



MUNICIPALITY OF PRINCETON

Planning Department
400 Witherspoon Street
Princeton, NJ 08540
(609) 924-5366
planning@princetonnj.gov

MEMORANDUM

To: Princeton Mayor and Council
From: Justin Lesko, AICP, PP – Planning Director 
Nathan Foote, AICP, PP – Assistant Planning Director
Date: February 20th, 2026
Subject: **Ordinance #2026-07: An Ordinance of the Municipality of Princeton Amending Chapter B17A Entitled “Land Use and Zoning” of the Municipality of Princeton to Create the Affordable Housing District-12 (AH-12) in Furtherance of the Fair Housing Act**
Council Introduction – February 9th, 2026
Planning Board Review – February 19th, 2026

The Princeton Council has referred Ordinance #2026-07 to the Planning Board for master plan consistency review pursuant to N.J.S.A. 40A:55D-26a. The ordinance establishes the Affordable Housing District 12 (AH-12) at the properties of 86-88 Spruce Street and 92-94 Spruce Street, which allows for up to 30 new residential units, with a minimum requirement of eight affordable housing units. The ordinance was introduced on February 9th. The Planning Board reviewed the ordinance at their regular meeting open to the public on February 19th.

By a unanimous vote, the Board found Ordinance #2026-07 to be substantially consistent with the Princeton Master Plan and recommended approval of the Ordinance. The Board did not have any comments or recommendations.

See the memo from us to the Board for more information on the ordinance, the Affordable Housing District 12 (AH-12) it would establish, and its relation to the Princeton Master Plan, including the Fourth Round Housing Plan Element and Fair Share Plan. The memo is attached.

Please reach out if there are any questions or concerns regarding the ordinance or the Planning Board’s review.



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MEMORANDUM

To: Princeton Planning Board
From: Justin Lesko, AICP, PP – Planning Director 
Nathan Foote, AICP, PP – Assistant Planning Director
Date: February 10th, 2026
Subject: **Ordinance #2026-07: An Ordinance of the Municipality of Princeton Amending Chapter B17A Entitled “Land Use and Zoning” of the Municipality of Princeton to Create the Affordable Housing District-12 (AH-12) in Furtherance of the Fair Housing Act**
Council Introduction – February 9th, 2026

The Princeton Council has referred Ordinance #2026-07 to the Planning Board for master plan consistency review pursuant to N.J.S.A. 40A:55D-26a. The ordinance was introduced on February 9th and is scheduled for a public hearing on February 23rd. Ordinance 2026-07 is attached to this memo for reference.

The ordinance establishes the Affordable Housing District 12 (AH-12), comprised of two lots: 86-88 Spruce Street (Block 30.03, Lot 100) and 92-94 Spruce Street (Block 30.03, Lot 64). Both properties are located in the R-4 Residential zone of the former Borough. Lot 100 currently contains a three-story multi-family apartment building and associated parking lot. Lot 64 is currently developed with a two-story one-family dwelling and an ADU. The properties are surrounded by a mix of residential uses to the east, west, and south. The properties are bordered to the north by a property encumbered by the Green Acres program (that property is triangular shaped, with the wider portion along Chestnut Street containing a playground that is part of the Barbara Boggs Sigmund Park). The grounds of Westminster Choir College are located to the north, across Hamilton Avenue. The R-4 B zone extends to the south, east and west, and the R-3 Residential zone of the former Borough is located further east and west.

The AH-12 district is intended to provide a realistic opportunity for the construction of affordable housing pursuant to the New Jersey Fair Housing Act and to comply with the Municipality’s constitutional obligation to provide housing for low-and moderate-income households. The site is included in the Municipality’s Fourth Round Housing Plan Element and Fair Share Plan (“Fourth Round HEFSP”) as adopted by the Planning Board on June 25, 2025, and endorsed by Council on June 26, 2025. Page 67-68 of the Fourth Round HEFSP includes how the future development meets the criteria of site availability, suitability, approvability and developability as required by state law. Appendix K of the Fourth Round Plan includes a map of site constraints and an initial conceptual plan of the development. We note that the layout has slightly changed from the initial concept. Appendix K is attached to this memo.

As called for in the Fourth Round Plan, Ordinance 2026-07 establishes an AH-12 zone that would allow for up to 30 new multi-family residential apartment units. At least 20% of the new residential creditable units are required to be designated as affordable with a minimum number of 8 creditable affordable units. The affordable units would be regulated consistent with the Uniform Housing Affordability Controls (UHAC) and the New Jersey Fair Housing Act.

The proposed ordinance allows for multiple buildings, with a minimum separation of five feet, and

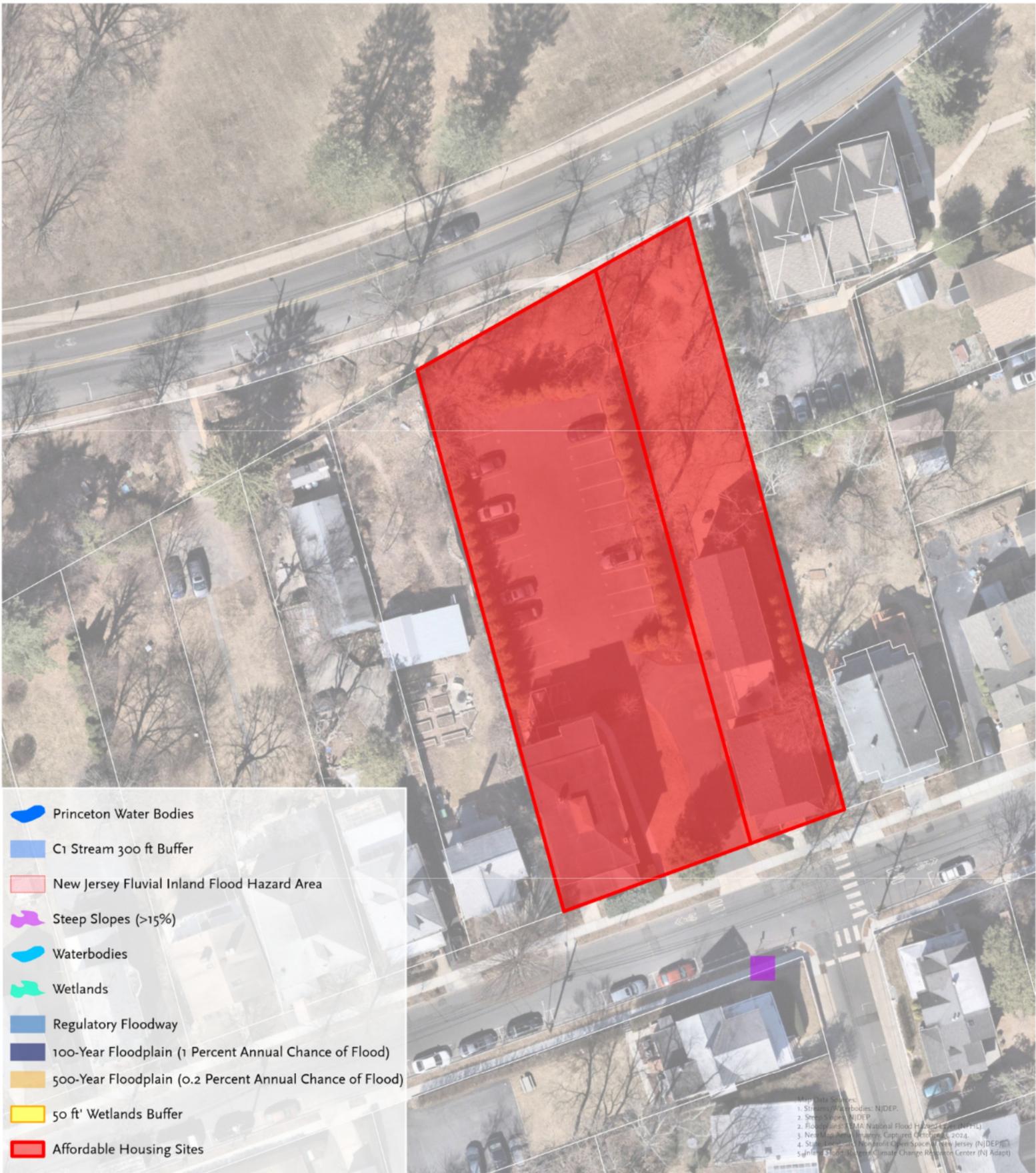
permits the residential uses that exist on the site. A public access easement for a pathway of minimum six feet width open to the general public from the Spruce Street right-of-way to the municipal open space is required by the ordinance. The ordinance permits a maximum height of 45 feet and a maximum impervious coverage of 75%. Per the proposed ordinance, 0.425 parking space is required for each dwelling. Up to 25% of parking spaces may be compact spaces. The required spaces can be on surface lots or in enclosed garages. A landscaped buffer of five feet wide is required where a side yard is required. Signs are regulated by §B17A-367, with additional permitted signs including two pathway wayfinding signs, two façade signs on a building with over 20 units, and address numbers.

Aside from being directly called for in the Municipality's adopted Fourth Round HEFSP, Ordinance 2026-07 is substantially consistent with many other goals of the Princeton Master Plan. One of the key findings from community input in the Introduction section of the plan is that Princeton needs more housing, especially at lower price points. The Vision statement includes that Princeton will have "housing ample and diverse enough to accommodate all who want to live here" and the Princeton of the future will be "affordable to households of all income levels." It is expected that both the market-rate and affordable units in the future development of the site will be rental units. A Land Use goal of the plan is to enhance the existing pattern of land use, particularly by strengthening mixed-use centers in town. The Mobility goals of the plan include reducing inbound commuting through the development of additional housing in areas where jobs are located and encouraging shifts from single-occupancy vehicle travel to low- or zero-emissions mobility options such as walking, cycling, and transit. Utility Goals and Natural Resource Conservation Goals such as accommodating future growth while minimizing adverse impacts to the natural environment are supported by repurposing an already developed parcel.

The Board shall determine if they find the Ordinance consistent with the Master Plan and provide any comments to Council. If Council approves the Ordinance, any future development would require site plan approval by the Board.



Appendix K. 86-94 Spruce Street Documentation



-  Princeton Water Bodies
-  C1 Stream 300 ft Buffer
-  New Jersey Fluvial Inland Flood Hazard Area
-  Steep Slopes (>15%)
-  Waterbodies
-  Wetlands
-  Regulatory Floodway
-  100-Year Floodplain (1 Percent Annual Chance of Flood)
-  500-Year Floodplain (0.2 Percent Annual Chance of Flood)
-  50 ft' Wetlands Buffer
-  Affordable Housing Sites

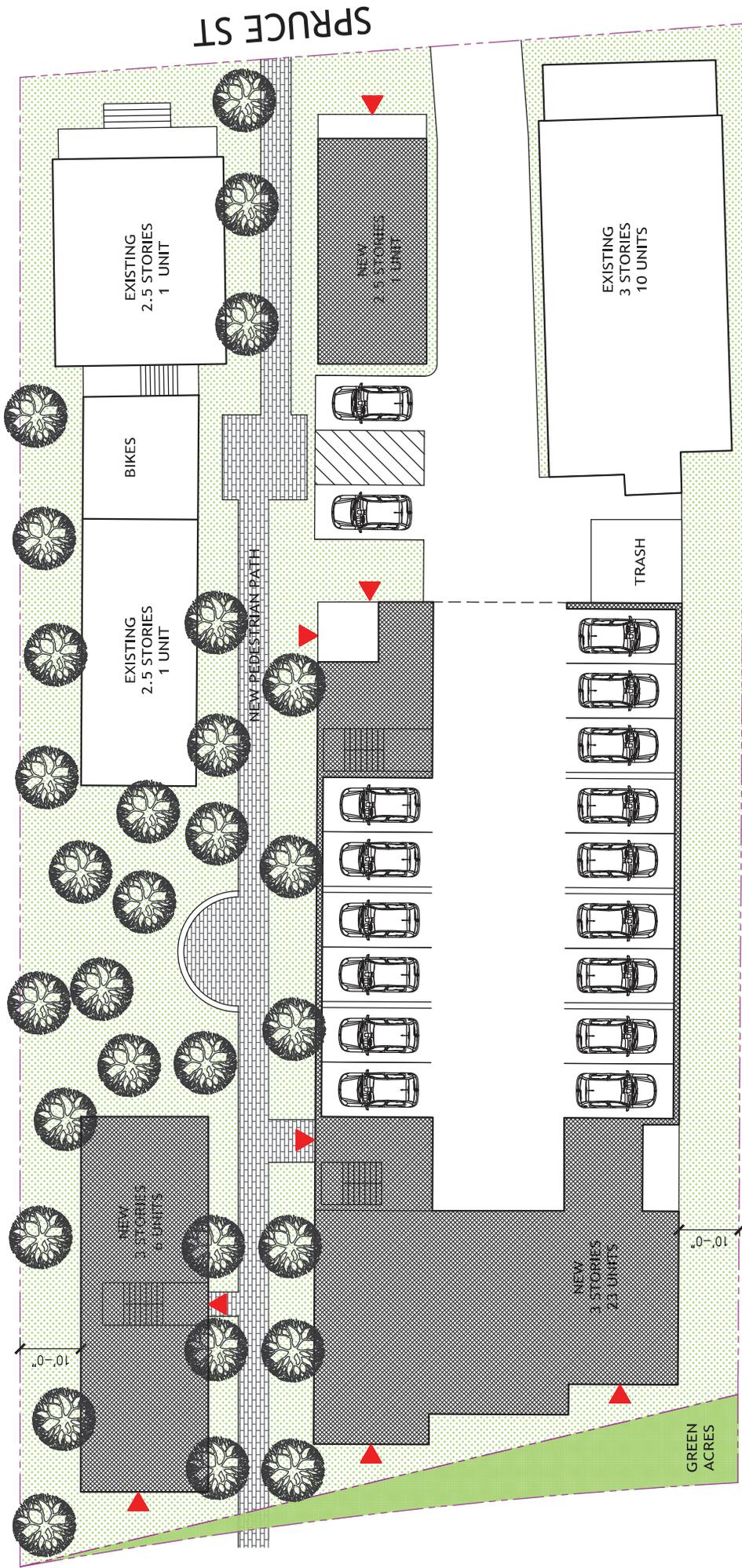
Map Data Sources:
 1. Streams/Waterbodies: NJDEP
 2. Steep Slopes: NJDEP
 3. Floodplains: FEMA National Flood Hazard Data Center (NFHC)
 4. Near-Map Area Imagery: Captured October 2024
 5. State Lands: New Jersey Open Space Act (NJDEP)
 6. Inland Flood Hazard: Rutgers Climate Change Resilience Center (NJ Adapt)



Site #	Block	Lot	Site Address
3	30.03	64,100	86 -88. 92-94 Spruce Street

Potential Sites for Affordable Housing Development

Site 3: Spruce Street



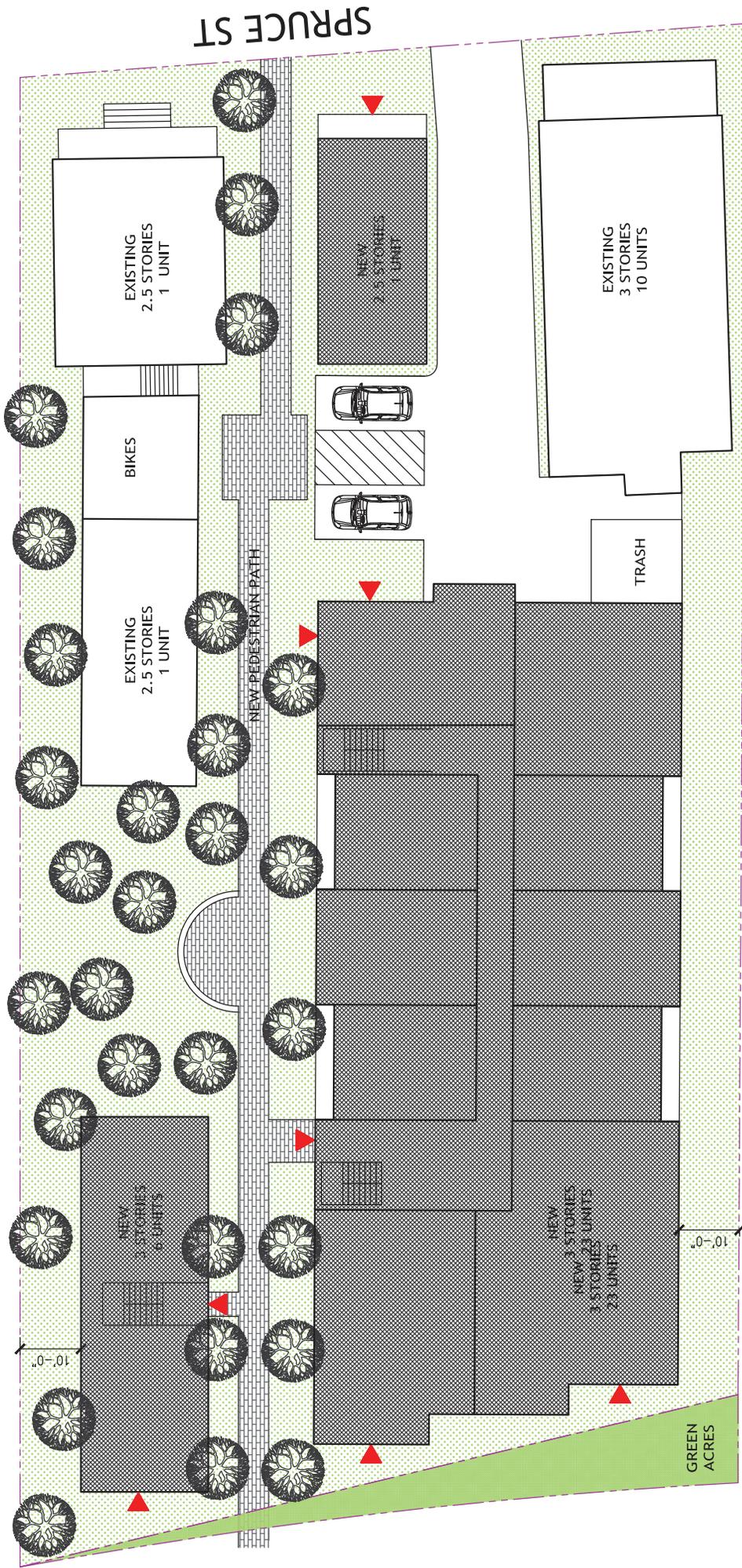
SPRUCE ST

SPRUCE PATH

Ground Floor Plan
 30 RESIDENTIAL UNITS
 17 PARKING SPACES

05.30.2025

MARINA RUBINA, ARCHITECT
 WWW.MRUBINA.COM



SPRUCE PATH

Upper Residential Floor Plan
 30 RESIDENTIAL UNITS
 17 PARKING SPACES

05.30.2025

MARINA RUBINA, ARCHITECT
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MUNICIPALITY OF PRINCETON

Office of the Municipal Clerk

400 Witherspoon Street

Princeton, NJ 08540

(609) 924-5704

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MEMORANDUM

To: Planning Board
From: Dawn M. Mount, *Municipal Clerk*
CC: Justin Lesko, *Planning Director*
Subject: Planning Board Review of Ordinance 2026-7 upon Introduction
Date: February 10, 2026

On behalf of the Mayor and Council, and in accordance with the provisions of N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64, the attached ordinance, introduced at the Regular Meeting of February 9, 2026, is being directed to the Planning Board for its review and consideration. Please transmit the report of findings and recommendations from the Planning Board no later than thirty-five (35) days from this referral. It should be noted that the tentative date of the public hearing and final adoption of this ordinance is scheduled to take place at the Mayor and Council Regular Meeting of February 23, 2026.

Thank you in advance for your cooperation. Please contact me should you have any questions or concerns.

ORDINANCE #2026-07

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

WHEREAS, the New Jersey Supreme Court, through its rulings in Southern Burlington County NAACP vs. Mount Laurel, 67 N.J. 151 (1975) (“Mount Laurel I”) and Southern Burlington County NAACP vs. Mount Laurel, 92 N.J. 158 (1983) (“Mount Laurel II”), has determined that every municipality in New Jersey has a constitutional obligation to provide, through its land use regulations, a realistic opportunity for its fair share of the regional need for housing for low- and moderate-income households and families; and

WHEREAS, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, amending the Fair Housing Act of 1985, N.J.S.A. 52:27D-301, *et seq.*, to establish a new framework for determining and enforcing municipalities’ affordable housing obligations under the New Jersey Supreme Court’s Mount Laurel doctrine and the Act (the “FHA”), starting with fourth round (2025-2035) affordable housing obligations; and

WHEREAS, in accordance with the FHA and Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024 (“Administrative Directive #14-24”), Princeton filed a Complaint for Declaratory Judgment entitled *In the Matter of the Application of the Municipality of Princeton in Mercer County*, Docket No. MER-L-000207-25 on January 28, 2025 (the “Fourth Round DJ Action”), identifying Princeton’s present and prospective fair share obligations for the Fourth Round, and committing to adopting and submitting a Fourth Round Housing Plan Element and Fair Share Plan (“HEFSP”) as required by the FHA; and

WHEREAS, on June 25, 2025, the Princeton Planning Board (“Board”) adopted a Fourth Round HEFSP pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, *et seq.*, as required by and in conformance with the FHA; and

WHEREAS, on June 26, 2025, by Resolution No. 25-230, the Mayor and Council endorsed Princeton’s Fourth Round HEFSP, which was filed with the court in the Fourth Round DJ Action on June 27, 2025; and

WHEREAS, Princeton’s Fourth Round HEFSP addresses Princeton’s affordable housing obligations in a manner which will promote the public health and general welfare, and sets forth a plan which fully satisfies Princeton’s Fourth Round affordable housing obligations; and

WHEREAS, as contemplated by and in conformity with P.L.2024, c.2, Princeton now looks forward to implementing the goals, objectives and housing opportunities contemplated by its HEFSP by creating a new Affordable Housing District-12 (“AH-12”) zoning district; and

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1 (“MLUL”) at N.J.S.A. 40:55D-62.a requires that the provisions of a zoning ordinance be substantially consistent with the land use plan element and the housing plan element of the master plan or designed to effectuate such plan elements; and

WHEREAS, Princeton finds and declares that, pursuant to the purposes of the MLUL, the within ordinance promotes the public health, safety, morals, and general welfare and advances the municipality’s efforts to meet its constitutional obligation to provide for its fair share of very low, low and moderate income housing; and

WHEREAS, the Mayor and Council formally refers this Ordinance to the Board for review, 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 the requirements of the MLUL.

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

Section 1. Affordable Housing Districts. Section §B17A-202(i), “Affordable Housing Districts”, of Chapter B17A of the “Code of the Borough of Princeton, New Jersey, 1974” (the “Code”), entitled “Land Use and Zoning”, is amended to add the following new zoning district:

- (12) AH-12 Affordable Housing – 12.

Section 2. Zoning Map. Section §B17A-203, “District Map”, of Chapter B17A of the Code, is hereby supplemented and amended to modify the “Official Zoning Map of Princeton, Mercer County, New Jersey” by designating the following lands identified by block(s) and lot(s) on the official Tax Map of Princeton as follows:

<u>Block(s)</u>	<u>Lot(s)</u>	<u>Street Address</u>	<u>Existing District</u>	<u>New District</u>
30.03	64, 100	86-88, 92-94 Spruce Street	R-4B	AH-12

Section 3. Affordable Housing District Provisions. Division 10 “Affordable Housing Zones” of Chapter B17A of the Code is hereby supplemented and amended to add the following new Affordable Housing Zone to Subdivision II “Affordable Housing (AH) Zones” as follows:

§B17A-492. Affordable Housing - 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 (these uses may be in combination with each other on the same tract):
 - (1) Multiple dwellings.
 - (2) Townhouses.
 - (3) At most, one single family detached dwelling.
 - (4) Supportive housing.
 - (5) The existing 2-unit residential structure.

- 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) Fences and walls.
 - (9) Signs.
 - (10) Storm water management facilities and other utilities.

- (11) 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 or affordable housing credited units 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 Spruce 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: five (5) feet.
 - (4) Building height: Maximum building height shall not exceed forty-five (45) feet.
 - (5) Maximum density. No more than thirty (30) 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) 0.425 off-street parking spaces shall be provided for each dwelling.

- (2) Parking garage drive aisle shall be a minimum of 22 feet in width.
 - (3) Up to 25% of spaces may be compact spaces.
- H. Landscaping. A landscaped buffer of not less than five (5) feet in width shall be provided along any common property line in a side yard where a side 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. In addition, the following signs are also permitted:
- (1) Pathway wayfinding signs: signs are required to mark both entries to the new publicly accessible pathway described in Section K below. Each of the two signs shall be no more than ten (10) square feet in area. These signs shall provide wayfinding and shall not be commercial in nature.
 - (2) Two façade signs are permitted on a multi-family building of over 20 units for building identification. Each shall be no more than six (6) square feet in area.
 - (3) Address numbers are permitted for each entrance on multi-unit buildings.
- K. Additional development requirement. Any property with a designation of AH-12 shall provide a public access easement for a 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. The second floor of a building shall be permitted to encroach upon the easement provided that a vertical height of nine (9) feet is available.

Section 4. Conflicts. If the terms of this Ordinance shall be in conflict with those of another Ordinance, the provisions of this Ordinance shall control.

Section 5. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 6. Referral. After introduction, the Municipal Clerk is hereby directed to submit a copy of this ordinance to the Princeton Planning Board for its review and report in accordance with N.J.S.A. 40:55D-64.

Section 7. Notice. The Municipal Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the Mercer County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-62.1.

Section 8. Effective Date. This ordinance shall take effect immediately upon final passage and publication, filing with the Mercer County Planning Board, and as otherwise provided for by law.

Dawn M. Mount, Clerk

Hon. Mark Freda, Mayor

STATEMENT OF PURPOSE: The purpose of this ordinance is to amend Princeton's zoning ordinance by creating a new affordable housing zoning district in furtherance of Princeton's Fourth Round Housing Plan Element and Fair Share Plan.

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 February 9, 2026 and will be considered for final passage and adoption at the Council Meeting scheduled for February 23, 2026 at 7:00 p.m. at the Princeton Municipal Building, 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.