

TOWNSHIP OF WEST WINDSOR
MERCER COUNTY, NEW JERSEY

ORDINANCE 2026-06

TOWNSHIP OF WEST WINDSOR ORDINANCE TO
AMEND AND SUPPLEMENT CHAPTER 200
OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)
BY CREATING THE BULK & USE STANDARDS IN THE R-5H ZONING DISTRICT (200-189.7)

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, Establishments of Districts; General Conditions, Section 200-142, Establishment of Zoning Districts, is hereby amended by adding after the line “R-5G Residence Affordable Housing” the following:

R-5H Residence Affordable Housing

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

The boundaries of said zoning district are hereby established as shown on the Zoning Map, Township of West Windsor, dated July 12, 2021, and revised through March 9, 2026, which, with all explanatory matter thereon, is hereby adopted and made part of this Part IV. 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. The Zoning Map of the Township of West Windsor is hereby amended to change the zoning designation of Block 9, Lots 83, 84 and 85 to the R-5H District.

Section 4. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVII, Use and Bulk Regulations for Residence Districts, is hereby amended by adding the following new Section 200-189.7.

§ 200-189.7 R-5H Residence District use, bulk and other regulations.

- A. Purpose. The R-5H Residence (R-5H) District is intended to encourage a residential development with convenient access to the US Route 1 corridor, proximate to the train station and surrounding commercial employment centers including the Carnegie Center campus in which it is located. Specifically, the district is intended to permit a mix of market-rate and affordable residential dwelling units within a bicycle and pedestrian friendly environment close to mass transit services and employment opportunities. The regulations and standards herein shall supersede any and all regulations and standards established by any prior approvals for the parcels covered by this ordinance except those referenced herein.
- B. Planned unit residential development, development application requirements and required uses. Any development application in the R-5H District shall be submitted as a planned development by way of a preliminary site plan application for the entire district. Such application shall describe any phasing of the proposal, together with any onsite and off-tract improvements needed to support such phases. The application for preliminary site plan approval may also include a request for final approval with respect to such phase or phases. Any application shall include proposed amendments to the Carnegie Center East ‘Preliminary B’ master plan and Carnegie Center II Design Guidelines to reflect the R-5H District development. The following shall apply:
- (1) A R-5H development shall be subject to the requirements of this section and to the mandatory findings for a planned development as required by the Municipal Land Use Law, N.J.S.A. 40:55D-45.
 - (2) Up to a maximum of 326 residential units, market and affordable, shall be provided in one or more buildings.
 - (3) Along Carnegie Center Drive and the North Traverse and South Traverse Roads, there shall be roadside plantings consisting of formal, double rows of shade trees, spaced 30 feet on center. The rows shall be staggered by 15 feet.
- C. Principal permitted uses. In the R-5H 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:

- (1) Townhouse dwellings; stacked townhouses; and multifamily dwellings (including garden apartments and mid-rise apartments). The residential units shall be subject to a twenty-five (25%) low and moderate-income housing set aside in accordance with Subsection I.
- (2) Neighborhood retail uses providing for the sale of goods and services, including, but not limited to, convenience food stores, pharmacies, restaurants (excluding drive-through facilities), cafes, luncheonettes and delicatessens, indoor recreation facilities, including instructional studios and fitness centers, attended laundry and retail dry-cleaning services (not including bulk processing and, in case of dry-cleaning establishments, not providing for the storage of more than five gallons of flammable or toxic cleaning fluid on the premises), book, newspaper, periodical and stationary stores, copy centers, parcel package shipping stores or mailing centers, bicycle shops and bicycle rental facilities, banks, and personal services establishments (e.g. barber or beauty salon and spa and massage services).
- (3) General and administrative offices and professional offices (e.g., physicians, lawyers and architects); small commercial offices (e.g., realtors and travel agencies); and offices incidental to uses permitted in this section.

D. Permitted accessory uses.

- (1) Recreational, clubhouse, swimming pool, recycling buildings, and open space facilities, including, but not limited to, walkways, courtyards, plazas, community centers, and community gardens.
- (2) Amenity space for use by residents.
- (3) Off-street parking and loading designed in an aesthetically appealing manner in terms of layout and materials.
- (4) On-street parking.
- (5) Signs.
- (6) Street furniture, planters, approved public art elements, gazebos, park shelters, information kiosks, and waste/recycling receptacles.
- (7) Sidewalk cafes associated with permitted restaurants.

