



Individual Resolutions
Meeting of the Municipal Council
Wednesday, July 23, 2025
RESOLUTION SUMMARY

2025-350

Endorsing of Fourth Round Affordable Housing Plan



RESOLUTION NO. 2025-350

**City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASBURY PARK
ENDORING A FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

WHEREAS, the City of Asbury Park (hereinafter the “City” or “Asbury Park”) has a demonstrated history of voluntary compliance as evidenced by its Prior Round and Third Round record; and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on February 20, 2020, the City of Asbury Park filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfied its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine,” and

WHEREAS, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 1, 2025; and

WHEREAS, the City continues to actively implement its Court-approved Third Round Housing Element and Fair Share Plan; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

WHEREAS, the City adopted a “binding resolution” accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 29, 2025, establishing its Fourth Round Present Need of 214 and Prospective Need of 0; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the City filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution, on January 29, 2025; and

WHEREAS, the filing of the DJ Complaint gave the City automatic, continued immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full

force and effect; and

WHEREAS, the City did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the City's Fourth Round obligations on March 1, 2025; and

WHEREAS, on April 1, 2025, the Court entered an order establishing the City's Fourth Round Present Need of 214 and Prospective Need of 0; and

WHEREAS, now that the City has its Fourth Round Obligations, the Amended FHA requires the municipality to adopt and endorse a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, in accordance with the Amended FHA, the City's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the Planning Board held a public hearing on the City's Fourth Round Housing Element and Fair Share Plan on June 30, 2025 and adopted the Fourth Round Housing Element and Fair Share Plan via a resolution on that same night; and

WHEREAS, the City Council wishes to endorse the Fourth Round Housing Element and Fair Share Plan and seeks approval of the Fourth Round Housing Element and Fair Share Plan by the Program and Court.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Asbury Park , County of Monmouth, State of New Jersey, as follows:

1. The City Council hereby endorses the Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A, which was adopted by the City's Planning Board on June 30, 2025.
2. The City Council hereby directs the City's Affordable Housing Counsel to (a) file with the Program the City's Fourth Round Housing Element and Fair Share Plan, along with any additional documents the professionals deem necessary or desirable; and (b) seek Court approval of the Fourth Round Housing Element and Fair Share Plan via a Compliance Certification.
3. The City reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.

I, ANTHONY CUCCI, Deputy City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2025-350 which was finally adopted by the City Council at a meeting held on the 23rd day of July, 2025

CERTIFIED BY ME THIS 24th DAY OF July, 2025.



Anthony Cucci, Deputy City Clerk

7/24/2025

ANTHONY CUCCI
DEPUTY CITY CLERK

✓ Vote Record - Resolution 2025-350						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn <input type="checkbox"/> Second Reading <input type="checkbox"/> Resolution Failed for Lack of <input type="checkbox"/> Second Reading			Yes/Aye	No/Nay	Abstain	Absent
	Angela Ahbez-Anderson	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Eileen Chapman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yvonne Clayton	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Amy Quinn	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	John Moor	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>