

Ordinance #2025-18

AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON REVISING THE DEFINITION OF “MINOR SITE PLAN”; MODIFYING CERTAIN PROVISIONS PERTAINING TO ADMINISTRATIVE APPROVALS AND ZONING PERMITS; UPDATING THE CHECKLIST FOR MINOR SITE PLAN APPLICATIONS; AND AMENDING THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974” AND THE “CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968.”

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

Section 1. Definition of “minor site plan” in section T10B-2 of the “Code of the Township of Princeton, New Jersey, 1968” amended. The definition of “minor site plan” set forth in section T10B-2, “Definitions”, of the “Code of the Township of Princeton, New Jersey, 1968” (“Township Code”) is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

MINOR SITE PLAN — A development of one or more lots, that: (a) [proposes new development within the scope of development specifically permitted by ordinance as a minor site plan] does not require the development of on-site stormwater management pursuant to section T10B-227.1 of this chapter, subdivision approval pursuant to section T10B-139, relief pursuant to N.J.S.A. 40:55D-51b, -70c or -70d, or conditional use approval pursuant to N.J.S.A. 40:55D-67; (b) does not involve planned development, any new street or extension of any off-tract improvement that is to be prorated pursuant to Section 30 of the Municipal Land Use Law (N.J.S.A. 40:55D-42), or development within a designated redevelopment area pursuant to an adopted redevelopment plan; and (c) contains the information reasonably required in order to make an informed determination as to whether the requirements established by this chapter [for approval of a minor site plan] in Article X, Division 2 have been met.

Section 2. Section 10B-206 of the Township Code pertaining to administrative approvals of certain types of development proposals. Section 10B-206, “Exemptions,” of the Township Code is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ T10B-206 Exemptions.

The following are exempt from the requirements of this article:

- (a) Minor subdivisions.
- (b) Individual lot applications for detached one-dwelling unit or two-dwelling-unit buildings permitted as of right under applicable zoning regulations, and structures and uses incidental thereto; but this exemption shall not apply wherever three or more dwelling units are proposed to be constructed under common ownership or control on contiguous lots or on lots within the same subdivision under construction permit issued during the same period of 12 months beginning with the date of the first permit issued.
- (c) Any development proposal which is for a permitted use or an approved conditional use which the zoning officer and municipal engineer determine will have no detrimental impact, as measured by the criteria and standards set forth in section T10B-226, if the planning director concurs, provided that the development does not increase the degree of noncompliance or create a new noncompliance with respect to any bulk regulations set forth in this Chapter. The request for exemption shall be made by the filing of a classification application pursuant to the provisions of section T10B-207(a). If the development is found to be exempt under this paragraph, the zoning officer, municipal engineer, and planning director shall confirm this by placing the notation “exempt under section T10B-206(c)” on the submitted plan and by signing and filing the plan with the Planning Board. Any such exemption shall expire 12 months after its date of issuance unless within such period a construction permit has been obtained.
- (d) Any development proposal for which the municipality is the applicant.

- (e) The demolition of a detached one dwelling-unit or two dwelling-unit building which is not a part of a development project for which site plan approval is otherwise required.
- (f) Any building or use permitted as of right on a lot of 30 acres or more in the E-2 district in the former Borough consisting of 5,000 square feet of building area or less or a parking area of 10 or fewer parking spaces that are 150 feet or more distant from a public street.

Section 3. Section 10B-207.1 of the Township Code pertaining to Princeton's minor site plan application checklist amended. Section 10B-207.1, "Minor site plan checklist," of the Township Code is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ T10B-207.1 Minor site plan checklist.

The following checklist is designed to inform applicants as to what is required in preparing minor site plans for board review. Applicants shall check off items to confirm that they are included as part of the submission. Checklist items omitted can result in the application being found incomplete and therefore delay consideration by the Board. Utilities, details, profiles, etc. may be shown on separate sheets. This checklist must be submitted with the application. Applications filed which include a waiver request for any of the checklist items, shall be accompanied by a written statement in support of each waiver request.

*The total number of copies to be submitted is dependent upon which board hears your application. This information can be found in the cover sheet of the application.

(a) General Requirements:

- (1.) Completed application form (original + five copies).
*Maximum number of copies required is 30.

- (2.) Complete site plan and architectural drawings signed and sealed by an appropriate professional pursuant to State licensing requirements (14 copies). Plans are not to exceed 24 inches by 36 inches and all sheets must be the same size.

All plans must be collated and folded. *Maximum number of copies required is 30.

(3.) Application and Escrow Fees. Separate checks are required.

(4.) Completed W-9 and escrow agreement.

(5.) Fire Protection Plan in accordance with municipal code Section T10B-109.1 through § T10B-109.4 (six copies). *Maximum number of copies required is 30.

a. Fire protection map (14 copies, *Maximum number of copies required is 30, indicating:

1. Existing and proposed hydrants.
2. Distances between hydrants.
3. Distances to nearest hydrant.
4. Water main location, size and location where supply is coming from.

b. Narrative containing information regarding the relevant fire protection sector as well as distances and spacing of fire hydrants (14 copies, *Maximum number of copies required is 30.) This information must also include:

1. Exposure distances.
2. Accessibility of fire hydrants.
3. Demonstrating that fire flows at nearby fire hydrants, meets or exceeds municipal standards.
4. Size and type of building construction.
5. Intended use and occupancy of building.
6. Fire protection practices.

(6.) Completed checklist (original + five copies). *Maximum number of copies required is 30.

(7.) Letter from the Tax Collector stating that all taxes and assessments are paid to date.

[(8.) If applicable, completed variance appeal form and/or conditional use form (original + five copies). *Maximum number of copies required is 30.]

(8[9].) Submission of historic preservation plan when the property is located in a historic district or historic buffer district, pursuant to municipal ordinances including:

- a. Photographs of the property in question and surrounding properties.
- b. Product specifications, where appropriate.
- c. Elevations and details for proposed new construction.
- d. Floor plans.
- e. Documentation sufficient to demonstrate how the proposed improvement appears in context.
- f. Archaeological and historic sites survey.
- g. Archaeological and historic sites construction protocol.
- h. Delineated historic protection area or pre-mapped historic preservation area.
- i. When available, historic photographs, maps, plot plans and other historic site documentation.
- j. Plot plan of property showing location of all existing and proposed structures, with relationship to surrounding buildings on adjoining properties, zoning setback, driveways(s), and existing and proposed utilities.

(9[10].) If the project involves affordable housing the following must be provided:

- a. Floor plans showing the location of low and moderate income units indicating whether the unit is a one-bedroom, two-bedroom or three-bedroom unit.
- b. A table listing the number of low and moderate income units, the size of the units and the number of bedrooms.

- c. For units proposed to be for sale, the affordable housing agreement, repayment mortgage and repayment mortgage note.
- d. For units proposed for rental, declaration of covenants, conditions and restrictions, and affordable housing agreement for rental properties.

{remainder of §T10B-207.1 unchanged}

Section 4. Section 10B-325 of the Township Code pertaining to issuance or denial of zoning permits amended. Section 10B-325 of the Township Code pertaining to the issuance or denial of zoning permits is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ T10B-325. Issuance or denial; expiration; extensions; renewal.

- (a) The development enforcement officer, after receiving a complete and properly prepared request, shall issue a zoning permit if he finds that the proposed use and structure or parking lot complies with the provisions of this article and with other applicable provisions of this chapter and other ordinances of the municipality. Otherwise he shall deny the request.
- (b) Every zoning permit shall expire if the work authorized has not been commenced within 12 months after the date of issuance or has not been completed within two years from such date. The development enforcement officer may, for cause, authorize in writing one permit extension of 12 additional months for the commencement of the work and one permit extension of two additional years for the completion of work actually under way, upon the payment of the appropriate fee per section T10B-32; provided, that in the interim since the issuance of the permit, no zoning amendment or other code or regulation affecting the subject property shall have been enacted and that there is pending no published notice of a public hearing or other procedure directed toward such an amendment, code or regulation. When no further extension can be granted, application may be made for a new permit.

Section 5. Referral to Princeton Planning Board. A copy of this ordinance as amended shall be referred to the Princeton Planning Board for review pursuant to N.J.S.A. 40A:55D-26a.

Section 6. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Township Code or Borough Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 7. 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 8. Effective date. This ordinance shall take effect upon its passage and publication and filing with the Mercer County Planning Board, and as otherwise provided for by law.

Dawn M. Mount, RMC, Clerk

Hon. Mark Freda, Mayor

STATEMENT OF PURPOSE: The purpose of this ordinance is to amend Princeton's regulations pertaining to minor site plans by: (a) revising the definition of "minor site plan" in section T10B-2 of the Code; modifying the checklist for minor site plan applications; establish an expiration period for administrative approvals of certain types of development proposals; and add to the zoning regulations of the former Princeton Township the same expiration provisions pertaining to zoning permits as currently exist in the zoning regulations of the former Princeton Borough.