

§ 108-6.18. H-D Highway Development District.

The following regulations shall apply in the H-D Highway Development District.

A. Permitted uses.

- (1) Business and professional offices, corporate centers including facilities used for business, professional and corporate training, education or other similar services.
- (2) Theaters and other fully enclosed commercial entertainment establishments.
- (3) Regional shopping centers, subject to yard, bulk and buffer requirements contained in Article VII of this chapter.
- (4) New auto sales and showroom establishments, but not including used car lots or auto body repair shops exclusively as principal uses.
- (5) Fully enclosed establishments for the sale and repair of machinery and equipment.
- (6) Wholesale, distributive and storage establishments.
- (7) Data processing and computer centers.
- (8) Fully enclosed restaurants.
- (9) Medical offices and clinical laboratories.
- (10) Banks and other "fiduciary institutions."
- (11) Law and accounting offices.
- (12) Hotels, motels, convention centers.
- (13) Highway development parks:
 - (a) Planned park development may be permitted in the H-D Zone, provided that the site to be developed shall contain a minimum of 40 acres.
 - (b) All uses permitted in the L-I Light Industrial District.
 - (c) Area, yard and building requirements shall be as follows:
 - [1] Minimum lot size: five acres.
 - [2] Minimum lot width: 200 feet.
 - [3] Minimum lot depth: 200 feet.
 - [4] Minimum side and rear yard setbacks. Minimum rear and side yard setbacks may be reduced proportionately to the individual reductions in lot area.

- (d) Other provisions. All other requirements for industrial development shall conform to those established under § 108-6.19 of this article.
- B. Permitted accessory uses.
 - (1) Parking and loading facilities for principal uses.
 - (2) Customary accessory uses and buildings which are clearly incidental to the main use.
- C. The area, yard and building requirements are as specified for this zone in the schedule of requirements in § 108-6.4 of this article and the applicable subsections of this chapter.
- D. Conditional uses requiring a conditional use permit, subject to the provisions of Article VII of this chapter.
 - (1) Funeral homes.
 - (2) Public transportation terminal facilities.
 - (3) Car washes.
 - (4) Hospitals, clinics and medical centers.
 - (5) Shopping centers.
 - (6) Commercial recreation facilities.
 - (7) Automotive gasoline stations, automotive repair garages, automotive service stations, automotive sales and service facilities.
 - (8) Satellite antennas.
 - (9) Wireless communication antennas and wireless communication towers in accordance with the conditions, standards and limitations specified in § 108-7.3 of this chapter.
 - (10) Public utility installations.
- E. Signs are permitted as per Article X of this chapter.
- F. Parking is required as per Article IX of this chapter.
- G. Fences are permitted as per Article VIII of this chapter.
- H. Landscape buffer requirements.
 - (1) A buffer area 100 feet in width shall be provided along any road frontage, and along any front, side or rear lot line that abuts a residential zone. The buffer shall consist of a minimum six foot high sculptured, undulating berm that has a top of berm width ranging from 10 to 20 feet. The top of the berm will be planted with a mass of evergreen trees with an average height of eight feet.

This evergreen stand shall be planted in a natural pattern which achieves a full screening effect. The Planning Board or Board of Adjustment shall have the right to require a continuous six foot berm as a particular case may warrant. The sides of the berm shall be established with shrubs and ground cover. The landscaping and plant material shall conform to § 108-8.1J. The landscaped berm shall be installed and established prior to the commencement of construction. No structures, fences, walls or accessory buildings shall be located within the buffer area. If the frontage contains woodland, the Planning Board or Board of Adjustment shall determine the extent of any supplemental planting.

- (2) All side and rear yards shall be suitably landscaped with shrubs and ground cover in accordance with Article VIII of this chapter.

I. Design requirements.

- (1) All sites within the H-D Highway Development District Zone shall be designed as a unified commercial village with a single architectural motif, which shall be in character with the surrounding residential area. A strip design shopping area or center is prohibited.

J. AHMUD/HD Affordable Housing Mixed Use Development/Highway Development Overlay Zone.

- (1) The purpose of this subsection is to establish the standards and requirements for mixed use development that includes a mix of market-rate housing and housing that is affordable to low and moderate-income households and nonresidential commercial and office facilities. The affordable housing will assist Monroe Township in meeting its constitutional and statutory obligations to provide a realistic opportunity for the construction of its fair share of its region's needed low and moderate-income housing.

