

ORDINANCE NO. 2025-29

AN ORDINANCE AMENDING CHAPTER 26 "ZONING" OF THE BOROUGH CODE

WHEREAS, pursuant to N.J.S.A. 40:55D-62b, the Mayor and Council of the Borough of Flemington (the "Council") is authorized and empowered to adopt and amend the zoning ordinances of the Borough of Flemington; and

WHEREAS, via adoption of Ordinance No. 2025-15, the Mayor and Council of the Borough of Flemington amended Chapter 26, "Zoning" to alter permitted uses, permitted conditional uses, permitted accessory uses in the VAS, DB, DBII and CB district; and

WHEREAS, via adoption of Ordinance No. 2025-15, the Mayor and Council of the Borough of Flemington amended Chapter 26, "Zoning" to modify certain yard and height requirements for the DB district; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Flemington, the County of Hunterdon, that Chapter 26 of the Code of the Borough of Flemington (the "Code"), entitled "Zoning," is hereby amended and supplemented as follows:

Section I. Section 2620 of the Code, entitled "Downtown Business (DB) District," is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~;

E. Area, Yard, Height and Building Coverage. Except as otherwise modified, the following bulk standards shall apply to all DB Districts:

Principal Use and Accessory Buildings	Min Lot Area	Min Lot Width	Min Lot Depth	Front Yard	Min Side Yard	Min Rear Yard	Max Height	Max Impervious Surface Ratio
Non-Municipal	7,000 sf	45'	100	Min: 25'(1) Max: 30'	0'	20' (4)	40'(2)	.75
Accessory Buildings (3)				NP	15'	30'	18'	
Municipal	2,000 sf	20'	50'	5'	5'	5'	45'	.8

NP = Not Permitted

(1) – The front yard depth may be reduced to the average of the setbacks from the

streetline of existing buildings on both sides of the subject building. In the event an adjacent lot is vacant, the calculation shall exclude the lot. The calculation of average setback shall utilize buildings on the same side of the street as the subject property, and shall utilize buildings on the same block that are within 200 feet of the subject property.

(2) – Or 3 stories, whichever is less.

(3) – Properties must also meet standards for particular accessory buildings, structures and uses, including but not limited to solar facilities, in Chapter 26.

(4) Buildings, or portions thereof, shall not exceed a height of 35' within 50 feet of a property line shared with a permitted single-family detached or two-family dwelling (this excludes apartments on the second and upper floors of principal structures and dwellings located across the street).

Section II. Severability

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Flemington declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section III. Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.


Introduced: October 27, 2025

Adopted: November 10, 2025

ATTEST:



Marcia A. Karrow, Mayor



Carla Conner, Borough Clerk