- (8) Fences and retaining walls which shall complement the architectural style, type and design of buildings and the overall project design.
 - (9) Decks, patios and terraces, which shall complement the architectural style, type and design on the buildings and the overall project design.
 - (10) Garages for use by residential tenants.
 - (11) Accessory uses and buildings customarily associated with residential uses.
 - (12) Temporary sales and construction trailers.
- E. Minimum tract size. The entirety of the district, which shall be planned and developed in a comprehensive manner as a single integrated entity with one development application showing the proposed development for the entire district.
- F. Maximum permissible density. 11.82 units per acre for the entirety of the district, which shall result in a maximum of 326 residential units for the entirety of the district.
- G. Location of nonresidential uses. Non-residential uses shall be located on the ground floor of buildings.
- H. Maximum improvement coverage. The maximum improvement coverage shall be seventy percent (70%) for the entirety of the district.
- I. Twenty-five percent of the residential component shall be low-and moderate-income housing meeting all of the applicable standards and requirements for affordable units, including those set forth in Uniform Housing Affordability Controls (UHAC), N.J.A.C. 80-26.5(b)2iii et seq., and Section 200-237 of the Code. At least fifty percent (50%) of the affordable units shall be made affordable to low-income households and at least thirteen percent (13%) of affordable units shall be made affordable to very low-income households earning thirty percent (30%) or less of the regional median household income by household size, which very low-income units shall be included as part of the low-income requirement. The remaining affordable units shall be made affordable to moderate-income households. Rental affordable units shall be located onsite and shall be reasonably interspersed throughout the development in accordance with N.J.A.C. 80-26.5(b)2iii. For-sale affordable units shall be located onsite and may be clustered provided buildings or housing product types are integrated throughout the development in accordance with N.J.A.C. 80-26.5(b)3ii. Affordable units shall be phased in accordance with the affordable housing

construction schedule set forth in N.J.A.C. 5:80-26.5(b)4. The state-wide non-residential development fee shall apply to the non-residential portion of the development to the extent it includes other than residential uses.

J. Multifamily building standards:

- (1) Building heights shall not exceed four (4) stories and sixty-five (65) feet.
- (2) Minimum yard dimensions:
 - (a) From internal streets and drives: 15 feet.
 - (b) From public streets: 25 feet measured from the property line.
 - (c) For buildings that front Carnegie Center Drive: 30 feet from the roadway curb l line.
 - (d) Paved areas for access to garages and parking lots are permitted in front yards.

K. Townhouse standards:

- (1) Building heights shall not exceed three (3) stories and forty-five (45) feet.
- (2) The following bulk standards shall apply to townhouses and stacked townhouses in a condominium or fee simple arrangement:
 - [a] Minimum front building setback from curb of internal roadways: 15 feet.
 - [b] Minimum side building setback from curb of internal roadway and parking: 10 feet.
 - [c] Minimum building separation, side to side: 15 feet.
 - [d] Minimum building separation, side to rear or rear to rear: 25 feet.
 - [e] Minimum building separation, front to front: 50 feet.
 - [f] Minimum building separation, front to side: 30 feet.

(3) Patios, decks, unenclosed porches with roofs, bay windows, chimneys, and similar architectural features are permitted to protrude up to five (5) feet into all required building separation areas, provided structures maintain the minimum separation to meet applicable building and fire codes.

L. Required off-street and on-street parking.

- (1) All streets shall be designed to accommodate two travel lanes.
- (2) The off-street parking standards set forth in § 200-27B shall apply, except as follows:
 - [a] The number of residential parking spaces shall conform to the requirements of the Residential Site Improvement Standards (RSIS).
 - [b] Off-street parking for all retail, personal service business or office uses shall be a minimum of one space per each 500 square feet of gross floor area. The applicant shall demonstrate that parking is sufficient for each use.
 - [b] Off-street parking for restaurants set forth in Section 200-27B shall apply in the R-5H District unless authorized otherwise by the board of jurisdiction based on the applicant demonstrating that parking is sufficient for the use.
 - [c] Amenity uses for residents only shall not have an off-street parking requirement.
- (3) Parallel on-street parking shall be permitted on internal streets of the development to meet parking requirements.

M. Pedestrian and bicycle accessibility.

- (1) A comprehensive pedestrian and bicycle circulation system shall be provided between all buildings, along roads, and through open space.
- (2) The applicant shall provide paved pedestrian/bicycle linkages to those portions of Carnegie Center Drive surrounding the project. Consideration shall be given to linking pedestrian and bicycle circulation features to adjoining open space amenities, as determined to be appropriate and feasible.

- (3) Safe and secure (enclosed) bicycle parking shall be provided.

N. Architectural design standards and guidelines.

- (1) Buildings shall generally relate in scale to the surroundings buildings in the development. Buildings shall reflect a continuity of treatment obtained by maintaining the building scale or by subtly graduating changes; by maintaining base courses; by extending horizontal lines of fenestration; and by reflecting select architectural styles and details, design themes, building materials, and colors used in surrounding buildings.
- (2) Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as balconies, canopies, 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.
- (3) Side and rear elevations should receive architectural treatments comparable to front facades.
- (4) Heating, ventilating and air-conditioning (HVAC) systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated or placed to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties, unless screening is unacceptable to the utility companies.
- (5) Street furniture such as benches, streetlamps, bicycle racks, receptacles for litter, including mandatory recycling receptacles, bus stops, landscape planters and hanging baskets shall be provided, if applicable. A standard street furnishing plan shall be established for the entire district. Options shall be established in order to permit variety. Furnishings manufactured from recycled materials shall be considered. Furnishings manufactured from local or regional sources shall be considered.

O. Snow storage and removal. Procedures for snow storage and removal shall be identified on the site plan.

P. Recreation. Residents shall have access to the outdoor recreational amenities located within the adjoining Carnegie Center campus, as same may be modified or altered by the owner thereof.

Section 5. 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 6. 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:

Planning Board Approval:

Public Hearing:

Adoption:

Mayor Approval:

Effective Date: