

ORDINANCE No. 01-2019

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF SEA BRIGHT, CHAPTER 130, "LAND USE", AND TO ESTABLISH AFFORDABLE HOUSING REGULATIONS AND A MANDATORY AFFORDABLE HOUSING SET-ASIDE

WHEREAS, the New Jersey Supreme Court has determined that every municipality in the State of New Jersey has an obligation to provide the opportunity for the creation of affordable housing for low and moderate households; and

WHEREAS, the Borough of Sea Bright desires to comply with that obligation and will do so, in part, by requiring a mandatory affordable housing set-aside in connection with new multi-family residential development;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright, in the County of Monmouth, State of New Jersey, as follows:

SECTION ONE: The Code of the Borough of Sea Bright, Chapter 130, "Land Use", be and the same is hereby amended and supplemented to add thereto a new Article XVII, to read, in full, as follows:

"Article XVII. Affordable Housing Regulations.
§130-117. Mandatory Affordable Housing Set-Aside.

A. Purpose.

Unless otherwise required by existing zoning or an adopted redevelopment plan, all new multi-family residential developments of five (5) or more units that become permissible through either a use variance, a density variance increasing the permissible density at the site, a rezoning permitting multi-family residential housing where not previously permitted, or a new or revised redevelopment plan shall be required to provide an affordable housing set-aside as follows:

- (1) Required affordable housing units shall be equal to a minimum of 20% of the number of housing units proposed in the application for units offered for sale;
- (2) Required affordable housing units shall be equal to a minimum of 15% of the number of housing units proposed in the application for units offered for rent.

B. Affordable housing units may be provided on-site or off-site within the Borough."

SECTION TWO. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION THREE: If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and publication according to law and upon filing with the Monmouth County Planning Board.

I **HEREBY CERTIFY** this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on January 15, 2019 and will be further considered after a Public Hearing held on February 5, 2019 in the Municipal Building at 1097 Ocean Avenue at 7:00 p.m.

INTRODUCED: January 15, 2019
PUBLIC HEARING: February 5, 2019
ADOPTED: February 5, 2019

Witness:

BOROUGH OF SEA BRIGHT


Christine Pfeiffer
CHRISTINE PFEIFFER, CLERK

Dina Long
DINA LONG, Mayor