

ORDINANCE 2020-24

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 200 OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) BY MODIFYING PROVISIONS PERTAINING TO THE ROM-3 INDUSTRIAL DISTRICT – (Research, Office, Limited Manufacturing)

WHEREAS, the Planning Board of West Windsor adopted a Land Use Element of the Master Plan on February 12, 2020 (2020 Land Use Plan Element); and

WHEREAS, the 2020 Land Use Plan Element recommends expanding the list of permitted uses in the ROM-3 District to include self-storage and warehousing; and

WHEREAS, the intent of the ROM-3 District is to promote a high-quality level of development at a scale that will also provide substantial compatibility with the residential and agricultural nature of the surrounding area, protect any associated existing or proposed areas of Township Greenbelt and limit both environmental impacts and potential conflicts with surrounding neighborhoods to the greatest degree possible.

NOW, THEREFORE, 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 300 of the Code of the Township of West Windsor (1999), Land Use, Part 4, Zoning, Article XXIX, Regulations for Research/Office/Manufacturing, Research/Office and Research and Development Districts, Section 200-213, ROM-3 Industrial District (research, office, limited manufacturing) use regulations, is hereby amended as follows. Added text is underlined, and text being eliminated is ~~struck-through~~.

§ 200-213 ROM-3 Industrial District (research, office, limited manufacturing) use regulations.

- A. Permitted uses. In an ROM-3 District, no building or premises 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) All those permitted uses as listed for an ROM-2 District.
 - (2) Research-office. Limited manufacturing park developments, notwithstanding any other requirements of this chapter, shall be subject to those special requirements as listed herein for a ROM-1 Park District, except as changed herein:
 - (a) Minimum park area: 12 acres in contiguous parcels.
 - (b) Minimum lot area: three acres.

(c) Minimum park and lot frontage: 250 feet.

(d) Maximum building height: three stories, but not to exceed 45 feet.

(3) Warehousing and distribution facilities.

(4) Finishing and assembly of products.

(5) Self-storage facilities.

B. Accessory Uses. In the ROM-3 District, the following uses may be permitted as accessory uses.

(1) Accessory uses and accessory buildings incidental to the above uses located on the same lot and within the same zoning district permitting the principal use.

(2) Uses and buildings incidental to permitted uses within the same zoning district permitting the principal use.

(3) A restaurant or cafeteria primarily for supplying meals only to employees and guests of the principal use.

(4) In-service training schools for employees.

(5) Custodial living quarters.

(6) Indoor and outdoor recreation facilities, provided that all such accessory buildings and uses shall be planned as an integral part of the principal use.

(7) Assembly halls for meetings incidental to the business of the principal use.

(8) Maintenance, utility and storage facilities incidental to the principal use.

(9) Guard houses.

(10) Public and Private utility (e.g., electric, gas, telephone, cable, water, sewer, etc.) substations, electric and gas facilities to service the permitted uses. The facilities shall be subject to the requirements contained in Article XXVII, §200-156B, except that the requirement of 200-156B(6)b shall not apply.

(11) Electric vehicle charging stations.

B. C. Conditional uses. In an ROM-3 District, the following uses may be permitted as conditional uses:

(1) Any use permitted by condition in an ROM-2 District, with the exception of §§ 200-211B(3).

(2) Transmission lines, transmitting and receiving antennae or aerials subject to the requirement set forth in Article XXVII, Section 200-156B.

(3) Public utilities (e.g. electric, gas, telephone, cable, water, sewer, etc.) substation, electric and gas facilities subject to the requirements contained in Article XXVII, Section 200-156B, except those utilities which are necessary to service the permitted uses.

Section 2. Chapter 300 of the Code of the Township of West Windsor (1999), Land Use, Part 4, Zoning, Article XXIX, Regulations for Research/Office/Manufacturing, Research/Office and Research and Development Districts, Section 200-214, ROM-3 District bulk and area regulations, is hereby amended as follows. Added text is underlined, and text being eliminated is ~~struck-through~~.

§ 200-214 ROM-3 Industrial District (research, office, limited manufacturing) use regulations.

