

**ORDINANCE NO. 2022-05
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XX, “ZONING,” SECTION 20-3 “DEFINITIONS,”
SUBSECTION 20-3.2 “WORDS AND PHRASES,” SECTION 20-4
“GENERAL PROVISIONS,” SECTION 20-18, “R-O RESEARCH
OFFICE,” TO CREATE NEW R-O2, RESEARCH OFFICE 2
DISTRICT, OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF EAST WINDSOR**

WHEREAS, the 2019 Master Plan Re-examination Report was prepared by the East Windsor Township Planning Board and adopted on July 25, 2019, in accordance with New Jersey Municipal Land Use Law (MLUL); and

WHEREAS, under section N.J.S.A. 40:55D-89D of the MLUL, the Planning Board identified in Section 6 Item 3, that the northwesterly area of Township along Old Trenton Road, north of the intersection with Princeton Hightstown Road and north of the intersection with Millstone Road north to the Township border, be rezoned from the R-O zone.; and

WHEREAS, the Township’s objective for this area, is to continue to promote the ongoing research and office uses although, to refine the permitted uses to protect the area from detrimental impacts by extensive truck activity from large warehouses. Such facilities can have a cumulative detrimental impact on local and regional traffic and safety and the zone plan; and

WHEREAS, the Township desires to further this recommendation as a Phase I action toward limiting new warehouse buildings in locations near major highway interchanges and arterial collector intersections along Route 133 and the Interchange 8 of the New Jersey Turnpike; and

WHEREAS, to implement this recommendation, the current R-O-Zone is to be modified in several locations into a separate research office district.

NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST WINDSOR, in the County of Mercer and the State of New Jersey, as follows (deleted sections are noted by strikethroughs, new sections are underlined):

SECTION 1. Chapter XX, “Zoning,” Section 20-3 “Definitions,” Subsection 20-3.2 “Words and Phrases,” is amended and supplemented to add the following words and phrases as follows:

COMPUTER DIGITAL DATA STORAGE CENTERS

A digital data repository facility of data servers for an enterprise or different entities.

MANUFACTURING USE

Process involving the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of

materials.

WAREHOUSE, WHOLESALE, STORAGE OR DISTRIBUTION USE

A commercial enterprise located in a building or group of buildings primarily used for the storage, transfer and/or distribution of goods, products and/or materials and where such articles are not otherwise used on the premises, such as in storage areas when part of a scientific, research or manufacturing facility. Such facilities shall not include buildings primarily used as computer digital data centers.

SECTION 2. Chapter XX, “Zoning,” is amended and supplemented to add a totally new Section 20-18A be titled “R-O2 Research Office 2” as follows:

20.18A R-O2 Research Office 2.

20-18A.1 Principal Uses.

- a. Manufacturing, preparation, processing, or fabrication of products, with all activities and product storage taking place within a completely enclosed building.
- b. Scientific or research laboratories which are devoted to research, design and experimentation including experimental operation of equipment and pilot plants.
- c. Computer digital data storage centers.
- d. Pharmaceutical operations.
- e. Offices and office buildings, including medical professional.
- f. Industrial office parks meeting the specific Bulk and Area Requirements set forth in Subsection 20-19.4 of this chapter.
- g. Commuter parking facilities.
- h. Agricultural and horticultural uses.
- i. Day-care centers, child-care centers, and nursery schools.

20-18A.2 Accessory Uses.

- a. Uses on the same lot which are customarily incidental to any of the above permitted uses.
- b. Accessory storage is permitted subject to such storage being in completely enclosed buildings. Such accessory storage area must be subordinate to the permitted principal use or of a tenant demising area of a building or buildings on the property. Such storage area shall be considered accessory if it occupies no more than 75 percent of the total building area on a property or total demising area of a tenant.

- c. A cafeteria or other service facility located within a building and operated for the exclusive use of occupants of the complex.
- d. A recreational area for the occupants.
- e. Off-street parking and loading facilities.
- f. Retail and wholesale sale of goods, wares and merchandise provided that such sales are on the same lot and clearly incidental to a permitted use in which such goods, wares and merchandise are manufactured, processed or packaged.
- g. Television and radio recording and other communications facilities, including accessory antennae located on the same lot.

20-18A.3 Conditional Uses.

- a. Restaurants, excluding fast food restaurants and drive-in restaurants, when located within industrial office parks of 100 acres or more, provided the following conditions are met:
 - 1. There shall be no more than one restaurant for each 100 acres of industrial office park area.
 - 2. A traffic study shall be submitted demonstrating that the restaurant traffic will not adversely impact on the internal and external road networks.
 - 3. Restaurants shall be open to the general public.
 - 4. Restaurant design shall be consistent with that of the industrial office park development.
- b. Hotels and motels, not including tourist cabins, trailer camps or camp sites, meeting the standards of the TC District as set forth in the Schedule of District Regulations of this chapter.
- c. Cellular antennas for telephone, radio, paging and/or television communication as "conditional uses" under N.J.S.A. 40:55D-67 and in accordance with the specific zoning conditions and standards for their location and operation included within § 20-34 of this chapter.
- d. Assisted living facilities as "conditional uses" under N.J.S.A. 40:55D-67 and in accordance with the specific conditions and standards as set forth in § 20-24 of this chapter.