- (2) The AHMUD/HD Affordable Housing Mixed Use Development/Highway Development Overlay Zone shall apply to the following parcels of land only:

Block 6, Lots 12.05, 12.06, 13.01, 14.01, 15.01, 16.01, 17.01, 18.01, 19.03, 19.04, 20.01, 21.03, 21.04, 22.01, 23.01, 24.01, 25.01, 26.01, 27.01 28.01 and 29.02 **[Amended 9-3-14 by Ord. No. O-9-2014-020]**

- (3) The minimum tract size for development in the AFMUD/HD Affordable Housing Mixed Use Development/Highway Development Overlay Zone shall be three (300) acres.

- (4) Permitted uses.

- (1) All principal uses permitted in the HD Highway Development District § 108-6.18A except for the following uses: new auto sales and showroom establishments; fully enclosed establishments for the sale and repair of machinery and equipment; whole-sale, distributive and storage establishments; and highway development parks.

- (2) Inclusionary housing development consisting of affordable housing as defined by the current rules of the New Jersey Council of Affordable Housing and market rate housing. All housing shall comply with the provisions set forth in this section.
- (3) Regional shopping centers provided they comply with the following requirements:
 - [1] A minimum lot area of 25 acres.
 - [2] All the area, yard and building requirements of § 108-6.4.
 - [3] Not more than 20% of the required parking shall be permitted in a front yard.
 - [4] All buildings shall have a break in façade at least every 40 feet.
 - [5] Landscaping and buffering shall be provided in accordance with the requirements of this chapter.
 - [6] Storm drainage and utilities shall be provided in accordance with the requirements of this chapter.
 - [7] Signage shall be provided in accordance with the requirements of this chapter.
 - [8] Lighting shall be provided in accordance with the requirements of this chapter.
- (5) Permitted accessory uses as set forth in § 108-6.18B.
- (6) The area, yard and building requirements shall be applied in the following manner:
 - (a) All nonresidential development shall comply with § 108-6.4 of this article, except as follows:
 - [1] Maximum building height for hotels and offices shall be four stories and 60 feet.
 - [2] Maximum floor area ratio for hotels and offices shall be 0.45.
 - (b) Inclusionary housing development shall comply with § 108-6.4 of this article and the applicable subsections of this chapter.
- (7) Conditional uses requiring a conditional use permit, subject to the provisions of Article VII of this chapter.
 - (a) Satellite antennas.
 - (b) Wireless communications antennas and wireless communications towers in accordance with the conditions, standards and limitations specified in § 108-7.3.

- (c) Public utility installations.
- (8) Signage as permitted in § 108-10.1.
- (9) Parking as required in § 108-9.1.
- (10) Landscaping and buffering as required in § 108-6.18 and § 108-8.1.
- (11) Fences as permitted in § 108-8.2.
- (12) Design requirements as required in § 108-6.18.
- (13) Inclusionary housing development.

(a) The following residential dwellings shall be provided: **[Amended 9-3-14 by Ord. No. O-9-2014-020]**

- [1] Market rate condominium flats and townhouses.
- [2] Affordable age restricted rental flats, which may be developed as multifamily dwellings and/or over commercial and office uses that are on the first floor on the condition that separate entrances to the affordable housing dwelling units are provided.

(b) The following number and percentage of market rate and affordable housing dwelling units permitted in this zone shall be: **[Amended 9-3-14 by Ord. No. O-9-2014-020]**

Description	Number of Dwelling Units	Percentage (%)
Market Rate Units	618	82.5
Affordable Units	131	17.5
Total	749	100.0

- (c) Market rate and affordable housing dwelling units shall be developed on at least 25 acres of contiguous developable land exclusive of freshwater wetlands, one-hundred-year floodplains, steep slopes and other environmental constraints within the tract of land.
- (d) Given the fact that the overlay zone provides for a greater degree of flexibility for a mix of uses on the tract that improve the economic viability of the development of the tract, a lot that contains at least 10 acres of land that is not encumbered by freshwater wetlands, one-hundred-year floodplains, steep slopes and other environmental constraints shall be deeded to Monroe Township for the purpose of developing it as municipally-sponsored, 100% affordable housing. Title of the lot shall be transferred to Monroe Township within 30 days of filing the final subdivision plat with the Middlesex County Clerk.
- (e) An open space organization shall be established pursuant to § 108-6.13F.

- (f) Sidewalks and walkways shall be provided pursuant to § 108-6.13H.
- (g) Buffers shall be provided pursuant to § 108-6.13I.
- (h) Landscaping, shade trees and tree preservation shall comply with § 108-6.13J.
- (i) (Reserved) **[Deleted 9-3-14 by Ord. No. O-9-2014-020]**
- (j) The low and moderate income split for affordable housing shall comply with § 108-6.13K(3).
- (k) The construction phasing of market-priced and low and moderate-income units shall comply with § 108-6.13K(4).
- (l) (Reserved) **[Deleted 9-3-14 by Ord. No. O-9-2014-020]**
- (m) The location and design of affordable housing shall comply with § 108-6.13K(6).
- (n) Affordable housing shall comply with § 108-6.13K(7), the Monroe Township Affordable Housing Ordinance and current New Jersey Council on Affordable Housing rules.
- (o) Application procedures for inclusionary housing development shall comply with § 108-6.13L.

K. VC-2 Village Center Overlay.

- (1) Purpose: The purpose of the VC-2 Overlay is to promote a full range of commercial, office and residential land uses within a newly created, pedestrian-friendly, mixed-use environment that will serve local, community-wide and regional needs and create new employment opportunities. Pedestrian movement is encouraged to flow throughout the overlay zone area by generally permitting stores and shops and personal service establishments on the ground floor of buildings and promoting the use of upper floors for office and, in certain circumstances, residential dwelling units. Land uses within the overlay zone should be arranged to provide for highway-oriented commercial and office uses along Route 33. In order to create a neo-traditional downtown, less-intensive commercial and office uses mixed with residential uses on upper floors should be oriented toward the interior of the area along a primary access road that extends in a general north to northeast direction from Route 33 to Applegarth Road. The bulk of the residential uses should be developed in areas that are in the vicinity of the less intensive "downtown" and extend north from Route 33 toward the edge of woods along the Millstone River.
- (2) General goals:
 - (a) Proper screening and buffering around the perimeter of the area and along surrounding roads;

- (b) Adequate building setbacks from surrounding roads;
 - (c) Well-landscaped interior spaces for residential and nonresidential land uses;
 - (d) Open space for active and passive recreational amenities for residential land uses;
 - (e) Public amenities including, but not limited to, pedestrian plazas and sitting areas;
 - (f) Opportunities for shared off-street parking and stormwater management facilities;
 - (g) Off-street parking that is well screened from public view;
 - (h) Controlled and coordinated internal circulation system for pedestrians and vehicles; and
 - (i) Coordinated design themes, i.e., buildings, streetscapes, parking areas, landscaping, lighting and signage.
- (3) Minimum tract size: 75 acres.
- (4) Permitted principal uses:
- (a) Retail stores and shops that are permitted in the HD Highway Development and NC Neighborhood Commercial Zones;
 - (b) Personal service establishments permitted in the HD Highway Development and NC Neighborhood Commercial Zones;
 - (c) General and administrative offices;
 - (d) Professional offices;
 - (e) Restaurants, cafes, luncheonettes and delicatessens, excluding curb service and drive-in and drive-through facilities for all eating and drinking establishments;
 - (f) Instructional studios and fitness centers;
 - (g) Banks and similar financial institutions, excluding check-cashing businesses, and drive-through facilities should be permitted only in locations where such a facility is not a dominant visual element and not located adjacent to residential dwellings;
 - (h) Retail dry-cleaning and laundry services;
 - (i) Art galleries and similar facilities;
 - (j) Shopping centers and office complexes;

- (k) Childcare centers;
 - (l) Parks and playgrounds: and
 - (m) Residential dwellings: townhouse and multifamily dwellings in individual complexes separate from nonresidential land uses that must be located at least 500 feet from Route 33; affordable housing units over nonresidential uses that are on the ground floor within mixed-use buildings located in the "downtown" area; and affordable housing units in 100% affordable housing buildings that must be located at least 500 feet from Route 33. A setaside of at least 20% of all residential dwellings shall be provided as affordable housing as defined by the State of New Jersey in order for residential dwellings to be part of any development.
 - (n) Multiple residential and nonresidential uses and buildings on one lot.
- (5) Permitted accessory uses:
- (a) Off-street parking areas and loading spaces;
 - (b) Signs;
 - (c) Fences and walls;
 - (d) Seasonal outdoor dining associated with a permitted restaurant, cafe, luncheonette or delicatessen utilized and operated from May to October in accordance with a plan submitted to the Township Planning Administrator for review and approval by the Township Zoning Officer, Township Fire Code Official and Township Engineer to protect the health, safety and general welfare of the public. The plan shall clearly depict the layout and arrangement of dining areas including, but not limited to, tables with and without umbrellas, chairs, furniture, appurtenances, canopies, if any, which must be removed in the off-season, and landscaping in planters and pots.
 - (e) Outdoor swimming pools and active recreational facilities and community centers that are part of permitted residential complexes and buildings.
 - (f) Satellite antennas.
 - (g) Public utility installations.
- (6) Conditional uses requiring a conditional use permit subject to the provisions of Article VII of this chapter:
- (a) Automotive gasoline stations, automotive repair garages, automotive service stations, automotive sales and service facilities.
- (7) Permitted intensities of development:
- (a) Maximum residential density of six dwelling units per acre of the portion

of the tract of land that is located between the Millstone River and the internal boundary that is 500 feet from Route 33 with a requirement of at least a 20% setback for affordable housing as defined by New Jersey State law shall be permitted.

- (b) Maximum nonresidential floor area ratio of 0.35 shall be permitted.
 - (c) Maximum building coverage for residential and nonresidential uses of 30% shall be permitted.
 - (d) Maximum impervious coverage for residential uses of 40% shall be permitted.
 - (e) Maximum impervious coverage for nonresidential uses of 50% shall be permitted.
- (8) Bulk standards:
- (a) Nonresidential uses:

[1] Minimum lot area: Lots along Route 33 shall be at least three acres. Internal lots within tract shall be at least 20,000 square feet.

[2] Minimum lot dimensions:

Description	Lots along Route 33	Internal Lots
Frontage	300 feet	100 feet
Width	300 feet	100 feet
Depth	300 feet	200 feet

[3] Yard requirements for principal buildings and structures for lots along Route 33:

Description	Requirement
Minimum front yard	100 feet
Minimum side yard	40 feet
Minimum rear yard	40 feet

[4] Yard requirements for principal buildings and structures for internal lots within tract:

Description	To Internal Lot Property Line	To Curb Line of Internal Road
Front yard minimum	0 feet	10 feet
Front yard maximum	10 feet	20 feet
Side yard minimum	15 feet	

Description	To Internal Lot Property Line	To Curb Line of Internal Road
Rear yard minimum	40 feet	

Note: Internal road applies to either a road dedicated to the municipality or a private road.

- [5] Maximum building height:

Description	Requirement
Principal building, including 100 percent nonresidential and mixed nonresidential and residential	3 stories of occupied space 50 feet
Accessory building	1 story 25 feet

- [6] Minimum separation between buildings on lot with multiple buildings:

Description	Requirement
Side of building to side of building	30 feet
Rear of building to rear of building	80 feet
Rear of building to side of building	55 feet

- (b) Residential uses:

- [1] Minimum lot area: 5 acres

- [2] Minimum lot dimensions:

Description	Requirement
Frontage	400 feet
Width	400 feet
Depth	500 feet

- [3] Yard requirements for principal buildings and structures:

Description	Tract Boundary	Internal Lots	To Curb Line of Internal Road
Minimum front yard	50 feet	20 feet	30 feet; 25 feet for front yard with driveway to front of dwelling unit
Minimum side yard	50 feet	10 feet	
Minimum rear yard	50 feet	20 feet	

[4] Maximum building height:

Description	Requirement
Principal building, townhouse and multifamily	2-1/2 stories 35 feet
100 percent affordable multifamily	3 stories of occupied space 50 feet
Accessory building	1 story 25 feet

[5] Minimum separation between buildings on lot with multiple buildings:

Description	Requirement
Side of building to side of building	20 feet
Rear of building to rear of building	50 feet
Rear of building to side of building	40 feet

(9) Landscape buffer requirements:

- (a) Minimum width of buffer area along Route 33 shall be 100 feet.
- (b) Minimum width of buffer area along Applegarth Road and existing municipal roads shall be 50 feet.
- (c) Minimum width of buffer area along tract boundary other than along roadways shall be 100 feet for nonresidential uses abutting residential

zones and 50 feet for residential uses abutting residential zones.

