



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 #2026-06: 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 Overlay District-11 (AHO-11) in Furtherance of the Fair Housing Act**
Council Introduction – February 9th, 2026
Planning Board Review – February 19th, 2026

The Princeton Council has referred Ordinance #2026-06 to the Planning Board for master plan consistency review pursuant to N.J.S.A. 40A:55D-26a. The ordinance establishes the Affordable Housing Overlay 11 (AHO-11) at the properties of 40-42 North Tulane Street and 32 Spring Street, which allows for up to 40 multi-family residential units and commercial uses, 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 #2026-06 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 for more information on the ordinance, the Affordable Housing Overlay District 11 (AHO-11) 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 13th, 2026
Subject: **Ordinance #2026-06: 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 Overlay-11 (AHO-11) in Furtherance of the Fair Housing Act**
Council Introduction – February 9th, 2026

The Princeton Council has referred Ordinance #2026-06 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 2026-06 is attached to this memo for reference.

The ordinance establishes the Affordable Housing Overlay 11 (AHO-11), comprised of two lots: 40-42 North Tulane Street (Block 27.02, Lot 47) and 32 Spring Street (Block 27.02, Lot 49). Lot 49 currently contains a two-story commercial building (formerly Kopp’s Cycles) fronting along Spring Street with associated gravel parking area to the east (with access from North Tulane Street) and is located in the CB Central Business zone of the former Borough. Lot 47 is currently vacant but was previously developed with a multi-family dwelling and parking that were removed; it is located in the RB Residence-Business zone of the former Borough and is within the Affordable Housing Overlay 1 (AHO-1). The properties are adjacent the Spring Street parking garage to the west, and are surrounded by a mix of residential and commercial uses in all other directions. The CB B zone continues to the south and west, the RB B zone continues to the north and the R-4 Residential zone of the former Borough is located less than 200 feet to the east.

The AHO-11 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 66-67 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 J of the Fourth Round Plan includes a map of site constraints and an initial conceptual plan of the development. Appendix J is attached to this memo.

As called for in the Fourth Round Plan, Ordinance 2026-06 establishes an AHO-11 zone that would allow for up to 40 multi-family residential apartment units. The ordinance also requires commercial uses on the ground floor fronting Spring Street and permits commercial or residential uses on the ground floor fronting North Tulane Street. At least 20% of the residential units are required to be designated as affordable with a minimum number of 8 affordable units. In other words, while a developer may reduce the number of overall units, they may not reduce the number of units set aside as affordable below 8 units. This is because the Fourth Round HEFSP has designated 8 affordable

units to be provided from this site. The affordable units would be regulated consistent with the Uniform Housing Affordability Controls (UHAC) and the New Jersey Fair Housing Act.

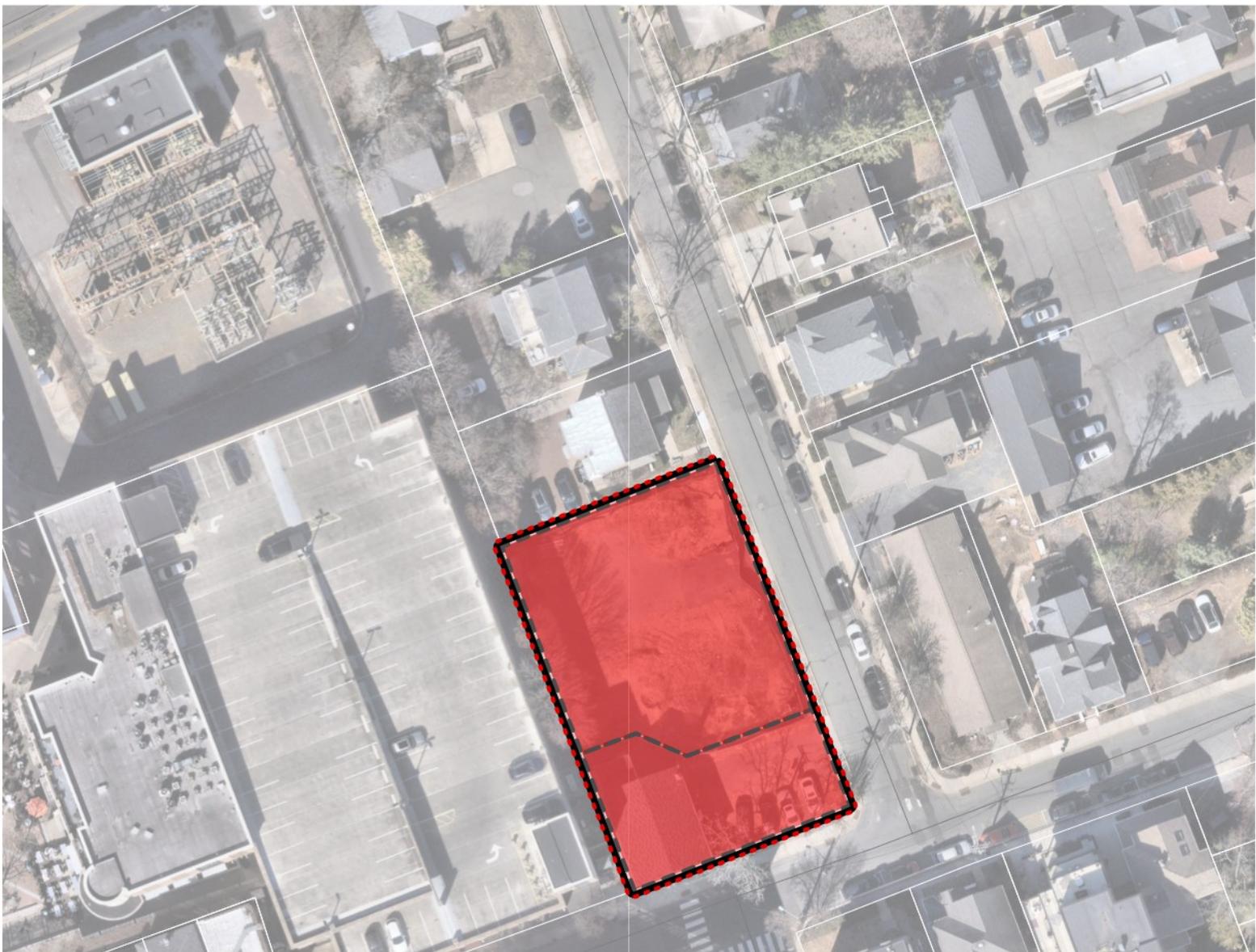
The proposed ordinance requires a minimum lot area of 0.3 acres, which would require both lots to be developed as a single whole. It also allows for multiple buildings. The ordinance creates a stepped maximum height, depending on the distance of the building(s) from Spring Street and North Tulane Street, with the height decreasing as it goes north along North Tulane (starting at a maximum of six stories/65 feet within 50 feet of Spring Street to a maximum of four stories/45 feet at 100 to 150 feet from Spring Street). There is no maximum impervious coverage and all required minimum setbacks are zero feet. Per the proposed ordinance, 0.5 parking space is required for each residential unit. No spaces are required for commercial uses. The required spaces can be on surface lots or in enclosed garages. No landscaping buffers are required, but landscaping is required as planters at the entrance and as street trees. One façade sign of 20 square feet is permitted per lot.

In our professional opinion, the ordinance is consistent with the Master Plan. Aside from being directly called for in the Municipality's adopted Fourth Round HEFSP, Ordinance 2026-06 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.



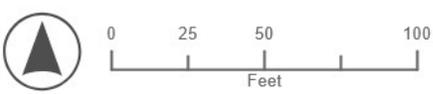
Appendix J. 40-42 Tulane Street Documentation



-  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
-  Potential Affordable Housing Sites



Map Data Sources:
 1. Streams/Waterbodies: NJDEP.
 2. Steep Slopes: NJDEP.
 3. Floodplains: FEMA's National Flood Hazard Layer (NFHL).
 4. Nearmap Aerial Imagery, Captured October 25, 2024.
 5. State, Local and Nonprofit Open Space of New Jersey (NJDEP).
 6. Inland Flood: Rutgers Climate Change Resource Center (NJ Adapt)



SITE #	BLOCK	LOT	SITE ADDRESS
7	2702	47, 49	32 SPRING ST ; 40-42 NORTH TULANE ST

Clarke Caton Hintz ● ● ●
 Architecture
 Planning
 Landscape Architecture

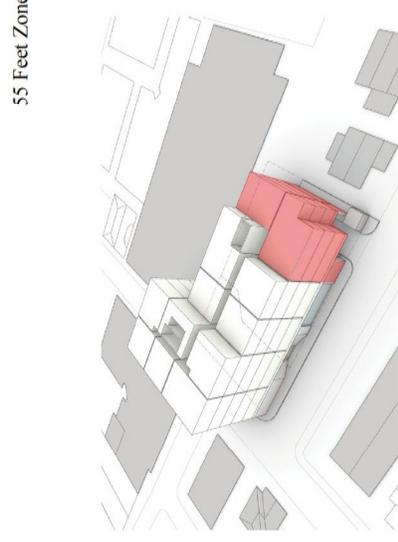
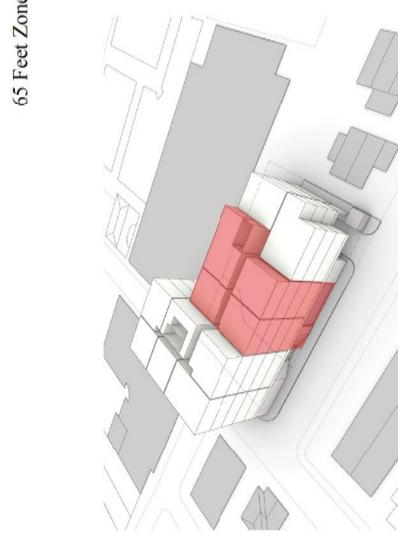
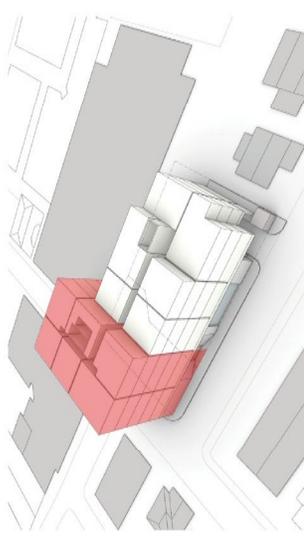
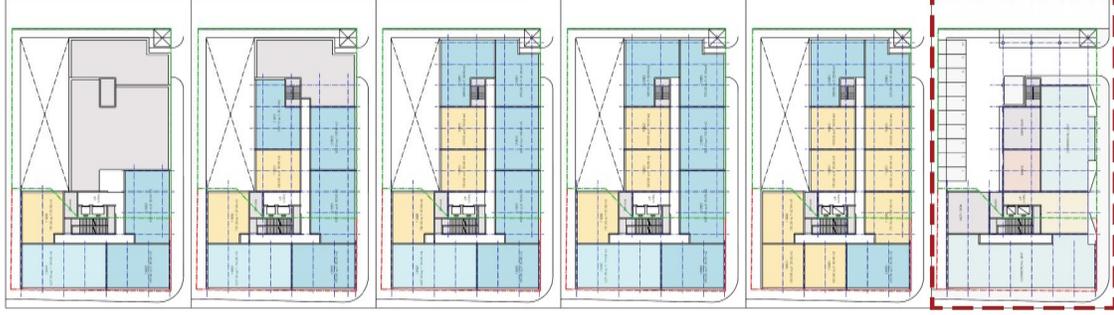
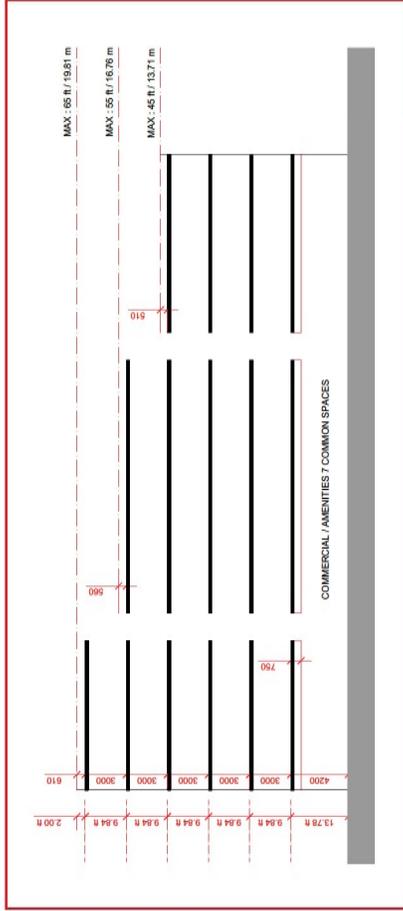
Potential Sites for Affordable Housing Development

