

ORDINANCE NO. 13, 2018

AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING CHAPTER 277, ZONING OF THE CODE OF THE CITY OF LINWOOD TO PROVIDE FOR A MINIMUM SET ASIDE OF AFFORDABLE HOUSING UNITS TO MEET THE CITY OF LINWOOD'S AFFORDABLE HOUSING OBLIGATION AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT THEREWITH

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

WHEREAS, the purpose of this section of the City of Linwood's Zoning Ordinance is to establish a minimum required set aside of affordable housing units in any multifamily residential development or redevelopment in the City of Linwood. It is the City of Linwood's intention that this Ordinance is being adopted expressly for the purpose of assisting the City of Linwood in meeting its affordable housing obligation.

BE IT ORDAINED by the Common Council of the City of Linwood that Chapter 277, Zoning, of the Code of the City of Linwood be and hereby is amended to add the following new section:

SECTION 1: Any multifamily residential development or redevelopment, that will contain five or more dwelling units shall comply with the following:

- i. A minimum of 15 percent of the total number of units shall be set aside as affordable housing units if the affordable units will be for rent. If the calculation of the total number of affordable units required yields a fraction of less than 0.5 then either a pro-rated payment in lieu or one additional unit shall be provided. If the calculation of the total number of affordable units required yields a fraction greater than 0.5, the obligation shall be rounded up and the additional unit shall be provided.
- ii. A minimum of 20 percent of the total number of units shall be set aside as affordable housing units if the affordable units will be for sale. If the calculation of the total number of affordable units required yields a fraction of less than 0.5, then either a pro-rated payment in lieu or one additional unit shall be provided. If the calculation of the total number of affordable units

required yields a fraction of greater than 0.5, the obligation shall be rounded up and the additional unit shall be provided.

- iii. The provisions of this Ordinance shall not apply to residential expansions, additions, renovations, replacement, or any other type of residential development that does not result in a net increase in the number of dwellings of five or more. increase
- iv. At least half of all affordable units shall be affordable to low income households, and the remainder may be affordable to moderate income households. Within rental developments, at least 13 percent of the affordable units shall be affordable to very low income households, with the very low income units counted as part of the low income requirement.

SECTION 2: All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4: This Ordinance shall take effect upon passage and publication as provided by law.

<i>FIRST READING:</i>	<i>July 11, 2018</i>
<i>PUBLICATION:</i>	<i>July 16, 2018</i>
<i>PASSAGE:</i>	<i>August 8, 2018</i>

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on, July 11, 2018 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on August 8, 2018.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR