

May 21, 2026

Borough of Pennington Mayor and Council
30 N. Main Street
Pennington, NJ 08534



**Re: Summary of Ordinance Changes
Pennington Borough Master Plan**

Dear Mayor and Council:

As you are aware, the Planning Board recently completed the Borough's Land Use Plan and it was adopted at the Board's regular meeting on May 13th. Below is a summary of ordinance amendments recommended in the Land Use Plan and the attached "Land Use Plan Map" illustrates zoning district boundary changes proposed.

- 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) 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.
- I) 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.
- J) Signage. The Board recommends that current signage requirements be reviewed in conjunction with the Economic Development Commission and amended as necessary.
- K) 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.

- L) 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.
- M) Driveway standards. The Board recommends that minimum and maximum driveway width standards be included in the zoning ordinance along with minimum setback standards.
- N) 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.

§ 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.

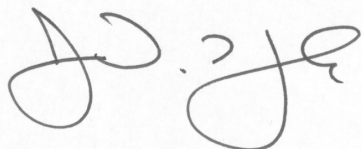
- O) Keeping of chickens. The Board recommends standards be included in the zoning ordinance to permit the keeping of chickens on residential properties of a certain minimum size in the Borough. The following is recommended:

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.

I will attend the Council work session on May 26, 2026. If you have any questions, please feel free to contact me at any time.

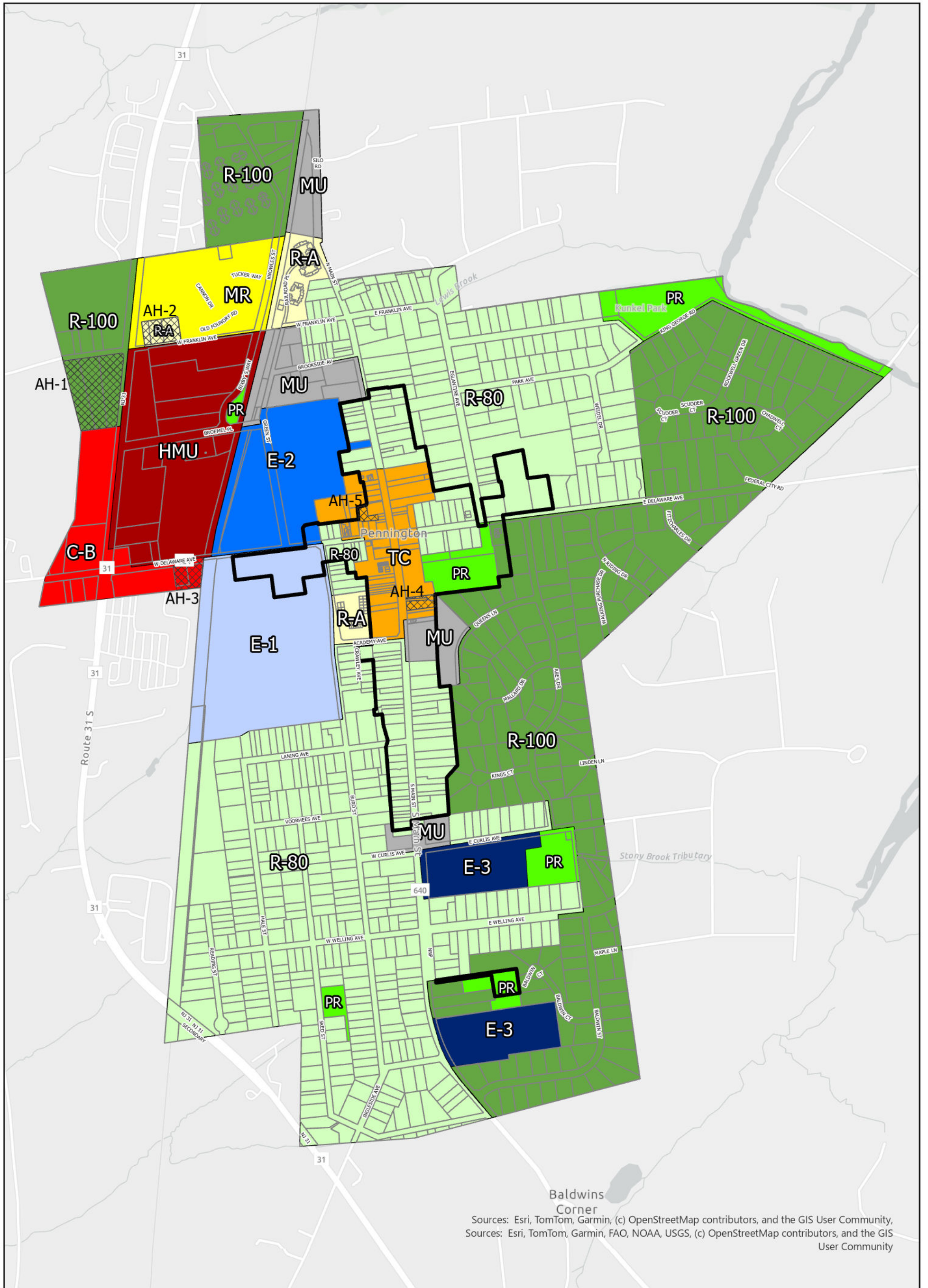
Sincerely,



James T. Kyle, PP/AICP
Borough Planner

Attachments

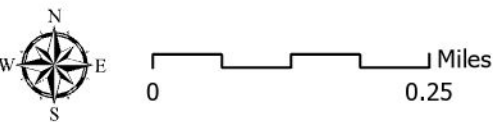
Cc: Betty Sterling, Borough Clerk, for distribution to Council
Robin Tillou



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 Land Use Plan Map

April 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:
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POLICY
PLANNING
DESIGN