



Agenda
Meeting of the Municipal Council
Thursday, April 30, 2020
REGULAR MEETING 6:00 PM

I. Regular Meeting - 6:00 p.m.

- B. Silent Prayer/Moment of Reflection
- C. Salute to the Flag
- D. Announcement - Open Public Meetings Act

As to comply with the “Open Public Meetings Act,” Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Annual Notice was forwarded to the Asbury Park Press, The Coaster and The Star Ledger on January 7, 2020, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

- E. Public Participation
- F. Matters From Council
- G. Individual Resolutions

2020-154 Resolution Authorizing And Directing The Tax Collector To Extend The Second Quarter 2020 Grace Period

H. Ordinances

1. Second Reading/Public Hearing

2020-12 An Ordinance Amending the Land Development Regulations of The City of Asbury Park to Amend Article Viii Redevelopment Plans, Section 30-110.2 Main Street Redevelopment Plan, Consistent with And Designed to Effectuate the City’s Adopted 2019 Third Round Housing Element and Fair Share Plan

2020-13 An Ordinance Amending the Land Development Regulations of The City of Asbury Park to Amend Article VI Zoning, Section 30-71.3 (B1) Downtown Retail District, Section 30-71.4 (B2) Main Street Retail Sales and Service and Section 30-71.5 (Nc) Neighborhood Commercial Districts to Consolidate Zone Districts, Amend Permitted Uses and Incentivize the Creation of Inclusionary Housing Consistent with And Designed to

Effectuate the City's Adopted 2019 Third Round Housing Element and Fair Share Plan

- 2020-14 An Ordinance of The City of Asbury Park, County of Monmouth And State Of New Jersey Adding Chapter 31 "Affordable Housing" To the Code of The City of Asbury Park to Address the Requirements of The NJ Superior Court
- 2020-15 An Ordinance Amending the Land Development Regulations of The City of Asbury Park to Amend Article Viii Redevelopment Plans, Section 30-110.1 Central Business District (CBD) Redevelopment Plan, Consistent with And Designed to Effectuate the City's Adopted 2019 Third Round Housing Element and Fair Share Plan
- 2020-16 An Ordinance of The City of Asbury Park Re-Zoning Certain Properties and Adopting an Updated Zoning Map

I. Adjournment



RESOLUTION NO. 2020-154

**City of Asbury Park
County of Monmouth
State of New Jersey**

RESOLUTION AUTHORIZING AND DIRECTING THE TAX COLLECTOR TO EXTEND THE SECOND QUARTER 2020 GRACE PERIOD

WHEREAS, in an attempt to alleviate some of the financial burden on property taxpayers during the COVID-19 State of Emergency and Public Health Emergency crisis, Governor Philip D. Murphy executed Executive Order No. 130 on April 28, 2020, which authorizes municipalities to adopt a Resolution to extend the grace period associated with the second quarter 2020 tax payment, which is due as of May 1, 2020, to a date no later than June 1, 2020; and

WHEREAS, the Mayor and Council of the City of Asbury Park are extremely sensitive to the financial hardships that are being suffered by many property taxpayers during the current time, and wish to extend the grace period associated with the second quarter 2020 tax and sewer payment(s) until June 1, 2020, in accordance with the authorization provided by Executive Order No. 130; and

WHEREAS, upon passage of this Resolution, the due date for the second quarter 2020 property tax and sewer payment(s) shall remain as May 1, 2020, but the grace period associated with making said payment(s) shall be extended to June 1, 2020, after which time interest shall accrue dating back to May 1, 2020 (and shall be calculated in accordance with the interest rates previously set by the City).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey, as follows:

1. That the Tax Collector is hereby authorized and directed to extend the grace period associated with the second quarter 2020 property tax and sewer payment(s) to June 1, 2020, after which time interest shall accrue dating back to May 1, 2020 (and shall be calculated in accordance with the interest rates previously set by the City).
2. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Director, Division of Local Government Services
 - b. Tyrone Young, CTC;
 - c. JoAnn Boos, CFO;

- d. Donna Vieiro, City Manager; and
- e. Frederick C. Raffetto, Esq., Municipal Attorney.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2020-154 which was finally adopted by the City Council at a meeting held on the 30th day of April, 2020

CERTIFIED BY ME THIS 30th DAY OF April, 2020.

MELODY HARTSGROVE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2020-12**

**AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE
CITY OF ASBURY PARK TO AMEND ARTICLE VIII REDEVELOPMENT PLANS,
SECTION 30-110.2 MAIN STREET REDEVELOPMENT PLAN, CONSISTENT WITH
AND DESIGNED TO EFFECTUATE THE CITY'S ADOPTED 2019 THIRD ROUND
HOUSING ELEMENT AND FAIR SHARE PLAN**

WHEREAS, the Planning Board adopted a Master Plan & Master Plan Reexamination Report in December 2017 that includes a Housing Objectives and recommendations;

WHEREAS, the Master Plan & Master Plan Reexamination Report recommended identification of inclusionary zoning opportunities, ensuring affordable housing units and projects are consistent with State standards, and adoption of a housing element and fair share plan;

WHEREAS, the Planning Board adopted a Third Round Housing Element and Fair Share Plan in February 2019 that recommended amendments to the City's Land Development Regulations intended to promote and incentivize the creation of affordable housing units in inclusionary development;

WHEREAS, the Third Round Housing Element and Fair Share Plan recommended amending the Main street Redevelopment Plan to promote and incentivize inclusionary housing requirements consistent with N.J.A.C. 5:93, the substantive rules of the Council on Affordable Housing;

WHEREAS, the amended Redevelopment Plan standards herein are consistent with the 2019 Housing Element and Fair Share Plan; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Asbury Park, Monmouth County, New Jersey, that the Main Street Redevelopment Plan is hereby amended to provide new inclusionary housing standards as follows:

SECTION 1. Amend Section 30-110.2 Main Street Redevelopment Plan as follows:

Additions are shown as thus; deletions shown as ~~thus~~

...

Ordinance No. 2019-_____ adopted _____-2019. Amends the affordable housing requirements in the Main Street Redevelopment Plan.

SECTION 2. Amend the 2018 Amended Main Street Redevelopment Plan, Proposed Land Uses & Building Requirements by Character District, Land Uses, page 38:

Additions are shown as **thus**; deletions shown as ~~thus~~

...

Principal Land Uses, Sunset Park:

Open space; multifamily residential (except on ground floor); art galleries and exhibition spaces; professional, medical, and business offices; retail stores; restaurants (dine-in), **personal services**.

SECTION 3. Amend the 2018 Amended Main Street Redevelopment Plan, Proposed Land Uses & Building Requirements by Character District, Bulk & Lot Requirements, page 39:

Additions are shown as **thus**; deletions shown as ~~thus~~

...

Height, Civic Core / South Gateway:

Min. 2 to max. 8 stories, or 90 feet

Height, Community Shopping Zone:

Min. 1 to max 4 stories, or 45 feet

Height, Asbury Avenue Gateway:

Min. 1 to max 5 stories, or 55 feet

Height, Sunset Park:

Min. 1 to max 5 stories, or 55 feet

Height, North Gateway:

Min. 1 to max 5 stories, or 55 feet

SECTION 4, Amend the 2018 Amended Main Street Redevelopment Plan, Parking Requirements, Parking Standards table, Residential Land Uses, page 42:

Additions are shown as **thus**; deletions shown as ~~thus~~

Low, moderate and middle income residences, per unit, 0 spaces minimum, 2 spaces maximum.

SECTION 5. Amend the 2018 Amended Main Street Redevelopment Plan Recommended Redevelopment or Rehabilitation Activities & Identification of Redevelopment or Rehabilitation Parcels, page 49:

Additions are shown as **thus**; deletions shown as **~~thus~~**

Municipal Building Redevelopment. Parcels 113.2 and 113.1 are recommended for redevelopment. These parcels are currently owned by the City of Asbury Park. These parcels would be developed in phases with a new municipal building and mixed-used structures with ground floor retail and upper-story offices and residential units. **The residential units shall be subject to a 25% set-aside of low- and moderate-income housing.** The mixed use structures would wrap around a parking garage that would serve this district. The Transportation Center and its surroundings would be improved in accordance with the Asbury Park Transportation Improvement Study.

SECTION 6. Amend the 2018 Amended Main Street Redevelopment Plan, Affordable Housing, page 51:

Additions are shown as **thus**; deletions shown as **~~thus~~**

The City's Master Plan includes two specific objectives regarding affordable housing:

- Balance housing options in the City, including affordable housing for low and moderate-income households. Encourage the continued development of a variety of housing ranging from affordable to middle income and market rate units.
- To fully integrate affordable housing throughout the City both within projects and geographically throughout Asbury Park.

The Main Street Redevelopment Area is envisioned to include new residential development. New residential development within this Redevelopment Area must contribute toward meeting the aforementioned City-wide objectives delineated in the City's Master Plan. **The creation of five (5) or more new residential units shall require a 20% set-aside of low and moderate income housing units of the new units, with the exception of the Municipal Building Redevelopment parcel, which shall provide a 25% set-aside of low and moderate income housing.**

Additional density of five (5) units per acre above the permitted maximum density shall be provided where 8% or more of new residential units are reserved for middle income housing and where 20% or more of new residential units are reserved for low and moderate income housing. The set-aside requirement for low and moderate income housing units shall be required whenever five (5) or more new residential units are created, even if middle income units are provided.

Affordable housing units shall comply with the City's affordable housing regulations and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80- 26.1), which shall control in the case of any conflicts with this ordinance, provided that a minimum of 13 percent of the total low- and moderate-income units shall be affordable to very low income households (i.e. 30% or less of median income).

Section 7. Severability.

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the City of Asbury Park declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 8. Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.

Section 9. Repealer.

