
Housing Element and Fair Share Plan

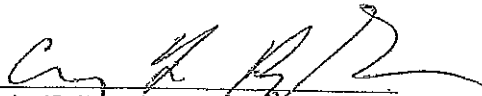
Third Round

November 2006

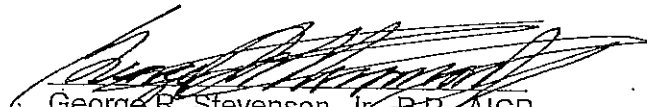
Township of West Deptford

In The County of Gloucester
State of New Jersey

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1: Introduction

This Housing Element and Fair Share Plan is a required element of the Township of West Deptford Master Plan, as set forth under the Municipal Land Use Law at 40:55D-28, and incorporates the plan elements required under Section 52:27D-310 of the New Jersey Fair Housing Act. The significance of this plan element is also evidenced by the stipulation found at C.40:55D-62 which states that zoning regulation may be adopted only pursuant to the adoption by the planning board of a land plan element and housing plan element. Required components of the plan element are as set forth infra:

- A. An inventory of township's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type.
- B. A projection of the township's housing stock, including the probable future construction of low and moderate income housing, for the next six years.
- C. An analysis of the township's demographic characteristics, including household size, income level, and age.
- D. An analysis of the existing and probable future employment characteristics of the township.
- E. A determination of the township'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; and
- F. 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 provide low and moderate income housing.

Through this Housing Element and Fair Share Plan, the township promotes provision of a variety of housing types over a range of affordability, encourages the ongoing maintenance of the township's existing housing stock, and formally acknowledges the constitutional obligation to provide a realistic opportunity for the provision of housing affordable to families of low and moderate income within the Southwest Housing Region (Camden, Gloucester, Burlington, Salem Counties). This document also serves then as a basis for the implementation of land use regulation by the Township of West Deptford to enable satisfaction of the aforementioned constitutional obligation.

2: Inventory of Township Housing Stock

Detailed information concerning the township's housing stock is available through the United States Census Bureau (Summary Files 1 and 3 from the 1990 and 2000 Censuses). A brief comparison of basic characteristics is presented in Table 1.

Table 1: Basic housing characteristics, Township of West Deptford (1990-2000)

	1990	2000	# Change	% Change
Persons	19380	19368	-12	-0.1%
Households	7407	7719	+312	+4.2%
Housing Units	7638	7999	+361	+4.7%
Occupied	7407 (97.0%)	7719 (96.5%)	+312	+4.2%
Owner-Occupied	5174 (69.9%)	5396 (69.9%)	+222	+4.3%
Renter-Occupied	2233 (30.1%)	2323 (30.1%)	+90	+4.0%
Vacant	231 (3.0%)	280 (3.5%)	+49	+21.2%
Persons per occupied unit	2.6	2.49	-0.11	-4.2%

As this table indicates, the township's basic housing characteristics did not change substantially between the 1990 and 2000 Censuses, with the most significant change being a marginal increase in the housing vacancy rate.

It should be noted that the township has experienced a notable increase in annual housing construction since 2000; these newly-constructed units are not accounted for in the 2000 Census. Figure 1 depicts the total number of residential building permits issued by year (1980-2004).

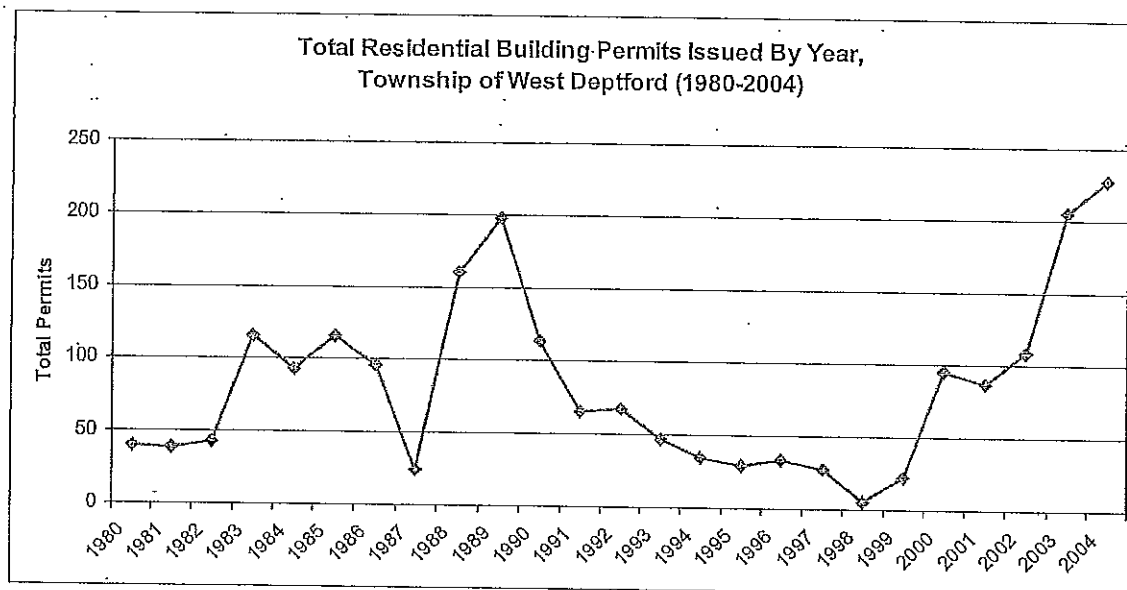


Figure 1. Source: HUD State of the Cities Data System (1980-2003), US Census Bureau (2004)

2.1: Physical Character of Township Housing Stock

The majority of the township's housing stock was constructed in the second half of the twentieth century. The median year of construction for all housing units in the township is 1970, according to 2000 Census data. Township-wide, owner-occupied units tend to be slightly older than rental units, with median years of construction of 1966 and 1973, respectively. As Figure 2 depicts, this discrepancy is largely due to a spike in rental unit construction during the 1970s, whereas more owner-occupied units were constructed in the 1950s than in any other decade.

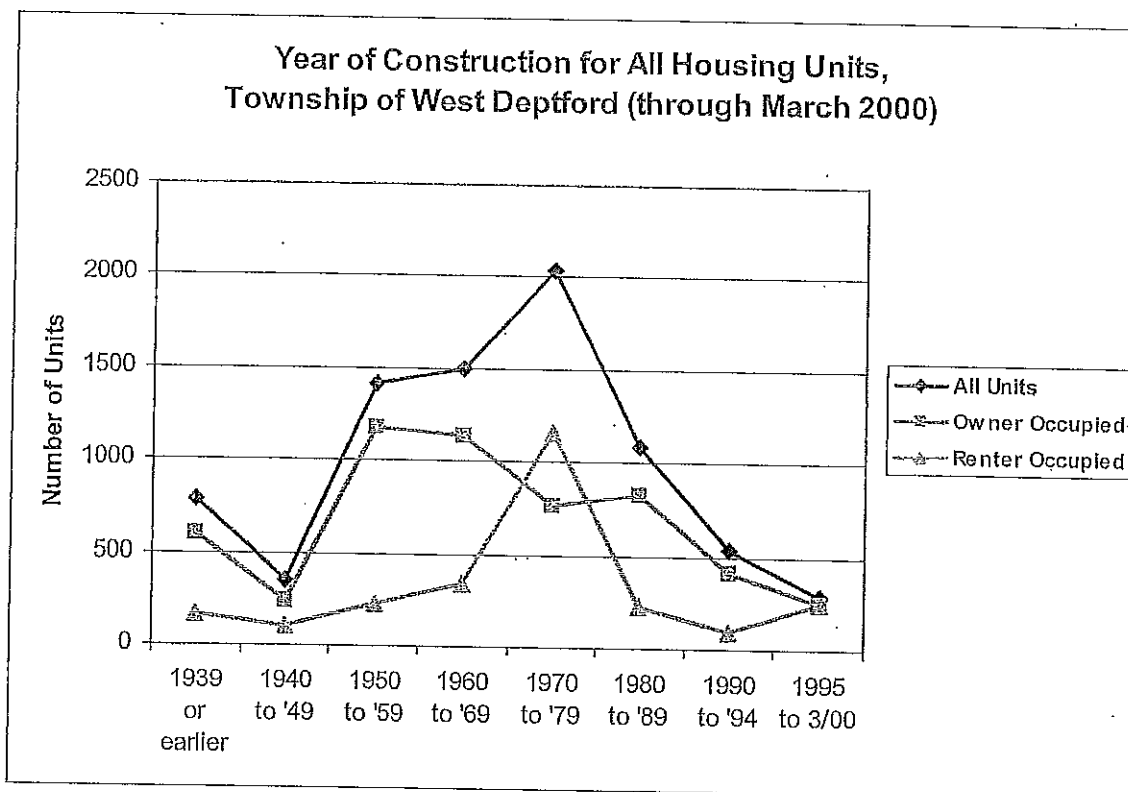


Figure 2. Source: 2000 Decennial Census, Summary File 3

The typical home in West Deptford has a three-bedroom configuration, with the number of two-bedroom units declining slightly between 1990 and 2000, and the number of three-bedroom and larger units increasing over the same timeframe. This is illustrated by Figure 3 below.

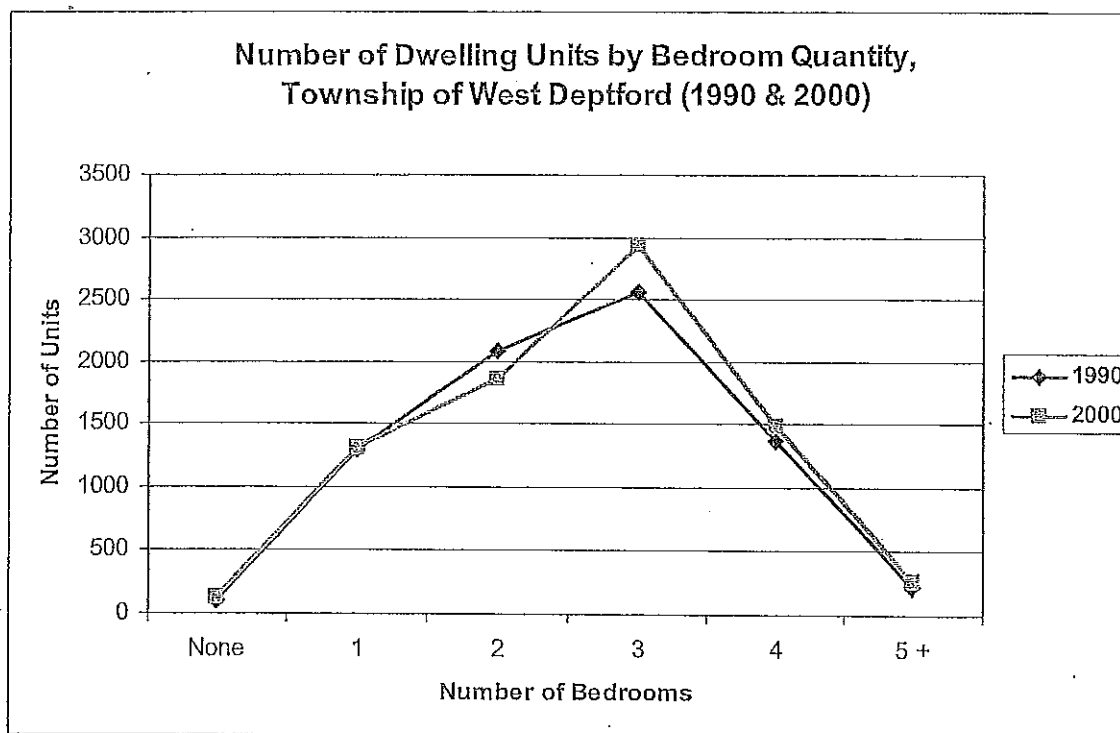


Figure 3. Source: 1990 and 2000 Decennial Census, Summary File 3

2.2: Substandard Units

Housing units are generally considered to be substandard where they lack basic facilities (such as complete plumbing or complete kitchens), or where they are overcrowded (generally defined as having, on average, more than one person per room). Based on these definitions, a maximum of 119 substandard dwelling units were present in the township as of the 2000 Census (as detailed in Table 2). The true number of substandard units is likely somewhat lower, as there is likely some overlap between units lacking plumbing and units that are overcrowded. Every such substandard unit represents an opportunity for rehabilitation.

Table 2: Substandard Housing Units, Township of West Deptford (2000)

Characteristic	# Units
Overcrowded (>1 person per room)	77
Lacking complete plumbing	42
Owner-occupied	18
Renter-occupied	24
Lacking complete kitchen	0

In general, the number of substandard housing units in West Deptford is low relative to the total number of units. This, combined with the limited number of pre-1950 homes in

the township, leads to a conclusion that the overall condition of the township's housing stock is sound.

2.3: Value and Price of Housing Units

Table 3 illustrates the relative median value of owner-occupied housing units in the township as presented in the 1990 and 2000 Censuses, as well as the relative cost of 'contract rent' (rent paid monthly during a lease, exclusive of utilities) over the same timeframe. Each of these values increased substantially during the 1990s. These changes are further illustrated by Figures 4 and 5, below. While an increase in home values is beneficial to the township's existing homeowners, it makes entry into homeownership more difficult for in-migrating and lower-income residents. Additionally, the increase in rent prices has the same negative effect on affordability without having any benefit for existing residents (aside from those who own rental properties). Accordingly, the affordability of housing in the township can be expected to become an issue of higher priority in the coming years and decades.

Table 3: Median Home Values and Rent Costs, Township of West Deptford (1990 & 2000)

	1990	2000	# Change	% Change
Median value of owner-occupied units	\$101,300	\$120,100	+\$18,800	+18.56%
Median monthly rent of renter-occupied units	\$481	\$614	+\$133	+27.7%

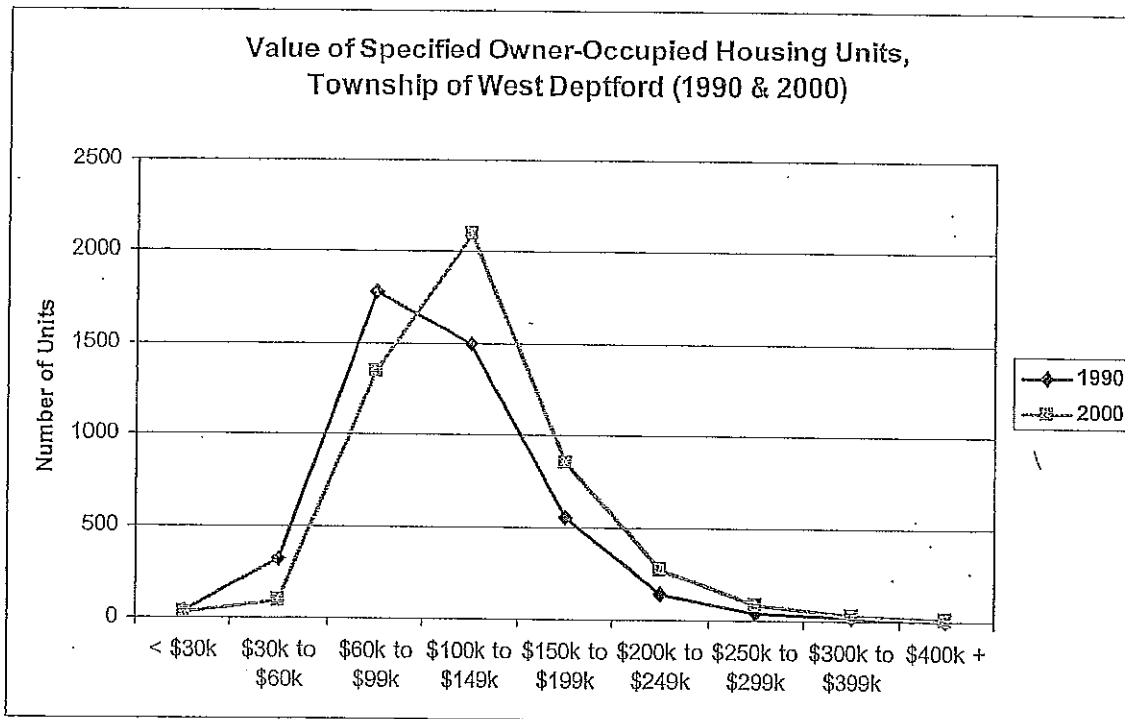


Figure 4. Source: 1990 and 2000 Decennial Census, Summary File 3

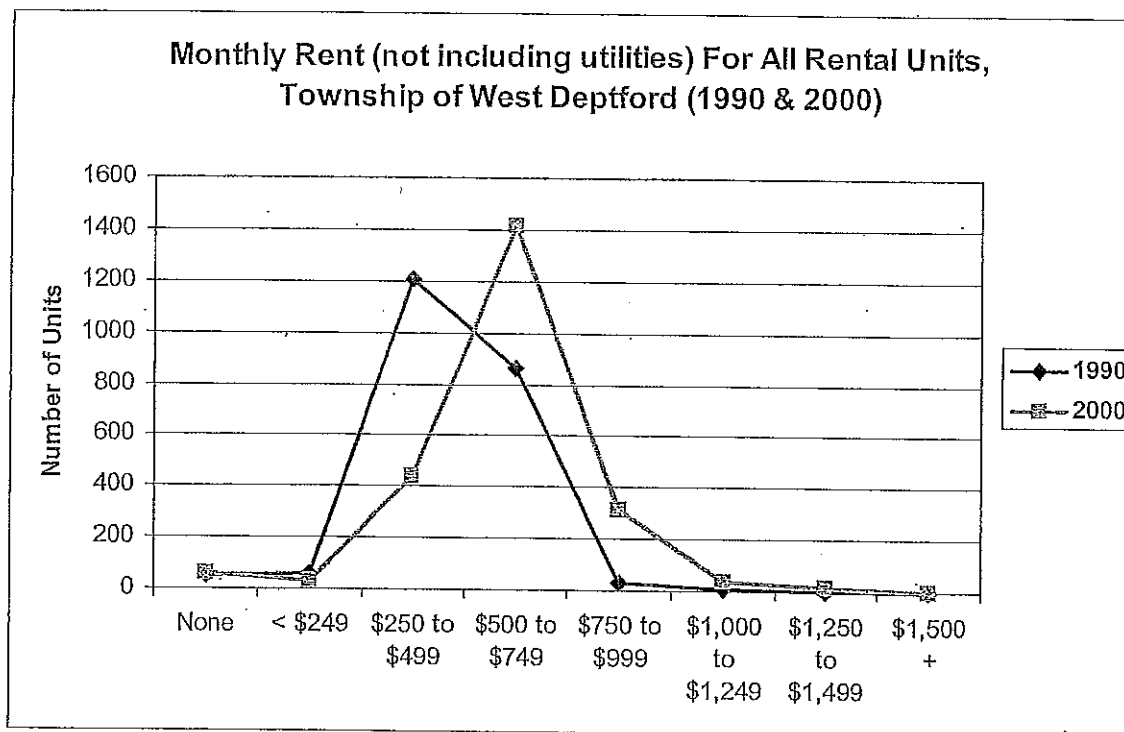


Figure 5. Source: 1990 and 2000 Decennial Census, Summary File 3

2.4: Housing Unit Affordability

National standards consider market-rate housing to be affordable at a given income level where a household does not spend more than 30% of its monthly income on direct housing costs. This section considers units in the township which are affordable in this market-rate context.

New Jersey's Council on Affordable Housing (COAH) defines moderate-income households as those having not more than 80% of gross median household income, and low-income households as those having not more than 50% of the gross median household income. While COAH sets qualifying income levels by housing region, and based on the number of persons per household, these general definitions of low and moderate-income can be applied in a market context to provide a rough estimate of housing unit affordability in the township. Given that the most recent comprehensive home cost data is from the 2000 Census, this plan assesses unit affordability based on aggregate township income levels from the same Census (in order to allow for an 'apples to apples' comparison) rather than more recently defined COAH regional income levels.

It should be noted that the COAH-specified 2004 qualifying income levels for the southwest housing region (which includes Gloucester County) are higher than those calculated here for West Deptford (for any family size larger than 1 person), making the below calculation of the number of affordable units a fairly conservative one. However, it is also worth noting that the below estimated numbers of affordable units are affordable only in a market setting, and are not deed restricted to remain as such.

West Deptford Township's median household income as of the 2000 Census was \$50,583. Based on COAH standards (50% / 80%), a low-income household would therefore have an income of \$25,292 or lower, and a moderate-income household would have an income of \$40,466 or lower. Based on these income levels, Table 4 presents the maximum monthly housing cost at each level that would be 'affordable.

Table 4: Affordable monthly housing expenses at low and moderate income levels

'Moderate' annual household income	\$40,466
'Low' annual household income	\$25,292
Monthly affordable limit for housing expenses [(annual income/12)*.3]:	
Moderate-income households	\$1,012
Low-income households	\$632

Table 5 (below) reflects an estimate of the number of rental units (as of the 2000 Census) with rents below these thresholds, and which therefore qualify as being 'affordable' at the low and moderate income levels (again, in a market setting, and without deed restrictions to that effect).

Table 5: Affordable rental units at low and moderate income levels

Affordable to moderate-income households (<\$1000)	2258
Affordable to low-income households (<\$650)	1637

Calculating the number of affordable owner-occupied dwelling units in the township requires an assumption in terms of mortgage term, down payment, and interest rate. For this purpose, a thirty-year mortgage, 5% down payment, and 7% interest rate are here assumed. In this framework, a \$160,000 home would result in a monthly payment of \$1,011, and would therefore be affordable at the moderate income level. A \$100,000 home would result in a monthly payment of \$632, therefore being affordable at the low income level (as previously defined). Table 6 (below) reflects an estimate of the number of owner-occupied units in the township having values below these thresholds.

Table 6: Affordable owner-occupied units at low and moderate income levels

Affordable to moderate-income households (<\$160k)	3562
Affordable to low-income households (<\$100k)	1465

3: Projection of Township Housing Stock

The number of housing units in West Deptford reported by the 2000 Census was 7,999. As noted previously, the township has experienced a notable increase in the construction of new housing units since 2000. Including 2000, certificates of occupancy for 601 new units have been issued in the township (through February 28, 2005). Taking into account demolitions occurring over the same timeframe (12, as reported by the Department of Community Affairs and the township construction office), the present number of dwelling units in the township can be estimated to be 8,600.

The average number of certificates of occupancy issued annually over the previous six years (1999-2004), as reported by the Department of Community Affairs and township construction office, and after subtracting demolitions over the same timeframe, is 93. Building permits for 746 total units were issued during that timeframe, with certificates of occupancy for 572 units being issued. Assuming that this general level of growth will continue over the next six years, it can be estimated that roughly 558 new units will be added during that timeframe, resulting in an estimated dwelling unit total of 9,158 by the end of the year 2010.

In considering the anticipated level of growth in the number of housing units within West Deptford over the next half-decade, it is important to consider the potential impact of the Riverwinds development, which is expected to result in a large number of units in its own right. This development may result in the straight-line estimate referenced above (9,158 units) proving to be a conservative one.

3.1: Projection of Units Over Growth-Share Timeframe

Under the Council on Affordable Housing (COAH) Round 3 'growth share' rules, one unit of township affordable housing obligation is generated for every eight market-rate units that are constructed between January 1, 2004, and January 1, 2014. Accordingly, this Housing Element / Fair Share Plan is required to include a forecast of market-rate units to be constructed over the next ten years in order that a reasonable estimate of the township's growth share units can be planned for.

While COAH regulations anticipate that such a forecast will be based on the number of new housing units added in the ten years prior to January 1, 2004, annual data for West Deptford was only readily available (from the Department of Community Affairs Division of Codes and Standards, as well as the township construction office) beginning in 1996. Figure 6 and Table 7 below present an annual summary of the number of residential certificates of occupancy (for new housing units) and demolition permits issued in West Deptford from 1996-2004, inclusive.

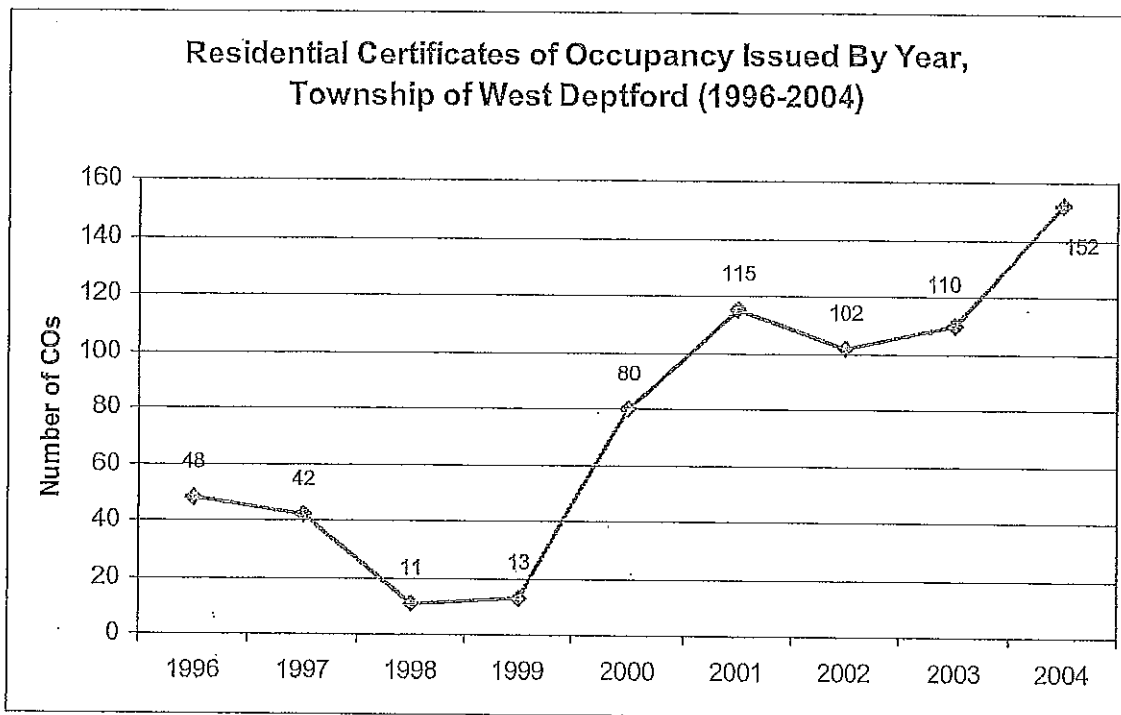


Figure 6. Source: DCA Division of Codes and Standards (1996-2003), West Deptford Construction Office (2004)

Table 7: Housing Units Constructed and Demolished By Year (1996-2004)

	1996	1997	1998	1999	2000	2001	2002	2003	2004
# COs for New Units	48	42	11	13	80	115	102	110	152
# Demolition Permits	5	0	3	3	1	2	5	3	1

In summary, 673 new units were constructed over this roughly nine-year period, and 23 demolished, for a net result of 650 units added. A simple projection for units to be added over the subsequent nine-year period (2005 through January 1, 2014) would anticipate an identical number of units to be added – 650. Assuming that none of these units would be deed-restricted as affordable, a growth share obligation of 81.25 additional units (one-eighth of 650) would be generated. In addition, an obligation of 19 units was generated by the 152 housing units already added during 2004, resulting in a total estimated growth share obligation of 100.25 – or 101 – units over the ten-year timeframe between January 1, 2004, and January 1, 2014. There are presently only four housing units which have been approved but not yet constructed since January 1, 2004. As this number is negligible, it can be assumed that these units are appropriately accounted for in the above projection.

A second projection based on Metropolitan Planning Organization (MPO) forecasts was also made in accordance with COAH rules. The Delaware Valley Regional Planning

Commission (DVRPC), in its 2002 Data Bulletin No. 73, estimates an additional 647 households over the round three timeframe equating to an obligation of 72 units.

4: Analysis of Select Demographic Characteristics

During the decade between the 1990 and 2000 Censuses, the township's population as a whole became somewhat older and more affluent. As noted previously, the number of persons per occupied housing unit decreased slightly during this decade, from 2.6 to 2.49. This is consistent with national trends relating to a reduction in household size. While becoming smaller on average, households in West Deptford also tended to gain affluence. The median household income increased by roughly 32% (from \$38,410 to \$50,583), and the median family income increased by an even larger extent – 48% (from \$43,531 to \$64,477). A more detailed comparison of income levels in 1990 and 2000 is presented in Figure 7. While a median age for West Deptford residents is not reported by the 1990 Census, it is clear from Figure 8 that it would be lower than that reported by the 2000 Census (37.5).

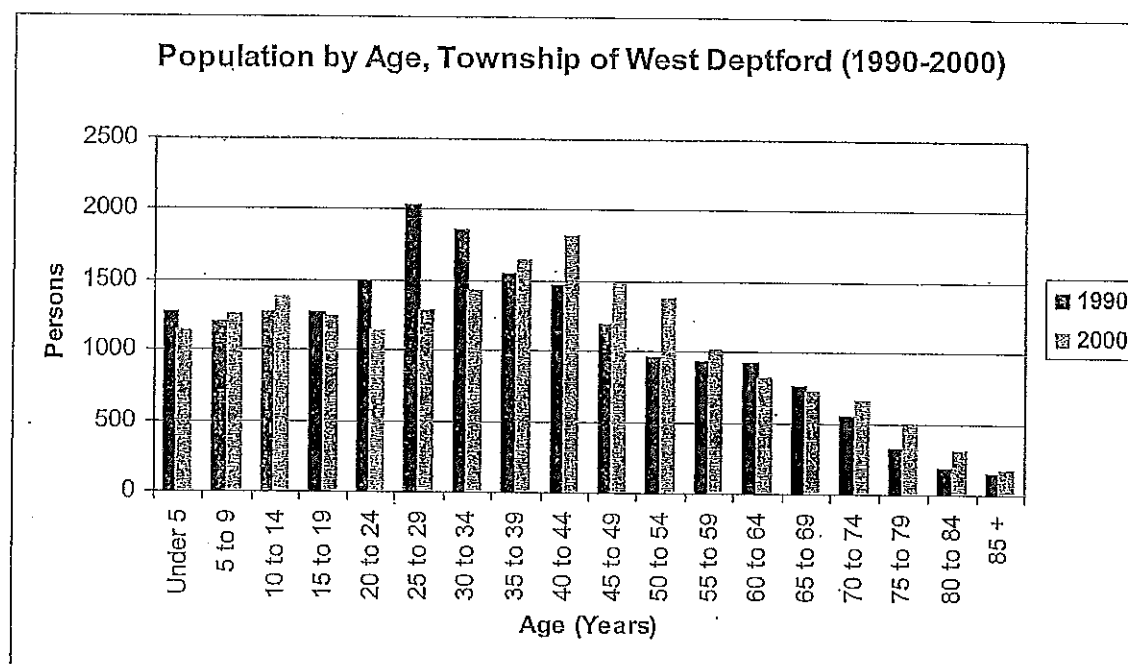


Figure 7. Source: 1990 and 2000 Decennial Census, Summary File 3

As Figure 7 indicates, like the state and nation as a whole, the population of West Deptford is tending to become older. This fact underscores the importance of providing for housing alternatives that are targeted to the needs of this increasingly-aged population.

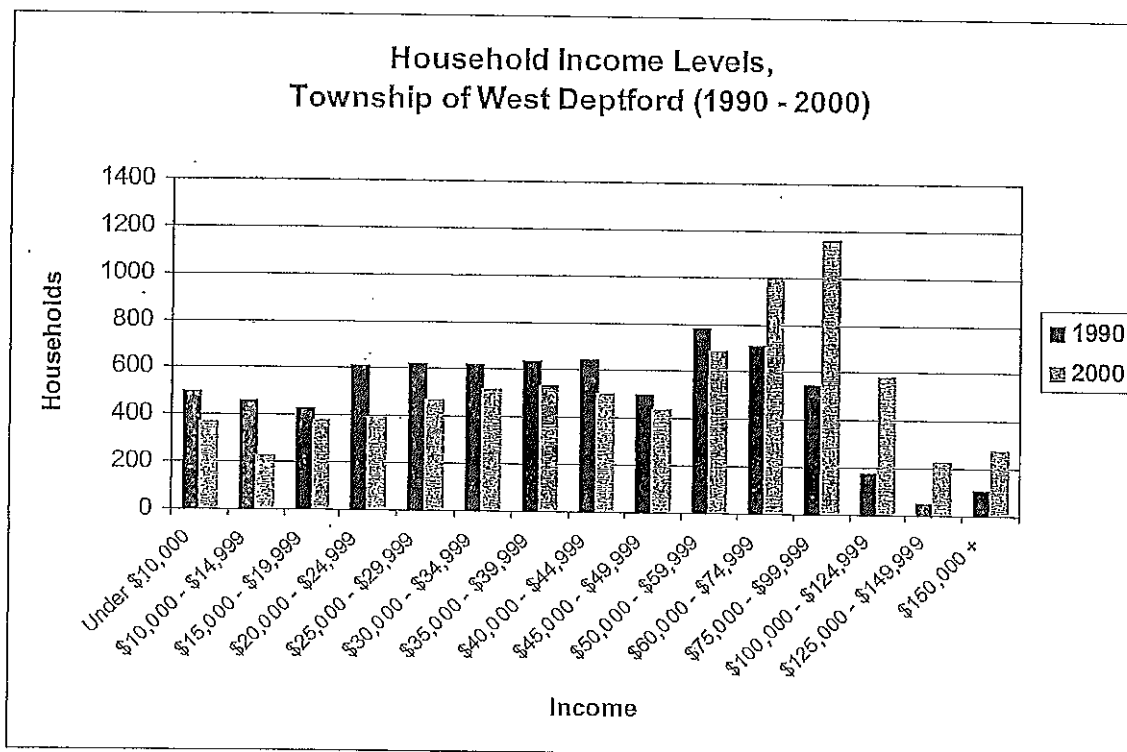


Figure 8. Source: 1990 and 2000 Decennial Census, Summary File 3

Figure 8 (above) illustrates the increasing affluence of the township's population. This increasing affluence, in a market setting, will likely lead to the character of a typical new housing unit being of a more expensive or luxurious variety than much of the township's existing housing stock. This can be expected to increase the challenge of ensuring that housing for low and moderate income families is made available at a manageable level of affordability.

5: Analysis of Current and Future Employment

Data from the 2000 Census indicates that West Deptford's civilian labor force (the number of township residents over 16 who were employed) numbered 10,410. Figure 9 (below) depicts the classifications of these workers by industry. Of these employed residents, roughly 17% were employed within the township, with the remaining 83% being employed outside West Deptford.

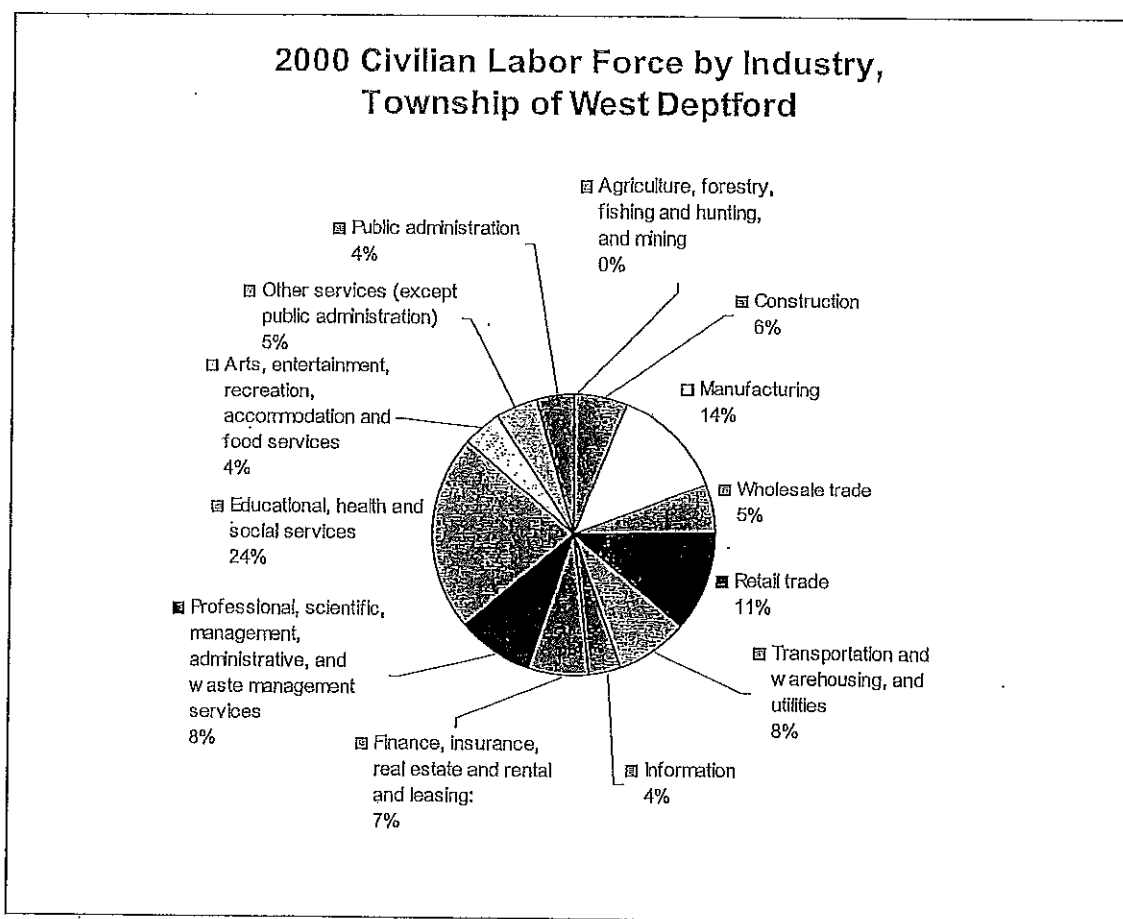


Figure 9. Source: 2000 Decennial Census, Summary File 3

The 1997 Economic Census provides data pertaining to the number of jobs which are actually located within West Deptford. This is the most recent such census for which data is available at the municipal level. Unfortunately, this census does not provide data for every industry classification at the municipal level. Specifically excluded are jobs in mining, utilities, construction, transportation & warehousing, finance & insurance, management, and all tax-exempt firms. As Table 8 (below) indicates, roughly 5,200 jobs were located within the township as of 1997 in the industries for which data is provided (a precise number cannot be determined, as this census provides only a range of

employees for certain occupational classes; in such instances, the number of employees can be estimated as the mid-point of this range).

**Table 8: Jobs Within West Deptford as Reported by the
1997 Economic Census (Industries Reported)**

NAICS INDUSTRIES	# Establishments	# employees
Manufacturing	29	1,924
Wholesale trade	41	1,051
Retail trade	17	142
Real estate & rental & leasing	8	29
Professional, scientific, & technical services	27	296
Administrative & support & waste management & remediation services	15	184
Educational services	1	a
Health care & social assistance	16	477
Arts, entertainment, & recreation	1	a
Accommodation & food services	13	131
Other services (except public administration)	20	137
MERCHANT WHOLESALERS		
Wholesale trade	34	f
MANUFACTURERS' SALES BRANCHES AND SALES OFFICES		
Wholesale trade	4	b
AGENTS, BROKERS, AND COMMISSION MERCHANTS		
Wholesale trade	3	a

a: 0 - 19 employees

b: 20 - 99 employees

f: 500 - 999 employees

The Delaware Valley Regional Planning Commission (DVRPC) (in its 2002 Data Bulletin No. 73) estimated total employment in West Deptford for this same year (1997) as 8,423. In addition, this same DVRPC report projected a substantial increase in employment within West Deptford for the years between 2000 and 2025. The agency's specific projections are presented below in Figure 10.

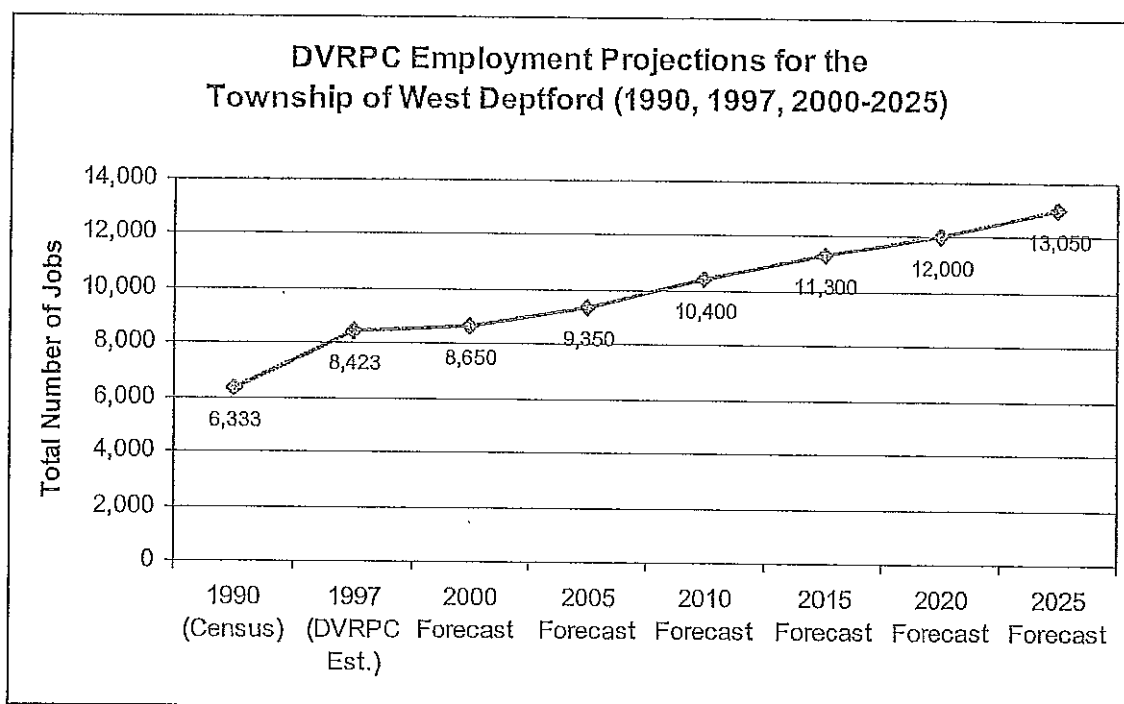


Figure 10. Source: DVRPC Data Bulletin No. 73 (March 2002)

In summary, DVRPC projects fairly constant job growth for West Deptford over the next two decades, with the number of jobs predicted to grow by just more than 50% between 2000 and 2025.

Locally, West Deptford anticipates substantial job growth in the coming years. In particular, the planned mixed-use Riverwinds redevelopment project will include substantial new commercial development.

5.1: Projection of Employment Over Growth-Share Timeframe

Under the Council on Affordable Housing (COAH) Round 3 'growth share' rules, one unit in township affordable housing obligation is generated for every twenty-five jobs generated by nonresidential construction occurring between January 1, 2004, and January 1, 2014. Accordingly, this Housing Element / Fair Share Plan is required to include a forecast of jobs to be generated over the next ten years (as related to gross floor area) in order that a reasonable estimate of the township's growth share units can be planned for.

While COAH regulations anticipate that such a forecast will be based on nonresidential construction occurring in the ten years prior to January 1, 2004, annual data for West Deptford was only readily available (from the Department of Community Affairs Division of Codes and Standards, as well as the township construction office) beginning in 1997. Figure 11 and Table 9 below present an annual summary of nonresidential

construction (in square footage and by use group) occurring in West Deptford from 1997-2004, inclusive, for the use groups which experienced construction over that timeframe.

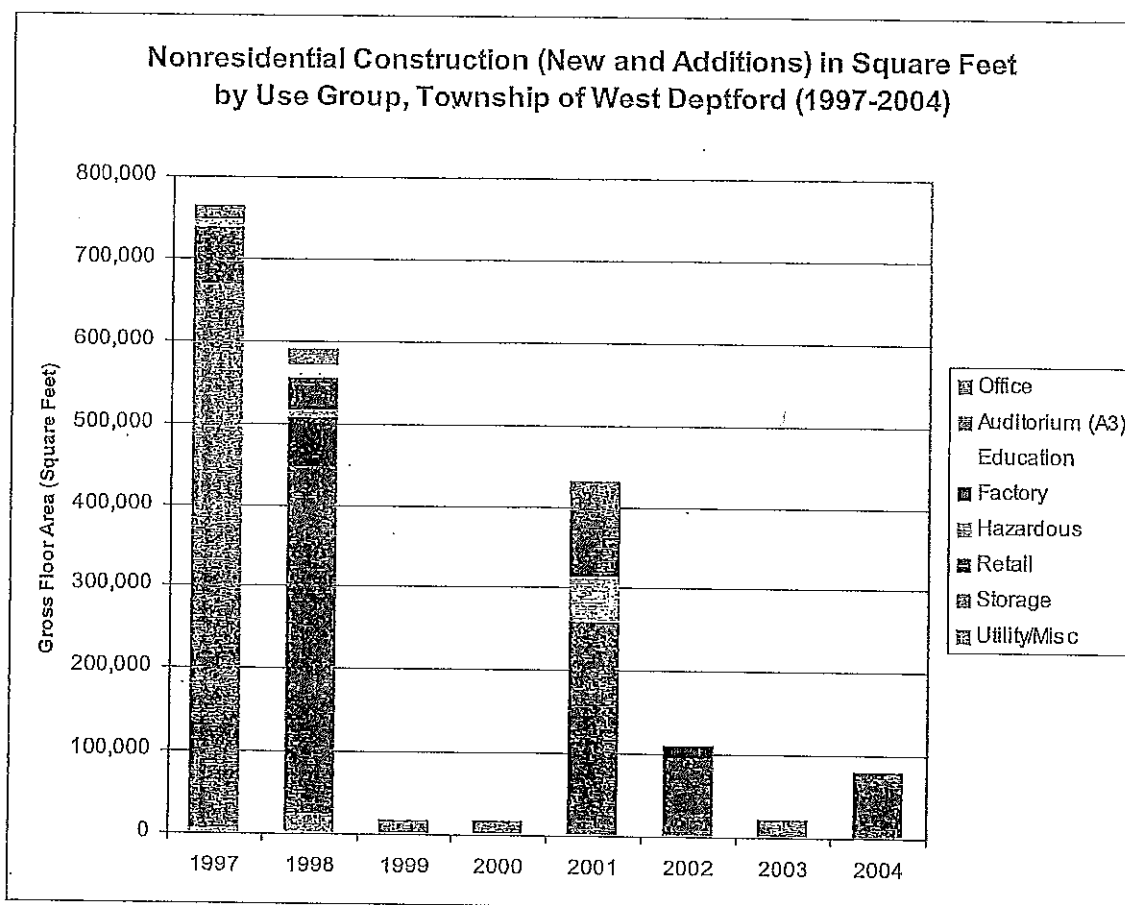


Figure 11. Source: DCA Division of Codes and Standards (1997-2003), West Deptford Construction Office (2004)

Table 9: Nonresidential Floor Area (in sq. ft.) Added By Year and Use Group (1997-2004)

	Office	Assembly (A-3)	Education	Factory	Hazardous	Retail	Storage	Utility & Misc	TOTAL
1997	18,476	0	0	0	8,500	69,774	661,452	7,609	765,811
1998	20,953	0	13,969	39,065	8,423	62,333	423,440	23,000	591,183
1999	533	0	0	1,440	0	0	13,097	2,694	17,764
2000	533	0	0	1,440	0	0	13,097	2,694	17,764
2001	39,026	37,680	0	41,448	53,432	0	258,040	1,650	431,276
2002	0	0	0	15,624	0	0	94,897	1,344	111,865
2003	18,938	0	0	0	1,200	0	0	624	20,762
2004	0	2,956	0	0	0	0	77,500	0	80,456
TOTAL	98,459	40,636	13,969	99,017	71,555	132,107	1,541,523	39,615	2,036,881
Annual Avg.	12,307.4	5,079.5	1,746.1	12,377.1	8,944.4	16,513.4	192,690.4	4,951.9	254,610.1

Table 9 above includes the annual average in square feet of nonresidential construction and expansion over the eight years between 1997 and 2004. Multiplying this average by 9 results in a simple estimate (based on the use groups involved in prior-year construction) of the amount and type of construction that can be expected to occur between 2005 and January 1, 2014. This nine-year estimate is presented in Table 10 below. The square footage (by use group) estimated to be associated with 25 jobs, and therefore generating one growth share unit in affordable housing obligation, is set forth under Appendix 'E' of the COAH third-round substantive rules. Table 10 below also includes each of these figures, and includes a calculation of the unit obligation generated by use group over the nine-year period.

Table 10: Projected Nonresidential Floor Area (in sq. ft.) to be Added By Use Group (2005-2014), Along With Associated Growth Share Obligation

	Office	Assembly (A-3)	Education	Factory	Hazardous	Retail	Storage	Utility & Misc
2005- 1/1/14	110,766.6	45,715.5	15,714.9	111,393.9	80,499.6	148,620.6	1,734,213.6	44,567.1
s.f per affordable unit	8,333	8,333	25,000	12,500	25,000	25,000	125,000	n/a ; Excluded
Units generated	13.3	5.5	.6	8.9	3.2	5.9	13.9	n/a

In summary, 51.3 units in obligation are projected to be generated for this period. In addition, 0.98 units in obligation were generated by the nonresidential construction which occurred in 2004 (as indicated in Table 9 above). This yields a total estimated growth share obligation for the period between January 1, 2004, and January 1, 2014, of 52.28 – or 53 – units.

Nonresidential construction approved since January 1, 2004, but not yet completed includes 15,570 square feet in A2 assembly (restaurant) uses and 18,870 square feet in A3 assembly (club house) uses, resulting in a growth share obligation of just over four affordable units. As this number is negligible, it can be assumed that these units are appropriately accounted for in the overall projections.

Data for nonresidential demolitions (in terms of square footage) was not readily available. In order to account for the negative effect demolitions can be anticipated to have on the growth share obligation, this plan assumes that the projected unit obligation of 53 units may be conservatively reduced by two percent (2%), or one unit, resulting in a net projected obligation of 52 units.

In order to verify that the above projection is reasonable, a second projection based on Metropolitan Planning Organization (MPO) forecasts was also made in accordance with COAH rules. The Delaware Valley Regional Planning Commission (DVRPC), projects

an increase of 2034 jobs for West Deptford between 2005 and 2015. Dividing this projected number by 25 yields a growth share obligation of 81 affordable units.

In sum, municipal growth projections based upon issuance of certificates of occupancy for residential development and creation of new employment generate an affordable housing future growth obligation of 153 units, matching the obligation projected by DVRPC. Recognizing that this obligation is dependent upon the actual issuance of certificates of occupancy and actual job creation, and wishing to be conservative in approach, this plan adopts the number of affordable units to planned for as being 157 units, that being, 4 units above the minimum number identified by DVRPC.

6: Plan for Achievement of Fair Share

In 1975, in the case of Southern Burlington County NAACP v. Township of Mt. Laurel (Mt. Laurel I), the New Jersey Supreme Court ruled that developing municipalities have a constitutional obligation to provide for the construction of low and moderate income housing. The court's 1983 Mt. Laurel II decision expanded the obligation in ruling that all municipalities share in this constitutional obligation to provide a realistic means for addressing a fair share of the regional present and prospective need for housing affordable to low and moderate income families. As such, through a municipality's zoning and land use regulations, it is to be realistically possible, through provision of a variety of housing choices, for all categories of people within the Southwest Housing Region (including Camden, Gloucester, and Burlington counties) to live – if they so choose – in West Deptford Township.

Round Three Rules: The newly adopted Round Three rules, effective December 20, 2004, and covering the period January 1, 2004 through January 1, 2014, mandates that each municipality's obligation consist of a rehabilitation component, a prior round obligation component, and a growth share component. As promulgated by the Council, West Deptford's obligation respectively consists of: 20 rehabilitation units, 384 prior round units, and 153 growth share units.

6.1: The Rehabilitation Component

As above, West Deptford has an obligation to rehabilitate 20 units over a 10-year period. Under this plan, the township will satisfy this obligation through continued participation in the Gloucester County Owner-Occupied Rehabilitation Loan Program, which was developed to provide financial assistance to low and very low income owner-occupants "to restore their homes to a satisfactory, safe and sanitary condition in conformity with U.S. Department of Housing & Urban Development's (HUD) Section 8 Housing Quality Standards for Existing Housing, BOCA Building and Housing/Property Maintenance Codes and Cost Effective Energy Conservation Standards." This program provides to single-family dwelling owner-occupants, having an income not exceeding 80% of the median income by family size for the area reported by HUD, non-interest bearing loans for the repair of major systems. These non-interest bearing loans take the form of a "forever lien," meaning repayment at the time of conveyance of title or death of the homeowner. The program, which is specifically designed to result in every project undertaken qualifying for COAH credit, is funded through federal community development block grant monies and the HOME Investment Partnership Program. In the event of the elimination of funding for this program, the township will obligate sufficient funding to enable satisfaction of the rehabilitation component.

For widest dissemination, literature will be placed in conspicuous locations in the Municipal Building and on the community bulletin board. Employees of the township

working within the Municipal Building will be informed of the program and how to best assist those seeking to participate. The office of the township manager will serve as the clearinghouse for program information; the township manager will serve as the official responsible for providing program information to residents.

While not qualifying for COAH credit, this element acknowledges and recommends continuation of the township's Handy Helper Program. This township initiative provides to owner-occupants 65 years of age or older, or owner-occupants totally and permanently disabled having an annual income less than \$10,000.00, free of charge minor plumbing, carpentry, and miscellaneous repair work. Provided the cost of the work does not exceed \$1,000.00 per house, the township will utilize federal grant money to hire contractors to undertake the repair work.

6.2: Prior Round Component

The prior round component for West Deptford, encompassing obligations from Rounds 1 and 2 (or the period from 1987 through 1999) has been identified by COAH (in Appendix C to N.J.A.C. 5:94) as 384 units. In the case of West Deptford, this prior round obligation is addressed by two settlement agreements, one of which funding a 125 unit regional contribution agreement (RCA); zoning already in place to include prior round inclusionary sites, and the creation of a new zoning classification.

The first relevant settlement resulted in West Deptford Land, L.L.C. being permitted to secure General Development Plan approval enabling provision of 101 affordable units. Pursuant to the settlement, Shepherd's Farm, located at 981 Grove Road (Block 351.14, Lot 1) was constructed. Owned by the Archdiocese of Camden and operated by the Housing Authority of Camden County, the facility is comprised of 75 age restricted rental units. A second facility (The Garden Homes Condo) comprised of 26 family rental units was constructed on Highbridge Lane (Block 351.99, lot 1).

The second settlement resulted in Kings Grove Group, L.L.C. and Paradise Road Group, L.L.C. agreeing to pay a development fee for 20% of 501 planned units in the amount of \$25,000 per planned unit, for a projected total of \$2,505,000. As previously recognized, the township may claim 'RCA equivalent' unit credits from this settlement at a cost of \$20,000 per credit, resulting in a credit against the township's prior round obligation of 125 units. The Borough of Paulsboro and West Deptford Township, each within the same housing region, have agreed to a regional contribution agreement whereby the Borough of Paulsboro will accept 125 units of transferred obligation at \$20,000.00 per unit.

Additionally, three of four inclusionary sites that were previously identified in the township's 1998 COAH-certified fair share plan remain available for inclusionary development. These sites have an R-4 zoning classification, which (under township ordinance Section 166-50) requires the provision of affordable units on-site; said section

incorporates the provision of Section 166-6.B which stipulates a 20% set-aside where "for sale" units are constructed and further provides an incentive for rental unit production via a reduced set-aside (15%). The ownership and character of these sites has not changed since they were last considered (in 2000) for affordable housing suitability. Characteristics demonstrating the continued viability for the production of affordable housing are set forth below:

Block 374, Lot 5: This site is situated within a designated growth area (PA2) under the New Jersey State Development and Redevelopment Plan (SDRP). The parcel has frontage on Odgen Station Road; sewer and water infrastructure is available. Approximately ten percent of the site is wetlands. Development potential of the site is realistic given the site abuts lands that were the subject of the Kings Grove Group, L.L.C. litigation, resulting in approval for the development of 501 townhouse/condominium units in addition to the 120 units already existent.

Block 376, Lot 5.01: This site is also situated within a designated growth area (PA1) under the State Plan. The parcel has frontage on Odgen Station Road; sewer and water infrastructure is available. There are no on-site constraints to development. Development potential anticipated under the prevailing R-4 zoning remains realistic particularly given that the site immediately abuts the County Creek West multi-family development. In addition, the site is situate to Block 374, lot 5, which potentially may yield to development pressure resultant from development of the adjoining Kings Grove Group, L.L.C. litigation site.

Block 353, Lot 9: This parcel is situated within the PA1 growth area under the State Plan. While the parcel considered, by itself, is landlocked, the parcel in actuality is an undeveloped portion of the Kingswick Apartments. Access to the complex is from Swedesboro Road; the site is serviced by public sewer and water. Further evidence of the continued viability of the site is provided via correspondence (Exhibit 1) forwarded from Kingswick Apartments indicating that future development of the yet to be developed parcel remains a distinct possibility.

The yield of these sites is as set forth below. In summary, these sites allow for reductions of 67 total units based on a density of 9.7 dwelling units per acre for 2-bedroom construction. Figures 12 and 13 depict these three sites as well as the land use character of their vicinity.

Table 11: Previously-Certified Inclusionary Sites (R-4 District)

Block	Lot(s)	Owner	Acres	Total Units	For Sale (20%)	Rental Units (15%)
374	5	D. Desimone	17.4	168	33	25
376	5.01	Hangsterfer's Labs	11.5	111	22	16
353	9	H. and M. Glazier	5.71	55	11	8

Block 374, Lot 5 and Block 376, Lot 5.01

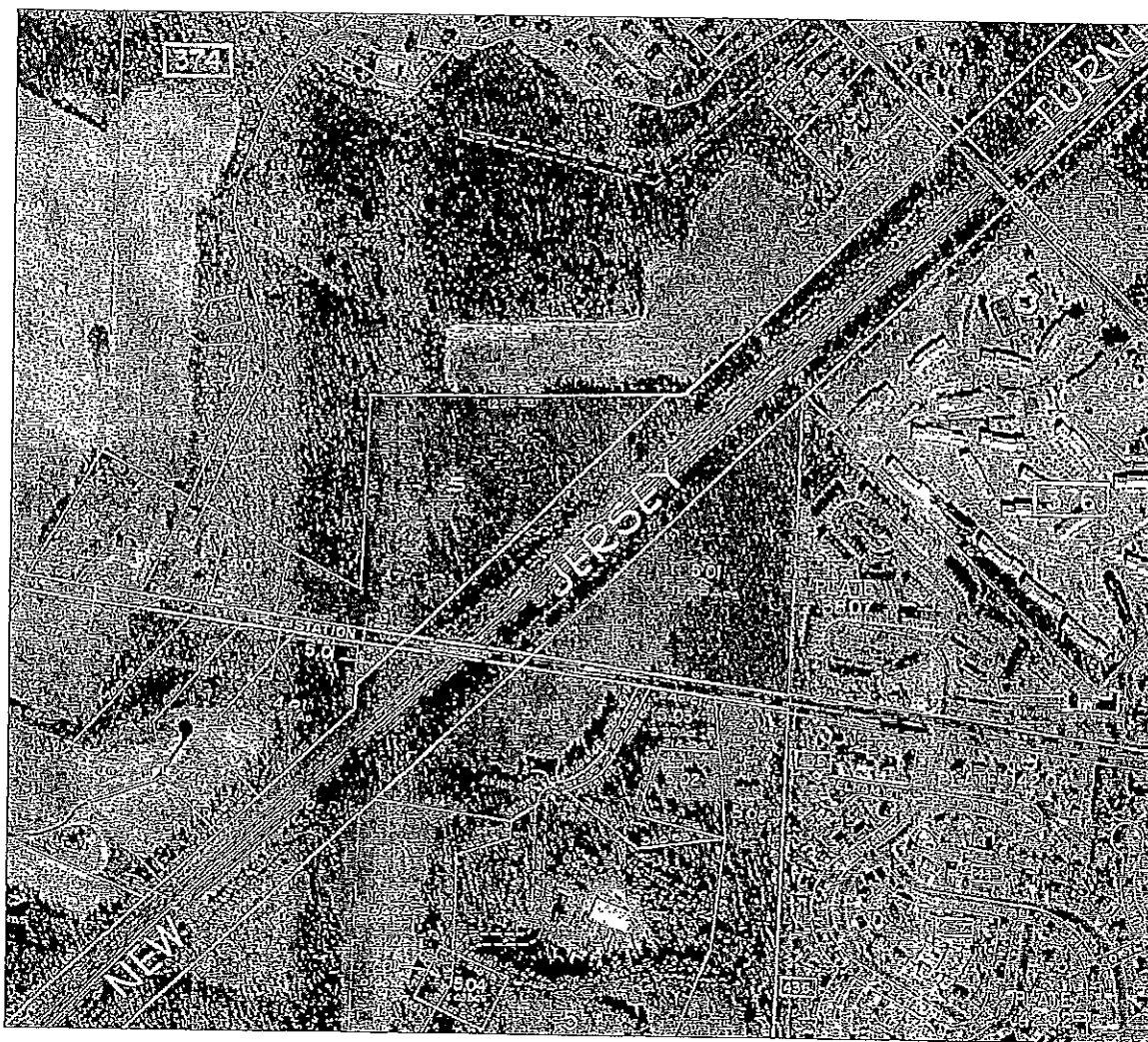


Figure 12. Source: New Jersey 2002 Orthophotography (NJGIN), eTaxmaps.com

Block 353, Lots 4 and 9

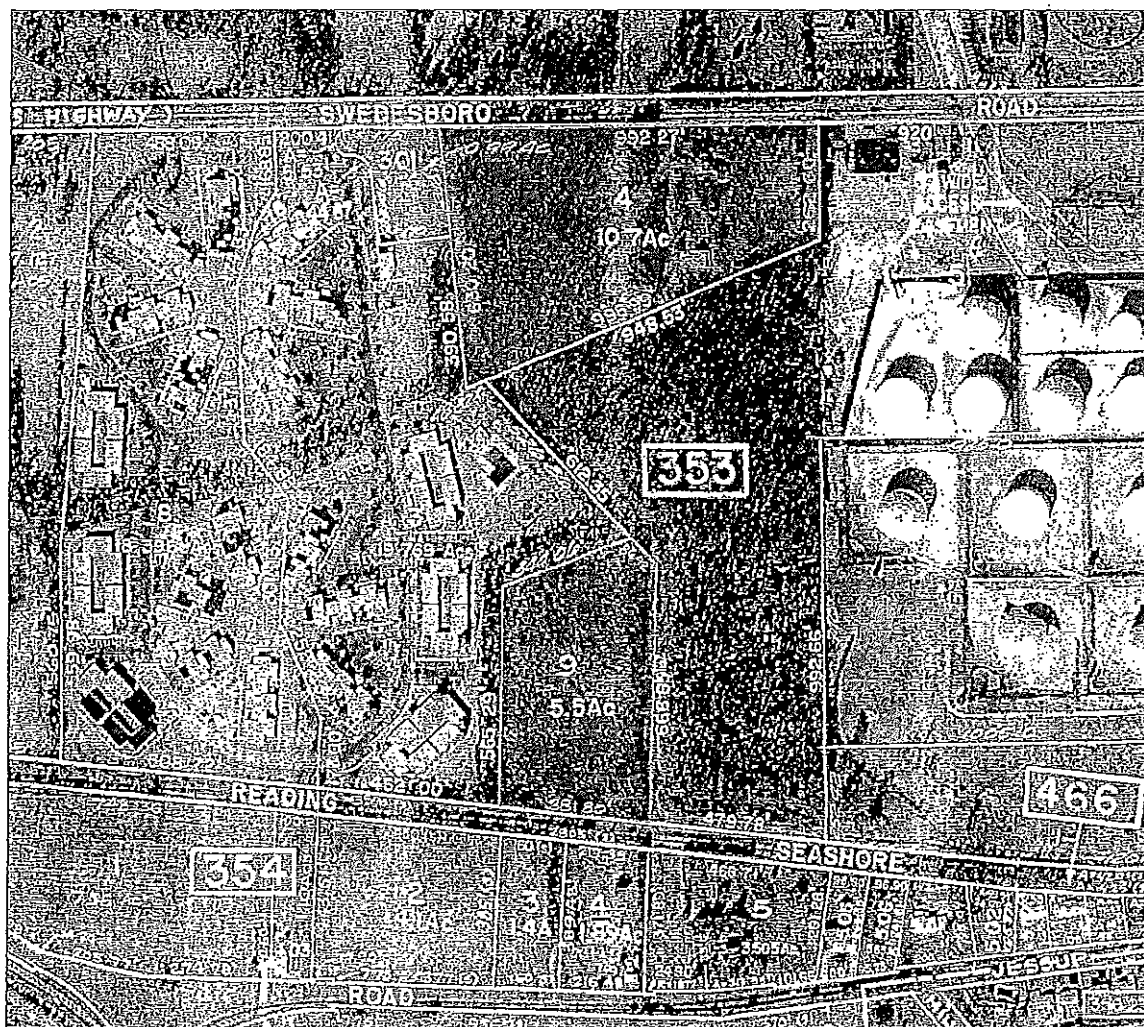


Figure 13. Source: New Jersey 2002 Orthophotography (NJGIN), eTaxmaps.com

The plan recognizes an ongoing private sector initiative whereby a previously-recognized inclusionary site (Block 349, Lot 3) has been developed as a manufactured home community, and presently includes 24 'affordable' units, to the extent that these units are reserved for families able to demonstrate low or moderate income eligibility. These units are affordable by management company policy, and are listed in the inventory of New Jersey's Affordable Housing Program. Since October 2005, administration of these units in terms of income qualification and affirmative marketing is under the jurisdiction of the New Jersey Housing and Mortgage Finance Agency (NJHMFA). Currently, eight (8) units are occupied by low income families and eight (8) are occupied by moderate income families as documented by the Housing Affordability Service Division. Accordingly, the township is able to claim credit for sixteen (16) units. This plan

proposes that credit for the remainder eight (8) units be credited with the condition that documentation to enable credit be provided within three (3) years of compliance plan acceptance.

Opportunity for the production of affordable housing is also afforded under this plan through the rezoning of the parcel situate to the northeast corner of Crown Point Road/Paradise Road intersection. This parcel, owned by Crown Point Development Corporation of Sewell, New Jersey, identified as Block 344, Lot 2 is in close proximity to the White Swan pre-manufactured home development on the opposite side of Crown Point Road and encompasses 78.9 acres of which, based on GIS analysis, 26.7 acres is developable. Said parcel has an M-2 Heavy Manufacturing classification with an R-4 Multiple Family Residence Overlay. The Township will rezone the parcel to R-4 Multiple Family Residence, as described above, enabling production of affordable units by right made more realistic through elimination of the possibility of incompatible heavy industrial land use. Based on a density of 9.7 dwelling units per acre, the site can generate 52 "for sale" affordable units ($26.7 \times 9.7 \times .20$), or with a 15% set-aside, thirty-nine (39) rental units.

Block 344.01, Lot 2.01 and Block 344, Lot 2



Figure 14. Source: New Jersey 2002 Orthophotography (NJGIN), eTaxmaps.com

6.3: Growth Share Component

As calculated in Sections 3.1 and 5.1 of this Housing Element and Fair Share Plan, the total estimated growth share obligation to be generated over the January 1, 2004, to January 1, 2014, timeframe is 153 units; however, this plan, to be conservative, addresses an obligation of 157 units.

Obligations arising from projected future growth will be satisfied from 1) application of surplus prior round age restricted rental units; 2) deed restricted units resulting from the development of the 21-unit Victoria Walk Development located on Red Bank Avenue (Block 132, Lot 7), the planning board approval of which requiring the restricting of 3-units to occupancy by low/moderate income families; 3) credit for remainder White Swan development units, for which documentation is required to demonstrate occupancy by low and moderate income families in the required ratios; 4) application of excess credits from prior round satisfaction; 5) effect of the township's adopted growth share ordinance; 6) a Buy Down Program, and 7) via a municipally sponsored reconstruction program.

This plan also relies on the impact of an adopted growth share ordinance which requires for both residential and non-residential development, the production of affordable units, or in the alternative, the payment of a fee-in-lieu. As the collection of the fee-in-lieu does not in and of itself satisfy obligations, the Township will contract with an experienced administrative agent able to demonstrate the capability to administer the township's Buy Down Program as well as a township sponsored reconstruction program in accordance with the requirements set forth under Uniform Housing Affordability Controls N.J.A.C. 5:80-26.1 et. seq. Fee-in-lieu monies will fund these programs. Relative to the Buy Down Program, the township acknowledges a minimum subsidy of \$25,000.00 per unit, with the possibility of an additional subsidy, as market prices may dictate, per unit of credit. Also acknowledged is the requirement that credit for reconstruction activity will require replacement of all major systems or work costing in excess of 50 percent of the physical value of the building. Once executed, the contract with the administrative agent will be annexed hereto. The township guarantees, in the event of a funding shortfall, funds to underwrite the Buy Down or Reconstruction programs either through an appropriation from general revenue, or via bonding.

The recently-adopted COAH substantive rules (5:94-2.2[3]) require an examination of municipal planning considerations in terms of municipal capacity to absorb the projected residential and nonresidential growth which lead to the estimated growth share obligations. In the case of West Deptford Township, the majority of the municipality is located within the Metropolitan Planning Area (PA1), as delineated by the State Development and Redevelopment Plan (SDRP), with a small portion of the township being located within the Suburban Planning Area (PA2). Each of these areas represents designations within which a substantial amount of the state's future growth is anticipated to occur.

6.4: Details on Satisfaction of Obligations

I. Third Round Obligation

Prior Rounds: 384

Growth Share: 157

Rehabilitation: 20

Total: 561 units

II. Subtraction for Prior Round Credits and Reductions

561 Units

- 125 Units Regional Contribution Agreement (RCA) with the Borough of Paulsboro funded from Kings Grove Group, LLC agreement: [501 units x 20% x \$25,000] / \$20,000.00
 - 52 Units Garden Homes Condo (resultant from West Deptford Land, LLC settlement): 26 family rental units with bonus
 - 64 Units Sheperd's Farm (resultant from West Deptford Land, LLC settlement): 48 age restricted rental units with bonus
 - 17 Units Sheperd's Farm (resultant from West Deptford Land, LLC settlement): 17 age restricted rental units without bonus
 - 16 Units White Swan Pre-Manufactured Home Development
 - 67 Units Prior Round Inclusionary Sites
 - 52 Units Rezoned former overlay area
-
- + 9 Units

III. Satisfaction of Third Round Net Obligation

157 Units

- 10 Units Surplus Prior Round Age Restricted Rental Units: Sheperd's Farm (resulting from West Deptford Land, LLC settlement)
- 3 Units Deed Restricted Units: Victoria Walk
- 8 Units White Swan Pre-Manufactured Home Development (documentation to be provided within 3-years of compliance plan acceptance)
- 9 Units Excess Units from Prior Round Satisfaction
- 10 Units Buy Down Program
- 13 Units Rehabilitation achieved via county owner-occupied rehabilitation program over the remainder of the COAH third-round timeframe (ending 1/1/14)

N.B. Remaining obligation is to be satisfied via the adopted growth share ordinance and operation of a municipally sponsored reconstruction program.

6.4: Affirmative Marketing and Affordability Controls

This plan continues the affirmative marketing and affordability controls adopted by the township under Section 166-50 of the West Deptford Zoning Ordinance (attached hereto and made a part hereof [Appendix A]).

Appendix A: Existing R-4 and Inclusionary Development Ordinances

§ 166-15.R-4 Multiple-Family Residence Districts.

A. Establishment criteria. R-4 Multiple-Family Residence Districts are designed to make special provision for low lot coverage, low density apartment or townhouse development in limited areas of a predominantly single-family residential environment, where multiple-family development is considered appropriate by virtue of such criteria as direct access to major traffic or intercommunity streets; proximity to public transportation; availability of public sewer and water facilities; adequacy of or provision for schools, recreation and other community facilities; environmental amenities and safety; and economic viability. R-4 Multiple-Family Residence Districts may be established, and development therein authorized, only in accordance with the special procedural and development requirements of Subsection E hereof and the other applicable provisions of the West Deptford Township Zoning Ordinance.

B. Use regulations. In R-4 Multiple-Family Residence Districts, a building may be erected or used, and a lot may be used or occupied, for any of the following purposes and no other:

- (1) An apartment house or group of apartment houses, including townhouse-type apartments designed as a unified project, under private ownership or under condominium ownership.
- (2) A townhouse development, with each townhouse designed to be sold in single ownership or in condominium ownership.
- (3) An accessory use on the same lot with and customarily incidental to the foregoing uses, which may include the following:
 - (a) Off-street parking area or parking structure.
 - (b) Recreational use of facility, such as a swimming pool, tennis courts, sports or play area, and community building, designed to serve the residents of the development.
- (4) Signs, as permitted in residence districts under the provisions of § 166-44B hereof.
- (5) A single-family detached residence, as part of a unified project under private or condominium ownership. Single-family detached residences otherwise shall

comply with the zoning requirements of the residence district in which the site was classified immediately prior to its R-4 Residence District classification.

C. Site development standards. For any apartment building or group of buildings on a lot, the following standards shall apply:

(1) Tract area. A minimum tract area of not less than ten (10) acres shall be required for any development, provided that a parcel of less than ten (10) acres in an R-4 Residence District which is contiguous to an existing multiple-family development may be approved where the development proposed is determined by the Planning Board to be compatible with the existing development.

(2) Density. The maximum number of dwelling units in any development shall be determined by the lot-area-per-family requirements in accordance with the following:

Unit Type, by No. of Bedrooms	1-, 2- and 3-Story Buildings		Buildings Over 3 Stories	
	Lot Area per Unit (square feet)	Maximum No. of Dwelling Units (per acre)	Lot Area per Unit (square feet)	Maximum No. of Dwelling Units (per acre)
Efficiency or 1 bedroom	4,000	10.9	3,000	14.5
2 bedrooms	4,500	9.7	3,500	12.5
3 or more bedrooms	5,500	7.9	4,500	9.7

(3) Building and lot coverage. Not more than twenty percent (20%) of the lot area shall be occupied by buildings, and a total of not more than fifty percent (50%) of the lot area shall be occupied by buildings, parking areas, driveways, sidewalks and other paved or impervious surfaces.

(4) Yards and building placement. [Amended 1-12-95 by Ord. No. 94-22] The following requirements shall apply with respect to yards and building placement:

(a) Perimeter yards of not less than seventy-five (75) feet shall be maintained along all public street lines, and yards of not less than fifty (50) feet shall be maintained along any other property line.

- (b) Within any development, no building shall be closer than twenty-five (25) feet from an internal street, measured from the right-of-way line in the case of a public street, and from the curb or cartway line in the case of a private street.
- (c) No residential building shall be closer than fifteen (15) feet to a parking area.
- (d) The distance at the closest point between any two (2) apartment buildings or between groups of townhouses shall be not less than fifty (50) feet, provided that if neither of the buildings is more than thirty (30) feet in height, and not more than one (1) of the buildings has windows facing the area between the buildings, the distance between may be reduced to not less than thirty (30) feet.
- (e) No apartment building, townhouse or single-family detached dwelling erected in an R-4 Multiple-Family Residence District shall be located within one hundred (100) feet of the boundary line of a lot which includes a public school, library or other public-assembly building, or within one hundred (100) feet of the right-of-way for a high tension power line, an underground gas or petroleum transmission line or a railroad right-of-way.
- (5) Height. No apartment building shall exceed six (6) stories or a maximum of sixty (60) feet in height. No townhouse or single-family detached dwelling shall exceed three (3) stories or a maximum of thirty-five (35) feet in height. [Amended 1-12-95 by Ord. No. 94-221]
- (6) Parking space. [Amended 1-12-95 by Ord. No. 9422]
- (a) At least two (2) parking spaces shall be provided for each dwelling unit in accordance with the provisions of § 166-33 except only one and five-tenths (1.5) spaces shall be required for each senior citizen unit, as provided in § 166-33A hereof.
- (b) Off-street parking areas shall be paved with an appropriate all-weather asphalt, bituminous or cement paving, and shall be adequately illuminated at night, with exterior lighting arranged to protect adjoining residences or highways from direct glare or hazardous interference.
- (c) All open-air off-street parking areas shall be screened with evergreen shrubbery or trees not less than five (5) feet in height when planted, or other suitable landscaping approved by the Planning Board, along all streets and adjacent property lines.

(7) Loading and unloading areas. Provisions shall be made for the off-street loading and unloading of trucks and other vehicles serving the apartment area. Such areas shall be so arranged that they may be used without blocking or otherwise interfering with the use of streets, parking facilities or pedestrian ways. [Amended 1-12-95 by Ord. No. 94-22]

(8) Improvement standards, bonding and inspection. All streets, both internal and external, including grading and paving, driveways, parking areas, sidewalks, curbs, gutters, streetlighting, shade trees, water mains, water systems, culverts, storm sewers, sanitary sewers, pumping stations, drainage structures and recreational facilities, and such other improvements as may be found to be necessary in the public interest, shall be installed at the expense of the developer in accordance with the standards of Chapter 143, Subdivision and Development, provided that such standards may be modified by the Planning Board on recommendation by the Township Engineer. Such improvements shall be completed to the satisfaction of the Township Committee before a certificate of occupancy may be issued. In lieu of total completion of the above, an adequate performance bond guaranteeing the completion thereof may be accepted. Such bond is subject to approval by the Township Solicitor as to form and surety, in an amount established by the Planning Board based on the estimated cost of improvements as approved by the Township Engineer. The installation of all required improvements affecting the public interest shall be subject to the inspection and approval of the Township Engineer. [Amended 1-12-95 by Ord. No. 94-22]

D. Required utilities, recreation areas and special design requirements.

(1) Sewer and water. No application for a permit for an apartment building or multiple-family or townhouse project shall be considered unless such building or project can be served by the township sewer and water system. The installation of public water, sewerage and drainage facilities shall be in accordance with the specifications of the appropriate governmental authorities. Such improvements shall be made at the sole expense of the developer. All townhouse units to be sold in single ownership or in condominium ownership shall each have individual water and sewer service lines and shall have individual meters.

(2) Underground utilities. All telephone and electric transmission service lines connecting individual buildings of the site with the street transmission lines, and between buildings on the site, shall be installed underground. Each apartment building shall contain a single concealed master television antenna or cable television service.

- (3) Recreation areas and natural features. At least ten percent (10%) of the total tract area shall be reserved and developed for outdoor recreation purposes by the developer. Such recreation areas and facilities, such as swimming pools, tennis courts, play areas and sitting areas, shall be of such dimensions and in such locations that they are adequate and suitable for the intended purpose. Such areas shall be subject to the approval of the Planning Board. Natural features such as trees, streams, hilltops and scenic areas shall be preserved in designing a project.
- (4) Air conditioning. Air conditioning shall be installed in each apartment building, either as a central system or as individual units, provided that each dwelling unit shall have individual air-conditioning controls, there shall be no window-installed units and all exterior equipment relating to a central system shall be suitably enclosed or screened.
- (5) Heating. Each dwelling unit within a multiple-family dwelling group or an apartment building which is heated by a central heating source shall have a separate thermostat to control heat.
- (6) Soundproofing. In multiple-family and apartment buildings, each dwelling unit shall be designed and constructed with a soundproofing barrier between adjoining units, both horizontally and vertically.
- (7) Access and egress. Each dwelling unit shall have at least one (1) front and one (1) rear entrance, or one (1) entrance and an alternate means of egress to the ground level. All exterior stairways shall be of brick or equivalent masonry construction.
- (8) Laundry facilities. In apartment developments, adequate laundry facilities consisting of automatic washing and clothes drying machines in a laundry room shall be provided or a washer and dryer shall be installed in each dwelling unit, or hookup provision made for the installation of such facilities.
- (9) Refuse disposal. Provision for the disposal or incineration of refuse shall be made within each apartment building or such refuse shall be conveyed to a central point or points to facilitate collection. Disposal arrangements in rental units shall be the responsibility of the owner. Any incineration equipment which is installed shall meet state air sanitation control standards.
- (10) Storage space. A minimum of three hundred (300) cubic feet of fire-resistant storage space for such items as bicycles, tires and items of dead storage shall be provided for each dwelling unit. In case of dwelling units, no parts of which are located on the ground floor or which have no first floor entrances, such storage areas shall have convenient access from the first floor or basement levels in the

apartment building or in a storage area attached thereto. When specifically authorized by the Planning Board, such storage areas may be permitted in a separate building. Any common storage rooms or facilities shall be divided into compartments for each dwelling unit, be located in a clean and dry area and be provided with appropriate locks. Where topographical conditions permit, each residential building, including townhouses, shall have a basement area equal to at least thirty-five percent (35%) of the gross floor area of the first floor for utility and storage purposes, but no dwelling units shall be permitted in the basement.

(11) Architectural considerations.

(a) In order to encourage an attractive building arrangement, variations in the setback or alignment of buildings erected on the same frontage or attached to other buildings shall be provided, parallel arrangement of buildings shall be avoided, and desirable variations in such things as the facade, construction and rooflines of apartment buildings and single-family attached units or townhouses shall be encouraged. Individuality in buildings shall be achieved also by use of varying external materials, colors, landscape elements and other design details. The exterior walls of all apartment buildings shall be of brick or stone, or brick or stone facing, or other suitable maintenance-free material approved by the Planning Board, except that decorative trim may be used for not more than twenty percent (20%) of the exterior surface of any facade. Exterior walls shall not be of exposed cinder block.

(b) No two (2) apartment buildings shall be attached in a straight, unbroken row, and townhouses or townhouse-type buildings shall be designed with visible offsets or setbacks or with variations in building alignment and orientation. No single structure shall contain more than ten (10) townhouse units.

(c) The combined lengths of the walls of any apartment building or cluster or group of attached apartment buildings extending along any one (1) frontage or facing in the same general direction shall not exceed two hundred forty (240) linear feet, provided that the Planning Board may modify the requirements of this provision in any case where such modification is felt to be desirable from the standpoint of an improved pattern of development.

E. Special procedural requirements. [Amended 12-2-82 by Ord. No. 82-13; 10-6-83 by Ord. No. 83-17]

(1) Application for R-4 Multiple-Family Residence District and R-5 Residence Mobile Home Development District classification. An application for an amendment to the Zoning Map to establish an R-4 Multiple-Family Residence District and an R-5 Residence Mobile Home Development District shall be referred to the Township Committee for review and recommendation to the Planning Board. Such application shall be accompanied by a general or sketch plan and other supplementary data and materials indicating the location and boundaries of the proposed district, proposed uses, density, building types, landscaping, availability of utilities, existing and proposed streets, any traffic and marketing studies which may have been made, and such other information as may be useful in determining the impact on the township of the proposed district and uses, the appropriateness of its location and its compliance with the Township Master Plan.

(2) Application for construction permit. An application for a permit to construct an apartment, townhouse or multiple-family development in any R-4 Multiple-Family Residence District and an R-5 Residence Mobile Home Development District shall be submitted to the Planning Board in accordance with the procedures and requirements of Chapter 143, Subdivision and Development, § 143-20; which shall include or be accompanied by a plan or plans, and supplementary data, showing the following information:

(a) The location, boundaries, dimensions and ownership of the area to be included in the proposed development, and the owner of adjoining properties.

(b) Natural features, including topography, tree masses and streams.

(c) The location, use, dimensions and height of each building and other structures proposed to be erected on the lot, the total gross floor area of the buildings to be constructed and total area of ground to be built on and the total paved area.

(d) The location, dimensions and arrangements of all open spaces, yards, accessways, entrances, exits, off-street parking spaces, pedestrianways, and the location and width of all streets and sidewalks. Proposed public streets and private streets shall be designated.

(e) The character of buffer areas and screening devices to be maintained, including the location, dimensions and arrangement of all areas devoted to planting, lawns and trees.

(f) Provisions made for stormwater drainage, sewer and water utilities and exterior lighting.

(g) A sketch showing the building facades, signs, types of materials used, typical floor and individual apartment plans.

(h) The provision made for the maintenance of the premises, including all recreation areas, common open spaces, parking areas, landscaped and buffer areas; provision for snow removal, refuse disposal, traffic control and police protection; a statement defining the responsibility of the owner, management or other responsible party with respect to maintenance of the premises and refuse disposal.

(i) Sufficient data in all instances to enable the Planning Board to judge the effectiveness of the design and character of the entire tract or district; consider properly such things as the relationship of the proposed development or use to surrounding areas, anticipated traffic, potential hazards, public health, safety and the general welfare; determine that the proposed plan and use complies with the Township Master Plan, and the requirements of the zoning and other applicable ordinance and codes; and evaluate the economic viability of the project in such terms, for example, as probable municipal revenues compared with probable required municipal expenditures.

§ 166-50. Provision of low-and moderate-income housing units.

[Added 4-21-88 by Ord. No. 88-5]

A. All new developments in ft-4 and R-5 Residence Districts which include twenty (20) or more dwelling units must be inclusionary developments as defined in 166-6B herein.

B. All new units constructed in inclusionary developments shall include affordability controls in the form of a deed restriction or similar covenant acceptable to the township, which shall restrict low- and moderate-income units to occupancy by income-qualified households, as described below, for a period of not less than twenty (20) years.

C. The developer of an inclusionary development shall submit, for approval by the Planning Board, a program for the affirmative marketing, screening and selection of occupants of the low- and moderate-income units. This plan shall conform to the regulations of the New Jersey Council on Affordable Housing and shall at a minimum contain the following elements:

(1) Identification and marketing of units to representative groups operating in the township and its housing region, to be initiated at least ninety (90) days before issuance of temporary or permanent certificates of occupancy.

(2) For initial occupancy and until such time as fifty percent (50%) of the units have been rented or sold, no more than fifty percent (50%) of the units shall be made available to individuals currently residing or working in West Deptford Township. After the first fifty percent (50%) of the units are allocated, all remaining income eligible applicants shall be pooled and offered contracts.

(3) Within each round, random selection of eligible applicants shall prevail.

(4) No more than fifty percent (50%) of the units in any single structure shall be reserved for low- and moderate-income households.

D. The cumulative total of all low- and moderate-income units which are restricted by minimum age of adults may not exceed twenty percent (20%) of the township's fair share obligation, as determined by the Housing Element of the Master Plan.

E. Affordability.

(1) To the greatest extent practicable, the average price of low- and moderate-income units shall be affordable to households with an annual income equal to fifty-seven and five-tenths percent (57.5%) of the regional median, assuming a standard of twenty-eight percent (28%) of qualified income for purchased housing and thirty percent (30%) for rental housing.

(2) To the greatest extent practicable, the range of affordability for purchased housing shall conform to the following schedule for every twenty (20) low- and moderate-income units:

(a) One (1) unit between forty percent (40%) and forty-two and five-tenths percent (42.5%) of the median.

(b) Three (3) units between forty-two and six-tenths percent (42.6%) and forty-seven and five-tenths percent (47.5%) of the median.

(c) Six (6) units between forty-seven and six-tenths percent (47.6%) and fifty percent (50%) of the median.

(d) One (1) unit between fifty and one-tenth percent (50.1%) and fifty-seven and five-tenths percent (57.5%) of the median.

(e) One (1) unit between fifty-seven and six-tenths percent (57.6%) and sixty-four and five-tenths percent (64.5%) of the median.

(f) One (1) unit between sixty-four and six-tenths percent (64.6%) and sixty-eight and five-tenths percent (68.5%) of the median.

(g) One (1) unit between sixty-eight and six-tenths percent (68.6%) and seventy-two and five-tenths percent (72.5%) of the median.

(h) Two (2) units between seventy-two and six-tenths percent (72.6%) and seventy-seven and five-tenths percent (77.5%) of the median.

(i) Four (4) units between seventy-seven and six-tenths percent (77.6%) and eighty percent (80%) of the median.

(3) For initial occupancy, priority shall be given to households within a particular income category, with flexibility within a particular income category based on affordability controls criteria of the New Jersey Housing and Mortgage Finance Agency.

F. At least thirty-five percent (35%) of all low- and moderate-income units must be two-bedroom units. At least fifteen percent (15%) must be three-bedroom units. No more than twenty percent (20%) may be efficiencies.

G. In inclusionary development projects, no low- and moderate-income units need to be provided until the first twenty-five percent (25%) of the total project is completed. Thereafter ten percent (10%) of the low- and moderate-income units must be provided before the next market-priced unit is built. Milestones are set for parity of low/moderate units with the total job at fifty percent (50%) and seventy-five percent (75%) of completion, but all low/moderate income units must be built when the job is ninety-percent complete.

H. No more than fifty percent (50%) of the units in any single multi-unit structure shall be reserved for low- and moderate-income households unless this requirement is specifically waived by the Planning Board as a condition of site plan approval. Regardless of whether this requirement is waived as to any specific structure, it is the intent of this section that low and moderate-income units shall be evenly dispersed throughout the entire development in as uniform a fashion as is practical.

Appendix B: County Rehabilitation Documentation

Gloucester County Rehabilitation
COAH Report
West Deptford

1	2.	3		4	5	6	7	8	9	10	11	
IDENTIFICATION OF UNIT	DATE APPROVED	OWN LOW	OWN MOD	RENT LOW	INITIAL INSPECTION	FINAL INSPECTION	STATUS	MONIES COMMITTED	MONIES EXPENDED	TYPE OF WORK COMPLETED	BELOW CODE/RAISED TO CODE	LENGTH OF DEED RESTRICTION
1762 Crown Point Rd	2/9/01			X	2/20/02	3/12/02	6	\$ 4,725.00	\$ 4,725.00	3	X	none
1762 Crown Point Rd	3/1/01			X	4/23/01	7/9/01	6	\$ 2,995.00	\$ 2,995.00	3,8,14	X	none
1762 Crown Point Rd	2/21/02			X	2/20/02	3/12/02	6	\$ 2,500.00	\$ 2,500.00	3	X	none
1762 Crown Point Rd	11/3/03			X	11/11/03	2/9/04	6	\$ 2,700.00	\$ 2,700.00	3	X	none
1342 Warren Ave	9/30/96		X		10/3/97	1/5/97	6	\$ 2,075.00	\$ 2,075.00	3	X	6 Year
773 Shield Ave	2/14/97		X		10/31/97	4/7/98	6	\$ 6,385.00	\$ 6,385.00	1,8	X	10 Year
1687 Miller Ave	6/23/98	X			10/23/98	1/13/99	6	\$ 4,399.00	\$ 4,399.00	3	X	6 Year
1090 Ford Ave	10/22/97	X			1/13/99	3/15/99	6	\$ 3,500.00	\$ 3,500.00	1,11,12	X	6 Year
255 Crown Point Road	12/3/98		X		9/13/99	1/14/00	6	\$ 6,650.00	\$ 6,650.00	1,12	X	10 Year
1792 3rd Ave	1/21/98	X			1/22/98	2/9/98	6	\$ 2,150.00	\$ 2,150.00	1,11	X	6 Year
3 Pleasant Valley Ave	9/24/98		X		4/15/99	5/14/99	6	\$ 1,145.00	\$ 1,145.00	4,11	X	6 Year
111 W. Red Bank Ave	11/14/94	X			1/5/95	2/16/95	6	\$ 1,450.00	\$ 1,460.00	3	X	6 Year
1 Shivers Ave	9/8/94	X			4/12/95	3/7/98	6	\$ 16,455.00	\$ 16,455.00	1,2,10,12,14	X	6 Year
155 Grove Ave	6/19/96	X			5/21/96	7/29/96	6	\$ 4,034.00	\$ 4,034.00	1,12	X	6 Year
63-First Ave	4/1/96		X		2/14/96	4/1/96	6	\$ 940.00	\$ 940.00	2,14	X	6 Year
110 Essex Ave	7/26/96		X		1/25/96	3/26/96	6	\$ 2,568.00	\$ 2,568.00	1	X	6 Year
516 University Blvd	10/25/01	X			11/9/01	12/6/01	6	\$ 650.00	\$ 650.00	2	X	Forever
1403 Georgia Ave	7/31/01	X			9/25/01	11/12/01	6	\$ 3,750.00	\$ 3,750.00	2,3	X	Forever
325 Crown Point Rd	7/5/01		X		9/27/02	2/9/03	6	\$ 16,518.00	\$ 16,518.00	1,5,8,14,15	X	Forever
16 Holly Drive	8/11/03	X			8/25/03	5/24/04	6	\$ 5,870.00	\$ 5,870.00	2,3	X	Forever
1792 3rd Ave	11/8/02	X			9/25/02	9/29/04	6	\$ 1,400.00	\$ 1,400.00	8,10	X	Forever
1321 Red Bank Ave	5/4/04	X			8/5/04	9/17/05	6	\$ 16,300.00	\$ 16,300.00	1,13,15	X	Forever
323 Crown Point Rd	7/31/03		X		9/20/04	4/14/05	6	\$ 15,075.00	\$ 15,075.00	1,8,12	X	Forever

Appendix C: Growth Share Ordinance

**ORDINANCE OF THE TOWNSHIP OF WEST DEPTFORD
ADDING A GROWTH SHARE SECTION TO
CHAPTER 166, "ZONING", OF THE CODE OF
THE TOWNSHIP OF WEST DEPTFORD,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

WHEREAS, the New Jersey Supreme Court and New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) ("Mount Laurel II") and the Fair Housing Act, *N.J.S.A. 52:27D-301, et seq.* ("FHA") that every municipality in the State of New Jersey (hereinafter "New Jersey") has an affirmative obligation to facilitate the provision of affordable housing; and

WHEREAS, the New Jersey Council on Affordable Housing ("COAH") is the State administrative agency created pursuant to the FHA vested with primary jurisdiction for the administration of affordable housing obligations in accordance with sound regional planning considerations in New Jersey; and

WHEREAS, COAH's Third Round Substantive Rules (*N.J.A.C. 5:94-1 et seq.*) implement a "growth share" approach to affordable housing production which requires affordable housing to be produced in conjunction with market-rate residential and nonresidential growth and development within the Township of West Deptford; and

WHEREAS, the Township of West Deptford desires to implement the "growth share" policies promulgated by COAH in its Third Round Substantive Rules in an effort to foster the production of affordable housing opportunities for qualified low and moderate income households through COAH's third round, which extends from 1999 to 2014.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of West Deptford, County of Gloucester, and the State of New Jersey, that Chapter 166, "Zoning", of the Code of the Township of West Deptford be and is hereby amended as follows:

The following new Section is hereby added to Article VIII of the Township of West Deptford's Zoning Ordinance, to read as follows:

ARTICLE VIII
ADMINISTRATION

§166-51. Growth Share Regulations.

A. Applicability.

(1) Fair Share. This section of the Zoning Ordinance of the Township of West Deptford sets forth the mechanism by which developers shall provide for a fair share of affordable housing based on growth that is associated with residential and non-residential development taking place within the Township of West Deptford ("Township").

(2) Plan. All development applications submitted under Chapters 102, 143, 166, or any other Chapter, of the Code of the Township, requiring affordable housing shall submit an affordable housing plan at the time a development application is made specifying how satisfaction of the obligation will be achieved.

(3) Residential Development. Except as exempted in §166-51B, all residential development in the R-1 Rural Residence, R-2 Suburban Residence, R-3 Residence, and R-6 Residence Districts, and the M-4 Residential Manufacturing Districts, that results in an increase in new market-rate dwelling units in accordance with *N.J.A.C. 5:94-1, et seq.*, shall be subject to the "growth share" provisions of this ordinance.

(4) Non-residential development. Except as exempted in §166-51B, all non-residential development, and all non-residential development in the M-4 Residential Manufacturing District, that results in an increase in gross floor area of any existing non-residential structure or the construction of a new non-residential structure in accordance with *N.J.A.C. 5:94-1, et seq.*, shall be subject to the "growth share" provisions of this ordinance.

B. Exemptions.

- (1) Developments that received preliminary or final approval from the Planning Board and/or Zoning Board of Adjustment, as applicable, prior to the effective date of this ordinance.
- (2) Residential developments that have been zoned to produce a substantial affordable housing set aside or that include only low and moderate income housing units shall be exempt from the growth share obligations of this Section.
- (3) Any redevelopment zone duly designed in the Township by the Township Committee may be exempted from the growth share obligations of this Section by a majority vote of the Township Committee.

C. Residential Growth Share Provisions.

- (1) All residential development which results in the construction of new market-rate dwelling units in the R-1 Rural Residence, R-2 Suburban Residence, R-3 Residence, and R-6 Residence Districts and M-4 Residential Manufacturing Districts shall provide one (1) affordable unit on-site for every eight (8) market rate units constructed.
- (2) For developments that result in a number of market-rate residential unit [x1]

- (2) For developments that result in a number of market-rate residential units not evenly divisible by eight (8), the developer shall make a payment in lieu of constructing the proportionate fraction of the affordable housing unit required. The amount of said payment shall be established by dividing the number of market-rate units by eight (8) and multiplying the resulting fraction by Thirty-Nine Thousand, Five Hundred Thirty Nine Dollars and Zero Cents (\$39,539.00).
- (3) As an alternative to fulfilling the affordable housing requirements set forth in (2) above, developers may elect to construct an affordable housing unit elsewhere within the Township, or purchase an existing market-rate home, and deed to the Township, or other entity approved by the Township.

provided compliance with all applicable code standards, or, in the alternative, under take the gut rehabilitation of an existing residential unit elsewhere within the Township in accordance with the Township's Reconstruction (gut rehabilitation) Program, which shall comply with applicable COAH rules at *N.J.A.C. 5:94-1, et seq.*, and deed to the Township or other entity approved by the Township.

D. Non-Residential Growth Share Provisions.

- (1) All non-residential development in the Township that results in an increase in gross floor area of any existing non-residential building or the construction of new non-residential building shall provide one (1) affordable unit for every twenty-five (25) jobs that results from the application of standards adopted by COAH (presently found in Appendix E of *N.J.A.C. 5:94-1, et seq.*) and based on use groups, as defined by the International Building Code (IBC) which has been incorporated by reference into the Uniform Construction Code (UCC).
- (2) Except as set forth in (3) below, non-residential developers shall construct an affordable home ~~elsewhere~~ in the Township, or purchase an existing market-rate residential unit within the Township and deed to the Township, or other entity approved by the Township, provided compliance with all applicable code standards, or, in the alternative, undertake gut rehabilitation of an existing residential unit elsewhere within the Township in accordance with the Township's Reconstruction (gut rehabilitation) Program, which shall comply with applicable COAH rules at *N.J.A.C. 5:94-1, et seq.*, and deed to the Township or other entity approved by the Township.
- (3) For developments that result in a number of jobs not evenly divisible by twenty-five (25), the developer shall make a payment in lieu of constructing the proportionate fraction of the affordable housing unit required. The amount of said payment shall be established by subtracting any whole multiples of twenty-five (25) from the number of jobs being created, dividing any remaining number of jobs by twenty-five (25), and multiplying the resulting fraction by Thirty-Nine Thousand, Five Hundred Thirty Nine Dollars and Zero Cents (\$39,539.00).
- (4) All non-residential development in the Township that creates less than twenty-five (25) jobs shall make a payment in lieu of constructing the proportionate fraction of the affordable housing unit required. The amount of said payment shall be established by dividing the number of jobs by twenty-five (25), and multiplying the resulting fraction by Thirty-Nine Thousand, Five Hundred Thirty Nine Dollars and Zero Cents (\$39,539.00).

E. General Provisions for Constructing Affordable Units.

- (1) Affordable housing units being constructed on-site shall meet the requirements of this ordinance, and shall be in conformance with COAH's third round rules at N.J.A.C. 5:94-1 et seq. and the Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 et seq., including, but not limited to, requirements regarding phasing schedule, controls on affordability, low/moderate income split, heating source, maximum rent and/or sales prices, affordability average, bedroom distribution, and affirmative marketing.

- (2) To the greatest extent possible, affordable housing units being provided within inclusionary developments shall be disbursed throughout inclusionary developments and shall be located within buildings designed to be architecturally indistinguishable from the market-rate units otherwise being constructed within the development. To that end, the scale, massing, roof pitch and architectural detailing (such as the selection of exterior materials, doors, windows, etc.) of the buildings containing the affordable housing units shall be similar to and compatible with that of the market-rate units.

F. Payment in Lieu Provisions.

- (1) Any payment in lieu amount shall be derived from the analysis of the subsidy required to create an affordable housing unit the Township, which analysis shall be on file in the office of the Township Clerk.
- (2) All payments in lieu of constructing affordable housing shall be deposited by the Township into an affordable housing trust fund to be established by the Township in conformance with regulations established by COAH, and shall at all times be identifiable from development fees. These funds shall be used by the Township in accordance with regulations established by COAH to create new affordable housing opportunities within the physical boundaries of the Township.

BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

TOWNSHIP OF WEST DEPTFORD

By:




[*]

ny.

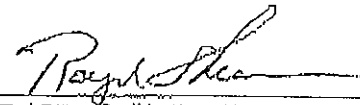

ANNA DOCIMO, Mayor

[2]

ATTEST:


RAYMOND SHERMAN, Clerk

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the 8th day of June, 2006 at a regular meeting of the Township Committee of the Township of West Deptford and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Township Committee of the Township of West Deptford to be held on the 6th day of July, 2006 at 7:00 p.m. at the Municipal Building, 400 Crown Point Road, Thorofare, New Jersey, provided the West Deptford Township Planning Board has completed its review of the proposed Ordinance..


RAYMOND L. SHERMAN, Clerk