20-18A.4 Bulk and Area Requirements.

- a. The minimum front yard setback and landscape strip in the R-O2 District shall be as

follows:

1. Along County Route 571, a front yard of 175 feet and a landscape strip of 175 feet.
 2. Along One Mile Road, Edinburgh Road, Millstone Road, North Main Street, Route 130, Wyckoff Mills Road, proposed Route 92, the New Jersey Turnpike and Probasco Road, a front yard of 150 feet and a landscape strip of 100 feet.
 3. From all other public streets, a front yard of 100 feet and a landscape strip of 50 feet.
- b. The minimum side and rear yard landscape buffer shall be 50 feet, except that when adjacent to a residential district a 100 foot landscape buffer shall be provided.
- c. Industrial office parks shall be a minimum of 25 acres in land area and they shall have no less than 500 feet of frontage on a public road. The Planning Board shall require the applicant to establish such organizational, administrative and financial arrangements and guarantees as are necessary to satisfy the Board that common property can be adequately maintained on a permanent basis.
- d. Cellular antennas for telephone, radio, paging and/or television communication as "conditional uses" under N.J.S.A. 40:55D-67 and in accordance with the specific zoning conditions and standards for their location and operation included within § 20-34 of this chapter.
- a. See the "Schedule of District Regulations" table of this chapter for additional requirements.

20-18A.5 Other Requirements.

Freestanding signs, except for directional signs, shall be ground-mounted on a solid base with no visible poles, columns or other upright supports. Freestanding signs shall not exceed eight feet in height and shall not be more than 100 square feet in size.

SECTION 3. Chapter XX, “Zoning,” Subsection 20-15.4, “Bulk and Area Requirements,” is amended and supplemented to add the following to the Schedule of District Regulations of this Chapter (to be added to the existing table):

<u>R-O2 Research Office 2</u>	<u>Minimum Lot Area (Acres or Sq. Ft.)</u>	<u>Minimum Dimensions in Feet</u>									<u>Maximum Allowed</u>				
		<u>Lot width</u>	<u>Principle Building Yards</u>				<u>Accessory Bldg. Setbacks From</u>				<u>% Bldg. Coverage</u>	<u>% Improvement Coverage</u>	<u>Bldg. Height in Feet.</u>	<u>Bldg. Height Stories</u>	<u>Floor Area Ratio</u>
			<u>Front Yard</u>	<u>Side Yard</u>	<u>Both Side Yards</u>	<u>Rear Yard</u>	<u>Street Line</u>	<u>Side Line</u>	<u>Rear Line</u>	<u>Principal Bldg.</u>					
<u>All permitted Uses</u>	<u>4 acres</u>	<u>350</u>	<u>50</u>	<u>50</u>	<u>NA</u>	<u>50</u>	<u>200</u>	<u>50</u>	<u>50</u>	<u>20</u>	<u>30</u>	<u>75</u>	<u>60</u>	<u>NA</u>	<u>.25</u>

SECTION 4. Chapter XX, “Zoning,” Section 20-4.0100, “Districts Created,” is amended and supplemented to read as follows:

20-4.0100 DISTRICTS CREATED. The following districts are hereby created:

- R-A Rural Agricultural
- R-E Rural Estate
- R-1 Residential Low Density
- R-2 Residential Low Density
- R-3 Residential Medium Density
- R-M Residential Multifamily
- R-M AH Residential Multifamily Affordable Housing
- R-M1 Residential Multifamily 1
- R-M2 Residential Multifamily 2
- S-L Residential Small Lot
- PRC Planned Retirement Communities
- PAC Planned Adult Community
- PUD Planned Unit Development
- MH Manufactured Housing
- NC Neighborhood Commercial
- HC Highway Commercial
- HC-2 Highway Commercial 2
- TC Turnpike Commercial
- R-O Research Office
- R-O2 Research Office 2
- I-O Industrial Office
- ARH Age-Restricted Housing
- CC Community Commercial
- CR Corridor Revitalization

SECTION 5. The map entitled “Zoning Map, East Windsor Township, Mercer County, NJ,” last dated January 25, 2022, is revised to amend the R-O Research Office District, as follows:

The following properties as designated on the Township of East Windsor tax maps located in the R-O Research Office Zone, are to be rezoned to the R-O2 Research Office 2 Zone District, the remaining properties currently in the R-O Research Zone not listed below shall remain in the R-O Zone:

Properties to be rezoned to the R-O2 Research Office 2 Zone from the former R-O Zone

Block	Lots
2	1.01, 1.02, 2.02, 3.02, 5
5	2.01, 2.02, 3, 4, 5, 27.02, 27.04, 27.05

SECTION 3. Repealer. All ordinances or resolutions or parts thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

SECTION 4. Severability. If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

SECTION 5. Effective Date. This Ordinance shall take effect upon final adoption, publication as required by law and filing with the Mercer County Planning Board, and as provided for by law.

ATTEST:

ALLISON QUIGLEY
Municipal Clerk

JANICE S. MIRONOV
Mayor

Introduced:

Adopted:

Effective: