

Ordinance #2020-54

AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON AMENDING ORDINANCE NO. 2020-21 TO INCREASE THE MAXIMUM PERMITTED DENSITY IN THE AHO-5 AFFORDABLE HOUSING OVERLAY-5 ZONING DISTRICT FROM 7 UNITS PER ACRE TO 7.5 UNITS PER ACRE

WHEREAS, on July 27, 2020, the Princeton Mayor and Council adopted Ordinance No. 2020-21, which created a new zoning district entitled the “AHO-5 Affordable Housing Overlay-5” zoning district, to allow a maximum 200-unit inclusionary residential development to be built on the Princeton Shopping Center site, in accordance with Princeton’s third round affordable housing plan; and

WHEREAS, section 9 of Ordinance 2020-21 establishes a maximum per-acre development density of seven dwelling units (“DU”s) per acre, up to a maximum of 200 DUs; and

WHEREAS, the Mayor and Council wish to increase the per-acre density from 7 DUs to 7.5 DUs, while retaining the overall 200-unit cap;

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

1. Section 9 of Ordinance No. 2020-21 amended to increase the residential development density in the AHO-5 overlay district amended. Section 9 of Ordinance No. 2020-21 adopted July 27, 2020, is hereby amended to read as follows (new text is underlined and in bold **thus**):

Section 9. Chapter 10B, _____ Affordable Housing Overlay-5 (AHO-5)
Site Development Regulations:

- (a) Maximum permitted residential density: **7.5** DU/Acre
- (b) Minimum lot size: Subdivision of land is permitted. There is no minimum lot size requirement for new lots.
- (c) Minimum yard requirements:
 - (1) Front yard: N/A
 - (2) Side yard: 10 feet
 - (3) Rear yard: N/A

- (d) Minimum Building Setback to Residential Zone: 60 feet
- (e) Maximum building height: 65 feet
- (f) Maximum number of dwelling units: 200
- (g) Maximum impervious coverage: 95% (Sec. 10B-246.1. “Maximum permitted residential lot impervious coverages” is not applicable to development within the AHO-5 district).
- (h) Minimum number of affordable housing credits created (excluding bonuses): 44
- (i) Minimum off-street parking: 1.5 spaces per dwelling unit
- (j) Minimum planted buffers to residential zones: 15 feet
- (k) Consistency with concept plan: Residential development pursuant to the AHO-5 zone shall be generally consistent with the illustrative concept plan included herein.
- (l) Floor area: The floor area of principal and accessory buildings developed pursuant to the AHO-5 district regulations shall not count towards the maximum permitted floor area ratio for permitted buildings developed pursuant to the underlying Shopping Center district.
- (m) Minimum bedroom sizes: Bedrooms within multifamily dwellings developed pursuant to the AHO-5 district regulations shall be exempt from the minimum size requirements of section 10B-279.
- (n) Development pursuant to the AHO-5 district regulations shall be exempt from the requirements of Division 9 Residential Clusters.
- (o) Height-to-Setback Ratio: The maximum ratio between the height of a building and the setback of a building to the nearest property line shall not exceed 1:1.25.

2. Referral to Princeton Planning Board. A copy of this ordinance shall be referred to the Princeton Planning Board following its introduction for review pursuant to N.J.S.A. 40A:55D-26a.

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, filing with the Mercer County Planning Board, and as otherwise provided for by law.

Delores A. Williams, RMC, Clerk

Liz Lempert, Mayor

Introduced:

Referred to Planning Board:

Adopted:

STATEMENT OF PURPOSE: This ordinance if adopted would change the per-acre development density in the AHO-5 Affordable Housing Overlay-5 zoning district from 7 dwellings units to the acre to 7.5 dwelling units to the acre, without affecting the overall 200-unit cap.