

**Ordinance #2020-28**

**AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON AMENDING THE DEFINITION OF ACCESSORY DWELLING UNIT IN 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:

**1. Definition of “Dwelling unit, accessory” in section 10B-241 of the “Code of the Township of Princeton, New Jersey, 1968” amended.** The definition of “Dwelling unit, accessory” set forth in section 10B-241, Definitions, of the “Code of the Township of Princeton, New Jersey, 1968” (“Township Code”), as previously amended by Ordinance #2020-16 adopted June 29, 2020, is hereby further amended to read as follows (new text is underlined thus; deleted text is struck through ~~thus~~):

*Dwelling unit, accessory.* A group of interrelated rooms that: (a) constitutes an entirely self-contained portion of a principal, one-family dwelling, or is located in an accessory building on the same lot as a principal, one-family dwelling; (b) ~~is owned by the owner of the principal, one-family dwelling;~~ (c) ~~contains complete housekeeping facilities for only one family;~~ (d) ~~has~~ has no cooking facilities, food preparation facilities, sanitary facilities, or enclosed space in common with any other part of the building in which it is located, except vestibules, entrances, porches, garages, or laundry, heating or air conditioning rooms or equipment; and (e) ~~complies with the provisions of section 10B-255(c)(3) of this Code.~~

**2. Definition of “Accessory dwelling unit” in section 17A-201, “Definitions” of the “Code of the Borough of Princeton, New Jersey, 1974” amended.** The definition of “Accessory dwelling unit” set forth in section 17A-201 of the “Code of the Borough of Princeton, New Jersey, 1974” (“Borough Code”), as previously amended by Ordinance #2020-16 adopted June 29, 2020, is hereby further amended to read as follows (new text is underlined thus; deleted text is struck through ~~thus~~):

Accessory dwelling unit. A group of interrelated rooms that: (a) constitutes an entirely self-contained portion of a principal, one-family dwelling, or is located in an accessory building on the same lot as a principal, one-family

dwelling; (b) ~~is owned by the owner of the principal, one-family dwelling;~~  
(~~e~~) contains complete housekeeping facilities for only one family; (~~c~~~~d~~) has no cooking facilities, food preparation facilities, sanitary facilities, or enclosed space in common with any other part of the building in which it is located, except vestibules, entrances, porches, garages, or laundry, heating or air conditioning rooms or equipment; and (~~d~~~~e~~) complies with the provisions of section 10B-255(c)(3) of the “Code of the Township of Princeton, New Jersey 1968.” Wherever the term “secondary residence” is used in this chapter, it shall mean “accessory dwelling unit.”

**3. Referral to Princeton 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.

**4. 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.

**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.

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

**7. Applicability.** The provisions of this ordinance shall be applicable within the entire Municipality of Princeton upon final adoption and shall become a part of the new Princeton Code once completed and adopted.

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Delores Williams, RMC, Clerk

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Hon. Liz Lempert, Mayor

Introduced: \_\_\_\_\_, 2020

Reviewed by Planning Board: \_\_\_\_\_, 2020

Adopted: \_\_\_\_\_, 2020

**STATEMENT OF PURPOSE:** Pursuant to Ordinance #2020-16 adopted on June 29, 2020, accessory dwelling units are allowed to be located throughout the

municipality's residential zones in any principal, one-family dwelling or in an accessory building on the same lot as a principal, one-family dwelling, provided among things that the accessory dwelling unit is owned by the owner of the principal, one-family dwelling. The purpose of the ordinance is to eliminate the requirement that the principal dwelling and accessory dwelling be in common ownership.