




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 #2026-01: 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 – January 27th, 2026
Planning Board 1st Review – February 5th, 2026
Council Amendments – February 9th, 2026
Planning Board 2nd Review – February 19th, 2026

The Princeton Council has referred Ordinance #2026-01 to the Planning Board for master plan consistency review pursuant to N.J.S.A. 40A:55D-26a. This ordinance establishes the Affordable Housing District 10 (AH-10) at the 245-247 Nassau Street property, which allows for up to 95 residential apartment units along with commercial uses; at least 18 affordable housing units are required. The ordinance was originally introduced on January 27th, and the Planning Board reviewed it at its open to the public February 5th meeting. The Council then made amendments to the ordinance on February 9th that were deemed substantial enough to require the Planning Board to perform another consistency review, which it did at its regular meeting open to the public on February 19th.

By a unanimous vote, the Board found Ordinance #2026-01 to be substantially consistent with the Princeton Master Plan and recommended approval of the Ordinance. The Board had the following comments on the ordinance during their February 5th meeting, which are still relevant:

- The Board recommends protecting mature and healthy trees on the site and its edges to the extent possible.
- Based on a comment from a member of the public, the Board encourages activating the street in front of the commercial space to create a more vibrant space than currently exists.

See the memo from us to the Board for more information on the ordinance, the Affordable Housing District 10 (AH-10) 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 *jl*
Nathan Foote, AICP, PP – Assistant Planning Director
Date: January 30th, 2026
Rev. February 13th, 2026
Subject: **Ordinance #2026-01 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 – January 27th, 2026

The Princeton Council has referred Ordinance #2026-01 to the Planning Board for Master Plan consistency review pursuant to N.J.S.A. 40A:55D-26a. The ordinance was introduced on January 27th with amendments made at second reading on February 9th. The ordinance with amendments is attached to this memo for reference. It will be heard at Council on February 23.

The ordinance establishes Affordable Housing District 10 (AH-10), comprised of one lot at 245-247 Nassau Street (Block 48.01, Lot 5). The lot currently contains two two-story professional office buildings with associated parking lots and is located in the SB Service Business zone of the former Borough. The property is adjacent to commercial and mixed uses in the SB B zone to the east and west, and is adjacent to Princeton University buildings and grounds to the south in the E-3 Education zone of the former Borough. The 245-247 Nassau Street property and its neighboring properties along Nassau Street are also within the AHO-1 Affordable Housing Overlay. The property is also opposite, to the north across Nassau Avenue, from commercial and mixed uses in the NB Neighborhood Business zone of the former Borough.

The AH-10 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. Pages 65-66 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 I of the Fourth Round Plan includes a map of site constraints and an initial conceptual plan of the development. We note that the concept was revised after adoption of the Fourth Round HEFSP to increase the number of permitted units from 90 to 95. Appendix I is attached to this memo.

As called for in the Fourth Round Plan, Ordinance 2026-01 establishes an AH-10 zone that would allow for up to 95 multi-family residential apartment units. The Ordinance also permits up to 3,300 square feet of leasable commercial use on the ground floor. With the second reading amendments, commercial use of up to 3300 sf *is* required on the ground floor. Residential uses are permitted behind the ground floor commercial and on all upper floors. At least 20% of the residential units are required to be restricted as affordable with a minimum number of 18 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 18 units. This is consistent with the Fourth Round HEFSP, in which 18 affordable units are to be provided from the 245-247 Nassau Street site. The affordable units will be regulated consistent with the Uniform Housing Affordability Controls (UHAC) and the New Jersey Fair Housing Act.

The proposed ordinance allows the apartments to be in multiple buildings. The maximum permitted height is five stories and 65 feet. The maximum impervious coverage is 90%. Per the proposed ordinance, 0.75 parking space is required for each residential unit, while no spaces are required for commercial uses. In parking lots with fewer than 100 parking spaces, a maximum of 25% of spaces are permitted to be compact spaces. No landscaping buffers are required. Four signs are permitted by the ordinance (the first dimension is the permitted height and the second dimension is the permitted width): one 15-foot by 4-foot (60 square foot) building-mounted identification sign; one 5-foot by 4-foot (20 square foot) freestanding monument sign (20 square feet permitted per side); one 1-foot by 9-foot (9 square foot) building-mounted retail sign; and one 1-foot by 9-foot (9 square foot) building-mounted parking sign.

In our professional opinion the ordinance is substantially consistent with the Master Plan. Aside from being directly called for in the Municipality's adopted Fourth Round HEFSP, Ordinance 2026-01 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 Ordinance 2026-01 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 I. 245 Nassau Street Documentation



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 2026-1 upon Introduction of Amendments
Date: Tuesday, 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 had amendments introduced at second reading at the Regular Meeting of February 9, 2026, and requires the Planning Board's further 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 #2026-01

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

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-10 (“AH-10”) 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:

- (10) AH-10 Affordable Housing – 10.

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>
48.01	5	245-247 Nassau Street	SB B	AH-10

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-490. Affordable Housing - 10 (AH-10)

- A. Purpose. The purpose of the AH-10 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 low-and moderate-income households. Specifically, the AH-10 zone is established to encourage redevelopment consisting of upper-story multiple dwellings with an affordable housing set-aside, along with ground-level retail, service, commercial and office uses.
- B. Permitted Uses. In Affordable Housing – 10 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 behind retail sales and service businesses and restaurants located on the ground floor or street level.
 - (2) Retail sales and service businesses and restaurants located on the ground floor or street level, not to exceed, in total, 3,300 sf. of net leasable floor area.
- 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. Outdoor dining / courtyard is allowable within the front yard setback.
 - (7) Home occupations.
 - (8) Fences and walls.
 - (9) Landscape amenities and open space.
 - (10) Signs.
 - (11) Storm water management facilities and other utilities.

- (12) 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-10 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 eighteen (18). 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-10 Site Development Regulations. The following site development regulations shall apply to all lots and buildings:
- (1) Minimum yard requirements:
 - a. Front yard:
 - i. To Lot 18: five (5) feet.
 - ii. All others: zero (0) feet.
 - iii. Outdoor dining courtyard(s) shall be allowable within the front yard setback.
 - b. Side yard: zero (0) feet.
 - c. Rear yard: ten (10) feet.
 - i. Stormwater management measures and emergency generator(s) shall be permitted within the rear yard setback.
 - d. Maximum front yard setback: fifteen (15) feet.
 - (2) Maximum impervious coverage: 90%.
 - (3) Building height shall not exceed five (5) stories, not to exceed sixty-five (65) feet in height.
 - (4) Maximum number of dwelling units shall not exceed 95 units in the AH-10 district.
 - (5) Maximum number of buildings: Multiple buildings per lot are permitted.
 - (6) Off-street vehicular and bicycle parking.

- a. Vehicle parking for residential uses: 0.75 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. The allowable number of compact size parking spaces shall be as follows: In parking areas and parking structures of less than 100 spaces, a maximum of 25% of such spaces may be designed as compact spaces.
 - d. Bicycle parking shall be provided in accordance with §T10B-282.2.
- F. Landscaping. No landscape buffers shall be required.
- G. Lighting. Illumination of sites and buildings shall be regulated pursuant to §B17A-365.1 Lighting.
- H. Signs.
- (1) One building-mounted identification sign shall be permitted. Such sign shall not exceed 15' x 4' (height x width) and sixty (60) square feet in size. If the sign is illuminated, it shall be either externally lit with directional lights that are shielded (so as to sufficiently illuminate the sign content) or halo-lit with shielded back glow illumination.
 - (2) One freestanding, two-sided, monument sign shall be permitted. Such sign shall not exceed one (1) foot in width, with each sign face not exceeding 5' x 4' (height x width) and twenty (20) square feet in size. The sign may be installed in the front and side yard setbacks up to the property boundaries. If the sign is illuminated, it shall be either externally lit with directional lights that are shielded (so as to sufficiently illuminate the sign content) or halo-lit with shielded back glow illumination.
 - (3) One building-mounted retail sign shall be permitted. Such sign shall not exceed 1' x 9' (height x width) and nine (9) square feet in size. If the sign is illuminated, it shall be either externally lit with directional lights that are shielded (so as to sufficiently illuminate the sign content) or halo-lit with shielded back glow illumination.
 - (4) One building-mounted parking sign shall be permitted. Such sign shall not exceed 1' x 9' (height x width) and nine (9) square feet in size. If the sign is illuminated, it shall be externally lit with directional lights that are shielded (so as to sufficiently illuminate the sign content).

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 January 27, 2026 and will be considered for final passage and adoption at the Council Meeting scheduled for February 9, 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.