Site 7: 40-42 N. Tulane Street/32 Spring Street

LOCATION:
 Princeton, Mercer County, NJ

DATE:
 May 2025

32 SPRING - 42 TULANE INITIAL MASSING & UNIT MIX (21.05.25)



TOTAL No OF UNITS : 40

AFFORD. UNITS:	8
MARKET UNITS :	32

- 1 Bed
- 2 Bed
- 3 Bed
- Lobby
- Bike Storage
- Commercial





MUNICIPALITY OF PRINCETON

Office of the Municipal Clerk

400 Witherspoon Street

Princeton, NJ 08540

(609) 924-5704

dmount@princetonnj.gov

MEMORANDUM

To: Planning Board
From: Dawn M. Mount, *Municipal Clerk*
CC: Justin Lesko, *Planning Director*
Subject: Planning Board Review of Ordinance 2026-6 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 #2026-06

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 OVERLAY DISTRICT-11 (AHO-11) 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-11 (“AH-11”) 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:

(11) AHO-11 Affordable Housing Overlay – 11.
nfoote

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>Overlay District</u>
27.02	47, 49	40-42 North Tulane Street 32 Spring Street	CB B, R-4 B	AHO-11

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 I “Affordable Housing Overlay (AHO) Zones” as follows:

§B17A-459. Affordable Housing Overlay-11 (AHO-11)

- A. Purpose. The purpose of the Affordable Housing Overlay–11 (AHO-11) zoning district is to redevelop commercial land for multi-family housing in furtherance of the Municipality’s goals and objectives for affordable housing as set forth in the Master Plan.
- B. Permitted Uses. In the AHO-11 District, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:
 - (1) Multiple dwellings above the ground floor or street level.
 - (2) Retail sales and services, offices and restaurants located on the ground floor or street level, as required for buildings fronting Spring Street and permitted for buildings fronting North Tulane Street.
- 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 facility.
 - (5) Maintenance and storage.
 - (6) Off-street parking and loading.
 - (7) Street/site furnishings.
 - (8) Home occupations.
 - (9) Off-street surface parking and private residential garages.
 - (10) Fences and walls.
 - (11) Landscape amenities and open space.
 - (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 AHO-11 district, 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 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. AHO-11 Site Development Regulations. The following site development regulations shall apply to all lots and buildings:
 - (1) Area and Yard Requirements.
 - (a) Minimum lot area. The minimum contiguous lot area shall be three-tenths (0.3) acre.
 - (b) The minimum front yard setback shall be zero (0) feet.
 - (c) Minimum side yard setback for buildings shall be zero (0) feet.
 - (d) Minimum rear yard setback for buildings shall be zero (0) feet.
 - (2) Maximum number of dwellings shall not exceed forty (40) dwellings in the AHO-11 district.
 - (3) Building height limitations:
 - (a) Within fifty (50) feet of Spring Street no building or portion thereof shall exceed a height of six stories and sixty-five (65) feet.
 - (b) Between fifty (50) and one hundred (100) feet from Spring Street no building or portion thereof shall exceed a height of five stories and fifty-five (55) feet.
 - (c) Between one hundred (100) and one hundred fifty (150) feet from Spring Street no building or portion thereof shall exceed a height of four stories and forty-five (45) feet, except that if located between one hundred (100) and one hundred twenty-five (125) feet of Spring Street and no closer than fifty (50) feet of N. Tulane Street, the building may be five stories and fifty-five (55) feet in

height.

- (4) Maximum number of buildings: Multiple buildings per lot are permitted.
- (5) Off-street vehicular and bicycle parking.
 - (a) Vehicle parking for residential uses: 0.5 off-street parking spaces shall be provided for each dwelling.
 - (b) Vehicle parking for non-residential uses: No off-street parking spaces shall be required.
 - (c) Bicycle parking shall be as required pursuant to §T10B-282.2.
- F. Landscaping. Landscaping shall take the form of planters demarcating the entrance and street trees, minimum 2.5 inches in caliper at planting, with a columnar form, suitable for urban locations, spaced 35-40 feet apart.
- G. Lighting. Illumination of sites and buildings shall be regulated pursuant to §B17A-365.1 Lighting.
- H. Signs. One facade sign is permitted per street frontage, no larger than 20 square feet in sign area, with a maximum height of five (5) feet, mounted no higher than nine (9) feet above grade, and may be illuminated.

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 overlay 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.