

ORDINANCE #2026-18

AN ORDINANCE OF THE MUNICIPALITY OF PRINCETON PERTAINING TO ALLOWABLE BUSINESS USES THROUGHOUT THE MUNICIPALITY AND AMENDING VARIOUS PROVISIONS OF “THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974” AND “THE CODE OF THE TOWNSHIP OF PRINCETON NEW JERSEY 1968” ACCORDINGLY

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

SECTION 1. Uses permitted as of right in the Residence-Office Districts of the former Borough of Princeton (“Borough”) amended. Section B17A-270 of the “Code of the Borough of Princeton, New Jersey 1974” (“Borough Code”) pertaining to uses permitted as of right in the Residence-Office Districts is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ B17A-270. Uses permitted as of right.

The following uses are permitted as of right, subject to the bulk regulations, parking requirements and other regulations set forth or referred to below:

- (a) {no changes}
- (b) Nonresidential uses.
 - (1) Churches and other places of worship.
 - (2) Public schools, and private schools not operated for profit.
 - (3) Parks, playgrounds and public buildings.
 - (4) Office buildings.
 - (5) On upper stories only, crafting or arrangement of materials resulting in a finished product or commodity such as apparel, home decoration, jewelry, toys, flowers, art work, or similar products, limited to not more than 5,000 square feet of floor area.

All activity associated with these uses shall be contained within the building.

(6) Parking garages and other off-street parking spaces, open or enclosed, subject to the provisions of division 6, subdivision III of this chapter.

(c) {no changes}

(d) {no changes}

SECTION 2. Uses permitted as of right in the Residence-Business Districts of the former Borough amended. Section B17A-284 of the Borough Code pertaining to uses permitted as of right in the Residence-Business Districts of the former Borough is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ B17A-284. Uses permitted as of right.

The following uses are permitted as of right, subject to the bulk regulations, parking requirements and other regulations set forth or referred to below:

(a) {no changes}

(b) {no changes}

(c) Mixed uses.

(1) Joint occupancy buildings, provided, that:

a. The residential portion shall have a direct entrance upon a street, either directly or via an unobstructed passage at least 10 feet in width and 15 feet in height.

b. No floor shall be used for both residential and business use, unless a separate entrance, hallway and stairway provides direct access from the street to each use.

c. Business uses shall not occupy more than 40% of the aggregate floor area of the building and shall not be located above the ground floor.

- d. Permitted business uses shall be limited to the following:
1. Offices.
 2. Retail stores and bakeries, excluding automotive sales or service establishments.
 3. Eating and drinking places.
 4. Barbershops, beauty parlors, tailors, dressmakers and millinery shops, photographic studios, shoe repair, shoeshine and hat cleaning shops, spas, tutoring, test prep and similar personal service stores dealing directly with consumers.
 5. Studios for dancing [and]music, and fitness instruction.
 6. Private vocational and trade schools.
 7. Outlets and pick-up stations for laundries and cleaning establishments.
 8. Radio and television repair, locksmith, watch, clock and jewelry repair, upholstery and furniture repair, and other similar service establishments, furnishing services other than of a personal nature, but not including gasoline filling stations and other automotive services.
 9. Medical and dental offices.

(d) {no changes}

SECTION 3. Permitted uses subject to floor area limitations in the Neighborhood Business Districts of the former Borough amended. Section B17A-292 of the Borough Code pertaining to permitted uses subject to floor area limitations in the Neighborhood Business Districts of the former Borough is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ B17A-292. Uses — Subject to floor area limitation.

The following uses are permitted as of right; provided, that not more than 5,000 square feet of floor area per establishment shall be devoted to such use. Such uses shall be subject to the bulk regulations, parking requirements and other regulations set forth or referred to below:

- (a) Nonresidential uses.
 - (1) Retail stores and bakeries, excluding automotive sales or service establishments.
 - (2) Eating and drinking places.
 - (3) Barbershops, beauty parlors, tailors, dressmakers and millinery shops, photographic studios, shoe repair, shoeshine and hat cleaning shops, spas, tutoring, test prep and similar personal service stores dealing directly with consumers.
 - (4) Studios for dancing[and], music and fitness instruction.
 - (5) Private vocational and trade schools.
 - (6) Outlets and pick-up stations for laundries and cleaning establishments.
 - (7) Self-service automatic laundry and dry cleaning establishments, containing a total of not more than 30 machines for washing, cleaning and drying. The use of flammable solvent is prohibited, except for the incidental removal of spots.
 - (8) Radio and television repair, locksmith, watch, clock and jewelry repair, upholstery and furniture repair and other similar service establishments furnishing services other than of a personal nature, but not including gasoline filling stations and other automotive services.
 - (9) Crafting or arrangement of materials resulting in a finished product or commodity such as apparel, home decoration, jewelry, toys, flowers, art work, or similar products, provided that if this use is located on the first floor it shall be accessory to a retail store. All activity associated with these uses shall be contained within the building.

SECTION 4. Uses permitted as of right in the Central Business Districts of the former

Borough amended. Section B17A-305 of the Borough Code pertaining to uses permitted as of right in the Central Business Districts of the former Borough is hereby amended to read as follows

(new text is underlined thus; deleted text is in brackets [thus]):

§ B17A-305. Uses permitted as of right — Generally.

The following uses are permitted as of right, subject to the bulk regulations, parking requirements and other regulations set forth or referred to below:

- (a) {no changes}
- (b) Nonresidential uses.
 - (1) Churches and other places [or]of worship.
 - (2) Public schools, and private schools not operated for profit.
 - (3) Parks, playgrounds and public buildings.
 - (4) Office buildings, provided that the first story of any structure containing office or banks must consist of those nonresidential uses permitted, subject to floor area limitation, by section B17A-306(a)(1) to (10) and excluding offices and banks or other financial uses. For purposes of this section, offices shall include, but shall not be limited to real estate brokers, stockbrokers, financial planner, insurance agencies and other service professionals.
 - (5) Banks, provided the first story of any structure containing offices or banks must consist of those nonresidential uses permitted, subject to floor area limitations by section B17A-306(a)(1) to (10) and excluding offices and banks or other financial uses.
 - (6) Parking garages and other off-street parking spaces, open or enclosed, subject to the provisions of (b) division 6, subdivision III of this article.
 - (7) Hotels.
 - (8) Theaters, museums and similar cultural uses.

(9) Medical and dental offices, subject to the following limitations:

a. Medical and dental offices shall be limited to the upper floors of the structure, or, if located on the first story, shall not occupy more than one third of the floor space.

b. [provided t]The first story of any structure [containing]that contains medical and/or dental offices must consist of those nonresidential uses permitted, subject to floor area limitations by section B17A-306(a)(1) to (10)[and excluding medical and/or dental offices].

(c) {no changes}

(d) {no changes}

SECTION 5. Permitted uses subject to floor area limitations in the Central Business Districts of the former Borough amended. Section B17A-306 of the Borough Code pertaining to uses permitted as of right in the Central Business Districts of the former Borough is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ B17A-306. Uses — Subject to floor area limitation.

The following uses are permitted as of right; provided, that not more than 10,000 square feet of floor area per establishment shall be devoted to such use. Such uses shall be subject to the bulk regulations, parking requirements and other regulations set forth or referred to below:

(a) Nonresidential uses.

(1) Radio and television broadcasting.

(2) Blueprinting, photostating and similar business services.

(3) Retail stores and bakeries, excluding automotive sales or service establishments.

(4) Places serving food or food and drink, whether or not the food and drink served are to be consumed on the premises or elsewhere.

- (5) Barbershops, beauty parlors, tailors, dressmakers and millinery shops, photographic studios, shoe repair, shoeshine and hat cleaning shops, spas, tutoring, test prep and similar personal service stores dealing directly with consumers.
- (6) Studios for dancing[and], music and fitness instructions.
- (7) Private vocational and trade schools.
- (8) Outlets and pick-up stations for laundries and cleaning establishments.
- (9) Self-service automatic laundry and dry cleaning establishments containing a total of not more than 30 machines for washing, cleaning and drying. The use of flammable solvent is prohibited, except for the incidental removal of spots.
- (10) Radio and television repair, locksmith, watch, clock and jewelry repair, upholstery and furniture repair and other similar service establishments, furnishing services other than of a personal nature, but not including gasoline filling stations and other automotive services.
- (11) Newspaper reporting and distribution activities, open to the general public.
- (12) Non-profit philanthropic agencies providing services to the community.
- (13) Offices for research, engineering, or development in science or technology, subject to the same conditions as per B17A-305(b)(4), provided that such uses shall not be located on the first floor.
- (14) Crafting or arrangement of materials resulting in a finished product or commodity such as apparel, home decoration, jewelry, toys, flowers, art work, or similar products, provided that if this use is located on the first floor it shall be accessory to a retail store. All activity associated with these uses shall be contained within the building.

SECTION 6. Uses permitted as of right in the Service Business Districts of the former Borough amended. Section B17A-321 of the Borough Code pertaining to uses permitted as of right in the Service Business Districts of the former Borough is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ B17A-321. Uses permitted as of right — Generally.

The following uses are permitted as of right, subject to the bulk regulations,

parking requirements and other regulations set forth or referred to below:

- (a) Nonresidential uses.
 - (1) Offices, limited to the uses permitted by section B17A-322(a)(1) to (10), and provided further that if offices are located on the first floor, they shall not occupy more than one third of the floor space[but excluding offices on the first floor]. For purposes of this section, offices shall include, but shall not be limited to, the following uses: real estate broker, stockbroker, financial planner, insurance agency, and other service professionals.
 - (2) Parks, playgrounds and Public buildings.
 - (3) Churches and other places of worship.
 - (4) (Reserved)
 - (5) Banks on the first floor of any multi story building subject to the following standards:
 - a. The design of the bank shall include exterior public space between the building and the street that includes public seating, bike racks, refuse and recycling containers, landscaping, and decorative pavement (i.e. pavers, concrete with an attractive scoring pattern, stamped concrete, etc.).
 - b. The vision glass portion of the front facade of the bank shall be a minimum of 35%.
 - c. The ATM design shall be consistent with the building aesthetics and shall not be visible from a residential district.
 - d. No more than 4,500 square feet of the first floor of any building may be devoted to bank uses.
 - e. For ground floor banks one parking space for every 300 square feet of floor area shall be provided.
 - f. Any/all floors above the ground floor must be residential use, which must be equal to or greater than the square footage of the first floor.

- g. Banks shall not occupy more than 50% of the ground floor of any building.
 - h. Banks are permitted only in buildings with more than one story.
- (6) Parking garages and other off-street parking spaces, open or enclosed, subject to the provisions of division 6, subdivision III of this chapter.
 - (7) Medical and dental offices.

{remainder of section B17A-321 no changes}

SECTION 7. Permitted uses subject to floor area limitations in the Service Business

Districts of the former Borough amended. Section B17A-322 of the Borough Code pertaining to permitted uses subject to floor area limitations in the Service Business Districts of the former Borough is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ B17A-322. Subject to floor area limitation.

The following uses are permitted as of right; provided, that not more than 5,000 square feet of floor area per establishment shall be devoted to such use. Such uses shall be subject to the bulk regulations, parking requirements and other regulations set forth or referred to below:

- (a) Nonresidential uses.
 - (1) Retail stores and bakeries, excluding automotive sales or service establishments.
 - (2) Eating and drinking places as long as no outdoor dining is permitted adjacent to residentially zoned and used properties on Murray Place.
 - (3) Barbershops, beauty parlors, tailors, dressmakers and millinery shops, photographic studios, shoe repair, shoeshine and hat cleaning shops, spas, tutoring, test prep and similar personal service stores dealing directly with consumers.
 - (4) Studios for dancing[and], music and fitness instruction.

- (5) Private vocational and trade schools and college preparatory and tutoring services.
- (6) Outlets and pick-up stations for laundries and cleaning establishments.
- (7) Self-service automatic laundry and dry cleaning establishments, containing a total of not more than 30 machines for washing, cleaning and drying. The use of flammable solvent is prohibited, except for the incidental removal of spots.
- (8) Electronic repair, locksmith, watch, clock and jewelry repair, upholstery and furniture repair and other similar service establishments furnishing services.
- (9) Art galleries and museums.
- (10) Crafting or arrangement of materials resulting in a finished product or commodity such as apparel, home decoration, jewelry, toys, furniture, leather goods, flowers, art work or similar products.
- (11) Offices for research, engineering, or development in science or technology, also subject to the conditions as per B17A-321(a)(1).
- (12) Medical and dental offices if subordinate and incidental to a permitted retail use.

SECTION 8. Uses permitted as of right in the Mixed Residential-Retail-Office

District of the former Borough amended. Section B17A-356 of the Borough Code pertaining to uses permitted as of right in the Mixed Residential-Retail-Office District of the former Borough is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ B17A-356. Uses permitted as of right.

The following uses are permitted as of right, subject to the bulk regulations, parking requirements and other regulations set forth or referred to below:

{(a) through (d) no changes}

(e) Nonresidential uses.

- (1) Medical Services Uses.
- (2) Medical and Professional Office Uses.
- (3) Restaurant Uses.
- (4) Banks.
- (5) Neighborhood [S]service [R]retail [U]uses [T]that [I]include[:]
barbershops, beauty parlors, tailors, dressmakers, photographic studios, shoe repair, [self service]self-service automatic laundry, dry cleaning establishments, spas, tutoring, test prep and similar personal service uses dealing directly with consumers.
- (6) Retail stores, convenience food stores and bakeries excluding automotive sales or services.
- (7) Child Care Facilities.
- (8) Leasing office for on premises leasing.
- (9) Art and craft studios.

SECTION 9. Permitted uses in the Professional Office-Residence Districts of the former Township of Princeton (“Township”) amended. Section T10B-257 of the “Code of the Township of Princeton, New Jersey 1968” (“Township Code”) pertaining to permitted uses in the Professional Office-Residence Districts of the former Township of Princeton (“Township”) is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ T10B-257. Permitted Uses.

- (a) Professional and medical [O]offices [of professionals, limited to accountants, attorneys, medical doctors, dentists and optometrists, professional planners, environmental consultants, authors, architects, licensed professional engineers, psychologists, chiropractors, speech-language pathologists, and podiatrists]; barbershops; beauty parlors; tailors, dressmakers and millinery shops; photographic studios; shoe repair, shoeshine and hat cleaning shops; spas and similar uses that do not require a medical or professional license; tutoring, test prep and similar uses; and studios for dancing, music and fitness instruction; provided that there shall be no external evidence of such use other than

professional nameplates, that such use shall not occupy more than one floor of a building, the remainder of which shall be devoted to residential use complying with paragraph (b) or paragraph (c) and that the [professional office portion]nonresidential and the residential portions shall have separate, independent entrances.

- (b) Single-family houses.
- (c) Accessory uses on the same lot with, and customarily incidental to, any of the foregoing permitted uses.

SECTION 10. Permitted uses in the Business Districts of the former Township amended. Section T10B-258 of the Township Code pertaining to permitted uses in the Business Districts of the former Township is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ T10B-258. Permitted Uses.

The following uses are permitted in B-1 and B-2 districts or, if so indicated, in one of those districts, in addition to those permitted by Section T10B-253;

- (a) Retail sales uses not characterized either by heavy trucking or by any nuisance factors.
- (b) Retail stores and shops.
- (c) Banks.
- (d) Business and professional offices.
- (e) Establishments providing services directly to the person (e.g., barber shops, spas, tutoring/test prep) or to tangible personal property (e.g., shoe repairs) of patrons, except as prohibited by Sections T10B-254, T10B-259, and T10B-260.
- (f) Restaurants, provided that table service is provided for all patrons and that any sale of food intended for consumption off the premises is incidental to the provision of table service.
- (g) Single-family houses; permitted in B-1 district only.
- (h) Accessory uses on the same lot with, and customarily incidental to, any of the foregoing permitted uses.

SECTION 11. Permitted uses in the Shopping Center Districts of the former Township amended. Section T10B-261 of the Township Code pertaining to permitted uses in the Shopping Center Districts of the former Township is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ T10B-261. Permitted uses.

The following uses are permitted in SC districts in addition to those permitted by section T10B-253:

- (a) Shopping areas of integrated design and development for uses such as retail shops, establishments providing services directly to the person (e.g., barber shops, spas, tutoring/test prep or to tangible personal property (e.g., shoe repairs) of the patron, personal service establishments, professional and business offices, studios for dancing, music and fitness instruction, banks, post offices, restaurants, outdoor dining in conjunction with said restaurants provided that tables do not interfere with pedestrian walkways and the outdoor dining facilities obtain site plan approval, theaters and auditoriums; provided, that such uses are housed in enclosed buildings, except for the outdoor dining facilities, are served by such common facilities as customer parking, pedestrian walks, loading and unloading space, utility and sanitary facilities and are connected with covered pedestrian walkways affording sheltered pedestrian passage between them.
- (b) Motor banking installations, designed so that the customer may remain within his vehicle; provided that any such motor banking structure or installation contains only uses permitted in SC districts and that any such structure or installation shall have no direct public street access and shall be accessible only from the interior drives of the shopping center; provided further, that such structures or installations shall be situated so as not to block or obstruct or cause traffic congestion on the principal interior drives of the shopping center and said installations shall have no new street access other than the accessways currently serving the shopping center from Harrison Street north.
- (c) No more than one motor banking installation shall be permitted in the SC district.
- (d) Drive-through pharmacy installations, designed so that the customer may remain within their vehicle; provided that any such installation is a component of a pharmacy use enclosed in a building and that any such

installation shall have no direct public street access and shall be accessible only from the interior drives of the shopping center; provided further, that such structures or installations shall be situated so as not to block or obstruct traffic or cause traffic congestion on the principal interior drives of the shopping center. Furthermore, said installations shall be designed such that lanes for vehicle access and stacking, and the location at which drive-through customers interact with the interior pharmacy use, are visually screened from the right-of-way of North Harrison Street.

SECTION 12. Permitted uses in the Service Districts of the former Township

amended. Section T10B-271 of the Township Code pertaining to permitted uses in the Service Districts of the former Township is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ T10B-271. Permitted uses.

The following uses are permitted in S-1 and S-2 districts or, if so indicated, in one of those districts, in addition to those permitted by section **T10B-253**.

- (a) Uses conducive to heavy trucking and to bus transportation.
- (b) Uses characterized by a moderate amount of dust and noise, such as the storage, handling, sale and delivery, either retail or wholesale, of lumber, coal, mason materials, grain and feed, solid and liquid fuels and similar goods.
- (c) Storage of inflammable materials other than explosives.
- (d) Storage warehouses.
- (e) Public utility structures and uses.
- (f) Freight yards, railroad sidings and other necessary railroad uses (permitted in S-1 districts only).
- (g) Commercial garages and gasoline service stations.
- (h) Printing establishments and newspaper offices.
- (i) Banks and savings institutions.
- (j) Retail stores and bakeries.

(k) Hotels and motels.

(l) Business offices.

([l.1]m) Personal services, including, but not limited to, barbershops, beauty parlors, tailors, dressmakers and millinery shops, photographic studios, shoe repair, shoeshine and hat cleaning shops, spas, tutoring, test prep and similar personal service stores dealing directly with consumers; studios for dancing, [and]music and fitness instruction; private vocational and trade schools and college preparatory and tutoring services; outlets and pick-up stations for laundries and cleaning establishments; self-service automatic laundry and dry cleaning establishments, containing a total of not more than 30 machines for washing, cleaning and drying, and subject to the prohibition against the use of flammable solvent except for the incidental removal of spots; electronic repair, locksmith, watch, clock and jewelry repair, upholstery and furniture repair and other similar service establishments furnishing services; and crafting or arrangement of materials resulting in a finished product or commodity such as apparel, home decoration, jewelry, toys, furniture, leather goods, flowers, art work or similar products.

([m]n) Accessory uses on the same lot with, and customarily incidental to, any of the foregoing permitted uses.

SECTION 13. Permitted uses in the Retail-Office District of the former Township

amended. Section T10B-272.1 of the Township Code pertaining to permitted uses in the Retail-Office District of the former Township is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ T10B-272.1. Permitted uses.

The following uses are permitted in the R-O district in addition to those permitted by section T10B-253:

(a) Hospitals properly licensed by the state which provide health, medical and surgical care for sick or injured human beings, including accessory uses as set forth below.

(b) Dental and medical clinics and pharmacies.

- (c) Convalescent and extended care facilities sponsored by or affiliated with the principal licensed hospital which are located on or adjacent to the hospital.
- (d) Accessory uses:
 - (1) Laboratories incidental to a permitted use.
 - (2) Out-patient departments.
 - (3) Training facilities.
 - (4) Management and medical/dental staff offices.
 - (5) Accessory off-street parking spaces.
 - (6) Accessory signs as permitted in section T10B-293.
- (e) Medical professional offices, including laboratories, and x-ray and other diagnostic equipment incidental thereto.
- (f) Business and professional offices.
- (g) Retail stores and shops.
- (h) Banks.
- (i) Restaurants.
- (j) Establishments providing services directly to the person (*e.g.*, barbershops, spas, tutoring/test prep) or to tangible personal property (*e.g.*, shoe repairs) of patrons, except as prohibited by sections T10B-254, T10B-259.

SECTION 14. Referral to Planning Board. A copy of this ordinance shall be referred to the Princeton Planning Board for review pursuant to N.J.S.A. 40A:55D-26a prior to adoption.

SECTION 15. Repealer. In the event of a conflict between the provisions of this ordinance and the provisions of any other provision of the Code of the Township of Princeton and the Code of Borough of Princeton, the provisions of this ordinance shall control to the extent of such inconsistency only.

SECTION 16. 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 17. Effective date; applicability. This ordinance shall take effect upon its passage and publication, filing with the Mercer County Planning Board, and as otherwise required by law; shall be applicable within the entire municipality of Princeton; and shall become a part of the new Princeton Code once completed and adopted.

Dawn M. Mount, RMC, Clerk

Hon. Mark Freda, Mayor

STATEMENT OF PURPOSE: The purpose of this ordinance is to amend Princeton's zoning regulations regarding permitted nonresidential uses in various business and service zones throughout the municipality.