

**ORDINANCE NO. 2022-13
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER
XX, “ZONING,” SECTION 20-4 “GENERAL PROVISIONS,” AND
ADDING A NEW SECTION 20-18B, TO CREATE A NEW REC-OVL,
REC-OVL RECREATION OVERLAY DISTRICT FOR BLOCK 1, LOTS
5.01, 5.02, 6 AND 7, OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF EAST WINDSOR**

WHEREAS, East Windsor Township desires to amend its zone plan to permit the creation of a recreation zone for area residents of the community and the region.

WHEREAS, The Township desires to permit in the zone plan a location for such a zone in the north westerly region of the township.

WHEREAS, to establish such zoning in this portion of the Township while also maintaining the uses in the current zoning for this area, an overlay zone is being established to permit this recreation related use as a development alternative specifically applicable to this area of the township.

WHEREAS, to implement this recommendation, a new REC-OVL Recreation Overlay Zone shall be established.

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,” is amended and supplemented to add a totally new Section 20-18B be titled “REC-OVL Recreation Overlay Zone” as follows:

20-18B REC-OVL Recreation Overlay District.

20-18A.1 Principal Uses. The principal permitted uses in the REC-OVL Recreation Overlay Zone shall be identical to those uses permitted in the R-O2 Zone as set forth at §20.18A; provided, however, that any developer that elects to develop in accordance with the REC-OVL Recreation Overlay Zone shall develop in accordance with the following standards as set forth herein.

- a. Sports training facilities. For purposes of administering this subsection, "sports training facilities" shall be defined as facilities designed and used primarily for training in outdoor team sports programs, consisting of athletic fields and related indoor facilities, such as but not limited to gymnasiums, equipment and training rooms, offices, etc., that are ancillary to such training facilities. (excluding health clubs).
- b. Facilities devoted to active and passive recreational pursuits, including by way of

example the following: swimming, tennis, paddle tennis, softball, jogging, walking and similar related recreational activities.

20-18A.2 Accessory Uses.

- a. Accessory uses and structures allowed in the REC District are limited to those uses which are related to and secondary to the principal recreation use and include the following:
 1. Commercial uses with a direct close relationship to the recreational uses, such as the sale of equipment utilized in the related recreational activity.
 2. Clubhouse use and associated facilities, including restaurant, provided that all food prepared shall be for consumption on the property.
 3. Accessory uses and structures customarily incidental to the principal recreation uses, including recreational structures and equipment used to provide instruction to individuals utilizing the recreation facility.
 4. Garages and other structures utilized to house equipment customarily utilized to maintain the recreational facility. Sheds used for irrigation equipment, landscaping materials and supplies.
 5. Swimming pools, tennis courts, paddle tennis courts, softball or baseball fields, and all structures normally associated with those uses and facilities.
 6. Fences and walls as regulated herein.
 7. Cabanas, gazebos, tool sheds, and garden sheds subject to §20-4.4.
 8. Signs. Signs in the REC-OVL Zone shall conform with the standards of §20-5.16. except for the following.
 - (a) Building and directional signs shall conform with §20-5.16.7a.
 - (b) Freestanding signs, except for directional signs, shall conform with §20-5.16.8c. except freestanding 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.
 9. Outdoor storage of maintenance equipment and composting in areas presently used at the time of adoption of this section or approved by the Planning or Zoning Board.

20-18B.3 Conditional Uses.

- a. None

20-18B.4 Bulk and Area Requirements.

- a. The minimum front yard setback and landscape strip in the REC-OVL District shall be as follows:
 - 1. Along County Route 571, a front yard of 175 feet and a landscape strip of 175 feet.
 - 2. 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. See the "Schedule of District Regulations" table of this chapter for additional requirements.

20-18B.5 Parking Requirements. In addition to the requirements provided in §19A-2.3 the following shall apply.

- a. Sports training facilities: one parking space for each 250 square feet of gross floor area of principal buildings. Parking requirements for athletic fields shall be determined by the reviewing board at the time of site plan approval on a case-by-case basis, and shall consider whether or not: 1) all athletic fields and principal buildings will be in use at the same time, 2) the time of peak demand for athletic fields and principal buildings will be different, 3) some or all individuals would normally be expected to use both principal buildings and athletic fields during the same site visit, 4) site users will use mass transportation, and 5) other factors in determining parking demand. For purposes of administering this provision only, a covered athletic field shall be considered an athletic field and not a principal building for the purposes of calculating the parking requirement.

SECTION 2. 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):

| REC-OVL | Minimum Lot Area (Acres or Sq. Ft.) | Minimum Dimensions in Feet | | | | | | | | | Maximum Allowed | | | | |
|--------------------|-------------------------------------|----------------------------|--------------------------|-----------|-----------------|-----------|-------------------------------|-----------|-----------|-----------------|------------------|------------------------|-----------------------|----------------------|------------------|
| | | Lot width | Principle Building Yards | | | | Accessory Bldg. Setbacks From | | | | % Bldg. Coverage | % Improvement Coverage | Bldg. Height in Feet. | Bldg. Height Stories | Floor Area Ratio |
| | | | Front Yard | Side Yard | Both Side Yards | Rear Yard | Street Line | Side Line | Rear Line | Principal Bldg. | | | | | |
| All permitted Uses | 4 acres | 350 | 100 | 50 | NA | 50 | 200 | 50 | 50 | 20 | 30 | 65 | 55 | NA | .25 |

SECTION 3. Chapter XX, “Zoning,” Section 20-4.1, “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
- REC-OVL Recreation Overlay Zone

SECTION 4. The map entitled “Zoning Map, East Windsor Township, Mercer County, NJ,” last dated January 25, 2022, is revised to amend the REC-OVL Recreation Overlay District, as follows:

The following properties as designated on the Township of East Windsor tax maps located in the R-O2 Research Office Zone, are to be also overlaid with the REC-OVL Recreation Zone District, the remaining properties currently in the R-O2 Research Zone not listed below shall have no cause or effect by this overlay zoning:

Properties to be rezoned with the REC-OVL Recreation Overlay Zone

| Block | Lots |
|-------|---------------------|
| 1 | 5, 5.01, 5.02, 6, 7 |

SECTION 5. Repealer. All ordinances or resolutions or parts thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

SECTION 6. 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 7. 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: