

# LAND USE PLAN ELEMENT (DRAFT)

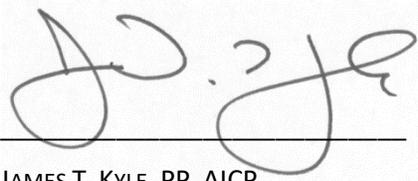
BOROUGH OF PENNINGTON  
MERCER COUNTY  
NEW JERSEY

MARCH 26, 2026

DRAFT FOR THE PLANNING BOARD

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PREPARED BY:



JAMES T. KYLE, PP, AICP  
NEW JERSEY PROFESSIONAL PLANNER LICENSE 5667  
**KYLE McMANUS ASSOCIATES**

A SIGNED AND SEALED ORIGINAL IS ON FILE WITH THE BOROUGH CLERK



2 East Broad Street, Second Floor

Hopewell, NJ 08525

[jkyle@kylemcmamus.com](mailto:jkyle@kylemcmamus.com)

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Andrew Jackson, Vice-Chair  
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Amy Kassler-Taub, Council Representative  
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Paul Christopher, PE, Board Engineer  
James T. Kyle, PP/AICP, Borough Planner  
Edwin W. Schmierer, Esq., Board Attorney

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James Kyle, PP/AICP

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## **1. INTRODUCTION**

The Land Use Plan is the master plan element most closely related to the Borough's zoning and potential redevelopment areas. Pursuant to the Municipal Land Use Law it is required to:

- (a) Take into account and state its relationship to other master plan elements and natural conditions.
- (b) Show the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, open space, educational and other public and private purposes or combination of purposes including any provisions for cluster development; and state the relationship thereof to the existing and any proposed zone plan and zoning ordinance.
- (c) Include a statement of the standards of population density and development intensity recommended for the Borough.

Pennington's Land Use Plan is based on analysis of the Borough's population, employment, historic development and housing forecasts combined with community sentiment gaged through a survey to provide recommendations for how the Borough's land use and zoning districts and standards currently function and where they need to be amended to better reflect the Borough's vision.

Additionally, the Land Use Plan Element recommendations have been coordinated with those of all other elements to ensure consistency throughout the Master Plan and Borough policies as a whole. The Land Use Plan Element addresses the new climate change-related hazard vulnerability assessment (CCRHVA) now required by the Municipal Land Use Law. Given the importance of Main Street and the gateway that commercial development along Route 31 represents, the Land Use Plan element addresses community design principles. In addition to the analysis and recommendations described herein, the Land Use Plan Element includes an existing land use map, existing zoning map, and maps depicting proposed changes to zoning boundaries. The latter constitutes the proposed land use plan.

## **2. LOCAL AND REGIONAL CONTEXT**

Pennington Borough is a one square mile municipality surrounded by Hopewell Township. As is the case with many municipalities in New Jersey, Pennington shares its zip code with the Township, and a distinction between the Borough proper and the much larger 08534 zip code area is warranted. Pennington Borough has about 1,100 housing units and a population of 2,800. The Pennington zip code has 5,300 units, an area of about 20 square miles, and a population of 13,300. Many of the 10,500 Hopewell Township residents with "Pennington 08534" addresses call themselves Pennington residents, which leads to some confusion over planning responsibility. The Borough and the Township each have their own land use plans, and their vision and goals are not coordinated.

<https://newjersey.hometownlocator.com/zip-codes/data.zipcode,08534.cfm>

The 2025 State Development and Redevelopment Plan (SDRP) places Pennington Borough within a 10 square mile Fringe Planning Area (PA3) that stretches about 8 miles from Washington Crossing then west-northwest to Mount Rose. The areas of Hopewell Township to the north are in the Rural Planning Area (PA4) and to the south are in the Suburban Planning Area (PA2). In fringe planning areas, the SDRP intends that growth will be accommodated in Centers with sewer and water services. Although Pennington Borough is not identified as a Center in the SDRP, it has many of the characteristics of a Center. Another intent of the SDRP is to protect and diversify the character of existing stable communities in fringe planning areas. The land use goals for Pennington Borough will in part be guided by this.

From the viewpoint of economic development, considering Zip Code 08534 as “Greater Pennington” offers enhanced opportunities to local businesses if targeted appropriately. This is a goal of the Borough’s new Economic Development Plan. The Hopewell Township Planning Board recommended in 2021 that an Economic Development Plan element be prepared. They established a Tourism and Economic Development Advisory Committee which is working to support existing businesses, attract new businesses, and promote tourism in the entire Hopewell Valley. The Township Advisory Committee and the Pennington Borough Economic Development Commission plan to work together on issues of interest to both parties. Commercial development along Route 31 is relevant to this Land Use Plan. Properties to the south of West Delaware Avenue are largely in the Township, whereas those 0.7 miles north up to the North Main Street intersection are in the Borough. It would make sense that land use policies along Route 31 in both municipalities follow a consistent plan and that coordination with the Township occurs.

The name Hopewell Valley covers Hopewell Township and the two Boroughs it surrounds, Pennington and Hopewell. In addition to sharing the Hopewell Valley Regional School District with Hopewell Township and Hopewell Borough, Pennington has shared service agreements with the Township for Emergency Management, Fire Services, Public Health, Senior Services, and Animal Control. The Green Team and Municipal Alliance operate across the Hopewell Valley. Since all traffic entering and leaving Pennington Borough does so through Hopewell Township, much of it on roads under the jurisdiction of the County, the Borough’s Mobility Plan, the County’s Mobility Plan, and the Township’s Circulation Plan should be in agreement on traffic management issues.

Pennington Borough is one of 12 municipalities in Mercer County. The County’s Master Plan elements relating to land use and infrastructure are relevant to the Borough. All County Government departments play a role in the lives of Borough residents. The County Planning Department is responsible for the County Master Plan. The County’s Engineering and Highway divisions are responsible for County roads and bridges and other infrastructure. County Roads in the Borough are Route 640 – Pennington Road, South and North Main Street, Route 546 – South Main Street to Lawrenceville-Pennington Road, Route 631 – Ingleside Avenue, Route 624 – West and East Delaware Avenue, and Route 623 – Pennington-Harbourton Road. The County is the Borough’s point of contact with the Delaware Valley Regional Planning Commission (DVRPC), the federally designated Metropolitan Planning Organization (MPO) for the Greater Philadelphia region, and with the New Jersey Department of Transportation, which has responsibility for State Route 31. Consistency with the Master Plans of Hopewell Township and Mercer County and with the State Development and Redevelopment Plan is discussed in Section 14 of this Plan.

### **3. PUBLIC PARTICIPATION**

Public participation has been a foundation for development of the Master Plan. More than 75 Borough residents have been directly involved in the preparation and writing of the Master Plan elements, and residents have been continuously kept informed, which speaks well to public participation.

The Plan’s development has been led by a 4-person Master Plan Committee (MPC) assisted by a Citizens Advisory Committee (CAC) of 15 residents appointed by the Mayor in October 2023. CAC members have served as community contacts, obtaining feedback as the Master Plan and its elements were developed and have also served on element-writing teams. The MPC and CAC developed a vision statement and goals that were presented to the public at an open house at Borough Hall in April 2024. The Land Use Plan goals are shown in Section 5.

The MPC assigned responsibility for developing initial drafts of five of the elements to related Committees and Commissions and specialized teams were formed for the remainder. Element drafts were posted on the Master Plan page on the Borough website and email blasts were sent to notify residents. Comments received were considered and appropriate changes were made. Final drafts of the elements were

presented to the Planning Board for conditional adoption at public meetings and posted on the website for further public review.

In August 2025, the MPC presented a web-based survey to seek the input of residents on Housing and Land Use. The survey yielded 550 responses, and a summary of the responses is given below.

## **Summary of Survey Results**

- i. **Most Valued Qualities of Pennington Borough:**  
Participants indicated that they most value Pennington Borough’s walkable Main Street with its mix of retail, restaurants, and residences (85%), walkable community connected to open spaces (65%), and parks and gathering spaces (46%). Pennington Borough residents also highlighted the town’s historic character (45%).
- ii. **Desired Changes in Pennington Borough:**  
Respondents expressed a desire for more restaurants and retail, and improved walking and biking connections between the Borough and surrounding areas.
- iii. **A Vibrant Town Center:**  
To make the Town Center more vibrant, participants suggested adding pedestrian-friendly spaces with outdoor dining, shaded seating, and bike racks. Streetscaping with plants, trees, seasonal lighting, and public art was also highly rated. Pocket parks and greenways connecting the center to surrounding areas were popular ideas, along with mixed-use development to integrate residences above retail space. Participants desire more restaurants, retail and activities in the Town Center. Respondents emphasized the importance of locally-owned businesses and community gathering spaces.
- iv. **Hwy-31 Corridor Improvements:**  
Participants prioritize traffic safety, pedestrian and cycling connectivity, and the aesthetic quality of the Hwy-31 Corridor. Suggestions included adding traffic lights, restricting truck traffic, lowering speed limits, and adding safety improvements for pedestrians and cyclists. Many respondents called for reimagining the strip malls with green infrastructure, outdoor dining, and pedestrian-oriented designs.
- v. **Housing and Development:**  
The survey highlighted the need for diverse and affordable housing options, with respondents indicating a preference for cottage courts, duplexes, accessory dwelling units (ADUs), and mixed-use. Respondents emphasized preserving the Borough’s historic building quality and small-scale, neighborhood-centric environment while addressing housing affordability. In addition, they expressed strong concerns about infrastructure strain, environmental impact, and school capacity.
- vi. **Stormwater Management:**  
To address stormwater issues, respondents supported strategies such as uncovering and restoring (“daylighting”) streams, integrating green infrastructure into existing spaces, and stormwater infrastructure doubling as parks. Suggestions included planting native vegetation, improving drainage systems, and implementing public education programs on stormwater management.
- vii. **Improving Quality of Life:**  
Respondents indicate a need for more restaurants, green spaces, community events, and activities for all ages. Respondents emphasized the importance of walkability, bikeability, and historic preservation while creating vibrant hubs and civic spaces. Responders to the survey also liked parks / community gathering spaces, fitness and wellness centers, a theater and event spaces.

The full results of the survey can be found on the Borough website: <https://www.penningtonboro.org/DocumentCenter/View/1683/Master-Plan-2025-Survey-Results-Summary?bidId=>

#### **4. PENNINGTON'S VISION**

At the outset of the Master Plan process, the MPC and CAC formulated an overall vision for Pennington, one that would inform the more specific goals and objectives for each of the elements that at the time were yet to be prepared. This vision is seen as the foundation for policies that will help shape the Borough over the course of the next decade.

##### **A Vision for Pennington**

*Pennington is viewed as a welcoming, healthy, safe and resilient community with friendly, supportive neighborhoods and a diverse downtown that is inviting to residents and visitors of all ages and interests. Historic preservation remains key to the Borough's character and pride. We foresee open spaces and parks that offer both passive and interactive recreational resources for all. The Borough of Pennington responsibly supports affordable housing, while balancing development and preservation opportunities that enhance the quality of life for those of all ages who live, work, and play in our community. Pennington strives to be a sustainable, climate-resilient community.*

#### **5. LAND USE GOALS AND OBJECTIVES**

Informed by the above vision, goals were developed by the MPC and CAC for all elements of the Master Plan in the fall of 2023 and were subsequently endorsed by the Planning Board on January 10, 2024. The following are the Land Use goals extracted from that list. They have been used to guide discussion during development of the Land Use recommendations in Sections 6, 10 and 11.

1. Remove barriers to increased residential density in appropriate areas of the Borough to promote housing affordability and a greater variety of housing types and dwelling sizes that better fit a broader spectrum of households and income levels in a manner consistent with the goals of the Master Plan.
2. Provide greater opportunities for economic development within the downtown and Route 31 districts by permitting uses that better reflect the realities of the current real estate market. Sustain a mix of residential, public, semi-public, and business uses in Town Center to provide greater opportunity for economic development.
3. Streamline review, permitting, and approval procedures to reduce the cost to developers and homeowners and increase the opportunity for investment.
4. Improve resiliency to climate change and natural hazards by managing and regulating flooding and stormwater, protecting critical facilities necessary for evacuation and sustaining the community during natural disasters by implementing the recommendations in the Climate Change-Related Hazard Vulnerability Assessment.
5. Preserve, protect and enhance Pennington's historic district and historic properties through regulations implemented in the zoning ordinance. Work with the Historic Preservation Commission to identify additional historic properties outside the current Pennington Crossroads Historic District with the goal of affording them protection.
6. Identify opportunities to create new affordable housing units in anticipation of future rounds of affordable housing obligations while securing affordable units whenever possible.

7. Provide additional opportunities for accessory dwelling units and duplexes in the R-80 and R-100 zoning districts.
8. Continue redevelopment planning efforts related to the former Borough landfill site through a public process that considers the need to improve drainage and alleviate flooding at the Route 31 and West Delaware Avenue intersection.
9. Promote a balance of residential and nonresidential uses within the Borough to stabilize tax rates by providing new ratables.

## **6. RECOMMENDED ZONING CHANGES**

As part of preparation of the reexamination report in 2023 and preparation of the various elements of the Master Plan since that time, a number of land use recommendations have come to light. These are summarized below and depicted on the proposed Land Use Plan map, Figure 1. It is recommended that the Ordinance Advisory Committee review these issues and prepare ordinance amendments for review by the Planning Board and implementation by the Mayor and Council.

- A) Town Center mixed-use zoning and expansion of the TC zone to certain areas will provide the opportunity for construction of as many as 40 multifamily apartments yielding as many as 8 affordable units. The Board recommends the following specific changes:
  - 1) Consistent with certain recommendations in the Economic Development Plan, the Board recommends the Town Center zone be extended south on the west side of South Main Street to Academy Avenue. This would add Block 503, Lot 25, the Methodist Church, currently R-80, to the TC zone. They also recommend adding Block 601, Lots 20, 21 and 22, the Presbyterian Church and cemetery, currently R-100, to the TC zone. This will fill the gap between this site and Block 601, Lots 14-19, which are already in the TC zone. The reason to include the two churches and their associated buildings is to provide for future expansion of the Town Center in the event portions of these sites can be repurposed in the future.
  - 2) The Town Center (TC) zone should be expanded to include the two Office-Residential (O-R) properties on the east side of North Main Street, including Block 301, Lots 7, 8 and 53.
  - 3) Based on its ineffectiveness since implementation in 2001, it is recommended the Town Center Buffer (TCB) zone be eliminated. The TCB comprises a total of 20 lots, identified below, all but one of which should be reclassified as R-80.
    - a) Three lots on the west side of North Main Street, Block 205, Lots 13, 14 and 15. Lots 13 and 14 should be included in the R-80 zone while Lot 15, which currently contains office uses, should be rezoned to TC.
    - b) Four lots on East Delaware Avenue, Block 301, Lots 51 and 52 on the North side and Block 601, Lots 23 and 24 on the south side.
    - c) Six lots on the south side of West Delaware Avenue, Block 503, Lots 8.01, 8.02, 9, 10, 11 and 12.
    - d) Seven lots on the east side of Burd Street, Block 503, Lots 2, 3.01, 3.02, 4, 5, 6 and 7.
  - 4) Consistent with the Economic Development Plan, the Board recommends that TC zoning reinforce the existing historic, village-center appearance by favoring retail shopping and dining that will encourage walking and browsing. To help achieve this, the Ordinance Advisory Committee should review current standards to address the following:
    - a) Consider permitting co-working spaces, makerspaces, sidewalk and outdoor dining, and other uses that foster community convening and gathering.
    - b) Consider permitting small inns, boutique hotels or bed-and-breakfasts, which add retail and tourist activity. Such permitted uses should have on-site proprietors, multiple rooms for lodging, and food service, as opposed to the private, short-term rental of a residence.

- c) Consider permitting uses mentioned in survey responses, including breweries, pubs, farmers' markets and fitness and wellness uses.
  - d) Review bulk standards and incorporate amendments that facilitate expansion of existing buildings.
- 5) The Economic Development Plan also recommends that land use regulations generally, and historic restrictions and requirements specifically, become simpler, clearer and easier for business owners to follow. Land use enforcement must be consistent and transparent and tempered by practicalities and the goal of encouraging businesses to open in the Borough and should not be applied precipitously.
- B) C-B to Replace B-H, O-B, O-R and Route 31 Corridor Overlay Zones. Consistent with recommendations in the Economic Development Plan, the Board recommends the following changes to the zoning ordinance:
- 1) Eliminate the Route 31 Corridor Overlay Zone.
  - 2) Eliminate H-B, O-B and O-R zones.
  - 3) Create a new zone to recognize that addressing the serious concerns of congestion, safety and flooding at the intersection of Route 31 and West Delaware Avenue may have land use implications. An appropriate name for the new zone would be Crossroads-Business (C-B). It should include Block 201, Lots 5, 6 and 7, Block 206, Lot 1, Block 501, Lots 1-4 and Block 502, Lot 2 and the portion of Lot 1 that lies within the Borough. The zone would expand business opportunities by allowing most nonresidential uses permitted in the new H-MU zone but should not allow residential uses. It is recommended that the C-B zone be established as shown on the Land Use Plan Map in Figure 1.
  - 4) Rezone the southern portions of Block 201, Lots 1, 2 and 9 currently within the O-B zone to R-100.
- C) MU-1 and MU-2. To reduce redundancy and permit additional opportunity for mixed-use development, the Board recommends properties along North Main Street and Brookside Avenue and Green Street currently zoned MU-1 and MU-2 be rezoned to MU.
- 1) Block 203, Lots 1, 2, 3, 4 and 5 and Block 204, Lots 1, 2 and 18 should be rezoned from MU-2 to MU.
  - 2) Block 103, Lot 8 should be rezoned from MU-1 to MU.
- D) Parks and Recreation areas
- 1) To assure these are retained in perpetuity, all Borough-owned open space as shown on the Recreation and Open Space Inventory should be rezoned PR – Parks and Recreation Areas. This would include Kunkel Park, Sked Street Park, African Cemetery and adjacent lot, Eileen Heinzl Arboretum, Veterans Memorial Park (Knowles Street), the Borough Cemetery (Block 601, Lots 29, 63 and 64), and other properties reclassified as open space in the future.
- E) Consistent with the Historic Preservation Plan, the Board recommends the following:
- 1) Develop a Historic District Overlay to cover both the contiguous Pennington Crossroads Historic District in the Town Center and other properties outside the Historic District that are deemed historic and should be preserved. The zoning map should be amended to show the District and any individual historic sites and the Board should work with the Historic Preservation Commission to develop overlay standards.
  - 2) It is recommended that Toll Gate Grammar School, Block 1003, Lot 15.01, and the HVRSD Administration Building, Block 1002, Lot 9 be rezoned as E-3 Educational to potentially aid preservation of these two 100-year-old structures. Toll Gate is currently within the R-80 zone and the Administration building is within the R-100 zone, which leaves them vulnerable. The Historic Preservation Commission should explore inclusion of both properties in the Pennington Crossroads Historic District. Since they do not currently abut the District, identification and regulation as historic sites consistent with the MLUL (40:55D-65.1) is another option as regulation of both districts and sites is permitted under this provision.

- F) The Board recommends modifications to §215-67 R-80 and §215-68 R-100 to allow infill residences for extended families, more affordable (including deed-restricted) housing and to address FAR standards. It is recommended the Ordinance Advisory Committee consider the following amendments:
- 1) Conditionally permit Accessory Dwelling Units (ADUs), which could be separate buildings or garage additions and conversions as well as conversion of a portion of an existing dwelling to an ADU. Appropriate standards related to minimum lot area, setbacks, off-street parking and architectural compatibility should be developed.
  - 2) Allow existing houses to be converted to duplexes under certain conditions and permit new duplexes in both districts. Appropriate bulk standards should be developed for both districts.
  - 3) Assess FAR standards for both the R-80 and R-100 zones and determine if maximum dwelling size limits are still appropriate. FAR standards should be adjusted for both zones to include an allowance of additional floor area for ADU's.
  - 4) The definition of "gross floor area" should be reviewed and amended to clarify what areas of a dwelling should be included when calculating gross floor area and FAR.
  - 5) Residence style must conform to the prevailing architectural style and size in the area, for example older developments with a mix of historic styles, more recent developments with a prevailing style such as Baldwin, Scudder Court, and North Riding/Fitzcharles.
- G) Parking.
- 1) There are several recommendations about parking in the Mobility Plan and the Economic Development Plan. Both advocate for finding more sites for off-street parking within the Town Center zone. Chapter 200, Article III covers the regulations on parking, including parking in the municipal lot. While walking or bicycling may be recommended, the reality is that for a variety of reasons, most people would prefer to use some form of covered motorized vehicle - too cold, too hot, rainy, too far, not a bike user, coming from out of town, etc.
  - 2) The Economic Development Plan recommends that, to encourage foot traffic, retail exploration and serendipity, and to avoid a reported negative factor for new businesses, on-site, off-street parking requirements for businesses should be reduced in favor of a greater reliance on street and central municipal parking. To facilitate a shift to parking arrangements that encourage pedestrian traffic over short distances:
    - a) Municipal parking lots may need to be expanded or added, or the Borough may need to reach arrangements with owners of nearby parking areas that tend to be underused during the business day (such as schools and churches).
    - b) Time limitations on on-street parking may need to be enforced but on-street parking should remain free and unmetered. However, charging or metered parking in private lots may need to be allowed to encourage property owners to make it available to the public.
  - 3) The Mobility Plan recommends looking for opportunities to replace impervious parking coverage with pervious cover to improve groundwater replenishment and reduce flooding. The survey responses suggested repurposing existing underutilized surface parking and increasing green infrastructure.
  - 4) Land use planning needs to be creative in finding additional off-street parking and amending ordinances to facilitate it.
- H) Bike routes and walkways.
- 1) The Mobility Plan offers a number of ways to move around the Borough without traveling by car. Land use planning needs to study road rights-of-way and be creative in finding possible routes through existing residential areas.
  - 2) The Mobility Plan is concerned about the conflict between the need for residential and commercial on-street parking and the desire for dedicated bike and micro-mobility lanes on Main Street and on Delaware Avenue and recommends that the Borough work with the County to equitably resolve this

- I) Donation drop-off bins. To better address the potential impact of unattended donation bins in the Borough, the Board recommends standards be developed limiting the number of such bins on any one property and ensuring they are appropriately sited to avoid loss of parking or impacts to circulation. Standards should also address the potential visual impact of donation bins.
- J) Flooding and Stormwater Management. The Board recommends the following:
  - 1) The Borough should prepare its stormwater management plan as required by NJPACT, which will be adopted as a future element of the Borough's Master Plan.
  - 2) In conjunction with preparation of the stormwater management plan, the Borough's stormwater management requirements should be updated by the January 20, 2027 deadline imposed by NJPACT.
  - 3) Work with the Environmental Commission to assess whether standards requiring stormwater management for additional impervious surface below thresholds in the State's stormwater management rules for major projects are warranted.
- K) Utility Services Plan. New or revised ordinances or resolutions may be needed on the following topics to fulfill the goals of the Plan:
  - 1) Stormwater management, forestry management, drinking water and wastewater capacity, riparian zones, floodplain restoration, impervious coverage, bridges, culverts and daylighting streams.
  - 2) The Utility Services Plan suggests that resolutions or ordinances be adopted as the various components of the Plan are implemented. Several will have a land use component.
- L) Green Buildings and Environmental Plan Element (GBESE).
  - 1) Topics from the GBESE that have relevance to land use are Renewable Energy, Green Building and Design, and On-Site Water Management.
  - 2) Resolutions or ordinances can be adopted as the various components of the Plan are implemented.
- M) Signage. The Board recommends that current signage requirements be reviewed in conjunction with the Economic Development Commission and amended as necessary.
- N) Lighting. The Board recommends that the Ordinance Advisory Committee work with the Environmental Commission to develop appropriate standards for lighting. This should include establishing maximum intensity levels permitted at property lines, uniformity requirements, minimum averages in parking areas and along pedestrian paths, a requirement to utilize LED lighting of a specific color temperature and maximum height of light poles and fixtures. Residential lighting standards should also be developed to eliminate light trespass and nuisance issues associated with unshielded fixtures.
- O) Solar and electrification. The Board recommends review of the zoning ordinance to ensure regulations encourage the use of renewable energy. The ordinance should permit solar panels, including both those mounted to a roof or on the ground, as an accessory use in all zone districts. Appropriate standards for ground-mounted solar arrays, including coverage, location, setbacks and screening should be prepared.
- P) Driveway standards. The Board recommends that minimum and maximum driveway width standards be included in the zoning ordinance along with minimum setback standards.
- Q) Nonconforming uses and structures. The Board recommends that §215-52.B and §215-57 of the zoning ordinance be amended to clarify additions to nonconforming structures as follows:
  - (1) § 215-52 Continuation of use of existing buildings.  
 Except as otherwise provided in this article, the lawful use of legally existing nonconforming buildings existing at the date of the adoption of this chapter may be continued although such use or building does not conform to the regulations specified by this chapter for the zone in which such building is located; provided, however, that:
    - A. No nonconforming lot shall be further reduced in size.

B. No nonconforming building shall be enlarged, extended or increased, provided, however, that alterations or enlargements that do not increase the degree of nonconformity related to required front, side or rear yard setbacks are permitted so long as such alteration or enlargement represents a 25% or less increase in the original length of the building or portion of the building that is nonconforming. Increasing the degree of nonconformity by construction or alteration is considered to be a further reduction of already nonconforming front, side or rear yard setbacks, further increase of already nonconforming lot coverage or further increase in already nonconforming building height.

(1) § 215-57 Alterations.

A nonconforming building that is partially destroyed may be reconstructed to its original condition but not enlarged or extended unless in conformance with the requirements of §215-52.B. Nothing in this section shall limit the ability to reconstruct only a portion of a building that is partially destroyed provided previous nonconforming conditions that existed at the time of partial destruction are not exceeded and are made more conforming.

- R) Keeping of chickens. The Board recommends standards be included in the zoning ordinance to permit the keeping of chickens on residential properties of a certain minimum size in the Borough. The following is recommended:

On properties other than those devoted to agricultural or horticultural use and eligible for farmland assessment, the following requirements shall be met.

- A. The keeping of chickens shall be prohibited on multiunit properties, including any property in common ownership as part of a homeowner's association or owned or maintained by a management company or landlord.
- B. The keeping of chickens shall be prohibited on nonresidential properties and residential properties that do not meet the minimum lot size for the zone district in which the property is located.
- C. A maximum of nine (9) chickens may be kept on any one property.
- D. Roosters shall be prohibited.
- E. Chickens shall be provided an enclosure which is covered, ventilated, and predator/rodent resistant. Said enclosure shall provide a minimum of four (4) square feet per bird when outdoor space of equal or greater space is provided or ten (10) square feet per bird where outdoor space of equal or greater space is not provided. Enclosures shall be located within rear yards only and only one (1) enclosure shall be permitted on any property.
- F. Chickens and their enclosure shall be contained within an area completely enclosed by fencing a minimum of four (4) feet in height. Chickens shall not be permitted to roam freely outside of fenced areas.
- G. The enclosure and any fenced run shall be well drained so that there is no accumulation of moisture. The floors and walls of the enclosure shall be kept in a clean and sanitary condition, with all droppings collected at least weekly. Animal solid waste shall be kept in a covered and secured container until composted, applied as fertilizer or transported off-premises.
- H. All enclosures shall be a minimum of 5 feet from a side or rear lot line.
- I. Any exterior lighting proposed shall be shielded so as not to shine on adjacent properties.

## **7. SUMMARY OF POPULATION, HOUSING CHARACTERISTICS AND TRENDS**

The population of Pennington Borough has nearly doubled since 1940, growing from 1,492 to 2,802 residents according to data from U.S. Census Bureau decennial censuses. While the Borough experienced growth in the 1940s, its largest decade over decade population increase came in the 1950's with 22.7%. Growth slowed to 4.3% in the 1960's and declined by 2% in the 1970's. Pennington saw a 20.3% population increase in the 1980's and a 6.3% rate of growth in the 1990's although the Borough lost population in the 2000's. More recently, population has increased, registering an 8.4% growth rate in the 2010's. By age group, 25.1% are 35 to 54, 24.4% are over 65 years of age, 16.9% are 55 to 64, 16.5% are 5 to 19, 11.9% are 20 and 34, and 5.1% are under 5. The Borough has a median age of 49.0, which is substantially older than the median age of 39.2 for Mercer County and 40.1 for New Jersey.

Pennington residents have high rates of educational attainment, with 73.6% having at least a bachelor's degree while 39.5% have a graduate or professional degree. These rates far surpass those for Mercer County as a whole at 44.9% and 20.6% respectively. Overall, 98.3% of residents have earned a high school diploma, compared to 89.9% in Mercer County. These high levels of educational attainment play a major role in shaping the Borough's economy, as they have translated into higher incomes. The Borough's median household income of \$171,282 is far higher than that of the County (\$96,333) and the State (\$101,050). Fully 69.1% of Pennington households have an income of over \$100,000, with 41.1% over \$200,000, 20.2% earning \$50,000 to \$99,000, 3.2% earning between \$25,000 and \$49,999 and 7.6% earning less than \$25,000.

There are 1,168 households in Pennington. The average household size is 2.31, significantly below 2.58 in Mercer County. Household sizes are 1-person 28.8%, 2-person 38.4%, 3-person 14.6%, 4-person 13.5% and 4.7% with 5 or more people. Ownership is the predominant form of tenure in Pennington with 79.5% of housing units owner-occupied, exceeding the County at 61.9% and State at 63.7%. The remaining 20.5% of the Borough's dwelling units are home to rental tenants. Single-family housing accounts for most owner-occupied units. Altogether, one-unit attached and detached dwellings comprise 92.5% of owner-occupied housing units, with 79.3% in detached residences and 13.1% in attached residences. Of the 20.5% renters, 40.6% are in single-family housing, 23.0% are in 2- to 4-unit structures, 13.0% are in 5- to 49-unit structures and 23.4% are in structures with 50 or more units.

Regarding race and ethnicity, people considered by the Census Bureau as "White alone" make up 83% of Pennington residents compared with 44% in Mercer County and 52% in New Jersey. "Hispanic or Latino" make up 5.8% in Pennington versus 22% for both County and State. "Asian alone" is 7.4%, versus 12% for the County and 10 % for the State.

A full demographic analysis can be found in Appendix 1 of the Housing Element and Fair Share Plan.

## **8. EXISTING LAND USE AND ZONING**

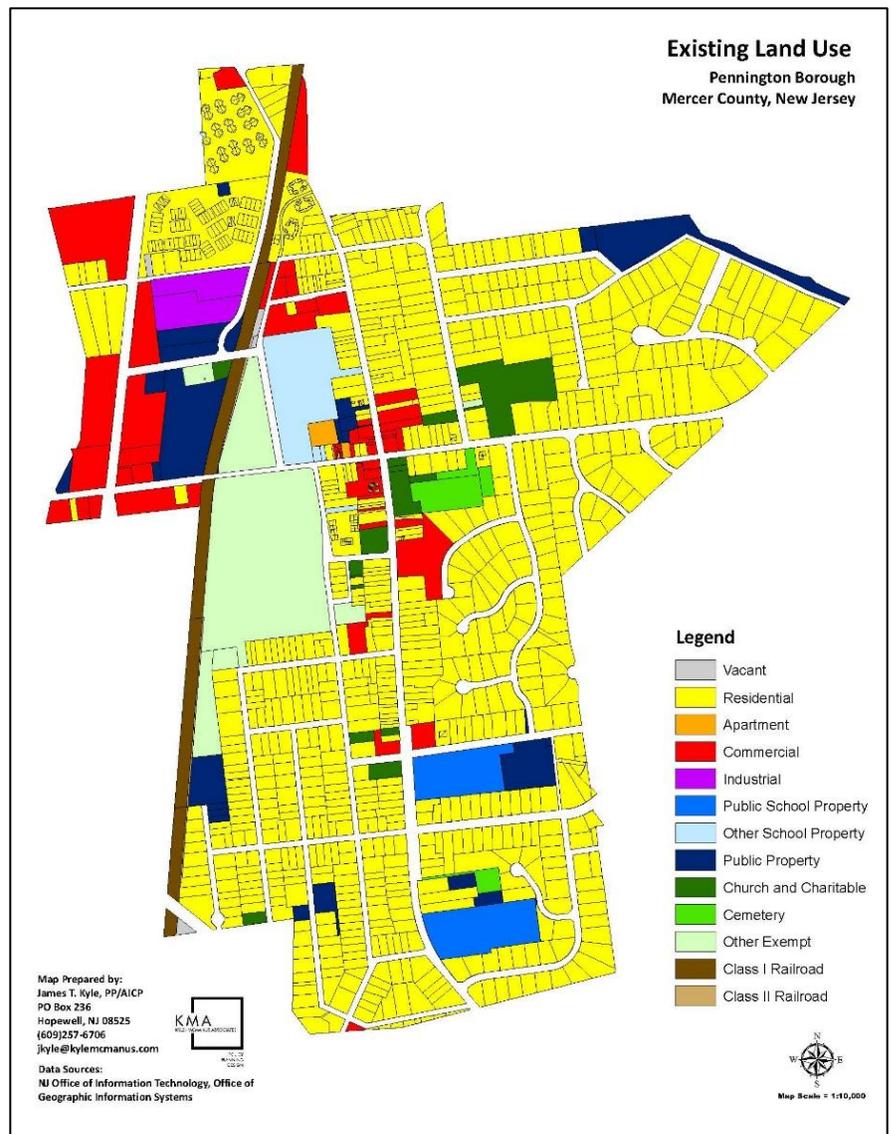
Pennington began to develop in the early 1700's and was known as Queenstown, which changed to Pennington in the mid-1700's. Some buildings near the crossroads of Main and Delaware date back to this period. By the late 1800's, the Borough's population had grown to around 700 and in 1890, following a petition, the Borough of Pennington was established by the NJ State Legislature. Despite considerable housing growth in the area surrounding the Borough, Pennington's boundaries have not changed since its incorporation.

The population of the new Borough grew to 1,300 by 1920 as large lots close to North and South Main Street were subdivided to build new housing. Population grew steadily from 1930 to 1960 as the R-80 zone east of Eglantine Avenue and West of Burd Street filled in. Population stabilized at about 2,100, then

increased between 1976 and 1988 as new developments in the R-100 zones were built: Abey Drive, North Riding, Baldwin, Scudder Court and Railroad Place. The Pennington School, founded in 1838 as a Methodist seminary, covers 11.8 acres between the west side of the town center and the CSX tracks. Two public school properties cover 13.8 acres on the east side of South Main Street. The Borough east of the CSX tracks is mostly built out.

To the west of the railroad tracks, two new developments have been built in the northwest area of the Borough: Pennington Point adult community in 1995-96 and Heritage at Pennington in 2017-19. The population of the Borough has stabilized at about 2,800. The remainder of the Borough west of the tracks is largely business and commercial. The only undeveloped land in this area is the 7.8 acre closed landfill, which is designated as an area in need of redevelopment. This area of the Borough is divided by 0.7 miles of State Route 31, built in the early 1930's to bypass Main Street. Route 31 is heavily travelled by cars and trucks as it is the shortest connection between Interstates I-95/I-295 and I-78/I-278. While this presents opportunities for businesses in the corridor, it creates safety and congestion issues for Pennington that complicate zoning policy.

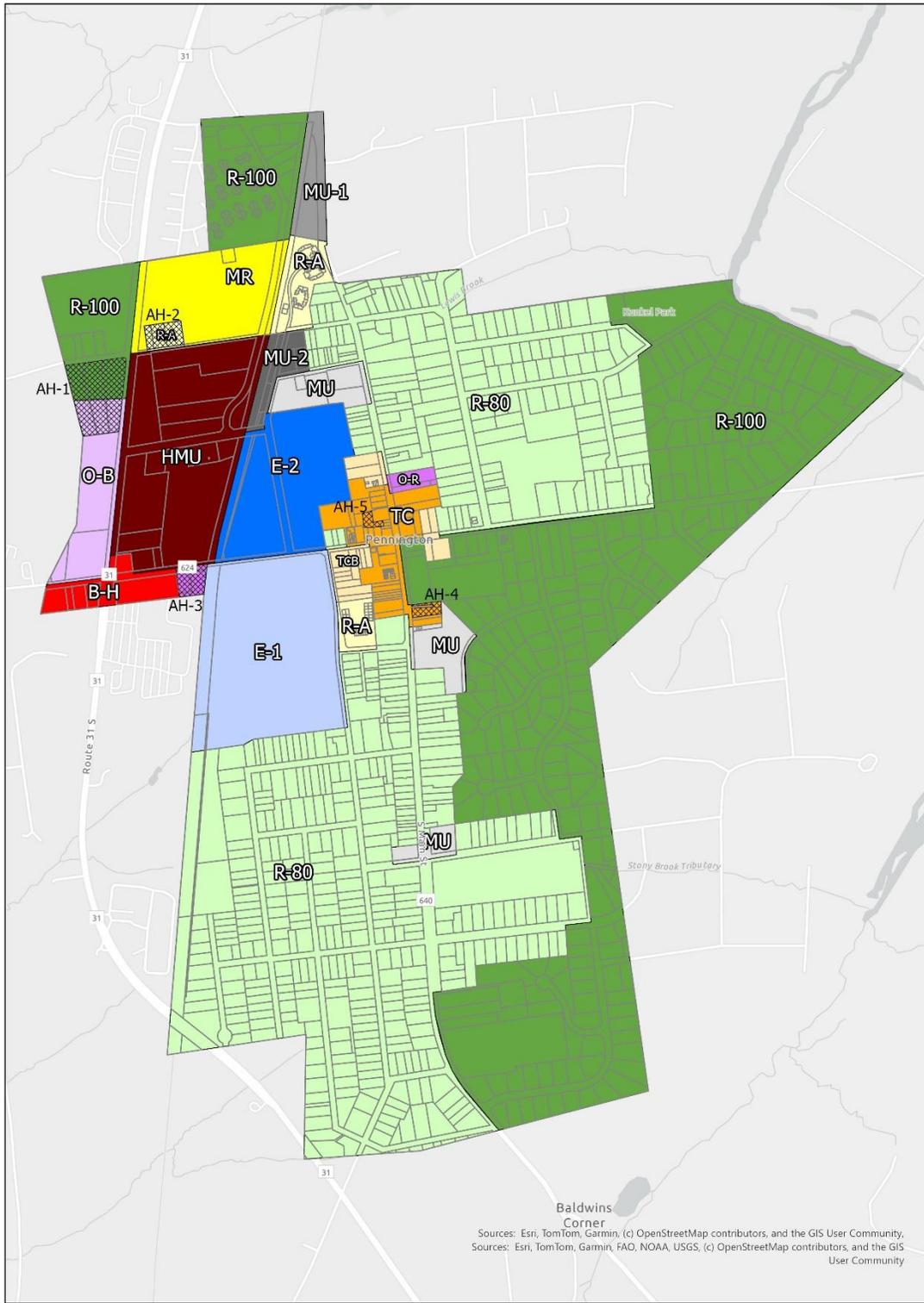
Analysis of property tax data reveals that Pennington is largely a residential community, with 88% of its properties classified as such and covering approximately 65% of the Borough's total land area. Commercial and industrial uses account for only 5.4% of the Borough's properties but cover 10% of its land area while exempt properties (schools, parks, public properties, churches and cemeteries) account for 5% but cover more than 21% of its area. Table 1, below, summarizes the Borough's land use characteristics based on property class while the map opposite illustrates the geographic distribution of various land uses.



**Table 1**  
**Borough of Pennington - Existing Land Use by Property Class**

Property Type	# Properties	% of Total Properties	Total Acreage	% Total Acreage
Vacant	5	0.43%	0.85	0.16%
Residential	1,010	87.67%	351.12	65.15%
Apartment	2	0.17%	1.19	0.22%
Commercial	61	5.3%	46.96	8.71%
Industrial	2	0.17%	7	1.30 %
Public School Property	2	0.17%	13.75	2.55%
Other School Property	4	0.17%	11.79	2.19%
Public Property	27	2.34%	30.71	5.70%
Church and Charitable	15	1.3%	13.08	2.43%
Cemetery	4	0.35%	5.53	1.03%
Other Exempt	8	0.69%	41.14	7.63%
Class I Railroad	7	0.61%	15.07	2.80%
Class II Railroad	5	0.43%	0.73	0.13%

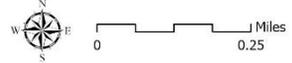
The Borough is divided into 16 zoning districts along with two conditional use overlays, the Route 31 Corridor Business Overlay Zone and 5 affordable housing overlay zones, as shown on the zoning map on the following page. Table 2, farther below, summarizes the area each zoning district covers. Residential districts cover 77% of the Borough with nonresidential and mixed-use districts covering the remaining 33%. The R-80 and R-100 districts, which permit only single-family detached housing, account for 73% of the Borough’s land area.



Sources: Esri, TomTom, Garmin, (c) OpenStreetMap contributors, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

**Borough of Pennington  
Zoning Map**

February 2026



**Legend**

AH Overlays	TCB	O-B
R-80	MU	O-R
R-100	MU-1	P-O
R-A	MU-2	E-1
MR	HMU	E-2
TC	B-H	

Map Prepared by:  
James T. Kyle, PP/AICP  
NJ PP# 5667



<b>Table 2 Summary of Zoning Districts</b>			
<b>Zone District</b>	<b>Symbol</b>	<b>Acreage</b>	<b>% of Total Acreage</b>
R-80 Residence Zone	R-80	254.213	40.8%
R-100 Residence Zone	R-100	201.363	32.3%
R-A Apartment Townhouse Residence Zone	R-A	8.639	1.4%
O-R Office Residence Zone	O-R	2.254	0.4%
TC Town Center Zone	TC	11.275	1.8%
TCB Town Center Buffer Zone	TCB	5.450	0.9%
O-B Office Building Business Zone	O-B	10.274	1.6%
B-H Highway Business Zone	B-H	5.721	0.9%
E-1 Education Zone	E-1	33.578	5.4%
E-2 Education Zone	E-2	20.44	3.3%
HMU - Highway Mixed Use Zone	HMU	34.977	5.6%
MU - Mixed Use Zone	MU	11.111	1.8%
MU-1 Mixed Use Zone 1	MU-1	4.388	0.7%
MU-2 Mixed Use Zone 2	MU-2	3.631	0.6%
MR Mixed Residence Zone	MR	16.167	2.6%
<b>Total</b>		<b>623.481</b>	

**9. ADDRESSING THE NEED FOR AFFORDABLE HOUSING**

Since the New Jersey Supreme Court’s first decision in Mt. Laurel I, all municipalities in the State have borne a constitutional obligation to provide opportunity for the construction of housing affordable to low and moderate income households. Throughout each round of affordable housing compliance, municipalities have been assigned or have negotiated their obligations and created plans to meet that obligation, which entitles them to immunity from exclusionary zoning litigation through builder’s remedy lawsuits. But housing affordability is more than providing deed restricted units to meet a mandate, as many households that do not qualify for such units are left in limbo. More needs to be done to address this segment of the population so the Borough’s overall housing policy is more inclusive.

Pennington’s Fourth Round affordable housing obligation is 58 units. As the Borough did not receive a judgment of compliance and repose through Court approval for the Third Round, it must address some part of its Unmet Need of 125 units. Since there has been little development in the Borough over the last 20 years, payment of development fees to the affordable housing trust fund has been limited. The current balance of about half a million dollars will be spent on affordability assistance, rehabilitation of existing units occupied by low and moderate income households and the extension of expiring controls, as the high cost to subsidize compliance mechanisms that forgo market rate units cannot be supported by the limited trust funds available. As such, the Borough must rely on residential developers to construct inclusionary projects which provide a setaside of units affordable to low and moderate income households. In Pennington’s case, every new project will be required to provide a 20% setaside of affordable housing units.

One problem that has plagued the Borough throughout its history of affordable housing compliance is the availability of vacant land. As detailed in the adopted Fourth Round housing plan, the only Borough-owned vacant land is the 7.8-acre former municipal landfill, which is currently inappropriate for residential development due to documented contamination as well as regulatory issues surrounding wetlands, flood hazard areas and riparian zones associated with the Lewis Brook located on the property. Five smaller vacant parcels total another 0.9 acres, and 3.1 acres may become available at the Senior Center property on Reading Street once the new Community Center is built on Reed Road in Hopewell Township. Given a lack of usable vacant land, developers would need to identify private properties to purchase and redevelop.

Opportunities for new mixed-use development exist along the Route 31 corridor on the western side of town, and Mayor and Council recently enacted zoning amendments to create the HMU Highway Mixed Use Zone which permits residential dwelling units above nonresidential uses as well as multifamily residential buildings for portions of the zone that do not front directly on Route 31. The MU Mixed Use Zone was also enacted and covers properties formerly zoned P-O and O-R along South Main Street and MU-2 on North Main Street and Brookside Avenue, permitting ground floor nonresidential uses and dwelling units on second and third floors.

Changes to R-80 and R-100 zones, which make up the majority of residential areas of the Borough, could allow in-fill development with smaller units. Strategies could include accessory dwelling units (ADU's) or combining adjacent lots with the goal of increasing residential density to promote housing affordability. While deed restricted affordable housing units are an important part of any affordability strategy, offering a greater variety of housing types and sizes would better fit a broad spectrum of household size and income levels.

As a result of the proposed zoning changes to allow mixed use in discrete areas of the Borough, the Housing Plan Element of this Master Plan has identified sufficient opportunities to meet the entire Fourth Round obligation. Details can be found in the Housing Plan, but in summary the locations are as follows:

- A townhouse development on the south side of West Franklin Avenue west of Route 31.
- A rental building on the north side of West Franklin Avenue east of Route 31.
- A rental building on the south side of West Delaware Avenue east of Route 31
- A rental building to the east of the Straube Center
- A conversion of a commercial building to an apartment building at 12 North Main Street
- Conversion of the Senior Center on Reading Street to Supportive Housing Bedrooms
- Redevelopment of the Blackwell property on North Main Street to mixed use.

The proposed zoning changes also resulted in additional housing opportunities that can address part of the Unmet Need from the Third Round affordable housing obligation, including:

- Residences above the two shopping malls on the east side of Route 31.
- Possible redevelopment of the 3.8 acres at Howe Commons on South Main Street.
- Proposed apartment building at the rear of 37, 41 and 43 South Main Street.
- Allowing upper story residential units at 245 and 250 South Main Street.

Details of how these housing opportunities help fulfill the Borough's obligations can be found in the Housing Plan, but in summary, the 58-unit Fourth Round obligation would be fully met and 37 units of the Third Round 125 unit Unmet Need would be satisfied. This is much larger than the realistic development potential (RDP) calculated based on available vacant land in the Borough and as such, the Borough must rely on redevelopment opportunities to meet its affordable housing requirements.

## 10. CURRENT LAND USE ISSUES

When the Planning Board undertook comprehensive reexamination of the Master Plan in 2023, there were several land use issues identified and discussed and in some cases recommendations were offered. While some progress was made on implementing those recommendations, some remain unfulfilled and therefore bear discussion in the Land Use Plan. Not surprisingly, new issues have also surfaced.

### Flooding

As discussed at length in the Borough's Climate Change-Related Hazard Vulnerability Assessment, the Borough has experienced an increase in flooding events over the last 10-15 years. With storm intensity and frequency increasing due to climate change, Pennington has witnessed a number of remarkable rainfall events that led to widespread flooding in critical areas, often blocking roads into and out of the Borough for periods of time. Much of the existing development in the Borough predates modern stormwater management regulations and was not designed to attenuate rainfall events such as those that seem more frequent these days. Redevelopment of certain properties presents the opportunity to improve antiquated stormwater control measures and potentially reduce the extent of impervious surfaces. Changes to the State's stormwater management requirements enacted in January 2026 will help ensure that redeveloped properties better address stormwater impacts.

The Borough is participating in efforts led by Mercer County and including the Watershed Institute and Hopewell Township aimed at addressing flooding along Lewis Brook. While the initial focus has been the intersection of West Delaware Avenue and Route 31, which experienced catastrophic flooding in 2021, the entire reach from Route 31 to the Stony Brook is being studied. The County is planning to improve bridges on Green Street and North Main Street and has compiled significant data on Lewis Brook, including defining the drainage area that contributes to it. Redevelopment efforts along Brookside Avenue in conjunction with these County efforts may lead to reduced flooding. More work is needed however, and some potential fixes involve private property. Potential redevelopment within the drainage area offers an opportunity to implement better stormwater control measures and improve water quality. All redevelopment efforts should be coordinated around the goals of improving stormwater management, reducing flooding and creating sustainable development.

Pennington is situated mostly within the Stony Brook watershed, with the Stony Brook flowing along the Borough's eastern boundary with Hopewell Township. Tributaries to the Stony Brook, including Lewis Brook, lie within the Borough. In 2025, the Borough agreed to partner with Lawrence, Hopewell, Princeton and the Watershed Institute to collaborate on a Watershed Improvement Plan (WIP) for the Stony Brook watershed, which the communities share. A first-of-its-kind approach, the goal of the WIP, expected to be completed in 2026, is to improve stream water quality in the region and reduce flooding.

### Neighborhood Character

While neighborhood character is a broad and often subjective term, the American Planning Association notes that "*community character refers to the distinct identity of a place.....the collective impression a neighborhood or town makes on residents and visitors.*"<sup>1</sup> Fully 42% of Borough respondents to the survey noted concern over impact to neighborhood character that may result from new housing in the

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<sup>1</sup> [What Does Community Character Mean Anyway? | ULI Boston/New England](#)

community. So, what factors actually define the character of Pennington or its individual neighborhoods? Historic homes? Main Street shops? Schools? Or maybe it's all those things together? Although protecting neighborhood character can mean different things to different people, it is clear it should be given consideration in the Borough's planning process.

The challenge presently confronting the Borough is how to protect neighborhood character in the face of inevitable new development. In order to meet its constitutional obligation to provide the opportunity for affordable housing, the Borough needed to consider new zoning that would permit construction of townhomes and apartments in a municipality that is largely characterized by single-family detached dwellings. Other than the construction of Pennington Point in the mid 90's and more recently the Heritage townhome project along West Franklin Avenue 10 years ago, Pennington has not seen significant new residential development. The two projects noted above were on the periphery of the Borough, isolated from Main Street and stable residential neighborhoods. As vacant land has become almost nonexistent Pennington, alternatives needed to be considered. Much of the new development anticipated will occur just east of the Route 31 corridor, an area almost entirely nonresidential in nature, now envisioned to be a mixed-use environment, a concept that was generally favored according to survey results. Unfortunately, this area alone is not enough to meet the pressing need for affordable housing.

As new housing is integrated into areas of the Borough that primarily consist of single-family detached and historic homes, it will be important to ensure it is compatible with what exists. In the Pennington Crossroads Historic District, this will mean review and approval by the Historic Preservation Commission. In other areas it will mean buildings of appropriate size and scale given their context along with materials that are compatible with the neighborhood vernacular.

The character of residential neighborhoods in the Borough has long been discussed in past master plans and master plan reexamination reports. Initially brought forth in the 2005 reexamination report, floor area ratio (FAR) requirements were thought to be a means to stem the replacement or expansion of smaller homes that was resulting in structures that seemed too large and therefore out of sync with Pennington's residential character. Shortly after the 2005 reexamination report, FAR standards were implemented in the R-80 and R-100 zones and were later modified to permit a maximum FAR of 0.265 not exceeding 3,500 total square feet in the R-80 zone and 0.25 not exceeding 4,000 total square feet in the R-100 zone. Over the course of the last decade, the Zoning Board has reviewed and approved a number of applications for FAR relief, but all were related to exceeding the maximum dwelling size as opposed to the maximum FAR permitted. In all cases, the size of the dwelling seemed appropriate for the particular lot based on the Board's analysis despite exceeding the maximum square footage permitted.

Recommendations related to the R-80 and R-100 zones can be found in section 6F.

### **Accessory Dwelling Units**

Utilized extensively in California and other expensive housing markets in the US, accessory dwelling units have been slow to catch on in New Jersey. Recently both Princeton and South Orange have adopted progressive accessory dwelling unit (ADU) ordinances, permitting additional dwellings on even small lots in the former Borough of Princeton. The benefits of permitting ADU's are two-fold. First, they provide smaller rental units that tend to be more affordable, even if not restricted to low- and moderate-income households. Second, they allow homeowners a revenue stream to assist with housing costs, which is particularly useful to residents that may not be able to afford to maintain their current home in retirement. While generally supported by survey respondents, common concerns were impacts to on-street parking and the potential for changing the feel of residential streets.

Although the Borough is providing opportunity for the creation of deed-restricted affordable housing through its compliance approach, those units are only available to income-qualified low and moderate income households. Based on current regional income limits, that would be a 1 person household making \$75,440 or less annually (80% of median). For those residents with incomes over 80% and up to 120% of the regional median, market-rate units are the only available option. Given that the majority of residential units in the Borough are single-family dwellings, ADU's represent an alternative that could help address affordability beyond the provision of deed-restricted units.

Recommendations related to accessory dwelling units can be found in section 6F.

## **Signage**

Currently the Borough regulates signs in Article III "Sign Regulations", which resides within the Zoning Ordinance and was last amended in 1996. As noted in the Economic Development Plan Element, signage is critically important to businesses, particularly those along Route 31. Given the width of existing right of way on the east side of Route 31, there are limited potential locations on existing developed properties for signs that conform to setback requirements in the HMU zone. The Plan also notes the current ordinance has not kept pace with advancements in sign technology, as it does not address LED.

The Economic Development Plan Element notes the nature of signage in Town Center should be consistent with the historic village character of Main Street and distinct from signage permitted along Route 31. It also discusses the need for better and more consistent wayfinding signage to identify points of interest and direct shoppers to businesses. Current standards in §215-42 permit a variety of sign types including wall, shingle, awning and window signs. Wall and awning signs together cannot exceed an area equal to 10% of the ground floor façade, shingle signs cannot exceed 12 square feet and window signs cannot exceed 40% of the window area. Sidewalk sale signs and restaurant menu boards are permitted provided they are not more than 6 square feet in area, are only displayed during business hours, do not exceed 5 feet in height and do not block a public way.

Recommendations relative to signage can be found in section 6M.

## **Donation Drop-Off Bins**

Many communities have seen a proliferation of unattended donation bins, often seemingly appearing out of nowhere. While they serve a purpose, they also have the potential to impact the sites where they are located. With unknown collection intervals, it is common for donated material to be set on the ground outside bins if they are full. If placed thoughtlessly, they can impact circulation patterns and reduce available parking or negatively impact the visual environment.

Recommendations related to donation drop-off bins can be found in section 6I.

## **Stormwater Management**

The State of New Jersey has been incredibly progressive in adapting stormwater management regulations to address climate-change-related increases in rainfall intensity and frequency. While unpopular with developers as they have become ever more restrictive, these regulations are critical to ensuring development is sustainable in the future.

In 2004 the New Jersey Department of Environmental Protection (NJDEP) enacted significant changes to the rules governing stormwater management. To meet requirements of the Federal Clean Water Act, NJDEP enacted a permitting program for municipalities to operate small municipal separate stormwater sewer systems (MS4's), the goal of which was to reduce nonpoint source pollutant loads. Through the

Statewide Basic Requirements, permittees were required to implement ordinances, develop a municipal stormwater management plan and implement certain controls. NJDEP also adopted the Stormwater Management Rules (N.J.A.C. 7:8), which set forth the requirements for municipal and regional stormwater management plans, but also established design standards for new development to address groundwater recharge, runoff quantity and runoff quality.

NJDEP amended the rules in 2021 to implement green infrastructure requirements and published the NJ Stormwater Best Management Practices Manual (BMP). While recharge, quality and quantity requirements remained, the rules mandated use of BMP's, which include green roofs, drywells, pervious paving systems, infiltration basins and certain manufactured treatment devices, to address the requirements. They also implemented a limitation on the size of drainage areas that can be treated with BMP's, with no individual drainage area permitted to be greater than 2.5 acres, with a 1 acre maximum for dry wells. Further amendments in 2023 implemented adjustment factors in stormwater design analysis to accommodate a likely increase in rainfall intensity resulting from climate change.

Most recently NJDEP adopted both REAL (Resilient Environments and Landscapes) and New Jersey's Protecting Against Climate Threats (NJPACT), which became effective on January 20, 2026 and significantly amended Coastal Zone Management Rules, Freshwater Wetlands Protection Rules, Flood Hazard Area Control Act rules and the Stormwater Management rules. For stormwater management, the Department now requires certain redevelopment that reconstructs motor vehicle surfaces (not including milling and repaving) to meet current runoff quality standards. Since most "new" development anticipated in Pennington over the course of the next few years will be redevelopment of existing sites, this rule change should aid the Borough in addressing water quality issues. NJPACT also requires the Borough to adopt a stormwater management plan and updated stormwater control requirements by January 20, 2027. The stormwater management plan, which will be an element of the Borough Master Plan adopted by the Planning Board, presents an opportunity to ensure ordinance requirements relate to the Borough's overall vision and are aligned with goals related to improving stormwater management, reducing flooding and promoting sustainable development. The New Jersey Department of Environmental Protection (NJDEP) requires that all municipal stormwater ordinances conform to current state regulations, although they are permitted to be more restrictive. Many local communities have enacted more stringent standards, requiring stormwater management measures for as little as 250 square feet of new impervious surfaces. While residential projects increasing impervious coverage by 300-500 square feet individually seem minor, the cumulative effects of many such increases could have substantial impacts.

Recommendations related to flooding and stormwater management can be found in section 6J.

## **Driveway Standards**

The 2023 reexamination report noted the need for standards related to construction of driveways for residential homes. A lack of requirements has resulted in driveways being built too close to adjoining property lines, with doors being opened onto adjacent property or stormwater runoff flowing onto adjacent property. It is recommended that minimum and maximum width and setback standards be included in the zoning ordinance. Recommendations can be found in section 6P.

## **B-H, O-B, O-R and Route 31 Corridor Business Overlay Zone**

In conjunction with preparation of the Economic Development Plan Element, the Economic Development Commission reviewed zoning along the Route 31 corridor, which currently includes the B-H, O-B, O-R and Route 31 Corridor Business Overlay zones. One key recommendation of the Plan is to permit mixed-use along Route 31, which has been implemented as part of the Borough's affordable housing compliance plan through creation of the HMU Highway Mixed-Use zone. As adopted by Council, the HMU will permit ground floor nonresidential uses with residential units above in up to two additional stories. In addition,

the HMU standards permit residential apartment buildings provided such building does not front directly on Route 31.

The current B-H, O-B, O-R and Route 31 Corridor Business Overlay zones are antiquated and not reflective of modern uses or the current nonresidential market. The Route 31 Corridor Business Overlay zone was put into effect *“to create a mixed-use, pedestrian-friendly development that is aesthetically pleasing.”* One key difference with the overlay was the addition of retail and bank uses with drive-through facilities as conditionally permitted uses. Despite being coined a “mixed-use” district, the overlay does not permit residential uses.

The Economic Development Plan Element recommends the Route 31 corridor be rezoned to eliminate the current B-H, OB and O-R zones which is achieved through creation of the HMU Highway Mixed-Use and C-B Crossroads Business zones as shown on the proposed Land Use Plan Map, Figure 1. The HMU standards, already adopted by Council to provide opportunity for affordable housing, permit a variety of retail, restaurant and office uses, animal hospitals, hardware stores, wholesale businesses, technical training centers, educational uses (other than schools), child care centers and municipal service uses. Residential multifamily apartments are permitted on second and third floors of buildings and fully residential buildings are permitted provided they do not front directly on Route 31.

The C-B zone should be created and permit retail, personal service, restaurant and office uses. Given safety concerns at the intersection of Route 31 and West Delaware Avenue, uses that generate significant peak hour traffic such as convenience stores with automotive fuel sales and traditional fast-food restaurants with drive through should not be permitted. Hybrid restaurants with options for pickup would be appropriate. The Crossroads Business zone is differentiated from the HMU zone in that residential uses are not permitted, although mixed-use with office or other nonresidential uses on a second floor is encouraged. This overall approach to the Route 31 corridor is generally supported by survey respondents, with outdoor, pedestrian-oriented shopping centers with green infrastructure being the most preferred with offices over retail and restaurants and residences over retail and restaurants a close second. Standalone commercial strip centers such as those that already exist were not viewed as desirable by the majority of survey respondents and the new HMU zone seeks to prevent that. The hope is that owners of existing commercial strip centers are provided enough incentive through zoning to spur mixed-use redevelopment.

Recommendations related to the Route 31 corridor are found in section 6B.

## **Town Center**

Pennington is blessed with a Main Street that exudes traditional character reflective of the Borough’s history. While it is a form that is desirable, it is often almost impossible to replicate. The Economic Development Plan Element notes a need for Town Center zoning to be distinct from that along Route 31, reinforcing the existing historic village appearance and focusing on retail shopping and dining to encourage pedestrian traffic. Survey respondents felt that retail and dining and community gathering and events were key to bringing activity and purpose to Town Center. Additionally, the survey results indicated broad support for:

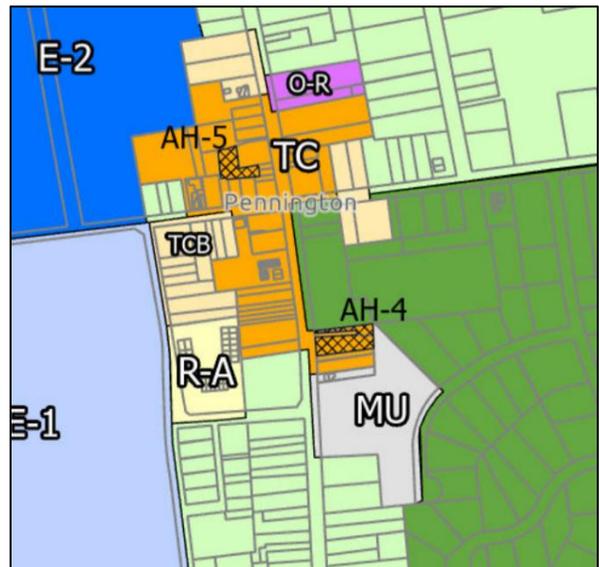
- pedestrian ways with a mix of businesses, residences and outdoor dining
- sidewalks with space for shade cover, bicycle racks, seating and outdoor dining
- sense of place created by streetscaping, plants, trees, seasonal lighting and public art
- pocket parks and/or greenways that connect to areas around Town Center
- more mixed-use development including residential

Current Town Center zoning standards permit a wide variety of neighborhood retail and specialty shops, including stores selling groceries, meats, baked goods and similar food items, hardware and general

merchandise stores, pharmacies, photo shops and pet grooming establishments, stationary stores, florists, antique shops, bookstores, toy stores and gift shops, jewelry, clothing and shoe shops, consignment shops, delicatessens, luncheonettes, pizza parlors, ice cream parlors and coffee shops, full service restaurants and other uses found by the Planning Board to be of the same character. Personal service establishments are also permitted, including banks, shoe repair and tailor shops, barber shops and beauty salons, travel agencies and other personal service establishments found by the Planning Board to be of the same character. One and two-family uses existing are permitted to remain and dwelling units are permitted on upper floors. General business offices are only permitted on upper floors. Required bulk standards are reflective of existing conditions relative to lot area and setbacks, while building height must be at least two stories or 28 feet and no more than 3 stories or 40 feet. Lot coverage may not exceed 80%.

Generally speaking, the uses currently permitted in Town Center reflect those appropriate for a historic village and are business types that are more likely to be locally-owned as opposed to being owned and operated as national chains. A few uses mentioned in survey responses that are not currently permitted include breweries, pubs, farmers' markets and fitness and wellness uses, all of which may also be appropriate. Permitted uses respect, protect and enhance the historic character of Main Street.

The current zoning map limits the extent of the Town Center zone to the east and west side of North main Street and the east side of South Main Street to the Pennington United Methodist Church (see image at right). The east side of South Main Street, including the Pennington Presbyterian Church, lies within the R-100 zone. The Economic Development Plan Element recommends the Town Center zone be extended along the west side of South Main Street to Academy Avenue and along the east side of South Main Street to include the Presbyterian Church and cemetery and further recommends the existing O-R zone on the east side of North Main Street be incorporated into the Town Center zone.



**Current TC and TCB zone extent.**

Recommendations related to the Town Center zone can be found in section 6A.

### **Town Center Buffer Zone**

Created in 2001, the TCB Town Center Buffer Zone was intended to “...function as a transition between the more intensive town center uses and nearby residential areas.” As shown on the image above, the TCB flanks the east and west sides of the TC zone as well as the east side of North Main Street. The zone permits one-family dwellings, multifamily dwellings in existence on the effective date of the ordinance, dwellings within a structure containing a permitted nonresidential use and home occupations. Permitted nonresidential uses, which must be within a building containing a permitted residential use, include professional, medical, general and executive offices along with counseling, financial services, Red Cross and YMCA.

After 25 years in effect, it is clear the TCB zone is not yielding the desired results. Areas of TCB on the east side of the TC zone (Block 503, Lots 2-9, Block 205, Lots 32-34) and west side of the TC zone along East Delaware Avenue (Block 301, Lots 50 and 51 and Block 601, Lots 23 and 24) contain existing single-family

residential dwellings, some of which are new and others that have been substantially improved over the years. It is unlikely at this point that they would be converted to the mixed commercial use envisioned in the zone. The TCB on the north side of the TC along North Main Street (Block 205, Lots 13-15) includes one office property adjacent to the driveway to the municipal complex and two single-family dwellings. While the Economic Development Plan Element recommended the Town Center zone be expanded to include all the current Town Center Buffer zones, as noted some of these areas are primarily occupied by single-family detached homes. Limited expansion of the TC zone to extend farther north and south along Main Street is seen as a viable means to permit expansion of typical Main Street uses without impacting the character of stable residential properties close to Main Street.

Recommendations for the Town Center Buffer Zone are included in section 6A(3).

### **Keeping of Chickens**

A somewhat new phenomenon for suburban communities like Pennington is a desire by residents to keep chickens on their property. With some current residents keeping chickens on their properties, it is important to ensure this activity does not result in impacts to adjacent properties from impacts including noise, trespass and sanitary conditions. Recommendations related to the keeping of chickens are located in section 6R.

### **Nonconforming Uses and Structures**

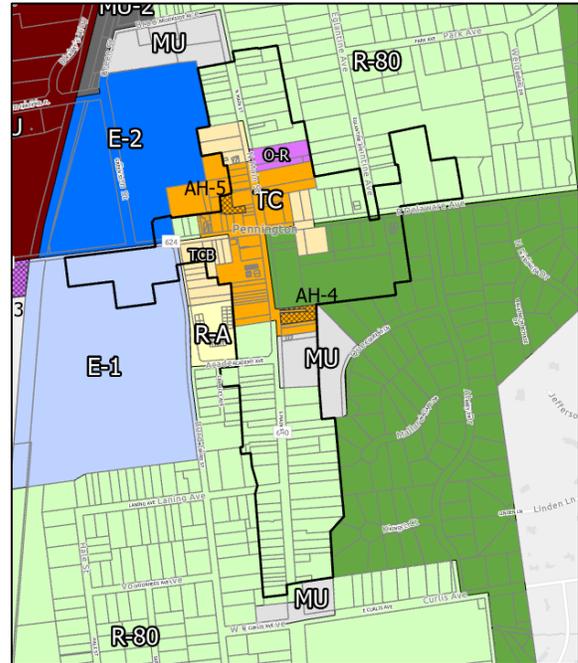
Article V of the zoning ordinance regulates nonconforming uses and structures. Presently the language in §215-52.B and §215-57 seems to intend to permit additions for nonconforming structures without the need for variance relief provided the degree of nonconformity is not increased. In reviewing specific applications submitted to the Borough for residential addition, it appears the language governing nonconforming uses and structures in two sections of the ordinance is unclear. This fact was also noted in the Board's 2023 reexamination report. Recommendations relative to nonconforming uses and structures are included in section 6Q.

### **Lighting Standards**

Lighting is regulated in Chapter 163, Site Plan Review, Article IV, but only in a very limited way. Current standards are not reflective of modern lighting requirements and do little to address lighting on individual residential properties. They also do not address issues such as lighting color temperature and shielding of fixtures to prevent light trespass. While site plan submission standards require details on type, location, footprint and light intensity, the ordinance does not provide specific limitations for this information to be compared to nor does it provide average intensity requirements, uniformity requirements or limitations on intensity at property lines. Recommendations relative to lighting are found in section 6N.

## **Historic Preservation**

Pennington Borough is fortunate to contain significant historic resources, something that contributes substantially to its overall character and desirability as a place to live. The Pennington Crossroads Historic District (see map at right, outlined in black), enacted locally by ordinance in 2011, is centered on North and South Main Streets and showcases a variety of historic architectural styles spanning 1790 to 1920. As noted in the Historic Preservation Plan Element, the regulatory approach taken by the Borough has stemmed the indiscriminate destruction of historic structures in the District, an important step to safeguarding Pennington’s historic resources. It also notes that more protection is needed for historic resources outside the District, including Toll Gate Grammar School, the HVRSD administration building and the train station, which could be achieved by identifying these individual sites on the zoning map. Under the Municipal Land Use Law, 40:55D-65.1, the Borough can designate and regulate both historic districts and historic sites provided they are identified in the Historic Preservation Plan Element.



As new development is contemplated within and around the District, input from the Historic Preservation Commission will be critical to insuring projects meet the “visual compatibility” requirements of the Historic Preservation ordinance. This goes beyond mere compatibility of building materials and window styles to focus on the scale and character of a site’s surroundings. The goal of historic standards is not to require new development to itself look historic, but rather to ensure that new development is sympathetic to the character of historic resources and the historic district.

Recommendations relative to historic preservation are found in section 6E.

## **11. LAND USE ISSUES IDENTIFIED IN OTHER ELEMENTS OF THE MASTER PLAN**

This section reviews aspects of other elements of the Master Plan that may have an impact on land use. The current version of all Master Plan elements can be accessed via the Master Plan link on the Planning and Zoning section under Departments on the Borough website.

### **Housing Element and Fair Share Plan**

The Housing Element and Fair Share Plan addresses how the Borough’s fourth-round affordable housing obligation will be met. Because there is little vacant land available, the plan focuses on areas that can potentially be redeveloped to include affordable housing. Actions taken are summarized in Section 8 of this Land Use Plan. Two new draft zoning ordinances (H-MU and M-U) are presented in the Housing and Fair Share Plan based on recommendations from the Master Plan Committee as they worked on this Land

Use plan. Five other draft ordinances, AH-1 to AH-5, in the Housing Element and Fair Share Plan address the particulars of individual sites. The Housing Element and Fair Share Plan and these ordinances have been adopted by the Planning Board and endorsed by Council to meet state-mandated submission by March 15, 2026.

## **Mobility Plan**

Pennington Borough's visions for mobility are to reduce automobile use in the Borough and to provide safe sidewalks for pedestrians and safe routes for bicycles and other low speed personal vehicles. The Borough also works to improve Route 31 intersection management, emphasizing safety, and to reduce flooding on all roads in the Borough. Complete & Green Streets, and Vision Zero policies are being implemented. The Mobility Plan makes recommendations in response to a call in the Economic Development Plan to find innovative ways to increase the available parking for customers of businesses in the town center while meeting the parking needs of business employees and residents. The Plan also promotes public and other transit alternatives to reduce traffic congestion and provide services to residents in need.

To address the congestion, safety, and flooding issues at the intersection of Route 31 and West Delaware Avenue, it is recommended that a new zone, Crossroads-Business (C-B), be created to include the properties adjacent to the intersection as discussed in Section 6B(3) of this Land Use Plan. Parking recommendations can be found in Section 6G. Safe sidewalks and bikeways are addressed in Section 6H. The Mobility Plan discusses the poor state of repair, inadequacy and safety of the CSX railroad bridges on West Delaware Avenue and Broemel Place. The solutions to these problems may require land outside the current rights-of-way of these two roads.

Many of the Mobility Plan goals could be met by Council resolutions without new ordinances. There are two chapters of the Borough Code that address Mobility. Chapter 177, Streets and Sidewalks, covers design and safety of sidewalks. The design of sidewalk or road improvements to accommodate bicycles and other low speed personal vehicles may require new ordinances in Chapter 177. Amended or new ordinances may be needed to implement the Complete & Green Streets, and Vision Zero policies as the rules of these two programs evolve. Parking is addressed in Article III of Chapter 200, Vehicles and Traffic, but ordinance changes may be needed to enhance parking in the Town Center. The remaining vision items associated with reducing automobile use, reducing impact on the environment, EV charging, and public transit are not covered by Chapter 200 and may need new ordinances. Some of these areas are addressed briefly in Chapter 215 part 28, Traffic Management, but this needs to be updated.

## **Utility Services Plan**

Pennington Borough's vision for utility services is to provide first-class, cost-effective services such as stormwater management, tree management, infrastructure maintenance and upgrades, snowplowing, and road repairs. It will also maintain and improve water and wastewater systems to ensure uninterrupted service and reduce the long-term cost of municipal ownership. It will work to protect water quality and maintain Municipal Separate Storm Sewer System (MS4) permit compliance, and to reduce the impact of severe storms on flooding in the Borough. The topics of Flooding and Stormwater Management are Covered in Section 10 of this Land Use Plan.

New or revised ordinances or resolutions may be needed on the following topics to fulfill these goals: stormwater management, forestry management, drinking water and wastewater capacity, riparian zones, floodplain restoration, impervious coverage, bridges, culverts and daylighting streams. It is suggested that

these be written and adopted as the various components of the Utility Services Plan element are implemented, as recommended in Section 6K.

### **Community Facilities and Services Plan**

This plan includes data on municipal facilities, other non-municipal facilities that may be available for public use, parks and recreation, schools, and churches, and services they provide. Pennington Borough has an extensive range of community facilities to serve its population. With limited vacant land and little opportunity for new development, no major additions to, or expansion of the existing community facilities are anticipated. However, it may be necessary to consider renting some nearby space or repurposing other borough buildings if needs arise.

Two concerns are raised in the Community Facilities and Services Plan of relevance to land use that may require resolutions and ordinances to implement. First, church attendance is in decline and some of the churches in the Borough may close or consolidate. These buildings are often historic and to preserve the history the Borough should encourage repurposing rather than demolition. Second, Toll Gate Grammar School and the original Central High School, which now houses the HVRSD administration offices, were built in the 1920's and are well-preserved historic landmarks in Pennington. If either were to be vacated by HVRSD, they should be considered for adaptive reuse to preserve the historic architecture. It is recommended in Section 6E2 that these be rezoned as E-3 educational so that Council will be able to work with a developer to modify the zoning to preserve the facades of the building as they are repurposed.

### **Open Space and Recreation Plan**

The mission of the Open Space Committee is to retain the village identity of Pennington and the semi-rural character of nearby surrounding areas, by collaborating with Hopewell Township, Mercer County, the State of New Jersey, and non-profit land preservation organizations, Through these collaborations, the committee seeks to permanently protect open space in, adjacent to, and near the Borough as well as open space along roads, waterways and other undeveloped greenway corridors leading to and from the Borough. This open space will be accessible to all by numerous greenway corridors and trail systems. The vision of the Parks and Recreation Commission is to maximize participation in outdoor and indoor recreation, and to collaborate with other Borough entities to maximize synergies between recreation, education, and economic development efforts inside and outside the Borough.

A recommendation from the Open Space and Recreation Plan relevant to the Land Use Plan is to create or enhance links that allow pedestrian access to open space and recreational opportunities outside the Borough from multiple points within the Borough. This provides additional support to the Mobility Plan recommendation on bike routes and walkways in Section 6H. Also, the Plan recommends that where the Borough owns parks and recreational space, it should formalize its preservation by rezoning as Parks and Recreation, PR. This is shown in Section 6D.

### **Conservation of Natural Resources Plan**

The Conservation of Natural Resources Plan element assists in the conservation of the Borough natural resources by identifying and characterizing its environmentally significant features and by putting forth key goals for the Borough conservation efforts. This element incorporates the 2024 Environmental Resources Inventory (ERI) of Pennington Borough. There are no recommendations for ordinance changes in the Land Use Plan except an overall recommendation that development be coordinated to preserve, enhance and restore natural resources that focus on environmental health, climate resilience and biodiversity. Growth should be

directed to areas with existing infrastructure to limit disturbance of environmentally sensitive lands. Several of these recommendations would be implemented by the Public Works Department, following the guidance of the Utility Services Plan element. In general terms, these goals aim to preserve a significant aspect of the neighborhood character, as discussed in Section 10.

### **Economic Development Plan**

The Economic Development Plan is a new addition to the list of Pennington Borough Master Plan elements. It was written by the Economic Development Commission to support the Borough's entrepreneurs, who add to the thriving vitality of the community. Commercial development is an indispensable part of Pennington. It is a source of goods and services for the residents of the Borough and the nearby area and is also part of Pennington's brand promise for potential residents and visitors. The Plan provides a strategic framework for supporting Pennington's businesses across two distinct locations, the Route 31 corridor and the historic Town Center at Main Street and Delaware Avenue. Recommendations related to signage, distinct to both Route 31 and Town Center, are also discussed.

The Plan recommends simplification of the zoning in the Route 31 corridor and extending it to mixed uses. Extending the uses to include residential became a major contributor to addressing the Borough's affordable housing obligation as covered in the Housing Element and Fair Share Plan. This led to the recommendation of the HMU zone and to the ordinance now adopted by the Borough Council. The Economic Development Plan also recommended extending the Town Center Zone and elimination of the Town Center Buffer Zone. This is discussed in detail in Section 10 and led to the zoning recommendations in Section 6A. Parking recommendations are included in Section 6G. A recommendation to update the signage and lighting ordinances is discussed in Section 10 and 6M and 6N.

The Plan also recommends support for entrepreneurship by encouraging home-based businesses. These are increasing in number and can encourage a daytime population that will frequent other in-town businesses. Zoning should permit home-based businesses that do not negatively affect the residential character of neighborhoods or unduly create traffic or parking problems. Home office uses should be permitted as "accessory" rather than "conditional" uses, and limitations on the size and level of activity of such businesses should be regularly reexamined.

### **Historic Preservation Plan**

The Borough of Pennington is fortunate to have a remarkable collection of early 19<sup>th</sup> century through early 20<sup>th</sup> century structures, generally well-maintained and in good condition. Revisions to the Historic Preservation Regulatory Ordinance approved by the Borough Council on December 2, 2024, strengthened and clarified the language to minimize ambiguity in the original text. The Plan recommended the creation of a Historic District Overlay in the zoning code and map to cover both the contiguous Historic District in the Town Center and other lots outside the Historic District that are deemed historic. It also promotes the preservation of threatened historic resources such as the Railroad Station and the HVRSD Administration Building. These are covered in Section 6E.

### **Green Buildings and Environmental Sustainability Plan**

The Green Buildings and Environmental Sustainability Plan element (GBESE) is intended to ensure that future planning and development in Pennington Borough enhances the environmental sustainability and resilience of the community and minimizes negative effects resulting from its environmental footprint. It

also encourages the reversing of negative effects from previous development. Specifically, its purpose is to guide and serve as a basis for Borough land use decisions, ordinances, and policies that are related to buildings and sustainability.

The Plan strongly encourages LEED certification (or comparable standards) for new construction and renovations, with goals for energy efficiency, electrification of buildings and transportation, renewable energy installation (solar, geothermal), water conservation, green infrastructure, and smart growth principles. Specific strategies include installing solar panels on municipal buildings, facilitating EV charging, updating building codes for sustainability, expediting green permits, regulating lawn equipment to reduce emissions and noise, harvesting rainwater, and treating redevelopment as an opportunity to restore sites. New or revised ordinances or resolutions may be needed to enable these goals. It is suggested that these be written and adopted as the various components of the GBESE are implemented, as recommended in Section 6L.

## **12. REDEVELOPMENT**

Three areas of the Borough have been designated by the Borough Council as areas of redevelopment with one additional property at 12 North Main Street currently in the preliminary investigation phase. These are summarized below.

1) The Blackwell Property – Block 205, Lots 2, 3, 4, 5, 6 (designated)

This consists of approximately 4 acres of land on the south side of Brookside Avenue stretching from Green Street to North Main Street. Each lot contains existing structures and, overall, the property has supported a variety of uses. Lot 2 contains a 1-story single family dwelling and other buildings. Lot 3 has 2-story single family dwelling. Lot 4 has a 2.5-story wood frame garage. Lot 5 has a 1-story garage. Lot 6 has a 2-story single family dwelling and a detached 1-story garage. The area does not contain any wetlands. Lewis Brook flows roughly west to east in an open channel, but the portion that flows under the existing garage on Lot 5 enters a pipe that restricts water flow and in heavy rain causes flooding on the property. There are no known contaminated sites documented by NJDEP in the area. The area is in the MU-2 Mixed Use Zone. Except for the single-family dwellings, most of the existing uses of the property are legally existing nonconforming uses not currently permitted under the MU-2 standards.

2) Pennington Landfill - Block 206, Lots 4, 5 and 12 (designated)

The area consists of approximately 8.5 acres of land on the north side of West Delaware Avenue and south side of Broemel Place immediately west of the railroad. At present Lot 4 is vacant and contains remnants of a driveway, Lot 5 contains the former Pennington Landfill, and a garage formerly used by the public works department and a municipal water supply well and treatment equipment. Lot 12 currently contains an abandoned municipal well, enclosed in a brick building, and a steel water tank. Flood hazard areas, riparian zones, wetlands and required wetland buffers have all been delineated. A Lewis Brook tributary flows through Lot 5 to a tunnel under the railroad tracks in the northeast corner of the lot. Property to the west includes the Old Mill Shopping Center, a gas station, Starbucks and the Pennington Square Shopping Center, North of the area is the Pennington Fire Department and the unused Emergency Services building. In view of the recent increases in land value in Pennington, the Borough should consider returning the property to greenfield status by transferring the contents of the landfill to a modern, lined landfill such as the GROWS landfill in Morrisville PA, which receives various waste types from Pennington via the Mercer County transfer station.

3) Wells Fargo Site - Block 201, Lots 6 and 7 (designated)

The area consists of approximately 2.8 acres of land on the northwest corner of West Delaware Avenue and Route 31. Improvements present on each lot are: Lot 6, a 2-story brick office building with bank drive-through lanes, parking areas and a detention basin and Lot 7, a vacant wooded area with drainage features. The area does not contain any wetlands. A tributary of the Lewis Brook flows roughly west to east through Lot 6 in its northwest corner, eventually flowing under Route 31. There are no known contaminated sites documented by NJDEP that lie within the study area. The study area is bounded to the west by Hopewell Valley Central High School and the County Library, to the north by the Global Neurosciences Institute. It is currently in the O-B zone, which does not allow residential use.

4) 12 North Main Street – Block 205 Lot 22 (investigation phase)

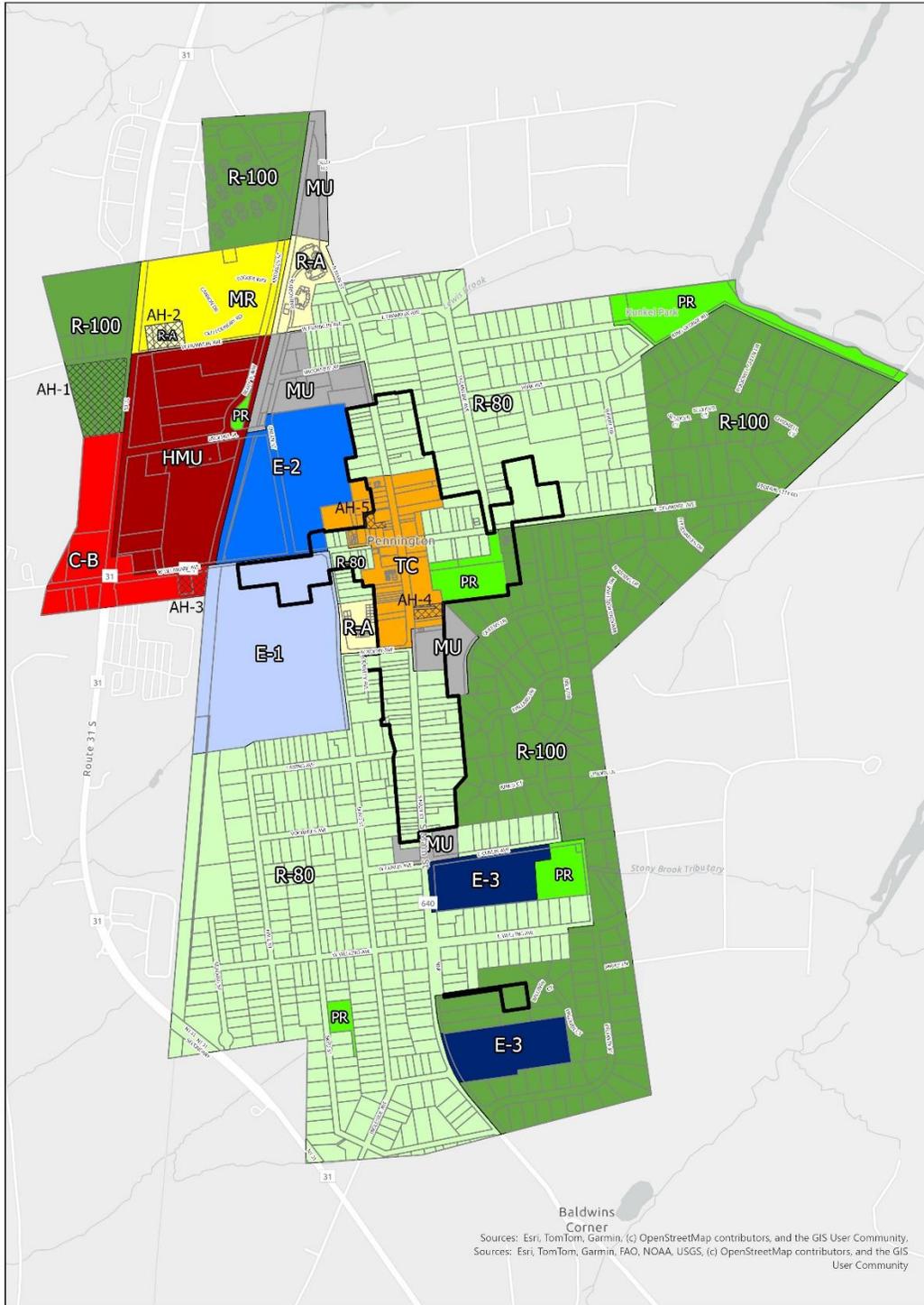
On April 9, 2025, the Planning Board approved the subdivision of 12 North Main Street, Block 205 Lot 22 into two lots, Lot 22.01, which consists of a fully developed multi-use building with 22.89 feet fronting on Main Street and Lot 22.02 consist of two flat-roofed buildings, a parking lot, and small yards which are accessed via the municipal parking lot adjacent to 30 North Main Street. The subdivision cleared the way to redevelop the property in the future according to recent initiatives by the Pennington Planning Board. The preliminary investigation report recommending Lot 22.02 as an area in need of redevelopment is currently in preparation.

### 13. PROPOSED LAND USE PLAN

The map depicted in Figure 1, on the following page, illustrates the proposed Land Use Plan for the Borough of Pennington, consistent with the recommendations contained in previous sections. It incorporates zoning changes proposed as well as those that have already been made in conjunction with the Borough’s Housing Plan Element and Fair Share Plan. Table 3 summarizes the area of each zone district.

Table 3 Summary of Proposed Zoning District			
Zone District	Symbol	Acreage	% of Total Acreage
Crossroads Business	C-B	14.99	2.40%
Education Zone	E-1	33.58	5.38%
Education Zone	E-2	20.44	3.28%
Education Zone	E-3	15.47	2.48%
Highway Mixed-Use	HMU	34.49	5.53%
Mixed-Use	MU	19.26	3.09%
Mixed-Residence	MR	16.17	2.59%
Residence Zone	R-80	246.99	39.60%
Residence Zone	R-100	178.96	28.69%
Apartment-Townhouse Residence	R-A	8.74	1.40%
Town Center	TC	16.42	2.63%
Parks and Recreation	PR	18.19	2.92%
		<b>623.69</b>	

**Figure 1 – Proposed Land Use Plan Map**



**Borough of Pennington  
Land Use Plan Map**

March 2026



**Legend**

- |                   |     |     |
|-------------------|-----|-----|
| Pennington        | R-A | C-B |
| Crossroads        | MR  | E-1 |
| Historic District | TC  | E-2 |
| AH Overlays       | MU  | E-3 |
| R-80              | HMU | PR  |
| R-100             |     |     |

Map Prepared by:  
James T. Kyle, PP/AICP  
NJ PP# 5667



## 14. CONSISTENCY WITH OTHER PLANS

Pennington Borough's approach to external planning is to maintain vigilant monitoring of regional developments that may adversely affect Borough interests or conflict with adopted Master Plan policies. The Borough should ensure that its interests are protected through early identification of potential threats and timely, informed advocacy positions developed by Borough Council based on Planning Board recommendations.

Three plans directly impact Pennington Borough's Land Use Plan.

1. The State Development and Redevelopment Plan (SDRP)
2. The Mercer County Master Plan and its Land Development Ordinance
3. Hopewell Township Master Plan and its Land Use Plan element

These plans and their relationship with the Pennington Borough Land Use Plan element are discussed below.

### **a. New Jersey State Development and Redevelopment Plan (SDRP)**

The State Development and Redevelopment Plan (SDRP), also known as the State Plan, provides a vision for the future that will preserve and enhance the quality of life for all residents of New Jersey. The purpose of the State Plan is to coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination (N.J.S.A. 52:18A-200(f)). A new SDRP was adopted by the State Planning Commission (SPC) on December 17, 2025, replacing the 2001 SDRP. The plan was developed by the Office of Planning Advocacy (OPA), which published a preliminary draft on December 14, 2024. The draft was presented at meetings in all NJ counties and feedback was incorporated. A series of cross-acceptance meetings were held in the second half of 2025. Pennington Borough participated in a Mercer County meeting where the preliminary SDRP was presented, and in a cross-acceptance session. The new SDRP can be found online at

[https://www.nj.gov/state/bac/planning/documents/update-to-state-plan/sdrp\\_2025.pdf](https://www.nj.gov/state/bac/planning/documents/update-to-state-plan/sdrp_2025.pdf)

Pages 83-85 of the 2025 SDRP give Policy Objectives in 12 areas. Five policy objectives of particular interest to the Pennington Land Use Plan. These are Land Use, Housing, Economic Development, Redevelopment, and Climate Change. The following policy objectives are copied directly from the SDRP:

**Land Use:** Plan and zone to promote a variety of land uses that create balanced communities. Guide development and redevelopment in or near appropriately located Centers, Cores, and Nodes to accommodate growth based on smart growth principles. Encourage densities that support public transit, where appropriate. Preserve the character of agricultural land, prime soils, open space, and environmentally sensitive areas, with appropriate scaling of public facilities and services, without compromising the planning area's capacity to accommodate future growth. Environs should be protected and enhanced. Future development in the Environs should be carefully considered. It should be in the form of contextually Appropriate Density. Clustered and compact development should also avoid environmental features and areas that are vulnerable to natural hazards.

**Housing:** Provide a full range of housing choices to accommodate projected growth. Development should occur primarily in or near Centers and at Appropriate Densities through new construction, redevelopment, and adaptive reuse. Provide an adequate supply of diverse housing types particularly for affordable units, senior citizen developments, accessory dwelling units, for residents with special needs, and co-housing, and that, wherever feasible, it is developed with maximum access to a full range of commercial, cultural, educational, recreational, health, and transportation services and facilities. Any housing outside the Center should be planned to maintain or enhance the existing character. Location of any type of housing in vulnerable areas is not consistent with the State Development and Redevelopment Plan.

**Economic Development:** Encourage new businesses, private sector investment, and tourism where appropriate and based on smart growth principles. Revise outdated zoning restrictions to promote flexible workplaces that recognize the changing needs of the contemporary workplace. Any economic development occurring outside the center should be planned and designed to maintain or enhance the area's qualities with minimum impact on agricultural or environmentally sensitive resources. Development should aim to diversify the local economy and achieve more sustainable year-round models.

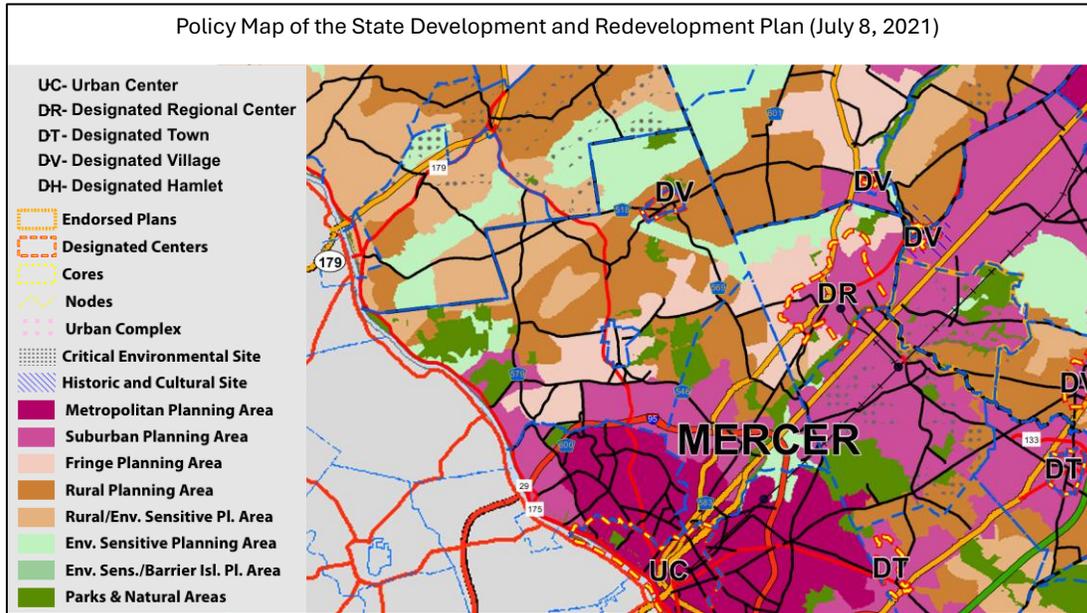
**Redevelopment:** Encourage environmentally appropriate redevelopment in existing Centers and in developed areas that are or have the potential to become Centers. This can accommodate growth that would otherwise occur in the Environs and in ways that supports Center-based development. Redevelop with a broad range of uses, an efficient use of infrastructure, and at sufficient densities to support transit with physical design features that enhance public safety, facilitate pedestrian and bicycle activity, and reduce auto-dependency. Redevelop or repurpose obsolete commercial buildings. Amend zoning provisions to eliminate barriers that diversify existing building stock. For existing structures located in flood prone areas, elevate buildings and critical infrastructure to reduce the impacts of natural hazards.

**Climate Change:** Encourage development and redevelopment in areas with low flood risk and existing infrastructure. Support climate adaptation by discouraging development in vulnerable areas, and instead, investing in resilient infrastructure and implementing mitigation strategies. Flood prone and wildfire risk areas will require careful consideration to ensure land uses minimize risk to people, assets, and neighboring lands. New development or redevelopment projects within already developed high risk areas are encouraged to follow and implement resilient design and hazard mitigation initiatives.

The SDRP provides a balance between growth and conservation by designating planning areas that share common conditions regarding development and environmental features. The 2025 SDRP revised the planning areas slightly from the 2001 Plan and the criteria can be found in the 2025 SDRP, from page 85 onwards. The 2025 SDRP places Pennington Borough within a 6,800 acres (10.6 sq. mile) Fringe Planning Area (PA3) that runs about 8 miles WNW from Washington Crossing to Mount Rose, as shown in Figure 2. In PA3, the intention of the State Plan is to:

- Accommodate growth in Centers, excluding flood prone areas.
- Protect and enhance natural resources.
- Protect the environs primarily as open space or forested areas.
- Provide a transition between more developed Metropolitan and Suburban Planning Areas and less developed Rural and Environmentally Sensitive Planning Areas.
- Confine programmed sewers and public water services to Centers, except where public health is at stake.
- Revitalize towns and older traditional communities.
- Protect and diversify the character of existing stable communities.

**Figure 2.** SDRP Policy Map. Pennington Borough can be seen within the pink area.



Links to the 2025 SDRP Policy Map:

<https://nj.gov/state/bac/planning/documents/maps/stateplanmapMarch2025.jpg>

and

<https://njgis-newjersey.opendata.arcgis.com/datasets/dosopa::planning-area-boundaries-of-the-nj-state-development-and-redevelopment-plan-new-jersey-1/explore>

The following criteria are intended as a general guide for delineating the Fringe Planning Area (PA3). Local conditions may require flexible application of the criteria to achieve the Policy Objectives of this Planning Area.

- Population density of less than 1,000 people per square mile.
- Generally lacking in major infrastructure investments. The circulation system is mainly provided by state and county roadways with major emphasis on moving traffic through the area. Some Centers are served by public water and sewer.
- Land area is greater than one (1) square mile.

Note that Pennington is not currently designated by the State as a Center. Hopewell Borough is a Designated Village, one of the classifications of a Center.

## **b. Mercer County Master Plan**

The Borough is one of 12 municipalities in Mercer County and the County’s Master Plan elements relating to land use and infrastructure are relevant to the Borough. The Mercer County Master Plan was adopted by the Mercer County Planning Board on September 8, 2010. It consists of a Framework document and six elements:

- Farmland Preservation (2020)
- Historic Preservation (2010)
- Mobility (2010, amended 2016)
- Open Space (2021)
- Mercer County Bicycle Plan (2020)
- Mercer County Corridor Enhancement Program (2025)

<https://www.mercercounty.org/departments/planning/plans-and-reports/mercer-county-master-plan>

The Borough's Mobility Plan element discusses links to the County Mobility Plan and the Mercer County Bicycle Plan. Section 4 of the County Mobility Plan details policies and associated strategies, including the promotion of land uses that reduce reliance on automobiles.

The County adopted a new Land Development Ordinance on May 23, 2024. It replaced the Land Development Standards in force since 1970. It covers all applications to subdivide property in the County and all site plan applications affecting or abutting County drainage facilities, County roads, and County property. Exceptions are site plans not abutting County roads that include less than a combined total of one acre of existing and proposed impervious surfaces, and site plans for a single-family residential home or multifamily structures containing four or fewer units.

<https://www.mercercounty.org/home/showpublisheddocument/30976/638543926182800000>

The power to review and approve all Subdivisions and Site Plans rests with the Mercer County Planning Board through its Land Development Committee, whose meetings take place after the regularly scheduled Mercer County Planning Board meetings. Site plans on County Roads in the Borough should be reviewed to see if they need to be submitted to the County.

According to the County website, the purpose of the Ordinance is to:

1. Promote the public health, safety, convenience and general welfare of the citizens of Mercer County.
2. Provide the rules, regulations and standards for all subdivisions and (re)development projects that guide the design of development of land affecting or abutting County drainage facilities, County roads, County property and other County facilities in Mercer County.
3. Ensure that land development within the County proceeds in accordance with, and is consistent with, the goals and objectives of the Mercer County Master Plan and other adopted County plans/sub-elements.
4. Allow land development that is compatible and harmonious with the existing, planned and contemplated infrastructure base of the County.
5. Institute standards for assessing developers for a proportionate share of the cost of County improvements located outside of a given development to achieve the goals of the County Master Plan which must be made to accommodate the increased traffic, stormwater runoff, and/or other impact generated as a result of the development.
6. Mitigate adverse traffic and drainage impacts from proposed development on roads, drainage facilities, buildings and lands owned and/or maintained by the County.
7. Facilitate pedestrian and/or bicycle traffic along County Roads.
8. Create and/or maintain aesthetically pleasing landscapes along County roads.
9. Ensure that development and redevelopment occurring under the County's jurisdiction minimizes any adverse impacts to the physical and living environment and is developed with the long-term goal of energy and natural resource conservation and environmental sustainability.
10. Achieve maximum coordination between the Applicants' professionals, the local municipality and the County development review staff.

11. Provide for the coordinated review of development projects involving various other State and County agencies that have regulatory responsibilities pursuant to the requirements of the following statutes including but not limited to:
  - a. Stormwater Management (N.J.A.C. 7:8 et seq.)
  - b. Flood Hazard Area Control Act (N.J.S.A. 58:16A-50)
  - c. Soil Erosion and Sediment Control Act (N.J.S.A. 4:24-39 et seq.)
  - d. Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.)
  - e. Storm Water Management Act (P.L. 1981, C. 32 N.J.S.A. 40:55D-1 et seq.)
  - f. Freshwater Wetlands Protection Act of 1987 (N.J.S.A. 13:9B-1 et seq.)
  - g. Realty Improvement, Water Supply & Sewer System Act (N.J.S.A. 58:11-37)
  - h. State Highway Access Management Act (N.J.S.A. 27:7-1 et seq.)
  - i. NJDOT Access Code, NJAC 16:47-1 et seq.
  - j. New Jersey Municipal Land Use Law (N.J.S.A. 40:55-1 et seq.)
  - k. Water Quality Planning Act (N.J.S.A. 58:11A-1 et seq.)
  - l. Waterfront Development Law (N.J.S.A. 12:5-3)
  - m. The Americans with Disabilities Act (42 U.S.C. §12101, et seq.)
  - n. New Jersey Map Filing Law (N.J.S.A 46:23-9.8 et seq.)
  - o. Residential Site Improvement Standards (N.J.A.C. 5:21)
  - p. Fair Housing Act (N.J.S.A 52:27D-301 et seq.)
  - q. New Jersey Public Records Law (N.J.S.A 47:1A-1 et seq.)
  - r. New Jersey Uniform Construction Code (N.J.A.C 5:23)
  - s. County Roads and Highways (N.J.S.A. 27:16-31)
  - t. New Jersey Open Public Meetings Act (N.J.S.A 10:4-6 et seq.)

The County is the Borough's point of contact with the Delaware Valley Regional Planning Commission (DVRPC), the federally designated Metropolitan Planning Organization (MPO) for the Greater Philadelphia region. DVRPC provides services to member governments and others through planning analysis, data collection, and mapping services. Aerial photographs, maps and a variety of DVRPC publications are available to the public. Any planning or design concepts as prepared by DVRPC are conceptual and will require engineering design and feasibility analysis. Actual authority for carrying out any planning proposals rests solely with the governing bodies of the states, local governments or other authorities that have the primary responsibility for implementation.

### **c. Hopewell Township Master Plan**

Hopewell Township surrounds the Borough and its Land Use Plan and actions have a direct impact on the Borough and its residents. The Hopewell Township Planning Board adopted its Land Use Plan Element on November 19, 2009, and completed its most recent reexamination on December 19, 2021.

<https://www.hopewelltpw.org/DocumentCenter/View/8619/Land-Use-Plan-Element---Adopted-November-19-2009>

<https://www.hopewelltpw.org/DocumentCenter/View/8410/2021-Periodic-Reexamination-of-the-Master-Plan-and-Development-Regulations-PDF>

Hopewell Township Land Use issues addressed in the 2021 reexamination report were focused on how the Township would satisfy its Round 3 Fair Share Housing obligations. The large housing developments on Scotch Road and Pennington-Washington Crossing Road near Pennington Circle are the outcome of these recommendations. The 2021 reexamination report said that the Township had directed the Planning Board to prepare a Preliminary Investigation Report and Redevelopment Plan for the BMS site, located at

Titus Mill Road and Pennington Rocky Hill Road. The Plan was completed and has resulted in developments on the site, including the BeOne Medicines (BeiGene) facility and the Princeton West Innovation Campus. Pennington Borough was not consulted on these developments, even though they surround Pennington and have an impact on traffic, housing, services and local businesses.

On June 26, 2025, The Township adopted its Round 4 Housing Element and Fair Share Plan.

<https://www.hopewelltp.org/DocumentCenter/View/16096/Hopewell-Township-HEFSP-Filed-6-27-25>

A Township Planning Board recommendation in the 2021 reexamination report was that an Economic Development Plan element should be prepared. According to the report, *“The Economic Development Plan will provide an opportunity to review existing economic contributors, land development patterns, workforce and employment characteristics of the Township. An analysis of these factors will provide a means to develop strategies to diversify the local economy, promote workforce initiative, develop economic partnerships, increase economic and natural resiliency, and foster meaningful redevelopment opportunities that will take into consideration the location and types of development that will benefit not only new residents and employees but also provide additional development and services for existing residents.”*

The Tourism and Economic Development Advisory Committee was established by Hopewell Township Resolution 22-334 on September 19, 2022. The Committee works to support existing businesses, attract new businesses, and promote tourism in the Township and the entire Hopewell Valley. In January 2025, representatives of the Pennington Borough Economic Development Commission were invited to participate in a “business-listening session” held by the Advisory Committee. An outcome was that the Township Committee and Borough Commission would work together on development areas of interest to both parties. Of particular interest to the Borough is commercial development on Route 31. Properties to the south of West Delaware Avenue are largely in the Township, those to the north are in the Borough. It would make sense that development in both locations follows a consistent and optimized Land Use Plan.