

ORDINANCE 2008-20

**AN ORDINANCE AMENDING CHAPTER 188 (DEVELOPMENT REGULATIONS),
ARTICLE V (DISTRICTS AND STANDARDS) OF THE CODE OF THE TOWNSHIP
OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY TO ADD
NEW DEFINITIONS IN SECTION 188-3 AND TO CREATE HIGHWAY SERVICE
(HS) DISTRICT IN SECTION 188-113.3**

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

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

188-3 Definitions.

EXTENDED CARE FACILITY- One or more residential structures which incorporate health care services for the long term care of the residents, including assisted living, nursing homes and rehabilitation facilities.

HOTEL- A facility offering transient lodging accommodations to the general public and which may include additional facilities and services, such as restaurants, meeting rooms, entertainment and recreational facilities and banquet halls or facilities.

PRIVATE RECREATION COMPLEX- Privately-owned recreation facility which may include indoor and/or outdoor recreation areas, wellness programs and sports instructional activities and may include ancillary services, including day care, kid's camps, pro shop and a snack bar.

2. Create the following new Zone District by adding Section 188-113.3:

Section 113.3

HS Highway Service District

- A. ***Purpose.*** The purpose of the HS Highway Service District is to create a special land use transition into and out of both the gateway and town center development areas of the

Township along Route 206. The district defines how the land will be developed and redeveloped in an attractive manner. The essence of this district is to create offices and other compatible uses of a modest employment nature along portions of Route 206 and to provide planned mixed-use development and for home occupations. Strip retail and uses with extensive lighting, signage and traffic requirements are not intended in this district. The Highway Service District is delineated on the revised zoning map referred to herein and provided as part of this ordinance.

B. ***Permitted Principal Uses.*** All uses shall be provided at a scale and size that is appropriate for the district. There may be more than one (1) permitted principal use or structure on a lot subject to compliance with Sections 113.3 C-J below.

- (1) Offices, including medical offices and veterinary hospitals.
- (2) Fiduciary institutions.
- (3) Business services.
- (4) Restaurants, including sit-down and carryout, provided food and/or drink shall not be served to patrons in drive-through facilities.
- (5) Conversion of existing residential structures to permitted nonresidential uses, subject to site plan review and the following special requirements:
 - (a) The conversion of an existing residential structure shall only be permitted where the character of the proposed structure is in accordance with the Architecture and Site Design (ASD) requirements contained in Sections 188-167 through 188-175.12.
 - (b) A freestanding sign shall be subject to the provisions contained in Section 188-83 J(5).
 - (c) At the time of site plan review, depending on lot configuration, placement of an access drive shall be located to allow for a future common drive with an adjacent parcel at one (1) side yard. In addition, reservation of an access easement to allow for such a possibility at the opposite side yard may be required. Similarly, depending on lot configuration, rear yard cross-easements to permit for interconnection of parking areas may be required.
 - (d) No parking shall be permitted in the existing front yard of the dwelling.

- (e) Rear and side yards shall be a minimum of twenty (20) feet with adequate landscaping and/or screening to shield parking areas from adjoining lots.
 - (f) There shall be no minimum lot size on which a conversion of the existing residential structure to a permitted nonresidential use may be permitted, however, no lot existing at the time of adoption of this amendment, on which such conversion is subsequently proposed, shall be further reduced in size.
- (6) Home occupations in existing dwellings, as regulated in Section 188-54.
 - (7) Bed and breakfast establishments, which may include a restaurant.
 - (8) Child-Care Centers.
 - a. Child-care centers shall be subject not only to site plan approval but revised site plan approval where the original site plan did not anticipate use of all or a part of the premises as a child-care center but such use subsequently occurs.
 - b. No building permit shall issue for modification of all or part of premises for use as a child-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.
 - (9) Utilities which are compatibly designed and/or screened, as appropriate.
 - (10) Public playgrounds, conservation areas, parks and other public gathering places.
 - (11) Mortuaries.
 - (12) Commercial instructional activities.
 - (13) Garden centers or plant nurseries.
 - (14) Performing arts and cultural facilities, including museums, galleries and studios for creating, teaching, display and sale of art-related products.
 - (15) Public and semi-public facilities for the purpose of conducting meetings and related activities in support of the organization.

(16) Single family detached dwellings

C. *Permitted Accessory Uses and Structures.*

- (1) Accessory uses for single family detached homes described in Section 188-98 C.
- (2) Uses customarily associated with the above permitted uses in a planned mixed-use development, provided that such accessory uses are subordinate to the principal use, do not change the character of the principal use and serve only the principal use.
 - (a) Utility facilities, such as transformers and pumping stations, required to provide the direct service of the utility to a mixed-use development.
 - (b) Storage and maintenance facilities are to be utilized by the permitted nonresidential uses and by the residents and any homeowners' association for the purpose of proper maintenance of the community. Additional storage and maintenance facilities are to be utilized by the owner of any multifamily dwelling units for the purpose their proper maintenance. No outside storage trailers or bins are permitted.
 - (c) Decks, patios, porches and retaining walls setback at least five (5) feet from front lot line and not to exceed six (6) feet in height. These site features shall be uniform in size and materials and complement the architectural style and design of the dwelling units and the overall project design.
 - (d) Where appropriate, entrance gatehouses, provided such structures are located along entrance roadways to the property, are located outside of any required site triangles, and are designed to complement the architectural style and design of the dwellings units and the overall project design.
 - (e) Recreational or community facilities to be provided at a minimum of 2.5 acres per 100 dwelling units, or fraction thereof, for the collective use of the residents and their guests may include, but not be limited to, the following: swimming pools, tennis or other sport courts, clubhouses, sitting or picnic areas, walking, cycling or exercise trails and other appropriate active and passive recreational facilities. This does not include stormwater facilities or critical areas.

- (3) Street furniture such as benches, street lamps, bicycle racks, trash receptacles, tree grates, bus stops, landscape planters and hanging baskets and the like shall be provided, as appropriate.
- (4) All streets, alleys and sidewalks and pathways shall connect to other streets within the same development and connect to existing streets outside the development, as appropriate. Dead-end streets are generally not permitted within any new developments unless such condition is unavoidable, subject to Planning Board or Board of Adjustment approval.
- (5) Parking areas are required and shall be designed to be coordinated and have access with adjoining lots to control the number of access points to Route 206. Toward this goal, access drives may be granted temporary approval to be removed when alternate access becomes available in the future.
- (6) Trash and garbage collection areas which are fully screened.
- (7) Loading areas which are fully screened.

D. *Conditional Uses.*

- (1) Planned mixed-use developments, subject to the required transfer of residential development potential, which is a form of noncontiguous clustering, from properties in the AG, Agricultural Zoning District, the MZ, Mountain Zoning District, the CDZ, Corporate Development Zoning District, and farmland assessed properties in other residential districts, and which meet the requirements as provided in Section D (1)(b)(3) below, to sites incorporating residential development in the HS Highway Service District, and subject to the following requirements:
 - (a) Permitted uses in planned mixed-use developments shall consist of residential dwellings, and at least one (1) of the non-residential components, as permitted below:
 - (1) Residential dwellings as provided in this Section.
 - (2) Offices, retail sales of goods and services that do not incorporate drive-through facilities, and restaurants that do not incorporate drive-through facilities, limited to a maximum of 12,000 square feet of gross floor area for each 100 residential

dwellings provided or any portion thereof.

- (3) Hotels.
 - (4) Mixed-use buildings, incorporating office and/or retail sales of goods and services and/or restaurants on the first floor and residential dwellings on the second floor, subject to the provisions contained in Section 113.1 D1(a)-(d).
- (b) Transfer of residential development potential from the AG, MZ and CDZ Districts, as well as farmland assessed property in other residential districts which meet the requirements, as provided in subsection (3) below. The transfer of residential development potential is intended to provide an opportunity to create residential development potential that advances the goals of resource conservation and protection in the Township, while supporting the goals and policies of the Master Plan, subject to the following requirements:
- (1) Residential dwellings shall only be permitted on a one-for-one basis from residential development potential transferred from a property or properties in the AG, MZ and CDZ Districts or farmland assessed property in other residential districts which meet the requirements contained in Section (3) below.
 - (2) The development tract (receiving tract) on which the planned mixed-use development is proposed shall be joined in a single application with the preservation tract(s) (sending area(s)).
 - (3) Allocation of standards for the transfer of residential development potential to planned mixed-use developments are as follows:
 - i. Land in the AG District is allocated one (1) dwelling unit per 6.25 acres.
 - ii. Land in the MZ District is allocated one (1) dwelling unit per 15 acres.
 - iii. Farmland assessed property in other residential districts which exceed 20 acres is allocated one (1) dwelling unit per two (2) acres.

- iv. Although the CDZ District does not permit residential development, the development potential that exists can be reallocated at a density of one (1) dwelling unit per 6.25 acres.
- (4) The owner of the land from which residential development potential has been obtained shall deed restrict the use of that land in perpetuity to those resource conservation uses authorized and enumerated in the sale or conveyance of the residential development potential.
- (c) Definitions and bulk standards for a tract upon which a planned mixed-use development may be developed:
 - (1) For the purposes of a planned mixed-use development, a “tract” shall be defined as an area of land comprised of one or more adjacent lots which together have sufficient dimensions and area to make one (1) parcel of land meeting the requirements of this Section for the use(s) intended.
 - (2) The minimum tract size shall be fifteen (15) acres. The land area of any existing streets shall not be included in calculating the area of the tract.
 - (3) The maximum tract residential density shall be four (4) dwelling units per gross acre less any critical areas determined pursuant to Section 188-46A.
 - (4) The maximum building height is thirty-five (35) feet, except for hotels, which may not exceed five (5) stories or seventy (70) feet.
 - (5) The maximum impervious coverage is sixty percent (60%).
 - (6) The minimum building setback from any public road shall be forty (40) feet.
 - (7) Any bulk requirement not specifically enumerated in this Section shall be as provided in Section H.
 - (8) There shall be a minimum twenty (20) foot buffer adjacent to any residential zone boundary or to any existing residence included in this requirement, except for hotels

which shall require a minimum fifty (50) foot buffer. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing and/or a berm, as appropriate. Once all landscaping improvements in the required buffer areas are completed, a conservation easement shall be established by the applicant to include the required buffer area.

- (d) Permitted forms of residential dwellings shall include:
 - (1) Detached single family, duplex, and triplex dwellings as per Table 1.
 - i. A duplex residential dwelling shall be defined as a building containing two single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof.
 - ii. A triplex residential dwelling shall be defined as a building containing three single-family dwelling units totally separated from each other by unpierced walls extending from ground to roof.
 - (2) Townhouses and multi-family dwellings as per Table 2.
- (e) No more than four hundred (400) dwelling units shall be permitted within all planned mixed-use developments located in the HS Highway Service District.
- (f) Green Technology Requirements
Currently, the most widely adopted “green” rating system in the country is the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, as developed by the U.S Green Building Council (USGBC).

According to the USGBC, LEED evaluates environmental performance from a whole building prospective over a building’s life cycle, providing a definitive standard for what constitutes a “green building.” It is based on accepted energy and environmental principles and strikes a balance between known established practices and emerging concepts. LEED is a performance-oriented system in which scoring points are earned for

satisfying performance criteria in the categories of sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality. Different levels of green building certification are awarded by the USGBC based on the total points earned.

- (1) All new development located within the planned mixed-use development option, except for additions which are 50% or less than the existing gross floor area, shall meet a minimum LEED certification under the LEED Rating System and shall be so certified by the USBGC or equivalent.
- (2) All building projects using the green technology requirements shall have a LEED-accredited professional or equivalent, as a principal member of the design team from the beginning of the project.
- (3) Energy Star: For multi-family residential projects using the green technology requirements, appliances and fixtures must meet the United States Environmental Protection Agency's (EPA's) standards. Projects must include Energy Star compliant clothes washers; dishwashers; refrigerators; ceiling fans; ventilation fans (including kitchen and bathroom fans); light fixtures (halls and common areas); and exit signs. To further enhance energy efficiency, the project must also choose and install two of the following Energy Star components: programmable thermostats (in residential units); residential light fixtures; windows and doors; and HVAC systems.
- (4) All new building projects using the green technology requirements must meet the following additional requirements:
 - i. All lighting fixtures located in parking lots must utilize LED lighting systems. The freestanding light fixtures shall not exceed twelve (12) feet in height.
 - ii. No less than thirty-five percent (35%) of the property (excluding existing and proposed road right-of-ways) shall be devoted to conservation, open space, drainage and/or recreation purposes and may include vegetated

roofs and pedestrian plazas. Individual duplex, triplex and townhouses are exempt from this requirement.

(5) Applicants using the green technology requirements must submit to the Township the following information at the time of site plan application:

- i. The name of the LEED accredited professional, or equivalent, working on the project.
- ii. A LEED scorecard, or equivalent, must be submitted as part of the plan. The scorecard shall be accompanied by an explanation of how each credit will be achieved or why the specific credit cannot be achieved for the project.

(2) Other Permitted Conditional Uses

Any bulk requirement not specifically enumerated in this section for any conditional use shall be as provided in Section H.

(a) Hotels, including ancillary uses, which may include conference centers, banquet halls or facilities, restaurants, bars and nightclubs.

- (1) Minimum Lot Size- 4 acres.
- (2) Minimum Lot Width- 250 feet.
- (3) Maximum Impervious Coverage- 60%.
- (4) Maximum Building Height- 5 stories/70 feet.
- (5) Hotels and any permitted ancillary uses, including conference centers, restaurants, bars and nightclubs must have a minimum buffer of fifty (50) feet from any residence or residential zone.

(b) Catering facilities/banquet halls and indoor recreation facilities/wellness centers.

- (1) Minimum Lot Size- 5 acres.
- (2) Minimum Lot Width- 250 feet.

- (3) Maximum Impervious Coverage- 60%.
- (4) Maximum Building Height- 2 stories/35 feet.
- (5) Must be located at least 150 feet from any residence or residential zone.

(c) Gasoline Service Stations

- (1) Must be located at least 100 feet from any residence or residential zone.
- (2) Any outdoor storage of wrecked, damaged or disassembled vehicles awaiting repairs must be provided in a screened in area in the rear yard at least 250 feet from any residence or residential zone.
- (3) There is one (1) parking space required for each employee plus two (2) spaces per service bay.
- (4) A retail convenience store may be provided in conjunction with a gasoline service station provided that the following standards are followed:
 - i. A minimum of 3.5 parking spaces are provided per 1,000 square feet of gross floor area.
 - ii. A screened trash enclosure must be located at least 30 feet from any property line.

(d) Drive-through facilities in conjunction with other permitted uses in the HS District

- (1) Must be located at least 100 feet from any residence or residential zone.
- (2) Shall not be located within 500 feet of another permitted use with a drive-through facility, public or private school, house of worship or municipal building.

(e) Extended Care Facility

- (1) Minimum Lot Size- 5 acres.
- (2) Minimum Lot Width- 250 feet.
- (3) Minimum Buffer- 75 feet from any adjoining residence property line or residential zone.

(f) Private Recreation Complex

- (1) Minimum Lot Size- 5 acres.
- (2) Minimum Lot Width- 300 feet.
- (3) Minimum Buffer- 100 feet from any adjoining residence property line or residential zone.

E. ***Site perimeter requirements***

- (1) Buffer requirements.
There shall be a minimum twenty (20) foot buffer adjacent to any residential district or existing residential use included as part of this requirement, unless otherwise indicated. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation provides a sufficient year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or a fence or berm. Once all screening/landscaping improvements are completed, a conservation easement shall be established by the applicant for the buffer area.
- (2) Fencing requirements.
Fencing may be provided on the perimeter of the tract, or within the tract, provided the fencing is of an architecturally compatible design and consistent throughout the tract. No fence shall exceed a height of five (5) feet above finished grade.

F. ***Area, Yard and Bulk Regulations.***

- (1) Minimums.
 - (a) Lot area: two (2) acres.
 - (b) Lot width: two hundred (200) feet.
 - (c) Lot depth: two hundred fifty (250) feet.

- (d) Front yard: the minimum front yard shall be forty (40) feet.
 - (e) Side yard: the minimum side yard shall be twenty (20) feet. There shall be no internal side yard setback where multiple buildings occur on one (1) lot.
 - (f) Rear yard: seventy five (75) feet.
- (2) Maximums.
- (a) Floor Area Ratio (FAR): 0.30.
 - (b) Total Impervious Coverage: sixty percent (60%).
 - (c) Building height: 2½ stories or thirty five (35) feet.
- (3) Buffer areas shall be at least twenty (20) feet wide and are required along all property lines abutting any residential district, around loading and trash collection points and along street lines where residences or residential zoning is across the street.

G. *Off-Street Parking Requirements.*

The minimum number of required off-street parking spaces for the permitted uses in the HS District are as follows:

- (1) Office at three (3) spaces per 1,000 square feet of usable floor area.
- (2) Medical office, veterinary hospital at four (4) spaces per 1,000 square feet of usable floor area.
- (3) Restaurant at four (4) spaces per 1,000 square feet of usable floor area.
- (4) Business service at 3.5 spaces per 1,000 square feet of gross floor area.
- (5) Home occupation at two (2) spaces per dwelling plus one (1) space per employee and one (1) space per visitor.
- (6) Bed and breakfast establishment at one (1) space per guest room plus one (1) space per employee plus four (4) spaces per 1,000 square feet of gross floor area for any restaurant.

- (7) Child-care center at one (1) space per employee plus one (1) space per 10 children enrolled.
- (8) Public and semi-public uses and facilities, including municipal, County and State-owned facilities, at four (4) spaces per acre or portion thereof.
- (9) Hotels at one (1) space per guest room plus one (1) space per employee plus four (4) spaces per 1,000 square feet of usable restaurant, bar, nightclub and conference floor area.
- (10) Retail and service establishments at 3.5 spaces per 1,000 square feet of gross floor area.
- (11) Catering facilities at four (4) spaces per 1,000 square feet of usable floor area.
- (12) Indoor recreation facilities/wellness centers and private recreation complexes at four (4) spaces per 1,000 square feet of usable floor area.
- (13) Fiduciary institutions at three (3) spaces per 1,000 square feet of usable floor area.
- (14) Mortuary at fifteen (15) spaces per 1,000 square feet of gross floor area plus one (1) space per employee.
- (15) Commercial instructional activity at 3.5 spaces per 1,000 square feet of usable floor area.
- (16) Extended care facilities at 0.30 spaces per bed/unit plus one (1) space per employee at the maximum shift.
- (17) Residential dwellings at two (2) spaces per dwelling unit.
- (18) Performing arts and cultural facilities at four (4) spaces per 1,000 square feet of usable floor area.

H. ***Supplemental Regulations.***

- (1) The requirements contained in Sections 188-167 to 175.12 of the Architectural and Site Design Overlay Zone shall apply except as otherwise provided in the HS District requirements.

(2) Site building standards.

(a) Building placement, front setback:

- (1) The minimum front setback for new buildings shall be forty (40) feet.
- (2) The maximum front setback for new buildings shall be seventy five (75) feet.
- (3) Service areas and any new parking shall be located in the side or rear yards.

(f) Building placement, orientation:

- (1) Buildings and site improvements shall be designed to minimize changes to existing topography and mature vegetation.
- (2) The primary entrance of each building shall accommodate pedestrian access from the streets as well as from the parking lots.
- (3) Secondary public entrances, if provided, shall be designed in a manner consistent with primary entrances if visible from public streets or parking lots.

(g) Vehicular and pedestrian access.

- (1) A maximum of one (1) curb cut shall be allowed for lots with street frontage less than or equal to 500 feet. One pair of one-way curb cuts shall count as one (1) curb cut.
- (2) For lots with street frontage greater than 500 feet, one additional driveway opening per 250 feet of street frontage shall be allowed.
- (3) The maximum width of curb cuts shall be:
 - i. Twelve (12) feet for one-way drives; and
 - ii. Twenty-four (24) feet for two-way drives.

Wider curb cuts with landscaped medians may be allowed for multi-directional traffic on lots with street frontage greater than 250 feet or for shared driveways.

- (4) Shared driveways that serve more than one (1) property may be provided where deemed appropriate by the Planning Board or Board of Adjustment. Cross access shall be required between adjoining properties.
- (5) Bicycle connections to the primary public entrance of the building shall be provided where a public sidewalk or bikeway is adjacent to property.
- (6) To the greatest extent possible, all portions of the development shall be linked via a sidewalk and pathway network as approved by the Planning Board or Board of Adjustment; the site shall be pedestrian-oriented, with a design that enables and encourages pedestrian and bicycle circulation, with linkages to surrounding areas. The applicant shall utilize the Master Plan in developing a pedestrian and bicycle pathway network. Adequate bicycle storage facilities shall be provided.

(h) Route 206 right-of-way.

The following are specific requirements for the property fronting along Route 206:

- (1) The right-of-way shall be at least eighty six (86) feet.
- (2) A five (5) foot wide sidewalk and ten (10) foot wide planting strip between the sidewalk and right-of-way with street trees and curbing shall be provided along property frontage.
- (3) On-street parking is prohibited.

(i) Landscaping.

A landscape plan shall be provided for the entire site and shall be prepared by a licensed Landscape Architect.

- (1) All trees planted in front of the front building line shall be at least three (3) inches in diameter for single-stemmed trees, or ten (10) to twelve (12) feet in height for multi-stemmed trees at the time of planting. All other trees shall be 2½ inches in diameter at the time of planting, unless otherwise provided by these standards.
- (2) Existing trees having a DBH (diameter-at-breast-height, measured at 4½ feet above ground level) over six (6) inches shall be preserved unless removal is approved by the Planning Board or Board of Adjustment. If a preserved tree dies, it must be replaced with a two and one half (2½) inch diameter tree of the same or similar tree species, subject to approval by the Township Planning Department.
- (3) Impervious materials shall not be placed over the critical root zone of a preserved tree. The critical zone is a ratio of one (1) inch DBH to one (1) foot radius around the tree.
- (4) All exposed soil areas shall be covered with bark, mulch, or other weed control measures.
- (5) A single row of canopy trees shall be planted along property lines abutting a street at a ratio of one (1) tree for every forty (40) linear feet within a minimum ten (10) foot wide planting strip.
- (6) Canopy trees shall be planted within the front yard setback area.
- (7) In addition to the required street trees, the front yard of any nonresidential property shall be landscaped with appropriate plantings in order to provide a green strip along the Route 206 frontage. This shall include appropriate plantings as part of any stormwater management facility that may be located in the front yard. The use of stone similar to that incorporated into the wall found along the Route 206 frontage to the Duke Estate is encouraged to be likewise utilized as part of any low screening wall, fence, sign base or similar feature intended to supplement the landscaping in the front yard, as appropriate.

(f) Off-street parking site design.

- (1) Parking areas shall be designed as a series of smaller interconnected lots. Large undivided parking areas are prohibited.

- (a) Large parking areas shall be functionally divided by internal circulation corridors or aisles to establish several smaller lots to prevent random or high-speed movements and to provide for the planting of street trees and other landscaping.
 - (b) Rows shall contain no more than twenty (20) cars for double-sided parking and ten (10) cars for single-sided parking.
 - (c) The small parking lots shall be separated by minimum five (5) foot wide internal planting areas that feature trees planted in grass or other approved landscape material.
 - (d) The recommended maximum number of spaces within lots separated by an island or planting strip, shall be one hundred (100) spaces, with fifty (50) or fewer preferred.
 - (e) End aisles should be delineated by a landscaped island, not by painted asphalt.
- (2) Parking areas shall be located in the side or rear yards and not in front of the buildings.
 - (3) All parking areas, where visible from a public street, shall be screened by a five (5) foot high solid wall, architectural fence and/or solid evergreen hedge.
 - (4) One (1) canopy tree shall be provided at a ratio of one (1) tree to every four (4) parking spaces in that area.
 - (5) Each parking space shall be within fifty (50) feet of a planted new or remaining tree.
 - (6) Where slopes over five percent (5%) exist, parking bays shall be terraced, with planting between changes in level.
 - (7) Where over fifty (50) parking spaces are provided, pedestrian pathways identified with smaller scale pavement (pavers or scoring) oriented toward the principal building entrances shall be provided.
 - (8) Each separate planting area shall have a minimum of one hundred fifty (150) square feet per tree and shall have a minimum dimension

of at least five (5) feet.

- (9) In addition to required trees, planting areas shall be landscaped with shrubs, ground cover, or other approved landscaping material not exceeding 3½ feet in height.
- (10) Where parking is adjacent to a public right-of-way, a ten (10) foot wide landscape buffer shall be provided between the edge of the right-of-way and the edge of the parking lot. In addition to the required trees, the buffer shall consist of one of the following:
 - i. One (1) shrub per every three (3) linear feet.
 - ii. Berm with a three (3) foot minimum height, which shall be planted with ground cover, shrubs and trees.
- (11) Parking areas shall be designed to be interconnected with adjacent properties and shall utilize common entrances and exits where feasible to minimize access points to the street. Such interconnections shall be established through an appropriate cross-access easement. The use of rear lanes or commercial service roads is encouraged to avoid individual curb cuts onto Route 206.
- (12) Shared parking shall be encouraged. The Planning Board or Board of Adjustment, as appropriate, may approve an equivalent parking ratio based upon shared parking and use of cross-access easements with the off-street parking of an adjacent tract within the ASD Overlay Zone.
- (13) There shall be a comprehensive network of sidewalks and pedestrian passageways that connect the parking lots with the front, sides and rear of the buildings. The sidewalks and passageways shall be linked to other off-site pedestrian connections where appropriate based on proximity to existing residential areas, proposed intended use of the building, and provision of existing or planned pedestrian or bicycle improvements.
- (14) Pedestrian passageways shall connect rear parking lots between buildings with textured walking surfaces, street furniture and landscaping. In addition, the design of the building may incorporate window displays, side door entrances, or other pedestrian friendly

features along the passageway. Lighting should be provided for all parking facilities and sidewalks, as well as along pedestrian passageways.

(g) Pedestrian Circulation.

- (1) Paving materials shall identify pedestrian circulation areas within the parking lots.
- (2) Pedestrian walkways, at least five (5) feet in width, shall be provided from public sidewalks, adjoining the property to a principal public/customer entrance.
- (3) Along facades with a public/customer entrance and along any façade abutting public parking areas, sidewalks, at least five (5) feet in width, shall be provided along the full length of the façade.
- (4) Walkways shall have at least two of the following:
 - (a) Landscaped areas along at least thirty percent (30%) of their length;
 - (b) Use of smaller scale pavement (pavers or scoring);
 - (c) Pedestrian scale lighting;
 - (d) Rain protection (awnings, arcades).
- (5) Common areas shall be accessible from all buildings and connected by a comprehensive, on-site pedestrian circulation system. Clearly defined buffers that enhance the attractiveness of the streetscape and promote pedestrian safety shall be used. Sidewalks and plazas should be made comfortable for use by pedestrians through the use of landscaping, overhangs and canopies in order to provide shade and non-heat absorbing materials. The pedestrian circulation layout on any development site should take into account on-site generators of pedestrian movement, such as open spaces, schools, retail centers, bus stops in designing walkways, lighting and other related improvements.

(h) Decorative walls, fences and screening design.

- (1) Decorative walls and fencing may be required by the Planning Board or Board of Adjustment to compliment the structure style, type and design of the principal structure.
 - (2) Walls and fencing are allowed only in side and rear yards and in the front yard behind the front building line, with the exception of outdoor eating and play areas.
 - (3) Walls and fencing shall be constructed of durable high-quality materials and shall display a high quality in finish and detail; made of masonry, ornamental metal, wood, stucco, or a combination of these materials.
 - (4) Walls and fencing greater than fifty (50) feet in length shall have a change in plane, height, material, or material texture, or significant landscape massing.
 - (5) Planting shall be considered as part of any wall or fence plan.
 - (6) Walls, hedges, and picket fences in front yards shall be limited to a maximum of three and one-half (3½) feet in height. Wrought iron fences may be up to five (5) feet in height. Entrances, gates, and corners should be specifically treated to define their function.
- (i) Loading, outdoor storage, and service areas.
- (1) Where these areas face adjacent residential uses or public rights-of-way, an earthen berm, no less than six (6) feet in height, containing, at a minimum, evergreen trees planted at intervals of twenty (20) feet on center and seven (7) evergreen shrubs per tree, shall be provided.
 - (2) No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within thirty five (35) feet of any public street or public sidewalk.
 - (3) Materials, colors, and design of screening walls and/or fences shall conform to those used as predominant materials and colors on the principal building.
 - (4) Service functions shall be incorporated into the overall design of the

building and landscaping, so that they are fully contained and out of view from adjacent properties and rights-of-way.

(5) Truck delivery and circulation routes shall be separated from customer circulation where possible.

(j) Affordable housing shall be addressed, where applicable, in accordance with the provisions of the Hillsborough Township Growth Share requirements contained in Section 188-139.

I. *Architectural Standards.*

- (1) Exterior building design shall be coordinated with regard to color, types of materials, architectural form, and detailing. Multiple buildings on the same site shall be designed to create a cohesive relationship between the buildings. The requirements in the Architectural and Site Design (ASD) Overlay Zone contained in Sections 188-167 to 175.12 shall apply, except as otherwise provided in the HS District requirements, as indicated herein.
- (2) Building orientation should respect climatic conditions by minimizing heat gain and considering the impact of shade on adjacent land uses and areas. Buildings should maximize public comfort by providing shaded public outdoor areas, minimizing glare, and facilitating breezes.
- (3) Buildings should be oriented to allow for the use of common driveways, where a reduction in the number of curb openings will enhance the streetscape and promote traffic safety.
- (4) Buildings on corner lots and end buildings shall be considered significant structures, because they have at least two facades exposed to the street. As such, specialized façade treatments and appropriate embellishments, such as corner towers, shall be integrated into their design to mark their prominence. Additionally, pedestrian flow can be emphasized by arcades or chamfered corners.
- (5) Focal points or points of visual termination along the corridor shall generally be occupied by more prominent structures that employ enhanced height, massing, distinct architectural treatments or other distinguishing features.
- (6) Backs of buildings may face a parking lot. However, the rear of the building shall be treated to be compatible with the overall design of the building. Access from the front and rear of buildings is encouraged.

- (7) Buildings shall avoid long, monotonous, uninterrupted walls and/or roof planes. Individual buildings within the ASD Overlay Zone shall not exceed one hundred (100) feet in length along any wall, roof or footprint plane. Building fronts wider than forty (40) feet as viewed from the public realm shall be modulated to break the façade to give the appearance of several buildings or through the use of building wall offsets, including projections, recesses and changes in cap line, wall height, and floor level. The total measurement of such offsets shall equal a minimum of ten (10) percent of the building wall length. The minimum projection or depth of any individual offset shall be not less than four (4) feet.
- (8) Roof-line offsets, cross gables and dormers shall be provided along any roofline measuring longer than seventy five (75) feet, in order to provide interest and variety to the massing of the building roof line.
- (9) Requirements for establishments with drive-through facilities.
 - (a) A drive-through facility shall be architecturally integrated into the principal building.
 - (b) A drive-through facility shall not be located on the street side of the building nor in front of the front building line.
 - (c) A drive-through facility shall be permitted only at locations where such facility is not a dominant visual element with the HS District.
 - (d) A drive-through facility shall be limited to a maximum of three (3) service lanes and a required by-pass lane.
 - (e) A drive-through facility, accompanying driveway and associated signage shall be set back a minimum distance of 50 feet from any land zoned for residential development.
 - (f) A drive-through facility and associated signage shall be provided with landscaping to visually enhance views of the facility, signage and driveway as seen from the surrounding area.
 - (g) A drive-through facility shall not adversely impede or conflict with pedestrian and/or vehicular circulation in the area.
 - (h) The Planning Board or Board of Adjustment shall be satisfied that the on-site and off-tract traffic circulation is capable of accommodating the

proposed traffic volume associated with such facility, particularly during peak hours. The stacking driveway for the drive-through window shall provide room for no more than three (3) lanes for patrons plus a bypass lane and shall be separated from any off-street parking areas and their access aisles, loading areas or trash enclosures.

- (10) Signs. A signage program shall be established as part of the development review and approval process pursuant to the requirements contained in Section 188-83 J.
- (a) There shall be a consistent sign design theme throughout the development. A unifying design theme shall include style of lettering, method of attachment, construction, material, size, proportion, lighting, position and day/night impacts. Color of letters and background shall be carefully considered in relation to the color of the material of the building(s) or where the signs are proposed to be located. Signs shall be a subordinate rather than predominant feature of any building. The lettering and sign shall be compatible with the architecture of the building.
 - (b) A comprehensive signage plan shall be provided which covers overall project identification, window signage and lettering, individual building/tenant identification, traffic regulations, pedestrian crossing, street identification, parking and directional instructions. A signage hierarchy shall be established governing the above signage categories.
 - (c) All permanent signage shall be affixed to a building façade, canopy or arcade; and be visible to both pedestrians and drivers.

TABLE 1
Bulk Requirements for Single-Family Detached/Duplex/Triplex Dwellings in Planned Mixed-Use Developments

	Detached Single-Family Dwellings (per unit)	Duplex Dwellings (per unit)	Triplex Dwellings (per unit)
Minimum lot size	4,500 square feet	3,500 square feet	2,500 square feet
Minimum lot width ¹	45 feet	35 feet	25 feet
Minimum lot depth	90 feet	90 feet	90 feet
Minimum yard setback:			
principal building			
Front ²	20 feet	20 feet	20 feet
Side, one	5 feet	5 feet	0 feet (interior)
Side, other ³	5 feet	0 feet (interior)	5/0 feet (interior)
Rear	5 feet	5 feet	5 feet
Minimum yard setback:			
accessory structure ⁴			
Side, one	5 feet	0 feet ⁵	0 feet ⁵
Side, other	5 feet	5 feet	5 feet
Rear	5 feet	5 feet	5 feet
Maximum building coverage	50%	55%	55%
Maximum impervious coverage	65%	70%	70%
Maximum permitted height: principal building			
Stories	2½	2½	2½
Feet	35	35	35
Maximum permitted height: accessory structure			
Stories	1	1	1
Feet	10	10	10

TABLE 2**Bulk Requirements for Townhouses and Multifamily in Planned Mixed-Use Developments**

	Townhouses	Multifamily for Sale or Rental Units Building
Maximum number of units per building	6 units	20 units
Maximum length of building	200 feet	200 feet on any one plane
Minimum setback of buildings (other than a front elevation) to internal streets ⁶	18 feet	50 feet
Minimum setback of buildings to off-street parking areas	10 feet	10 feet
Minimum distance between buildings on the lot	20 feet	40 feet except for side to side – 15 feet or ½ combined height of adjacent buildings whichever is greater
Maximum permitted height:		
Principal buildings		
Stories	2 ½ stories	2 1/2 stories
Feet	35 feet	45 feet ⁷
Permitted accessory structure ⁸		
Stories	1 story	1 story
Feet	10 feet	10 feet
Minimum width of internal streets ⁹	25 feet	25 feet

NOTES for Tables 1 and 2:

1. The lot width shall be measured at the required front yard setback. The minimum lot width may be reduced by up to 25% for lots fronting in cul-de-sacs and curved roads.
2. Front yard: 20 feet from curb face and further provided that no driveway shall be less than 20 feet in length, measured from the garage door to the closest edge of the sidewalk or curb, whichever is closer. For townhouse units the minimum front yard setback shall be 10 feet to the curb face, except as measured to the front elevation where 18 feet separation between the curb face and building is required, provided further that no driveway serving a townhouse unit shall be less than 18 feet in length.
3. Where a side yard setback is provided, no principal structure on one lot shall be located closer than 10 feet to a principal structure on an adjacent lot or closer than five feet to an accessory structure on an adjacent lot.
4. No accessory structure, other than stormwater management basins, decks and patios shall be permitted in the front yard. No accessory structures shall be located closer than five feet to a principal building.
5. One side yard setback for an accessory structure may be zero feet; however, such a setback may only be provided where the principal building has a zero (0) feet side yard setback. Where a setback is provided, a minimum of five feet shall be required.
6. For townhouses, setbacks for buildings and measurements of driveway and parking spaces shall be measured from the closest point of the building to the closest edge of the sidewalk or curb whichever is closer, along all internal streets.
7. Height may be increased to not more than 50 feet if necessary to achieve a minimum roof pitch of 6 feet vertical for every 12 feet horizontal.
8. Not to exceed twenty (20) feet for the maintenance garage for the project.
9. For internal streets which provide on-street parallel parking spaces, the following shall apply; for parking on one side of the street, a minimum cartway width of 28 feet shall be provided; for parking on both sides of the street, a minimum cartway width of 30 feet shall be provided. The minimum length of such on-street parking space shall be 24 feet.

This Ordinance shall take effect upon adoption and publication according to law.

ATTEST:

TOWNSHIP OF HILLSBOROUGH:

Kevin P. Davis, Township Clerk

Anthony Ferrera, Mayor

Introduced: 05/13/08

Published: 05/22/08

Public Hearing: 06/24/08

Adopted:

Published: