

CINNAMINSON TOWNSHIP
BURLINGTON COUNTY, NEW JERSEY

ROUND FOUR
HOUSING ELEMENT
and
FAIR SHARE PLAN



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The original of this document has been signed and sealed on May 30, 2025 pursuant to N.J.A.C. 13:41-1.3

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INTRODUCTION

The purpose of this document is, in part, to demonstrate Cinnaminson Township's satisfaction of its constitutional affordable housing obligation for the period commencing in 1987 and extending to July 1, 2035. It has been prepared in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-28b(3)) and the Fair Housing Act as amended (N.J.S.A. 52:27D-310), which requires municipalities that choose to enact and enforce a zoning ordinance to prepare a Housing Element and Fair Share Plan. N.J.S.A. 52:27D-310, which outlines the mandatory requirements for a Housing Plan Element, is supplemented by AOC Administrative Directive #14-24, as cited below.

The Municipal Land Use Law at N.J.S.A. 40:55D-28.b(3), identifies the following requirements for a Housing Plan Element:

(3) A housing plan element pursuant to section 10 of P.L.1985, c.222 (C.52:27D-310), including, but not limited to, residential standards and proposals for the construction and improvement of housing;

The Content of a Housing Element as outlined at prior regulations found at subsection (a) of *N.J.A.C. 5:97-2.3*), required that a Housing Element submitted to the Council should include the minimum requirements prescribed by N.J.S.A 52:27D-310 which provides that

“a municipal housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing, and shall contain at least:

a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;

b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;

c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;

d. An analysis of the existing and probable future employment characteristics of the municipality;

e. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and

prospective housing needs, including its fair share for low and moderate income housing; and

f. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.”

g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c.273 (C.52:27D-329.20);

h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include consideration of the municipality’s most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and *(Not applicable)*

i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

In addition to the Housing Element and Fair Share Plan requirements detailed in 52:27D-310, the additional “Required Elements of Housing Element and Fair Share Plan” according to Administrative Office of the Courts (AOC) Administrative Directive #14-24, are as follows:

1. Site suitability analysis for any 100% affordable site or inclusionary zone;
2. A site development concept plan of any inclusionary zone;
3. A detailed review of the credit worthiness of all existing affordable units; and
4. An Appendix including any ordinances and resolutions required to implement the plan.

The Township of Cinnaminson was previously sued by two builder plaintiffs in 1996, at which time the Township's affordable housing was overseen by the Superior Court. In 2001, the Township submitted a Housing Element and Fair Share Plan to the Court which was approved as part of the Final Judgment of Compliance and Repose.

The Council on Affordable Housing (COAH) adopted third round rules in 2004 (N.J.A.C. 5:94 Procedural and N.J.A.C. 5:95 Substantive) that were subsequently invalidated by the Appellate Division on January 25, 2007. COAH then adopted modified rules in June 2008 (N.J.A.C. 5:96 Procedural and N.J.A.C. 5:97 Substantive) which, in turn, were followed by additional legal challenges. In a decision issued on October 8, 2010, the Appellate Division invalidated a number of provisions in N.J.A.C. 5:97 including its central component, the “growth share” methodology; a decision later upheld by the New Jersey Supreme Court on September 26, 2013.

COAH again drafted revised third round rules (N.J.A.C. 5:98 Procedural and N.J.A.C. 5:99 Substantive) which were to apply to a period commencing on November 17, 2014. However, COAH deadlocked on a vote to officially adopt the rules at its October 20, 2014 meeting, which resulted in the March 10, 2015 Mt. Laurel IV decision by the N.J. Supreme Court [In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing 221 N.J. 1 (2015)]. Finding COAH unable to perform the duties assigned it under the law and regulation, the Supreme Court removed COAH from the process, placing jurisdiction back with the courts.

This HPE/FSP sets forth the manner in which Cinnaminson Township has addressed its past obligations or will address its fourth round affordable housing obligation. Cinnaminson filed a declaratory judgment lawsuit and secured a Round 3 compliance judgment on October 2, 2019, granting repose from builder remedy lawsuits until July 1, 2025. This was based in part on the Settlement Agreement between Cinnaminson Township and FSHC dated August 16, 2018 which was approved by Superior Court Judge Ronald E. Bookbinder, A.J.S.C. at a fairness hearing on October 16, 2018.

Earlier this year, Cinnaminson filed a Round 4 declaratory judgment lawsuit acknowledging the 89-unit round 4 obligation as the first step toward Court approval of the Township's fourth round compliance plan.

FAIR SHARE PLAN FOR 1987-2035

A Fair Share Plan is defined as a “...*plan or proposal, which is in a form that may readily be converted into an ordinance, by which a municipality proposed to satisfy its obligation to create a realistic opportunity to meet its fair share of low and moderate income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low and moderate income housing...*”¹

This fourth round Housing Element and Fair Share Plan utilizes the Court-approved affordable housing obligations that resulted from settlement of lawsuits between Cinnaminson Township and Fair Share Housing Center (FSHC). The Township’s affordable housing obligation per the settlement is as follows:

Prior Round (1987-1999)	331
Third Round Prospective Need (1999-2025)	315
Fourth Round	89
Present Need (Rehabilitation)	32

UNITS AND CREDITS ADDRESSING THE PRIOR ROUND

Table 1 indicates the sources of units and credits applied against the 331-unit prior round as it was presented to and approved by the Court.

Table 1: Affordable Units and Bonus Credits Applied to Prior Rounds (1987-1999)			
Sources of Units/Credits	Units	Bonus	Total
K-Land (Cresmont) Family Rentals	136	83	219
Supportive and Special Needs			
Cinnaminson Group Home (Kelsch Associates) 3 S. Forklanding Road, Block 2001, Lot 6.01	4		4
Quality Management Associates 60 Sussex Drive, Block 2404, Lot 28	4		4
The Arc of Burlington County 2421 Chestnut Hill Drive, Block 2811, Lot 8	4		4
Ally Group Home, 1414 Riverton Road, Block 1004, Lot 44.02	4		4
Regional Contribution Agreement with Pemberton Township	72		72
SC Holdings Family (Block 702, Lot 2)	20		20
Habitat for Humanity	4		4
Total	248	83	331

¹ N.J.A.C. 5:93-1.3

Cinnaminson Township delivered a total of 248 units during this period and qualified for a total of 331 affordable housing credits after application of the 83-unit rental bonus credits.

UNITS AND CREDITS ADDRESSING THIRD ROUND

Table 2 illustrates how Cinnaminson Township proposed to address 114 units of its third round obligation with a combination of supportive and special needs housing, non-profit for-sale units, and age restricted units.

Table 2: Affordable Units Credited in Third Round Plan	
Sources of Units/Credits	Units
Habitat for Humanity (Existing For-Sale ²)	1
Supportive and Special Needs Housing	41
MEND/Conifer Realty - Age-Restricted Units at 1410 Riverton Road (Block 1004, Lot 45)	54
Habitat for Humanity (Proposed For-Sale)	4 to 6*
Market to Affordable (For-Sale/Rental)	12 to 14*
*These units shall equal no fewer than 18.	114

In retrospect, while the Township was not successful with the Market to Affordable program, this is not uncommon. However, as seen on Table 3, Cinnaminson can credit 107 units toward the 315-unit Round 3 obligation, leaving an unmet need of 208 units.

Table 3: Actual Affordable Units Toward Third Round Obligation	
Sources of Units/Credits	Units
Habitat for Humanity (Existing For-Sale ³)	6
Supportive and Special Needs Housing	41
MEND Age-Restricted at 1410 Riverton Road	54
Habitat for Humanity (Proposed For-Sale)	6
Market to Affordable (For-Sale/Rental)	NA
TOTAL	107

Supportive and Special Needs Housing

The Township provides substantial supportive and special needs housing opportunities. As part of the Third Round crediting, the Township applied 41 of these units to its third round as outlined in Table 4.

² Block 303, Lot 4.01, Block 303, Lot 4.02, Block 303, Lot 10.01, Block 303, Lot 10.02 and Block 501, Lot 8.

³ Block 303, Lot 4.01, Block 303, Lot 4.02, Block 303, Lot 10.01, Block 303, Lot 10.02 and Block 501, Lot 8.

Table 4: Supportive and Special Needs Housing

#	Name	Block	Lot	Street Address	Age Restricted	Bedrooms
1	Chestnut	2308	1	2180 Chestnut Place	---	4
2	Quality Management Associates	1212	7	1015 Washington Avenue	---	4
3	Oaks Integrated Care	2802	22	2102 New Albany Road	---	3
4	Oaks Integrated Care	1109	4	1006 Riverton Road	---	3
5	Oaks Integrated Care	601	17	610 Pear Street		2
6	Bancroft Homes Fb Residential Holdings	3011	1	2900 New Albany Road	---	4
7	Bancroft Homes Scioto Properties	1109	10	1103 Thomas Road	---	4
8	Bancroft Homes Fb Residential Holdings	2402	7	109 Wayne Drive	---	4
9	Bancroft Homes Fb Residential Holdings	3205	12	2810 Hunterdon Drive	---	4
10	NHS Human Services	423	12	820 Bellevue Avenue	---	3
11	ALLY Inc.	2403	10	2317 Laurel Drive	Yes	6
	Total					41

Market-to-Affordable Housing

In Round 3, the Township proposed a market-to-affordable program to convert 12 to 14 existing rental or owner-occupied units into deed-restricted affordable units for low- and moderate-income families.

The Township agreed to provide 5 units on or before July 1, 2022, and 7 more units on or before July 1, 2024. The Township did not meet these deadlines and will need to identify alternative compliance mechanisms according to the Round 3 compliance plan.

Habitat for Humanity

The Round 3 Plan noted that the Township and Habitat for Humanity have partnered successfully to construct affordable housing units, resulting in the construction of five affordable units at the following locations: Block 303, Lot 4.01, Block 303, Lot 4.02, Block 303, Lot 10.01, Block 303, Lot 10.02 and Block 501, Lot 8.

In the Round 3 Plan, Cinnaminson promised to donate a vacant lot (Block 423, Lot 13) at 816 South Bellview Avenue to Habitat for two (2) side-by-side duplexes totaling four affordable units on Lot 13. Cinnaminson subsequently acquired the adjoining vacant lot – Block 423, Lot 14 at 810 South Bellview Avenue and Habitat constructed another duplex for a total of 6 units on South Bellview.

MEND/Conifer Realty Age-Restricted Units at 1410 Riverton Road (Block 1004, Lot 45)

Moorestown Ecumenical Neighborhood Development MEND, Inc. and Conifer Realty LLC partnered to deliver 54 mostly one-bedroom senior units for low- and moderate-income senior citizens and adults with special needs. This 3-story building has been constructed on a formerly Township-owned 2.7-acre parcel using NJ Housing and Mortgage Finance Agency 9% Federal Low Income Housing Tax Credits. In addition to the tax credit funding, which generated private equity toward this project, other funding included Burlington County HOME Funds, a mortgage from Cinnaminson Township and a mortgage loan from the Community Development Trust.

ROUND 3 UNMET NEED

To address the Township's anticipated 201-unit (now 207-unit) unmet need, two overlay zones were created for inclusionary development.

Inclusionary Overlay Zoning

To address the Township's unmet need for affordable housing units, the Round 3 plan provided for two prominent inclusionary overlay zones, including the IR-3 Light Rail Line Overlay and the IR-2 Haines to Pep Boys Overlay Zone. The Township also adopted a Township-wide set-aside ordinance.

IR-3 Overlay Zone

The FSHC Settlement Agreement includes the IR-3 Light Rail Line Overlay Zone which is located east of Bannard Street from Pear Avenue to South Bellevue Avenue and includes the following Blocks and Lots:

- Block 421, Lot 1
- Block 426, Lots 1.01, 1.02 and 1.03
- Block 504, Lot 1
- Block 505, Lots 2 and 3
- Block 506, Lots 2, 3, 4.01, 4.02, 5, 6.01, and 6.02
- Block 507, Lots 1, 5.01, and 5.02
- Block 508, Lots 1.01, 1.02, 3, 4, 6, 7, and 8

The proposed transit village area zoning, which includes 43 acres not counting rights of way, consists of a series of outdated and/or underutilized industrial uses sandwiched between single-family residential neighborhoods. These industrial uses are generally low

employment generators and are of an older vintage (except the mini-storage). Local officials recognize the potential for repurposing this area as an inclusionary mixed use neighborhood.

The area below Bannard Street to the south of the railroad has the potential to function as a transit village. With only a handful of owners involved, the assemblage of outdated industrial uses should yield a productive landscape for mixed use development with opportunities for significant affordable housing.

At 20 units/acre, it was estimated that this area could yield over 860 housing units, including *potentially 170 or more affordable units* at a 20% set aside.

Site Suitability Analysis for the Light Rail Overlay Zone

Site suitability was demonstrated in the Round 3 Housing Element according to the four criteria (available, approvable, developable and suitable) identified by the NJ Council on Affordable Housing (COAH), and accepted in the Township compliance plan.

IR-2 Overlay Zone (Block 2001, Lots 1, 2, and 3)

This 22-acre overlay zone (Block 2001, Lots 1, 2, 3) encompasses Haines Farm and Garden Supply, ESML and a retail strip anchored by Pep Boys. At 15 units/acre, this area could yield over 300 housing units, including *as many as 66 affordable units* at a 20% set aside.

Site Suitability Analysis for the IR-2 Overlay Zone

As identified previously, the Round 3 compliance plan assessed the four COAH categories of site suitability and found the IR-2 Overlay Zone to provide a realistic opportunity for the construction of affordable housing.

Town-wide Set-aside Ordinance

Cinnaminson Township agreed to adopt a mandatory set-aside ordinance as part of the Round 3 Judgment. On August 19, 2019 Cinnaminson adopted Ord. No. 2019-11, the mandatory set side provision which is reflected in the E-Code at § 145-15 “**Mandatory affordable housing set-aside in future rezonings or the grant of variances authorizing multifamily housing**” which requires a set aside of affordable units where rezonings or variances permit, multifamily or single-family attached development at a gross density of six units to the acre or more, or an increase five or more net new dwelling units on the property.

AFFORDABLE UNIT REQUIREMENTS FOR PRIOR ROUND AND THIRD ROUND

1. Rental Unit Obligation

The municipal rental obligation, a required component of meeting the fair share obligation, is calculated at 25 percent of the realistic development potential. In the 1987-

1999 rounds, the 335-unit obligation required 83 rental units. In Round 3, with an RDP of “0”, there was no rental obligation.

Nonetheless, as seen in Table 4, a total of 176 rental units were provided in the prior round and 95 units were delivered in Round 3 for a total of 271 rentals units where 83 were required.

Table 4: Affordable Units Applied to Prior Round and Third Round Obligation			
Source of Units	Prior	Third	Bonus
K-Land (Cresmont) family rentals	136		83 (Round 3)
Habitat for Humanity for sale	4	6	
Supportive and Special Needs			
Cinnaminson Group Home (Kelsch Associates)	4		
Quality Management Associates	4		
The Arc of Burlington County	4		
Ally Group Home	4		
SC Holdings family rentals (Block 702, Lot 2)	20		
Regional Contribution Agreement - Pemberton Township	72		
Third Round			
Supportive and Special Needs Housing		41	41 (Round 4)
MEND Age Restricted (Block 1004, Lot 45)		54	36 (Round 4)
Total	331	95	

While there was no obligation to provide affordable rental units in the third round, the Township proposed overlay zones that could contribute additional rental units.

2. Family Units

At least 50% of the 646-unit 1987-2025 prospective need must be available to families requiring 323 units. Cinnaminson can take credit for 238 family units (including RCA units) and 83 bonus credits, totaling 321 units or credits. Additional family units will be provided within the overlay zones to address the family unit obligation.

3. Low-Moderate Split and Very-Low Income Obligation

No more than 50% of the prospective need affordable units will be moderate income units and at least 50% of the prospective need affordable units will be affordable to low income and very low income households. Additionally, 13% of 315 Round 3 units or 41 very low income units (households earning less than 30% median income). The group homes in Cinnaminson fully satisfy this requirement.

4. Age-restricted Units

The prior round cap on age restricted units was 83 units and the Third Round age-restricted cap is 78 units for a cumulative maximum of 161 age restricted units for the

period 1987-2025. The Township's prior round plan did not include age-restricted units and the Township took credit for 54 units through the MEND project, 107 units below the cumulative age-restricted cap.

5. Rental Bonus Credits

Rental bonus credits are applied as provided in N.J.A.C. 5:93-5.1, which permits bonus credits for rental units up to 25% of the prospective need. The combined potential for rental bonus credits is thus 160 for both rounds with up to 83 bonus credits for the prior round and another 77 bonuses potentially available for Round 3. As seen on Table 4, a total of 83 bonuses have been applied for the prior round and 77 for Round 3.

VACANT LAND ADJUSTMENT

The settlement agreement with FSHC dated August 6, 2018 acknowledged that the Township was entitled to a vacant land adjustment and set the realistic development potential (RDP) for Cinnaminson Township at 0. For the Fourth Round, a vacant land analysis was again conducted as reflected in Appendix A, which indicates a 3-unit RDP. Appendix B maps the sites generating RDP.

UNITS AND CREDITS ADDRESSING THE FOURTH ROUND

Habitat for Humanity

As noted above, Cinnaminson and Habitat for Humanity have partnered successfully in the past and the Township continues to support Habitat in its endeavors to provide affordable housing in the Township. To that end, Cinnaminson will look for additional opportunities to collaborate with Habitat in the upcoming cycle.

Cinnaminson Harbor

Cinnaminson will permit the construction at Cinnaminson Harbor of a 153-unit age-restricted community on lands owned by Kaplan Companies. As seen in the development program at right, the project would include 130 market rate one- and two-bedroom units and 23 affordable one-bedroom units.

Attachment 1 illustrates the proposal for this site, which Cinnaminson will enable with inclusionary rezoning of the property.

Cinnaminson is permitted no more than 30% of its 89-unit obligation, or 26 units as age-restricted units, so all 23 affordable units at Cinnaminson Harbor will reduce the remaining Round 4 obligation from 89 units to 66.

Site Suitability Analysis for the Cinnaminson Harbor

DEVELOPMENT PROGRAM

RESIDENTIAL	
LOT AREA	±6.64 AC
TOTAL NO. UNITS	153 DU
MARKET RATE	130 DU
• 1 Bedroom	39 DU (30%)
• 2 Bedroom	91 DU (70%)
AFFORDABLE (15%)	23 DU
• 1 Bedroom	23 DU (100%)
TOTAL RETAIL	3,000 SF
BUILDING HEIGHT:	3 STORIES
PARKING	289 SP
• RESIDENTIAL	280 SP (1.83 SP/DU)
• RETAIL	09 SP (3 SP/1K SF)

Four categories of site suitability criteria were identified by the NJ Council on Affordable Housing (COAH) as part of the prior round Rules. The proposed Cinnaminson Harbor inclusionary zone designated to produce affordable housing shall be available, approvable, developable and suitable, according to the following criteria:

1. The site has a clear title and is free of encumbrances which preclude development of affordable housing;

To the extent known, no title encumbrances would preclude development of affordable housing. The offer of inclusionary development by this inclusionary developer suggests that clear title is in place.

2. The site is adjacent to compatible land uses and has access to appropriate streets;

The surrounding land uses are generally residential in nature and the light rail line offers excellent transportation access. The street network in the area is appropriate for the proposed development.

3. Adequate sewer and water capacity, as defined under N.J.A.C. 5:97-1.4, shall be available to the site or the site is subject to a durational adjustment pursuant to N.J.A.C. 5:97-5.4; and

Cinnaminson Township has public water, supplied by NJ American Water Company and wastewater treatment through the Cinnaminson Sewerage Authority. These essential infrastructure are available to support the proposed development.

4. The site can be developed consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21, where applicable. Deviations from those standards are to be done in accordance with N.J.A.C. 5:21-3.

There appear to be no physical impediments or physical characteristics that would impede development of the subject property in accordance with the Residential Site Improvement Standards.

IR-3 Overlay Zone

As noted above, the transit village zoning for these 43 acres could yield over 850 housing units at 20 units/acre. including potentially 170 affordable units at a 20% set aside. Since the transit village is situated on industrially zoned lands in a residential area, there is high land use compatibility for a mixed use transit village, which offers a major transportation and accessibility advantage to the future residents.

The IR-2 Overlay Zone

This 22-acre assemblage, as zoned at 15 units/acre, could yield 330 housing units at a 20% set aside, including 66 affordable units.

UNMET NEED 1987-2035

The portion of the 1987-2035 obligation that has not been satisfied includes:

1987-1999 - NA
1999-2025 - 217
2025-2035 - <u>66</u>
283 cumulative unmet need

Overlay zones have the potential to yield as many as 236 affordable units at a 20% set aside. This total represents *zoning for up to 83% of Cinnaminson's unmet need*.

PRESENT NEED

The Township will address a present need (rehabilitation) obligation of 32 units. The Township will partner with the Burlington County CDBG program to address this obligation and may conduct a survey to determine whether the estimate of units occupied by low-income households are substandard according to COAH standards. The Township will market the program on its website, in its tax billings and other annual mailings. In addition to these marketing efforts, the Township will place advertisements of the program in the official newspaper.

FAIR SHARE PLAN SUMMARY

Cinnaminson Township fully satisfied its 331-unit 1987-1999 obligation with a combination of units and bonus credits.

For the third round obligation, Cinnaminson's adjusted fair share was a RDP of 0, and the vacant land analysis for Round 4 indicates a 3-unit RDP. This means that the cumulative obligation for 1999-2035 is adjusted from 404 units (315 + 89) to 3 units.

However, for Round 3 Cinnaminson produced 107 units and this plan calls for another 23 age restricted units for Round 4 totaling 130 units against an RDP of 3.

HOUSING ELEMENT

Inventory of Municipal Housing Conditions

The primary source of information for the inventory of the Township's housing stock is the 2023 American Community Survey (ACS) 5-year estimates, which the Census now utilizes for demographic and housing data reporting.

According to the 2023 Census, the Township had 6,284 housing units, of which 6,149 (98%) were occupied. Table A1 identifies the units in a structure by tenure; as used throughout this Plan Element, "tenure" refers to whether a unit is owner-occupied or renter-occupied. While the Township largely consisted of one-family, detached dwellings (78% of the total, compared to 64% in the County), there were 1,391 units in attached or multi-family structures. The Township had a relatively low percentage of renter-occupied units, 15%, compared to 24% in Burlington County and 36% in the State. The Township's housing stock indicates a stable residential community with limited rental options.

Table A1: Units in Structure by Tenure

Units in Structure	Total Units	Vacant Units	Occupied Units		
			Total	Owner	Renter
1, detached	4,893	75	4,818	4,577	241
1, attached	529	7	522	455	67
2	74	0	74	18	56
3 or 4	111	0	111	15	96
5+	671	53	618	131	487
Other	6	0	6	6	0
Mobile Home	0	0	0	0	0
Total	6,284	135	6,149	5,202	947

Source: 2023 ACS 5-year estimates B25032 and B25024

Table A2 provides insight into the age distribution of housing units and their occupancy status. The majority of the housing stock was built between 1960 and 1969, with 2,127 units (33.8%), followed by the 1950s era (18.1%) and the 2000s era (11.3%). These figures indicate that a significant portion of the housing stock is over 50 years old, potentially necessitating maintenance, modernization, or redevelopment efforts.

In terms of occupancy, out of 6,284 total housing units, 6,149 units are occupied, with 5,202 being owner-occupied and 947 renter-occupied. The vacancy rate is relatively low, with only 135 vacant units across all construction periods, suggesting a tight housing market with high occupancy levels.

Newer housing stock (built 2020 or later) accounts for only 1.7% of the total units, indicating limited recent development. Housing built between 2010 and 2019 comprises 9.5% of the total, showing a modest increase in housing supply over the past decade.

Overall, the housing stock is predominantly older, with a high percentage of owner-occupied units and limited vacancy. The presence of older housing stock is one of the

factors that correlates highly with filtering. Filtering is a downward adjustment of housing needs that recognizes that the housing requirements of lower-income groups can be served by supply additions to the higher-income sections of the housing market.

Table A2: Year Structure Built by Tenure

Year Built	Total Units	% of Total	Vacant Units	Occupied Units		
				Total	Owner	Renter
2020 or later	105	1.7%	0	105	86	19
2010 - 2019	595	9.5%	45	550	237	313
2000 – 2009	709	11.3%	8	701	409	292
1990 – 1999	360	5.7%	24	336	302	34
1980 – 1989	208	3.3%	0	208	188	20
1970 – 1979	604	9.6%	0	604	571	33
1960 – 1969	2,127	33.8%	31	2,096	1,980	116
1950 - 1959	1,139	18.1%	27	1,112	1,041	71
1940 – 1949	187	3.0%	0	187	169	18
Pre-1940	250	4.0%	0	250	219	31
Total	6,284		135	6,149	5,202	947

Source: 2023 ACS 5-year estimates DP-04 and B25036

Table A3 compares the year of construction for all dwelling units in the Township to Burlington County and the State. Cinnaminson had a larger percentage of units built in the 1950s and 1960s than did the County or State and a smaller percentage of units built prior to 1940.

Table A3: Comparison of Year of Construction for Township, County, and State

Year Built	%		
	Cinnaminson Township	Burlington County	New Jersey
2020 or later	1.7%	0.8%	2%
2010 - 2019	9.5%	4.8%	6%
2000 – 2009	11.3%	11.2%	9%
1990 – 1999	5.7%	14.0%	8%
1980 – 1989	3.3%	13.5%	12%
1970 – 1979	9.6%	17.5%	12%
1960 – 1969	33.8%	13.7%	13%
1950 - 1959	18.1%	10.9%	13%
1940 – 1949	3.0%	3.0%	6%
Pre-1940	4.0%	10.7%	18%
Median Year	1967	1977	1970

Source: 2023 ACS 5-year estimates B25034 and B25035

The 2023 Census documented household size in occupied housing units by tenure, and the number of bedrooms per unit by tenure; these data are reported in Tables A4 and A5,

respectively. Table A4 indicates that renter-occupied units had more one person households (34%) with 18% of owner-occupied units having one person.

Table A4: Household Size in Occupied Housing Units by Tenure

Household Size	Total Units	Owner-occupied Units	Renter-occupied Units
1 person	1,241	920	321
2 persons	1,945	1,761	184
3 persons	1,124	967	157
4 persons	1,260	1,004	256
5 persons	485	469	16
6 persons	88	75	13
7+ persons	6	6	0
Total	6,149	5,202	947

Source: 2023 ACS 5-year estimates B25009

The distribution of housing units by bedroom count indicates that the majority of homes in the area are larger, family-sized units, with three-bedroom and four-bedroom homes making up the bulk of the housing stock. Three-bedroom units are the most common, comprising 41.6% (2,617 units) of the total, followed by four-bedroom units at 35% (2,200 units). Meanwhile, smaller units are relatively limited, with one-bedroom homes accounting for only 1.2% (77 units) and two-bedroom units at 16.6% (1,046 units). Notably, there are only 16 studio (zero-bedroom) units in the housing stock.

Regarding tenure, homeownership is the dominant form of occupancy, particularly among three-bedroom, four-bedroom, and five-bedroom homes, which are almost exclusively owner-occupied. Three-bedroom units have 2,287 owner-occupied homes versus only 62 renter-occupied homes, while four-bedroom units have 2,133 owner occupied with only 8 renter occupied. In contrast, rental housing is more concentrated among smaller units, with one-bedroom (544 renter-occupied) and two-bedroom (275 renter-occupied) homes making up most of the rental stock.

Table A5: Number of Bedrooms per Occupied Unit by Tenure

Bedrooms	Units	(%)	Occupied Units		
			Total	Owner	Renter
No bedroom	14	0.2%	72	14	58
1 bedroom	77	1.2%	563	19	544
2 bedrooms	1,046	16.6%	702	427	275
3 bedrooms	2,617	41.6%	2,349	2,287	62
4 bedrooms	2,200	35.0%	2,141	2,133	8
5+ bedrooms	330	5.3%	380	322	58

Source: 2023 ACS 5-year estimates DP-04 and B25042

Table A6 compares the Township's average household size for all occupied units, owner-occupied units, and renter-occupied units in 2023 to those of the County and State. The

Township's average household size for all units is higher than the State and County, with household sizes (2.79 overall) compared to Burlington County (2.58) and New Jersey (2.58).

Table A6: Average Household Size for Occupied Units for Township, County, and State

Jurisdiction	All Occupied Units	Owner-occupied units	Renter-occupied units
Cinnaminson Township	2.79	2.84	2.55
Burlington County	2.58	2.70	2.01
New Jersey	2.58	2.72	2.32

Source: 2023 ACS 5-year estimates B25010

The distribution of number of bedrooms per unit is shown in Table A7. The Township had fewer units with zero (0) to one-bedroom units and a higher percentage of two or more-bedroom units than the State and County.

Table A7: Percentage of All Units by Number of Bedrooms

Jurisdiction	None or one	Two or Three	Four or More
Cinnaminson Township	1%	58%	40%
Burlington County	11%	56%	33%
New Jersey	18%	57%	26%

Source: 2023 ACS 5-year estimates DP-04

In addition to data concerning occupancy characteristics, the 2023 Census includes a number of indicators, or surrogates, which relate to the condition of the housing stock. These indicators are used in calculating a municipality's deteriorated units and indigenous need. The surrogates used to identify housing quality, in addition to age (Pre-1940 units in Table A2), are the following:

- Persons per Room - 1.01 or more persons per room is an index of overcrowding.
- Plumbing Facilities - Inadequate plumbing is indicated by either a lack of exclusive use of plumbing or incomplete plumbing facilities.
- Kitchen Facilities - Inadequate kitchen facilities are indicated by shared use of a kitchen or the non-presence of a sink with piped water, a stove, or a refrigerator.

Table A8 compares the Township, County, and State for some of the above indicators of housing quality. The Township has few units that are overcrowded and have inadequate plumbing or kitchen facilities. These indicators suggest relatively high housing quality in the Township.

Table A8: Housing Quality for Township, County, and State

Condition	%		
	Cinnaminson	Burlington County	New Jersey
Overcrowding	.6%	1.4%	4%
Lacking Complete plumbing Facilities	.1%	.2%	.3%
Lacking Complete Kitchen Facilities	.5%	.4%	.8%

Source: 2023 ACS 5-year estimates DP-04

The last factors used to describe the municipal housing stock are the assessed housing values and gross rents for residential units. Most homes fall within the \$300,000–\$499,999 range, with a median home value of \$355,500. High home values reflect a stable housing market but may present affordability barriers for lower-income residents.

Table A9: Value of Residential Units

Value	Number	%
Less than \$50,000	112	2.2%
\$50,000 to \$99,999	0	0.0%
\$100,000 to \$149,999	78	1.5%
\$150,000 to \$199,999	326	6.3%
\$200,000 to \$299,999	1,096	21.1%
\$300,000 to \$499,999	2,823	54.3%
\$500,000 to \$999,999	684	13.1%
\$1,000,000 or more	83	1.6%
Median (dollars)	\$355,500	

Source: 2023 ACS 5-year estimates DP-04

The majority of rental units exceed \$2,000 per month with the median rent at \$2,157. Rental affordability is a concern, as high rents may exclude lower-income households. Increasing affordable rental units could address housing accessibility challenges.

Table A10: Gross Rents for Specified Renter-Occupied Housing Units

Contract Monthly Rent	Number	%
Less than \$500	0	0.0%
\$500 to \$999	13	1.4%
\$1,000 to \$1,499	59	6.5%
\$1,500 to \$1,999	259	28.4%
\$2,000 to \$2,499	397	43.6%
\$2,500 to \$2,999	132	14.5%
\$3,000 or more	51	5.6%
Median (contract rent)	\$2,157	

Source: 2023 ACS 5-year estimates DP-04

The data in Table A11 indicate that in 2023 there were 485 households earning less than \$35,000 annually. Many households earning under \$75,000 experience housing cost

burdens, spending more than 30% of their income on housing. A figure of 30% is considered the limit of affordability for housing costs.

Table A11: Household Expense in 2023 by as a Percentage of Household Income for Occupied Housing Units

Income	Number of Households	Less than 30%	More than 30%
< \$20,000	218	13	205
\$20,000 – 34,999	267	6	261
\$35,000 - \$49,999	304	45	259
\$50,000 - \$74,999	687	306	381
\$75,000 +	4,562	3,951	611

Source: 2023 ACS 5-year estimates S2503

Tables A12 and A13 show the production and demolition of housing units in the Township. The analysis of housing development trends from 2013 to 2024 reveals fluctuating new construction activity and minimal housing demolitions, leading to an overall increase in housing stock. The number of housing units authorized for new construction varied significantly, with notable peaks in 2018 and 2019, primarily due to multifamily housing development. In contrast, some years, such as 2016 and 2017, saw very few permits issued, indicating an inconsistent pattern of growth. Single-family and two-family homes dominated construction in most years, while mixed-use development remained limited, with minor activity in 2022 and 2023.

On the other hand, housing demolitions were minimal, with most years recording zero or very few removals. The demolitions that did occur were primarily single-family or two-family homes, and no multifamily units were removed. This suggests a stable housing stock, with limited redevelopment efforts targeting older buildings. Overall, the data indicates a net positive housing growth, particularly during periods of increased multifamily construction.

Table A12: Housing Units Authorized by Building Permits for New Construction 2013-2024

Year	Total	1&2 family	Multifamily	Mixed use
2013	59	29	30	0
2014	45	45	0	0
2015	10	10	0	0
2016	3	3	0	0
2017	5	5	0	0
2018	98	10	88	0
2019	100	15	85	0
2020	43	43	0	0
2021	51	49	0	0
2022	15	12	0	3
2023	8	3	0	5

Source: New Jersey Department of Community Affairs, Development Trend Viewer

Table A13: Housing Units Demolished 2013-2024

Year	Total	1&2 family	Multifamily	Mixed use
2013	1	1	0	0
2014	2	1	0	1
2015	2	2	0	0
2016	0	0	0	0
2017	2	2	0	0
2018	1	1	0	0
2019	0	0	0	0
2020	2	2	0	0
2021	0	0	0	0
2022	0	0	0	0
2023	3	1	0	2

Source: New Jersey Department of Community Affairs, Development Trend Viewer

Table A14 shows certificates of occupancy in square feet for non-residential uses between 2013 and 2023. The table shows significant fluctuations in the amount of newly occupied non-residential space over the past decade, reflecting variable commercial and industrial development trends. The most notable spike occurred in 2022, with 1,726.6 thousand square feet of newly occupied space, far surpassing all other years. This suggests a major commercial, industrial, or institutional development project during that time. Other years with relatively high occupancy approvals include 2018 (270.2k sq. ft.), 2021 (110.0k sq. ft.), and 2023 (111.1k sq. ft.), indicating periods of increased economic activity and business expansion.

In contrast, some years saw significantly lower occupancy levels, such as 2014 (9.7k sq. ft.), 2016 (10.1k sq. ft.), and 2019 (17.4k sq. ft.), pointing to slower commercial development or economic downturns during those periods. Overall, the data suggests a highly variable pattern of non-residential development, with periods of rapid expansion followed by years of minimal activity.

Table A14: Square Feet of Non-residential Space

Year	Total (thousands)
2013	101.7
2014	9.7
2015	50.3
2016	10.1
2017	62.2
2018	270.2
2019	17.4
2020	86.9
2021	110.0
2022	1,726.6
2023	111.1
<i>NJ Department of Community Affairs, CO Yearly Summary</i>	

Analysis of Demographic Characteristics

As with the inventory of the municipal housing stock, the primary source of information for the analysis of the demographic characteristics of the Township's residents is the 2023 U.S. Census. The Census data provide a wealth of information concerning the characteristics of the Township's population in 2023.

The 2020 Decennial Census indicates that the Township had 17,064 residents, or 2,469 more residents than in 2000, representing a population increase of approximately 17%. The Township's 17% increase from the 2000's compares to a 9% increase in Burlington County and 10% in New Jersey.

The age distribution of the Township's residents is shown in Table A15. The Township, similar to most areas in the State and Country, has an aging population, with a higher percentage of residents over 35 compared to county and state averages.

Table A15: Population by Age

Age	% Persons
Under 5 years	6.0%
5 to 9 years	5.5%
10 to 14 years	5.8%
15 to 19 years	6.4%
20 to 24 years	5.4%
25 to 34 years	9.0%
35 to 44 years	15.2%
45 to 54 years	11.1%
55 to 59 years	7.4%
60 to 64 years	7.3%
65 to 74 years	12.7%
75 to 84 years	5.3%
85 years and over	3.0%
Median Age	42.3

Source: 2023 DP-05 ACS 5-year Estimates

Table A16 compares the Township to the County and State by age categories. The principal differences among the Township, County, and State occur in the 65-74 age category, where the Township had a larger proportion than the County and State. The Township generally had more persons in the 55 and older age categories than the County and State.

Table A16: Comparison of Age Distribution for Township, County, and State (% of persons)

Age	Cinnaminson Township	Burlington County	New Jersey
Under 5 years	6.0%	5.1%	5.6%
5 to 9 years	5.5%	5.7%	5.8%

10 to 14 years	5.8%	6.0%	6.3%
15 to 19 years	6.4%	6.0%	6.3%
20 to 24 years	5.4%	5.7%	5.9%
25 to 34 years	9.0%	12.6%	12.7%
35 to 44 years	15.2%	13.0%	13.3%
45 to 54 years	11.1%	13.3%	12.8%
55 to 59 years	7.4%	7.6%	6.6%
60 to 64 years	7.3%	7.2%	6.8%
65 to 74 years	12.7%	10.3%	10.3%
75 to 84 years	5.3%	5.4%	5.5%
85 years and over	3.0%	2.2%	1.9%
Median	42.3	41.7	40.4

Source: 2023 DP-05 5-year estimates

Table A17 provides Census data on household size for the Township, while Table A18 compares household sizes in the Township to those in Burlington County and the State. The Township has more households with three or more persons than the County or State and fewer in the other categories.

Table A17: Persons in Household

Household Size	%
1 person	20.2%
2 persons	31.6%
3 persons	18.3%
4 or more persons	29.9%
Average Household Size	2.79

Source: 2023 ACS 5-year Estimates U.S. Census, S2501.

**Table A18: Comparison of Persons in Household for Township, County, and State
(% of households)**

Household Size	Township	County	State
1 person	20.2%	26.7%	26.2%
2 persons	31.6%	32.9%	31.7%
3 persons	18.3%	16.5%	17.0%
4+ persons	29.9%	23.9%	25.0%
Average household Size	2.79	2.58	2.58

Source: 2023 ACS 5-year estimate S2501 and S1101

Table A19 presents a detailed breakdown of the Township's 65 and over population by household type and relationship. Family households dominate, but non-family households account for a substantial portion (20%). Planning should include housing that accommodates both family and non-family households, ensuring senior housing options as demand increases.

Table A19: Persons 65+ by Household Type and Relationship

	Persons
In households:	3,561
In family households:	2,833
Householder:	1,415
Male	814
Female	601
Spouse	1,091
Parent	124
Parent-in-law	35
Other relatives	136
Nonrelatives	32
In nonfamily households:	728
Householder:	692
Male:	229
Living alone	211
Not living alone	18
Female:	463
Living alone	446
Not living alone	17
Nonrelatives	36
In Group Quarters	48

Source: 2023 ACS B09020 5-year estimate.

Table A20 provides 2023 income data for the Township, County, and State. The Township's per capita income was lower than the state and county, but family and household incomes were higher. Higher incomes suggest economic stability.

Table A20: 2023 Income for Township, County, and State

Jurisdiction	Per Capita Income	Median Income	
		Households	Families
Cinnaminson Township	\$52,750	\$123,542	\$138,582
Burlington County	\$53,077	\$105,271	\$127,277
New Jersey	\$53,118	\$99,781	\$121,944

Source: 2023 U.S. Census ACS 5 Year Estimates B19301 and S1901,

Table A21 addresses the lower end of the income spectrum, providing data on poverty levels for persons and families in 2023. According to the data in Table A21, the Township had proportionately fewer persons qualifying for poverty status than the State and the County.

Table A21: Poverty Status for Persons and Families for Township, County, and State (% with 2023 income below poverty)

Jurisdiction	Persons (%)	Families (%)
Cinnaminson Township	4.5%	3.4%
Burlington County	6.8%	4.9%
New Jersey	9.8%	7%

Source: 2023 ACS 5-year estimates S1701 and S1702

The U.S. Census includes a vast array of additional demographic data that provide insights into an area's population. For example, Table A22 provides a comparison of the median year households moved into their current residences. This is a surrogate measure of the mobility/stability of a population. A higher percentage of homeowners resided in the same home longer compared to county and state averages.

Table A22: Comparison of Median Year Householder Moved Into Unit for Township, County, and State

Jurisdiction	Owner Occupied	Renter Occupied
Cinnaminson Township	2005	2018
Burlington County	2007	2018
New Jersey	2010	2019

Source: 2023 ACS 5-year estimates B25039

Table A23 compares the educational attainment for Township, County, and State residents over age 25. The data indicate that more Township residents achieved a high school diploma or bachelor's than the state and county.

Table A23: Educational Attainment for Township, County, and State Residents (Persons 25 years and over)

Jurisdiction	Percent (%) high school graduates or higher	Percent (%) with bachelor's degree or higher
Cinnaminson Township	94.9%	43.1%
Burlington County	94.4%	42%
New Jersey	90.7%	42.9%

Source: 2023 ACS 5-year estimates DP02

The 2023 Census also provides data on the means of transportation that people use to reach their place of work. Table A24 compares the Census data for the Township, County, and State relative to driving alone, carpooling, using public transit, and using other means of

transportation. The Township had a relatively high percentage of those who drive alone and a relatively low percentage of workers who carpool or use public transit.

Table A24: Means of Transportation to Work for Township, County and State Residents (Workers 16 years old and over)

	Cinnaminson Township	Burlington County	New Jersey
Car, truck, or van -- drove alone	78.1%	74.6%	63.7%
Car, truck, or van -- carpoled	3.7%	6.3%	7.7%
Public transportation (excluding taxicab)	3.1%	2.3%	8.5%
Walked	0.6%	0.8%	2.6%
Other means	1.2%	1.1%	2.4%
Worked from home	13.3%	14.8%	15.0%

Source: 2023 ACS 5-year estimates DP-03

The employment distribution in Table A25 highlights a service-driven economy with a strong emphasis on education, healthcare, and professional services. The Educational Services, Health Care, and Social Assistance sector is the largest employer, accounting for 25.3% (2,192 workers) of the total 8,674 employed population, demonstrating the critical role of schools, healthcare institutions, and social services in the local labor market.

Following this, the Professional, Scientific, Management, and Administrative Services sector employs 13.0% (1,131 workers), indicating a substantial presence of professional and business services. Retail Trade also plays a significant role, employing 10.4% (904 workers), reflecting the community's consumer-driven employment base. Other notable sectors include Finance, Insurance, and Real Estate (7.7%), Manufacturing (7.9%), Transportation, Warehousing, and Utilities (7.5%), and Construction (6.7%), all of which contribute significantly to economic activity.

Industries such as Agriculture, Forestry, Fishing, and Hunting employ only 0.1% (8 workers), suggesting a minimal presence of these traditional industries. Similarly, Information (1.0%) and Wholesale Trade (2.3%) have relatively small employment shares. Public Administration (6.8%) and Arts, Entertainment, and Food Services (7.7%) provide additional workforce opportunities, though at lower percentages compared to the dominant sectors.

Overall, the employment landscape reflects a diverse economy with a strong reliance on service-oriented industries. While healthcare, education, and professional services drive the job market, retail, transportation, finance, and manufacturing also provide substantial employment. The low employment levels in agriculture and information sectors suggest these industries are not key economic drivers. Future workforce strategies may focus on

sustaining growth in service-based industries while diversifying job opportunities in emerging or underrepresented sectors.

Table A25: Employment by Industry

Industry	Persons	%
Civilian employed population 16 years and over	8,674	
Agriculture, forestry, fishing and hunting, and mining	8	0.1%
Construction	585	6.7%
Manufacturing	685	7.9%
Wholesale trade	197	2.3%
Retail trade	904	10.4%
Transportation and warehousing, and utilities	651	7.5%
Information	85	1.0%
Finance and insurance, and real estate and rental and leasing	666	7.7%
Professional, scientific, and management, and administrative and waste management services	1131	13.0%
Educational services, and health care and social assistance	2192	25.3%
Arts, entertainment, and recreation, and accommodation and food services	672	7.7%
Other services, except public administration	311	3.6%
Public administration	587	6.8%

Source: 2023 ACS 5-year estimates DP-03

The employment rate, according to the 2023 census shows that the Township employment and labor force was similar to the Count and state percentages.

Table A26: Labor Force and Employment (%)

Jurisdiction	Percent in Labor Force	Employed	Unemployed
Cinnaminson Township	66.3%	61.9%	4.4%
Burlington County	66.6%	61.8%	3.3%
New Jersey	66.2%	62.1%	4.1%

Source: 2023 ACS 5-year estimates DP-03

The forecasted trends in Table A27 indicate moderate growth in both population and employment from 2015 to 2050. The population is projected to increase from 16,558 to 17,307, reflecting a 4.5% growth rate over the period. This suggests a slow but steady demographic expansion, likely influenced by factors such as housing availability, economic opportunities, and local living conditions.

In comparison, employment is expected to grow at a faster rate of 8.4%, rising from 10,061 jobs in 2015 to 10,911 in 2050. The higher employment growth rate compared to population growth suggests an expanding local economy, potentially driven by new businesses, industry developments, or economic diversification.

The forecast implies that job opportunities will increase at a pace exceeding population growth, which could attract workers from outside the area or lead to lower unemployment rates. However, the moderate overall growth rates suggest a stable economic environment rather than a rapid transformation.

Table A27: Forecast for Employment and Population

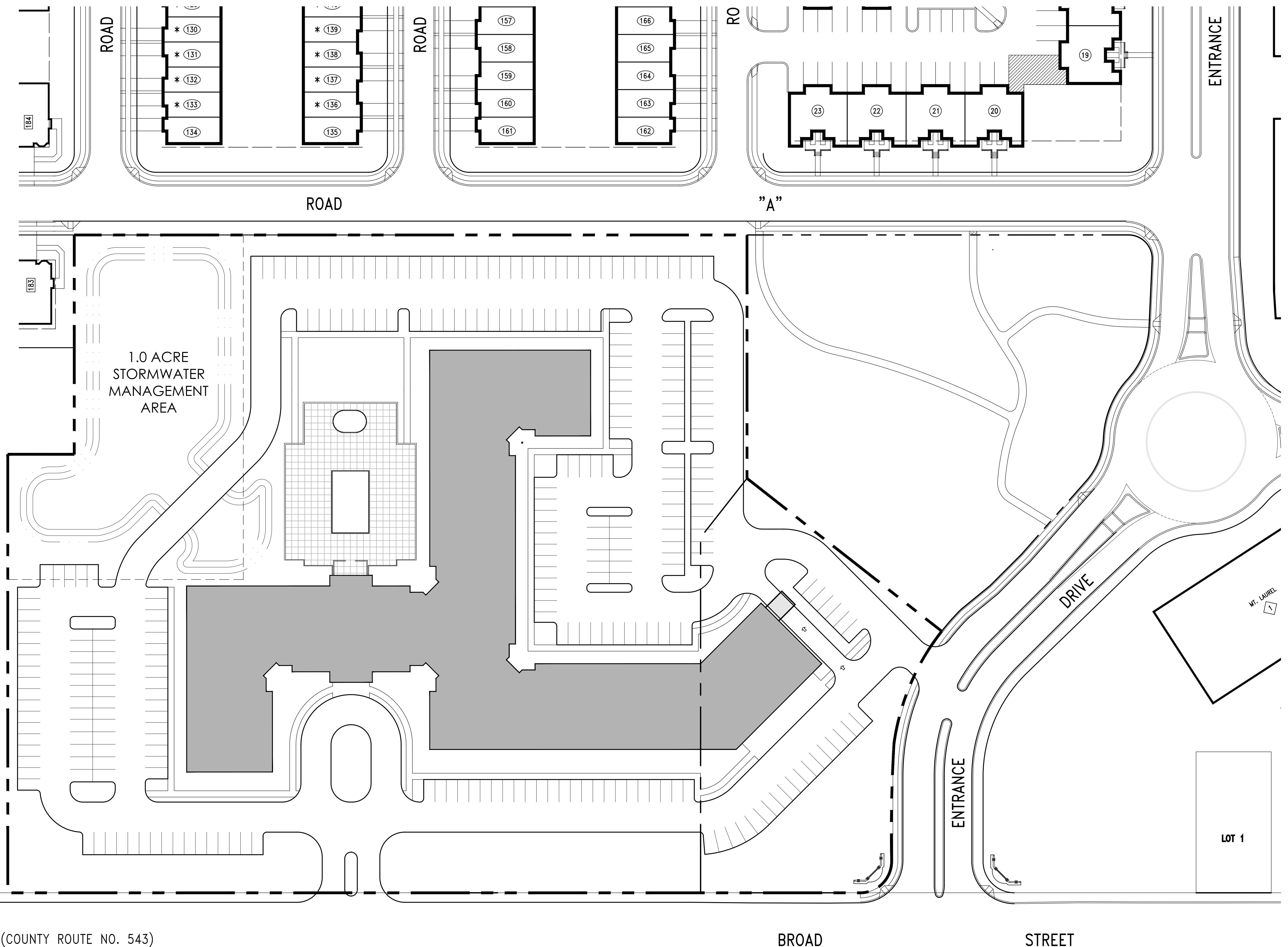
	2015	2050	% Change 2015-2045
Population	16,558	17,307	4.5%
Employment	10,061	10,911	8.4%

Source: DVRPC Municipal Forecasts 2015-2050

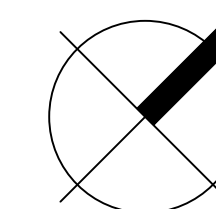
Overall, the data reflects steady but limited expansion, with employment growing at nearly double the rate of population growth.

- RESIDENTIAL
- RETAIL

280 SP (1.83 SP/DU)
09 SP (3 SP/1K SF))



STREET



DATE: 02/28/2025

APPENDIX A

Block	Lot	Class	Location	Owner	Acres	Constrained Acres	Developable Acres	Total Units	20% Set Aside	RDP	Detail
901	42	1	Rte 130	Eil Investments Lp	2.24	0.46	1.78	10.7	2.1	2	
1004	38	1	1508 Riverton Rd	Marvin, Charles	1.19	0.00	1.19	7.1	1.4	1	
201	1.01	3A	16/18 Taylors Ln	Taylor, Lillian & Peter G/Le:Suzanne	122.36	111.32	11.04	66.2	13.2	0	Riparian and Floodway, Not Suitable for Inclusionary Development
201	6	1	Taylors Ln	Dredge Harbor Yacht Basin	7.25	6.49	0.76	4.5	0.9	0	Does Not Achieve RDP
201	6.01	1	Dela River Frtge	Dredge Harbor Yacht Basin	8.26	8.26	0.00	0.0	0.0	0	Riparian Grant
302	1	1	500 Inman St	Colonial Land Enterprises Llc	0.42	0.42	0.00	0.0	0.0	0	Does Not Achieve RDP
303	1	1	Riverside Dr & Inman St	Kern, R J	1.01	1.01	0.00	0.0	0.0	0	Does Not Achieve RDP
303	2	1	Inman St	Young, Honore	0.34	0.34	0.00	0.0	0.0	0	Does Not Achieve RDP
303	15	1	526 Kern St	Suri, Sarabjit	0.11	0.11	0.01	0.0	0.0	0	Does Not Achieve RDP
304	3	1	Riverside Dr	Bentcliff, Lauren	0.23	0.23	0.00	0.0	0.0	0	Does Not Achieve RDP
305	12	1	2301 Broad St	1001 Taylor's Lane Llc	0.30	0.26	0.04	0.3	0.1	0	Does Not Achieve RDP
305	14	1	Rear Of Zeisner St	1001 Taylor's Lane Llc	0.69	0.69	0.00	0.0	0.0	0	Does Not Achieve RDP
306	1	1	Inman St	Taylor, May Roberts	0.02	0.02	0.00	0.0	0.0	0	Does Not Achieve RDP
307	1.01	1			16.09	10.33	5.76	34.6	6.9	0	HOA Common Area
307	2	1	Delaware River	1001 Taylor's Lane Llc	1.75	1.11	0.64	3.8	0.8	0	HOA Common Area
307	2.01	1	Read Ave Extension	1001 Taylor's Lane Llc	24.77	7.03	17.74	106.5	21.3	0	Riparin Grant Area
307	5	1			0.71	0.00	0.71	4.3	0.9	0	HOA Common Area
307	6	1			0.78	0.00	0.78	4.7	0.9	0	HOA Common Area
307.01	1	1			3.22	0.00	3.22	19.3	3.9	0	HOA Common Area
307.02	1	1			2.06	0.00	2.06	12.4	2.5	0	HOA Common Area
307.03	1	1			2.09	0.00	2.09	12.5	2.5	0	HOA Common Area
307.04	1	1			1.02	0.00	1.02	6.1	1.2	0	Apartment complex
307.04	2	1			0.44	0.00	0.44	2.6	0.5	0	Apartment complex
307.04	3	1			0.91	0.00	0.91	5.5	1.1	0	Apartment complex
307.04	4	1			0.97	0.00	0.97	5.8	1.2	0	Apartment complex
307.04	5	1			0.73	0.00	0.73	4.4	0.9	0	Apartment complex
307.04	6	1			0.69	0.00	0.69	4.1	0.8	0	Apartment complex
307.04	8	1			0.40	0.00	0.40	2.4	0.5	0	Apartment complex
307.04	9	1			0.77	0.00	0.77	4.6	0.9	0	Apartment complex
307.04	10	1			0.46	0.00	0.46	2.8	0.6	0	Apartment complex
307.05	1	1			1.13	0.00	1.13	6.8	1.4	0	HOA Common Area
307.05	2	1	Jason Dr	Vlgs@Cinn Hrbr%Camco Mgmt Attn:A/P	0.95	0.85	0.10	0.6	0.1	0	Does Not Achieve RDP
307.06	1	1			2.19	0.00	2.19	13.1	2.6	0	HOA Common Area
307.06	2	1	Jason Dr	Vlgs@Cinn Hrbr%Camco Mgmt Attn:A/P	0.27	0.00	0.27	1.6	0.3	0	Does Not Achieve RDP
307.07	1	1			1.95	0.00	1.95	11.7	2.3	0	HOA Common Area
307.07	2	1	Jason Dr	Vlgs@Cinn Hrbr%Camco Attn:Watson,E	2.54	2.21	0.33	2.0	0.4	0	HOA Common Area
307.07	3	1			1.54	0.00	1.54	9.2	1.8	0	HOA Common Area
307.07	4	1			1.04	0.00	1.04	6.2	1.2	0	HOA Common Area
307.08	1	1			0.57	0.00	0.57	3.4	0.7	0	HOA Common Area
307.08	2	1			0.37	0.00	0.37	2.2	0.4	0	HOA Common Area
307.08	3	1			0.33	0.00	0.33	2.0	0.4	0	HOA Common Area
307.08	4	1			0.37	0.00	0.37	2.2	0.4	0	HOA Common Area
307.08	5	1			0.34	0.00	0.34	2.0	0.4	0	HOA Common Area
307.08	6	1			0.56	0.00	0.56	3.4	0.7	0	HOA Common Area
307.09	1	1			0.87	0.00	0.87	5.2	1.0	0	HOA Common Area

Block	Lot	Class	Location	Owner	Acres	Constrained Acres	Developable Acres	Total Units	20% Set Aside	RDP	Detail
307.1	1	1			1.31	0.00	1.31	7.9	1.6	0	HOA Common Area
307.11	1	1			2.38	0.00	2.38	14.3	2.9	0	HOA Common Area
307.11	2	1			5.17	0.00	5.17	31.0	6.2	0	HOA Common Area
307.12	1	1			0.67	0.00	0.67	4.0	0.8	0	HOA Common Area
307.12	2	1			0.98	0.00	0.98	5.9	1.2	0	HOA Common Area
307.13	1	1	Fela Dr	Vlgs@Cinn Hrbr%Camco Mgmt Attn:A/P	1.18	0.00	1.18	7.1	1.4	0	Recreation Area
307.14	1	1			1.48	0.00	1.48	8.9	1.8	0	HOA Common Area
307.15	1	1			1.49	0.00	1.49	8.9	1.8	0	HOA Common Area
309	3	15C	Pompass Ave	Cinnaminson Twp	0.11	0.11	0.00	0.0	0.0	0	Does Not Achieve RDP
401	3	1	1601 Broad St	K Land No 57	1.61	1.59	0.02	0.1	0.0	0	Does Not Achieve RDP
402	8	1	506 N Belleview Ave	Riverline Investments	0.29	0.29	0.00	0.0	0.0	0	Does Not Achieve RDP
402	9	1	501 N Warrington Ave	Riverline Investments	0.29	0.28	0.00	0.0	0.0	0	Does Not Achieve RDP
404	1.02	1	North Read Ave	514 N Read St % Abe Bernath	0.17	0.17	0.00	0.0	0.0	0	Does Not Achieve RDP
405	3	15C	N Pompass St	Cinnaminson Twp	0.34	0.33	0.02	0.1	0.0	0	Does Not Achieve RDP
407	3	1	1101 Broad St	Riggs Distler & Co Inc	0.33	0.33	0.00	0.0	0.0	0	Does Not Achieve RDP
407	4	1	510 N Canal St	Riggs Distler & Co Inc	0.11	0.11	0.00	0.0	0.0	0	Does Not Achieve RDP
407	5	1	508 N Canal St	Johansen, Judy B	0.11	0.11	0.00	0.0	0.0	0	Does Not Achieve RDP
410	1	15C	711 S Pompass Ave	Cinnaminson Twp	1.43	1.13	0.30	1.8	0.4	0	Does Not Achieve RDP
411	1	15C	811 S Pompass Ave	Cinnaminson Twp	0.08	0.07	0.02	0.1	0.0	0	Does Not Achieve RDP
412	1.01	1	801 S Randolph Ave	Us Bank/Lsf9 Mastr Prtcptn%Resicap	1.30	1.30	0.00	0.0	0.0	0	Does Not Achieve RDP
412	1.02	15C	735 S Randolph Ave	Cinnaminson Twp	0.21	0.19	0.02	0.1	0.0	0	Does Not Achieve RDP
414	1	15C	1222 Bannard St	Cinnaminson Twp	0.17	0.17	0.00	0.0	0.0	0	Does Not Achieve RDP
417	2	15C	816 S Randolph Ave	Cinnaminson Twp	0.85	0.85	0.00	0.0	0.0	0	Does Not Achieve RDP
418	2.02	1	Belleview Ave	Hunter, John H	0.10	0.00	0.10	0.6	0.1	0	Does Not Achieve RDP
421	3	1	611 S Warrington Ave	Suburban Leasing Co %Fred Stuffer	0.14	0.00	0.14	0.8	0.2	0	Does Not Achieve RDP
423	9.02	15C	S Warrington Ave	Cinnaminson Twp	0.07	0.00	0.07	0.4	0.1	0	Does Not Achieve RDP
423	13	15C	816 S Belleview Ave	Habitat For Humanity S Cntrl Nj Inc	0.29	0.00	0.29	1.7	0.3	0	Does Not Achieve RDP
423	14	15C	810 S Belleview Ave	Habitat For Humanity S Central Nj	0.14	0.00	0.14	0.9	0.2	0	Does Not Achieve RDP
424	1	1	801 S Snowden Ave	Mines, Kristine	0.34	0.00	0.34	2.1	0.4	0	Does Not Achieve RDP
424	3	1	817 S Snowden Ave	Smith, J C	0.34	0.00	0.34	2.1	0.4	0	Does Not Achieve RDP
424	4	15C	S Snowden Ave	Cinnaminson Twp	0.08	0.08	0.00	0.0	0.0	0	Does Not Achieve RDP
501	6	1	2003 Broad St	Ortega, Eliasol	0.10	0.10	0.00	0.0	0.0	0	Does Not Achieve RDP
502	2	1	1829 Broad St	K Land No 57	0.41	0.41	0.00	0.0	0.0	0	Does Not Achieve RDP
502	5	1	1811 Broad St	K Land No 57	0.10	0.10	0.00	0.0	0.0	0	Does Not Achieve RDP
502	6	1	1809 Broad St	K Land No 57	0.10	0.10	0.00	0.0	0.0	0	Does Not Achieve RDP
503	1	1	1713 Broad St	K Land No 57	0.17	0.17	0.00	0.0	0.0	0	Does Not Achieve RDP
503	3	1	1701 Broad St	K Land No 57	0.80	0.80	0.00	0.0	0.0	0	Does Not Achieve RDP
503	4	1	506 N Pleasant Ave	K Land No 57	0.23	0.22	0.00	0.0	0.0	0	Does Not Achieve RDP
506	1	15C	Rowland & S Snowden	Cinnaminson Twp	3.63	0.00	3.63	21.8	4.4	0	East Riverton Park
506	4.02	1	802 Industrial Hwy	876 Land St Llc	2.40	0.05	2.35	14.1	2.8	0	Industrial Use
507	5.02	1	1920 Rowland St	Rowland Street Llc	1.76	0.00	1.76	10.6	2.1	0	Industrial Use
601	13	1	624 Pear Ave	Ransom, Richard Jr	0.16	0.00	0.16	1.0	0.2	0	Does Not Achieve RDP
602	20	1	720 Pear Ave	Jackson, Osea E M	0.11	0.00	0.11	0.7	0.1	0	Does Not Achieve RDP
602	22	1	714 Pear Ave	Cantey, Carolyn E	0.11	0.00	0.11	0.7	0.1	0	Does Not Achieve RDP
603	5	1	821 Union Landing Rd	Defigueiredo,Thiago&Gouveia,Jessica	0.14	0.00	0.14	0.9	0.2	0	Does Not Achieve RDP

Block	Lot	Class	Location	Owner	Acres	Constrained Acres	Developable Acres	Total Units	20% Set Aside	RDP	Detail
610	3.03	1	997 Taylors Ln	Lpc Taylors Ln Urban Renewal Ent Lp	11.14	0.15	10.99	66.0	13.2	0	Industrial Use
701	11	1	Taylors Ln	1600 Taylors Lane % Micro-Tek Corp	2.64	0.00	2.64	15.8	3.2	0	Industrial Use
701	13.02	1	1604 Taylors Ln	1600 Taylors Lane % Micro-Tek Corp	1.97	0.00	1.97	11.8	2.4	0	Industrial Use
701	14	1	1608 Taylors Ln	1600 Taylors Lane % Micro-Tek Corp	1.71	0.00	1.71	10.2	2.0	0	Industrial Use
702	2	1	1601 Taylors Ln	Waste Mgmt	16.42	0.00	16.42	98.5	19.7	0	Developed Non-residential
702	15	1	1809 Taylors Ln	Cti Towers Assets I % Ryan Pts 607	0.85	0.00	0.85	5.1	1.0	0	Industrial Use
702	33	1	1300 Unionlanding Rd	Pierson % Pierson Materials Corp	4.74	0.00	4.74	28.4	5.7	0	Developed Asphalt Manufacturer
703	29	1			5.09	0.00	5.09	30.5	6.1	0	Developed Non-residential
801	1	3A	828 Belleview Ave	Hunter, John R	16.30	11.58	4.72	28.3	5.7	0	Developed Residential - Not within SSA
801	2	3B	Union Landing Rd	Hunters Farm Inc % John Hunter	92.00	11.76	80.24	481.5	96.3	0	Preserved Farmland
801	10	1			0.27	0.00	0.27	1.6	0.3	0	Does Not Achieve RDP
803	3	1	2311 Wallace Blvd	Megan	0.55	0.00	0.55	3.3	0.7	0	Does Not Achieve RDP
803	4	1	2309 Wallace Blvd	Megan	0.55	0.00	0.55	3.3	0.7	0	Does Not Achieve RDP
803	8	1	Wallace Blvd	Nell Community 1 Llc	0.69	0.00	0.69	4.1	0.8	0	Does Not Achieve RDP
803	9	1	1303 Union Landing Rd	Estes Express Lines	2.11	0.00	2.11	12.7	2.5	0	Within industrial Park - Not appropriate for Inclusionary Development
803	14	1	2304 Garry Rd	Estes Express Lines	3.34	0.00	3.34	20.0	4.0	0	Developed Non-residential
803	18	1	1302 Industrial Hwy	Robert Agran % Stone Ptnrshp	2.70	0.00	2.70	16.2	3.2	0	Within industrial Park - Not appropriate for Inclusionary Development
803	22	1			1.72	0.00	1.72	10.3	2.1	0	Developed Non-residential
803	23	1	1503 Wallace Blvd	Backstreets Management Llc	1.11	0.00	1.11	6.7	1.3	0	Developed Non-residential
803	24	1	2105 Wallace Blvd	Backstreets Management Llc	1.00	0.00	1.00	6.0	1.2	0	Developed Non-residential
803	26	1	2203 Wallace Blvd	Nell Community 1 Llc	1.00	0.00	1.00	6.0	1.2	0	Developed Non-residential
803	27	1	2205 Wallace Blvd	Nell Community 1 Llc	1.00	0.00	1.00	6.0	1.2	0	Developed Non-residential
804	7	1	Wallace Blvd	The Cinnamon Joint Llc	0.91	0.00	0.91	5.5	1.1	0	Within industrial Park - Not appropriate for Inclusionary Development
804	8	1	Wallace Blvd	The Cinnamon Joint Llc	0.63	0.00	0.63	3.8	0.8	0	Does Not Achieve RDP
804	13.02	15C	Union Landing Rd	Cinnaminson Twp	4.99	0.00	4.99	29.9	6.0	0	Industrial Use
804	14	15C	Union Landing Rd	Cinnaminson Twp	5.53	0.00	5.53	33.2	6.6	0	Maintenance Building
804	16	1	2200 Wallace Blvd	2200 Wallace Owner Llc	1.00	0.00	1.00	6.0	1.2	0	Industrial Use
804	18	1	1502 Mainline Dr	Laa Ent	1.00	0.00	1.00	6.0	1.2	0	Industrial Use
804	27	1	1505 Mainline Dr	Capital Invest Group Inc	1.00	0.00	1.00	6.0	1.2	0	Within industrial Park - Not appropriate for Inclusionary Development
804	28	1	1503 Mainline Dr	Capital Invest Group Inc	1.00	0.00	1.00	6.0	1.2	0	Within industrial Park - Not appropriate for Inclusionary Development
804	29	1	1501 Mainline Dr	Capital Invest Group Inc	1.00	0.00	1.00	6.0	1.2	0	Within industrial Park - Not appropriate for Inclusionary Development
804	30	1	2102 Wallace Blvd	Capital Invest Group Inc	1.10	0.00	1.10	6.6	1.3	0	In industrial Park - Not appropriate for Inclusionary Development
804	31	1	2100 Wallace Blvd	Capital Invest Group Inc	1.00	0.00	1.00	6.0	1.2	0	Within industrial Park - Not appropriate for Inclusionary Development
806	1.02	1	1705 Industrial Hwy	Milex Holdings Llc	2.50	1.38	1.12	6.7	1.3	0	Category 1 Buffer and riparian areas
806	2	1	1701 Industrial Hwy	Sutrak Air Conditioning Sales Corp	1.44	0.54	0.90	5.4	1.1	0	Within industrial Park - Not appropriate for Inclusionary Development
806	5	1	1601 Industrial Hwy	De Cavalho Corporation	2.02	1.14	0.88	5.3	1.1	0	In industrial Park - Not appropriate for Inclusionary Development
806	6.01	1	1503 Industrial Hwy	De Cavalho Corporation	2.15	1.14	1.01	6.1	1.2	0	Within industrial Park - Not appropriate for Inclusionary Development

Block	Lot	Class	Location	Owner	Acres	Constrained Acres	Developable Acres	Total Units	20% Set Aside	RDP	Detail
806	14	1	1201 Industrial Hwy	Intl Swaminarayan Satsang Org Corp	11.90	7.91	3.99	24.0	4.8	0	Within industrial Park - Not appropriate for Inclusionary Development
806	15	15C	Pompeston Creek	Cinnaminson Twp	12.47	8.65	3.82	22.9	4.6	0	Stormwater Facility
901	9	15C	291 Buttonwood Ln	Cinnaminson Twp	0.05	0.05	0.00	0.0	0.0	0	Stormwater Facility
901	19	15C	389 Buttonwood Ln	Cinnaminson Twp	0.05	0.01	0.03	0.2	0.0	0	Stormwater Facility
901	39.02	1	1660 Wynwood Dr	Spectrum Propco Realty Llc	2.87	0.00	2.87	17.2	3.4	0	Landlocked behind existing non-residential uses
901	44	15C	Pompeston Creek	Cinnaminson Twp	5.52	5.52	0.00	0.0	0.0	0	Stormwater Facility
1004	13.02	15C	Hemlock Rd	Cinnaminson Twp	1.01	0.00	1.01	6.1	1.2	0	DRAINAGE
1101	1.02	1	1205 1/2 Riverton Rd	Devone, Christopher V & Karen M	0.42	0.00	0.42	2.5	0.5	0	Does Not Achieve RDP
1104	4.07	1	1 Woodside Ln	Byers, Walter E & Anndee	1.59	0.31	1.28	7.7	1.5	0	Developed residential
1105	1	1	1011 Beechwood St	Rainer, Joseph E Jr & Kelly	0.06	0.00	0.06	0.3	0.1	0	Does Not Achieve RDP
1107	1	1	Cedar St	Hall, William A & Anne R	0.14	0.00	0.14	0.8	0.2	0	Does Not Achieve RDP
1113	1	1	902 Cherry Ln	Sklar, Harvey M & Eleanor	0.02	0.00	0.02	0.1	0.0	0	Does Not Achieve RDP
1201	6.01	1	5A Par Dr	Smith, Randall S & Deborah J	0.60	0.45	0.15	0.9	0.2	0	Does Not Achieve RDP
1205	2	1	2 Park Ave	Floyd, Michael F & Sharla	0.06	0.00	0.06	0.4	0.1	0	Does Not Achieve RDP
1217	6	1	1414 Highland Ave	Riverton Country Club	0.16	0.00	0.16	1.0	0.2	0	Does Not Achieve RDP
1301	4	15C	1303 Riverton Rd	Cinnaminson Twp	1.12	0.00	1.12	6.7	1.3	0	Stormwater Facility
1302	2.02	1	770 Manor Rd	Dodig, John M & Lorrie Matty	1.35	0.00	1.35	8.1	1.6	0	Long Narrow Flag Lot not suitable for ID
1302	2.05	1	880 Manor Rd	Dodig, John M & Lorrie	1.14	0.00	1.14	6.8	1.4	0	Long Narrow Flag Lot not suitable for Inclusionary Development
1302	3	15C	1619-1621 Riverton Rd	Cinnaminson Twp	4.86	0.00	4.86	29.2	5.8	0	Municipal Complex
1303	1	15C	Highland Ave	Cinnaminson Sewerage Authority	0.02	0.01	0.01	0.1	0.0	0	Sewer Disposal Area
1303	6	1			0.94	0.00	0.94	5.6	1.1	0	Developedresidential
1304	32	1			0.75	0.00	0.75	4.5	0.9	0	Asphalt Paving Company
1305	1	15C	503 Rte 130	Cinnaminson Twp	0.24	0.00	0.24	1.5	0.3	0	Commercial Building
1403	27	1	301 Rte 130	Cfa Cinnaminson Llc	0.45	0.00	0.45	2.7	0.5	0	Does Not Achieve RDP
1403	28	1	299 Rte 130	Cfa Cinnaminson Llc	0.77	0.00	0.77	4.6	0.9	0	Does Not Achieve RDP
1403	29.02	15C	Broadwood Ave	Cinnaminson Twp	1.44	0.00	1.44	8.6	1.7	0	Open Space
1603	4	15C	Morgan Ave	Cinnaminson Twp	0.09	0.00	0.09	0.5	0.1	0	Stormwater Facility
1605	7.02	15C	Garfield Ave	Cinnaminson Twp	3.92	0.00	3.92	23.5	4.7	0	Park
1710	5	15C	Cuthbert Rd	Cinnaminson Twp	1.77	1.16	0.61	3.6	0.7	0	Park
1712	10.02	1			0.27	0.27	0.00	0.0	0.0	0	Does Not Achieve RDP
1712	18	15C	Pennsauken Creek	Cinnaminson Twp	0.49	0.49	0.00	0.0	0.0	0	Does Not Achieve RDP
1713	1	1	1048 Hilton Rd	Honeydew Lfty0419 Dao Llc	1.14	0.84	0.30	1.8	0.4	0	Does Not Achieve RDP
1714	1	1	Rte 73	Clear Channel Outdoor/Prop Tax Dept	0.27	0.00	0.27	1.6	0.3	0	Does Not Achieve RDP
1801	21	1	Pennsauken Creek	Segal, Donald	33.33	32.73	0.60	3.6	0.7	0	Does Not Achieve RDP
1806	11	15C	Carlton Dr	Cinnaminson Twp	0.19	0.00	0.19	1.1	0.2	0	Does Not Achieve RDP
1903	1.04	1	1800 Jackson St	1811 Cinnaminson Ave Llc	0.12	0.00	0.12	0.7	0.1	0	Does Not Achieve RDP
1904	2	1			0.41	0.00	0.41	2.5	0.5	0	Does Not Achieve RDP
1911	5	15C	Calhoun St	Cinnaminson Twp	0.23	0.23	0.00	0.0	0.0	0	Does Not Achieve RDP
1914	3	15C	1813 Jefferson St	Cinnaminson Twp	0.11	0.11	0.00	0.0	0.0	0	Does Not Achieve RDP
1914	4	15C	Adams & Calhoun	Cinnaminson Twp	0.17	0.17	0.00	0.0	0.0	0	Does Not Achieve RDP
1914	7	15C	Jefferson St	Cinnaminson Twp	0.06	0.06	0.00	0.0	0.0	0	Does Not Achieve RDP
1915	4	1	1721 Jefferson St	Ffm Inv Group	0.17	0.01	0.16	1.0	0.2	0	Does Not Achieve RDP
1916	6	1	1627 Jefferson St	Gallant,John&Rebecca&Lokken,Judith	0.34	0.34	0.00	0.0	0.0	0	Does Not Achieve RDP
1917	10	15C	Washington St	Cinnaminson Twp	0.06	0.06	0.00	0.0	0.0	0	Does Not Achieve RDP

Block	Lot	Class	Location	Owner	Acres	Constrained Acres	Developable Acres	Total Units	20% Set Aside	RDP	Detail
1917	11	1	1616 Washington St	Balik, Ufuk	0.23	0.23	0.00	0.0	0.0	0	Does Not Achieve RDP
1918	4	1	Clay St	Trivelli, Mike & Julie	0.23	0.23	0.00	0.0	0.0	0	Does Not Achieve RDP
1918	5	1	1702 Washington St	Eife, Roberta A	0.69	0.69	0.00	0.0	0.0	0	Does Not Achieve RDP
1919	2	15C	Wash & Adams Sts	Cinnaminson Twp	1.38	1.38	0.00	0.0	0.0	0	Does Not Achieve RDP
1921	4	1	1911-13 Pennsauken St	Butkus, Elizabeth	0.28	0.28	0.00	0.0	0.0	0	Does Not Achieve RDP
1922	1	15C	Wash & Pennsauken	Cinnaminson Twp	0.68	0.68	0.00	0.0	0.0	0	Does Not Achieve RDP
1922	2.02	1	1809 Washington St	Fenimore, Kenneth J & Darlene M	0.31	0.31	0.00	0.0	0.0	0	Does Not Achieve RDP
1923	1	15C	Wash & Pennsauken	Cinnaminson Twp	1.84	1.84	0.00	0.0	0.0	0	Does Not Achieve RDP
1924	4	15C	Wash & Pennsauken	Cinnaminson Twp	0.75	0.75	0.00	0.0	0.0	0	Does Not Achieve RDP
1925	2	15C	Pennsauken St	Cinnaminson Twp	8.98	8.98	0.00	0.0	0.0	0	Does Not Achieve RDP
1925	5	15C	Pennsauken St	Cinnaminson Twp	0.14	0.14	0.01	0.0	0.0	0	Does Not Achieve RDP
1925	9	1	1619 Pennsauken St	Chaouch, Adel	0.07	0.06	0.01	0.1	0.0	0	Does Not Achieve RDP
1925	11	1	1613 Pennsauken St	Borek, Tina	0.05	0.03	0.02	0.1	0.0	0	Does Not Achieve RDP
1925	14	1	1605 Pennsauken St	Borek, Tina D	0.14	0.05	0.09	0.5	0.1	0	Does Not Achieve RDP
1925	15	1	1603 Pennsauken St	Carvalho Carpentry Inc	0.12	0.12	0.00	0.0	0.0	0	Does Not Achieve RDP
2001	9	15C	S Forklanding Rd	Cinnaminson Twp	0.47	0.47	0.00	0.0	0.0	0	Does Not Achieve RDP
2001	10	1	Along Pennsauken Creek	Pseg Svcs/Attn:N Fierro/6Th Flr	2.00	1.91	0.09	0.5	0.1	0	Does Not Achieve RDP
2001	11	15C	2139 Lenola Rd	Cinnaminson Twp	68.52	35.55	32.97	197.8	39.6	0	Memorial Park
2003	16	15C	N Forklanding Rd	Cinnaminson Twp	0.14	0.05	0.09	0.6	0.1	0	Stormwater Facility
2010	1	15C	Branch Pike	Cinnaminson Twp	3.44	0.00	3.44	20.6	4.1	0	Utility Easement
2011	1	15C	Church Rd	Cinnaminson Twp	0.89	0.00	0.89	5.3	1.1	0	Utility Easement
2102	45.02	15C	2210 Branch Pike	Cinnaminson Twp	0.28	0.00	0.28	1.7	0.3	0	Commercial Building
2102	45.03	15C	2200 Branch Pike	Cinnaminson Twp	1.04	0.00	1.04	6.2	1.2	0	Commercial Building
2102	52	15C	108 Rte 130	Cinnaminson Twp	0.72	0.00	0.72	4.3	0.9	0	Does Not Achieve RDP
2102	55.01	1	304 Rte 130	Csh Siena Llc	16.48	0.00	16.48	98.9	19.8	0	HOA Common Area
2207	24	15C	2429 St Charles Pl	Cinnaminson Twp	0.82	0.00	0.82	4.9	1.0	0	Stormwater Facility
2501	23	15C	600 Willow Dr	Cinnaminson Twp	0.42	0.02	0.40	2.4	0.5	0	Stormwater Facility
2501	24	15C	602 Willow Dr	Cinnaminson Twp	1.43	1.40	0.04	0.2	0.0	0	Stormwater Facility
2503	6	15C	Willow Dr	Cinnaminson Twp	4.66	3.96	0.70	4.2	0.8	0	Does Not Achieve RDP
2602	32	15C	Pompeston Creek	Cinnaminson Twp	3.10	2.73	0.37	2.2	0.4	0	Does Not Achieve RDP
2701	41	1	2500 Rte 130	Dejana Realty Of New Jersey	1.16	0.00	1.16	7.0	1.4	0	Developed Non-residential
2707	1	15C	Willow Dr	Cinnaminson Twp	3.32	2.78	0.54	3.3	0.7	0	Fountain Farms Park
2804	1	1	Chestnut Hill Dr	Sdk Tenby Chase Apartments Llc	0.28	0.00	0.28	1.7	0.3	0	Does Not Achieve RDP
2901	79	1	2504 New Albany Rd	Schonfeld, Ira E & Michelle	1.25	0.00	1.25	7.5	1.5	0	Flag lot with undersized access
2902	14	15C	Chestnut Hill Dr	Cinnaminson Twp	3.49	0.00	3.49	20.9	4.2	0	Ravenswood Park
3106	1.03	1	3199 New Albany Rd	Meadowview Community Assoc Inc	3.33	1.02	2.31	13.8	2.8	0	OPEN Space
3106	5.21	1	104 Green Briar Ct	Green Briar Ct Hoa	1.38	0.71	0.67	4.0	0.8	0	Stormwater Facility
3106.02	20	1	16 Paddock Ln	Village At Meadowview	2.88	0.00	2.88	17.3	3.5	0	HOA Common Area
3106.04	41	1	Parry Rd	Village At Meadowview Assoc Inc	9.34	8.67	0.67	4.0	0.8	0	HOA Common Area
3106.07	1	1	Riverton Rd	Meadowview Community Assoc Inc	0.56	0.00	0.56	3.4	0.7	0	HOA Common Area
3106.1	8	1	11 Armstrong Dr	Carpenter, J Patrick & Kathryn M	0.03	0.00	0.03	0.2	0.0	0	Does Not Achieve RDP
3106.12	1	1	1 Armstrong Dr	Sassano, Louis & Cindy	0.01	0.00	0.01	0.1	0.0	0	Does Not Achieve RDP
3106.13	1	1	2 Keenland Ct	Brodsky, Seth & Benyosef, Ilana	0.16	0.00	0.16	1.0	0.2	0	Does Not Achieve RDP
3203	11	15C	Hunterdon Dr	Cinnaminson Twp	0.57	0.50	0.07	0.4	0.1	0	Does Not Achieve RDP
3208	20	1			0.22	0.00	0.22	1.3	0.3	0	Does Not Achieve RDP
3210	24	1	19 Emerson Dr	Poets Walk Community Association	1.44	0.00	1.44	8.6	1.7	0	Stormwater Facility
3210	25	15C	Branch Pike	Cinnaminson Twp	2.80	0.00	2.80	16.8	3.4	0	Park
3211	1	15C	Riverton Rd	Cinnaminson Twp	20.38	0.00	20.38	122.3	24.5	0	Wood Park
3212	1	15C	Branch Pike Riv Rd	Cinnaminson Twp	0.30	0.00	0.30	1.8	0.4	0	Does Not Achieve RDP

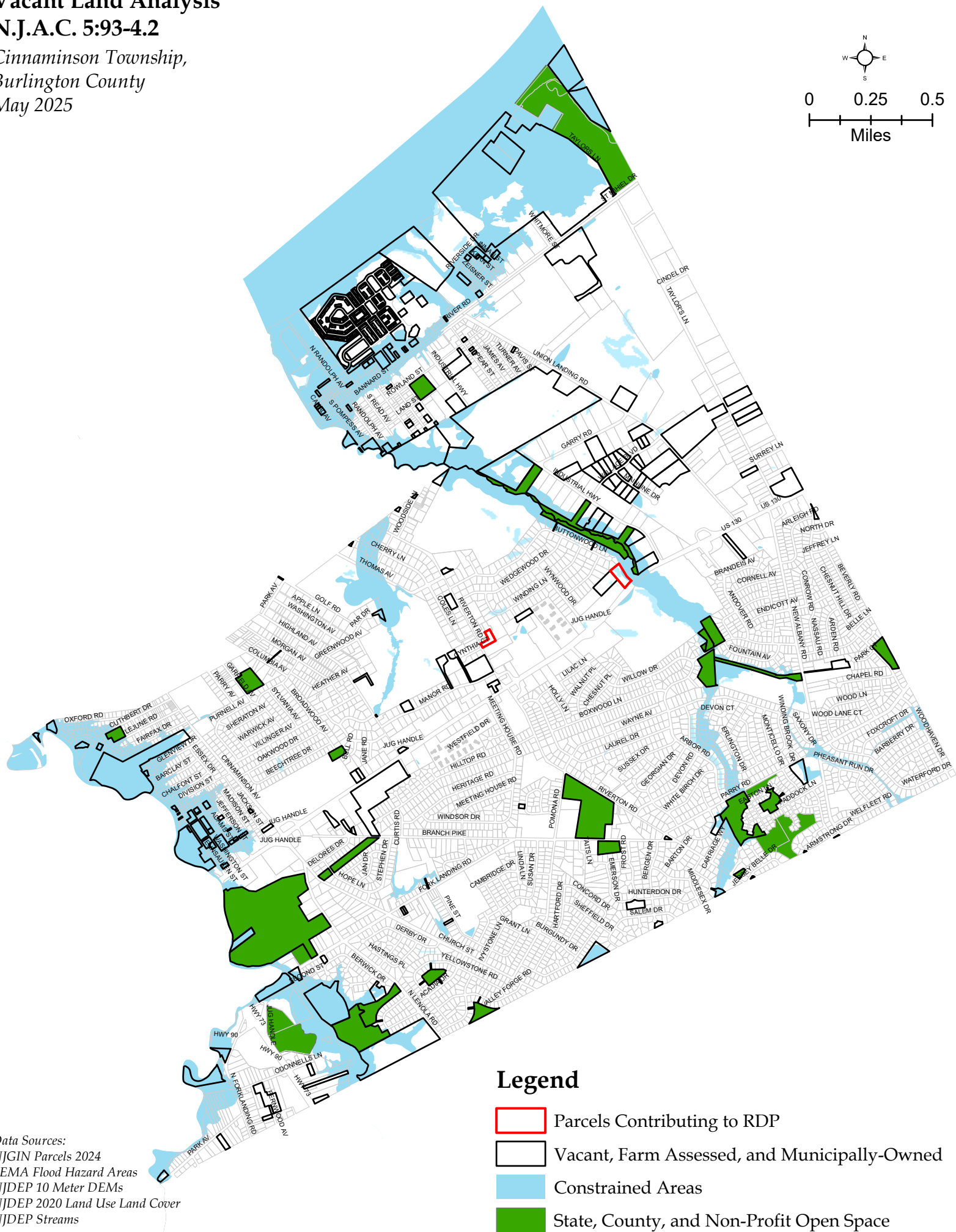
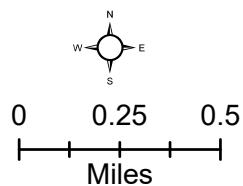
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APPENDIX B





Vacant Land Analysis

N.J.A.C. 5:93-4.2

Cinnaminson Township,
Burlington County
May 2025



Legend

-  Parcels Contributing to RDP
-  Vacant, Farm Assessed, and Municipally-Owned
-  Constrained Areas
-  State, County, and Non-Profit Open Space

Data Sources:
NJGIN Parcels 2024
FEMA Flood Hazard Areas
NJDEP 10 Meter DEMs
NJDEP 2020 Land Use Land Cover
NJDEP Streams

APPENDIX C Affordable Housing Ordinance

(Including §145-12.5Municipal Housing Liaison, and
§ 145-12.7Affirmative marketing requirements).

145-1Monitoring and reporting requirements.

[Amended 9-16-2019 by Ord. No. 2019-12]

The Township of Cinnaminson shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its Housing Element and Fair Share Plan:

A.

On the first anniversary of the entry of the order granting Cinnaminson a Final Judgment of Compliance and Repose in IMO Application of Cinnaminson Township, Docket No. BUR-L-450-14, and every anniversary thereafter through the end of the repose period, the Township agrees to provide annual reporting of its Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center (FSHC) and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs (NJDCA), Council on Affordable Housing (COAH), or Local Government Services (NJLGS). The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.

B.

On the first anniversary of the entry of the order granting Cinnaminson a Final Judgment of Compliance and Repose in IMO Application of Cinnaminson Township, Docket No. BUR-L-450-14, and every anniversary thereafter through the end of the repose period, the Township agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center, using forms previously developed for this purpose by COAH or any other forms endorsed by the Special Master and FSHC.

C.

On July 1, 2020, which is the midpoint realistic opportunity review, the Township will post on its municipal website, with a copy provided to FSHC, a status report as to its implementation of its plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether any mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the municipality, with a copy to FSHC, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether any mechanisms to meet unmet need should be revised or supplemented. Any interested party may, by motion, request a hearing before the Court regarding these issues.

D.

For the review of very-low-income housing requirements required by N.J.S.A. 52:27D-329.1, within 30 days of the third anniversary of the entry of the order granting Cinnaminson Final Judgment of Compliance and Repose in IMO Application of Cinnaminson Township, Docket No. BUR-L-450-14, and every third year thereafter, the Township will post on its municipal website, with copies provided to Fair Share Housing Center, a status report as to its satisfaction of its very-low-income requirements, including the family very-low-income requirements referenced herein. Such posting shall invite any interested party to submit comments to the municipality, with copies provided to Fair Share Housing Center, on the issue of whether the municipality has complied with its very-low-income housing obligation.

§ 145-2Definitions.

[Amended 9-16-2019 by Ord. No. 2019-12]

The following terms, when used in this chapter, shall have the meanings given in this section:

ACT

The Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

ADAPTABLE

Constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

ADMINISTRATIVE AGENT

The entity designated by the Township to administer affordable units in accordance with this chapter, N.J.A.C. 5:93^[1], and UHAC (N.J.A.C. 5:80-26).

AFFIRMATIVE MARKETING

A regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

AFFORDABILITY AVERAGE

The average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

AFFORDABLE

A sales price or rent level that is within the means of a low- or moderate-income household as defined within N.J.A.C. 5:93-7.4^[2], and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

AFFORDABLE HOUSING DEVELOPMENT

A development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Township's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100-percent affordable housing development.

AFFORDABLE HOUSING PROGRAM(S)

Any mechanism in a municipal fair share plan prepared or implemented to address a municipality's fair share obligation.

AFFORDABLE UNIT

A housing unit proposed or created pursuant to the Act and approved for crediting by the Court and/or funded through an affordable housing trust fund.

AGE-RESTRICTED UNIT

A housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development wherein the unit is situated are 62 years of age or older; or 2) at least 80% of the units are occupied by one person who is 55 years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C.A. § 3607.

AGENCY

The New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

ALTERNATIVE LIVING ARRANGEMENT

A structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

ASSISTED LIVING RESIDENCE

A facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

CERTIFIED HOUSEHOLD

A household that has been certified by an administrative agent as a low-income household or moderate-income household.

COAH

The Council on Affordable Housing, as established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.).

DCA

The State of New Jersey Department of Community Affairs.

DEFICIENT HOUSING UNIT

A housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load-bearing structural systems.

DEVELOPER

Any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT

The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

FAIR SHARE PLAN

The plan that describes the mechanisms, strategies and the funding sources, if any, by which the Township proposes to address its affordable housing obligation as established in the housing element, including the draft ordinances necessary to implement that plan, and addresses the requirements of N.J.A.C. 5:93-5^[3].

HOUSING ELEMENT

The portion of the Township's Master Plan, required by the Municipal Land Use Law ("MLUL"), N.J.S.A. 40:55D-28b(3) and the Act, that includes the information required by N.J.A.C. 5:93-5.1 and establishes the Township's fair share obligation.

INCLUSIONARY DEVELOPMENT

A development containing both affordable units and market-rate units. This term includes, but is not limited to, new construction, the conversion of a nonresidential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

LOW-INCOME HOUSEHOLD

A household with a total gross annual household income equal to 50% or less of the regional median household income by household size.

LOW-INCOME UNIT

A restricted unit that is affordable to a low-income household.

MAJOR SYSTEM

The primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include, but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load-bearing structural systems.

MARKET-RATE UNITS

Housing not restricted to low- and moderate-income households that may sell or rent at any price.

MEDIAN INCOME

The median income by household size for the applicable housing region, as adopted annually by COAH or a successor entity approved by the court.

MODERATE-INCOME HOUSEHOLD

A household with a total gross annual household income in excess of 50% but less than 80% of the regional median household income by household size.

MODERATE-INCOME UNIT

A restricted unit that is affordable to a moderate-income household.

NONEXEMPT SALE

Any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary and the transfer of ownership by court order.

PRESENT NEED

An estimate of low- and moderate-income households living in substandard housing as calculated through the use of census surrogates.

PRIOR ROUND HOUSING OBLIGATION

Is the 1987 through 1999 fair share based on N.J.A.C. 5:93-1^[4].

RANDOM SELECTION PROCESS

A process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

REGIONAL ASSET LIMIT

The maximum housing value in each housing region affordable to a four-person household with an income at 80% of the regional median as defined by duly adopted regional income limits published annually by COAH or a successor entity.

REHABILITATION

The repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

RENT

The gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

RESTRICTED UNIT

A dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit financed under UHROP or MONI.

SPECIAL MASTER

An expert appointed by a judge to make sure that judicial orders are followed. A master's function is essentially investigative, compiling evidence or documents to inform some future action by the court.

SUPERIOR COURT or THE COURT

The Superior Court of New Jersey.

THIRD-ROUND HOUSING OBLIGATION

The 1999 through 2025 housing obligation as determined by the Superior Court.

UHAC

The Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26 et seq.

VERY-LOW-INCOME UNIT

A restricted unit that is affordable to a very-low-income household.

VERY-LOW-INCOME HOUSEHOLD

A household with a total gross annual household income equal to 30% or less of the regional median household income by household size.

WEATHERIZATION

Building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

[1]

Editor's Note: N.J.A.C. 5:93, Substantive Rules of the New Jersey Council on Affordable Housing for the Period Beginning June 6, 1994, expired 10-16-2016.

[2]

Editor's Note: N.J.A.C. 5:93, Substantive Rules of the New Jersey Council on Affordable Housing for the Period Beginning June 6, 1994, expired 10-16-2016.

[3]

Editor's Note: N.J.A.C. 5:93, Substantive Rules of the New Jersey Council on Affordable Housing for the Period Beginning June 6, 1994, expired 10-16-2016.

[4]

Editor's Note: N.J.A.C. 5:93, Substantive Rules of the New Jersey Council on Affordable Housing for the Period Beginning June 6, 1994, expired 10-16-2016.

§ 145-3Applicability.

[Amended 9-16-2019 by Ord. No. 2019-12]

A.

The provisions of this chapter shall apply to all affordable housing developments, affordable housing units and 100-percent affordable housing projects financed with low income tax credits or other federal or state programs and that currently exist and that are proposed to be created within the Township of Cinnaminson pursuant to the Township's most recently adopted Housing Element and Fair Share Plan.

B.

Moreover, this chapter shall apply to all developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units, including 100-percent affordable housing projects financed with low income tax credits or other federal or state programs.

C.

Any property in the Township of Cinnaminson that is currently zoned for nonresidential uses and subsequently receives a zoning change or use variance or approval of a redevelopment plan to permit residential development, or that is currently zoned for residential uses and receives a zoning change or density variance or approval of a redevelopment plan to permit higher density residential development, provided such density is at least twice the density previously permitted, shall provide an affordable housing set-aside of 15% if the affordable units will be for rent and 20% if the affordable units will be for sale. No property shall be subdivided so as to avoid compliance with this requirement. Moreover, this provision governs municipal actions and shall not entitle any property owner or developer to such action by the Township. All affordable units created pursuant to this subsection shall be governed by the provisions of this chapter.

D.

Projects receiving Federal Low Income Housing Tax Credit financing shall comply with the income and bedroom distribution requirements of UHAC (with the exception that the UHAC requirement for 10% of the affordable units in rental projects being required to be at 35% of median income be modified as required by the statutory requirement, N.J.S.A. 52:27D-329.1 to 13% of affordable units in such projects shall be required to be at 30% of median income).

§ 145-4Alternative living arrangements.

[Amended 9-16-2019 by Ord. No. 2019-12]

A.

The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8^[1] and UHAC, with the following exceptions:

(1)

Affirmative marketing (N.J.A.C. 5:80-26.15); provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;

(2)

Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).

[1]

Editor's Note: N.J.A.C. 5:93, Substantive Rules of the New Jersey Council on Affordable Housing for the Period Beginning June 6, 1994, expired 10-16-2016.

B.

With the exception of units established with capital funding through a twenty-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least thirty-year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.

C.

The service provider for the alternative living arrangement shall act as the administrative agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

§ 145-5Phasing schedule for inclusionary zoning.

[Amended 9-16-2019 by Ord. No. 2019-12]

In inclusionary developments the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Modera
25%	0%
25+1	10%
50	50%
75	75%
90%	100%

§ 145-6New construction.

[Amended 9-16-2019 by Ord. No. 2019-12]

A.

Low/moderate split and bedroom distribution of affordable housing units.

(1)

The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit. At least 13% of all restricted rental units shall be very-low-income units (affordable to a household earning 30% or less of regional median income by household size). The very-low-income units shall be counted as part of the required number of low-income units within the development.

(2)

In each affordable development, at least 50% of the restricted units within each bedroom distribution shall be very-low- or low-income units.

(3)

Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:

(a)

The combined number of efficiency and one-bedroom units shall be no greater than 20% of the total low- and moderate-income units;

(b)

At least 30% of all low- and moderate-income units shall be two-bedroom units;

(c)

At least 20% of all low- and moderate-income units shall be three-bedroom units; and

(d)

The remaining units may be allocated among two- and three-bedroom units at the discretion of the developer.

(4)

Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

B.

Accessibility requirements.

(1)

The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7, and the following.

(2)

All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:

(a)

An adaptable toilet and bathing facility on the first floor; and

(b)

An adaptable kitchen on the first floor; and

(c)

An interior accessible route of travel on the first floor; and

(d)

An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and

(e)

If not all of the foregoing requirements in Subsections **B(2)(a)** through **(d)** can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of Subsections **B(2)(a)** through **(d)** above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and

(f)

An accessible entranceway, as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that Cinnaminson has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible.

[1]

Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit an accessible entrance shall be installed.

[2]

To this end, the builder of restricted units shall deposit funds within the Township of Cinnaminson's Affordable Housing Trust Fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.

[3]

The funds deposited under Subsection **B(2)(f)[2]** above shall be used by the Township of Cinnaminson for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.

[4]

The developer of the restricted units shall submit a design plan and cost estimate to the Construction Official of the Township of Cinnaminson for the conversion of adaptable to accessible entrances.

[5]

Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Township's Affordable Housing Trust Fund in care of the Township Treasurer who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriate earmarked.

(g)

Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7.

C.

Design.

(1)

In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.

(2)

In inclusionary developments, low- and moderate-income units shall have access to all of the same common elements and facilities as the market units.

D.

Maximum rents and sales prices.

(1)

In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC, utilizing the most recently published regional weighted average of the uncapped Section 8 income limits published by HUD and the calculation procedures as approved by the Court and detailed herein.

(2)

Regional income units shall be established for the region that the Township is located within (i.e., Region 5) based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial census in the Township's housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80% of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50% of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very-low-income unit for a household of four shall be 30% of the regional weighted average median income for a family of

four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.

(3)

The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60% of median income, and the average rent for restricted rental units shall be affordable to households earning no more than 52% of median income.

(4)

The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13% of all low- and moderate-income rental units shall be affordable to very-low-income households, which very-low-income units shall be part of the low-income requirement.

(5)

The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70% of median income, and each affordable development must achieve an affordability average of 55% for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.

(6)

In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:

(a)

A studio shall be affordable to a one-person household;

(b)

A one-bedroom unit shall be affordable to a 1 1/2 person household;

(c)

A two-bedroom unit shall be affordable to a three-person household;

(d)

A three-bedroom unit shall be affordable to a 4 1/2 person household; and

(e)

A four-bedroom unit shall be affordable to a six-person household.

(7)

In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:

(a)

A studio shall be affordable to a one-person household;

(b)

A one-bedroom unit shall be affordable to a one-and-one-half-person household; and

(c)

A two-bedroom unit shall be affordable to a two-person household or to two one-person households.

(8)

The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95% of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28% of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

(9)

The initial rent for a restricted rental unit shall be calculated so as not to exceed 30% of the eligible monthly income of the appropriate size household, including an allowance for tenant-paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall

be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

(10)

The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.

(11)

The rents of very-low-, low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the Northeast Urban Area. This increase shall not exceed 9% in any one year. Rent increases for units constructed pursuant to low-income housing tax credit regulations shall be indexed pursuant to the regulations governing low-income housing tax credits.

§ 145-7Utilities.

[Amended 9-16-2019 by Ord. No. 2019-12]

A.

Affordable units shall utilize the same type of heating source as market units within an inclusionary development.

B.

Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by HUD for the Section 8 program.

§ 145-8Occupancy standards.

[Amended 9-16-2019 by Ord. No. 2019-12]

In referring certified households to specific restricted units, the administrative agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:

A.

Provide an occupant for each bedroom;

B.

Provide children of different sexes with separate bedrooms;

C.

Provide separate bedrooms for parents and children; and

D.

Prevent more than two persons from occupying a single bedroom.

§ 145-9Control periods for restricted ownership units; enforcement mechanisms.

[Amended 9-16-2019 by Ord. No. 2019-12]

A.

Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this chapter for a period of at least 30 years, until Cinnaminson takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.

B.

The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.

C.

Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the nonrestricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.

D.

At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the administrative agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first nonexempt sale after the unit's release from the restrictions set forth in this chapter, an amount equal to the difference between the unit's nonrestricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

E.

The affordability controls set forth in this chapter shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.

F.

A restricted ownership unit shall be required to obtain a continuing certificate of occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

§ 145-10 Price restrictions for restricted ownership units, homeowner association fees and resale prices.

[Added 3-15-2006 by Ord. No. 2006-7; amended 11-21-2016 by Ord. No. 2016-14; 9-16-2019 by Ord. No. 2019-12]

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

A.

The initial purchase price for a restricted ownership unit shall be approved by the administrative agent.

B.

The administrative agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.

C.

The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.

D.

The owners of restricted ownership units may apply to the administrative agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom. See § 145-12.1, Capital improvements to ownership units.

§ 145-11 Buyer income eligibility.

[Added 3-1-2010 by Ord. No. 2010-5; amended 9-16-2019 by Ord. No. 2019-12]

A.

Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50% of median income, and moderate-income ownership units shall be reserved for households with a gross household income less than 80% of median income.

B.

Notwithstanding the foregoing, the administrative agent may, upon approval by the Township Committee and subject to the Court's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the administrative agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit.

C.

A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the administrative agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.

D.

The administrative agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33% of the household's eligible monthly income.

§ 145-12 Limitations on indebtedness secured by ownership unit; subordination.

[Added 11-21-2011 by Ord. No. 2011-13; amended 9-16-2019 by Ord. No. 2019-12]

A.

Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the administrative agent for a determination, in writing, that the proposed indebtedness complies with the provisions of this section, and the administrative agent shall issue such determination prior to the owner incurring such indebtedness.

B.

With the exception of First Purchase Money Mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95% of the maximum allowable resale price of the unit, as such price is determined by the administrative agent in accordance with N.J.A.C. 5:80-26.6(b).

§ 145-12.1 Capital improvements to ownership units.

[Added 9-16-2019 by Ord. No. 2019-12]

A.

The owners of restricted ownership units may apply to the administrative agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.

B.

Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the administrative agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price, which shall be subject to ten-year, straight-line depreciation, has been approved by the administrative agent. Unless otherwise approved by the administrative agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

§ 145-12.2 Control periods for restricted rental units.

[Added 9-16-2019 by Ord. No. 2019-12]

A.

Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this chapter for a period of at least 30 years, until Cinnaminson takes action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.

(1)

Restricted rental units created as part of developments receiving 9% low income tax credits must comply with a control period of not less than a thirty-year period.

(2)

Rehabilitation renter-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of 10 years.

B.

Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Burlington. A copy of the filed document shall be provided to the administrative agent within 30 days of the receipt of a certificate of occupancy.

C.

A restricted rental unit shall remain subject to the affordability controls of this chapter despite the occurrence of any of the following events:

(1)

Sublease or assignment of the lease of the unit;

(2)

Sale or other voluntary transfer of the ownership of the unit; or

(3)

The entry and enforcement of any judgment of foreclosure on the property containing the unit.

§ 145-12.3 Rent restrictions for rental units; leases.

[Added 9-16-2019 by Ord. No. 2019-12]

A.

A written lease shall be required for all restricted rental units, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the administrative agent.

B.

No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the administrative agent.

C.

Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit and shall be payable to the administrative agent to be applied to the costs of administering the controls applicable to the unit as set forth in this chapter.

D.

No rent control ordinance or other pricing restriction shall be applicable to the market units in any development in which at least 15% of the total number of dwelling units are restricted rental units in compliance with this chapter.

§ 145-12.4 Tenant income eligibility.

[Added 9-16-2019 by Ord. No. 2019-12]

A.

Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:

(1)

Very-low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of the regional median household income by household size.

(2)

Low-income rental units shall be reserved for households with a gross household income less than or equal to 50% of the regional median household income by household size.

(3)

Moderate-income rental units shall be reserved for households with a gross household income less than 80% of the regional median household income by household size.

B.

The administrative agent shall certify a household as eligible for a restricted rental unit when the household is a very-low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:

(1)

The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;

(2)

The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;

(3)

The household is currently in substandard or overcrowded living conditions;

(4)

The household documents the existence of assets with which the household proposes to supplement the rent payments; or

(5)

The household documents reliable anticipated third-party assistance from an outside source, such as a family member, in a form acceptable to the administrative agent and the owner of the unit.

C.

The applicant shall file documentation sufficient to establish the existence of the circumstances in Subsections **A(1)** through **B(5)** above with the administrative agent, who shall counsel the household on budgeting.

§ 145-12.5 **Municipal Housing Liaison.**

[Added 9-16-2019 by Ord. No. 2019-12]

A.

The Township of Cinnaminson shall appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for overseeing the Township's affordable housing program, including overseeing the administration of affordability controls on the affordable units and the affirmative marketing of available affordable units in accordance with the Township's Affirmative Marketing Plan; fulfilling monitoring and reporting requirements; and supervising administrative agent(s). Cinnaminson shall adopt a resolution appointing the person to fulfill the position of Municipal Housing Liaison. The Municipal Housing Liaison shall be appointed by the governing body and may be a full- or part-time municipal employee. The Municipal Housing Liaison shall be approved by the Court and shall be duly qualified through a training program sponsored by Affordable Housing Professionals of New Jersey before assuming the duties of Municipal Housing Liaison.

B.

The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Cinnaminson, including the following responsibilities which may not be contracted out to the administrative agent:

(1)

Serving as Cinnaminson's primary point of contact for all inquiries from the state, affordable housing providers, administrative agents and interested households;

(2)

Monitoring the status of all restricted units in Cinnaminson's Fair Share Plan;

(3)

Compiling, verifying, submitting and posting all monitoring reports as required by the Court and by this chapter;

(4)

Coordinating meetings with affordable housing providers and administrative agents, as needed; and

(5)

Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing at least annually and more often as needed.

§ 145-12.6 **Administrative agent.**

[Added 9-16-2019 by Ord. No. 2019-12]

A.

Subject to the approval of the Court, the Township of Cinnaminson shall designate one or more administrative agent(s) to administer and to affirmatively market the affordable units constructed in the Township in accordance with UHAC and this chapter. An operating manual for each affordable housing program shall be provided by the administrative agent(s) to be adopted by resolution of the governing body and subject to approval of the Court. The operating manual(s) shall be available for public inspection in the office of the Township Clerk, in the office of the Municipal Housing Liaison, and in the office(s) of the administrative agent(s). The Municipal Housing Liaison shall supervise the work of the administrative agent(s).

B.

An administrative agent shall be an independent entity serving under contract to and reporting to the municipality. The fees of the administrative agent shall be paid by the owners of the affordable units for which the services of the administrative agent are required. The administrative agent shall perform the duties and responsibilities of an administrative agent as set forth in UHAC, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which includes:

(1)

Affirmative marketing.

(a)

Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Township of Cinnaminson and the provisions of N.J.A.C. 5:80-26.15; and

(b)

Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

(2)

Household certification.

(a)

Soliciting, scheduling, conducting and following up on interviews with interested households;

(b)

Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;

(c)

Providing written notification to each applicant as to the determination of eligibility or noneligibility;

(d)

Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;

(e)

Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located;

(f)

Employing a random selection process as provided in the Affirmative Marketing Plan of the Township of Cinnaminson when referring households for certification to affordable units.

(3)

Affordability controls.

(a)

Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;

(b)

Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;

(c)

Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Burlington County Register of Deeds or Burlington County Clerk's office after the termination of the affordability controls for each restricted unit;

(d)

Communicating with lenders regarding foreclosures; and

(e)

Ensuring the issuance of continuing certificates of occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

(4)

Resales and rentals.

(a)

Instituting and maintaining an effective means of communicating information between owners and the administrative agent regarding the availability of restricted units for resale or rental; and

(b)

Instituting and maintaining an effective means of communicating information to low- (or very-low-) and moderate-income households regarding the availability of restricted units for resale or rental.

(5)

Processing requests from unit owners.

(a)

Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this chapter;

(b)

Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited

to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;

(c)

Notifying the municipality of an owner's intent to sell a restricted unit; and

(d)

Making determinations on requests by owners of restricted units for hardship waivers.

(6)

Enforcement.

(a)

Securing annually from the municipality a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;

(b)

Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the administrative agent;

(c)

Posting annually, in all rental properties (including two-family homes), a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent or other charges can be made;

(d)

Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;

(e)

Establishing a program for diverting unlawful rent payments to the municipality's Affordable Housing Trust Fund; and

(f)

Creating and publishing a written operating manual for each affordable housing program administered by the administrative agent, to be approved by the Township Committee and the Court, setting forth procedures for administering the affordability controls.

(7)

Additional responsibilities:

(a)

The administrative agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

(b)

The administrative agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet the Court-approved monitoring and reporting requirements in accordance with the deadlines set forth in this chapter.

(c)

The administrative agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

§ 145-12.7 Affirmative marketing requirements.

[Added 9-16-2019 by Ord. No. 2019-12]

A.

The Township of Cinnaminson shall adopt, by resolution, an Affirmative Marketing Plan, subject to approval of the Court, that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.

B.

The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs marketing activities toward Housing Region 5 and is required to be followed throughout the period of restriction.

C.

The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 5, comprised of Burlington, Camden and Gloucester Counties.

D.

The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and rerentals. The administrative agent designated by the Township of Cinnaminson shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.

E.

In implementing the Affirmative Marketing Plan, the administrative agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

F.

The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the administrative agent shall consider the use of language translations where appropriate.

G.

The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.

H.

Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building in the municipality in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.

I.

In addition to other affirmative marketing strategies, the administrative agent shall provide specific notice of the availability of affordable housing units in Cinnaminson, and copies of the application forms, to the following entities: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, Supportive Housing Association, the New Jersey Housing Resource Center, the Southern Burlington County Branch of the NAACP, Willingboro NAACP, Moorestown Ecumenical Neighborhood Development (MEND), Lutheran Social Ministries (LSM), and the Burlington County Community Action Program (BCCAP).

J.

The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

§ 145-12.8 Violations and penalties.

[Added 9-16-2019 by Ord. No. 2019-12]

A.

Upon the occurrence of a breach of any of the regulations governing an affordable unit by an owner, developer or tenant, the municipality shall have all remedies provided at law or equity, including, but not limited to, foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

B.

After providing written notice of a violation to an owner, developer or tenant of a low- or moderate-income unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action(s) against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

(1)

The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the owner, developer or tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the Court:

(a)

A fine of not more than \$500 per day or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;

(b)

In the case of an owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Township of Cinnaminson Affordable Housing Trust Fund of the gross amount of rent illegally collected;

(c)

In the case of an owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.

(2)

The municipality may file a court action in the Superior Court seeking a judgment that would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- or moderate-income unit.

(a)

The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.

(b)

The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.

(c)

Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.

(d)

If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.

(e)

Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser which may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.

(f)

The owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.

§ 145-12.9**Appeals.**

[Added 9-16-2019 by Ord. No. 2019-12]

Appeals from all decisions of an administrative agent appointed pursuant to this chapter shall be filed, in writing, with the Court.

§ 145-13**Down Payment Assistance Program.**

[Added 8-20-2012 by Ord. No. 2012-18]

A.

There is established a Down payment assistance program, funded by developer fees, payable only from the Township's Housing Trust Fund and administered through the Township of Cinnaminson affordable housing program, for purchasers who seek to purchase low- or moderate-income units as part of said program. The low or moderate units that are being purchased under this program must be in full compliance with all Uniform Housing Affordability Controls ("UHAC") regulations and the rules adopted by the New Jersey Council on Affordable Housing ("COAH"). Prospective homeowners will not receive direct funds. The assistance dollars will be supplied to the appropriate entity/entities. The Cinnaminson down payment assistance program is implemented through a down payment assistance loan that is documented in a repayment loan agreement and secured by a down payment assistance program recapture note and down payment assistance program mortgage in favor of the Township that is executed by the purchaser/property owner. The loan is interest free and must be repaid in full when the recipient sells the property. The down payment assistance mortgage is a second mortgage that is subordinate to the first purchase money mortgage that the purchaser will secure from an institutional lender. In no event may the combined amounts of both mortgages exceed the maximum amount of mortgage indebtedness allowed for affordable units under UHAC or COAH's regulations. A Cinnaminson Township down payment assistance loan is not available to those individuals or households that have been awarded down payment and/or closing cost assistance grants and/or loans from any other governmental sources, including, but not limited to, Burlington County's first-time homebuyer program.

B.

Purchasers seeking a down payment assistance loan through this program must make application to the Cinnaminson Township Affordable Housing Liaison ("Housing Liaison"). The maximum amount of any loan shall be \$15,000, and the availability of funding is contingent upon the sufficiency of funds in the Township's Housing Trust Fund. Approval of a loan shall be as documented in a resolution adopted by the Township Committee of the Township of Cinnaminson in a form substantially similar to Appendix A hereto.^[1] Funding of the loan program shall automatically cease should prior loans that have been made reach the amount reserved to fund the program in the Township's COAH-approved trust account spending plan. A copy of the loan application is attached as Appendix B^[2] and can be obtained by applicants from the Housing Liaison or may be downloaded from the Cinnaminson Township website. The Housing Liaison maintains an office in the Cinnaminson Township Municipal Building, 1621 Riverton Road, Cinnaminson, NJ 08077, [(856) 829-6000] and may be reached during regular business hours.

[1]

Editor's Note: Appendix A is available in the Township offices.

[2]

Editor's Note: Appendix B is available in the Township offices.

C.

The loan shall be documented and secured by the recipient's execution and delivery of the following documents:

(1)

Down payment assistance repayment loan agreement — Appendix C^[3] hereto;

[3]

Editor's Note: Appendix C is available in the Township offices.

(2)

Down payment assistance recapture mortgage note — Appendix D^[4] hereto;

[4]

Editor's Note: Appendix D is available in the Township offices.

(3)

Down payment assistance mortgage — Appendix E hereto.^[5]

[5]

Editor's Note: Appendix E is available in the Township offices.

D.

The contents and terms, conditions and obligations of all Appendix exhibits are incorporated by reference herein as if set forth herein at length.

E.

Qualification and eligibility for this program:

(1)

Individuals/households must make an application with the Housing Liaison and be precertified, meaning that applicant demonstrates to the reasonable satisfaction of the Housing Liaison that there is a very high likelihood that with the receipt of the loan provided herein the applicant will be able to pay all of the required expenses related to owning his affordable home.

(2)

In order to ensure that interested affordable housing homebuyers are able to demonstrate that they possess the required deposit prior to executing an agreement to purchase an affordable unit, interested applicants may submit loan applications prior to searching for a home.

(3)

Qualified individuals/households must have incomes not exceeding low or moderate income guidelines as applicable for Burlington County per the New Jersey Fair Housing Act as periodically published and updated by the New Jersey Department of Community Affairs.

(4)

The home that is being purchased must be an affordable unit that is being marketed for sale by the Township's administrative agent. Applicants must contact the administrative agent to ascertain the location and cost of all affordable units that are currently on the market. Applicants may do so prior to securing written confirmation from the Township that a down payment assistance loan will be made available to them.

(5)

The home/unit to be purchased must meet HUD housing quality standards as documented in a HUD-compliant home inspection report.

(6)

Applicants must be deemed credit worthy by the Housing Liaison, and the amount of the principal on the first purchase money mortgage must not exceed three times the applicant's gross annual income. By submitting a loan application, applicants automatically consent to allowing the Housing Liaison to run a credit check and securing employment verification. Applicants will be responsible for paying for the credit check.

(7)

The Down payment assistance mortgage is a second mortgage that is subordinate to the first purchase money mortgage that the purchaser will apply for and secure. In no event may the combined amounts of both mortgages exceed the maximum amount of mortgage indebtedness allowed for affordable units under UHAC or COAH regulations.

(8)

All loan recipients must occupy the property as their principal residence and own no other real estate.

(9)

All loan recipients, at their cost and expense, must attend a prepurchase homebuyer education class administered by a HUD-certified housing counseling agency prior to closing on an affordable housing unit. The Housing Liaison will supply applicants with a list of HUD-certified counseling agencies in the area, and applicants may select the counseling agency that they wish to use. A certificate of completion from the HUD-certified housing counseling agency must be presented to the Housing Liaison before funds will be provided for down-payment assistance.

(10)

If the Township Committee determines that an applicant qualifies for the loan of \$15,000, the Township Committee will adopt a resolution in the form of Appendix A^[6] which will be supplied by the Housing Liaison to the administrative agent as evidence that the deposit is available when a contract of sale is signed.

[6]

Editor's Note: Appendix A is available in the Township offices.

(11)

If awarded a loan the funds will be made available by the Township at closing to the appropriate title company and/or attorney trust account.

(12)

The Township's affordable housing administrative agent handles and administers the sale and purchase of affordable housing units in Cinnaminson. The loan award will expire if the applicant does not execute an agreement to purchase an affordable unit within six months of the date of the resolution confirming the loan award and will expire immediately if the administrative agent determines that the applicant fails to qualify to purchase the affordable unit under applicable governmental regulations or due to inability to secure first purchase money mortgage financing.

(13)

Individuals and/or households purchasing affordable homes shall only be permitted to receive one down payment assistance loan. A down payment assistance loan through the Cinnaminson program is not available to individuals and/or households that have been awarded down payment and/or closing cost assistance grants/loans from any other governmental sources, including but not limited to, Burlington County's first-time homebuyer program.

§ 145-14 **Administrative agent; payment of agent's fees.**

[Added 12-17-2012 by Ord. No. 2012-21]

The term "Housing Officer" as used in this chapter shall be synonymous with the term "administrative agent" as defined in UHAC, and the administrative agent's duties, responsibilities and obligations shall be as set forth in N.J.A.C. 5:80-26.14. The administrative agent's fees and charges shall be paid for by the developer, property manager, affordable housing sponsor and/or property owner utilizing the agent's services.

§ 145-15 **Mandatory affordable housing set-aside in future rezonings or the grant of variances authorizing multifamily housing.**

[Added 8-19-2019 by Ord. No. 2019-11]

A.

Pursuant to directives of the Superior Court in the third round affordable housing proceedings encaptioned In the Matter of the Township of Cinnaminson, Docket No. BUR-L-450-14 (Mount Laurel), if the Township or its land use boards permit, either through future rezonings or the grant of variances, multifamily or single-family attached development that is "approvable" and "developable" as defined in N.J.A.C. 5:93-1 et seq. at a gross density of six units to the acre or more, or permits an increase in the already permitted density of a multifamily or single-family attached zone or development resulting in five or more net new dwelling units on the property, the Township and/or its land use boards shall require that an appropriate percentage of the residential units shall be set aside for low- and moderate-income households in accordance with N.J.A.C. 5:93-1 et seq. This requirement shall apply to any multifamily or single-family attached residential development, including the residential portion of a mixed-use project which consists of five or more net new residential units, whether permitted by a zoning amendment, a variance granted by the Township's land use boards, or adoption of a redevelopment plan or amended redevelopment plan in areas in need of redevelopment or rehabilitation. Nothing herein precludes the Township from imposing an affordable housing set-aside in a development not required to have a set-aside pursuant to the provisions hereof consistent with N.J.S.A. 52:27D-311(h) and other applicable law. Consistent with N.J.A.C. 5:93-1 et seq.^[1], for inclusionary projects in which low- and moderate-income units are to be offered for sale, the appropriate set-aside percentage is 20%; for inclusionary projects for which the low- and moderate-income units are to be offered for rent, the appropriate set-aside percentage is 15% requirement does not create any entitlement for a property owner or applicant for a zoning amendment, variance, or adoption of a redevelopment plan or amended redevelopment plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project. This requirement does not apply to any sites or specific zones otherwise identified in judicially approved settlement agreements under Docket No. BUR-L-450-14 (Mount Laurel) or the Township's judicially approved third round Housing Element and Fair Share Plan (collectively "Compliance Plan"), for which density and set-aside standards shall be governed by the specific standards set forth therein. A property shall not be permitted to be subdivided so as to avoid meeting the above affordable housing requirement.

[1]

Editor's Note: N.J.A.C. 5:93, Substantive Rules of the New Jersey Council on Affordable Housing for the Period Beginning June 6, 1994, expired 10-16-2016.

APPENDIX D Development Fees

243-1Purpose.

This chapter establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the Council on Affordable Housing's regulations developed in response to P.L. 2008, c. 46, Sections 8 and 32-38 (N.J.S.A. 52:27D-329.2) and the Statewide Non-residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7). Fees collected pursuant to this chapter shall be used for the sole purpose of providing very-low-, low- and moderate-income housing in accordance with a court-approved spending plan.

§ 243-2Basic requirements.

A.

This chapter shall not be effective until approved by the court.

B.

The Township of Cinnaminson shall not spend development fees until the court has approved a plan for spending such fees (spending plan).

§ 243-3Definitions.

The following terms, as used in this chapter, shall have the following meanings:

AFFORDABLE HOUSING DEVELOPMENT

A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100-percent affordable housing development.

COAH or THE COUNCIL

The New Jersey Council on Affordable Housing established under the Fair Housing Act.

DEVELOPER

The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT FEE

Money paid by a developer for the improvement of property as authorized by Holmdel Builder's Association v. Holmdel Township, 121 N.J. 550 (1990) and the Fair Housing Act of 1985, N.J.S.A. 52:27d-301 et seq., and regulated by applicable COAH Rules.

EQUALIZED ASSESSED VALUE

The assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L. 1973, c.123 (N.J.S.A. 54:1-35a through 35c).

GREEN BUILDING STRATEGIES

Those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

§ 243-4Residential development fees.

A.

Imposition of fees.

(1)

Within the Township of Cinnaminson, all residential developers, except for developers of the types of developments specifically exempted below and developers of developments that include affordable housing, shall pay a fee of 1.5% of the equalized assessed value for all new residential development. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.

B.

Eligible exactions, ineligible exactions and exemptions for residential developments.

(1)

Affordable housing developments and/or developments where the developer has made a payment in lieu of on-site construction of affordable units, if permitted by ordinance, shall be exempt from the payment of development fees.

(2)

Developments that have received preliminary or final site plan approval prior to the adoption of this chapter shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where site plan approval is not applicable, the issuance of a zoning permit and/or construction permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the Development Fee Ordinance in effect on the date that the construction permit is issued.

(3)

Improvements or additions to existing one- and two-family dwellings on individual lots shall not be required to pay a development fee, but a development fee shall be charged for any new dwelling constructed as a replacement for a previously existing dwelling on the same lot that was or will be demolished, unless the owner resided in the previous dwelling for a period of one year or more prior to obtaining a demolition permit. Where a development fee is charged for a replacement dwelling, the development fee shall be calculated on the increase in the equalized assessed value of the new structure as compared to the previous structure.

(4)

Homes replaced as a result of a natural disaster (such as a fire or flood) shall be exempt from the payment of a development fee.

§ 243-5 Nonresidential development fees.

A.

Imposition of fees.

(1)

Within all zoning districts, nonresidential developers, except for developers of the types of developments specifically exempted below, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new nonresidential construction on an unimproved lot or lots.

(2)

Within all zoning districts, nonresidential developers, except for developers of the types of developments specifically exempted below, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.

(3)

Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the preexisting land and improvements and the equalized assessed value of the newly improved structure, i.e., land and improvements, and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the nonresidential development fee shall be zero.

B.

Eligible exactions, ineligible exactions and exemptions for nonresidential development.

(1)

The nonresidential portion of a mixed-use inclusionary or market rate development shall be subject to a 2.5-percent development fee, unless otherwise exempted below.

(2)

The 2.5-percent development fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within the existing footprint, reconstruction, renovations and repairs.

(3)

Nonresidential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required pursuant to the Statewide Non-residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF, "State of New Jersey Non-residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.

(4)

A developer of a nonresidential development exempted from the nonresidential development fee pursuant to the Statewide Non-residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy for the nonresidential development, whichever is later.

(5)

If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Township of Cinnaminson as a lien against the real property of the owner.

§ 243-6Collection procedures.

A.

Upon the granting of a preliminary, final or other applicable approval for a development, the approving authority or entity shall notify or direct its staff to notify the construction official responsible for the issuance of a construction permit and to notify the Tax Assessor of the grant of such approval.

B.

For nonresidential developments only, the developer shall also be provided with a copy of Form N-RDF, "State of New Jersey Non-residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a nonresidential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the nonresidential developer as per the instructions provided in the Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

C.

The construction official responsible for the issuance of a construction permit shall notify the Township Tax Assessor of the issuance of the first construction permit for a development which is subject to a development fee.

D.

Within 90 days of receipt of such notification, the Township Tax Assessor shall prepare an estimate of the equalized assessed value of the development based on the plans filed.

E.

The construction official responsible for the issuance of a final certificate of occupancy shall notify the Township Tax Assessor of any and all requests for the scheduling of a final inspection on a property which is subject to a development fee.

F.

Within 10 business days of a request for the scheduling of a final inspection, the Township Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.

G.

Should the Township of Cinnaminson fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of Section 37 of P.L. 2008, c.46 (N.J.S.A. 40:55D-8.6).

H.

Except as provided in § **243-5A(3)** hereinabove, 50% of the initially calculated development fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that determined at the time of issuance of the certificate of occupancy.

I.

Appeal of development fees.

(1)

A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by the Township of Cinnaminson. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law (N.J.S.A. 54:48-1 et seq.) within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

(2)

A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within

45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the Township of Cinnaminson. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law (N.J.S.A. 54:48-1 et seq.) within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§ 243-7 Affordable housing trust fund.

A.

There is hereby created a separate, interest-bearing Affordable Housing Trust Fund to be maintained by the Chief Financial Officer of the Township of Cinnaminson for the purpose of depositing development fees collected from residential and nonresidential developers and proceeds from the sale of units with extinguished controls.

B.

The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

(1)

Payments in lieu of on-site construction of a fraction of an affordable unit, where permitted by ordinance or by agreement with the Township of Cinnaminson;

(2)

Funds contributed by developers to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;

(3)

Rental income from municipally operated units;

(4)

Repayments from affordable housing program loans;

(5)

Recapture funds;

(6)

Proceeds from the sale of affordable units; and

(7)

Any other funds collected in connection with Cinnaminson's affordable housing program.

C.

In the event of a failure by the Township of Cinnaminson to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the judgment of compliance or a revocation of the judgment of compliance; or a failure to implement the approved spending plan and to expend funds within the applicable required time period as set forth in *In re Tp. of Monroe*, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department of Community Affairs, Division of Local Government Services (LGS), to direct the manner in which the funds in the Affordable Housing Trust Fund shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within the Township of Cinnaminson, or, if not practicable, then within the County or the Housing Region.

(1)

Any party may bring a motion before the Superior Court presenting evidence of such condition(s), and the Court may, after considering the evidence and providing the municipality a reasonable opportunity to respond and/or to remedy the noncompliant condition(s), and upon a finding of continuing and deliberate noncompliance, determine to authorize LGS to direct the expenditure of funds in the Trust Fund. The Court may also impose such other remedies as may be reasonable and appropriate to the circumstances.

D.

Interest accrued in the Affordable Housing Trust Fund shall only be used to fund eligible affordable housing activities approved by the court.

§ 243-8 Use of funds.

A.

The expenditure of all funds shall conform to a spending plan approved by the court. Funds deposited in the Affordable Housing Trust Fund may be used for any activity approved by the Court to address the Township of Cinnaminson's fair share obligation and may be set up as a grant or revolving loan program.

Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market to affordable program; conversion of existing nonresidential buildings to create new affordable units; building improvements that reduce utility costs (including, but not limited to, green building improvements designed to be cost saving); purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by the court and specified in the approved spending plan.

B.

Funds shall not be expended to reimburse the Township of Cinnaminson for past housing activities.

C.

At least 30% of all development fees collected and interest earned on such fees shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of the median income for Housing Region 5, in which Cinnaminson is located.

(1)

Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the spending plan.

(2)

Affordability assistance to households earning 30% or less of median income may include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income. The specific programs to be used for very-low-income affordability assistance shall be identified and described within the spending plan.

(3)

Payments in lieu of constructing affordable housing units on site, if permitted by ordinance or by agreement with the Township of Cinnaminson, and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

D.

The Township of Cinnaminson may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including its programs for affordability assistance.

E.

No more than 20% of all revenues collected from development fees may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare a Housing Element and Fair Share Plan, and/or administer an affirmative marketing program or a rehabilitation program.

(1)

In the case of a rehabilitation program, the administrative costs of the rehabilitation program shall be included as part of the 20% of collected development fees that may be expended on administration.

(2)

Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or related to appealing a judgment from the Court are not eligible uses of the Affordable Housing Trust Fund.

§ 243-9Monitoring.

On or about October 2 of each year through 2025, the Township of Cinnaminson shall provide annual reporting of Affordable Housing Trust Fund activity to the State of New Jersey, Department of Community Affairs, Council on Affordable Housing or Local Government Services or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing or Local Government Services. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an

accounting of development fees collected from residential and nonresidential developers, payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the Township), funds from the sale of units with extinguished controls, barrier free escrow funds, rental income from Township-owned affordable housing units, repayments from affordable housing program loans, and any other funds collected in connection with Cinnaminson's affordable housing programs, as well as an accounting of the expenditures of revenues and implementation of the spending plan approved by the court.

§ 243-10 Ongoing collection of fees.

A.

The ability for the Township of Cinnaminson to impose, collect and expend development fees shall expire with the expiration of the repose period covered by its Judgment of Compliance unless the Township of Cinnaminson has first filed an adopted Housing Element and Fair Share plan with the court or with a designated state administrative agency, has petitioned for a Judgment of Compliance from the court or for substantive certification or its equivalent from a state administrative agency authorized to approve and administer municipal affordable housing compliance and has received approval of its Development Fee Ordinance from the entity that will be reviewing and approving the Housing Element and Fair Share Plan.

B.

If the Township of Cinnaminson fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to Section 20 of P.L. 1985, c. 222 (N.J.S.A. 52:27D-320).

C.

The Township of Cinnaminson shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its Judgment of Compliance, nor shall the Township of Cinnaminson retroactively impose a development fee on such a development. The Township of Cinnaminson also shall not expend any of its collected development fees after the expiration of its Judgment of Compliance

