

2015-48

**AN ORDINANCE BY PRINCETON
REVISING THE DEFINITION OF
FLOOR AREA RATIO AND OTHER
TERMS, ELIMINATING CERTAIN
EXCEPTIONS AND EXCLUSIONS
FROM THE CALCULATION OF
FLOOR AREA RATIO, AND
AMENDING THE “CODE OF THE
BOROUGH OF PRINCETON, NEW
JERSEY, 1974” AND THE “CODE OF
THE TOWNSHIP OF PRINCETON,
NEW JERSEY, 1968”**

WHEREAS, the public has raised concerns regarding the size of homes being built in the community; and

WHEREAS, limitations on floor area ratio (“FAR”) is one of the techniques that is used to control the size of structures in Princeton; and

WHEREAS, currently, the land use regulations of both the former Borough of Princeton and the former Township of Princeton exclude structures such as garages, sheds, and porches from the calculation of FAR; and

WHEREAS, Princeton’s director of planning, zoning officer, and land use engineer, as well as the Zoning Amendment Review Committee of the Princeton Planning Board recommend that these exceptions and exclusions be eliminated; and

WHEREAS, they further recommend that the manner in which attics and basements are treated for purposes of calculating FAR be revised and made uniform throughout Princeton; and

WHEREAS, the Princeton Mayor and Council agree with these recommendations;

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

1. Section 10B-241, “Definitions” of the “Code of the Township of Princeton, New Jersey, 1968” amended. Section 10B-241, “Definitions” in Article XI, “Zoning” in Chapter 10B, “Land Use” of the “Code of the Township of Princeton, New Jersey 1968” is hereby amended by deleting therefrom the current definitions of “Floor area, gross” and “Floor area, net”, revising the definitions therein of “Floor area ratio”, “Basement” and “Story”, and adding thereto new definitions for “Floor area” and “Attic”, which shall read as follows:

Attic. The part of a building that is immediately below and wholly or partly within the roof framing.

Basement. Space in which the ceiling (defined as the bottom of the structural members of the floor above) is less than four feet above the average finished grade line along the outside walls of the building and is more than seven feet measured from the finished floor, except at points of entry or access.

Floor Area. The total area of all of the stories of all structures on the lot, measured from the outside faces of the exterior walls or from the exterior roof edges where the structure has no walls and including the following, although not by way of limitation: interior balconies and mezzanines, roofed and/or enclosed areas such as sheds, barns, garages, and carports, but with the following exceptions where the primary use is as single-family residence: basements. In addition, roofed porches with at least one open side to the extent of two hundred square feet shall not be counted as floor area. Attic space in a single family or two family residence with a height of seven feet or more measured from the finished floor to the roof rafter shall be counted as floor area except for an area that is less than one third of the area of the floor directly below. Attic areas in a single family or two family residence with a height of less than seven feet measured from finished floor to roof rafter shall not be counted as floor area.

Floor area ratio [(F.A.R.)]. The gross floor area of all buildings on a lot divided by the lot area.

Story. Any covered area whether finished or not, with a clear headroom of seven feet or more measured from the finished floor to the ceiling (defined as the bottom of the structural members of the floor or roof above). If the covered area also meets the definition of “basement,” it shall not be considered a “story.”

2. Section 17A-201, “Definitions” of the “Code of the Borough of Princeton, New Jersey, 1974” amended. Section 17A-201, “Definitions” in Article XI, “Zoning” in Chapter 17A, “Land Use” of the “Code of the Borough of Princeton, New Jersey 1974” is hereby amended by deleting therefrom the current definition of “Floor area aggregate” and revising the definitions therein of “Floor area”, “Floor area ratio”, “Basement”, “Attic” and “Story” to read as follows:

Attic. The part of a building that is immediately below and wholly or partly within the roof framing.

Basement. Space in which the ceiling (defined as the bottom of the structural members of the floor above) is less than four feet above the average finished grade line along the outside walls of the building and is more than seven feet in height measured from the finished floor, except at points of entry or access.

Floor Area. The total area of all of the stories of all structures on the lot, measured from the outside faces of the exterior walls or from the exterior roof edges where the structure has no walls and including the following, although not by way of limitation: interior balconies and mezzanines, roofed and/or enclosed areas such as sheds, barns, garages, and carports, but with the following exceptions where the primary use is as single-family residence: basements. In addition, roofed porches

with at least one open side to the extent of two hundred square feet shall not be counted as floor area. Attic space in a single family or two family residence with a height of seven feet or more measured from the finished floor to the roof rafter shall be counted as floor area except for an area that is less than one third of the area of the floor directly below. Attic areas in a single family or two family residence with a height of less than seven feet measured from finished floor to roof rafter shall not be counted as floor area.

Floor area ratio. The gross floor area of all buildings on a lot divided by the lot area.

Story. Any covered area whether finished or not, with a clear headroom of seven feet or more measured from the finished floor to the ceiling (defined as the bottom of the structural members of the floor or roof above). If the covered area also meets the definition of "basement," it shall not be considered a "story."

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

4. 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.

5. Effective date. This Ordinance shall take effect upon its passage and publication as provided for by law.

STATEMENT OF PURPOSE: The purpose of this ordinance is to amend the definitions of floor area ratio, attic, basement, story and related definitions in the land use regulations of both the former Borough of Princeton and the former Township of Princeton, in order to create uniform definitions in both codes and to eliminate certain existing exceptions from the calculations of floor area ratio, in order to address concerns regarding the construction of oversized houses throughout Princeton.

I, Kathleen K. Brzezynski, Deputy Clerk of Princeton, County of Mercer, State of New Jersey, do hereby certify that the foregoing is a true copy of an ordinance adopted by the Mayor and Council of Princeton at its meeting held December 21, 2015.



Kathleen K. Brzezynski, Deputy Clerk