PLEASE TAKE NOTICE that the following Ordinance was introduced on first reading by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey at a meeting held on the 5th day of July, 2018. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on August 2nd, 2018 at a meeting beginning at 7:00 PM at the Municipal Building located on the corner of County Road 519 and Oak Grove Road, Kingwood Township, New Jersey, at which time all interested persons will be heard.

ORDINANCE NO. 19 -18- 2018

AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY, AMENDING SECTION 4.a. OF ORDINANCE NO. 19-05-2018, CHAPTER 83, ARTICLE II OF THE CODE ENTITLED "AFFORDABLE HOUSING REGULATIONS"

WHEREAS, ORDINANCE NO. 19-05-2018, adopted April 5, 2018, amending the Code of the Township of Kingwood, Chapter 83, Article II of the Code of the Township of Kingwood identifies "The ARC of Hunterdon, Block 19, Lot 5" as one of the affordable housing compliance techniques to address Kingwood Township's Prior Round affordable housing obligation of 19 units; and

WHEREAS, Block 19, Lot 5 is a 7.48-acre municipally-owned affordable housing site that Kingwood Township acquired to develop affordable housing to address municipal affordable housing obligations, and which Kingwood Township expended considerable affordable housing trust funds and municipal volunteer hours in pursuit of regulatory agency approvals and marketing for the development of affordable housing on the site; and

WHEREAS, the continued designation of Block 19, Lot 5 in Kingwood Township's amended Third Round Housing Plan Element and Fair Share Plan to address a portion of the municipal "Prior Round" affordable housing obligations would result in affordable housing compliance plan requirements by the Court including the expenditure of municipal affordable housing trust funds that are not available now and are not expected to be available from new development within the next several years based upon the slow pace of residential and non-residential development witnessed in Kingwood Township during the past several years, which would therefore require local property tax collections to fund development of the property; and

WHEREAS, Kingwood Township's Third Round Fair Share Plan includes the inclusionary zoning compliance technique that is anticipated to yield not less than 111 units of affordable housing to address Kingwood Township's Third Round Prospective Share obligation of 103-units; and

WHEREAS, the Kingwood Township Committee adopted Ordinance 19-08-2018 on April 5, 2018 enacting inclusionary zoning standards for the Eastern Gateway Village Center Overlay – Affordable Housing Zone (EGVCO-AH) providing for the development of 111 units of affordable housing to address the 103-unit "Third Round Prospective Share" affordable housing obligation, which ordinance yields a sufficient number of affordable housing units to replace the municipally-owned Block 19, Lot 5 property and "The ARC of Hunterdon" group home as a "Prior Round" compliance technique in the Township's Fair Share Plan; and

WHEREAS, existing inclusionary zoning in the EGVCO-AH that was enacted through the adoption of Ordinance 19-08-2018 on April 5, 2018 will yield a sufficient number of affordable housing units for Kingwood Township to replace Block 19, Lot 5 in the Third Round Fair Share Plan with inclusionary zoning affordable housing units to fully address Kingwood Township's "Prior Round" obligations; and

WHEREAS, Kingwood Township is committed to development of Block 19, Lot 5 for affordable housing at some future date as affordable housing trust funds may become available through residential and non-residential development fees to subsidize development of the property with affordable housing;

NOW, THEREFORE, BE IT ORDAINED, by the Kingwood Township Committee, as follows:

SECTION 1. The table found at "Section 3. Applicability", subsection "4.a. Prior Round Obligation (1987-1999)" of ORDINANCE NO. 19-05-2018, adopted April 5, 2018, amending the Code of the Township of Kingwood, Chapter 83, Article II of the Code of the Township of Kingwood, is hereby repealed and replaced to read, as follows:

a. Prior Round Obligation (1987-1999): 19 units

Project	Block	Lot	Units	Bonus
Easter Seals (Block 1, Lot 7.03)	1	7.03	5	5
EGVCO-AH Inclusionary Zoning	21 15	1 8	4	
Accessory Apartment Program	TBD	TBD	5	
	Subtotals:		14	5
	Total:		19 Credits & Bonuses	

SECTION 2. This ordinance may be renumbered for codification purposes.

REPEALER. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY 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.

EFFECTIVE DATE: This Ordinance shall take effect upon passage and publication as provided by law.

TOWNSHIP COMMITTTEE OF TOWNSHIP OF KINGWOOD

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Richard Dodds, Mayor

ATTEST: **August 2, 2018**

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Cynthia L. Keller, RMC
Kingwood Township Clerk

Introduction: **July 5, 2018**
Publication: **July 12, 2018**
Final Adoption: **August 2, 2018**
Publication By Title Only: **August 9, 2018**

ROLL CALL VOTE	MOVED	SECONDED	NAY	NAY	ABSTAIN	ABSENT
T. Ciacciarelli						
M. Syrnick						
R. Dodds						