



## GREEN ACRES

### LOCAL GOVERNMENT UNIT AND NONPROFIT GUIDE

#### Coordination of Green Acres Acquisitions and Affordable Housing

Green Acres funding should not be used to impede a municipality's ability or responsibility to meet its constitutional obligation to provide a fair share of affordable housing for low- and moderate-income households pursuant to the Fair Housing Act of 1985 (N.J.S.A. 52:27D-301 et seq.).

Municipalities are required to prepare affordable housing plans identifying affordable housing sites as part of the housing elements of the municipal master plan. These plans are approved pursuant to the Fair Housing Act. The identification of parcels to be preserved by a project sponsor (county, municipality, or nonprofit) has the potential to conflict with designated affordable housing sites. Green Acres funding cannot be used to acquire a site that is formally identified for affordable housing purposes unless the municipality has a suitable alternative for such required housing. **Proper planning will allow both recreation/conservation needs and affordable housing obligations to be met.**

A project sponsor must inform Green Acres if the site intended for acquisition with Green Acres funds has been identified by a municipality, or otherwise designated for use in meeting municipal fair share housing obligations. If the site has not been designated, the project sponsor must submit a certification to that effect to Green Acres. If the site *has* been designated, the project sponsor must provide to Green Acres evidence that there is an alternative to meeting the existing fair share housing obligations. Green Acres will not proceed with the acquisition project until it determines that such acquisition will not create a conflict with the provision of affordable housing pursuant to the Fair Housing Act.

**Counties and nonprofits must coordinate their preservation efforts with municipalities to avoid conflict with designated affordable housing sites.**