

RESOLUTION 49-21

**RESOLUTION REFERING AN ORDINANCE REPEALING AND REPLACING
AFFORDABLE HOUSING ORDINANCES OF THE BOROUGH OF CLAYTON
TO THE BOROUGH OF CLAYTON PLANNING BOARD
FOR REVIEW PURSUANT TO N.J.S.A. 40:55D-26(a) AND N.J.S.A. 40:55D-64**

WHEREAS, the Borough Council of the Borough of Clayton (the “Borough Council”) has determined that it is in the best interest of the Borough of Clayton to amend its Ordinances governing the Borough’s affordable housing obligations (“Amended Ordinance”) to reflect the current legal standards applicable to affordable housing developments, including the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. (“FHA”) and the Settlement Agreement entered into between the Borough of Clayton and Fair Share Housing Center, dated November 7, 2016 (“Settlement Agreement”); and

WHEREAS, some of the proposed amendments will require an amendment to the Borough of Clayton’s Unified Development Ordinance; and

WHEREAS, pursuant to N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a), prior to the adoption of any amendment to a zoning ordinance or other development regulation, the Borough Council is required to refer the proposed amendment to the Borough of Clayton Planning Board (“Planning Board”) for review of said amendment; and

WHEREAS, pursuant to N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a), the Planning Board shall have thirty-five (35) days from referral to transmit a report to the Borough Council regarding any inconsistencies with the Borough Master Plan and any other matters deemed appropriate; and

WHEREAS, pursuant to N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a), if the Planning Board transmits said report, the Borough Council shall review said report and approve, reject or change any recommendation by the Planning Board, recording the reasons therefore in its minutes; and

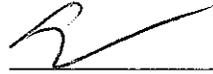
WHEREAS, pursuant to N.J.S.A. 40:55D-64 and N.J.S.A. 40:55D-26(a), the Borough Council hereby refers the Amended Ordinance to the Planning Board for review.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Clayton, County of Gloucester, and State of New Jersey:

1. That the Borough Council does hereby authorize the Planning Board to review the Amended Ordinance and hereby refers the Amended Ordinance the Planning Board to review and to report its findings to the Borough Council within thirty-five (35) days hereof.

2. This Resolution shall take effect immediately.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk