

2008-1

AN ORDINANCE CONCERNING THE RESIDENTIAL SENIOR COMMUNITY-2 ("RSC-2") OVERLAY ZONE AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968"

BE IT ORDAINED by the Township Committee of the Township of Princeton, County of Mercer, State of New Jersey, as follows:

1. Article XXII of Chapter 10B of the "Code of the Township of Princeton, New Jersey, 1968" which establishes the Residential Senior Community-2 Overlay Zone ("RSC-2") District is amended to read as follows:

*Subdivision XXII. Residential Senior Community-2  
Overlay Zone (RSC-2) District.*

**Sec. 10B-272.65. Permitted uses; RSC-2 zone.**

The following uses or any combination thereof are permitted in the RSC-2 overlay zone:

- (a) Age restricted housing intended for, and solely occupied by, persons **fifty-five** years of age or older.
- (b) The permitted age restricted housing may be:
  - (1) Single family structures defined as freestanding buildings containing only one dwelling unit.
  - (2) Two family structures defined as freestanding buildings containing two dwelling units sharing one or more vertical or horizontal common walls and with each unit having a separate exterior entrance.

(3) Townhouse structures defined as freestanding buildings containing two, three, four, five or six townhouse units. A townhouse unit is defined as a dwelling unit which has freestanding walls on two sides (or if, at the end of the townhouse structure, three sides) and shares party walls with units on both sides (or, if it is at the end of a townhouse structure, shares a party wall on one side), with the unit having a separate exterior entrance.

(4) Quadraplex structures defined as four attached dwellings in one building in which each unit has two open space exposures and shares a common interior wall with one or two adjoining units, with separate ground floor access for each unit. Units are joined side to side, but are not located one above another.

(5) Multifamily structures defined as freestanding buildings containing at least two units and not more than thirty dwelling units, with each sharing with another unit or units one or more vertical or horizontal common walls. If a multifamily structure also meets the definition of a townhouse structure it shall be considered a townhouse structure.

(6) Accessory structures and uses customarily incidental to a residential retirement community development.

**Sec. 10B-272.66. Permitted gross density; RSC-2 zone.**

The permitted gross density in the RSC-2 shall be seven dwelling units per acre. Affordable housing units as defined in Section 10B-333 of this code shall be excluded from the gross density calculation provided that the total number of dwelling units (market rate and affordable) do not exceed 158 (one hundred and fifty-eight) units.

**Sec. 10B-272.67. Mandatory set aside for affordable housing; RSC-2 zone.**

Subdivision and site plan approvals for developments within the district may only be approved if twelve (12) of the sale units are age restricted affordable housing units meeting the standards in section 10B-332 and section 10B-350 as follows: eight (8) moderate income units and four (4) low income units.

Additionally, any developer shall enter into a Developer's Agreement with the township to provide for the donation of at least three (3) acres of land to the township for future municipal purposes, enlargement and improvements to a detention basin to accommodate adjacent affordable housing units and a cash contribution to the Princeton Township Affordable Housing Trust Fund as required by the township's affordable housing ordinance in effect at the time the developer receives its first construction permit for the project.

**Sec. 10B-272.68. Development rights; RSC-2 zone.**

It is not the intent of this division to prescribe the form of ownership for the dwelling units in a residential development and the ownership may be fee simple, condominium or cooperative or any combination thereof. However for the purposes of regulating the location of buildings within the development it is necessary to prescribe lot sizes, dimensions and setbacks standards. In zero lot line developments (i.e. where the dwelling units are not to be located on individually owned separate fee simple title lots) each dwelling unit or structure shall be located so that it would comply with prescribed lot standards if imaginary lot lines were superimposed on the development.

(a) The following standards shall apply to all tracts to be developed in the RSC-2 overlay district:

- |     |  |          |
|-----|--|----------|
| (1) | Minimum tract size:  | 10 acres |
| (2) | Minimum building setback from tract line<br>abutting a residential use or park: <sup>3</sup> | 100 feet |
| (3) | Minimum building setback from tract line<br>abutting a nonresidential use:                   | 35 feet  |
| (4) | Minimum building setback to height ratio<br>abutting a residential use:                      | 2.0 to 1 |
| (5) | Minimum building setback to height ratio<br>abutting a park or nonresidential use:           | 1.0 to 1 |
| (6) | Minimum parking setback from tract line<br>abutting a residential use: <sup>4</sup>          | 50 feet  |
| (7) | Minimum parking setback from tract line<br>abutting a park or nonresidential use:            | 15 feet  |
| (8) | Maximum impervious coverage:   | 30%      |

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<sup>3</sup>All setbacks abutting residential uses shall include landscape buffering as approved by the appropriate land use board having jurisdiction over the application.

<sup>4</sup>All setbacks, including parking setbacks, abutting residential uses shall include landscape buffering as approved by the appropriate land use board having jurisdiction over the application.

(9) Minimum common open space: 60%

(Provided that a minimum of 12 acres of the tract of which a minimum of 8.5 acres remains undisturbed shall be common open space.)

(10) Maximum floor area ratio:<sup>5</sup> 30%

(b) Development in the RSC-2 overlay zones which does not include the entire overlay area shall be designed to take into account the future development of the overlay zone considering future connection to its circulation, open space, utility and drainage systems.

(c) The following are the standards for each residential unit type permitted in the RSC-2 overlay district:

(1) Single family

- |    |                          |                   |
|----|--------------------------|-------------------|
| a. | Minimum lot area         | 5,000 square feet |
| b. | Minimum lot width        | 50'               |
| c. | Minimum lot depth        | 90'               |
| d. | Minimum lot frontage     | 30'               |
| e. | Minimum building setback |                   |
| 1. | Front                    | 15'               |
| 2. | Side                     | 10'               |

	3.	Combined side	25'
	4.	Rear	20'
	f.	Maximum building height	35'
	(2)	Two-family	
	a..	Minimum lot area	6,000 square
feet	b.	Minimum lot width	60'
	c.	Minimum lot depth	100'
	d.	Minimum lot frontage	40'
	e.	Minimum building setback	
	1.	Front	15'
	2.	Side	10'
	3.	Combined side	25'
	4.	Rear	20'
	f.	Maximum building height	35'
	(3)	Townhouse	
	a.	Minimum lot width	20'
	b.	Minimum lot depth	90'
	c.	Minimum lot frontage	20'
	d.	Minimum building setback	
	1.	Front	15'

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<sup>5</sup>Underground parking shall be excluded from any floor area ratio calculation.

	2.	Side	10' (end units)
	3.	Rear	15'
	e.	Maximum building height	35'
(4)		Quadraplex	
	a.	Minimum lot width	30' per unit
	b.	Minimum lot depth	40'
	c.	Minimum lot frontage	30'
	d.	Minimum building setback	
	1.	Front	15'
	2.	Side	10' (end units)
	3.	Rear	15'
(5)		Multifamily	
	a.	Minimum building setback from internal street/driveway	
	1.	Front	10'
	2.	Side	15'
	3.	Rear	20'
	b.	Minimum setback distance between multifamily buildings	
	1.	Front	35'
	2.	Side	20'
	3.	Rear	35'

c. Maximum number of stories 3

(Except a 4<sup>th</sup> story may be added to any buildings(s) constructed within 300' of a public park.)

d. Maximum height to the building plate 44'

e. Maximum building height 54'

f. Maximum height of building shall be measured

pursuant to section 10B-241, except that if underground parking facilities are proposed, the measurement shall be made from pre-existing grade 54'

Building plate is defined as the uppermost horizontal wall structural timber supporting a roof. The building plate shall be measured in the same way as building height is measured.

(d) *Off Street parking:*

(1) Parking requirements: The following parking standards shall apply for all units.

1 Bedroom 1.8 parking spaces

2 Bedroom 2.0 parking spaces

3 Bedroom 2.1 parking spaces

(2) The provisions of sections 10B-286 through 289 regarding parking lot design shall apply.

(3) Underground or structure parking shall be excluded from any floor area ratio calculation.

(4) Public streets shall not be determined to make land noncontiguous for the purposes of this ordinance.

(e) *Arrangement of buildings:*

(1) The following standards shall govern the location and arrangement of buildings:

a. Structures shall be located on the least environmentally vulnerable land on the tract as determined with reference to section 10B-233(h) and shall be sited in one or more clusters in a manner most appropriate to the natural features and critical areas of the tract.

b. Each dwelling unit shall be located so that it is accessible by police, firefighting and emergency vehicles.

c. Each dwelling unit location shall be reasonably related to the appurtenant parking areas.

(2) Multifamily, quadraplex and townhouse structures shall be no closer to each other or to single family or two-family structures than twenty-five feet on the plane which describes the buildings as backing or fronting each other. Garages for adjacent townhouse or quadraplex units may be attached to each other.

(3) Townhouse, multifamily or quadraplex structures shall not have a length in excess of one hundred eighty feet, excluding connecting hallways and shall be designed with offsets or other architectural features so as to provide breaks in the linear plane.

(4) Multifamily structures shall provide for variety in roof height and avoid the appearance of one continuous structure. Developers are encouraged to include buildings which have both two and three story portions.

(f) *Screening of uses:*

(1) Sections 10B-304 through 306 shall apply.

(2) Section 10B-307 shall be modified to require a forty foot wide buffer strip along all property lines in the RSC-2 overlay zone.

(g) *Common open space:*

(1) At least sixty (60%) percent of the tract or twelve (12) acres shall be devoted to common open space for the benefit of the residents of the residential senior community of which a minimum of at least 8.5 acres of the tract shall remain in an undisturbed state.

(2) The provisions of sections 10B-194 through 10B-195(b) shall apply except for section 10B-194.1(f).

(h) *Community space:*

(1) All developments in the RSC-2 zone may include community space for the use of residents including, but not limited to, space for dining rooms, laundry rooms, nurses' offices, other staff offices, meeting rooms, and game rooms. The community space shall not constitute gross floor area for purposes of the limitation on the floor area ratio to the extent that two percent of the total gross floor area of the development, excluding this community space.

(i) All buildings constructed within the zone shall be Leadership and Energy and Environmental Design (“LEED”) certified.

(j) All units subject to the barrier free subcode of the Uniform Construction Code must be handicapped adaptable pursuant to the provisions of N.J.A.C. 5:23-7 which shall mean that the dwelling unit has an accessible entrance; an accessible interior route into and throughout the dwelling unit, including maneuvering space at doors; and required clear floor spaces and reach ranges in all rooms. The dwelling unit shall have either the adaptable features in the kitchen and bathroom or a fully accessible kitchen and bathroom.

(k) All market rate units constructed within the zone shall be marketed with an equal preference as follows:

1. To current residents of the Township and Borough of Princeton; and
2. To parents and children of current residents of the Township and Borough of Princeton; and
3. To persons who were either residents of the Township or Borough of Princeton within the past five (5) years of the date of the adoption of this Ordinance; and
4. Current, active emergency service volunteers of the Fire Department and the First Aid and Rescue Squads; and

5. Current employees of the Township, Borough of Princeton, Princeton Public Library, Princeton Regional Board of Education or employees of any of the Joint Township and Borough of Princeton Municipal Agencies.

This preference for the sale of market rate units shall take place through the date the developer issues its final construction documents and receives its first construction permit for the development.

In providing this preference for the sale of market rate units, the developer shall maintain two (2) reservation lists. One (1) list shall contain those qualifying for the above-referenced preference. A second list shall be maintained for all others expressing an interest in purchasing a unit from the developer. While the aforementioned preference is in effect, the developer may only offer binding contracts of sale and reservation agreements to those qualifying for the preference. After the preference period has expired, the developer then may offer binding contracts of sale and reservation agreements to any potential purchaser without preference.

(1) Of the market rate units on the tract, at least twenty-four (24) of said units shall be affirmatively marketed to middle income households who have a preference to purchase as defined in subparagraph (k) above. For purposes of this article, middle income households are defined as households with a gross household income equal to 200% of the median gross household income for households of the same size within the Council on Affordable Housing (“COAH”) Housing Region #4 wherein the township is located. Any developer of market rate units within the zone shall market twenty-four (24) of said units as middle income units through the date that the developer issues its

final construction documents and receives its first construction permits. During this time frame, the developer may only offer binding contracts and reservation agreements to those who have a preference to purchase and who qualify for the middle income units. Thereafter, binding contracts and reservation agreements may be offered to any of the potential purchasers of the market rate units.

2. This Ordinance shall take effect upon its passage and publication and upon the filing of a copy of same with the Mercer County Planning Board, all of which is required by Law.

I, Kathleen Brzezynski, Deputy Clerk of the Township of Princeton, County of Mercer, State of New Jersey, do hereby certify that the foregoing is a true copy of an ordinance adopted by Township Committee at its meeting held January 28, 2008.

A handwritten signature in cursive script, appearing to read "Kathleen K. Brzezynski".

Kathleen Brzezynski  
Deputy Clerk