
HOUSING ELEMENT AND FAIR SHARE PLAN

**BOROUGH OF SURF CITY
OCEAN COUNTY, NEW JERSEY
MAY 12, 2025**

On Behalf of and Adopted by the Borough of Surf City Land Use Board On

MAY 28, 2025

Endorsed by the Borough on

JUNE 11, 2025

PREPARED BY:



OWEN, LITTLE & ASSOCIATES, INC.

443 ATLANTIC CITY BOULEVARD, BEACHWOOD, NJ 08722



**FRANK J. LITTLE JR., P.E., P.P., C.M.E.
N.J.P.E. LICENSE #27085
N.J.P.P. LICENSE #03096**

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HOUSING PLAN ELEMENT

A. Introduction

The New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 to -136 ("MLUL") and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329 ("FHA") require every municipal Land Use Board to adopt a Housing Plan Element to its Master Plan and further require the governing body of each municipality to adopt a Fair Share Plan. More specifically, the FHA and MLUL require municipalities to adopt a Housing Element that addresses the municipal present and prospective housing needs, "with particular attention to low- and moderate-income housing."

On March 20, 2024, the New Jersey Legislature passed, and Governor Phil Murphy signed into law A4/S50, which amended the Fair Housing Act (N.J.S.A 52:27D-301 et seq.). These amendments outline the requirements and deadlines for municipalities to fulfill their fourth-round affordable housing obligations. The full methodology for calculating Present-and Prospective-Need Obligations is set forth within this law. In response, the Department of Community Affairs ("DCA") published an advisory report in October 2024 which contained both present- and prospective -need numbers for all participating municipalities from 2025 to 2035. The law also requires that the municipality adopt Present- and Prospective-Need Obligation numbers by resolution on or before January 31, 2025. The Borough of Surf City reviewed the calculations prepared by the DCA for the period from 2025 to 2035 which determined that the Borough has a present need of 2 units and a prospective need of 39 units and on January 29, 2025, the Borough adopted Resolution 2025-41 which accepted these present- and prospective calculations. By way of the same resolution, the Borough committed to the adoption of a Housing Element and Fair Share Plan, by both the Land Use Board and the Governing Body, by June 30, 2025, which is a component of compliance with the fourth round law and also allows the municipality to retain immunity from all exclusionary zoning lawsuits, including immunity from builder's remedy lawsuits.

In accordance with the Fair Housing Act at N.J.S.A. 52:27D-310, a Housing Element shall contain at least the following:

1. 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;
2. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years subsequent to the adoption of the housing element, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level, and age;

4. An analysis of the existing and probable future employment characteristics of the municipality;
5. 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;
6. 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 providing low and moderate income housing;
7. A map of all sites designated by the municipality for the production of low- and moderate-income housing and a listing of each site that includes its owner, acreage, lot, and block;
8. The location and capacities and proposed water and sewer lines and facilities relevant to the designated sites;
9. Copies of necessary applications for amendments to, or consistency determinations regarding, applicable area-wide water quality management plans (including wastewater management plans);
10. A copy of the most recently adopted master plan and where required, the immediately preceding, adopted master plan;
11. For each designated site, a copy of the New Jersey Freshwater Wetlands maps where available. When such maps are not available, municipalities shall provide appropriate copies of the National Wetlands Inventory maps provided by the U.S. Fish and Wildlife Service;
12. A copy of appropriate, United States Geological Survey Topographic Quadrangles for designated sites;
13. Any other documentation pertaining to the review of the municipal housing element as may be required by the Council.

History of Borough's Affordable Housing Obligation and Fair Share Plan

The Borough of Surf City began its participation in the affordable housing compliance process on January 8, 2025, when it adopted Resolution 2025-41, which accepted the 2-unit present need and 39-unit prospective need calculations. On January 29, 2025, the Borough filed a Complaint for Declaratory Judgment in Superior Court, seeking a declaration of compliance and immunity from exclusionary zoning litigation for the period from July 1, 2025, to July 1, 2035. The Borough remains presumptively immune from suit prior to July 1, 2025.

To maintain immunity, the Borough must adopt this Housing Element and Fair Share Plan in accordance with statutory requirements and submit it for review by the Fair Share Housing Center and the Affordable Housing Dispute Resolution Program. Interested parties will have until August 31, 2025, to challenge the validity of the Plan and the proposed strategies to address the obligation. The Borough will then have until December 31, 2025, to settle any challenges or explain why some or all of the requested changes from intervening parties will not be made. Additional requirements related to settlement can be found in N.J.S.A. 52:27D-301 to -329. The final compliance deadline is March 31, 2026, by which time the Borough must adopt the necessary implementing ordinances to align with this Housing Element and Fair Share Plan.

B. Inventory of Housing Stock

Age of Housing Stock

The age of a community's housing stock is considered a means of determining its overall condition and identifying housing units in need of rehabilitation, especially those units constructed 50 or more years ago. Surf City's housing stock was mostly constructed between 1940 and 1990 according to the 2020 American Community Survey (ACS). Housing Unit construction has remained somewhat steady afterwards. 1940 to 1969 saw the largest number of units built at 1,347. A little more than half of the Borough's housing stock, 51.8%, is over 45 years old and will continue to age. Given the age of the Borough's housing stock, more and more homes may need repairs or upgrades as time goes on.

Table 1 Age of Housing Stock		
Time of Construction	Number of Units	Percent of Units
Prior to 1940	36	5.6%
1940-1959	145	22.7%
1960-1979	207	32.4%
1980 – 1999	90	14.1%
2000 – 2009	85	13.3%
2010 – 2019	69	10.8%
Built 2020 or later	6	0.9%
Total	638	100.0%

Source: 2023 ACS

Condition of Housing Stock

In addition to age, other factors are taken into consideration to determine the quality and condition of a municipality's housing stock and whether units are substandard. American Community Survey (ACS) data of 2023 was used to estimate the number of substandard housing units in Surf City Borough using the following factors:

- Persons per room is an index of overcrowding. If 1.01 or more people occupy one room, then the unit is considered substandard.
- The adequacy of plumbing facilities is used to determine if a unit is substandard. Inadequate plumbing facilities are indicated by either a lack of exclusive use of plumbing facilities or incomplete plumbing facilities.
- The adequacy of kitchen facilities is also used to determine the quality of a unit and determine if it is substandard. Inadequate kitchen facilities are marked by shared use of a kitchen or the lack of a sink with piped water, a stove, or a refrigerator.

Using the above indicators, the table below shows the number of substandard occupied housing units in the Borough of Surf City.

Table 2 Housing Characteristics		
	Total	Percentage
Number of Persons per Room		
1.01 or more	0	0%
Plumbing Facilities		
Occupied Units with Complete Plumbing Facilities	199	100%
Units Lacking Complete Plumbing Facilities	6	6.0%
Kitchen Equipment		
Occupied Units with Complete Kitchen Facilities	199	100%
Lacking Complete Kitchen Facilities	6	6.0%

Source: 2023 ACS

As indicated in the table above, Surf City Borough has 6 deficient units by lack of adequate kitchen facilities and lack of plumbing facilities. However, the Borough does not produce overcrowding with 0% of its total occupied housing population containing 1.01 or more persons per room.

Purchase or Rental Value of Housing Stock

According to 2023 ACS 5-year estimates, the median value of housing sales in Surf City was \$1,105,600.00. A majority of the owner-occupied housing stock was valued between \$500,000 and \$999,999. The median value of housing sales in Ocean County in 2023 was \$313,897, which is much lower than Surf City's median housing value for owner-occupied units. Due to the Borough being a seasonal resort town, there are only 295 homes occupied year round, and of that figure, only 16 households pay rent. A majority of units paid between \$1,000 and \$1,499 for rents each month. The following tables describe the value of owner-occupied and renter-occupied units in the Borough according to 2023 ACS data.

Table 3
Value of Owner-Occupied Units

Value (\$)	Units	Percentage
Less than 50,000	0	0.0%
50,000-99,999	0	0.0%
100,000-149,999	0	0.0%
150,000-199,999	0	0.0%
200,000 – 299,999	0	0.0%
300,000-499,999	0	0.0%
500,000-999,999	70	37.1%
1,000,000 or more	119	62.9%
TOTAL	189	100.0%

Source: 2023 ACS

Table 4
Cost of Rent in Surf City Borough

Contract Rent Specified	Units
Less than \$499	0
\$500 - \$999	0
\$1,000 – \$1,499	10
\$1,500 - \$1,999	0
\$2,000 - \$2,499	0
\$2,500 - \$2,999	0
\$3,000 or more	0
No rent paid	6
Total	16

Source: 2023 ACS

Occupancy Characteristics and Types of Housing Units

According to the 2023 ACS 5-year estimates, the Borough of Surf City had 205 total occupied housing units, with 92.1% being owner-occupied and 7.9 % being renter-occupied. As depicted in Table 5 below, 93.3% of the housing stock consists of single-family detached housing. The balance of housing within the Borough is comprised of 1-unit attached (0.5%) and multi-family units (6.2%).

Table 5
Housing Units

Units in Structure	Number	Percent of Total Units
1-Unit Detached	1,186	93.3%
1-Unit Attached	7	0.5%
2 Units	35	2.7%
3 or 4 Units	6	0.4%
5 to 9 Units	18	1.5%
10 to 19 Units	7	0.5%
20 Units or more	14	1.1%
Mobile Home	0	0.0%
Other	0	0.0%
Total	1,273	100.0%

Source: 2023 ACS

Units Affordable to Low- and Moderate-Income Households

Low-income households are defined as those households earning less than or equal to 50 percent of a regional median income. Moderate-income households earn more than 50 percent of regional median income, but less than 80 percent of regional median income.

In addition, the New Jersey Housing and Mortgage Financing Agency (NJHMFA) has developed a sliding scale for income limits, which defines low-and moderate-income limits based on household size. NJHMFA has determined separate incomes for households of one up to households of eight.

Similarly, housing units are to be priced to be affordable to households who could reasonably be expected to live within the housing units. For example, the current NJHMFA regulations require that an efficiency unit be affordable to a household of one, as shown below within Table 6, 2024 New Jersey Housing and Mortgage Financing Agency (NJHMFA) Income Limits for Ocean County.

Table 6 2024 NJHMFA Income Limits for Ocean County								
	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Moderate (80% of Median)	\$73,200	\$83,600	\$94,080	\$104,480	\$112,880	\$121,200	\$129,600	\$137,920
Low (50% of Median)	\$45,750	\$52,250	\$58,800	\$65,300	\$70,550	\$75,750	\$81,000	\$86,200
Very Low (30% of Median)	\$27,450	\$31,350	\$35,280	\$39,180	\$42,450	\$45,450	\$48,600	\$51,720

To be affordable, a household should not be paying more than 28 percent of its gross income on principal, interest, taxes and insurance, subsequent to a minimum down payment of 5 percent. A rental unit is affordable if the household is paying no more than 30 percent of its income on rent and utilities. The following tables display how many owners and renters are paying more than 30% of gross income on mortgages or rent.

Table 7 Monthly Owner Cost as a Percentage of Household Income in 2024 ACS		
Percentage of Income	Number	Percent of Total
Less than 20%	32	35%
20% to 29%	13	14%
30% or more	46	49%
TOTAL	91	100%

Table 8 - Gross Rent as a Percentage of Household Income in 2024 ACS		
Percentage of Income	Number	Percent of Total
Less than 15%	0	-
15% to 19.9%	2	20%
20% to 24.9%	0	-
25% to 29.9%	0	-
30% to 34.9%	0	-
35% or more	8	80%
TOTAL	10	100%

Source: 2024 ACS

C. Projected Housing Stock

According to New Jersey Department of Community Affairs, Surf City Borough has issued building permits for a total of 296 for single family housing units, two to four family housing units, and mixed-use housing units during the time period from 2000-2024. Using New Jersey Department of Community Affairs demolition data for the same period, the Borough of Surf City approved 134 demolition permits. This brings the total number of housing units added between the year 2000 and 2024 to 33 units. The building and demolition permit information is depicted within Table 9 below.

Table 9 - Dwelling Units Authorized			
Year	Residential Building Permits Issued	Residential Demolitions*	Total Added
2000	17	0*	**
2001	11	0*	**
2002	12	0*	**
2003	29	0*	**
2004	17	0*	**
2005	22	0*	**
2006	5	0*	**
2007	7	0*	**
2008	9	0*	**
2009	5	6	-1
2010	8	8	0
2011	5	5	0
2012	7	6	1
2013	10	14	-4
2014	8	3	5
2015	7	6	1
2016	9	14	-5
2017	14	5	9
2018	6	8	-2
2019	15	11	4
2020	19	14	5
2021	19	10	9
2022	14	8	6
2023	13	9	4
2024	8	7	1
Total	296	134	33
Source: Both Building Permit and Demolition data obtained from the New Jersey Department of Community Affairs, Division of Codes and Standards website; Accessed April 2025.			
*Data Not Available ** Not Calculated			

D. Demographic Characteristics

As depicted in Table 10 below, the population of Surf City Borough grew exponentially from 1940 to 1980, with its greatest increase of 267 residents occurring during the time period between 1960 and 1970. The U.S. Census data demonstrates that the Borough's population for the year 2010 was 574 which is a 24.8% decrease from 2000 population levels. The North Jersey Transportation Planning Authority (NJTPA) conducted population projections for its jurisdiction which included Surf City Borough. The projected population for the Borough in 2050 is 651.

The table below displays Surf City Borough's population characteristics and projections.

Table 10 Borough Population Characteristics 1940-2050 (Projected)			
Year	Population	Population Increase	
1940	225	-	
1950	227	2	
1960	287	60	
1970	554	267	
1980	619	65	
1990	675	56	
2000	764	89	
2010	574	-190	
2020	640	66	
2050*	651	11	
*Population Projections from North Jersey Transportation Planning Authority Sources: U.S. Census Bureau North Jersey Transportation Planning Authority			

As illustrated within Table 11, the age cohort breakdown of then Borough is similar to Ocean

County in regard to ages of under 18 but a similar as the ages progress. It's noteworthy to add that there is approximately a 20-year average age difference in the residents of the Borough (60.9) and the residents of Ocean County (41.1). A breakdown of population by age for the Borough and the County is provided below:

Table 11 Population Comparison by Age				
Age	Population	Surf City Borough	Population	Ocean County
Under 5	0	0%	48,637	7.4%
5 to 17	79	16.7%	116,257	17.6%
18 to 24	10	2.1%	48,147	7.3%
25 to 34	11	2.3%	72,953	11.1%
35 to 54	29	6.1%	135,193	20.5%
55 to 64	143	30.2%	86,475	13.1%
Over 65	201	42.5%	151,535	23.0%
Total	473	100%	659,197	100%
Median Age		60.9		41.1

As illustrated in Table 12 below, according to the 2023 ACS the median household income in Surf City Borough was \$104,583.00 which was more than median income for Ocean County, which was \$85,464.00. A distribution of households by income for the Borough and Ocean County is presented within Table 12, Households by Income (%) in 2023, below:

Table 12 - Households by Income (%) in 2023 ACS		
Income (\$)	Surf City Borough	Ocean County
Less than \$10,000	0.0%	3.6%
\$10,000 – \$14,999	5.9%	2.5%
\$15,000 – \$24,999	0.0%	5.7%
\$25,000 – \$34,999	13.7%	6.9%
\$35,000 – \$49,999	3.9%	9.7%
\$50,000 – \$74,999	3.9%	15.3%
\$75,000 – \$99,999	19.0%	13.4%
\$100,000 – \$149,999	14.1%	18.2%
\$150,000 – \$199,999	21.0%	11.7%
\$200,000 or more	18.5%	13.0%
Median Household Income	\$104,853.00	\$85,464.00

As per the 2023 ACS, the average household size in Surf City Borough is 2.31 persons per household. Out of the 205 households in the Borough, 142 or 69.2 percent are family households. The distribution of household types is illustrated within Table 13, Household by Types in 2023, below.

Table 13 - Households by Type in 2023 ACS		
Household Type	Number	
Total Households	205	
Family households (families)	142	
Married-couple family	133	
Female householder, no spouse present	9	
Male householder, no spouse present	0	
Nonfamily households	63	
Householder living alone	54	
Householder 65 years and over	40	
Householder not living alone	9	
Householder 65 years and over	6	

E. Employment Characteristics

The 2023 ACS reports on work activity of residents 16 years and older. A total of 104 residents were 16 years or older and employed. As indicated in Table 14, only 4.8 percent of workers are self-employed and the majority of workers (75.0%) work within the private sector.

Table 14 - Classification of Workers		
Class	Surf City Borough	Percentage of Workforce
Private Wage and Salary	78	75.0%
Government Workers	21	20.2%
Self Employed	5	4.8%
Unpaid Family Workers	0	0%
TOTAL	104	100%

An analysis of the employees (over the age of 16) by the economic sector indicates that Surf City workers were involved in a broad array of economic sectors. As depicted in Table 15 below, the highest concentration of workers at 18.3 percent of the total workforce was in educational, health, and social services, which was followed by finance, insurance and real estate at 16.3 percent.

Table 15 - Workforce by Sector		
Sector	Employed	Percentage of Workforce
Agriculture, Forestry, Fisheries & Mining	6	5.8%
Construction	14	13.5%
Manufacturing	11	10.6%
Wholesale Trade	6	15.4%
Retail Trade	16	5.8%
Transportation, Warehousing and Utilities	0	0
Information	2	1.9%
Finance, Insurance & Real Estate	17	16.3%
Professional, Scientific, Management, Administrative, and Waste Management Services	9	8.7%
Educational, Health and Social Services	19	18.3%
Arts, Entertainment, Recreation, Accommodation and Food Services	2	1.9%
Other Services	2	1.9%
Public Administration	0	0

The workforce occupation characteristics in Surf City Borough were compared with that of Ocean County. As indicated in Table 16, the occupational characteristics of the Borough's residents compare closely with that of workers residing in the County. The Borough maintained a higher percentage in Agriculture, Forestry, Fisheries, and Mining, and Finance, Insurance and Real Estate than that at the County level. The County, however, had a higher percentage of jobs in several industries. Both the Borough and County Occupation Characteristics are summarized within Table 16.

Table 16 - Occupation Characteristics		
Sector	Surf City Borough (Percentage)	Ocean County (Percentage)
Agriculture, Forestry, Fisheries & Mining	5.8%	0.35%
Construction	13.5%	6.29%
Manufacturing	10.6%	8.27%
Wholesale Trade	15.4%	2.51%
Retail Trade	5.8%	9.95%
Transportation, Warehousing and Utilities	0	6.57%
Information	1.9%	2.58%
Finance, Insurance & Real Estate	16.3%	8.54%
Professional, Scientific, Management, Administrative, and Waste Management Services	8.7%	14.40%
Educational, Health and Social Services	18.3%	24.16%
Arts, Entertainment, Recreation, Accommodation and Food Services	1.9%	7.68%
Other Services	1.9%	4.42%
Public Administration	0	4.27%

In addition, in order to understand what implications this employment data has for the Borough and understand what the employment field and area trends are for Surf City Borough and Ocean County, the New Jersey Department of Labor ("NJDOLE") has prepared projections, which analyze the expected increase or decrease in a particular employment sector by the year 2022. This data has been summarized and is illustrated within Table 17, below.

Table 17 Ocean County Projected Employment				
Industry	2022 Base Year Employment	2032 Projected Employment	Numeric Change	Outlook
Architecture and Engineering	1,833	1,966	7.25%	Stable
Arts, Design, Media and Sports	2,572	2,792	8.55%	Stable
Buildings and Ground Maintenance	6,418	6,943	8.18%	Growing
Financial Operations	9,582	10,283	7.32%	Growing
Community and Social Services	4,186	4,876	16.48%	Growing
Computer and Mathematical	4,468	5,267	17.88%	Growing
Construction	8,802	9,054	2.86%	Stable
Education	17,375	19,291	11.03%	Growing
Farming, Fishing and Forestry	139	143	2.88%	Stable
Food Preparation and Serving	16,463	17,404	5.72%	Stable
Healthcare Practitioners	14,148	15,749	11.32%	Stable
Healthcare Support	12,117	14,540	20.0%	Growing
Installation, Maintenance and Repair	7,151	7,678	7.37%	Stable
Legal	1,243	1,348	8.45%	Stable
Life, Physical and Social Science	1,571	1,748	11.27%	Stable
Management	13,126	14,451	10.09%	Stable
Office and Administrative	24,647	24,035	-2.48%	Declining
Personal Care and Service	9,190	10,466	13.88%	Growing
Production	5,525	5,696	3.10%	Stable
Protective Service	5,440	5,666	4.15%	Stable
Sales and Related Occupations	19,928	19,522	-2.04%	Declining
Transportation	15,697	17,035	8.54%	Growing
Total (All Industries)	201,621	215,953	7.11%	Growing
Source: New Jersey Department of Labor and Workforce Development, 2022				

It is projected that in 2032 employment will increase in almost all of the occupations and overall, the economy will grow by 14,332 jobs. Education and Health Care Support are anticipated to realize the largest growth increase during the 2022-2032 time period.

FAIR SHARE PLAN

A. Fair Share Obligation Summary

This Housing Element and Fair Share Plan has been prepared in full compliance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Fair Housing Act (P.L.1985, c.222; N.J.S.A. 52:27D-301 et seq.). It sets forth the manner in which the Borough of Surf City intends to satisfy its constitutionally mandated fair share of the region's affordable housing need. Adoption of this Plan will render the Borough eligible for protection from exclusionary zoning litigation during the period commencing July 1, 2025, and concluding July 1, 2035.

Pursuant to applicable statutory and regulatory requirements, this Plan includes a comprehensive strategy that addresses the Borough's cumulative affordable housing obligation from 1987 through 2025. It also sets forth the Borough's Fourth Round Obligation, which comprises two components: (1) the Present Need, defined as the number of substandard dwelling units currently occupied by low- and moderate-income households, and (2) the Prospective Need, which projects affordable housing demand from 2025 through 2035 based on anticipated demographic and economic growth. The Present Need has been calculated using the following criteria: the number of housing units lacking complete kitchen facilities, the number lacking complete plumbing facilities, and the number of overcrowded units. In accordance with statutory guidance, a "deficient housing unit" is further defined as any unit that is more than 50 years old and is either overcrowded, lacks complete plumbing, or lacks a complete kitchen.

As the Borough has not previously sought or obtained a judgment of compliance or repose, its obligation is categorized into a Prior Round Obligation and a Fourth Round Obligation, the latter of which encompasses both Present and Prospective Need. On January 29, 2025, the Borough adopted Resolution 2025-041, formally accepting the New Jersey Department of Community Affairs' determination that the Borough's Present Need is two (2) units and its Prospective Need is thirty-nine (39) units for the 2025–2035 period. Subsequent to the adoption of this resolution, the Borough initiated a Declaratory Judgment action pursuant to N.J.S.A. 52:27D-304.1 et seq., seeking a judicial determination of compliance through the Superior Court of New Jersey's Affordable Housing Dispute Resolution Program ("the Program"). Through this process, the Borough has affirmed its intent to adopt and implement a Housing Element and Fair Share Plan that establishes a realistic opportunity for the creation of housing affordable to low- and moderate-income households, in fulfillment of its constitutional obligations under the Mount Laurel doctrine and related statutory requirements.

Surf City Borough's affordable housing obligations are summarized within Table 18 below.

Table 18 Cumulative 1987-2035 Affordable Housing Obligation	
Type of Obligation	Units
Prior Round Obligation (1987 – 1999)	49
Third Round GAP Present Need (2015)	38
Third Round Present Need (<i>Rehab</i>) (2015-2025)	3
Third Round Prospective Need (<i>New Construction</i>) (2015-2025)	82
Fourth Round Present Need (<i>Rehab</i>) (2025-2035)	2
Fourth Round Prospective Need (<i>New Construction</i>) (2025-2035)	39
Cumulative 1987- 2035 Obligation	213
Realistic Development Potential	0

The following sections outline how the Borough will comply with its Fair Share Obligation. Several appendices are noted in the subsequent sections. Any proposed ordinance or resolution attached hereto as an appendix may be subject to change in accordance with an approved Housing Plan Element and Fair Share Plan, a Court Order, or otherwise as required by law.

B. Vacant Land Adjustment

As outlined in Surf City Borough Resolution 2025-048 and the filed Declaratory Judgment, the Borough retains the right to prepare a Vacant Land Analysis (VLA) and determine its Realistic Development Potential (RDP) as part of its Fourth Round Fair Share Plan. The former COAH regulations at N.J.A.C. 5:93-4.2 et seq. provide the framework for assessing available land and calculating the development potential of vacant parcels, particularly in built-out municipalities.

Given the absence of developable land within Surf City, the Borough is pursuing a Vacant Land Adjustment. This process includes an evaluation of vacant parcels using an existing land use map, a map of vacant properties, and a comprehensive parcel inventory, in accordance with N.J.A.C. 5:93-4.2.

The entire municipality lies within the 100-year FEMA Special Flood Hazard Area and is therefore considered environmentally constrained. During Superstorm Sandy in 2012, approximately 75% of the community experienced storm surge inundation from a Category 1 hurricane. A Category 2 storm is expected to submerge the entire Borough, while a Category 3 storm would cause catastrophic damage to homes and infrastructure. In addition to coastal storm events, the Borough is impacted by “nuisance” or “sunny day” flooding, where tidal waters overwhelm the storm drainage system, leaving roadways inundated for hours or even days after high tides. This recurrent flooding disrupts daily life and disproportionately affects socially vulnerable populations, including seniors, low-income residents, and individuals with disabilities.

As a result of the Fourth Round Vacant Land Adjustment, Surf City's Prospective Need of 39 units has been adjusted to an RDP of 0 and an Unmet Need of 39. In accordance with the Fair Housing Act, as amended by P.L. 2024, c.2, the Borough plans to address 25% of this Unmet Need—equivalent to 10 units—through the creation of an Affordable Housing Overlay Zone within the General Commercial and Limited Commercial Zoning Districts. This strategy is intended to satisfy the Borough's affordable housing obligation.

C. Rehabilitation Share

Under the amended Fair Housing Act, *Present Need* refers to the number of existing substandard housing units that are currently occupied by low- and moderate-income (LMI) households. Housing units are classified as *deficient* if they meet any of the following conditions: they are over 50 years old and overcrowded, lack complete plumbing, or lack a fully equipped kitchen.

Based on the methodology established by the New Jersey Department of Community Affairs (NJDCA) in its October 2014 report, Surf City Borough's Fourth Round Present Need has been calculated at two (2) units. This determination was formally acknowledged and accepted by the Borough through the adoption of a municipal resolution.

To fulfill its rehabilitation obligation, the Borough intends to accommodate these required units through newly constructed housing within the Affordable Housing Overlay Zone

D. Prior Round Obligations including 3rd Round

Surf City Borough has a total Prior Round affordable housing obligation of 172 units. However, as previously mentioned, the Borough completed a Vacant Land Adjustment, which determined that there is no realistic development potential (RDP) for new affordable housing units at this time. As a result, the Borough is required to address 25% of its Prior Round obligation—equal to 43 units.

E. Fourth Round Prospective Need Obligation

Surf City Borough has been assigned a Fourth Round Present Need of two (2) units and a Prospective Need of thirty-nine (39) units for the period covering 2025 through 2035. As noted previously, the Borough Council has reviewed the Fourth Round obligation figures provided by the New Jersey Department of Community Affairs (NJDCa) and has determined that these calculations are consistent with the standards established under the Fair Housing Act. The Borough formally accepts these figures as the basis for its affordable housing planning.

A detailed Vacant Land Adjustment (included in Appendix A) demonstrates that the Borough lacks sufficient available land to accommodate its full Fourth Round obligation. As a result, Surf City is deemed to have a Realistic Development Potential (RDP) of zero (0) units for both the Fourth Round and all Prior Round obligations. Accordingly, the Borough is required to address:

- 25% of its Prior Round obligation, equaling forty-three (43) units;
- 25% of its Fourth Round Unmet Need, adding ten (10) units;
- The Fourth Round Present Need of two (2) units.

This results in a total adjusted affordable housing obligation of fifty-five (55) units.

To meet this obligation, the Borough will implement an Affordable Housing Overlay Zone. This inclusionary zoning strategy, permitted under N.J.S.A. 52:27D-311, will allow for the development of affordable housing within designated commercial zones in the Borough. Through this approach, Surf City will satisfy its Affordable Housing Unit obligation while promoting smart growth and land use efficiency within the municipality.

Credit and Bonus Credit Limitations

Pursuant to the requirements of N.J.S.A. 52:27D-311.11(K), the Borough of Surf City shall benefit from, at minimum, the following credits and bonus credits against its affordable housing obligation:

Low and Moderate Income

The Borough shall be able to receive one credit against its affordable housing obligation for each unit of low- or moderate-income housing and shall not receive bonus credit for any particular type of low or moderate income housing unless authority to obtain bonus credit is provided pursuant to the Fair Housing Act. Also, the Borough shall not receive more than one type of bonus credit for any unit and shall not be permitted to satisfy more than 25% of its Prospective Need Obligation in the fourth round or any subsequent round through the use of bonus credits.

Age-Restricted

The Borough shall be able to receive one -unit of credit and one-half bonus credit for a unit of age restricted housing, provided that a bonus credit for age restricted housing shall not be applied to more than 10% of the units of age restricted housing constructed in compliance with the uniform housing affordability controls promulgated by the New Jersey Housing and Mortgage Finance Agency in a municipality that count towards the municipalities affordable housing obligation for any single 10- year round of affordable housing obligations.

Special Needs/Supportive Housing

The Borough shall be able to receive one unit of credit and one bonus credit for each unit of low- or moderate-income housing for individuals with special needs or permanent supportive housing.

Redevelopment

The Borough shall be able to receive one unit of credit and one-half bonus credit for a unit of low- or moderate-income housing constructed on land that is or was previously developed and utilized for retail, office, or commercial space.

Additional credits and bonus credit options are described within N.J.S.A. 52:27D-311.11(K).

Inclusionary Zoning Development and Mechanism Description

Mechanism to Address Fourth Round Prospective Need

Pursuant to N.J.S.A. 52:27D-311, the Borough of Surf City may provide for its fair share of low- and moderate-income housing by any means of any technique or combination of techniques which provide a realistic opportunity for the provision of the fair share. As such, the Borough intends to utilize overlay zoning to address its Fourth Round and Prior Round obligations to the maximum extent practicable.

Affordable Housing Overlay Zone

The Borough has prepared, and intends to adopt, a zoning ordinance establishing an Affordable Housing Overlay Zone. This overlay is designed to facilitate the development of affordable housing without requiring rezoning, thereby streamlining the approval process and ensuring compliance with the Fair Housing Act. The overlay zone is specifically intended to support the creation of housing opportunities for low- and moderate-income households, in alignment with the Borough's Prospective Need obligation.

The overlay zone will apply to all properties within the **Business (B)** Districts. Within this area, residential developments containing five (5) or more units will be permitted at a maximum density of eighteen (18) units per acre. Such developments will be subject to an inclusionary set-aside requirement of:

- **15%** for rental developments, and
- **20%** for for-sale housing.

All permitted and conditional uses within the underlying zoning districts will remain in effect. In addition, the overlay zone will allow affordable housing as a permitted use, provided it complies with the specific standards outlined in the ordinance.

The ordinance will establish appropriate bulk standards, design guidelines, and regulatory provisions to ensure that affordable housing units are developed in a manner consistent with both local planning objectives and state requirements. A draft of the ordinance, along with a map showing the boundaries of the proposed overlay zone, is included in Appendix B.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN (SDRP)

Pursuant to the amended Fair Housing Act, all Housing Elements and Fair Share Plans must include an analysis of consistency with the State Development and Redevelopment Plan (SDRP), including consideration of infrastructure such as water, wastewater, stormwater, and multi-modal transportation, based on guidance from the State Planning Commission.

Preferred locations for affordable housing include areas within the Metropolitan Planning Area (PA1), Suburban Planning Area (PA2), or within existing sewer service areas. The most recent adopted SDRP dates to 2001. Although a draft update was proposed in 2011, it was never adopted. A new draft SDRP was released by the Office of Planning Advocacy on December 4, 2024, and is currently undergoing the Plan Conformance process.

According to the 2001 SDRP, all of Surf City Borough falls within the **Environmentally Sensitive/Barrier Islands Planning Area (PA5B)** and no State Plan Centers are located on Long Beach Island. The nearest State Plan Center is located on the mainland in Stafford Township.

The SDRP's goals for PA5B include:

- Focusing growth within Centers;
- Preserving the character of barrier island communities;
- Minimizing natural hazard risks;
- Enhancing coastal resource quality and public access;
- Revitalizing existing towns.

The 2024 draft SDRP reinforces and expands these goals, emphasizing:

- Protection and restoration of barrier island ecosystems;
- Consideration of strategic retreat where appropriate;
- Sustainable coastal access and resource management.

Policy objectives also promote compact, mixed-use redevelopment in areas with existing infrastructure, and encourage housing choice through infill development, rehabilitation, and adaptive reuse, while preserving existing community character.

Surf City, along with the broader Long Beach Island area, is recognized as a highly constrained environment where development should be limited and carefully managed. The absence of a State Plan Center on the island reflects this reality. As demonstrated in this Plan, Surf City lacks unconstrained developable land and faces significant flooding risks.

Consistent with the SDRP and sound planning principles, the Borough will not pursue high-density development. Instead, it will accommodate affordable housing needs in a manner that respects environmental limitations and reinforces community resilience.

Summary:

As outlined above, the Borough of Surf City intends to address its Fourth Round affordable housing obligation and through the implementation of an Affordable Housing Overlay Zone. By doing so, the Borough affirms its constitutional compliance with its fair share housing responsibilities, as it provides a realistic opportunity for the development of low- and moderate-income housing for the cumulative period spanning 1987 through 2035.

Appendix A

Vacant Land Inventory and Analysis Report

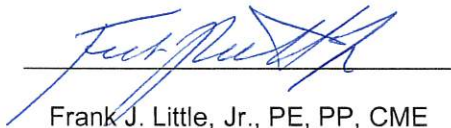
Vacant Land Adjustment FOR NJDCA Fourth Round Affordable Housing Obligation

Borough of Surf City
Ocean County, New Jersey 08008

May 1, 2025

Prepared by:

Owen, Little & Associates, Inc.
443 Atlantic City Boulevard
Beachwood, NJ 08722
732-244-1090



Frank J. Little, Jr., PE, PP, CME

EXECUTIVE SUMMARY

The New Jersey Fair Housing Act, at N.J.S.A 52:27D-307(c)(2), provides for an adjustment to the present and prospective fair share obligation of a municipality based on available vacant and developable land, infrastructure considerations, or historic factors.

This report inventories the vacant land in Surf City that may be used to determine the Borough's Realistic Development Potential (RDP) to provide its fair share of low- and moderate-income housing. This report follows the procedure for conducting a Vacant Land Analysis (VLA) as detailed within prior COAH rules at N.J.A.C. 5:93-4.2 et seq.

This 2025 analysis identifies no properties that contribute to the Borough's RDP. All vacant land within the Borough is environmentally constrained by the 100-year floodplain as mapped by FEMA. As such, the Borough's total RDP is zero (0) units.

VACANT LAND ANALYSIS

The analysis began by mapping all the various land use categories within the Borough using the most recently available MODIV Tax Assessment Data obtained from the Ocean County Tax Board (2025). While the procedure detailed in N.J.S.A 5:97-5.2 requires that single-family, two-to four-family, and other multi-family land uses be mapped as separate categories, the data provided by MODIV does not precisely break down into these categories. Rather, any land categorized as Residential (2) is considered to be one to four family uses, while any land categorized as Apartments (4C) is considered to be other multi-family uses.

The current vacant land analysis then identified and examined lots belonging to 4 types of property classes: vacant land (1), public property (15C), Church & Charitable Property (15D), Commercial (4A). Properties classified as Other Exempt Property (15F), Regular Farmland (3A) and Qualified Farmland (3B) were not examined as part of this analysis since the Borough does not have any property of these classifications. Any parcels which were assigned a null value as their property classification were also analyzed to ensure any land which is potentially vacant was not excluded from the analysis.

The properties classified as either 1, 15C, 15D, 4A, or null were analyzed for limitations to development which includes those that are environmentally constrained, pursuant to N.J.S.A. 5:97-5.2, and which may be removed from consideration. Environmentally constrained lands include those lands located in wetlands, in the special flood hazard area (the FEMA 100-year floodplain), or in the 300-foot buffer around Category 1 waterways. Each property was evaluated to determine any environmental constraints. The analysis found that all parcels are constrained by FEMA's 100-year floodplain (*figure 1*).



Figure 1. Effective FEMA FIRM Panel -516G dated 12/16/2021

Second, parcels may be removed if they are permanently preserved as open space through the New Jersey Green Acres program, deed restriction, or conservation easement. Parcels may also be removed if they are listed on the Historic or State Inventory of Historic Places. As a result, any vacant parcels that met these criteria were already considered environmentally constrained and therefore were removed from consideration.

Third, any properties classified as 1, 15C, 15D, 4A, or null which had an entry in the MODIV Building Description Field or had a number greater than zero in the Improvement Value field were removed from the analysis since these parcels have improvements and are not vacant. Finally, parcels are determined to have an inadequate lot size if they cannot be developed with at least 5 units. Per the N.J.S.A procedure, a parcel that is 1 acre is presumed to have a development capacity of 6 units per acre. Per this standard any parcel with an area of less than 0.8333 acres would be considered inadequate for development since it would not be able to accommodate a minimum of 5 units.

Ownership data, as required by N.J.S.A. 5:97-5.2, was only considered as part to the maximum extent practicable due to Daniel's Law which restricts access to ownership data at the County-level. The determination of common ownership was possible on some parcels utilizing County-level tax record data.

VACANT LAND ANALYSIS FINDINGS AND CONCLUSION

After excluding all environmentally constrained in the Borough, there is no vacant land within Surf City which was determined to be developable. As such, the Borough's total Realistic Development Potential is zero (0) units (*figure 2*).

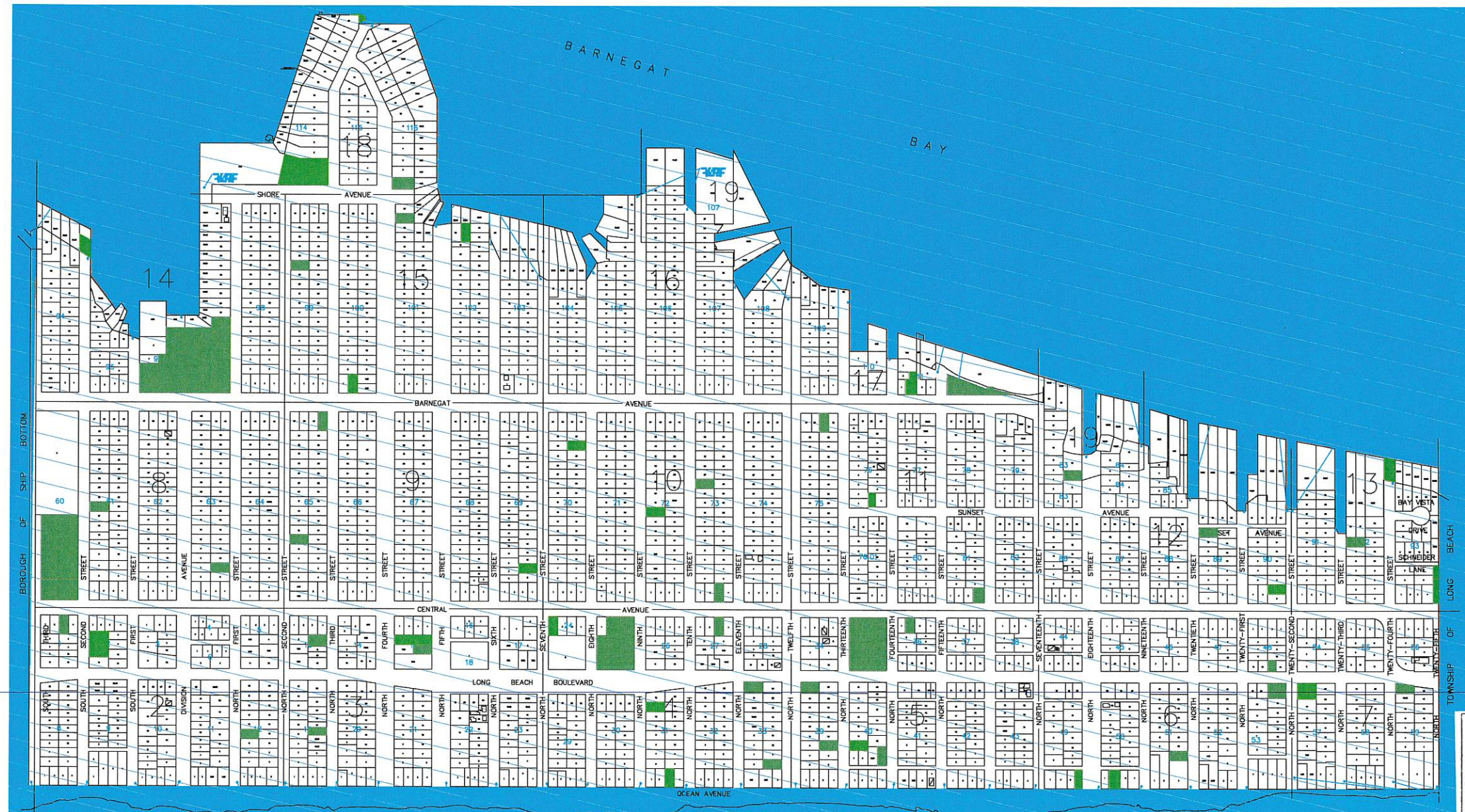
Block	Lot	Address	Property Class	Zoning	Total Acres	Within 100 Yr SFHA	Env. Constrained	Site Comments
1	3				0.11	YES	YES	OCUA Infrastructure
2	5				0.11	YES	YES	Vacant
2	9				0.22	YES	YES	Boro Exempt
12	13				0.11	YES	YES	NSFD
13	6				0.18	YES	YES	NSFD
15	5.01				0.11	YES	YES	Vacant
15	7.01				0.11	YES	YES	Vacant
15	8.01				0.11	YES	YES	developed with 5&10 Bldg
19	14				0.09	YES	YES	NSFD
24	1				0.11	YES	YES	SF Dwelling
25	2				0.11	YES	YES	Water Tower/Utilities
25	3				0.11	YES	YES	Water Tower/Utilities
25	4				0.11	YES	YES	Water Tower/Utilities
25	5				0.83	YES	YES	Borough Hall
27	3				0.11	YES	YES	Vacant
31	3				0.11	YES	YES	SF Dwelling
31	17				0.11	YES	YES	SF Dwelling
33	6				0.11	YES	YES	NSFD
33	19				0.14	YES	YES	Pocket Park
35	1				1.29	YES	YES	Water Tower/Utilities
36	2				0.11	YES	YES	NSFD
39	10				0.11	YES	YES	NSFD
39	21				0.14	YES	YES	NSFD
40	6.01				0.11	YES	YES	NSFD
40	9				0.11	YES	YES	Vacant
48	13				0.06	YES	YES	9 sp. Parking lot p/o commer.
49	4				0.10	YES	YES	Vacant
50	2				0.14	YES	YES	NSFD
51	8				0.11	YES	YES	SF Dwelling
53	21				0.18	YES	YES	NSFD
57	19				0.20	YES	YES	NSFD
59	15.01				0.12 +/-	YES	YES	irregular; NSFD
60	1				1.84	YES	YES	Public Works
61	19				0.11	YES	YES	NSFD
63	8				0.11	YES	YES	NSFD
65	13				0.11	YES	YES	NSFD
65	40				0.11	YES	YES	NSFD
69	8				0.11	YES	YES	NSFD
70	34				0.11	YES	YES	Vacant
72	19	249 North 9th Street			0.11	YES	YES	Vacant with a boat on it
73	3				0.11	YES	YES	NSFD
73	25				0.11	YES	YES	NSFD
75	39				0.11	YES	YES	NSFD
76	2	1311 Sunset			0.07	YES	YES	Vacant - common ownership?
81	4				0.11	YES	YES	NSFD
83	8				0.11	YES	YES	inground pool - commpowith Lot 10
89	15				0.11	YES	YES	NSFD
90	4				0.11	YES	YES	Vacant
92	13				0.11	YES	YES	Vacant
93	24					YES	YES	Riparian - under water
93	15					YES	YES	Borough Road - ROW
94	32					YES	YES	Borough Road - ROW
96	3	Zachariae Park			0.98	YES	YES	Borough Parkland Developed
96	1.01	Zachariae Park			0.11	YES	YES	Borough Parkland Developed
96	2.01	Zachariae Park			0.11	YES	YES	Borough Parkland Developed
96	5.01	Zachariae Park			0.13	YES	YES	Borough Parkland Developed
96	3	Zachariae Park			0.98	YES	YES	Borough Parkland Developed
97	1	Zachariae Park			1.91	YES	YES	Borough Parkland Developed
97	16	Zachariae Park			0.11	YES	YES	Borough Parkland- Vacant
99	27				0.11	YES	YES	SF Dwelling
100	2				0.11	YES	YES	Vacant
101	37				0.11	YES	YES	NSFD
102	35				0.11	YES	YES	Vacant
111	2				0.15	YES	YES	Vacant - Boat Storage
112	1				0.40	YES	YES	Bayfront Park - Swimming/Playground
114	2				0.93 +/-	YES	YES	Boro owned - vacant
114	31				0.04	YES	YES	Riparian - under water
116	1				0.17	YES	YES	NSFD

Figure 2. Surf City Borough Vacant Land Analysis Summary, May 2025

REVISED TO SHOW CONDITIONS
AS OF JANUARY 08, 2004.
OWEN, LITTLE AND ASSOCIATES, INC.
BEACHWOOD, NJ

REVISIONS		
DATE	NAME	LOC. No.
SEPT. 2002	THOMAS CRADER	21782
01/09/04	WILLIAM J. BERG	36228
12/09/04	WILLIAM J. BERG	36228
01/03/06	WILLIAM J. BERG	36228

- PARCELS
- OPEN WATER
- 100 YEAR FLOODPLAIN
- PROPERTY CLASS
- 1: VACANT LAND



NEW JERSEY DEPARTMENT OF TREASURY
DIVISION OF TAXATION
PROPERTY ADMINISTRATION
APPROVED AS A TAX MAP PURSUANT TO THE AUTHORITY OF
N.J.S.A. § 12:18 & 12:19
FOR THE DIRECTOR, DIVISION OF TAXATION
JAMES J. POLE, C.T.A.
SANTO C. DEONATO, SUPERVISING PROFESSIONAL REPRESENTATIVE
DATE: JAN - 7 2004 SERIAL NO. 977

I HEREBY CERTIFY THAT THIS MAP AND ANY REQUIRED SURVEY HAS
BEEN MADE UNDER MY IMMEDIATE SUPERVISION AND COMPLIES WITH
THE LAWS OF THE STATE OF NEW JERSEY.

Thomas Crader
THOMAS CRADER
LAND SURVEYOR LICENSE #21782

REVISED TO SHOW CONDITIONS
AS OF OCT. 31, 2002

Thomas Crader 10/31/02
THOMAS CRADER, P.L.S. 21782
SCHOOOR DEPALMA

ATLANTIC OCEAN

VACANT LAND INVENTORY MAP

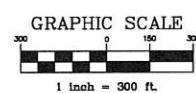
BOROUGH OF SURF CITY

OCEAN COUNTY, NEW JERSEY
SCALE: 1"=300' MAY 9, 2025

THE AREAS, BOUNDARIES AND DIMENSIONS SHOWN ON THIS TAX
MAP ARE DERIVED FROM GROUND SURVEYS, AERIAL SURVEYS AND
RECORDED PLANS, MAPS, DEEDS AND WILLS AND ARE TO BE
USED FOR ASSESSMENT PURPOSES ONLY.

- LEGEND:
- 6 DETAIL SHEET NUMBER
- 52 BLOCK NUMBER
- SHEET LIMIT

THIS MAP HAS BEEN REDRAWN USING COMPUTER
AIDED DRAFTING/DESIGN (CAD/D) AND COORDINATE
GEOMETRY (COGO).



KEY MAP
BOROUGH OF SURF CITY
OCEAN COUNTY, NEW JERSEY
SCALE: 1" = 300' SEPTEMBER, 2002
THOMAS CRADER, P.L.S. 21782
SCHOOOR DEPALMA
940 CEDAR BRIDGE AVENUE
P.O. BOX 1429
BRICK, NEW JERSEY 08723

Appendix B

Affordable Housing Overlay Zone District

ORDINANCE 2025-
AN ORDINANCE OF THE BOROUGH OF SURF CITY, OCEAN COUNTY TO AMEND
CHAPTER 215 (ZONING) OF THE MUNICIPAL CODE TO ESTABLISH AN
AFFORDABLE HOUSING OVERLAY ZONING ORDINANCE IN THE BOROUGH OF
SURF CITY

BE IT ORDAINED, by the Borough Council of Surf City , in the County of Ocean and State of New Jersey, as follows:

SECTION 1. Purpose. The purpose of this ordinance is to establish an Affordable Housing Overlay Zoning district over specific areas of the Borough. This ordinance will permit residential affordable housing developments on tax lots included in the overlay zone. These specific areas, which lie within the existing business zone within the Borough, are portions of the Borough that can realistically accommodate affordable housing development. This ordinance will place the overlay zone along the easterly and westerly sides of Long Beach Boulevard as it is the most suitable area of Surf City Borough to accommodate affordable housing development.

Specifically, the overlay zone will lie within the Business Zone of the Borough, shall comprise the area on both sides of Long Beach Boulevard to a depth of 100 feet from the street lines of the Boulevard between the center line of South Third Street and the centerline of Twenty-Fifth Street, except in Blocks 17, 18, 24 and 25, in which four blocks the depth of the Business Zone shall be 130 feet northwest of the northwest street line of the Boulevard, as shown on the zone map.

The affordable housing overlay zone will regulate said developments through bulk and design standards. However, the Borough's underlying zoning will still be in effect. The overall purpose is to permit affordable housing developments in the Borough on tax lots that have existing frontage Long Beach Boulevard or lot sizes that may support affordable housing construction. Given the developed nature of the Borough, an effective affordable housing overlay zone will produce affordable units when suitable opportunities become available through redevelopment or other planning mechanisms. This will allow affordable housing to be approved under local ordinance and regulations without detriment to the existing Borough zoning plan and ordinance. Additionally, the overlay zone will preclude the need for a rezoning on suitable and developable properties along the Long Beach Boulevard corridor. This creates a realistic opportunity to provide for the development of affordable housing in accordance with the Fair Housing Act (N.J.S.A. 52-27D- 301 et al.) and the Housing Plan Element and Fair Share Plan prepared by the Borough to address its affordable housing obligation.

SECTION 2. A new section entitled "Affordable Housing Overlay Zoning Provisions" is hereby established as follows:

Affordable Housing Overlay Zoning Provisions

- a. Purpose: The purpose of the Affordable Housing Overlay Zone is to provide an opportunity to develop affordable housing to meet prospective housing needs, with particular attention to low- and moderate-income housing, in conformance with the requirements of the Fair Housing Act and the Housing Plan Element and Fair Share Plan of Surf City Borough. Permitted and conditional uses within the designated Overlay Zone shall include all permitted and conditional uses in the underlying zoning district in which the Overlay Zone is located and allow for affordable housing development within the provisions of this section.

- b. Affordable Housing Overlay Zone: Tax lots with frontage on Long Beach Boulevard as well as other suitable parcels within the Borough of Surf City's Business Zone will be included in the overlay zone and allow for affordable housing development with no affect to any existing zoning district regulations or standards. A map is attached to this ordinance that delineates the overlay zone. Additionally, a list of all tax lots to be included in the Affordable Housing Overlay Zone is provided as attachment 1.

- c. Definitions:

Affordable Housing 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 structure that provides for-sale or rental dwelling units for low & moderate income households within a residential use, structure, supportive or special needs dwelling, or residential component of a mixed-use development in accordance with the requirements of the Borough of Surf City's affordable housing ordinances and Housing Element & Fair Share Plan.

Mixed-Use Development – shall mean a structure or building that encompasses two or more different land uses, which shall be a retail or commercial component and a residential component, whereby any commercial use must be on the ground floor of said building or structure and the upper levels of the structure shall be the residential component and shall provide low and moderate income units, for-sale or rental, in accordance with the requirements of the Borough of Surf City's affordable housing ordinances and Housing Element & Fair Share Plan.

- d. Density & Required Set-Aside: The maximum density permitted for all affordable housing development in the overlay zone is 18 units per acre with a minimum required set-aside of 15 percent for rentals and 20 percent for for-sale units.

- e. Principal Permitted Uses:
 - a. All uses permitted within the underlying zoning district(s) in which the overlay zone is located.
 - b. Multifamily development in accordance with the above overlay zone density and set- aside requirements.
 - d. Supportive and special needs housing
 - e. Mixed-use affordable housing development

- f. Accessory Uses:
- a. Off-street parking facilities in conformance with Chapter 30-5.6 Off-street Parking Requirements;
 - b. Signs in accordance with the standards of Chapter 30-10.2 Signs;
 - c. Accessory Uses and Buildings permitted per Chapter 30-5.2;
 - d. Fences, walls, and other design standards of the underlying zoning in accordance with the Borough Zoning Ordinance;
 - e. Common facilities and amenities serving residents of multifamily developments including swimming pools or other on-site recreational facilities, common walkways, sitting areas and gardens, and other similar accessory uses.
- g. Area, Yard, and Building Requirements: The bulk requirements for affordable housing development shall be in conformance with the following:

Affordable Housing Overlay Bulk Requirements								
Use	Minimum Lot Area*	Minimum Lot Frontage*	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Building Coverage	Maximum Building Height
Mixed Use Development	10,000 SF	100 FT	100 FT	25 FT	20 FT EA	20 FT	33.3 %	30 FT
Single Family Homes for supportive/special needs	5,000 SF	50 FT	50 FT	25 FT	9 FT EA	10 FT	35%	30 FT
Townhouses	10,000 SF	100 FT	100 FT	25 FT	20 FT EA	20 FT	33.3 %	30 FT
Apartments	10,000 SF	100 FT	100 FT	25 FT	20 FT EA	20 FT	33.3%	30 FT

- h. Affordable Housing Requirements: All affordable housing developments shall conform to the standards found in the Borough of Surf City's Affordable Housing Ordinance including provisions for affordability, very low-income units, and UHAC standards.

SECTION 1. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 2. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 3. SEVERABILITY

If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

Christine Hannemann, RMC, Borough Clerk


This is to certify that the foregoing Ordinance was adopted by the Borough Council at a regular meeting of the Borough of Surf City held on _____, 20____.

Christine Hannemann, RMC, Borough Clerk

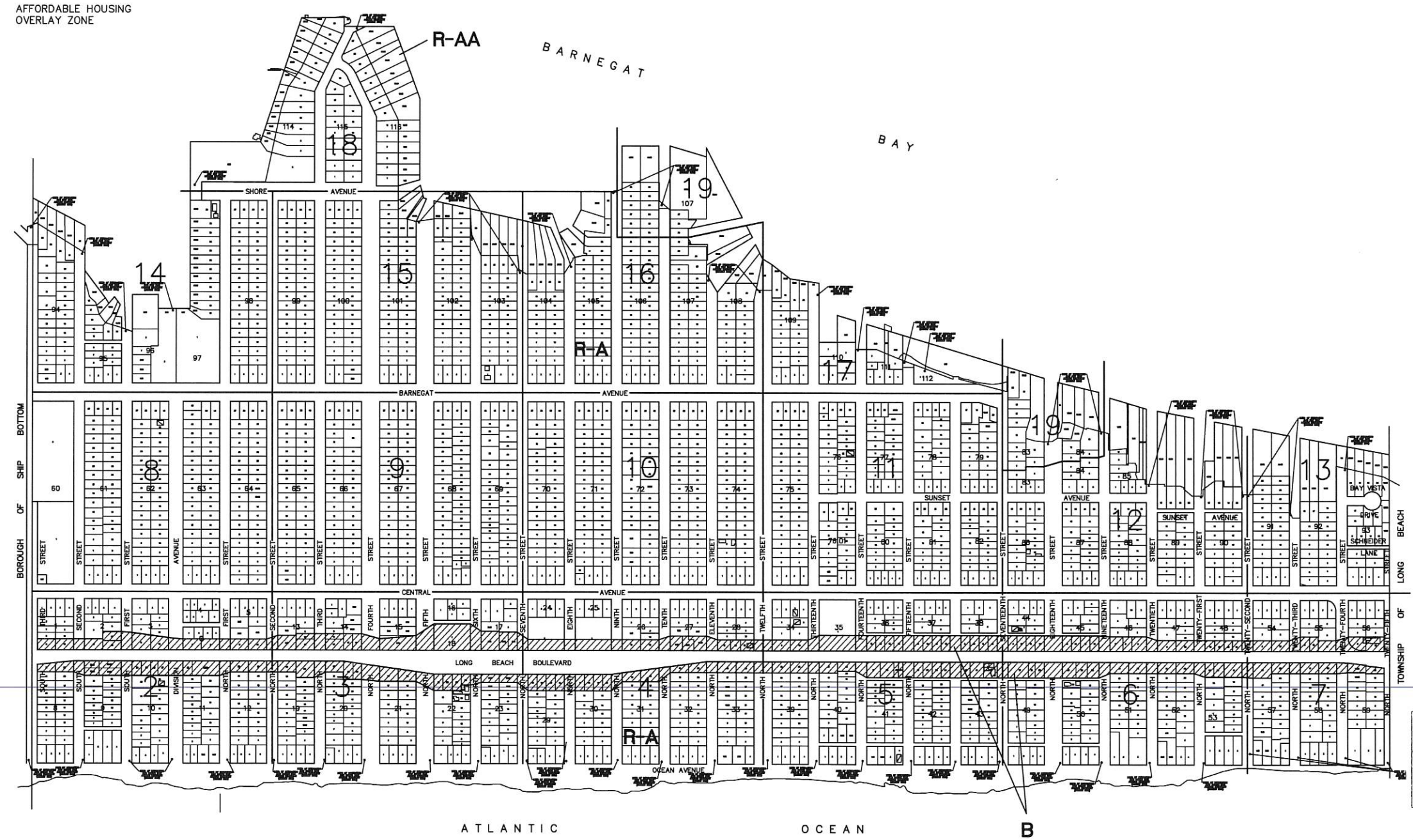
Appendix C

Affordable Housing Map

LEGEND

- B BUSINESS
- R-A RESIDENTIAL
- R-AA RESIDENTIAL
-  AFFORDABLE HOUSING OVERLAY ZONE

REVISIONS		
DATE	NAME	LIC. No.
SEPT. 2002	THOMAS CRADER	21782
01/09/04	WILLIAM J. BERG	36228
12/09/04	WILLIAM J. BERG	36228
01/03/06	WILLIAM J. BERG	36228



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Thomas Crader
THOMAS CRADER
LAND SURVEYOR LICENSE #21782

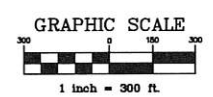
REVISED TO SHOW CONDITIONS
AS OF OCT. 31, 2002
Thomas Crader 10/31/02
THOMAS CRADER, P.L.S. 21782
SCHORR DEPALMA

AFFORDABLE HOUSING OVERLAY ZONE
BOROUGH OF SURF CITY
OCEAN COUNTY, NEW JERSEY
SCALE: 1"=300'
MAY 9, 2025

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- 6 DETAIL SHEET NUMBER
 - 52 BLOCK NUMBER
 - SHEET LIMIT

THIS MAP HAS BEEN REDRAWN USING COMPUTER AIDED DRAFTING/DESIGN (CAD/D) AND COORDINATE GEOMETRY (COGO).



KEY MAP
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OCEAN COUNTY, NEW JERSEY
SCALE: 1" = 300' SEPTEMBER, 2002
THOMAS CRADER, P.L.S. 21782
SCHORR DEPALMA
940 CEDAR BRIDGE AVENUE
P.O. BOX 1429
BRICK, NEW JERSEY 08723

Appendix D

Affordable Housing Block and Lot Information

Affordable Housing Overlay Zone Tax Lots

Block	Lot		Block	Lot		Block	Lot		Block	Lot
1	11		37	11		8	21		39	22
1	12		37	12		8	22		40	21
2	10		38	9		9	22.01		40	22
2	11		38	10		9	23.01		41	21
2	12		38	11		9	24.01		41	22
3	11		38	12		9	25.01		41	23
3	12		44	9		10	24		41	24
5	11		44	10		10	25		42	21
5	12		44	11		10	36		42	22
6	5		44	12		10	27		42	23
6	6		45	9		11	22		42	24
13	8.01		45	10		11	23.01		43	20
13	10		45	11		12	22		43	21
13	12		45	12		12	23		43	22
14	11		46	7		19	21		49	19
14	12		46	8		19	24		49	21
14	13		46	9		20	22		49	22
14	14		47	9		20	23		50	20
15	9.01		47	12		20	26		50	21
17	5.01		48	11		21	19		50	22
17	8.01		48	12		21	20		51	21
17	8.02		48	13		22	21		51	22
18	1		48	14		22	22		52	21
24	P/O 5		54	9		22	23		52	22
25	P/O 5		54	10		22	24		53	19
26	11		55	9		23	19.01		53	20
26	12		55	10		23	20.01		53	21
27	9.01		55	11		29	18		53	57
27	10.01		56	9		29	19		57	19
27	11.01		56	10		29	20		57	22
28	11					29	21		58	19
28	12					30	17		58	20
28	13					30	18		59	15.01
34	9					30	19		59	16
34	10					30	20			
35	P/O 1					31	19			
36	11					31	20			
36	12					32	21			
36	13					32	22			
36	14					33	19			
37	9					33	22			
37	10					39	21			