in the rear.
- (5) Lighting.
- (a) Lighting levels along paved portions of public walks shall be an average of no less than one footcandle for commercial areas and 0.5 footcandle for residential areas.
 - (b) Fixtures serving to light streets shall be at a height of no greater than 20 feet above the adjacent roadway surface. The light center of a fixture for a pedestrian walkway shall be mounted at a height of 12 feet to 14 feet above the adjacent surface of the walkway, except for bollard fixtures, footlight fixtures and other low-mounted fixtures. The fixtures may include attachments to accommodate such amenities as banners, seasonal lighting, and flower pots.
 - (c) The design for a proposed facade must consider the appearance of the building in the evening and develop an exterior lighting plan that includes display window lighting, building lighting, and pedestrian-scaled lighting for both buildings and pedestrian areas within the site. Lighting shall be warm in color, with control of glare for the pedestrian.
- (6) Streetscape.
- (a) A palette of compatible site furnishings should be developed for the entire District. Street furnishings may include elements such as benches, gazebos, trash and recycling receptacles, bicycle racks, bird houses, drinking fountains, kiosks, sculptural elements, decorative fountains, bollards, decorative fences, seat walls, and pedestrian-scale lighting.
 - (b) Community bulletin boards, such as kiosks, may be provided at strategic locations, including on the promenade.

- (c) Freestanding newspaper and advertising dispensers shall not be permitted in the right-of-way of primary streets and shall be incorporated into approved buildings or pavilions.
 - (d) Outdoor cafes may extend onto the public right-of-way upon issuance of a license by the Township. Such encroachment shall convey no rights to the licensee beyond those enumerated in the license. Outdoor cafes may be delineated from the public way by planters and/or barriers such as metal fencing. A clear width of at least four feet shall be maintained for pedestrians to pass either outboard or inboard.
- (7) Signage. In lieu of § 200-258D, the following shall apply:
- (a) The temporary display of signs, banners, flags, pennants and similar devices in connection with special events or activities of a public or nonprofit nature shall be permitted, provided that temporary signs which are displayed between one (1) and eighty-nine (89) days shall not occur more than twelve (12) times per calendar year and temporary signs that are displayed between ninety (90) and one hundred and twenty (120) days shall not occur more than six (6) times per calendar year. The materials for temporary signage shall consist of vinyl, mesh, fabric, or other durable material. Such temporary signs shall be permitted in the RP-1, RP-4, and RP-6 Districts.
 - (b) The temporary display of signs, banners, flags, pennants and similar devices, in connection with the opening of a new business use or reopening of an existing business use shall be permitted provided such display shall not exceed three months for nonresidential uses and 15 months for hotel and residential uses.
 - (c) Existing nonconforming signs shall be removed from this District within a period of 12 months after building permit issuance.
 - (d) All signs within the project area shall be part of the overall total design scheme and in keeping with the architectural character of the District in which the sign is located.
 - (e) Each type of signage shall be permitted on the same site, provided that the standards set forth below are satisfied.

[1] Wall signage.

- [a] The following types of wall signs shall be permitted:
 - [i] Internally lit raised letters.
 - [ii] Backlit raised letters.
 - [iii] Signage board with gooseneck lighting.
 - [iv] Individual cut letters with gooseneck lighting.
- [b] The maximum sign area shall be no greater than five percent (5%) of the total tenant wall area.

[2] Hanging signs and blade signs.

- [a] One (1) hanging sign or blade sign is allowed per twenty-five (25) linear feet of frontage with a maximum of two (2) signs per frontage.
- [b] The maximum sign area shall be 10 square feet per side.
- [c] The letter and logo height shall be a maximum of eighteen (18) inches.
- [d] Hanging signs may project a maximum of five (5) feet over a sidewalk and/or in the public right-of-way. A blade sign may only project beyond five (5) feet if attached to the underside of a tenant's canopy but may not exceed the canopy projection or an overall projection of eight (8) feet, whichever is less.
- [e] Hanging signs and blade signs must have a clearance height of eight (8) feet above the sidewalk and shall not be mounted above a tenant façade.
- [f] Hanging signs and blade signs may be externally or internally lit.

[3] Banner signs

- [a] One (1) banner sign shall be permitted per fifty (50) linear feet of frontage with a maximum of

two (2) banners per frontage with the exception of residential and hotel entries which can have one (1) per entry and one (1) for each exterior building corner.

- [b] The maximum sign area shall be 100 square feet per side.
 - [c] Banner signs shall have a maximum projection of eight feet.
 - [d] Banner signs must have a clearance height of ten feet above the sidewalk.
 - [e] Banner signs may be mounted to the base building above the ground floor but shall not exceed an overall height of fifty feet above the finished sidewalk.
 - [f] Letters are limited to twenty-four inches in height.
 - [g] Banner signs may be externally or internally lit.
 - [h] Banner signs may project over a sidewalk and/or in the public right-of-way.
- [4] Street address signage.
- [a] Street address signage shall be provided on each building or for each individual tenant.
 - [b] Street address numbers shall have a maximum height of eight inches.
- [5] Kiosk signage.
- [a] Freestanding signs such as Parisian-style kiosks and interactive digital kiosks shall be permitted in order to identify the promenade and individual uses located in the District to passersby on major roads at the edges of the District as well as within or leading to the promenade and to advertise local events.

- [b] The maximum kiosk sign area shall be 30 square feet, as measured on each face.
 - [c] The maximum kiosk sign height shall be 16 feet above finished grade.
 - [d] Kiosks may be located in a paved sidewalk area including within the public right-of-way of streets and sidewalks.
 - [e] The base of the kiosk sign shall be landscaped with plants that extend a minimum of two feet in all directions unless such kiosk is located within a paved sidewalk area.
- [6] Awnings and canopies.
- [a] Awnings and canopies shall be architecturally compatible with the building or retail tenant.
 - [b] Awnings and canopies shall be kept in good order.
 - [c] One sign on an awning or canopy shall be permitted, provided that:
 - [i] The letter logo height does not exceed 50% of the main area of the awning or canopy.
 - [ii] The letter and logo area may be located on the valance of the awning or face of the canopy and shall not exceed 12 inches in height.
 - [iii] The letter and logo area may be located above the canopy and shall not exceed 12 inches in height.
- [7] Window lettering and signs. Window lettering and signs shall be permitted, provided that they:
- [a] Are inside the window.

- [b] Do not exceed 15% of the window area if solid and 25% of the window area if die-cut.
 - [c] Pertain only to the establishment occupying the premises where the window is located except when premises are unleased/empty.
- (f) Temporary construction and sales signage.
- [a] Signage shall be removed within the later of (a) three years of the issuance of a sign permit or (b) one year of the time of the final certificate of occupancy. One sign per each road frontage shall be permitted. However, construction signs which contain noncommercial messages, such as signs identifying individual lots, construction ingress and/or egress or safety protocols, shall be permitted.
 - [b] Temporary contractor signage. Only one sign shall be permitted identifying lenders, architects, engineers or contractors doing work on the site. Such sign shall be a maximum of four square feet per entity, but not to exceed 25 square feet. This sign shall be removed when work ceases or is abandoned or when a final certificate of occupancy for the project is issued, whichever occurs sooner.
- (g) Billboards are prohibited.
- (h) A signage package shall be submitted as a part of any application for final site plan approval.

Section 2. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council whichever is applicable, and publication according to law.

INTRODUCTION: January 25, 2021
PLANNING BOARD REVIEW:
PUBLIC HEARING:
ADOPTION:
MAYOR'S APPROVAL:
EFFECTIVE DATE:

ORDINANCE 2021-04

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR CHAPTER 200 TO ADJUST THE DISTRICT BOUNDARY LINES OF THE E, ROM-1 AND THE R-2 DISTRICTS; ARTICLE XXVI TITLES, PURPOSES, ESTABLISHMENT OF DISTRICTS; CONDITIONS; SECTION 200-143 ZONING MAP

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-143, Zoning Map, is amended to read as follows:

The boundaries of said zoning district is hereby established as shown on the Zoning Map, Township of West Windsor, dated _____, and revised through _____, which, with all explanatory matter thereon, is hereby adopted and made part of this Part 4. An official copy of said Map, indicating the latest amendments shall be kept up-to-date in the office of the Land Use Manager for the use and benefit of the public and shall have the most current revision date shown thereon. The Zoning Map for that shall be the official reference as to the current zoning classification of the land within the boundaries of the Township of West Windsor.

Section 2. Chapter 200 of said Code, Land Use, Attachment 9, Zoning Map of West Windsor Township, is hereby amended to change the zoning designation of Block 3 Lot 1.012 and Block 3 Lot 1.0113 so that they shall be entirely located within the E District.

Section 3. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law, or an override of a mayoral vote by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

Introduction: January 25, 2021

Public Hearing:

Adoption:

Mayor Approval:

Effective Date:

ORDINANCE 2021-05

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR CHAPTER 200; PART 4 ZONING ARTICLE XXVI, TITLES, PURPOSES, ESTABLISHMENT OF DISTRICTS; GENERAL CONDITIONS ADDING ROM-1A INDUSTRIAL, RESEARCH, OFFICE, LIMITED MANUFACTURING

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-142, Establishment of Zoning Districts, is hereby amended by adding after the line “ROM-1 Industrial – Research, office, limited manufacturing” the following:

ROM-1A Industrial – Research, office, limited manufacturing

Section 2. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-143, Zoning Map, is amended to read as follows:

The boundaries of said zoning district is hereby established as shown on the Zoning Map, Township of West Windsor, dated _____, and revised through _____, which, with all explanatory matter thereon, is hereby adopted and made part of this Part 4. An official copy of said Map, indicating the latest amendments shall be kept up-to-date in the office of the Land Use Manager for the use and benefit of the public and shall have the most current revision date shown thereon. The Zoning Map for that shall be the official reference as to the current zoning classification of the land within the boundaries of the Township of West Windsor.

Section 3. Chapter 200 of said Code, Land Use, Attachment 9, Zoning Map of West Windsor Township, is hereby amended to change the zoning designation of Block 3 Lot 14.02 to the ROM-1A District. A portion of Block 3 Lot 1.0113 extending approximately 521.51 feet in a southwesterly direction from the westerly property line of Block 3 Lot 14.02 shall also be located within the ROM-1A District.

Section 4. Chapter 300 of the Code of the Township of West Windsor (1999), Land Use, Part 4, Zoning, Article XXVIII, Regulations for Business Districts, Section 200-210.1, ROM-1A Industrial District (research, office, limited manufacturing) use regulations, is hereby created as follows.

§ 200-210.1 ROM-1A Industrial District (research, office, limited manufacturing) use regulations.

- A. Permitted uses. In a ROM-1A District, no building or premise shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses, and all such uses shall be

subject to the performance standards set forth in Part 1, Site Plan Review, of this chapter:

- (1) Public utilities substations, electric, and gas facilities.
- B. Conditional uses in the ROM-1A District. In a ROM-1A District, the following uses may be permitted as condition uses.
 - (1) None.

Section 5. Chapter 300 of the Code of the Township of West Windsor (1999), Land Use, Part 4, Zoning, Article XXVIII, Regulations for Business Districts, Section 200-210.2, ROM-1A District bulk and area regulations, is hereby created as follows.

§ 200-210.2 ROM-1A District bulk and area regulations.

The following shall be the standards for the ROM-1A District:

- A. Minimum lot area: two acres.
- B. Minimum lot frontage: 225 feet.
- C. Minimum lot width: 225 feet.
- D. Minimum lot depth: not applicable
- E. Minimum yards:
 - a. Front yard: 90 feet, with a 50-foot wide landscape area at the street right-of-way.
 - b. Rear yard: 20 feet.
 - c. Side yards: 20 feet, except in those instances where a side yard abuts another lot within the ROM-1A District a side yard setback of zero (0) feet shall be permitted.
- F. Maximum FAR: The maximum FAR shall be allowed to vary according to the following schedule:

Use in	Maximum FAR
One-story buildings	0.22
Multistory buildings	0.30

- G. Maximum improvement coverage: 65%
- H. Maximum building height: three stories, but not more than 45 feet
- I. Maximum structure height: 55 feet.

Section 6. In the event of any conflict between the provisions and requirements of this section and the provisions and requirements of any other section of this chapter, the provisions and requirements of this section shall govern.

Section 7. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law, or an override of a mayoral veto by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

Introduction: January 25, 2021

Planning Board Approval:

Public Hearing:

Adoption:

Mayor Approval:

Effective Date:

2021-05