

**BOROUGH OF SPRING LAKE HEIGHTS**

**RESOLUTION ENDORSING HOUSING ELEMENT AND FAIR SHARE PLAN**

**Resolution No. R2026-77**

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**WHEREAS**, on March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter “Amended FHA” or the “Act”); and

**WHEREAS**, the Amended FHA requires the Department of Community Affairs (“DCA”) to provide an estimate of the Present Need, also referred to as the rehabilitation obligation, and the Round 4 Prospective Need of all municipalities by October 20, 2024 based upon the criteria on the Amended FHA; and

**WHEREAS**, the Borough filed a timely declaratory judgment complaint in accordance with AOC Directive #14-24 known as In the Matter of the Application of the Borough of Spring Lake Heights County of Monmouth, State of New Jersey, Docket No. MON-L-000436-25 seeking a declaration as to the Borough’s Fourth Round affordable housing obligation and the approval of the Borough’s Housing Element and Fair Share Plan (“HESP”) which sets forth the affordable housing mechanisms the Borough will implement to satisfy its Fourth Round affordable housing obligation; and

**WHEREAS**, the Court entered an order on April 14, 2025 setting the Borough Fourth Round fair share obligations as a Present Need of 35 units and a Prospective Need of 44 units and order the Borough to file a Housing Element and Fair Share Plan by June 30, 2025; and

**WHEREAS**, FSHC and other objectors having filed challenges pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Borough’s HEFSP on August 31, 2025; and

**WHEREAS**, the Mediation before the Program was unsuccessful, and the Program, Judge, the Hon. Mary C. Jacobson, A. J.S.C. (retired), having found the Borough’s position legally consistent with the Fair Housing Act and issued a Program Decision on January 8, 2026 which requires the Borough to allow for residential use with an affordable housing set aside and to adopt an updated Affordable Housing Ordinance; and

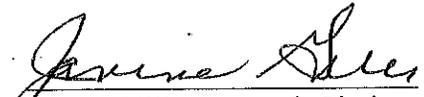
**WHEREAS**, the Land Use Board adopted an Amended Fourth Round Housing Element and Fair Share Plan on March 11, 2026 conforming the Fourth Round Housing Element and Fair Share Plan the Program’s decision;

**WHEREAS**, the Borough Council of the Borough of Spring Lake Heights believes it is in the best interest of the Borough to endorse the Amended Fourth Round Housing Element and Fair Share Plan thereby protecting the Borough from exclusionary zoning litigation for ten years until 2035.

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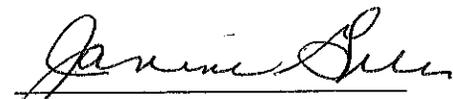
**NOW, THEREFORE, BE IT RESOLVED** that Borough Council of the Borough of Spring Lake Heights, County of Monmouth, State of New Jersey that it hereby endorses the Amended Fourth Round Housing Element and Fair Share Plan.

Adopted: **March 16, 2026**

  
Janine Gillis, Borough Clerk

**Certification**

The foregoing is a true copy of a resolution passed by the Borough Council of the Borough of Spring Lake Heights at a meeting held on March 16, 2026.

  
Janine Gillis, Borough Clerk