



**ORDINANCE 16-16**

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**An Ordinance By Princeton Creating A New Historic Preservation Overlay District To Be Know As The “Witherspoon–Jackson Historic District” And Amending The “Code Of The Township Of Princeton, New Jersey, 1968” (Public Hearing April 11, 2016)**

**WHEREAS**, the Princeton Historic Preservation Commission (“HPC”) hired Wise Preservation Planning, LLC (“Wise”) to undertake and complete a survey and evaluation of the “Witherspoon-Jackson” neighborhood, generally bounded by Paul Robeson Place to the south, Witherspoon Street to the east, Bayard Lane to the west and Birch Avenue to the south.

**WHEREAS**, Wise completed and furnished to HPC its survey and district evaluation report entitled “Survey and District Evaluation Witherspoon-Jackson Community, Municipality of Princeton, NJ” and dated November 19, 2015 (“Report” or “Wise Report”), which recommended the designation of the Witherspoon-Jackson neighborhood as a historic district; and

**WHEREAS**, the Wise Report indicates that the Witherspoon-Jackson neighborhood has historical, architectural and cultural significance to the Princeton Community through the following findings:

- a. It is a cohesive and intact expression of Princeton’s largest African American community that resulted from years of social, economic and education disparity brought by discrimination and segregation;
- b. It was home to the early Italian and Irish immigrants and continued to support the minorities of Princeton through the years; and

- c. It possesses distinct characteristics of streetscape, vernacular architecture theme, proportions of small scale structures on modest properties, and a high ratio of contributing resources;

**WHEREAS**, the Report further indicates that the Witherspoon-Jackson neighborhood is:

- a. included in the Historic Preservation Element of the Princeton Community Master Plan;
- b. eligible to be listed on the State and National Register of Historic Places;
- c. associated with events that have made a significant contribution to the broad pattern of Princeton's past;
- d. possesses historic integrity and the association with lives of persons of significance to the past, embodies the distinct characteristics of an architectural type/period, and yields information important in history; and
- e. is of demonstrated historical significance on a national, state and local level;

**WHEREAS**, HPC held a public hearing on the Report and potential designation on November 30, 2015, at which time it received comments from all interested parties concerning the designation of the aforementioned district; and

**WHEREAS**, based on the findings in the Wise Report and the comments made during the public hearing, HPC has recommended the nomination of the Witherspoon-Jackson Historic District to the Princeton Mayor and Council; and

**WHEREAS**, HPC emphasized its nomination of the Witherspoon-Jackson neighborhood as a historic district to facilitate preservation of the neighborhood's history and character through

appropriate and sympathetic consideration of structure rehabilitation, development, and streetscape; and

**WHEREAS**, Wise and the HPC recommended that if designated, the Witherspoon-Jackson historic district be classified as a “Type 2” district, where preservation plan review is required for proposed work visible from a public right-of-way; and

**WHEREAS**, on February 22, 2016, the Princeton Mayor and Council conducted a public work session regarding HPC’s recommendations, during which it took extensive public comment; and

**WHEREAS**, based upon the comments received, the Mayor and Council wish to act upon HPC’s recommendation and designate the Witherspoon-Jackson neighborhood as a Type 2 historic district, subject, however, to modifications to the boundaries proposed by HPC, which modifications the Mayor and Council believe to be in the best interests of the public;

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

1. Section 10B-2, “Definitions” in Chapter 10B, “Land Use” of the “Code of the Township of Princeton, New Jersey, 1968,” Amended. The definitions of “Alter” and “Historic preservation districts type 1 and 2” set forth in section 10B-2, “Definitions” of Chapter 10B, “Land Use” of the “Code of the Township of Princeton, New Jersey, 1968” (“Code”) are hereby amended to read as follows (additions are underlined thus; deletions are in brackets [thus]).

Alter. To change the appearance of exterior elements of a structure, including changing the materials used and removing paint and cleaning by means of abrasives or chemicals or pressurized liquids. A change in the exterior color of a structure shall be considered an alteration if the change in color entails application of paint or other surface coloring to a surface which has not been painted before or if pre-primed or prefinished material is added to the exterior.

In addition, the repainting shall be considered an alteration in Historic Preservation Districts Type 1 if it is substantially out of character with the historic preservation district within which the structure is located. Such repainting, however, shall not be considered an alteration in Historic Preservation Districts Type 2. Ordinary maintenance and repainting in the same color shall not be considered an alteration within this definition. The Type 1 and Type 2 Historic Preservation Districts are shown on the “Overlay Zoning Map of Historic Preservation Districts and Historic Preservation Buffer Districts, Princeton, Mercer County, New Jersey” on file in the office of the Clerk of Princeton, prepared by the Princeton Engineering Department, as revised through [December 8, 2014,] April \_\_\_\_\_, 2016, attached hereto and adopted hereby.

Historic preservation districts type 1 and 2. Historic preservation districts as shown on the Zoning Map. The Type 1 districts are: Maybury Hill; Kingston Mill Historic District; Tusculum; Princeton Battlefield - Stony Brook Settlement Historic District; Mansgrove; Castle Howard; Drumthwacket; Drumthwacket outbuildings, consisting of Coach House/Stables, Greenhouse Potting Shed, Garden Building, Gardener’s House, Farmer’s House and Dairy, Cow Barn; Princeton Basin; Delaware & Raritan Canal Historic District; Joline - Gulick House, Constitution Hill; Edgerstoune; Olden Manor; and Donald G. Herring Estate - Old Arretton Road Historic District. The Type 2 Districts are: the Jugtown district; Bank Street district; Mercer Hill district; ~~and~~ Central Historic district; and Witherspoon-Jackson Historic District. The Type 1 and Type 2 districts are subject to the review, procedural, and substantive requirements of this Article; the only differences in the requirements that apply to them concern visibility parameters and changes in color as outlined below:

2. Overlay Zoning Map Amended. The “Overlay Zoning Map of Historic Preservation Districts and Historic Preservation Buffer Districts, Princeton, Mercer County, New Jersey” is hereby amended to add thereto the Witherspoon-Jackson Historic District, whose boundaries shall be as shown on Exhibit “A” attached hereto, consisting of the following: Blocks 13.01, 15.01, 15.02, 15.03, 15.04, 17.01, 17.02, 17.03, 17.04, 24.01 Lot 7; Block 21.01 Lots 11 through 18, and 21; Block 21.04 Lots 29, 29.0101 through 29.0105, 29.0201 through 29.0204; Block 6902 Lots 8 through 20, 21.01, 22 through 27, 33 through 41, 43 through 47, 49 through 51, 56 through 66 and Lot 70; Block 6903 Lots 2 through 4, 4.01, 4.02, 5 through 9, 9.01, 9.02, 10 through 12, 13 through 23 and 31: and Blocks 6904, 6905 and 6907.

3. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township 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, publication and filing with the Mercer County Planning Board, as provided for by law.

6. Applicability. The provisions of this Ordinance shall apply to the former Borough of Princeton and former Township of Princeton.

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Linda S. McDermott, Clerk

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Liz Lempert, Mayor

The foregoing ordinance was introduced at a special meeting of the Princeton Mayor and Council held on March 10, 2016 and will be further considered for final passage after a public hearing thereon at a meeting of said Mayor and Council to be held at the Princeton Municipal Complex, 400 Witherspoon Street, Princeton, New Jersey, on April 11, 2016, beginning at 7:00 p.m.

The purpose of the Ordinance is to create a new Type 2 historic preservation overlay district to be known as the Witherspoon-Jackson Historic District, and to amend the map depicting all historic district overlay zones accordingly.

Exhibit A



Witherspoon-Jackson Historic District

**ATTACHMENTS:**

- Marc Dashield memo (DOCX)
- illustrated street map wj (PDF)