



# 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 *JL*  
Nathan Foote, AICP, PP – Assistant Planning Director  
**Date:** February 20<sup>th</sup>, 2026  
**Subject:** **Ordinance #2026-04: 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-8 (AH-8) in Furtherance of the Fair Housing Act**  
Council Introduction – February 9<sup>th</sup>, 2026  
Planning Board Review – February 19<sup>th</sup>, 2026

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The Princeton Council has referred Ordinance #2026-04 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 8 (AH-8) at the 145 Witherspoon Street property, and allows for up to 25 multi-family residential units, while requiring a minimum of five affordable housing units. The ordinance was introduced on February 9<sup>th</sup>. The Planning Board reviewed the ordinance at their regular meeting open to the public on February 19<sup>th</sup>.

**By a unanimous vote, the Board found Ordinance #2026-04 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 District 8 (AH-8) 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 13<sup>th</sup>, 2026  
**Subject:** **Ordinance #2026-04: 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 10 (AH-10) in Furtherance of the Fair Housing Act**  
Council Introduction – February 9<sup>th</sup>, 2026

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The Princeton Council has referred Ordinance #2026-04 to the Planning Board for master plan consistency review pursuant to N.J.S.A. 40A:55D-26a. The ordinance was introduced on February 9<sup>th</sup> and is scheduled for a public hearing on February 23<sup>rd</sup>. Ordinance 2026-04 is attached to this memo for reference.

The ordinance establishes the Affordable Housing District 8 (AH-8), comprised of one lot at 145 Witherspoon Street (Block 24.01, Lot 3). The lot currently contains a two-story office building with associated parking lot in the rear, and is located in the RB Residence-Business zone of the former Borough. The property is adjacent to Princeton Cemetery to the south and east (located in the R-4 Residential zone of the former Borough), and to mixed commercial and residential uses to the north (located in the RB B zone and the Affordable Housing Overlay-7, AHO-7). The property is across Witherspoon Street from additional mixed commercial and residential uses (which are also located in the RB B zone and AHO-7). Properties further north along Witherspoon Street are a mix of commercial and residential uses in the RB B zone, while properties to the south and further west are in the R-4 B zone.

The AH-8 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 63 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 F of the Fourth Round Plan includes a map of site constraints and an initial conceptual plan of the development. Appendix F is attached to this memo.

As called for in the Fourth Round Plan, Ordinance 2026-04 establishes an AH-8 zone that would allow for up to 25 multi-family residential apartment units. The ordinance also permits retail sales and services businesses, and restaurants on the ground floor. Dwellings are permitted on the ground floor, provided they are to the rear of commercial uses. At least 20% of the residential units are required to be designated as affordable with a minimum number of 5 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 5 units. This is because the Fourth Round HEFSP has designated 5 affordable units to be provided from the 145 Witherspoon Street site. The affordable units would be regulated

consistent with the Uniform Housing Affordability Controls (UHAC) and the New Jersey Fair Housing Act.

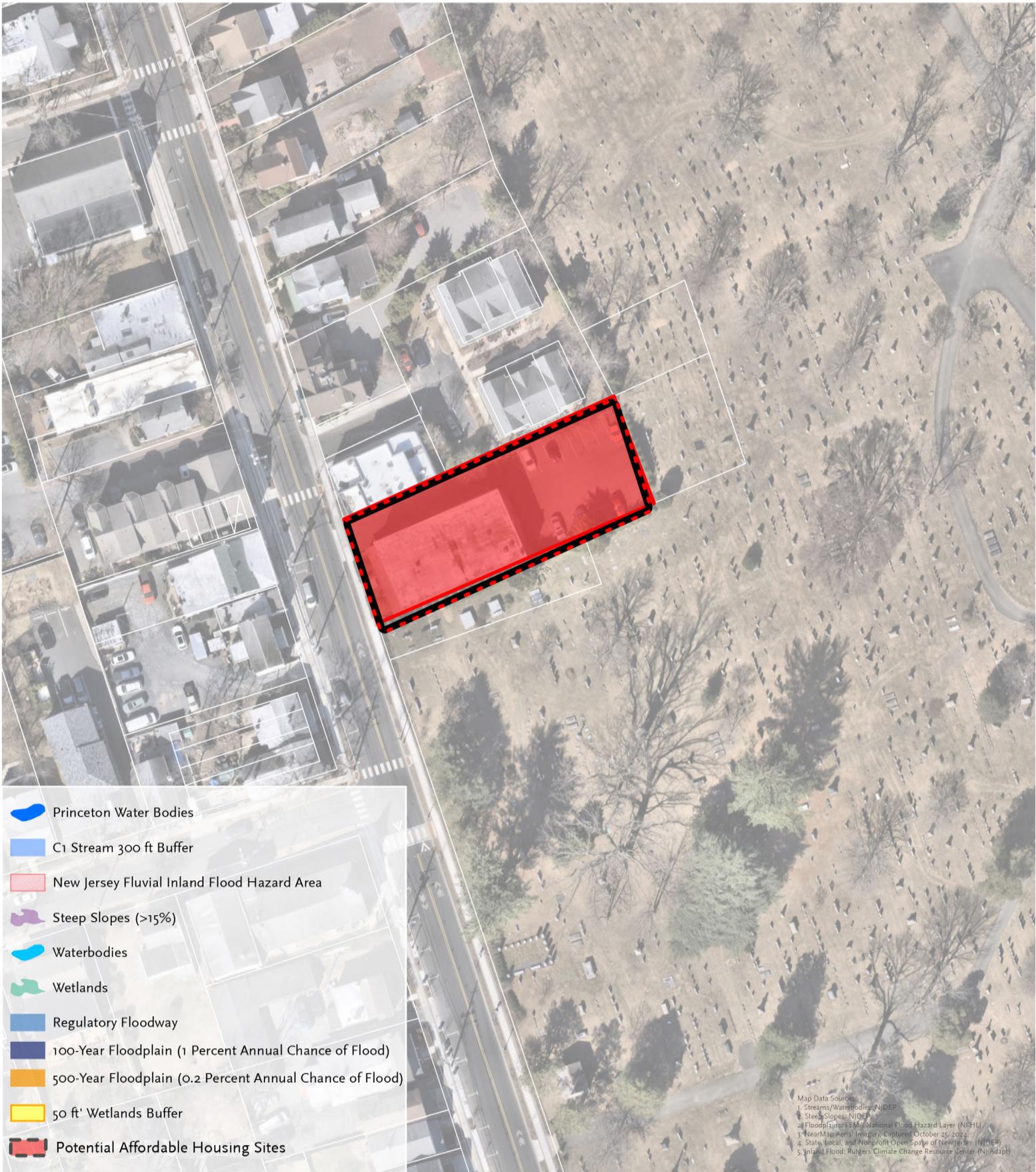
The maximum permitted height is four stories and 50 feet. The maximum impervious coverage is 97% (similar to the existing impervious coverage). Per the proposed ordinance, no off-street parking is required for the first five residential units, with 0.5 parking space required for each additional residential apartment. No spaces are required for commercial uses. The required spaces can be on surface lots or in enclosed garages. No landscaping buffers are required. Setbacks are not required except for a three foot one on the northern lot line. The maximum front yard setback is 10 feet. Lighting and signs are regulated pursuant to relevant sections of the existing municipal ordinance.

Aside from being directly called for in the Municipality's adopted Fourth Round HEFSP, Ordinance 2026-04 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.

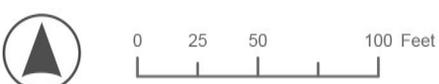


## Appendix F. 145 Witherspoon Street Documentation



-  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

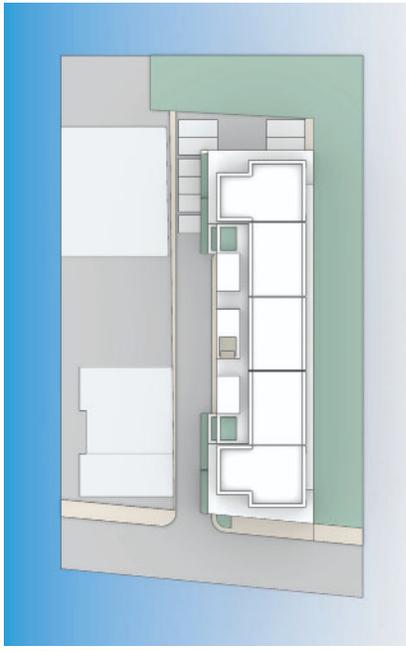
Map Data Sources:  
 1. Streams/Waterbodies: NJDEP  
 2. Steep Slopes: NJDEP  
 3. Floodplains: FEMA National Flood Hazard Layer (NFHL)  
 4. NearMap Aerial Imagery, Captured October 25, 2021  
 5. State, Local, and Nonprofit Open Space of New Jersey (NJDEP)  
 6. Inland Flood: Rutgers Climate Change Resource Center (NJ Adapt)



# Potential Sites for Affordable Housing Development

## Site 13: 145 Witherspoon

145 WITHERSPOON ST  
UNIT MIX (06.06.25)

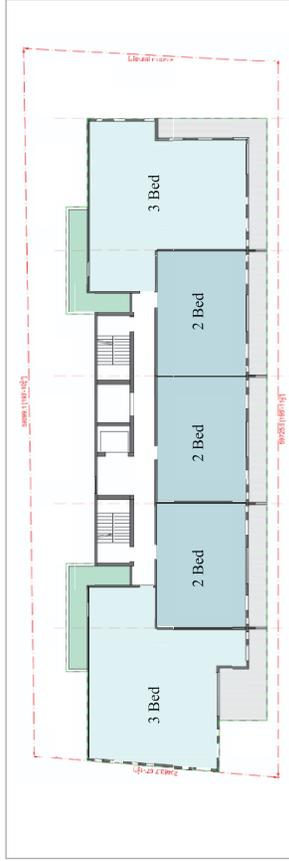


TOTAL No OF UNITS : 25

Affordable Units: 5

Market Units : 20

- 1 Bed (small)
- 1 Bed
- 2 Bed
- 3 Bed
- Lobby
- Amenities
- Bike Storage
- Cafe / Sandwich Shop



4th Floor



3rd Floor



2nd Floor



1st Floor



# MUNICIPALITY OF PRINCETON

Office of the Municipal Clerk

400 Witherspoon Street

Princeton, NJ 08540

(609) 924-5704

[dmount@princetonnj.gov](mailto:dmount@princetonnj.gov)

## MEMORANDUM

**To:** Planning Board  
**From:** Dawn M. Mount, *Municipal Clerk*  
**CC:** Justin Lesko, *Planning Director*  
**Subject:** Planning Board Review of Ordinance 2026-4 upon Introduction  
**Date:** February 10, 2026

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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 #2026-04**

**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-8 (AH-8) 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-8 (“AH-8”) 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:

- (8) AH-8 Affordable Housing – 8.

**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:

<b><u>Block(s)</u></b>	<b><u>Lot(s)</u></b>	<b><u>Street Address</u></b>	<b><u>Existing District</u></b>	<b><u>New District</u></b>
24.01	3	145 Witherspoon Street	RB B	AH-8

**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-488. Affordable Housing - 8 (AH-8)**

- A. Purpose. The purpose of the Affordable Housing-8 (AH-8) 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-8 zone is established to encourage redevelopment consisting of multiple dwellings with an affordable housing set-aside, along with ground-level retail, service, and restaurant uses.
  
- B. Permitted Uses. In AH-8, 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 behind retail sales and services businesses and restaurants located on the ground floor or street level.
  - (2) Retail sales and services businesses and restaurants located on the ground floor or street level.
  
- 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 and private residential garages.
  - (9) Fences and walls.
  - (10) Landscape amenities and open space.
  - (11) Signs.

- (12) Storm water management facilities and other amenities.
  - (13) 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-8 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 dwelling units be less than five (5). 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-8 Site Development Regulations. The following site development regulations shall apply to all lots and buildings:
- (1) Minimum yard requirements:
    - (a) Front yard: zero (0) feet.
    - (b) Side yard: three (3) feet on the northern lot line and zero (0) feet on the southern lot line.
    - (c) Rear yard: zero (0) feet.
  - (2) Maximum front yard setback: ten (10) feet.
  - (3) Maximum impervious coverage: ninety seven percent (97%).
  - (4) Maximum building height: Maximum height is four (4) stories and not to exceed fifty (50) feet.
  - (5) Maximum number of dwellings shall not exceed twenty-five (25) units in the AH-8 district.
- F. Off-street parking.
- (1) Residential uses:
    - (a) Up to five dwelling units: no off-street parking is required.
    - (b) 0.5 off-street parking spaces shall be provided for each additional dwelling.

- (2) Non-residential uses: no off-street parking required.
- G. Lighting. Illumination of sites and buildings shall be regulated pursuant to §B17A-365.1 Lighting.
- H. Signs. Signs shall be regulated pursuant to §B17A-368, Accessory Signs-Permitted, in business districts.

**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.

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Dawn M. Mount, Clerk

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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.