- (d) Landscape buffer areas shall comply with § 108-6.18H, except for minimum width requirements as indicated in previous paragraphs of this subsection, and with § 108-8.1J and any other sections of this chapter. Brick walls for enhancement are encouraged.
- (e) A meandering all-purpose path having a width of 10 feet shall be provided within the landscape buffer along Route 33 and Applegarth Road. The specification of material and design of the path shall be determined by the Township Engineer.

(10) Traffic and circulation:

- (a) A detailed traffic study analyzing the development's impact on the existing road system including, but not limited to, Applegarth Road, Route 33, the full intersection of Applegarth Road and Route 33, Bentley Road and proposed road intersections with any of the surrounding roads shall be filed with the development application.
- (b) A primary access road in the form of a boulevard with a treed center median that interconnects Applegarth Road through the VC-2 Village Center Overlay Zone with Route 33 at a signalized intersection at the main entrance of the existing Renaissance age-restricted development located on the southern side of Route 33.
- (c) No curb cuts for driveways shall be permitted along Route 33 and Applegarth Road. All access from Route 33 and Applegarth Road shall be achieved by a primary access road with driveways and roads intersecting the primary access road within the internal areas of the development so as to create an internal road system.
- (d) On-street parking along the "downtown" commercial section of the treed boulevard shall be provided.
- (e) Street trees shall be provided in accordance with the provisions of this chapter.
- (f) Multi-purpose sidewalks and paths linking all sections of the development within the overlay zone shall be provided.

(11) Open space:

- (a) Conservation areas having a width of at least 100 feet along the Millstone River shall be preserved and monumented. The width of the conservation areas shall increase following freshwater wetland buffers as defined by the State of New Jersey and one-hundred-year floodplains.
- (b) Walking trails through open space areas, particularly along the Millstone River shall be provided.

- (c) Formal public spaces, i.e., sitting areas and pocket parks, within the "downtown" commercial areas shall be provided.

(12) Signage:

- (a) All signage shall comply with the provisions of this chapter except as set forth below.
- (b) Freestanding identification signs shall be monument signs restricted to a size and scale that are appropriate for the type of road from which the signs are viewed as set forth below:

[1] Signage along Route 33:

- [a] One monument sign shall be permitted at the intersection of Route 33 and the primary access road into the development.
- [b] The monument sign shall be set back at least 10 feet from the right-of-way line for Route 33 and 20 feet from the curblineline of the main access road into the site.
- [c] The maximum height of the monument sign shall be 15 feet.
- [d] The maximum area of each face of the monument sign shall be 100 square feet.

- [2] Signage within the development along internal roads shall comply with the provisions for the NC Neighborhood Commercial zone set forth in this chapter.

(13) Parking and loading:

- (a) Parking and loading areas for smaller commercial, office and mixed-use land uses shall be restricted to the rear and sides of buildings to provide for pedestrian-friendly front yards and small front yard setbacks to create a downtown village feel.
- (b) All provisions of this chapter regarding parking and loading shall apply to the VC-2 Village Center Overlay Zone.

(14) Lighting: Site and streetlighting shall comply with the provisions of this chapter.

(15) Fences and walls: Fences and walls shall comply with the provisions of this chapter.

(16) Design standards:

- (a) General standards:

- [1] A planned village center development shall be conceived, designed, subdivided, site planned and approved by the Township Board

having jurisdiction as a single development a comprehensive site development plan. The developer shall establish site landscaping, building design and common area maintenance guidelines and control standards.

