

**TOWNSHIP OF MANALAPAN**  
**ORDINANCE 2020-19**

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**AN ORDINANCE FURTHER AMENDING ORDINANCE 2020-07 PROVIDING FOR MULTI-FAMILY HOUSING WITH AN INCLUSIONARY SET-ASIDE OF AFFORDABLE HOUSING TO BE DEVELOPED IN THE NEWLY CREATED AH-DIOCESE AFFORDABLE HOUSING OVERLAY ZONE**

**WHEREAS**, the Township Committee on June 10, 2020 adopted Ordinance 2020-07 amending Chapter 95, "Development Regulations" of the Code of the Township of Manalapan to establish the AH-Diocese Affordable Housing Overlay District in furtherance of its obligation to provide an opportunity to produce its fair share obligation of affordable housing for the Third Round and to allow for the opportunity of housing choices within the Township; and

**WHEREAS**, on July 22, 2020, Ordinance 2020-17 was adopted to make certain technical changes to the provisions of Section 95-5.6K, "AH-Diocese Affordable Housing Overlay Zone" so as to conform to applicable regulations and the terms of the Settlement Agreement pertaining to the Project; and

**WHEREAS**, a further change is required to Section 95-5.6K in order to conform to the terms of the Settlement Agreement;

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Manalapan, County of Monmouth, State of New Jersey, as follows:

**SECTION I.** Chapter 95, "Development Regulations", of the Code of the Township of Manalapan, Section 95-5.6K, "AH-Diocese Affordable Housing Overlay Zone" (AH-Diocese) is hereby amended and supplemented by the deletion therefrom of subparagraph 95-5.6K (7) (h) and the substitution therefor of the following:

“(h) The Diocese or its successor in interest shall take all necessary steps to maintain affordability controls for the affordable units in accordance with all UHAC regulations, N.J.A.C. 5:80-26.5 and -26.11, for at least a thirty (30) year period from the date that a certificate of occupancy is issued for each of the affordable units. If this Project is financed with low Income Housing Tax Credits, then the HMFA required deed restriction shall be provided.”

**SECTION II.** Any Ordinance or portions thereof, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION III.** If any portion of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect or impair the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

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

### **NOTICE OF PUBLIC HEARING**

The Ordinance published herewith was Introduced and approved at a meeting of the Township Committee of the Township of Manalapan held on [August 12, 2020](#) and will be further considered for final passage after a Public Hearing thereon before the Township Committee of the Township of Manalapan during a meeting to be held on [Wednesday, September 9, 2020](#) at the Municipal Complex, 120 Route 522 and Taylors Mills Road, Manalapan, New Jersey at 7:30 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard.

The proposed Ordinance in its entirety is on file in the Municipal Clerk's Office and copies may be obtained without charge between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. A complete copy may also be obtained from the Manalapan Township web-site [www.mtnj.org](http://www.mtnj.org) by clicking on the Ordinance title listed on the Agenda posted for the Township Committee meeting of [September 9, 2020](#).

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SHARI ROSE, RMC  
Deputy Municipal Clerk