REMINGTON & VERNICK ENGINEERS

RVE HQ:
2059 Springdale Road
Cherry Hill, NJ 08003
O: (856) 795-9595
F: (856) 795-1882

MEMORANDUM

TO: **Lumberton Township Committee**

FROM: **Ashton Jones, PP, AICP, CFM**

DATE: **March 3, 2026**

RE: **Summary of Proposed Affordable Housing Ordinance 2026-02 and Ordinance 2026-03 and Fourth Round Spending Plan**

Purpose

This memorandum provides an overview of Ordinance 2026-02 (Fair Share Obligation), Ordinance 2026-03 (Mandatory Set-Aside and Development Fees), and the 2026 Affordable Housing Trust Fund Spending Plan. These documents are required to maintain Lumberton's legal protections under the Fair Housing Act and to satisfy the terms of our Court-approved settlement.

Lumberton is currently operating under a Consent Order for Conditional Compliance Certification (Docket No. BUR-L-128-25) in the Superior Court of New Jersey. Per the requirements of P.L. 2024, Chapter 2, and the terms of the Consent Order, the Township must adopt these implementing ordinances and the spending plan by March 15, 2026.

Summary of Ordinances

Ordinance 2026-02: Fair Share Obligation

This ordinance replaces the Township's existing affordable housing regulations under Chapter 90 of the Township Code to align with the latest state standards, including the Uniform Housing Affordability Controls (UHAC). It establishes strict standards for income eligibility, bedroom distribution, phasing, and design, as well as affordability controls (ensuring units remain restricted for at least 30 to 40 years). Additionally, it formalizes the roles of the Municipal Housing Liaison and Administrative Agent to ensure the Township remains in compliance with state reporting and monitoring requirements.

Ordinance 2026-03: Mandatory Set-Aside & Development Fees

This ordinance is the primary mechanism for creating new affordable opportunities through private market growth rather than direct municipal construction. It amends Chapter 130 of the Township Code as follows:

- 20% Set-Aside: This is a Township-wide requirement. It mandates that any new multi-family residential development of five (5) or more units (at a density of 6 units/acre or higher) must provide a 20% affordable housing set-aside.
- Development Fees: It authorizes the continued collection of development fees (1.5% for residential and 2.5% for non-residential). These fees are the primary source of revenue for the Township's Affordable Housing Trust Fund.

Summary of Fourth Round Spending Plan
The Committee will also consider a resolution to adopt the Affordable Housing Trust Fund Spending Plan. This plan dictates how the Township will utilize developer fees collected through December 31, 2035. It is important to note that the allocation of funds within the Spending Plan is directly based upon the compliance mechanisms previously approved in the Township's Housing Element and Fair Share Plan (HEFSP) adopted in June 2025.

As of December 31, 2024, the Township has a balance of $2,296,809. Combined with projected revenues and interest, the Township anticipates having a total of $7,186,914 available for housing activities through 2035. Based on the approved HEFSP, the funds are allocated to specific projects/programs, as follows:

- Walters Group (Cornerstone Phase II): $400,000 to support 28 affordable units.
- Eayrestown Road Redevelopment: $770,000 to subsidize 11 very-low-income units, including sewer connection fees and recreation costs.
- Rehabilitation Program: $1,050,000 to assist in rehabilitation of existing affordable units.

A total of $4,506,914 is allocated to render units more affordable to low- and moderate-income households. Pursuant to N.J.A.C. 5:99-2.5, this includes but is not limited to: down payment and security deposit assistance, low-interest loans, rental assistance, assistance with homeowner's association fees, and emergency repairs to bring deed-restricted units up to code. While this is more than is required by law, the Township reserves the right to reallocate funds, as appropriate, since a minimum amount is no longer required. Lastly, a sum of $460,000 is allocated for administrative, legal, and planning purposes in accordance with N.J.A.C. 5:99-2.4.

Conclusion
Ordinances 2026-02 and 2026-03 and the Fourth Round Spending Plan are the final administrative steps required for the Township to remain in compliance with the legal mandates of P.L. 2024, Chapter 2 and the specific requirements of the Township's Superior Court Consent Order. By adopting these items, the Township formalizes the housing strategies established in the approved HEFSP and as required by law.

If you have any questions regarding this matter, please do not hesitate to call our office.

Sincerely,

REMINGTON & VERNICK ENGINEERS



Ashton Jones, PP, AICP, CFM

Cc: George Morris, Esq.