

AN ORDINANCE TO AMEND CHAPTER 101 (“ZONING”), ARTICLE VII (“GB GENERAL BUSINESS ZONE REGULATIONS”) OF THE CODE OF THE TOWNSHIP OF PLAINSBORO

WHEREAS, the Township of Plainsboro seeks to encourage commercial development in various zones located in the municipality, including the General Business Zone; and

WHEREAS, the Township Committee of the Township of Plainsboro believes it to be appropriate to make amendments to the General Business Zone to make it more conducive to commercial development; and

WHEREAS, the Township Committee desires to amend and supplement the Township’s Ordinance regarding the General Business Zone Regulations; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Plainsboro, as follows:

SECTION I.

The Code of the Township of Plainsboro, Chapter 101 (“Zoning”), Article VII (“GB General Business Zone Regulations”) shall be amended and supplemented as follows (additions are underlined and deletions are struck through):

§ 101-50. Purpose.

The GB General Business Zone is intended to permit retail business, personal service establishments, general corporate and administrative offices and other nonresidential uses within a shopping center-style environment. Development within the zone will strive to promote the sharing of parking and stormwater management facilities, have well-landscaped and adequate building setbacks from surrounding roads, provide off-street parking that is well screened from public view, control means of ingress/egress, coordinate internal pedestrian and vehicular traffic flows relating to existing and proposed development, and ensure design compatibility with existing development that considers building height, materials, colors, landscaping and signage.

§ 101-51. Goals.

Development within the GB General Business Zone shall reflect a shopping-center-style environment while utilizing design principles characteristic of the adjoining Village Center Zone, including:

- A. Encourage innovation in design and reflect changes in land development technology to enhance the existing village character.
- B. Provide for necessary commercial facilities and services.
- C. Encourage the highest quality design and architecture.
- D. Encourage better movement and transportation of people.
- E. Prevent strip commercial development by ensuring that new development reflects and respects the existing and evolving village areas.
- F. Provide a more defined sense of place along Schalks Crossing Road.
- G. Preserve the residential integrity of adjacent areas.
- H. Create a zone with enough flexibility that permits the land use variety of a village yet prohibits the chaotic character of an unplanned area.

§ 101-52. Permitted uses.

In the GB General Business Zone, 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 the Township's Site Plan Ordinance:

- A. Stores and shops for the conduct of any retail business.
- B. Personal service establishments (e.g., tailor, barbershop or beauty salon).
- C. General corporate and administrative offices as well as offices for professional services (e.g., physicians, lawyers or architects); small commercial offices (e.g., realtors or travel agencies); small governmental offices (e.g., post office branch or social security); and offices incidental to uses permitted in this section.
- D. Restaurants and neighborhood taverns, excluding drive-in and curb service establishments.
- E. Repair and servicing, indoors only, of any article for sale which is permitted in this district
- F. Funeral parlors.
- G. Banks.
- H. Attended laundry and retail dry-cleaning services, not including bulk processing and, in the case of dry-cleaning establishments, not providing for the storage of more than five gallons of flammable or toxic cleaning fluid on the premises.
- I. Building structures and uses owned or operated by the Township of Plainsboro for municipal purposes.
- J. All farm and agricultural uses permitted in residential districts in accordance with the provisions set forth in Article V of this chapter.
- K. Carpentry, electrical, masonry, plumbing and painting services, provided that all activities are conducted and all materials are stored within a completely enclosed building and that only trucks incidental to the use located on the premises are permitted. Such trucks shall be parked in areas that are appropriately landscaped.
- L. Copy centers and newspaper offices.
- M. Child-care centers, subject to the minimum standards found in § **101-65F**. Child-care centers as an accessory use are permitted, subject to the standards contained in § **101-13.4**. [Amended 11-10-2011 by Ord. No. 0-11-13]
- N. Parks and playgrounds.
- O. Common open space.
- P. Accessory uses and accessory buildings incidental to the above permitted uses and located on the same lot and within the same zoning district that permits the principal use.
- Q. Shopping centers, comprised of any of the above permitted uses.
- R. Drive-through facilities for shopping center pad sites only, subject to the following:
 - 1) A drive-through facility shall be permitted only for a pad site associated with a shopping center with direct vehicular access thereto, and such facility shall be limited to one service window and/or drive-up automatic teller machine (ATM).
 - 2) A drive-through facility shall be permitted only if the permitted principal use it serves does not have direct vehicular access to a public street.
 - 3) A drive-through facility, accompanying driveway and associated signage shall be set back a minimum distance of 50 feet from any lands zoned for residential development.
 - 4) A drive-through facility and associated signage shall be provided with landscaping to visually enhance views of the facility, signage and driveway as seen from adjacent properties, as appropriate.
 - 5) A drive-through facility may be permitted provided that such facility does not adversely impede or conflict with the safe traffic flow required by the permitted principal use.

- 6) The Planning Board shall be satisfied that the on-site and off-tract traffic circulation is capable of accommodating the proposed traffic volume associated with such facility, particularly during peak hours. The stacking driveway for a drive-through window or a drive-up ATM shall provide room for at least five automobiles and shall be separated from any off-street parking areas and their access aisles, loading areas or trash enclosures.

S. Necessary public utilities and services pursuant to § 101-13.6.

[Added 10-10-2018 by Ord. No. 18-13]

[1] Editor's Note: See Ch. 85, Subdivision and Site Plan Review.

§ 101-53. Conditional uses.

In a GB General Business Zone, the following uses may be permitted as conditional uses:

A. (Reserved)

[1] *Editor's Note: Former Subsection A, regarding public utilities substations, was repealed 10-10-2018 by Ord. No. 18-13.*

B. Facilities for the covering, altering, finishing or assembling of goods for sale exclusively on the premises, subject to the following special requirements:

- 1) Such activities shall be conducted within completely enclosed buildings.
- 2) Machines used in the operation of such permitted activities shall not exceed two horsepower for any one machine and shall not exceed a total of 10 horsepower for any one business.

§ 101-54. Minimum lot area.

The minimum lot area in the GB General Business Zone shall be 25 acres.

§ 101-55. Minimum lot frontage.

The minimum lot frontage in the GB General Business Zone shall be 425 feet.

§ 101-56. Minimum lot depth.

The minimum lot depth in the GB General Business Zone shall be 450 feet.

§ 101-57. Minimum yards for buildings or enclosed structures.

No development shall be approved unless front, side and rear yards and locations of buildings or enclosed structures provided for are consonant with the public health, safety and general welfare.

§ 101-58. Improvement setbacks.

All site improvements shall be set back a minimum of 100 feet from the Plainsboro Road right-of way line, with the exception of a single access drive and improvements to common open space. The primary pad site building shall be set back no greater than five feet from the Schalks Crossing Road right-of-way.

§ 101-59. Maximum lot coverage.

The maximum permitted lot coverage for all buildings or enclosed structures in the GB General Business Zone shall be 20%.

§ 101-60. Maximum improvement coverage.

The maximum improvement coverage in the GB General Business Zone shall be 65%.

§ 101-61. Maximum floor area ratio.

For all uses in the GB General Business Zone, the maximum permitted floor area ratio (FAR) shall be 0.20.

§ 101-62. Maximum building height.

The maximum building height for all business and commercial uses in the GB General Business Zone shall not exceed one story or 28 feet and for office uses shall not exceed 30 feet.

§ 101-63. Off-street parking.

- A. The number and location of off-street parking spaces shall be determined by the schedule provided in § 85-44 of Chapter 85 of this Code entitled "Subdivision and Site Plan Review," and by maximizing shared parking opportunities between developments within the GB General Business Zone. The developer shall be required to submit a detailed shared parking analysis to establish the maximum number of parking spaces.
- B. Parking stalls and access aisle dimensions shall be adequate to accommodate anticipated volumes, types of vehicles and turnover. Stalls set aside for compact cars shall be encouraged.
- C. There shall be landscape improvements between the right-of-way of all streets abutting the property and off-street parking improvements and within front, side and rear setback areas, except where shared parking is approved. The landscape improvements shall include sidewalks, grass, shrubs, trees and decorative walls or fences, as appropriate, to shield adjacent roadways and nearby residential properties from parking lot automobile headlight glare, fumes and noise.
- D. Curbing shall be provided in all off-street parking areas and along all access ways, as appropriate.
- E. Off-street parking areas and access ways thereto shall be properly drained, and all such areas shall have a paved hard surface.
- F. All off-street parking areas and access ways shall be so arranged that cars and trucks may be turned on the lot so that it is not necessary to back into any public roadway.

§ 101-64. Off-street loading space.

Every structure erected, designed or altered for occupancy by any use permitted in this article, where such use provides a loading facility, shall, locate such facility at the side or rear of the building involved. Access and space for the loading and unloading of delivery trucks, which space shall be screened with landscape improvements and/or a decorative wall or fence and have a paved hard surface and be accessed from a public or private roadway or other way to be used for such purposes, being primarily accessible to and from Schalks Crossing Road.

§ 101-64.1. General design requirements.

- A. Shopping centers.
 - 1) A shopping center shall be conceived, designed, subdivided, site planned and approved by the Planning Board as a single complex according to a comprehensive site development plan. In addition, site landscaping, building design and common area maintenance guideline control standards shall be established. Not more than one primary and one secondary pad site buildings shall be permitted in a shopping center, and shall be limited to retail, personal service, general office, or a bank use only. No restaurants or fast-food related uses shall be permitted to occupy the pad site buildings.
 - 2) The entirety of a shopping center shall be developed with a common architectural theme which shall be subject to site plan approval by the Planning Board. The architectural theme shall include buildings, signing, fencing, lighting, paving, curbing, landscaping and other similar and related physical features, taking into account existing conditions in the shopping center being renovated.
- B. Building design and use.

- 1) 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.
- 2) The primary pad site building shall not exceed 15,000 square feet of gross floor area nor shall such building exceed 150 feet along its longest length. The secondary pad site building shall not exceed 4,000 square feet of gross floor area.
- 3) Architectural details, style, materials, colors, proportions and massing of the pad site buildings shall be appropriate to a traditional village center area.
- 4) Use of village-appropriate design details are required on the primary pad site building which fronts on a public street, including:
 - a. Pitched or shed roof details along facades containing the building's main entrance(s);
 - b. Cupola or similar architectural feature as a major design element of the building;
 - c. Window treatment along substantial (two-thirds or more) portions of building highly visible from the street, using traditional residential mullion details; and
 - d. Residentially scaled wall-mounted light fixtures and decorative roof canopy structure over pedestrian access ways adjacent to the building line leading to building entrances.
- 5) Natural materials such as wood and masonry are recommended. High-quality man-made siding materials are permitted. Stucco or similar treatment is prohibited on the pad site buildings.
- 6) Street-level storefronts and building entrances shall be open and inviting to pedestrians.
- 7) Treatment of the front setback area for the primary pad site building shall serve to enhance the pedestrian streetscape environment.
- 8) The primary pad site building service area shall be screened by an extension wall off the building, of same material as the building exterior, and provided with appropriate landscaping.
- 9) A low decorative wall shall be provided along parking areas visible from Schalks Crossing Road, as appropriate.
- 10) Any development in the GB General Business Zone which will be used wholly or in part for general business purposes may be phased and shall be designed so as to provide a comprehensive development plan for the entire zone of which it is a part, the goals being to share off-street parking and detention opportunities, have well landscaped and generous building setbacks from Plainsboro Road, provide off-street parking that is well-screened from public view, control means of access and coordinate internal pedestrian and vehicular traffic flows relating to existing or proposed development, review utility extensions, ensure design compatibility with existing development that considers building height, materials, colors, landscaping and signage and mitigates any negative visual impacts from public views.

C. Traffic and circulation.

- 1) The developer shall be required to submit a detailed traffic study showing the project's impact on the surrounding roadway network which includes the Plainsboro railroad bridge, the Plainsboro Road/Schalks Crossing Road intersection, the Scudders Mill Road/Schalks Crossing intersection and the Maple Avenue and Prospect Street intersections with Plainsboro Road. The developer's plan shall incorporate ingress and egress features that minimize the impact of traffic from the development into the public roadway network.
- 2) Off-site traffic impacts shall be addressed at the intersections of Schalks Crossing Road with Plainsboro Road and Schalks Crossing Road with

Scudders Mill Road. Intersection movements predicted to operate below service level D following completion of development at these two intersections shall be considered deficient, and appropriate traffic improvements or mitigation shall be identified by the developer. A fair share determination of the development's contribution shall be assessed by the Planning Board for any off-site improvements needed to maintain the minimum D level of service standard.

3) Driveway access to Plainsboro Road.

a. A single driveway access to Plainsboro Road shall be permitted as part of site plan approval upon a traffic study showing:

1. That the proposed development will increase trip generation during peak shopping center hours or during peak commuting hours so as to cause the level of service of the existing access ways in the GB Zone to fall below service level D (as defined by the Federal Highway Authority's Highway Capacity manual); or
2. That the proposed driveway would reduce the volume of traffic at the intersection of Schalks Crossing Road and Plainsboro Road during peak shopping center hours or during peak commuting hours.

b. Implementation of the driveway access to Plainsboro Road shall be permitted:

1. Upon issuance of a certificate of occupancy for that phase of new construction that the traffic study projected would cause the level of service at existing GB access ways to drop below the level specified in § 101-64.1C(3)(a)[1] above; or
2. At any time after the Planning Board has determined in granting preliminary or final approval to any application for development that such driveway would reduce the volume of traffic as specified in § 101-64.1C(3)(a)[2] above.

c. The new driveway access at Plainsboro Road shall be constructed with the provision of separate left turn lanes on Plainsboro Road (entering traffic) and the new driveway (exiting traffic). The left turn lane on Plainsboro Road should also be extended to serve the left turn entering movement to the adjacent PNC Bank property. Transition tapers for Plainsboro Road traffic shall meet the approval of the Township Engineer.

4) Pedestrian, bikeway and driveway access interconnections shall be provided between a shopping center and adjacent properties.

5) To the greatest extent possible, all portions of the GB General Business Zone shall be linked via a sidewalk and pathway network as approved by the Planning Board; the GB Zone shall be pedestrian oriented, with a design that enables and encourages pedestrian and bicycle circulation, with linkages to the surrounding village area. The applicant shall utilize the Township's Master Plan Pedestrian Circulation and Bikeway Plans in developing a pedestrian and bicycle pathway network. Adequate bicycle storage facilities shall be provided.

D. Sewer and water.

1) Every use shall be serviced by a public sewer and centralized water system.

E. Solid waste and litter management. Each permitted use shall provide an area for the orderly deposit and pickup of refuse which is concealed from the adjoining residential properties, customer parking areas, nearby roadways and the railroad. This area shall be visually screened by a decorative wall or fence and landscaping. The overall

- J. design shall be in architectural harmony with the principal building and shall not be located within buffer areas. Also, in association with a shopping center, an effective litter management plan shall be provided and approved by the Township. Such management plan shall be submitted with an application for final site plan approval.
- F. Storage. All provisions and facilities for storage, other than pickup of refuse and recyclable materials, shall be contained within a principal building.
- G. Environmental considerations.
 - 1) No permitted use within the zone shall use any noisemaking devices such as phonographs, loudspeakers, amplifiers, radios, television sets, machinery or similar devices so situated as to be heard outside any building.
 - 2) No smoke, fumes or objectionable odors shall be emitted from any building.
- H. Landscaping.
 - 1) Those portions of all front, side and rear yards not used for off-street parking, loading or unloading areas, and vehicular or pedestrian circulation, shall be planted with trees, shrubs, plants or grass lawns, or a combination thereof, and maintained in good condition.
 - 2) All off-street parking, loading and unloading areas shall be bordered by landscaped areas containing trees, shrubs and/or decorative walls or fences to shield automobiles from any nearby roadway or from any property used for residential purposes. Whenever feasible, the Planning Board shall require that at least 10% of the total parking lot area be used' for interior landscaping to include such things as trees and shrubs. Such interior landscaping shall be distributed throughout the parking lot in planting islands to provide the maximum shade and buffer from noise and glare.
 - 3) Buffering shall be located within minimum yard setbacks. Buffer areas shall be located along the edge of parking lots and property lines that abut residentially zoned lots or uses to minimize reflection of lights and to minimize windblown or other debris from being blown to or seen from the adjacent or neighboring residential premises. Buffering shall be designed to reduce the impacts of noise, movement of people and vehicles and to shield activities from adjacent properties and nearby roadways. Buffering shall consist of decorative walls or fences, evergreens trees, deciduous trees, ornamental trees, shrubs, or a combination thereof, and shall be installed to have an immediate positive impact.
- I. Plazas.
 - 1) An open space plaza area(s) shall be constructed by the developer of a shopping center. The plaza area(s) shall be located convenient to areas of high pedestrian activity and shall be a visual focus for the development. Pedestrian connections to and through the plaza area(s) shall be provided. Design elements intended to make such plaza area(s) inviting to pedestrians, such as patterns in pavement, fountain(s), a gazebo, sculpture, a clock tower, bollards, sitting areas and landscaping are encouraged.

Lighting. Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. Directional lights shall be arranged and shielded in such a manner as not to create a hazard or nuisance to adjoining residential properties or to the traveling public. Spotlight-type fixtures attached to buildings and visible to the public shall not be permitted. Traditional freestanding light fixtures shall be required in select areas along Schalks Crossing Road, to supplement those to be installed as part of the public improvements of that roadway, and elsewhere as appropriate. The style of the freestanding light fixtures used shall be consistent with the traditional styled street light fixtures planned for the village area along Schalks Crossing Road. By way of example, a traditional street light and parking lot light fixture shall be similar to the Hagerstown Model V03 by HADCO, which is a high-

quality traditional freestanding light fixture appropriate to a village environment. The height of such fixtures shall be appropriate to their setting.

K. Decorative walls and fences.

- 1) Decorative walls are more appropriately used adjacent to or attached to buildings as architectural extensions. Careful consideration shall be given to coordination with the lines, materials and color of any building.
- 2) Decorative walls or fences shall be constructed of durable, high-quality materials and shall display a high level of quality in finish and detail.
- 3) Landscaping treatment shall be considered as part of any wall or fence plan.
- 4) No hedge, wall or fence of any type shall be erected or maintained if it is deemed a safety hazard in obstructing the view of motorists.

L. Signs. All proposed signs shall meet the standards of the Township Sign Ordinance set forth in Article **XIV** of this chapter. No more than two no internal illuminated facade signs shall be permitted for the pad site-building. Such signs shall be designed as an integral element in the overall design of the building and shall be compatible with a traditional village environment.

§ 101-64.2. Curb cuts.

There shall be not more than two driveway curb cuts, including the existing PNC Bank property exit only, onto Plainsboro Road to service permitted uses.

SECTION II. REPEALER

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION III. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION IV. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduced at a Meeting of the Township Committee of the Township of Plainsboro on **July 12, 2023** and published on **July 14, 2023**. Adopted at a Meeting held on **August 9, 2023** and published on **August 30, 2023**.