

BOROUGH OF GIBBSBORO
HEARING NOTICE

The ordinance summary published herewith was introduced and passed on first reading at a meeting of the Governing Body of the Borough of Gibbsboro on February 24, 2026, at 6:30 p.m. and will be further considered for final passage after public hearing at a meeting of said Governing Body on March 10, 2026 beginning at 7:00 p.m. at the Gibbsboro Municipal Building located at 49 Kirkwood Road, Gibbsboro, NJ 08026. The full ordinance is available for public inspection in the Clerk's office.

2026-03

ORDINANCE AMENDING CHAPTER 400, "ZONING", OF THE BOROUGH OF GIBBSBORO TO REPEAL ARTICLE VI, "AFFORDABLE HOUSING PROCEDURAL AND ELIGIBILITY REQUIREMENTS" ARTICLE VII, "DEVELOPMENT FEE REQUIREMENTS" AND ARTICLE VIII, "GROWTH SHARE AFFORDABLE HOUSING OBLIGATION" AND REPLACE SUCH WITH NEW ARTICLES VI "AFFORDABLE HOUSING PROCEDURAL AND ELIGIBILITY REQUIREMENTS" AND ARTICLE VII, "DEVELOPMENT FEE REQUIREMENTS"

The following summarizes the contents of revised Articles VI and VII, Chapter 400, Affordable Housing Procedural and Eligibility Requirements, and incorporating Development Fee Requirements for the Fourth Round of municipal affordable housing regulations.

§400-3.B Definitions.

Provides meaning of terms and conditions in the ordinance, most of them derived from the new administrative rules.

Article VI. Affordable Housing Procedural and Eligibility Requirements

§400-44. Purpose.

Establishes the grounds for adopting the ordinance, which is based on newly issued NJ administrative rules called the Uniform Housing Affordability Controls (NJAC 5:80-26.1) and Fair Housing Act Regulations (NJAC 5:99), as well as the Fair Housing Act itself, NJSA 52:27D-301.

§400-45. General Provisions.

Describes when and where the ordinance applies in the Borough and to what kind of affordable housing.

§400-46. Municipal Housing Liaison

Revises the responsibilities and duties of the Municipal Housing Liaison, the Borough employee that coordinates affordable housing activities for Gibbsboro.

§400-47. Administrative Agent.

Revises the responsibilities and duties of the Administrative Agent, whether providing affordable housing services for Gibbsboro or a developer of affordable housing.

§400-48. Monitoring and Reporting Requirements.

Clarifies the reporting requirements to the state for the Borough's affordable housing trust fund and the information necessary to be recorded on affordable housing in Gibbsboro. This is entered into the Affordable Housing Monitoring System, an online web portal operated by the NJ Department of Community Affairs.

§400-49. Regional Income Limits

Establishes the household income basis for determining what constitutes affordable housing. Gibbsboro is in Housing Region 6, made up of Salem, Cumberland, Atlantic and Cape May Counties. The income limits stem from data collected by the U.S. Census Bureau and calculated by the U.S. Department of Housing and Urban Development.

§400-50. Maximum Initial Rents and Sales Prices

Establishes the basis for affordable housing rents and sales prices. It controls the amount of rent paid or the purchase price based on the size of the household and the size of the dwelling.

§400-51. Low/Moderate Split and Bedroom Distribution.

This section establishes the standards for developers the mix of low and moderate dwellings that are required to be produced in the affordable housing development.

§400-52. Affirmative Marketing.

When affordable housing is produced, its availability is required to be advertised to at least the entire housing region and to cover various forms of media to reach a broad spectrum of potential tenants or owners in a non-discriminatory manner. This section sets out the requirements for the marketing strategy to be employed.

§400-53. Selection of Occupants and Occupancy Standards.

This section creates the process for selecting the occupants of affordable housing and the characteristics of the household for the particular type of dwelling that is available.

§400-54. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.

Affordable housing is deed restricted to certain income levels and may only be occupied by households qualifying at that level, but only for a certain period of time. This section establishes what those time periods are for for-sale dwellings and when the deed restriction is recorded with the County and other legal requirements and enforcement mechanisms.

§400-55. Price Restrictions for Restricted Ownership Units and Resale Prices.

Affordable housing that is owned and sold before the end of the deed restriction period is subject to requirements on the resale of the dwelling to the next buyer that are set forth in this section.

§400-56. Buyer Income Eligibility; Indebtedness.

An Administrative Agent will use the standards in this section to determine whether potential buyers qualify for purchasing an affordable dwelling.

§400-57. Limitations on Indebtedness Secured by Ownership Unit; Subordination.

This section sets out additional factors other than straight income, such as, the household's current living conditions, debt levels, and living expenses for the housing beyond mortgage costs.

§400-58. Control Periods for Restricted Rental Units.

Like purchased affordable housing, rented units also are deed-restricted and in the Fourth Round for the first time have longer periods than for-sale dwellings. This section provides the regulations applying to rental dwellings.

§400-59. Rent Restrictions for Rental Units; Leases and Fees.

This section provides the rules whereby the Administrative Agent qualifies a prospective renter to occupy an affordable dwelling. In a similar fashion as for buyers, the Agent may examine the renter's existing housing conditions in determining eligibility for a dwelling.

§400-60 Tenant Income Eligibility.

The section establishes the criteria for qualifying households according to certain income levels in accordance with regional income limits.

§400-61 Responsibilities of Affordable Housing Development Owner.

This section sets out the expectations of the developer and eventual owner (if a landlord) of an affordable dwelling. It sets forth the types of communications with the occupants of affordable dwellings, and the disclosure documents that are required before commencing a sale or lease of property.

§400-62 New Construction Design and Performance Standards.

The housing plan includes three new developments with a portion of their project containing affordable housing. Called "new construction" programs, this section sets out the design and performance standards to create these developments to meet state regulations.

§400-63 Rehabilitation Program Requirements.

Gibbsboro has operated a rehabilitation program to provide assistance to qualified households to fix major problems or mechanical systems in the dwelling. This section provides the parameters for the program.

§400-64 Assisted Living Residence.

Potentially the Borough may have an assisted living residence/facility and this section includes the standards associated with this type of use and its affordable housing requirements.

§400-65 Supportive Housing and Group Homes.

The affordable housing plan includes supportive housing and group homes in an existing affordable housing development and a future development. This section establishes the standards for the acceptance of applications from qualified households, determination of eligibility and there occupancy by such households.

§400-66 Redevelopment Projects with Affordable Housing.

Gibbsboro's affordable housing plan has a component located in the Paintworks Redevelopment Area. This section applies to any projects that take place in redevelopment areas.

§400-67 Enforcement of Affordable Housing Regulations

This section sets overall enforcement actions that may be taken and allowable penalties for failure to comply with this ordinance.

Article VII. Development Fee Requirements.

§400-68 Development Impact Fees

Gibbsboro has been collecting development impact fees for affordable housing since the mid-2000s. These fees help fund affordable housing in the Borough, such as housing renovation. This section updates the municipal regulations to meet the revised state regulations that were recently adopted.

§400-69 Reserved

This section formerly was part of Article VIII relating to the Borough's Growth Share ordinance, but the NJ Supreme Court invalidated this method adopted by the NJ Council on Affordable Housing for the Third Round.