

Ordinance #2021-01

AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON REGARDING BICYCLE PARKING REQUIREMENTS FOR INSTITUTIONS OF HIGHER LEARNING AND AMENDING ARTICLE XI (ZONING) IN CHAPTER 10B OF THE “CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968”

WHEREAS, on December 7, 2020, the Council adopted Ordinance No. 2020-43, which amended Princeton’s site plan and zoning regulations to establish standards for the provision of bicycle parking in connection with private development; and

WHEREAS, the Council wishes to provide alternate means for institutions of higher learning to satisfy the bicycle parking requirements enacted by Ordinance No. 2020-43; and

WHEREAS, the Council finds that providing institutions of higher learning with greater flexibility in this regard will further the public health, safety, morals and welfare; and

WHEREAS, at the same time, the Council also wishes to make certain other “clean-up” revisions to the requirements enacted by Ordinance No. 2020-43;

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

1. Preamble. The preamble to this ordinance is hereby incorporated and made a part hereof as if restated in full.

2. Section 10B-281.1 of the “Code of the Township of Princeton, New Jersey 1968” renumbered and amended. Section 10B-281.1 “Bicycle parking required; schedule” in Article XI, “Zoning” in Chapter 10B of the “Code of the Township of Princeton, New Jersey 1968” (“Township Code”) as enacted by Ordinance No. 2020-43 adopted December 7, 2020, is hereby

renumbered to section 10B-282.1 and is amended to read as follows (deleted text is struck through and in brackets [~~thus~~]; new text is in bold and underlined **thus**):

Sec. 10B-282~~[1]~~.1. Bicycle parking required; schedule.

Bicycle parking shall be provided in accordance with the requirements set forth herein and in section 10B-204 (Bicycle parking design standards).

(a) Applicability.

(1) The bicycle parking requirement shall apply to the following:

- a. The construction of a new building;
- b. The enlargement by an increase of fifteen percent (15%) or more in the number of residential dwelling units on a lot or in the amount of non-residential floor area, or, in the case of a mixed use, the enlargement by an increase of 15% of the combined uses;
- c. The conversion of existing floor area to a new category of non-residential use, where such conversion results in a fifteen percent (15%) or more increase in the total number of bicycle parking spaces that would be required for the entire building under this section.

(2) Where bicycle parking is required pursuant to this section, it shall be applied to the entirety of any use that is established, expanded or enlarged within a building or lot and not only to the incremental increase in the intensity of such use.

(3) Site plans shall show the proposed location of bicycle parking/storage facilities on the site and on the building floor plans. A construction detail of the proposed bicycle storage facility shall be provided.

(b) Exceptions.

- (1) Detached one- and two-family residential dwellings are not required to have bicycle parking.
- (2) The enlargement, expansion or conversion of an existing building where the difference between the bicycle parking required for the proposed building and the bicycle parking that

would be required for the existing building under this section equals fewer than two (2) bicycle parking spaces.

- (3) The enlargement, expansion or conversion of an existing building resulting in a dwelling containing three or fewer dwelling units.

(c) Schedule of requirements.

<i>Building Type (1)</i>	<i>One Bicycle Parking Space for Each</i>	<i>% Long-term (LT) or Short-term (ST)</i>
Institutions of Higher Learning.....	1,400 s.f. of floor area (4) or as set forth in subsection 282.1(d) below.	LT: 0% ST: 100%
Auditoriums, stadiums, theaters, courts of law and all other places of assembly providing seats for audiences, including places of worship and funeral parlors	20 seats (2)	LT: 0% ST: 100%
Dormitories.....	2.5 beds	LT: [80] 50 % ST: [20] 50 %
Dwellings.....	1.6 bedrooms for a multifamily dwelling with three or more dwelling units	LT: 80% ST: 20%
Elementary and junior high schools	5 persons of rated occupancy (3)	LT: 0% ST: 100%
Senior high schools and similar institutions.....	5 persons of rated occupancy (3)	LT: 0% ST: 100%
Personal Services	1,000 s.f. of floor area (4)	LT: 0% ST: 100%
Professional offices and general offices	3,300 s.f. of floor area (4)	LT: 50% ST: 50%
Restaurants	1000 s.f. of floor area (4)	LT: 0% ST: 100%

Retail stores, supermarkets and shopping centers.....	1000 s.f. of floor area (4)	LT: 0% ST: 100%
School with auditoriums	As required for either, whichever is greater	LT: 0% ST: 100%

Notes:

(1) For other building types that do not fit into one of the above categories, the number of required bicycle parking spaces shall be calculated as a percentage of the required automobile parking spaces for such building type, which percentage shall be determined by the Planning Board upon referral for the appropriate number of bicycle parking spaces.

(2) Bicycle parking spaces of educational institutions that are provided for normal daytime activity for other purposes shall be considered to be available for such public uses as are normally conducted in the evening or on weekends in lecture halls, auditoriums, stadiums, theaters and gymnasiums of such institutions.

(3) At the time of application for a building permit, the institution shall certify to the development enforcement officer the rated capacity or rated occupancy of the building.

(4) For this purpose, "floor area" means the total area of all the stories of all the structures on a lot, ~~[except for any area on the site designated for bicycle parking as required by this ordinance, which shall be excluded from the calculation of "floor area,"]~~ measured from the outside faces of the exterior walls, or from the exterior roof edges where a structure has no walls, and including the following, although not by way of limitation: Interior balconies and mezzanines, roofed areas such as porches and carports and basement space. **The following shall be excluded from the calculation of "floor area":** ~~[- but excluding]~~ rooftop, roofed or enclosed area that is used for parking spaces, **and any indoor or outdoor area designated and used for bicycle parking.**

(d) Schedule of bicycle parking requirements for institutions of higher learning; annual report.

Institutions of higher learning shall have the option of providing bicycle parking spaces either in accordance with the schedule set forth in subsection (c) above, or as set forth herein.

(1) Aggregate (campus-wide) requirement: 0.4 bike parking spaces per faculty member, staff member, and student. Except with respect to required dormitory spaces, the location of the bike parking shall be at the discretion of the institution.

(2) Requirement for dormitories: 1.0 bike parking spaces for each 2.5 beds, of which 50% shall be long-term bicycle parking and 50% shall be short-term bicycle parking. These parking

spaces shall count toward the aggregate (campus-wide) obligation.

(3) Annual report: Institutions of higher learning shall submit a report to the Princeton Planning Board at the start of each academic year documenting (a) the aggregate (campus-wide) bike parking obligation for that year based on the number of faculty, staff and students that will be on campus, (b) the total number of bike parking spaces being provided, including dormitory spaces, and (c) a mitigation plan to address any shortfall in the number of spaces provided.

~~(d)~~(e) General standards for bicycle parking.

(1) The bicycle parking spaces shall be reasonably accessible, within a reasonable distance from the entrance to the use they are intended to serve, and appropriately lit.

(2) Either or both short-term bicycle parking and long-term bicycle parking shall be provided for a given land use in the percentages set forth in the schedule set forth in subsection (c) above.

(3) The required quantity of bicycle parking spaces shall be calculated by applying the minimum rates set forth in the schedule to the intensity of the applicable land use or uses, measured in floor area, number of dwellings, number of students, or other specified unit of measurement. Where the application of such rate results in a fractional value, the number of spaces shall be rounded to the nearest whole number.

(4) The bicycle parking required by this section shall be maintained exclusively for the parking of bicycles, and not for the storage of other objects unrelated to bicycles.

~~(e)~~(f) Long-term bicycle parking. Long-term bicycle parking shall be provided either onsite or reasonably nearby. It shall consist of secure and weather-protected facilities such as bicycle lockers, indoor bicycle rooms, covered bicycle cages, or sheds.

~~(f)~~(g) Short-term bicycle parking. Short-term bicycle parking shall be provided in a publicly accessible space near pedestrian entrances to the use(s) it is intended to serve. It shall consist of bicycle racks meeting the standards set forth in section 10B-204 (Bicycle parking design standards). Short-term bicycle parking may be provided adjacent to public streets and sidewalks, or within a public right of way, in which case the property owner or developer

shall work with Municipal staff to identify the appropriate location. The place of bicycle parking in any public right-of-way shall be subject to the approval of the appropriate public entity (*e.g.*, the New Jersey Department of Transportation in the case of a State right-of-way such as the King's Highway, or the Princeton Mayor and Council in the case of a municipal right-of-way), and on such terms and conditions as said entity shall deem advisable and necessary.

3. 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.

4. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Princeton or the Code of the 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 and 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.

Delores A. Williams, RMC, Clerk

Hon. Mark Freda, Mayor

Introduced:

Referred to Planning Board:

Adopted:

STATEMENT OF PURPOSE: The purpose of this ordinance is to establish an alternate means by which institutions of higher learning may meet their obligations with respect to the provision of bicycle parking.