- [2] The entirety of a planned village center development shall be developed with a common architectural theme which shall be subject to site plan approval by the Township Board having jurisdiction. The architectural theme shall include buildings, signing, fencing, lighting, curbing, landscaping and other similar and related physical features and improvements.
- [3] Building design:
 - [a] The treatment of side and rear walls of any building in terms of building materials and colors shall be similar to the treatment of the front façade.
 - [b] All buildings shall be designed to convey a small-scale village character. Buildings included in the VC-2 Village Center Overlay Zone shall contain the following design elements:
 - (i) Building exteriors shall have vertical and/or horizontal offsets to create visual breaks on the exterior. The exterior of all buildings in the development, including any permitted accessory buildings, shall be architecturally compatible and be constructed of complementary materials. Design guidelines for future building improvements shall be prepared by the applicant to ensure the ongoing design integrity of the development.
 - (ii) Architectural detail, style, color, proportion and massing shall reflect the features of a traditional village center neighborhood. Provide for an orderly relationship among windows, doors, porches and roof forms.
- [4] The scale and massing of buildings on any given street shall be harmonious.
- [5] The design of all internal streets shall comply with State of New Jersey Residential Site Improvement Standards. Main streets through developments shall be designed to have divided landscape medians so as to create a boulevard that has street trees, sidewalks, curbing and ornamental streetlighting along both sides of the boulevard, pedestrian crosswalks constructed of material differing from the street pavement, street signage that announces sharing the street with bicyclists, and street furniture such as benches and trash receptacles.
- [6] Special ground texture treatment shall be required for pedestrian

crossings in streets and elsewhere to include bricks, stone, cobbles and/or other suitable material.

- [7] Street furniture such as benches, street lamps, bicycle racks, trash receptacles, tree grates, bus stops, landscape planters and other amenities shall be provided.
- [8] All streets, sidewalks and pathways shall connect to other streets within the village center development and connect to existing streets outside the village center development, as appropriate. Dead-end streets are generally not permitted within the village center developments unless such condition is unavoidable, as determined by the Board having jurisdiction.
- [9] Adequate internal buffering between residential and nonresidential uses, particularly for screening parking lots, loading areas and refuse enclosures shall be provided.
- [10] All utilities shall be installed underground.
- [11] To the extent practical and reasonable incorporate "green" building and site design techniques and technology, i.e., solar panels on roofs and in parking areas, "green" roofs for lowering energy consumption and improving stormwater management, rain gardens for improving water quality and reducing quantity from stormwater runoff, and other innovations shall be incorporated in the development plan.

(b) Nonresidential uses:

- [1] The location of nonresidential and mixed-use building entrances and orientation of buildings shall minimize distance to walk from one building to another. Buildings with more than one façade facing a public street, internal road, parking lot or open space shall be required to provide multiple front façade treatments.
- [2] All uses shall be conducted within completely enclosed buildings unless otherwise specified herein.
- [3] Nonresidential and mixed-use buildings shall be provided with off-street loading and service areas separate from parking spaces and shall be situated as much as possible to the rear of the building and out of the general traffic flow.
- [4] Street-level storefronts and building entrances shall be open and inviting to pedestrians.
- [5] Air-conditioning units, heating, ventilating and air-conditioning (HVAC) systems, exhaust pipes or stacks, satellite dishes and other telecommunication receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed

from the public view and adjacent properties.

(c) Residential uses:

- [1] Townhouse buildings shall consist of no more than eight townhouse dwelling units in order to prevent the development of long and monotonous buildings. No more than two adjacent townhouse units shall have the same building offset, which shall vary by at least four feet.
- [2] The front façade of a townhouse unit shall reflect a traditional village character. Awnings, open and usable porches, stoops, bay windows and/or balconies and other decorative entries may encroach into building setback lines.
- [3] Garages for townhouse buildings may be front-, side- or rear-entry types. Sufficient storage area to accommodate automobiles, automotive accessories, tools, trash/recycle materials and other items typically found in garages shall be provided.
- [4] Townhouse dwelling units shall have private outdoor space, which may include a deck, patio and/or terrace. Such outdoor space shall be screened with landscaping and/or fencing that shall not exceed five feet in height.
- [5] Multifamily dwelling units shall have access provided by an outside entrance or stairway serving the residential units exclusively.