

TOWNSHIP OF WEST WINDSOR
MERCER COUNTY, NEW JRESEY

ORDINANCE 2026-08

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-5J ZONING DISTRICT (200-189.9)

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-5I Residence Affordable Housing” the following:

R-5J 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 is 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 8 Lots 17, 24, and 30 to the R-5J 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 200-189.9.

§ 200-189.9 R-5J Residence District use, bulk and other regulations.

- A. Purpose. The R-5J Residence (R-5J) District is intended to encourage the production of very-low, low-, and moderate-income housing units in conformance with the latest procedural and substantive rules for affordable housing, as determined by the courts or other applicable authority, by permitting an inclusionary multifamily development subject to the following regulations.

- B. Principal permitted uses. In the R-5J 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) Multi-family dwellings including townhomes and stacked townhomes. The residential units shall be subject to a twenty-five percent (25%) low- and moderate-income housing set aside in accordance with Subsection G.

- C. Permitted accessory uses.
 - (1) Recreational, clubhouse, swimming pool, recycling buildings, and open space facilities, including, but not limited to, walkways, courtyards, plazas, community center, tot lots and community gardens.
 - (2) Amenity space on the ground floor of buildings for use by residents.
 - (3) Off-street parking designed in an aesthetically appealing manner in terms of layout and materials.
 - (4) Signs.
 - (5) Street furniture, planters, approved public art elements, gazebos, park shelters, information kiosks, and waste/recycling receptacles.
 - (6) Fences and walls which shall complement the architectural style, type and design of the building and the overall project design. Such fences and walls shall be constructed in accordance with a fence and wall design plan approved by the board of jurisdiction.

- (7) Decks, patios and terraces, which shall complement the architectural style, type and design on the building and the overall project design. Such features shall be constructed in accordance with a deck, patio and terrace design plans approved by the board of jurisdiction.
- (8) Garages for use by residential tenants.
- (9) Accessory uses and buildings customarily associated with residential uses.

D. 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.

E. Maximum permissible development density. 17.7 units per acre, which shall result in a maximum of 216 residential units.

F. Maximum improvement coverage. The maximum improvement coverage for the district shall not exceed sixty-five percent (65%).

G. Twenty-five percent of the housing units 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. 5:80-26.1 et seq. 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. The affordable units shall be located on site and shall be reasonably dispersed throughout each residential building phased in accordance with the affordable housing construction schedule set forth in N.J.A.C. 5:97-6.4(d). No development fee shall be charged in addition to the set-aside requirement.

H. Building standards.

- (1) Building heights shall not exceed:
 - [a] Five (5) stories and sixty-five (65) feet for multifamily buildings.
 - [b] Three (3) stories and forty-five (45) feet for townhomes and stacked townhomes.

- (2) Building setback dimensions from tract boundary: Tract set-back dimensions:
 - [a] Front yard. Thirty (30) feet.
 - [b] Side yard: Forty (40) feet.
 - [c] Rear yard: Forty (40) feet.
- (3) Distance between buildings:
 - [a] Forty (40) feet between multifamily buildings
 - [b] Forty (40) feet between a multifamily building and a townhome/stacked townhome.
 - [c] Twenty (20) feet between townhouses and stacked townhouses.
- (4) Set-back from internal roads and parking: Ten (10) feet.
- I. Individual lot requirements. There shall be no limitation on maximum improvement coverage for individual lots within the R-5J District. Lot widths, frontages, rear yards, side yards, front yards, lot dimensions, parking lot locations and building distances may be freely arranged and disposed of within the District. A lot need not front on a street and there are no minimum building distances for individual lots in the same building. The intent of this provision is to permit individual buildings and/or associated parking areas to exist as separate lots either through subdivision or via condominium arrangements. However, each individual lot shall be subject to and may only be improved in accordance with the final subdivision and/or site plan approval for the R-5J District in accordance with these district regulations. The board of jurisdiction shall condition final approval upon submission by the applicant and approval by the board attorney of a declaration of covenants and restrictions or other suitable instrument setting forth the mechanisms by which and providing adequate assurances that security, outside cleaning and other routine external maintenance, external repainting, maintenance of the common open space, garbage collection, snow removal and other appropriate items will be provided.
- J. Required off-street and on-street parking. The number of residential parking spaces shall conform to the requirements of the Residential Site Improvement Standards (RSIS).

- K. Safe and secure (enclosed) bicycle parking shall be provided for any housing unit that does not have a garage.
- L. In lieu of the standards contained in Section 200-36, the following architectural design standards and guidelines shall apply.
- M. Vehicular, bicycle, and/or pedestrian connections to adjacent commercial properties should be provided to the greatest extent feasible.
 - (1) Buildings shall generally relate in scale to the surroundings buildings. 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) The architectural treatment of the front façade shall be continued in its major features around all visible exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors, and details. Blank wall or service area treatment of side and rear elevations visible from the public views is discouraged.
 - (4) Fenestration shall be architecturally compatible with the style, materials, colors, and details of the building. Windows shall be vertically proportioned wherever possible. To the extent possible, upper-story windows shall be vertically aligned with the location of windows and doors on the ground level.
 - (5) All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades or others, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of the building as a whole, as shall the doors.

- (6) 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.
- (7) 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.

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

O. Open space. General requirements. Except as otherwise provided herein, not less than the lesser of 25% of the development area, excluding the area of single-family lots, or 20% of the gross development area shall be designed as and devoted to common open space for use primarily by the residents of the planned development or subject to conservation easements restricting their development.

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: