

**ORDINANCE NO. 2025-15**

**AN ORDINANCE OF THE MUNICIPALITY OF  
PRINCETON AMENDING CHAPTER T10B  
ENTITLED “LAND USE” OF THE  
MUNICIPALITY OF PRINCETON BY  
CREATING THE AFFORDABLE HOUSING  
DISTRICT 14 (AH-14) 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.** §T10B-241Definitions, is hereby amended to modify or add the following definitions:

**STRUCTURE, STACKED TOWNHOUSE** - A structure containing two or more connected dwelling units stacked, at least in part, one dwelling unit above the other, which can include shared floors divided by walls and shared common party walls, with exterior private entrances, or entrances shared by a maximum of three dwelling units.

**Section 2.** § T10B-242, Zoning Map, is hereby modified to apply the following zoning district to the block and lot as indicated on the tax assessment maps of the Municipality of Princeton, as follows:

Block(s)	Lot(s)	Address	Existing District	New District
5502	5	29 Thanet Road	OR-2T	AH-14

**Section 3.** §T10B-244, Division of Township Into Zoning Districts, is hereby revised by adding the following zoning district:

AH-14 Affordable Housing - 14 (AH-14) Zone.

**Section 4.** Chapter 10B- \_\_\_\_\_ Mandatory Affordable Housing Set-Aside. Within the Affordable Housing – \_ (AH-\_) Zone, 20 percent of all dwellings, rounded up to the next whole unit, shall be deed-restricted for occupancy by low- and moderate-income households but in no instance shall the total of all such affordable units be fewer than seventeen (17). Affordable units

**Section 5.** §T10B-272.120, Affordable Housing - 14 (AH-14) Zone, hereby replaces §T10B-272.120, Reserved, as follows:

**§ T10B-272.120. Affordable Housing - 14 (AH-14) Zone**

- (a) Purpose. The purpose of the AH-14 zoning district is to provide a realistic opportunity for the construction of affordable housing pursuant to the New Jersey Fair Housing Act and thereby comply with the Municipality's constitutional obligation to provide such housing to for low-and moderate-income households. Specifically, the AH-14 zone is established to encourage redevelopment consisting of multiple dwellings with an affordable housing set-aside, not restricted by the age of the occupants.
- (b) Comprehensive Development Required. The AH-14 zone one shall be constructed in accordance with a single, unified development plan in one phase. This shall not preclude, however, any landowner from subdividing the property into fee simple or condominium ownership of the property.
- (c) Permitted Uses. In Affordable Housing - 14 Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:
  - (1) Stacked townhouses.
- (d) Accessory Uses Permitted. Any of the following uses shall be permitted when used in conjunction with a principal use:
  - (1) Common rooms/areas, including for meetings, recreation, laundry and storage.
  - (2) Communications infrastructure.
  - (3) Maintenance facility.
  - (4) Maintenance and storage, including centralized trash and recycling facilities.
  - (5) Off-street parking and loading.
  - (6) Street/site furnishings.
  - (7) Home occupations.
  - (8) Off-street surface parking and private residential garages.
  - (9) Fences and walls.
  - (10) Retaining walls
  - (11) Mail kiosks.

- (12) Landscape amenities and open space, including playgrounds, outdoor seating, neighborhood gathering space and similar common elements under the control of the development association.
  - (13) Signs.
  - (14) Storm water management facilities and other utilities.
  - (15) Sanitary sewer pump stations
  - (16) Temporary sales trailer and construction trailers
  - (17) Development identification monument sign(s)
  - (18) Other customary uses which are clearly incidental and subordinate to a permitted principal use on the same development tract.
- (e) Required Income Restriction. In any AH-14 zone, at least twenty percent (20%) of the total number of 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 seventeen (17). 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).
- (f) AH-14 Site Development Regulations. The following site development regulations shall apply to all lots and buildings:
- (1) Minimum front yard: twenty (20) feet for any building and ten (10) feet for any parking space, edge of internal driveway or private cartway.
  - (2) Minimum side yard: twenty (20) feet for any building and ten (10) feet for any parking space, edge of internal driveway or private cartway.
  - (3) Minimum rear yard: twenty-five (25) feet for any building and five (5) feet for any parking space, or edge of internal driveway or private cartway.
  - (4) Maximum impervious coverage: forty-five percent (45%).
  - (5) Building height: the maximum height shall be four (4) stories, not to exceed fifty (50) feet.
  - (6) Maximum number of dwelling units shall not exceed eighty-five (85).
  - (7) Maximum number of dwellings in a building: fourteen (14).

- (8) Multiple buildings per tract shall be permitted.
- (9) Building limitations and separation requirements for townhouses and stacked townhouses shall be as indicated in the following table:

Requirement	Standard
Minimum distance from building front to building front	35 feet
Minimum distance from building front to building side	35 feet
Minimum distance from building front to building rear	50 feet
Minimum distance from building side to building rear	35 feet
Minimum distance from building rear to building rear	30 feet
Minimum distance from building side to building side	15 feet

Porches, stairs, common utility rooms and sprinkler rooms may encroach up to five (5) feet into the required separation distance, but not into the same yard space as measured at a ninety degree angle (90°) from the façade on opposite sides of the yard. Eaves, chimneys, bay windows, and other ornamental architectural features may encroach up to 3 feet into the required separation distance.

- (g) Off-street parking. The following minimum parking spaces shall be required:
- (1) Stacked townhouse with one or two bedrooms: one (1) parking space per dwelling.
  - (2) Stacked townhouse with three or more bedrooms: two (2) parking spaces per dwelling.
  - (3) Visitor parking spaces: 0.35 parking spaces per dwelling unit.
  - (4) Off-street parking may be provided on surface lots or in enclosed garages. If located in enclosed garages, the spaces shall be deed restricted from conversion to living space.
  - (5) Such parking spaces may be entirely in an enclosed garage as tandem spaces, where one vehicle is parked behind another, as long as such spaces are designated for one dwelling only.
- (h) Landscaping. In addition to standards for landscaping as otherwise required in this ordinance, the following standards shall apply:
- (1) There shall be a ten (10) foot wide permanently preserved landscape buffer along the public street frontage, in which, with the exception of access drives, all healthy, existing mature trees shall be retained during any development and redevelopment and preserved for their natural lifespan.

- (2) Minimum landscape buffers to adjacent residential uses: ten (10) feet in width, except for the rear lot line which shall be a minimum five (5) feet in width
  - (3) Courtyards shall be developed between pairs of front-to-front facing residential buildings. Courtyards shall be predominantly pervious and liberally landscaped. Courtyards shall be designed with walking paths to connect with entrances to residences intra-neighborhood sidewalk/pathways. Pedestrian scale site lighting may also be permitted in the courtyards.
- (i) Lighting. Illumination of sites and buildings shall be regulated pursuant to §T10B-317.1 Lighting.
- (j) Signs. The development may have one monument sign identifying the development, subject to the following requirements:
  - (1) Minimum setback from Thanet Circle: 5 feet.
  - (2) Minimum setback from internal road: 5 feet.
  - (3) Each sign shall consist of a pier and a two-sided sign panel suspended by a sign support bracket.
  - (4) Maximum pier height: 9 feet above average finished grade.
  - (5) Maximum pier width: 4 feet.
  - (6) Maximum pier depth: 4 feet.
  - (7) Maximum sign support length: 6.5 feet.
  - (8) Maximum sign panel area: 10 square feet per side.
  - (9) Distance from grade to top of sign panel: 7 feet.
  - (10) The sign can be externally lit and shall not be internally illuminated.
  - (11) The sign shall not conflict with sight triangle requirements as determined by the Land Use Engineer.
- (k) Trash and recyclables storage: At the developer's election, either:
  - (1) Trash and recyclables will be stored in a communal enclosure, or
  - (2) Each townhouse unit may include an individual storage area for trash and recyclables within the unit.

- (l) The developer can meet the second or divided entrance requirements of N.J.A.C. 5:21-4.16(e)3 of the New Jersey Residential Site Improvement Standards in the following way:
  - (1) Reduce the width of the grass strip on Thanet Circle and increase the width of Thanet Circle by one (1) foot on each side thereof from the intersection of Thanet Circle with Terhune Road to the first access drive to the zoning district.
- (m) AH-14 Zone Exemptions. Development within the AH-14 zone shall be exempt from compliance with §T10B-189 et seq., §T10B-278, and §T10B-279.

**Section 6. Repealer.** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 7. 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 8. 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 9. Effective Date.** This Ordinance shall take effect immediately upon passage, transmittal to the Mercer County Planning Board, and publication according to law.

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Dawn M. Mount, Clerk

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Mark Freda, Mayor

## 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 August 25, 2025 and will be considered for final passage and adoption at the Council Meeting scheduled for September 8, 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.

