

# Ordinance 2019-14

*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 28, ENTITLED “ZONING”, SECTION 28-3, ENTITLED “DISTRICTS ESTABLISHED; ZONING MAP”, SUBSECTION 28-3-16 ENTITLED “R-PO RESIDENTIAL PROFESSIONAL OFFICE DISTRICT” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY**

**WHEREAS**, the Council of the Borough of Hightstown wish to amend chapter 28 of the the Revised General Ordinances to eliminate the R-PO Residential Professional Office District and to establish a new district known as the DTG Downtown Gateway; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Hightstown, in the County of Mercer, and State of New Jersey, as follows:

Section 1. That Chapter 28, entitled “Zoning”, Section 28-3, entitled “R-PO Residential Professional Office District”, is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

## **Subsection 28-3-16 DTG Downtown Gateway**

The purpose and intent is to eliminate the R-PO Residential Professional Office District and to establish a new district known as the DTG Downtown Gateway.

a. Permitted Uses. In the DTG Downtown Gateway, the following uses, and no others, shall be permitted:

- (a) Detached single-family dwellings or duplex.
- (b) Restaurants and other places to eat and drink, but not including establishments with drive-throughs.
- (c) Retail sales and services within a completely enclosed building.
- (d) Personal and business services within a completely enclosed building.
- (e) Performing arts companies.
- (f) Offices.
- (g) Child care centers.
- (h) Tutoring centers.

- (i) Financial institutions.
- (j) Apartment dwellings as upper floor use or rear part of buildings containing adjacent and / or above principal uses.
- (k) Art galleries and artist studios

## 2. Accessory Uses & Structures.

- (a) Carports, accessory garages and/or open parking spaces with necessary driveways for vehicles belonging to residents on the premises and their guests.
- (b) Noncommercial solariums and home swimming pools, provided that suitable protective fencing for swimming pools are in accordance with Subsection 28-10-5.
- (d) Signs in accordance with Chapter 29-17.
- (e) Fences, walls and landscaping in accordance with Subsection 28-10-4 as they pertain to Residential Districts.
- (f) Subject to lot coverage requirements, no more than two (2) storage sheds are permitted on a lot in accordance with Subsection 28-10-4.
- (g) Satellite dishes, subject to the restrictions and requirements set forth in Subsection 28-10-18.

### Restrictions.

1. No existing houses / buildings shall be structurally altered in a manner that is visible to the public domain without an architectural review. Any façade renovations or new construction that is visible to the public should be consistent with the character of the surrounding neighborhood.
2. Area, yard, and other standards for residential use shall conform to R-4 Residential District requirements.
3. Height. The maximum height shall be two and one-half (2.5) stories, and not to exceed thirty-five (35') feet.
4. Lot coverage. The total lot coverage of all structures and site improvements shall not exceed seventy (70%) percent.
5. Side yards. A minimum side yard of ten (10') feet shall be provided for each side yard.
6. Rear yard. The minimum rear yard shall be twenty (20') feet.
7. Landscaping and buffers. All portions of the lot not used for building, parking or other site improvements shall be suitably landscaped with lawn, shrubs, trees, etc. Lot lines which abut lots with residential use or residential zone lines shall provide a landscape buffer strip at least five (5) feet in width and the buffer strip shall be suitably landscaped to provide a continuous year-round visual screening of the property. The buffer area may contain a fence provided said fence is in accordance with subsection 28-10-4.

8. Lot access. Vehicular access serving professional office uses established or expanded under this section on the south side of Franklin Street shall be prohibited to and/or from Clinton Street or Cole Avenue. Existing vehicular access to Clinton Street and Cole Avenue serving existing residential or professional office uses may be continued.

9. Parking. See subsection 28-10-10, Off-Street Parking and Off-Street Loading Facilities. Parking is not required for individual uses situated within three hundred (300') feet of a public facility or designated private parking facility subject, however, to demonstration that the facility has adequate parking to accommodate the individual use.

10. Signs. As permitted by Subsection 29-17 of the Revised Borough Ordinances and in accordance with a signage plan submitted as part of a site plan application.

11. Sight triangles. Sight triangles shall be provided in accordance with subsection 28-10-8.

Section 2. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Introduction: September 16, 2019

Adoption: October 7, 2019

**ATTEST:**

\_\_\_\_\_  
DEBRA L. SOPRONYI  
MUNICIPAL CLERK

\_\_\_\_\_  
LAWRENCE D. QUATTRONE  
MAYOR