

TOWNSHIP OF VERONA  
ESSEX COUNTY, STATE OF NEW JERSEY

ORDINANCE No. 2018-25

**AN ORDINANCE TO CREATE A MANDATORY SET-ASIDE FOR  
AFFORDABLE HOUSING WITHIN THE CODE THE TOWNSHIP OF  
VERONA, COUNTY OF ESSEX AND AMENDING AND SUPPLEMENTING  
CHAPTER 150 (ZONING) OF THE TOWNSHIP OF VERONA**

**WHEREAS**, the Township of Verona has been engaged in certain litigation regarding the Township's obligation to provide for affordable housing; and

**WHEREAS**, The Township desires, among other things to adopt certain amendments to its Municipal Land Use Ordinances;

**NOW THEREFORE BE IT ORDAINED** by the Township of Verona in the County of Essex and State of New Jersey, the code is supplemented and amended as follows:

Mandatory Affordable Housing Set Aside Ordinance

1. Any property in the Township of Verona that is currently zoned for nonresidential uses and subsequently receives a zoning change or use variance to permit multi-family residential development, or that is currently zoned for residential uses and receives a zoning change or density variance to permit higher density multi-family residential development provided the number of dwelling units is five (5) or more than the number of units previously permitted, shall be required to include an affordable housing set-aside on all such additional units beginning at five (5) or more over the number of units previously permitted 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 paragraph shall be governed by the provisions of the Township's Court-approved Affordable Housing Ordinance.

2. Any property in the Township of Verona that is currently zoned for nonresidential uses and subsequently receives approval of a redevelopment plan to permit multi-family residential development, or that is currently zoned for residential uses and receives an approval of a redevelopment plan to permit higher density multi-family residential development provided the number of dwelling units is five (5) or more than the number of units previously permitted, shall be required to include a 20% affordable housing set-aside. 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 paragraph shall be governed by the provisions of the Township's Court-approved Affordable Housing Ordinance.

3. The foregoing set-aside requirements do not apply to inclusionary development zones and sites that are already included in the Township's Court-approved Housing Element and Fair Share Plan, which zones and sites shall be governed by the set-aside requirements for the applicable zones or redevelopment areas.

**SEVERABILITY.** All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

**INCONSISTENCY.** All Ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**EFFECTIVE DATE.** This Ordinance shall become effective upon final approval and publication, pursuant to law.



ATTEST:

*Jennifer Kiernan*  
JENNIFER KIERNAN  
MUNICIPAL CLERK

**NOTICE**

**I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE VERONA-CEDAR GROVE TIMES, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF SEPTEMBER 20, 2018 AND OCTOBER 18, 2018.**

**JENNIFER KIERNAN  
MUNICIPAL CLERK**

INTRODUCTION: September 17, 2018  
ADOPTION: October 15, 2018  
EFFECTIVE DATE: November 4, 2018