

RULS-AD-1983-85

9-22-83

Ordinance to amend ... for Bedminster

6 Pgs.

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AN ORDINANCE TO AMEND AND SUPPLEMENT
AN ORDINANCE ENTITLED "THE LAND
DEVELOPMENT ORDINANCE OF THE TOWNSHIP
OF BEDMINSTER".

BE IT ORDAINED by the Township Committee of the Township
of Bedminster in the County of Somerset, as follows:

1. An ordinance entitled "The Land Development Ordinance of the Township of Bedminster" adopted October 6, 1980, as heretofore amended and supplemented, be and the same is hereby further amended and supplemented as follows:

A. Section 13-606.4j of the ordinance to which this ordinance is amendatory be and the same hereby is amended and supplemented to read as follows:

"j. Low and moderate income housing requirements.

"At least 20 percent of the total number of residential dwellings within a planned unit development shall be subsidized or otherwise made affordable to low and moderate income households as discussed and defined in the "Mt. Laurel II" Supreme Court Decision (So. Burlington Cty. N.A.A.C.P. v. Mt. Laurel Tp., 92 N.J. 158 (1983)). It shall be the responsibility of the applicant to propose, as a part of its application for development, the scheme to be used in order to insure that the required number of affordable dwelling units are rented or sold only to low and moderate income households and that the units will continue to be occupied by said households over time. Every affordable unit shall be rented or sold at a cost not exceeding 25% of the earning limits calculated for low income households and moderate income households. For purposes of this ordinance, "low income households" are those earning less than 50% of the median income figure published for Somerset County and "moderate income households" are those earning between 50% and 80% of said published median income figure.

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"1. At least 25 percent of the required 20 percent shall be subsidized senior citizen housing units in accordance with subsection 13-601.2 of this chapter. The applicant shall diligently apply to the Federal Department of Housing and Urban Development and the New Jersey Housing Finance Agency for subsidies; if no subsidies are available, this fact shall be certified to the Planning Board and the required percentage of low and moderate income housing in the planned unit development shall be provided in accordance with subsections 13-606.4j.2. and 13-606.4j.3. hereinbelow. The height, parking and other provisions specified for subsidized senior citizen housing units in subsection 13-601.2 of this chapter shall not be applied to any other housing within the planned unit development.

"2. At least 35 percent of the required 20 percent shall be rental units subsidized in accordance with available subsidy programs authorized and regulated by the Federal Department of Housing and Urban Development or the New Jersey Housing Finance Agency. If no subsidy programs are available, this fact shall be certified to the Planning Board, and the rental units shall be restricted in size to be no larger than 15 percent greater in area than the minimum net habitable floor area as specified in this chapter. In any case, 50% of said rental units shall be provided for low income households and 50% for moderate income households. Moreover, not less than 5 percent of the units shall have four (4) bedrooms and not less than an additional 20 percent of the units shall have three (3) bedrooms.

"3. At least 20 percent of the required 20 percent, and such additional units as may be required to achieve the low and moderate income housing requirements within the planned unit development, shall be dwellings for sale. 50% of said sale

units shall be provided for low income households and 50% for moderate income households. Moreover, not less than 5 percent of the units shall have four (4) bedrooms and not less than an additional 20 percent shall have three (3) bedrooms."

B. Section 13-606.3i of the ordinance to which this ordinance is amendatory be and the same hereby is amended and supplemented to read as follows:

"i. Low and moderate income housing requirements.

"At least 20 percent of the total number of residential dwellings within a planned residential development shall be subsidized or otherwise made affordable to low and moderate income households as discussed and defined in the "Mt. Laurel II" Supreme Court Decision (So. Burlington Cty. N.A.A.C.P. v. Mt. Laurel Tp., 92 N.J. 158 (1983)). It shall be the responsibility of the applicant to propose, as a part of its application for development, the scheme to be used in order to insure that the required number of affordable dwelling units are rented or sold only to low and moderate income households and that the units will continue to be occupied by said households over time. Every affordable unit shall be rented or sold at a cost not exceeding 25% of the earning limits calculated for low income households and moderate income households. For purposes of this ordinance, "low income households" are those earning less than 50% of the median income figure published for Somerset County and "moderate income households" are those earning between 50% and 80% of said published median income figure.

"1. At least 35 percent of the required 20 percent shall be rental units subsidized in accordance with available subsidy programs authorized and regulated by the Federal Department of Housing and Urban Development or the New Jersey Housing Finance

Agency. If no subsidy programs are available, this fact shall be certified to the Planning Board, and the rental units shall be restricted in size to be no larger than 15 percent greater in area than the minimum net habitable floor area as specified in this chapter. In any case, 50% of said rental units shall be provided for low income households and 50% for moderate income households. Moreover, not less than 5 percent of the units shall have four (4) bedrooms and not less than an additional 20 percent of the units shall have three (3) bedrooms.

"2. At least 20 percent of the required 20 percent, and such additional units as may be required to achieve the low and moderate income housing requirements within the planned residential development, shall be dwellings for sale. 50% of said sale units shall be provided for low income households and 50% for moderate income households. Moreover, not less than 5 percent of the units shall have four (4) bedrooms and not less than an additional 20 percent shall have three (3) bedrooms."

C. The ordinance to which this ordinance is amendatory be and the same hereby is amended and supplemented by adding the following new section:

"13-404.7. Low And Moderate Income Housing Requirements. At least 35 percent of the total number of residential dwellings within an "MF" High Density Multiple Family Development shall be subsidized or otherwise made affordable to low and moderate income households as discussed and defined in the "Mt. Laurel II" Supreme Court Decision (So. Burlington Cty. N.A.A.C.P. v. Mt. Laurel Tp., 92 N.J. 158 (1983)). It shall be the responsibility of the applicant to propose, as a part of its application for development, the scheme to be used in order to insure that the required number of affordable dwelling units are rented or sold

only to low and moderate income households and that the units will continue to be occupied by said households over time. Every affordable unit shall be rented or sold at a cost not exceeding 25% of the earning limits calculated for low income households and moderate income households. For purposes of this ordinance, "low income households" are those earning less than 50% of the median income figure published for Somerset County and "moderate income households" are those earning between 50% and 80% of said published median income figure.

"a. At least 25 percent of the required 35 percent shall be rental units subsidized in accordance with available subsidy programs authorized and regulated by the Federal Department of Housing and Urban Development or the New Jersey Housing Finance Agency. If no subsidy programs are available, this fact shall be certified to the Planning Board, and the rental units shall be restricted in size to be no larger than 15 percent greater in area than the minimum net habitable floor area as specified in this chapter. In any case, 50% of said rental units shall be provided for low income households and 50% for moderate income households. Moreover, not less than 5 percent of the units shall have four (4) bedrooms and not less than an additional 20 percent of the units shall have three (3) bedrooms.

"b. At least 25 percent of the required 35 percent, and such additional units as may be required to achieve the low and moderate income housing requirements within the "MF" Multiple Family Development, shall be dwellings for sale. 50% of said units shall be provided for low income households and 50% for moderate income households. Moreover, not less than 5 percent of the units shall have four (4) bedrooms and not less than an additional 20 percent shall have three (3) bedrooms."

2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall take effect immediately upon final passage and publication and the filing of a copy thereof with the Somerset County Planning Board as required by law.

Introduced: 9/19/83
First Passage: 9/19/83
Published: 9/22/83
Referred to Planning Board: 9/19/83
Final Passage:

NOT Adopted expired 31 DEC 83

Margaret C. Francisco
Township Clerk

Paul F. Gavin, Mayor