All ordinances or Code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2020-12 which was finally adopted by the City Council at a meeting held on the 30th day of April, 2020

MELODY HARTSGROVE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2020-13**

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF ASBURY PARK TO AMEND ARTICLE VI ZONING, SECTION 30-71.3 (B1) DOWNTOWN RETAIL DISTRICT, SECTION 30-71.4 (B2) MAIN STREET RETAIL SALES AND SERVICE AND SECTION 30-71.5 (NC) NEIGHBORHOOD COMMERCIAL DISTRICTS TO CONSOLIDATE ZONE DISTRICTS, AMEND PERMITTED USES AND INCENTIVIZE THE CREATION OF INCLUSIONARY HOUSING CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE CITY'S ADOPTED 2019 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Planning Board adopted a Master Plan & Master Plan Reexamination Report in December 2017 that includes Land Use and Housing Objectives and recommendations;

WHEREAS, the Master Plan & Master Plan Reexamination Report recommended consolidation of the B2 and NC districts, and modernization of the permitted uses;

WHEREAS, the Master Plan & Master Plan Reexamination Report also recommended identification of inclusionary zoning opportunities, ensuring affordable housing units and projects are consistent with State standards, and adoption of a housing element and fair share plan;

WHEREAS, the Planning Board adopted a Third Round Housing Element and Fair Share Plan in February 2019 that recommended amendments to the City's Land Development Regulations intended to promote and incentivize the creation of affordable housing units in inclusionary development;

WHEREAS, the Third Round Housing Element and Fair Share Plan recommended amending the B2 and NC Districts consistent with the Master Plan & Master Plan Reexamination Report and to incentivize inclusionary housing consistent with N.J.A.C. 5:93, the substantive rules of the Council on Affordable Housing;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Asbury Park, Monmouth County, New Jersey, that the Land Development Regulations as contained in Chapter 30 of the Code of the City of Asbury Park are hereby amended to incentivize new inclusionary housing as follows:

SECTION 1. Amend Section 30- 15 Definitions as follows:

Additions are shown as **thus**; deletions shown as **~~thus~~**

URGENT CARE CENTER

Shall mean any use engaged in providing walk-in, extended hour access for acute illness and injury care that is either beyond the scope or availability of the typical primary care

practice or medical clinic. No overnight patients shall be kept on the premises. Medical offices and hospitals shall not be included.

SECTION 2. Amend Section 30- 66.1 Designation of Zoning Districts as follows:

Additions are shown as thus; deletions shown as ~~thus~~

...

~~B1 Downtown Retail District~~

~~B2 Main Street Retail Sales and Service~~

~~NC Neighborhood Commercial~~

B Business District

...

SECTION 3. Amend Section 30-67 Schedule of Zone District Area, Yard and Building Requirements as set forth in the attached. Additions are shown as thus; deletions shown as thus in the attached.

SECTION 4. Amend Section 30-68.3 Height Regulations as follows:

Additions are shown as thus; deletions shown as ~~thus~~

...

3. In the ~~B1, B2~~ **B** and LI Zone Districts, penthouses are exempt from height restrictions provided they cover not more than twenty (20%) percent of the main roof area, are not more than twelve (12) feet, and further provided that all building service equipment and appurtenances are enclosed in the penthouse in addition to any use permitted in the zone where located.

...

SECTION 5. Amend Section 30-71.2 Accessory Uses as follows:

Additions are shown as thus; deletions shown as ~~thus~~

Customary accessory uses such as signs (subject to § 30-61) and parking facilities (subject to § 30-59) are permitted in the **B1, B2 B** and LI Zones. Storage trailers are specifically prohibited as accessory uses.

SECTION 6. Delete Section 30-71.4 (B2) - Main Street Retail Sales and Service.

SECTION 7. Rename and Amend Section 30-71.5 (NC) - Neighborhood Commercial as follows:

Additions are shown as thus; deletions shown as ~~thus~~

Section 30-71.5 (~~NC~~) – ~~Neighborhood Commercial~~ **(B) Business District**

a. Permitted Uses.

1. ~~Hardware stores.~~ Stores and shops for the conduct of a retail trade or services not specifically prohibited.

2. Personal services.

3. Take-out and sit-down restaurants.
4. Art galleries, art studios, museums, and theaters along Asbury Avenue.
5. Artist live/work studios
1. ~~Delicatessens.~~
6. Convenience stores.
1. ~~Card and gift shops.~~
1. ~~Pharmacies.~~
1. ~~Florists.~~
7. Business, secretarial, and trade schools.
8. Gymnasiums, and health and fitness clubs.
9. Dance studios, martial arts schools, and similar instructional schools.
10. Laundromats.
1. ~~Dry cleaners and tailors.~~
11. ~~Groceries and supermarkets.~~
11. Business and professional offices, banks, and fiduciary institutions.
12. Medical Offices.
13. Arcades.
14. ~~Automobile rental uses,~~ Automobile rental uses located along Memorial Drive only.
15. Upper story residences subject to subsection f. herein and § 30-73.11.
16. One (1) and two (2) family residences existing as of the date of this Ordinance.

b. Prohibited Uses

1. Nursing homes.
2. Licensed health care facilities.
3. Soup kitchens and food pantries.
4. Houses of worship and places of assembly.
5. Social clubs.
6. Retail and used car sales.
7. Motor vehicle repair garages.
8. Motor vehicle body repair garages.
9. Nightclubs and cabarets.
10. Gas stations.
11. Drive throughs.
12. Sexually oriented land uses.

c. Permitted Accessory Uses.

1. Accessory buildings.
2. Private recreational facilities and common open space.
3. Off-street parking facilities, including garages and/or structured parking
4. Minor home occupations.

d. Permitted Conditional Uses.

1. Urgent Care Center.

2. Microbrewery or brew pub, including distilleries.
3. Sound recording and rehearsal studios above the first floor of a building.

e.e. Off-street Parking Requirements

1. For new development on vacant property: One (1) parking space per three hundred fifty (350) square feet of gross floor area, **with the exception that floor area devoted to low, moderate and middle income housing units shall not require parking.** Parking requirement may be met through lease of Municipal parking within one thousand (1,000) feet of the site.

f. Affordable Housing Requirements

1. The creation of five (5) or more new residential units shall require a 20% set-aside of low and moderate income housing units.
2. Additional density of five (5) units per acre above that which is permitted in the district shall be provided where 8% or more of new residential units are reserved for middle income housing and where 20% or more of new residential units are reserved for low and moderate income housing. The set-aside requirement for low and moderate income housing units shall be required whenever five (5) or more new residential units are created, even if middle income units are provided.
3. Affordable housing units shall comply with the City's affordable housing regulations and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80- 26.1), which shall control in the case of any conflicts with this ordinance, provided that a minimum of 13 percent of the total low- and moderate-income units shall be affordable to very low income households (i.e. 30% or less of median income).

g. Site Design.

1. Parking shall not be located between a building and a public street.
2. A planted buffer strip of not less than 10 feet in width or a solid fence shall be provided along each side or rear property line that abuts a residence.

h. Building Design.

1. First-floor facades containing nonresidential uses which are visible from a public street shall be expressed as building modules that do not exceed 40 feet in width so as to eliminate blank walls, create more interesting architecture, and facilitate small-scale commercial opportunities. Architectural elements including but not limited to piers, columns, insets, projections or other vertical elements must be used to visually break up the plane of the first floor façade.

2. Where facing a public street, nonresidential uses shall have a minimum of 60% of the ground floor facade between three (3) and 10 feet above grade and shall have 30% of upper floor facades be transparent and shall provide visual access to the street. Blanked-out windows, windows which display only signage, or look into unused or "dead" space do not meet this requirement.

3. Structured parking that is visible to a public street shall not exceed one story (parking level). Structured parking shall be screened by structural elements that are compatible with the materials and design of the front and side building facades.

4. Building materials and architectural details shall be consistent on all sides of each building.

5. Multiple principal buildings shall be permitted on a lot.

6. Maximum building length: 100 feet.

7. Building facades shall be finished in stone veneer, cement stucco, brick, fiber cement panel and/or cast stone. Metal shall be used only for minor accentuation of other elements of the facade.

8. Building entrances shall be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings and architectural treatments.

9. Pedestrian friendly building design and on-site site furnishings (outdoor tables, benches, bicycle racks, etc.) are required along the public street.

10. Roof design:

(a) Roof shape, color, and texture shall be coordinated with the exterior materials of the building's facade.

(b) Roof design shall minimize the negative impact of roof protrusions by grouping plumbing vents, ducts, and other utility structures together.

(c) Rooftop equipment such as mechanical units, vents, and flues shall be located centrally on the building roof, to the extent practicable. Any equipment visible from a publicly accessible area, adjacent lots, and pedestrian corridors shall be screened with solid materials using parapets, pitched roof forms, or penthouses. Screening shall be constructed of the same or complementary material as the building.

SECTION 8. Amend Section 30-71.6 (LI) Light Industrial as follows:

Additions are shown as **thus**; deletions shown as **~~thus~~**

a. Permitted Uses. All uses permitted ~~under § 30-71.3 through 30-71.5 in the B District~~ plus the following uses: cabinet makers; furniture makers; glass and mirror cutters; machine shops; welders; manufacture, assembly or fabrication of tangible products that does not involve emission of smoke, fumes or dust and does not generate noise in excess of sixty (60) decibels beyond the property line; warehousing; wholesaling; repair shops, not to include motor vehicle repair.

...

SECTION 9. Amend Section 30-73.11 Upper Story Residences in Nonresidential Zoning Districts as follows:

Additions are shown as **thus**; deletions shown as ~~thus~~

Upper story residences in nonresidential business districts shall comply with the following requirements:

- a. ~~There shall be not more than four (4) apartments on any commercial property.~~
- a. Access to all apartments shall be separate from any access to nonresidential use in the same building.
- b. **The portion of the first floor of buildings directly fronting on a public street shall have not less than 85% of the building length consist of permitted nonresidential uses; up to 15% of the remaining building length may consist of residential uses, which shall include but is not limited to residential units, entries and vestibules, mail rooms, and other residential accessory uses. The portion of the first floor of buildings facing an off-street parking area may consist of residential uses. ~~Apartment shall not be permitted on the first floor of any building in a nonresidential zoning district, and shall not be permitted on any floor in a building which floor contains a nonresidential establishment.~~**
- c. Apartment shall not consist of more than three (3) bedrooms.
- d. A commercial building that is enlarged to provide for one (1) or more upper story residences shall be required to provide one (1) additional off-street parking space per apartment.
- e. The applicant shall submit a proposal for the handling and disposal of solid waste, including the means by which differing recycling requirements between commercial and residential uses will be reconciled and shall comply with all applicable requirements regarding same.
- f. **Parking shall not be required for low, moderate and middle income units.**

SECTION 10. Amend Section 30-76 Regulations Governing Conditional Use, at subsection 30-76.3 (Specific Standards) thereof, as follows:

Additions are shown as **thus**; deletions shown as ~~thus~~

- a. ~~Reserved. Urgent care.~~
- 1. **Access shall be provided from Memorial Drive, Asbury Avenue, or Main Street.**
- 2. **Where abutting a residential zone district, operating hours shall be between 7am and 10pm.**
- 3. **Parking shall be provided in accordance with the B district requirements.**

...

Section 11. Severability.

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the City of Asbury Park declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 12. Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.

Section 13. Repealer.

All ordinances or Code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2020-13 which was finally adopted by the City Council at a meeting held on the 30th day of April, 2020

MELODY HARTSGROVE
CITY CLERK

SECTION 3. Amend Section 30-67 Schedule of Zone District Area, Yard and Building Requirements

Commercial Uses Part 1					
Zone	Min. Lot Size	Min. Lot Width	Min. Side Yd.	Min. Agg. Side	Min. Front Yd.
B1	None	None	None or 5' to abutting bldg.	--	None
B2	None	None	Same as B1	--	10 ft.
NC	5,000 s.f.	50 ft.	Same as B1	--	10 ft. min.
<u>B</u>	<u>Vacant parcels: 5,000 s.f.</u> <u>All others: existing lot area</u>	<u>Vacant parcels: 50 ft.</u> <u>All others: existing lot area</u>	<u>Adjacent to nonresidential district or use:</u> <u>None</u> <u>Adjacent to residential district or use:</u> <u>5 ft.</u>	<u>None</u>	<u>Memorial Dr.: Min. 10 ft.; Max. 25 ft.</u> <u>All other streets: Min. 0 ft.; Max. 10 ft.</u>
PO	5,000 s.f.	50 ft.	Same as R1	Same as R1	Same as R1
LI	None	None	Same as B1	--	10 ft.
WRA	PURSUANT TO WATERFRONT REDEVELOPMENT PLAN				

Commercial Uses Part 2						
ZONE	Min. Rear Yd.	Max. Density	Max. FAR	Min. OSR	Max. Bldg. Cov.	Max. Height
B1	10% Lot Depth: 1	--	2.5	--	90% above 1st. St.	6 st. 75 ft.

Attachment: formatted chart (2020-13 : Chapter 30 Zoning to consolidate (B1),(B2), and (NC) into B District)

B2	Same as B1	--	1	--	Same as B1	3 st. 40 ft.
NC	30 ft.	--	0.75	--	50%/80% w. Parking	3 st. 30 ft.
<u>B</u>	<u>10 ft.</u>	<u>40 du/ac, not less than 5 units</u>	<u>2.5</u>	=	<u>80%</u>	<u>4 st. 50 ft.</u>
PO	Same as R1	--	0.75	--	35%/50% w. Parking	3 st. 30 ft.
LI	Same as B1	--	2.5	--	Same as B1	3 st. 40 ft.
WRA	PURSUANT TO WATERFRONT REDEVELOPMENT PLAN					



**Asbury Park, New Jersey
ORDINANCE NO. 2020-14**

**AN ORDINANCE OF THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH
AND STATE OF NEW JERSEY ADDING CHAPTER 31 "AFFORDABLE HOUSING"
TO THE CODE OF THE CITY OF ASBURY PARK TO ADDRESS THE
REQUIREMENTS OF THE NJ SUPERIOR COURT**

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Asbury Park as follows:

Section I. Chapter 31 of the Code of the City of Asbury Park, entitled "Fair Share Affordable Housing Ordinance," is Hereby Created. Chapter 31, "Fair Share Affordable Housing" is hereby added to the Code to read as follows:

**Chapter 31
AFFORDABLE HOUSING**

**ARTICLE I
General Program Purposes, Procedures**

§ 31-1. Affordable Housing Obligation.

- A. This section of the City Code sets forth regulations regarding the low and moderate income housing units in the City consistent with the provisions known as the "Substantive Rules of the New Jersey Council on Affordable Housing", *N.J.A.C. 5:93 et seq.*, the Uniform Housing Affordability Controls ("UHAC"), *N.J.A.C. 5:80-26.1 et seq.* except where the UHAC requirements for the creation of very-low income units are superseded by the requirements of the Fair Housing Act as established in P.L. 2008, c.46 (the "Roberts Bill", codified at *N.J.S.A. 52:27D-329.1*), and the City's constitutional obligation to provide a fair share of affordable housing for low and moderate income households.
- B. This Ordinance is intended to assure that very-low, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very-low, low- and moderate-income households shall occupy these units. This Ordinance shall apply to all inclusionary developments and 100% affordable developments (including those funded

with low-income housing tax credit financing)_except where inconsistent with applicable law.

- C. This Ordinance is also intended to create standards and mechanisms for the creation and preservation of housing units affordable to middle-income households not provided for in the Fair Housing Act or in the rules promulgated by COAH. Except where otherwise required in this chapter, units in the City reserved for middle-income households will be subject to the same controls as units reserved for very-low, low-, and moderate-income households per UHAC and COAH's substantive rules.

§ 31-2. Affordable Housing Monitoring

- A. Beginning on July 1, 2020, and on every anniversary of that date, the City shall provide annual reporting of its Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center, Inc., and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.
- B. Beginning on July 1, 2020, and on every anniversary of that date, the City shall provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center, Inc., using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by Fair Share Housing Center, Inc.
- C. By July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the City shall post on its municipal website, with a copy provided to Fair Share Housing Center, Inc., a status report as to its implementation of its Housing Element and Fair Share Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity. Such posting shall invite any interested party to submit comments to the municipality, with a copy to Fair Share Housing Center, Inc., regarding whether any sites no longer present a realistic opportunity.
- D. By July 1, 2020, and every third year thereafter, as required by N.J.S.A. 52:27D-329.1, the City will post on its municipal website, with a copy provided to Fair Share Housing Center, Inc., a status report as to its satisfaction of its very low income requirements, including its family very

low income requirements. Such posting shall invite any interested party to submit comments to the municipality and Fair Share Housing Center, Inc., on the issue of whether the municipality has complied with its very low income and family very low income housing obligations.

§ 31-3. Definitions. As used herein the following terms shall have the following meanings:

“Act” means the Fair Housing Act of 1985, P.L. 1985, c. 222 (*N.J.S.A. 52:27D-301 et seq.*).

“Adaptable” means constructed in compliance with the technical design standards of the Barrier Free Subcode, *N.J.A.C. 5:23-7*.

“Administrative agent” means the entity responsible for the administration of affordable units in accordance with this ordinance, *N.J.A.C. 5:91*, *N.J.A.C. 5:93* and *N.J.A.C. 5:80-26.1 et seq.*

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to *N.J.A.C. 5:80-26.15*.

“Affordability average” means the average percentage of median income at which restricted units in an affordable housing development are affordable to low-, moderate-, and middle-income households.

“Affordable” means, a sales price or rent within the means of a low- or moderate-income household as defined in *N.J.A.C. 5:93-7.4*, or within the means of a middle income household as defined in this Chapter; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in *N.J.A.C. 5:80-26.6*, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in *N.J.A.C. 5:80-26.12*, as may be amended and supplemented.

“Affordable development” means a housing development all or a portion of which consists of restricted units.

“Affordable housing development” means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable development.

“Affordable housing program(s)” means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act, this ordinance, credited pursuant to *N.J.A.C. 5:93*, and/or funded through an

affordable housing trust fund.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (*N.J.S.A. 55:14K-1, et seq.*).

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80% of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Alternative living arrangement” means a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangement includes, but is not limited to: transitional facilities for the homeless, Class A, B, C, D, and E boarding homes as regulated by the New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

“Assisted living residence” means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

“COAH” means the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (*N.J.S.A. 52:27D-301 et seq.*).

“DCA” means the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation

that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to *N.J.S.A. 40:55D-1 et seq.*

"Fair Share Plan" means the plan that describes the mechanisms, strategies and the funding sources, if any, by which the City proposes to address its affordable housing obligation as established in the Housing Element, including the draft ordinances necessary to implement that plan, and addresses the requirements of *N.J.A.C. 5:93-5*.

"Housing Element" means the portion of the City's Master Plan, required by the Municipal Land Use Law ("MLUL"), *N.J.S.A. 40:55D-28b(3)* and the Act, that includes the information required by *N.J.A.C. 5:93-5.1* and establishes the City's fair share obligation.

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not necessarily limited to: new construction, the conversion of a non-residential structure to residential and the creation of new affordable units through the reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50% or less of the median household income. Except where otherwise specified, this shall include very-low income households.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable

county, as adopted annually by COAH or approved by the NJ Superior Court.

“Middle-income household” means a household with a total gross annual household income between 80% and 120% of the median household income.

“Middle-income unit” means a restricted unit that is affordable to a middle-income household.

“Moderate-income household” means a household with a total gross annual household income in excess of 50% but less than 80% of the median household income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80% of the regional median (120% for middle income units) as defined by adopted/approved Regional Income Limits.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, *N.J.A.C. 5:23-6*.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of *N.J.A.C. 5:80-26.1*, as may be amended and supplemented, but does not include a market-rate unit financed

under UHORP or MONI.

“Special master” means an expert appointed by a judge to make sure that judicial orders are followed. A master's function is essentially investigative, compiling evidence or documents to inform some future action by the court.

“UHAC” means the Uniform Housing Affordability Controls set forth in *N.J.A.C. 5:80-26.1 et seq.*

“Very-low income household” means a household with a total gross annual household income equal to 30% or less of the median household income.

“Very-low income unit” means a restricted unit that is affordable to a very-low income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

§ 31-4. New Construction. The following requirements shall apply to all new or planned developments that contain low-, moderate-, and middle-income housing units.

- A. A. Phasing. Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the below listed phasing schedule for low, moderate-, and middle-income units whether developed in a single-phase development, or in a multi-phase development. Middle- income units shall not be completed at a faster rate than the development’s low- and moderate- income units.

Maximum Percentage of Market-Rate Units <u>Completed</u>	Minimum Percentage of Low-, Moderate-, and Middle Income <u>Units Completed</u>
25	0
25+1	10
50	50
75	75
90	100

- B. Fractional Units. The affordable housing obligation shall be rounded down to the nearest whole number when the fraction is less than .50 and shall be rounded up to the nearest whole number when the fraction is .50 or greater.
- C. Design. In inclusionary developments, low-, moderate-, and middle-income units shall be integrated with the market units, except where otherwise permitted by the Planning Board or Zoning Board of Adjustment.
- D. Payments-in-lieu and off-site construction. The standards for the collection of payments-in-lieu of constructing affordable units or standards for constructing affordable units off-site, shall be in accordance with *N.J.A.C. 5:93-8.10(c)*.
- E. Utilities. Affordable units shall utilize the same type of heating source as market units within the affordable development.
- F. Income and Bedroom Distribution of Affordable Housing Units:
1. The fair share obligation shall be divided between low- , moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit. The income distribution of units may be superseded in a district zoning standards, where applicable.
 2. In each affordable development, at least 50% of the low-and moderate units within each bedroom distribution shall be low-income units. This may be altered where specified in the applicable zoning ordinance, redevelopment plan, or resolution of approval.
 3. Within rental developments, of the total number of affordable rental units, at least 13% of units within each bedroom distribution shall be affordable to very-low income households.
 4. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:

- (a) The combined number of efficiency and one-bedroom units shall be no greater than 20% of the total affordable units;
 - (b) At least 30% of all affordable units shall be two bedroom units;
 - (c) At least 20% of all affordable units shall be three bedroom units; and
 - (d) The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
5. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted affordable units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

G. Accessibility Requirements:

- 1. The first floor of all new restricted townhouse dwelling units and all low, moderate-, and middle-income multistory dwelling units attached to at least one (1) other dwelling unit shall be subject to the technical design standards of the Barrier Free Subcode, *N.J.A.C. 5:23-7*.
- 2. All restricted townhouse dwelling units and all low-, moderate-, and middle-income multistory dwelling units attached to at least one (1) other dwelling unit shall have the following features:
 - (a) An adaptable toilet and bathing facility on the first floor;
 - (b) An adaptable kitchen on the first floor;
 - (c) An interior accessible route of travel on the first floor;
 - (d) An interior accessible route of travel shall not be required between stories within an individual unit;
 - (e) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - (f) An accessible entranceway as set forth at P.L. 2005, c. 350 (*N.J.S.A. 52:27D-311a et seq.*) and the Barrier Free Subcode, *N.J.A.C. 5:23-7*, or evidence that the City has collected funds

from the developer sufficient to make 10% of the adaptable entrances in the development accessible:

- (1) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
- (2) To this end, the builder of restricted units shall deposit funds within the City of Asbury Park's affordable housing trust fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
- (3) The funds deposited under paragraph (2) herein, shall be used by the City for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
- (4) The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the Construction Official of the City of Asbury Park.
- (5) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, *N.J.A.C. 5:23-7*, and that the cost estimate of such conversion is reasonable, payment shall be made to the City of Asbury Park's affordable housing trust fund in care of the Municipal Treasurer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.
- (6) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is site impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, *N.J.A.C. 5:23-7*.

H. Maximum Rents and Sales Prices.

1. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in

UHAC and by the Superior Court, utilizing the most recently published regional weighted average of the uncapped Section 8 income limits published by HUD and the Superior Court.

2. The maximum rent for low- and moderate-income restricted rental units within each affordable development shall be affordable to households earning no more than 60% of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52% of median income.
3. The maximum rent for middle-income restricted units within each affordable development shall be affordable to households earning no more than 100% of median income, and the average rent for restricted middle -income units shall be affordable to households earning no more than 90% of median income.
4. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for units in each income category.
 - (a) At least 13% of all low- and moderate-income rental units shall be affordable to households earning no more than 30% of median income.
5. The maximum sales price of restricted low- and moderate-income ownership units within each affordable development shall be affordable to households earning no more than 70% of median income, and each affordable development must achieve an affordability average of 55% for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
6. The maximum sales price of middle-income restricted ownership units within each affordable development shall be affordable to households earning no more than 110% of median income, and each affordable development must achieve an affordability average of 95% for restricted ownership units; in achieving this affordability average, middle-income ownership units must be available for at least two different prices for each bedroom type.
7. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be met:

- (a) A studio or efficiency unit shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a one and one-half person household;
 - (c) A two-bedroom unit shall be affordable to a three-person household;
 - (d) A three-bedroom unit shall be affordable to a four and one-half person household; and
 - (e) A four-bedroom unit shall be affordable to a six-person household.
8. In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be met:
- (a) A studio or efficiency unit shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a one and one-half person household; and
 - (c) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
9. The initial purchase price for all restricted low-, moderate-, and middle-income ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95% of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28% of the eligible monthly income of the appropriate size household as determined under *N.J.A.C. 5:80-26.4*, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of *N.J.A.C. 5:80-26.3*, as may be amended and supplemented.
10. The initial rent for a low-, moderate-, and middle-income restricted rental unit shall be calculated so as not to exceed 30% of the

eligible monthly income of the appropriate household size as determined under *N.J.A.C.* 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of *N.J.A.C.* 5:80-26.3, as may be amended and supplemented.

11. The price of owner-occupied low-, moderate-, and middle-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.

Income limits for all units for which income limits are not already established through a federal program exempted from the Uniform Housing Affordability Controls pursuant to *N.J.A.C.* 5:80-26.1 shall be updated by the City annually within 30 days of the publication of determinations of median income by HUD as follows:

- (a) Regional income limits shall be established for the Region 4 based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in Region 4. This quotient represents the regional weighted average of median income for a household of four. The income limit for a middle-income unit for a household of four shall be 120 percent of the regional weighted average median income. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very-low income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.

(b) The income limits calculated each year shall be the result of applying the percentages set forth in paragraph (a) above to HUD's determination of median income for the relevant fiscal year, and shall be utilized until the City updates the income limits after HUD has published revised determinations of median income for the next fiscal year.

(c) The Regional Asset Limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3 shall be calculated by the City annually by taking the percentage increase of the income limits calculated pursuant to paragraph (a) above over the previous year's income limits, and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the Regional Asset Limit be less than that for the previous year.

12. The rent levels of very-low-, low-, moderate-, and middle-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the Northeast Urban Area, upon its publication for the prior calendar year. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low income housing tax credit regulations shall be indexed pursuant to the regulations governing low income housing tax credits.

13. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

§ 31-5. Condominium and Homeowners Association Fees.

A. For any affordable housing unit that is part of a condominium association and/or homeowner's association, the Master Deed shall reflect that the association fee assessed for each affordable housing unit shall be established at 100% of the market rate fee.

§ 31-6. Reserved.

§ 31-7. Reserved.

§ 31-8. Reserved.

ARTICLE II Affordable Unit Controls and Requirements

§ 31-9. Purpose.

- A. The requirements of this section apply to all developments that contain affordable housing units, including any currently unanticipated future developments that will provide affordable housing units as defined in this Chapter.

§ 31-10. Affirmative Marketing.

- A. The City shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Superior Court, compliant with *N.J.A.C. 5:80-26.15*, as may be amended and supplemented.
- B. The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Housing Region 4 and covers the period of deed restriction.
- C. The affirmative marketing plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 4, comprised of Monmouth, Ocean, and Mercer Counties.
- D. The Administrative Agent designated by the City shall assure the affirmative marketing of all affordable units is consistent with the Affirmative Marketing Plan for the municipality.
- E. In implementing the affirmative marketing plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- F. The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.
- G. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless

otherwise determined or agreed to by the City of Asbury Park.

§ 31-11. Occupancy Standards.

- A. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - 1. Provide an occupant for each bedroom;
 - 2. Provide separate bedrooms for parents and children;
 - 3. Provide children of different sexes with separate bedrooms; and
 - 4. Prevent more than two persons from occupying a single bedroom.
- B. Additional provisions related to occupancy standards (if any) shall be provided in the municipal Operating Manual.

§ 31-12. Selection of Occupants of Affordable Housing Units.

- A. The administrative agent shall use a random selection process to select occupants of low-, moderate-, and middle-income housing.
- B. A waiting list of all eligible candidates will be maintained in accordance with the provisions of *N.J.A.C. 5:80-26 et seq.*

§ 31-13. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.

- A. Control periods for restricted ownership units shall be in accordance with *N.J.A.C. 5:80-26.5*, and each restricted ownership unit shall remain subject to the controls on affordability for a period of at least 30 years, until the municipality takes action to release the controls on affordability.
- B. Rehabilitated owner-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of 10 years.
- C. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- D. The affordability controls set forth in this Ordinance shall remain in effect

despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.

- E. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under *N.J.A.C. 5:80-26.5(a)*, as may be amended and supplemented.

§ 31-14. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices.

- A. Price restrictions for restricted ownership units shall be in accordance with *N.J.A.C. 5:80-26.1*, as may be amended and supplemented, including:
 - 1. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
 - 2. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
 - 3. The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the restricted affordable unit owners and the market unit owners.
 - 4. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

§ 31-15. Buyer Income Eligibility.

- A. Buyer income eligibility for restricted ownership units shall be in accordance with *N.J.A.C. 5:80-26.1*, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50% of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80% of median income. Additionally, middle-income ownership units shall be reserved

for households with a gross income less than 120% of median income.

- B. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-, moderate-, or middle-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33% of the household's certified monthly income.

§ 31-16. Limitations on indebtedness secured by ownership unit; subordination.

- A. **Prior** to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
- B. With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95% of the maximum allowable resale price of that unit, as such price is determined by the administrative agent in accordance with *N.J.A.C. 5:80-26.6(b)*.

§ 31-17. Control Periods for Restricted Rental Units.

- A. Control periods for restricted rental units shall be in accordance with *N.J.A.C. 5:80-26.11*, and each restricted rental unit shall remain subject to the controls on affordability for a period of at least 30 years, until the municipality takes action to release the controls on affordability.
 - 1. Restricted rental units created as part of developments receiving nine percent (9%) Low Income Housing Tax Credits must comply with a control period of not less than a 30-year compliance period plus a 15-year extended use period.
- B. Rehabilitated renter-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of 10 years.
- C. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Monmouth. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.

- D. A restricted rental unit shall remain subject to the affordability controls of this Ordinance, despite the occurrence of any of the following events:
1. Sublease or assignment of the lease of the unit;
 2. Sale or other voluntary transfer of the ownership of the unit; or
 3. The entry and enforcement of any judgment of foreclosure.

§ 31-18. Price Restrictions for Rental Units; Leases.

- A. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- B. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- C. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

§ 31-19. Tenant Income Eligibility.

- A. Tenant income eligibility shall be in accordance with *N.J.A.C. 5:80-26.13*, as may be amended and supplemented, and shall be determined as follows:
1. Very-low income rental units shall be reserved for households with a gross household income less than or equal to 30% of median income.
 2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50% of median income.
 3. Moderate-income rental units shall be reserved for households with a gross household income less than 80% of median income.
 4. Middle-income rental units shall be reserved for households with a

gross household income between 80% and 120% of median income.

- B. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very-low income, low-income household, moderate-income household, or a middle-income household as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to *N.J.A.C. 5:80-26.16*, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
1. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 2. The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 3. The household is currently in substandard or overcrowded living conditions;
 4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 5. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- C. The applicant shall file documentation sufficient to establish the existence of the circumstances in (B)1 through 5 above with the Administrative Agent, who shall counsel the household on budgeting.

§ 31-20. Conversions.

- A. Each housing unit created through the conversion of a non-residential structure shall be considered a new housing unit and shall be subject to the affordability controls for a new housing unit.

§ 31-21. Alternative Living Arrangements.

- A. The administration of an alternative living arrangement shall be in compliance with *N.J.A.C. 5:93-5.8* and UHAC, with the following exceptions:
1. Affirmative marketing (*N.J.A.C. 5:80-26.15*), provided, however,

that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;

2. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
- B. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least 30 year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.
- C. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

§ 31-22. Reserved.

§ 31-23. Reserved.

ARTICLE III Administration

§ 31-24. Municipal Housing Liaison.

- A. The position of Municipal Housing Liaison for the City of Asbury Park is hereby established. The Municipal Housing Liaison shall be appointed by duly adopted resolution of the City Council and be subject to the approval by the Superior Court.
- B. The Municipal Housing Liaison must be either a full-time or part-time employee of the City of Asbury Park.
- C. The Municipal Housing Liaison must meet the requirements for qualifications, including initial and periodic training found in *N.J.A.C.* 5:93.
- D. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the City of Asbury Park, including the following responsibilities which may not be contracted out to the Administrative Agent:
 1. Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;

2. The implementation of the Affirmative Marketing Plan and affordability controls.
3. When applicable, supervising any contracting Administrative Agent.
4. Monitoring the status of all restricted units in the City of Asbury Park's Fair Share Plan;
5. Compiling, verifying and submitting annual reports as required by the Superior Court;
6. Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and
7. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by the Superior Court.

§ 31-25. Administrative Agent.

- A. The City shall designate by resolution of the City Council, subject to the approval of the Superior Court, one or more Administrative Agents to administer newly constructed affordable units in accordance with *N.J.A.C. 5:93* and UHAC.
- B. An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of the Superior Court. The Operating Manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
- C. The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC and which are described in full detail in the Operating Manual, including those set forth in *N.J.A.C. 5:80-26.14, 16 and 18* thereof, which includes:
 1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Superior Court;
 2. Affirmative Marketing;
 3. Household Certification;

4. Affordability Controls;
5. Records retention;
6. Resale and re-rental;
7. Processing requests from unit owners; and
8. Enforcement, although the ultimate responsibility for retaining controls on the units rests with the municipality.
9. The Administrative Agent shall, as delegated by the City Council, have the authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

§ 31-26. Enforcement of Affordable Housing Regulations.

- A. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an Owner, Developer or Tenant of a low-, moderate-, or middle-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
 1. The municipality may file a court action pursuant to *N.J.S.A. 2A:58-11* alleging a violation, or violations, of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is found by the court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the court:
 - (a) A fine of not more than \$500.00 or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;

- (b) In the case of an Owner who has rented his or her low-, moderate-, or middle-income unit in violation of the regulations governing affordable housing units, payment into the City of Asbury Park Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - (c) In the case of an Owner who has rented his or her low-, moderate-, or middle-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
- 2. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low-, or moderate-, or middle-income unit.
- C. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low-, or moderate-, or middle-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
- D. The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low-, moderate-, or middle-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the

municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

- E. Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- or moderate-, or middle-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- F. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low-, moderate-, or middle-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- or moderate-, or middle-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- G. Failure of the low-, moderate-, or middle-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low-, moderate-, or middle-income unit as permitted by the regulations governing affordable housing units.
- H. The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

§ 31-27. Appeals. Appeals from all decisions of an Administrative Agent designated pursuant to this Ordinance shall be filed in writing with the City.

...

Section II. Repealer. All ordinances or Code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section III. Severability. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section IV. Effective Date. This ordinance shall take effect upon its passage and publication, as required by law.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2020-14 which was finally adopted by the City Council at a meeting held on the 30th day of April, 2020

MELODY HARTSGROVE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2020-15**

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF ASBURY PARK TO AMEND ARTICLE VIII REDEVELOPMENT PLANS, SECTION 30-110.1 CENTRAL BUSINESS DISTRICT (CBD) REDEVELOPMENT PLAN, CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE CITY'S ADOPTED 2019 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Planning Board adopted a Master Plan & Master Plan Reexamination Report in December 2017 that includes Housing Objectives and recommendations;

WHEREAS, the Master Plan & Master Plan Reexamination Report recommended identification of inclusionary zoning opportunities, ensuring affordable housing units and projects are consistent with State standards, and adoption of a housing element and fair share plan;

WHEREAS, the Planning Board adopted a Third Round Housing Element and Fair Share Plan in February 2019 that recommended amendments to the City's Land Development Regulations intended to promote and incentivize the creation of affordable housing units in inclusionary development;

WHEREAS, the Third Round Housing Element and Fair Share Plan recommended amending the Central Business District (CBD) Redevelopment Plan to incentivize the creation of inclusionary housing requirements consistent with N.J.A.C. 5:93, the substantive rules of the Council on Affordable Housing;

WHEREAS, the amended Redevelopment Plan standards herein are consistent with the 2019 Housing Element and Fair Share Plan; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Asbury Park, Monmouth County, New Jersey, that the Central Business District (CBD) Redevelopment Plan is hereby amended to incentivize creation of inclusionary housing as follows:

SECTION 1. Amend Section 30-110.1 Central Business District (CBD) Redevelopment Plan as follows:

Additions are shown as thus; deletions shown as ~~thus~~

...

Ordinance No. 2019- adopted -2019. Creates affordable housing requirements in the Central Business District (CBD) Redevelopment Plan.

SECTION 2. Add to the 2018 Amended Central Business District (CBD) Redevelopment Plan, Affordable Housing Incentive:

Additions are shown as thus; deletions shown as ~~thus~~

...

Affordable Housing Incentive

Where 15% of the total housing units in a building are reserved for low and moderate income housing, said building shall be permitted an additional 10 feet of building height and the affordable housing units in said building shall not require parking. This provision shall apply to all Districts in the CBD Redevelopment Area.

Affordable housing units shall comply with the City's affordable housing regulations and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80- 26.1), which shall control in the case of any conflicts with this ordinance, provided that a minimum of 13 percent of the total low- and moderate-income units shall be affordable to very low income households (i.e. 30% or less of median income).

...

Section 3. Severability.

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the City of Asbury Park declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.

Section 5. Repealer.

All ordinances or Code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2020-15 which was finally adopted by the City Council at a meeting held on the 30th day of April, 2020

MELODY HARTSGROVE
CITY CLERK



**Asbury Park, New Jersey
ORDINANCE NO. 2020-16**

**AN ORDINANCE OF THE CITY OF ASBURY PARK RE-ZONING CERTAIN
PROPERTIES AND ADOPTING AN UPDATED ZONING MAP**

WHEREAS, the City of Asbury Park (the “City”) has previously adopted an official Zoning Map which identifies the location and boundaries of all real properties and all zoning districts that are located within the City, pursuant to Section 30-66.2 of the “Code of the City of Asbury Park, New Jersey”; and

WHEREAS, the Asbury Park Planning Board (the “Planning Board”) adopted a Master Plan and Master Plan Reexamination Report in December of 2017 which includes housing objectives and recommendations; and

WHEREAS, the Master Plan and Master Plan Reexamination Report recommended identification of inclusionary zoning opportunities, ensuring affordable housing units and projects consistent with State standards, and adoption of a Housing Element and Fair Share Plan; and

WHEREAS, the Planning Board adopted a Third Round Housing Element and Fair Share Plan in February of 2019 that recommended amendments to the City’s existing Land Development Regulations, along with amendments to various existing Redevelopment Plans, intended to promote and incentivize the creation of affordable housing units within the City; and

WHEREAS, in furtherance of the above, the Mayor and Council wish to re-zone certain properties that were previously located in the “B2 - Main Street Retail Sales and Service” district and the “NC - Neighborhood Commercial” district such that they will now be located in a new zoning district which is being established simultaneously herewith to be known as the “B - Business District”; and

WHEREAS, a listing of all of the properties which are subject to the said re-zoning are shown on Exhibit “A” attached hereto; and

WHEREAS, the Mayor and Council also wish to create an overlay district to be known as the “Deal Lake Drive Inclusionary Housing Overlay District,” which overlay will affect certain properties that are located within the existing “R3 - Medium Density Multifamily Residential Zone”; and

WHEREAS, a listing of all of the properties which will be subject to the “Deal Lake Drive Inclusionary Housing Overlay District” are set forth on the attached Exhibit “B”; and

WHEREAS, the City's Department of Planning and Redevelopment has prepared an updated Zoning Map relating to the Zoning Districts and Redevelopment Areas located within the City, which reflects and incorporates the new zoning classifications as referenced above; and

WHEREAS, a copy of the updated and amended Zoning Map, dated March 2020, is attached hereto as Exhibit "C" and made a part hereof; and

WHEREAS, it is the desire of the Mayor and Council to re-zone and reclassify all of the properties set forth on the attached Exhibit "A" accordingly; and

WHEREAS, it is also the desire of the Mayor and Council to create the "Deal Lake Drive Inclusionary Housing Overlay District," and to make said overlay applicable to the properties set forth in Exhibit "B"; and

WHEREAS, it is also the desire of the Mayor and Council to adopt the attached updated and amended Zoning Map so that it shall now represent the Official Zoning Map of the City pursuant to Section 30-66.2 of the Code of the City of Asbury Park and N.J.S.A. 40:55D-32.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and Council of the City of Asbury Park (the "City"), in the County of Monmouth and State of New Jersey, as follows:

Section 1. That the City hereby re-zones and reclassifies all of the properties identified on the attached Exhibit "A," which were previously included in either the "B2 - Main Street Retail Sales and Service" Zoning District or the "NC - Neighborhood Commercial" Zoning District to the newly established "B - Business District", which new District is being established simultaneously herewith.

Section 2. That the City hereby also creates the "Deal Lake Drive Inclusionary Housing Overlay District," and hereby makes said overlay applicable to the properties set forth in Exhibit "B".

Section 3. That, in accordance with N.J.S.A. 40:55D-32 and Section 30-66.2 of the Code of the City of Asbury Park, the City hereby approves and adopts the amended and updated Zoning Map which is attached hereto as Exhibit "C," as prepared by the Department of Planning and Redevelopment and dated March 2020, to represent the Official Zoning Map of the City of Asbury Park.

Section 4. That the updated Zoning Map attached hereto as Exhibit "C" shall supersede any prior Zoning Maps heretofore adopted by the City.

Section 5. That the "B2 - Main Street Retail Sales and Service" and the "NC - Neighborhood Commercial" Zoning Districts are hereby eliminated and repealed in their entirety.

Section 6. That, following the adoption of this Ordinance, a copy of this Ordinance

and the attached updated Zoning Map shall be filed with the Monmouth County Planning Board and the Monmouth County Clerk's office in accordance with N.J.S.A. 40:55D-16.

Section 7. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

Section 8. That by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

Section 9. That this Ordinance shall become effective upon final passage and publication in accordance with the law, but not until a copy of this Ordinance and the attached updated Zoning Map have been filed with the Monmouth County Planning Board and the Monmouth County Clerk's office, pursuant to N.J.S.A. 40:55D-16.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2020-16 which was finally adopted by the City Council at a meeting held on the 30th day of April, 2020

MELODY HARTSGROVE
CITY CLERK

PROPERTIES TO BE RE-ZONED TO THE "B – BUSINESS DISTRICT":

BLOCK	LOT	BLOCK	LOT	BLOCK	LOT
202	9	1205	6	1905	16
202	10	1205	7	1905	17
202	16	1205	8	2503	2
202	17	1205	9	2503	3
203	4	1501	2	2503	4
203	5	1501	3	2503	5
302	5	1502	1	2503	6
302	6	1601	2	2503	10
302	7	1601	3	2602	2
302	8	1601	5	2602	3
302	9	1601	6	2605	1
302	10	1601	7	2605	2
302	11	1601	8	2605	3
302	12	1601	9	2605	9
403	7	1601	10	2605	10
403	8	1601	11	2608	7
403	9	1602	21	2703	3
403	10	1603	1	2706	2
403	11	1603	2	2706	3
404	1	1603	3	2706	13
404	7	1603	35	2706	14
404	8	1603	36	2706	14.01
404	9	1603	37	2706	14.04
404	10	1605	1	2706	14.07
404	11	1605	29	2805	15
404	12	1606	14	2805	16
404	13	1606	15	3005	6
404	14	1801	1	3005	7
404	15	1801	47	3005	8
501	1	1801	48	5000	1
501	2	1801	49		
502	1	1801	50		
502	2	1801	51		
502	3	1801	52		
502	4	1901	4		
502	5	1902	9		
502	6	1902	10		
502	7	1902	14		
502	8	1902	15		
502	9	1902	16		
703	2	1903	16		
1205	1	1903	17		
1205	2	1903	18		
1205	3	1903	19		
1205	4	1905	14		
1205	5	1905	15		

**PROPERTIES CURRENTLY LOCATED WITHIN THE “R3 – MEDIUM DENSITY MULTIFAMILY
RESIDENTIAL ZONE” WHICH SHALL ALSO BECOME SUBJECT TO THE “DEAL LAKE DRIVE
INCLUSIONARY HOUSING OVERLAY DISTRICT”:**

BLOCK	LOT	QUAL	BLOCK	LOT	QUAL	BLOCK	LOT	QUAL
3703	1		3703	5.03	C0202	3703	5.45	C0605
3703	2		3703	5.04	C0203	3703	5.46	C0606
3703	3		3703	5.05	C0204	3703	5.47	C0607
3703	3.01	C0001	3703	5.06	C0205	3703	5.48	C0608
3703	3.02	C0101	3703	5.07	C0206	3703	5.49	C0609
3703	3.03	C0102	3703	5.08	C0207	3703	5.50	C0610
3703	3.04	C0103	3703	5.09	C0208	3703	5.51	C0701
3703	3.05	C0104	3703	5.10	C0209	3703	5.52	C0702
3703	3.06	C0105	3703	5.11	C0301	3703	5.53	C0703
3703	3.07	C0106	3703	5.12	C0302	3703	5.54	C0704
3703	3.08	C0107	3703	5.13	C0303	3703	5.55	C0705
3703	3.09	C0108	3703	5.14	C0304	3703	5.56	C0706
3703	3.10	C0201	3703	5.15	C0305	3703	5.57	C0707
3703	3.11	C0202	3703	5.16	C0306	3703	5.58	C0708
3703	3.12	C0203	3703	5.17	C0307	3703	5.59	C0709
3703	3.13	C0204	3703	5.18	C0308	3703	5.60	C0710
3703	3.14	C0205	3703	5.19	C0309	3703	5.61	C0801
3703	3.15	C0206	3703	5.20	C0310	3703	5.62	C0802
3703	3.16	C0207	3703	5.21	C0401	3703	5.63	C0803
3703	3.17	C0301	3703	5.22	C0402	3703	5.64	C0804
3703	3.18	C0302	3703	5.23	C0403	3703	5.65	C0805
3703	3.19	C0303	3703	5.24	C0404	3703	5.66	C0806
3703	3.20	C0304	3703	5.25	C0405	3703	5.67	C0807
3703	3.21	C0305	3703	5.26	C0406	3703	5.68	C0808
3703	3.22	C0306	3703	5.27	C0407	3703	5.69	C0809
3703	3.23	C0307	3703	5.28	C0408	3703	5.70	C0810
3703	3.24	C0401	3703	5.29	C0409	3703	5.71	C0901
3703	3.25	C0402	3703	5.30	C0410	3703	5.72	C0902
3703	3.26	C0403	3703	5.31	C0501	3703	5.73	C0903
3703	3.27	C0404	3703	5.32	C0502	3703	5.74	C0904
3703	3.28	C0405	3703	5.33	C0503	3703	5.75	C0905
3703	3.29	C0406	3703	5.34	C0504	3703	5.76	C0906
3703	3.30	C0407	3703	5.35	C0505	3703	5.77	C0907
3703	3.31	C0501	3703	5.36	C0506	3703	5.78	C0908
3703	3.32	C0502	3703	5.37	C0507	3703	5.79	C0909
3703	3.33	C0503	3703	5.38	C0508	3703	5.80	C0910
3703	3.34	C0504	3703	5.39	C0509	3703	5.81	C1001
3703	3.35	C0505	3703	5.40	C0510	3703	5.82	C1002
3703	3.36	C0506	3703	5.41	C0601	3703	5.83	C1003
3703	5		3703	5.42	C0602	3703	5.84	C1004
3703	5.01	C0101	3703	5.43	C0603	3703	5.85	C1005
3703	5.02	C0102	3703	5.44	C0604	3703	5.86	C1006

Attachment: EXHIBIT B to Re-Zoning Ordinance (2020-16 : Re-Zoning Certain Properties and Adopting an Updated Zoning Map)

BLOCK	LOT	QUAL	BLOCK	LOT	QUAL	BLOCK	LOT	QUAL
3703	5.87	C1007	3704	2.22	C0306	3704	2.68	C0708
3703	5.88	C1008	3704	2.23	C0307	3704	2.69	C0709
3703	5.89	C1009	3704	2.24	C0308	3704	2.70	C0710
3703	5.90	C1010	3704	2.25	C0309	3704	2.71	C0801
3703	5.91	C1101	3704	2.26	C0310	3704	2.72	C0802
3703	5.92	C1102	3704	2.27	C0311	3704	2.73	C0803
3703	5.93	C1103	3704	2.28	C0401	3704	2.74	C0804
3703	5.94	C1104	3704	2.29	C0402	3704	2.75	C0805
3703	5.95	C1105	3704	2.30	C0403	3704	2.76	C0806
3703	5.96	C1106	3704	2.31	C0404	3704	2.77	C0807
3703	5.97	C1107	3704	2.32	C0405	3704	2.78	C0808
3703	5.98	C1108	3704	2.33	C0406	3704	2.80	C0809
3703	5.99	C1109	3704	2.34	C0407	3704	2.81	C0810
3703	5.100	C1110	3704	2.35	C0408	3704	2.82	C0811
3703	5.101	C1201	3704	2.36	C0409	3704	6	
3703	5.102	C1202	3704	2.37	C0410	3705	1	
3703	5.103	C1203	3704	2.38	C0411	3705	2	
3703	5.104	C1204	3704	2.39	C0501	3705	3	
3703	5.105	C1205	3704	2.40	C0502	3705	4	
3703	5.106	C1206	3704	2.41	C0503	3705	5	
3703	5.107	C1207	3704	2.42	C0504	3705	6	
3703	5.108	C1208	3704	2.43	C0505	3705	7	
3703	5.109	C1209	3704	2.44	C0506	3705	7.101	C0002
3703	5.110	C1210	3704	2.45	C0507	3705	7.102	C0001
3704	1		3704	2.46	C0508	3705	7.103	C0004
3704	2		3704	2.47	C0509	3705	7.104	C0003
3704	2.01	C0101	3704	2.48	C0510	3705	7.105	C0006
3704	2.02	C0102	3704	2.49	C0511	3705	7.106	C0005
3704	2.03	C0103	3704	2.50	C0601	3705	7.107	C0008
3704	2.04	C0104	3704	2.51	C0602	3705	7.108	C0007
3704	2.05	C0105	3704	2.52	C0603	3705	7.109	C0010
3704	2.06	C0201	3704	2.53	C0604	3705	7.110	C0009
3704	2.07	C0202	3704	2.54	C0605	3705	7.111	C0012
3704	2.08	C0203	3704	2.55	C0606	3705	7.112	C0011
3704	2.09	C0204	3704	2.56	C0607	3705	7.113	C0014
3704	2.10	C0205	3704	2.57	C0608	3705	7.114	C0013
3704	2.11	C0206	3704	2.58	C0609	3705	7.115	C0016
3704	2.12	C0207	3704	2.59	C0610	3705	7.116	C0015
3704	2.14	C0208	3704	2.60	C0611	3705	7.201	C0018
3704	2.15	C0209	3704	2.61	C0701	3705	7.202	C0017
3704	2.16	C0210	3704	2.62	C0702	3705	7.203	C0020
3704	2.17	C0301	3704	2.63	C0703	3705	7.204	C0019
3704	2.18	C0302	3704	2.64	C0704	3705	7.205	C0022
3704	2.19	C0303	3704	2.65	C0705	3705	7.206	C0021
3704	2.20	C0304	3704	2.66	C0706	3705	7.207	C0024
3704	2.21	C0305	3704	2.67	C0707	3705	7.208	C0023

Attachment: EXHIBIT B to Re-Zoning Ordinance (2020-16 : Re-Zoning Certain Properties and Adopting an Updated Zoning Map)

BLOCK	LOT	QUAL
3705	7.209	C0026
3705	7.210	C0025
3705	7.211	C0028
3705	7.212	C0027
3705	7.301	C0029
3705	7.302	C0030
3705	7.303	C0032
3705	7.304	C0031
3705	7.305	C0034
3705	7.306	C0033
3705	7.307	C0036
3705	7.308	C0035
3705	7.309	C0038
3705	7.310	C0037
3705	7.401	C0040
3705	7.402	C0039
3705	7.403	C0042
3705	7.404	C0041
3705	7.405	C0044
3705	7.406	C0043
3705	7.407	C0046
3705	7.408	C0045
3705	7.409	C0048
3705	7.410	C0047
3705	7.411	C0050
3705	7.412	C0049
3705	7.413	C0052
3705	7.414	C0051
3705	7.415	C0054
3705	7.416	C0053
3705	7.501	C0001
3705	7.502	C0002
3705	7.503	C0003
3705	7.504	C0004
3705	7.505	C0005
3705	7.506	C0006
3705	7.507	C0007
3705	7.508	C0008
3705	7.509	C0009
3705	7.510	C0010
3705	7.511	C0011
3705	7.512	C0012
3705	7.513	C0013
3705	7.514	C0014
3705	7.515	C0015
3705	7.516	C0016

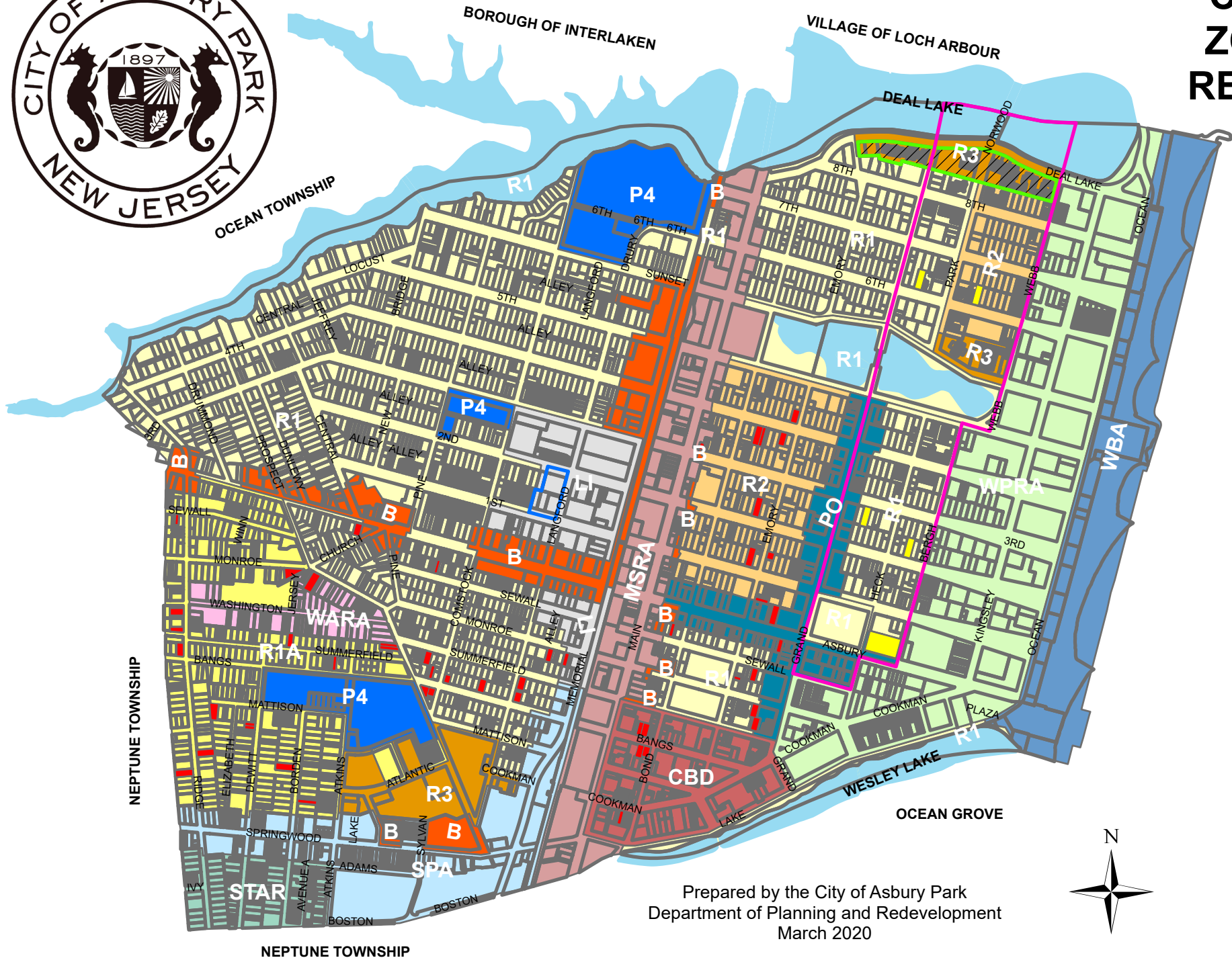
BLOCK	LOT	QUAL
3705	7.517	C0017
3705	7.518	C0018
3705	7.519	C0019
3705	7.520	C0020
3705	7.521	C0021
3705	7.522	C0022
3705	7.523	C0023
3705	7.524	C0024
3705	7.525	C0025
3705	7.526	C0026
3705	7.527	C0027
3705	7.528	C0028
3705	7.529	C0029
3705	7.530	C0030
3705	7.531	C0031
3705	7.532	C0032
3705	7.533	C0033
3705	7.534	C0034
3705	7.535	C0035
3705	7.536	C0036
3705	7.537	C0037
3705	10	
3705	10.01	C0101
3705	10.02	C0201
3705	10.03	C0202
3705	10.04	C0203
3705	10.05	C0204
3705	10.06	C0205
3705	10.07	C0301
3705	10.08	C0302
3705	10.09	C0303
3705	10.10	C0304
3705	10.11	C0305
3705	10.12	C0401
3705	10.13	C0402
3705	10.14	C0403
3705	10.15	C0404
3705	10.16	C0405
3705	10.17	C0501
3705	10.18	C0502
3705	10.19	C0503
3705	10.20	C0504
3705	10.21	C0505
3705	10.22	C0601
3705	10.23	C0602
3705	10.24	C0603

BLOCK	LOT	QUAL
3705	10.25	C0604
3705	10.26	C0605
3705	10.27	C0001
3705	10.28	C0002
3705	10.29	C0003
3705	10.30	C0004
3705	10.31	C0005
3705	10.32	C0006
3705	10.33	C0007
3705	10.34	C0008
3705	10.35	C0009
3705	10.36	C0010
3705	10.37	C0011
3705	10.38	C0012
3705	10.39	C0013
3705	10.40	C0014
3705	10.41	C0015
3705	10.42	C0016
3705	10.43	C0017
3705	10.44	C0018
3705	10.45	C0019
3705	10.46	C0020
3705	11	
3705	12	
3705	13	
3705	14	

Attachment: EXHIBIT B to Re-Zoning Ordinance (2020-16 : Re-Zoning Certain Properties and Adopting an Updated Zoning Map)



CITY OF ASBURY PARK ZONING DISTRICTS AND REDEVELOPMENT AREAS



ZONING DISTRICTS AND REDEVELOPMENT AREAS

- WRIA WATERFRONT RENOVATION INFILL AREA
- DEAL LAKE DRIVE INCLUSIONARY HOUSING DISTRICT
- SCATTERED SITE REDEVELOPMENT PROGRAM PHASE IA
- SCATTERED SITE REDEVELOPMENT PROGRAM PHASE I
- 1001 FIRST AVE REDEVELOPMENT AREA
- B BUSINESS DISTRICT
- CBD CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA
- LI LIGHT INDUSTRIAL
- MSRA MAIN STREET REDEVELOPMENT AREA
- P1 PARKS
- P4 SCHOOLS
- PO PROFESSIONAL OFFICE
- R1 SINGLE FAMILY RESIDENTIAL
- R1A SINGLE FAMILY ATTACHED RESIDENTIAL
- R2 TWO TO FOUR FAMILY RESIDENTIAL
- R3 MEDIUM DENSITY RESIDENTIAL
- SPA SPRINGWOOD AVENUE REDEVELOPMENT AREA
- STAR STARS REDEVELOPMENT AREA
- WARA WASHINGTON AVENUE REDEVELOPMENT AREA
- WBA WATERFRONT BOARDWALK AREA
- WPRA WATERFRONT PRIME RENEWAL AREA

Prepared by the City of Asbury Park
Department of Planning and Redevelopment
March 2020





Minutes
Meeting of the Municipal Council
Thursday, April 30, 2020
REGULAR MEETING

Attendee Name	Title	Status	Arrived
Eileen Chapman	Councilmember	Present	
Yvonne Clayton	Councilmember	Present	
Jesse Kendle	Councilmember	Present	
Amy Quinn	Deputy Mayor	Present	
John Moor	Mayor	Present	
Cindy Dye	City Clerk	Absent	
Melody Hartsgrove	City Clerk	Present	
Donna Vieiro	City Manager	Present	
Frederick Raffetto	City Attorney	Present	

City Clerk Melody Hartsgrove called the meeting to order at 6:00 PM.

PUBLIC PARTICIPATION

A motion was made by Council member Kendle and seconded by Council member Chapman to open the meeting to the public. All were in favor. The following members of the public spoke: Kerry Butch, Felicia Simmons, Bassam Gergi, Dereck Minno Bloom, Ernest Mignoli, Maureen Nevin, Myra Campbell, Pam Lamberton, and Tracey Rogers. A motion to close the meeting to the public was made by Council member Kendle and seconded by Council member Chapman. All were in favor.

MATTERS FROM COUNCIL

Council Member Chapman stated, thank you to the first responders, essential workers and all the volunteers. Thank you to the residents who are following mask regulations and practicing social distancing in order to keep the city and beaches open. It is essential to follow these guidelines. Free rides are available from EZ ride, offering free rides to Asbury Park residents to go for medical appointments and grocery shopping using Lyft and Uber. Visit www.cityofasburypark.com for the reservation phone number.

Council Member Clayton stated, thank you everyone for being supportive and giving services to keep us all going. Thank you residents for doing a wonderful job in staying together. Condolences to all residents and people in surrounding cities who have lost love ones due to COVID-19. You are in our prayers.

Council Member Kendle stated, condolences to everyone who lost love ones due to COVID-19. Keep the faith. We are all in this together. Thank you for trusting in the council. Stay blessed.

Deputy Mayor Quinn stated, I strongly urge people to take the census while your home. The VNA (Visiting Nurse Association Community Health Center) on Main Street is testing for COVID-19. Call ahead to make an appointment, they started testing yesterday afternoon.

Mayor Moor stated, I urge and beg all to wear masks or face coverings when out in public. Thank you to all employees. You are all essential in keeping the city operating. Please ask questions and comments on ordinances that are specific to the ordinance. If you are not on topic we will ask you to return your comment to the specific ordinance. If we do not finish the ordinances tonight, the remaining ordinances will be moved to the May 13th meeting.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

INDIVIDUAL RESOLUTIONS

2020-154 Resolution Authorizing And Directing The Tax Collector To Extend The Second Quarter 2020 Grace Period

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

ORDINANCES

Second Reading/Public Hearing

2020-12 An Ordinance Amending the Land Development Regulations of The City of Asbury Park to Amend Article Viii Redevelopment Plans, Section 30-110.2 Main Street Redevelopment Plan, Consistent with And Designed to Effectuate the City's Adopted 2019 Third Round Housing Element and Fair Share Plan

A motion to open 2020-12 to the public was made by Council Member Clayton and seconded by Council Member Kendle. All in favor. The following members of the public spoke: Ernest Mignoli, Randi Moore, Rita Morano, and Felicia Simmons. A motion to close 2020-12 was made by Deputy Mayor Quinn and seconded by Council Member Chapman. All were in favor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2020-13 An Ordinance Amending the Land Development Regulations of The City of Asbury Park to Amend Article VI Zoning, Section 30-71.3 (B1) Downtown Retail District, Section

30-71.4 (B2) Main Street Retail Sales and Service and Section 30-71.5 (Nc)
Neighborhood Commercial Districts to Consolidate Zone Districts, Amend Permitted
Uses and Incentivize the Creation of Inclusionary Housing Consistent with And Designed
to Effectuate the City's Adopted 2019 Third Round Housing Element and Fair Share Plan

A motion to open 2020-13 to the public was made by Council Member Kendle and seconded by Deputy Mayor Quinn. All were in favor. The following members of the public spoke: Felicia Simmons and Ernest Mignoli. A motion to close 2020-13 was made by Deputy Mayor Quinn and seconded by Council Member Kendle. All were in favor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2020-14 An Ordinance of The City of Asbury Park, County of Monmouth And State Of New Jersey Adding Chapter 31 "Affordable Housing" To the Code of The City of Asbury Park to Address the Requirements of The NJ Superior Court

A motion to open 2020-14 to the public was made by Council Member Chapman and seconded by Council Member Clayton. All were in favor. The following members of the public spoke: Felicia Simmons, Maureen Nevin, Bassam Gergi, Derek Minno Bloom and Ernest Mignoli.

A motion to close 2020-14 was made by Council Member Kendle and seconded by Deputy Mayor Quinn. All were in favor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Quinn, Deputy Mayor
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2020-15 An Ordinance Amending the Land Development Regulations of The City of Asbury Park to Amend Article Viii Redevelopment Plans, Section 30-110.1 Central Business District (CBD) Redevelopment Plan, Consistent with And Designed to Effectuate the City's Adopted 2019 Third Round Housing Element and Fair Share Plan

A motion to open 2020-15 to the public was made by Council Member Clayton and seconded by Council Member Chapman. All were in favor. The following members of the public spoke: Maureen Nevin, Ernest Mignoli, and Tracey Rogers. A motion to close 2020-15 was made by Council Member Kendle and seconded by Deputy Mayor Quinn. All were in favor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eileen Chapman, Councilmember
SECONDER:	Yvonne Clayton, Councilmember
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

2020-16 An Ordinance of The City of Asbury Park Re-Zoning Certain Properties and Adopting an Updated Zoning Map

A motion to open 2020-16 to the public was made by Deputy Mayor Quinn and seconded by Council Member Chapman. All were in favor. The following members of the public spoke: Ernest Mignoli. A motion to close 2020-16 was made by Deputy Mayor Quinn and seconded by Council Member Clayton. All were in favor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Yvonne Clayton, Councilmember
SECONDER:	Amy Quinn, Deputy Mayor
AYES:	Chapman, Clayton, Kendle, Quinn, Moor

ADJOURNMENT

The meeting was adjourned at 9:30 PM

A motion to close the meeting was made by Deputy Mayor Quinn and seconded by mayor Moor. All were in favor.

The meeting was adjourned at 9:30PM

Respectfully submitted by:

Melody Hartsgrove, Deputy City Clerk