

**BOROUGH OF PENNINGTON
ORDINANCE NO. 2011- 18**

**ORDINANCE MODIFYING USES PERMITTED
IN MU-1 MIXED USE ZONE AND AMENDING
CHAPTER 215 OF THE CODE OF THE BOROUGH
OF PENNINGTON**

WHEREAS, the Pennington Borough Planning Board has recommended modification of the uses permitted in the MU-1 Mixed Use Zone;

WHEREAS, the recommendation is based on the proximity of a rail line making residential use undesirable;

WHEREAS, the recommended change would also delete municipal uses and add business and education uses;

WHEREAS, this Ordinance upon first reading shall be referred to the Planning Board for its determination as to consistency with the Borough's Master Plan;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington as follows:

1. Chapter 217, Section 77 of the Code of the Borough of Pennington is hereby amended (with brackets [] denoting deletions and underlining indicating new language) as follows:

“ A. Purpose. The purpose of the MU-1 Mixed Use Zone is to provide appropriate development regulations for an area unique in the Borough in terms of its historic use and location and its development constraints of site size, shape and proximity to the railroad. [This zone district permits future multifamily residential development, but also permits the continuation of certain community-service and related nonresidential uses with appropriate performance standards to avoid any incompatibility with area residential development.]

B. Permitted primary uses. The permitted primary uses allowed in the MU-1 Mixed Use Zone shall be as follows:

[(1) Attached dwelling units in accordance with the provisions of Sec. 215-69D.]

[(2) Municipal facilities.]

[(3) (1) Community-service uses, scientific and research laboratories and private warehousing and storage uses, subject to the development performance standards of Sec.215-75D.

[(2) Professional offices and business offices as defined in Sec. 215-8.

[(3) Retail business and personal service establishments as defined in Sec. 215-71B (1) and (2).

[(4) Education uses.

2. This ordinance shall take effect upon passage and publication as required by law.

Introduced: November 7, 2011

Advertised: November 17, 2011

Public Hearing December 5, 2011

Adoption: December 5, 2011

Published: December 15, 2011

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

Anthony Persichilli, Mayor