



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. 2020-12 adopted 4/30/2020. 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

✓ Vote Record - Ordinance 2020-12						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Eileen Chapman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Yvonne Clayton	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Jesse Kendle	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Amy Quinn	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	John Moor	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Introduced						