

DRAFT

ORDINANCE NO. 2025-___

AN ORDINANCE OF THE MUNICIPALITY OF PRINCETON AMENDING CHAPTER B17A ENTITLED “LAND USE AND ZONING” OF THE MUNICIPALITY OF PRINCETON BY CREATING THE AFFORDABLE HOUSING DISTRICT 12 (AH-12) IN FURTHERANCE OF THE FAIR HOUSING ACT

BE IT ORDAINED by the Mayor and Council of the Municipality of Princeton as follows:

WHEREAS, the Planning Board of the Municipality of Princeton adopted a Housing Element and Fair Share Plan of the Master Plan on June 25, 2025, that addresses the municipality’s affordable housing obligations in a manner which will promote the public, health and general welfare; and

WHEREAS, the Municipal Land Use Law at N.J.S.A. 40:55D-62a requires substantial consistency of the provisions regulating zoning and land use with the adopted Land Use Plan Element; and

WHEREAS, the Municipality of Princeton, as a municipality in the State of New Jersey, hereby declares that, pursuant to the purposes of the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-2, the Ordinance promotes the public health, safety, morals, and general welfare and advances the Municipality’s efforts to meet its constitutional obligation to provide its fair share of very low, low and moderate income housing; and

WHEREAS, the Mayor and Council of Princeton formally refers this Ordinance to the Planning Board for examination, discussion, and recommendations in accordance with N.J.S.A. 40:55D-26; and

WHEREAS, the adoption of this Ordinance was appropriately noticed pursuant to Municipal Land Use Law at N.J.S.A. 40:55D-15 and in accordance with N.J.S.A.40:55D-62.1.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of Princeton of the Municipality of Princeton, County of Mercer, and State of New Jersey, as follows:

Section 1. §B17A-202(i), Affordable Housing Districts, is hereby revised by adding the following zoning district:

- (13) AH-12 Affordable Housing District 12.

Section 2. §B17A-4, District Map, is hereby modified to apply the following zoning district to the block and lots as indicated on the tax assessment maps of the Municipality of Princeton, as follows:

Block(s)	Lot(s)	Address	Existing District	New District
30.03	64, 100	86-88, 92-94Spruce St.	R-4B	AH-12

Section 3. §B17A-463, Affordable Housing District 12 (AH-12) District, hereby replaces §B17A-463, Reserved, as follows:

§ B17A-463. Affordable Housing District 12 (AH-12)

- A. Purpose. The purpose of the AH-12 zoning district is to provide an additional opportunity for underutilized land where affordable multi-family housing may be developed in furtherance of the Municipality’s goals and objectives for affordable housing as set forth in the Master Plan.
- B. Permitted Uses. In Affordable Housing District 12, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:
 - (1) Multiple dwellings.
 - (2) Townhouses.
 - (3) One, single family detached dwelling.
 - (4) Municipal use.
- C. Accessory Uses Permitted. Any of the following uses shall be permitted when used in conjunction with a principal use:

- (1) Residential management office.
- (2) Common rooms/areas, including for meetings, recreation, laundry and storage.
- (3) Communications infrastructure.
- (4) Maintenance and storage.
- (5) Off-street parking and loading.
- (6) Street/site furnishings.
- (7) Home occupations.
- (8) Off-street surface parking.
- (9) Fences and walls.
- (10) Landscape amenities and open space.
- (11) Pedestrian circulation elements.
- (12) Signs.
- (13) Storm water management facilities and other utilities
- (14) Other customary uses which are clearly incidental and subordinate to a permitted principal use on the same lot.

D. Required Income Restriction. In any AH-12 district, at least twenty percent (20%) of the total number of new dwellings shall be affordable to very low, low and moderate income households, but in no instance shall the number of such affordable dwellings be less than eight (8). Affordable units shall be restricted, regulated and administered consistent with the Municipality's affordable housing regulations, the Uniform Housing Affordability Controls rules (N.J.A.C. 5:80-26.1 et seq.) and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), including the Fair Housing Act's definition of very low-income households and all other provisions of the Municipality's Affordable Housing Ordinance (§T10B-332).

E. AH-12 Site Development Regulations. The following site development regulations shall apply to all lots and buildings:

- (1) Minimum yard requirements:
 - (a) Front yard: Any building constructed between the two existing buildings fronting on a public street shall have a front yard depth that is the average of the two other buildings' setbacks from the right-of-way line, as measured from the mid-point of the front facade.

- (b) Side yard: ten (10) feet for the new construction of a building; otherwise the existing yards of existing buildings. This requirement shall apply to the tract perimeter, only.
 - (c) Rear yard: five (5) feet.
 - (2) Maximum impervious coverage: 75%.
 - (3) Minimum building separation: fifteen (15) feet.
 - (4) Building height: Maximum building height shall be three (3) stories, not to exceed forty-five (45) feet.
 - (5) Maximum density. No more than thirty new dwelling units shall be permitted within the AH-12 district as of the date of adoption of this ordinance.
- F. Maximum number of buildings: Multiple buildings per lot are permitted.
- G. Off-street parking.
- (1) 0.55 off-street parking space per dwelling.
 - (2) On-street parking credit. Off-street parking requirements shall be reduced by the number of new on-street parking spaces created.
- H. Landscaping. A landscaped buffer of not less than 5 feet in width shall be provided along any common property line in a side or rear yard where a side or rear yard is required. Buffers may be comprised of fences and landscaping, which shall be of a sufficient quantity and size to provide a visual separation from adjacent property.
- I. Lighting. Illumination of sites and buildings shall be regulated pursuant to §B17A-365.1 Lighting.
- J. Signs. Signs shall be regulated pursuant to §B17A-367, Accessory Signs-permitted in all districts.
- K. Additional development requirement. Any property with a designation of AH-12 shall provide a public access easement for any existing and longstanding pathway utilized by the general public through the property from the right-of-way to any municipal open space. The public access easement shall be improved with an all-weather path a minimum width of six (6) feet.

Section 4. Repealer. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 5. Interpretation. If the terms of this Ordinance shall be in conflict with those of another Ordinance, the provision which imposes the greater restriction or limitation shall control.

Section 6. 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 Municipality Council of the Municipality of Princeton 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 7. Effective Date. This Ordinance shall take effect immediately upon passage, transmittal to the Mercer County Planning Board, and publication according to law.

NOTICE

NOTICE IS HEREBY GIVEN that the above Ordinance was introduced and passed on first reading at the Council Meeting of the Mayor and Council of the Municipality of Princeton in the County of Mercer, State of New Jersey held on _____, 2025 and will be considered for final passage and adoption at the Council Meeting scheduled for _____, 2025 at 7:30 p.m. at 400 Witherspoon Street, Princeton, New Jersey. Any person interested in this matter will be given an opportunity to be heard at that meeting. A copy of this Ordinance may be obtained at no cost by any member of the general public upon request at the municipal building during business hours.