The following shall be the standards for the ROM-3 District

- A. Minimum lot area: five acres.
- B. Minimum lot area for warehouse and distribution facilities: twenty-five (25) acres.
- ~~B. C.~~ Minimum lot frontage: 300 feet.
- ~~C. D.~~ Minimum lot width: 300 feet.
- ~~D. E.~~ Minimum lot depth: not applicable.
- ~~E. F.~~ Minimum Yards
 - (1) Front yard: 125 feet, ~~with a seventy-five foot landscape area at the street right-of-way.~~
 - (2) Rear yard: 40 feet.
 - (3) Side yard: ~~There shall be two side yards with a minimum of 40 feet each.~~
 - (a) For buildings less than or equal to forty (40) feet in height: twenty-five (25) feet.
 - (b) For buildings greater than forty (40) feet in height: forty (40) feet.
 - (c) For warehouse and distribution facilities, a side yard setback of three hundred (300) feet shall be provided from the westerly boundary line of the ROM-3 District.
 - (4) Yards abutting residential districts. ~~The above yard, including the landscape transition buffer and screen requirements, shall be increased by 20 feet in those instances where they abut, in whole or in part, a residential district or lot line.~~ Side and rear yards shall be increased by twenty-five (25) feet in those instances where they abut, in whole or in part, a residential zone district or lot line. This provision shall not apply to the aforementioned three hundred (300) foot setback from the westerly boundary line of the ROM-3 District established for warehouse and distribution facilities.
- G. Minimum distance between buildings: 25 feet.

F. H. Maximum FAR. ~~There shall be no FAR for the ROM-3 District. The maximum permitted FAR shall be allowed to vary according to the following schedule, depending on the intended use and building height:~~

Primarily⁺ Research/Office Uses⁺	Maximum FAR
In one-story buildings	0.22
In multistory buildings	0.30
Primarily⁺ Manufacturing/Warehousing Uses⁺	Maximum FAR
In one-story buildings	0.30
In multistory buildings	0.40

~~NOTE:~~

~~⁺"Primarily" shall mean more than 80% of total building use on a lot. The maximum FAR shall be adjusted proportionately where less than 80% of the designated building uses are proposed for a lot.~~

G. I. Maximum improvement coverage: ~~50%~~ 70%.

H. J. Maximum building height: ~~three stories, but not to exceed 45 feet.~~

(1) The maximum building height shall be three stories and forty-five (45) feet for all uses except warehouse and distribution facilities.

(2) The maximum height shall be two (2) stories and forty-five (45) feet for warehouse and distribution facilities.

K. Parking in yards. Parking shall be permitted in the front, rear, and side yard setbacks subject to the following:

(1) Parking lots shall maintain a twenty-five (25) foot minimum grassed or landscaped separation on each lot to an adjoining lot, except that a seven and one-half (7.5) foot minimum grass or landscaped separation on each lot may be provided in those instances where a warehouse and distribution facility abuts an adjacent warehouse distribution facility.

(2) Parking shall not be permitted in any landscape buffer required by this chapter.

L. Parking for warehouse and distribution facilities. Parking at warehouse and distribution facilities shall be computed on a pro rata basis as the sum of the parking required for the floor area of the facility used as office space plus the parking required for the floor area of the building used for warehousing or distribution space. The parking ratios to be used in this computation are as follows:

(1) One (1) space for each five thousand (5,000) square feet of building floor area devoted to warehousing and/or distribution space.

(2) One (1) space for each two hundred and fifty (250) square feet of building floor area that is devoted to office space.

M. ROM-3 District Performance Standards. All uses permitted in the ROM-3 District shall be subject to the performance standards set forth in Part 1, Site Plan Review, of this chapter, except as modified below.

- (1) The provisions of Section 200-36.1 shall not apply to warehouse and distribution facilities. The provisions of Section 200-36.1 shall apply to all other uses, except that sidewalks in the ROM-3 District may be constructed of impervious materials.
- (2) The provisions of Section 200-28.D(1) shall not apply.
- (3) Parking and loading is permitted between the fronts of buildings and the street line. No parking is permitted within any landscaped buffer as required herein.
- (4) Aisles for the movement and circulation of vehicles shall be permitted in all yard setback areas. No aisle, except those required for access into and out of the site, shall be permitted within any landscaped buffer as required herein.
- (5) Trailer parking spaces and loading docks shall be permitted within building yard setbacks for warehouse and distribution facilities.
- (6) Existing trees may be removed in accordance with all outside agency regulations and pursuant to site plan approval.
- (7) Bicycle parking shall not be required for warehouse distribution facilities.

O. Buffers. Landscape buffers in the ROM-3 District shall be provided as follows.

- (1) A landscape buffer of seventy-five (75) feet shall be provided at the street line.
- (2) For warehouse and distribution facilities, a landscape buffer of one hundred (100) feet shall be provided from the westerly boundary line of the ROM-3 District.
- (3) No parking or loading shall be permitted in a landscape buffer.
- (4) Yard requirements shall be deemed to be counted as part of the landscape buffer area. Where yard areas are less than the required buffer area, they shall be increased accordingly.
- (5) Suitably landscaped and bermed stormwater basins in the ROM-3 District may be located within any yard setbacks or landscaped buffers required by this Chapter, provided that a maximum of fifty percent (50%) of the basin may be located within the buffer area.

Section 3. 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 4. 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: November 30, 2020

Planning Board Approval:

Public Hearing:

Adoption:

Mayor Approval:

Effective Date: