

**HOUSING PLAN ELEMENT
AND FAIR SHARE PLAN
2004-2014
2012 AMENDMENTS**

**TOWNSHIP OF WESTAMPTON
BURLINGTON COUNTY, NEW JERSEY**

ADOPTED: FEBRUARY 1, 2012

**Prepared by the Westampton Township Land Development Board
In Consultation with Louis Glass Associates**

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The original copy of this document has been signed and sealed as required by law.

I. INTRODUCTION

On December 7, 2009, the Township Land Development Board adopted a Housing Element and Fair Share Plan. That Plan amended the Township's Plan dated November 15, 2006. Both Plans addressed the then Council on Affordable Housing (COAH) combined Rounds 1, 2 and 3 fair share obligation for affordable housing.

COAH has been eliminated as a State organization. In its place New Jersey has transferred all former COAH functions to the State Department of Community Affairs. Although new affordable housing rules and regulations are being developed, the Courts have recently ruled that, at least for the present, the former COAH rules for Round 3 remain in effect.

As a result, this Plan makes no changes to the Township's affordable housing obligation based on the former COAH rules nor does the Plan assume any changes to the COAH rules. All this Plan does is update the status of approved and planned affordable housing developments.

To assist the reader, the entire Round 3 calculations and Plan have been reproduced and simply updated where required. All other sections of the 2009 Plan, including the Appendices, remain in effect and are to be considered part of this Plan.

II. FAIR SHARE PLAN

F. Round 3 Calculations

In the Round 3 calculation, the following standards apply:

1. **Growth Share:** For Round 3, COAH rules have evolved from a fair share number to a growth share obligation. Generally, the growth share is based on projected certificates of occupancy expected to be issued for both residential and non-residential construction, minus demolitions, between January 1, 2004, and January 1, 2018.

In preparing a Fair Share Plan, the Township has the option of using the COAH projections for growth share or, in the alternative, providing a Township-generated projection based on certificates of occupancy issued since 2004, outstanding building permits, development approved by the Land Development Board but not built, development pending before the LDB and anticipated future development. For the initial plan development, this plan relies on the COAH projection with the understanding that a monitoring report to COAH is required every two years. The monitoring report reviews building activity and development approvals to determine whether or not the Township remains on target for providing the correct growth share obligation. If development is occurring faster than anticipated, revisions to the Round 3 Plan may be required.

Based on COAH projections, the total growth share obligation for Westampton Township is 201 units. For the Township to be fully compliant, COAH rules require the following components to address a township's growth share obligation:

- a. Minimum rental units: $25\% \times 221 = 55$ units.
- b. Very-low-income units: $13\% \times 221 = 29$ units.
 - COAH rules require affordable units to be split so that 50% of the units are affordable to moderate-income residents and 50% are affordable to low-income residents. The required 13% very-low-income units are part of the 50% of the units targeted for low-income residents.

In addition, COAH rules permit up to 25% of the growth share obligation to be age-restricted, affordable units. For Westampton Township, a maximum of 55 affordable units may be age-restricted.

G. Round 3 Plan Components

1. Rehabilitation Component

There are two components to the total fair share obligation: a rehabilitation component and a new construction component. The rehabilitation component involves existing housing that is affordable to low- or moderate-income residents and requires repair, replacement or upgrading of at least one major structural element. Major structural elements include roofs, foundations, plumbing, heating and electrical systems. Cosmetic improvements are eligible costs if combined with work on at least one major structural element. According to COAH rules, the cost of rehabilitation should average at least \$10,000 per unit for a rehabilitated housing unit to satisfy the fair share rehabilitation component. Affordability controls to ensure that the unit remains affordable to low- and moderate-income residents for a period of seven years are also required.

The 2nd Round obligation was listed as 14 dwelling units; however, this number was based on 1990 Census results. Round 3 COAH rules reevaluated each town's Round 2 rehabilitation component based on current information. COAH has determined that the Township has a rehabilitation obligation of 13 units.

In order to satisfy the rehabilitation component, Westampton has an agreement with Burlington County whereby the County will provide funds

for housing rehabilitation through its Home Improvement Loan Program. The Program satisfies all COAH regulations and rules pertaining to housing rehabilitation. The Program covers all of the rehabilitation costs including administrative costs. A list of all units rehabilitated, including a description of the work and costs, will be provided to the Township on an annual basis.

One property, 124 Olive Street, also known as Block 110, Lot 6, has been rehabilitated under the County program. The amount of the project was \$24,850.00 and was approved for funding on April 27, 2000. The description of the rehabilitation is included in Appendix C.

The County program only funds rehabilitation of owner-occupied housing units. To satisfy COAH regulations, a program to rehabilitate rental units must be established. Westampton will set aside an initial amount of \$30,000.00 from the Township Affordable Housing Trust Fund to fund rental rehabilitation. The program will be monitored annually and additional funds will be set aside from the Trust Fund as needed to maintain the amount of \$30,000.00.

The Township will contract with a Housing Consultant to administer the rental rehabilitation program.

2. New Construction Component

Based on COAH projections, the Township's 3rd Round growth share obligation is 201 affordable housing units. In addition, Westampton has a remaining Round 2 obligation of 26 units, for a combined obligation of 227 units.

a. Project Freedom Development

This project involves 100% low- and moderate-income housing units. All units will be rental units designed for disabled persons and their families. All units will be classified as family units and will satisfy all COAH requirements, including affordability controls and bedroom mix.

Westampton bought Block 203, Lot 4, consisting of 19 acres. After subdividing the lot, the Township transferred 10.549 acres to Project Freedom for the construction of Freedom Village. The remained of the tract was retained by the Township for open space/recreation use.

A new zoning district, the R-8 District, together with required use and bulk standards, was adopted. The ordinance, included in Appendix B, would permit the construction of Freedom Village.

In order to foster development of Freedom Village, the Township paid \$150,000 to Project Freedom to cover development costs. A developer's agreement between the Township and Project Freedom has been signed. The funds were paid from the Township's Affordable Housing Trust Fund.

Lastly, on August 3, 2011, the Land Development Board approved the preliminary and final site plan for Freedom Village. The approval specified that 72 affordable housing units would be constructed: 22 one-bedroom units, 38 two-bedroom units and 12 three-bedroom units.

b. Existing Inclusionary Zoning Sites

As noted, Site 1 from the Round 2 Plan is no longer considered a feasible inclusionary housing site and it has been removed from the Round 3 Plan.

Sites 2, 3 and 4 will remain part of the Round 3 Plan but with increases in density and affordable housing set-aside requirements to be consistent with the current COAH rules. The draft ordinance permitting the increased density and set-aside is included in Appendix F. In general, density for single-family, owner-occupied housing is 6 units per acre with a set-aside of 25%. For rental housing, the density will be 12 units per acre with a set-aside of 20%, of which 10% must be affordable to very-low-income residents.

Based on the number of buildable acres and the revised density and set-aside requirements, the three remaining sites are expected to generate 86 to 138 affordable units, assuming either 100% owner-occupied or 100% rental.

Site	Total Owner-Occupied	Affordable Owner-Occupied	Total Rental	Affordable Rental
2	54	13	108	21
3	150	37	300	60
4	144	36	288	57
Total	348	86	696	138

c. New Inclusionary Site

The Township will rezone Block 903, Lot 1, to permit inclusionary housing developments. The lot fronts on Hancock Lane and contains 5 acres of uplands, based on State Wetland Maps. The site is in a PA-2 area on the State Plan Map and is within a sewer service area. Based on proposed revisions to the R-3 and R-4 zoning requirements, this site would generate 30 owner-occupied homes of which 7 would be affordable, or 60 rental units of which 12 would be affordable. The site is shown as Site 5 in Appendix D.

d. New Age-Restricted Inclusionary Housing Zoning District

Westampton will adopt a new zoning district to permit an age-restricted inclusionary housing development proposed for Block 902, Lots 1, 2 and 3. This development would front on Hancock Lane and consist of 195 units that would continue a similar development proposed for adjacent land in Burlington Township. The Westampton site contains 42 acres of uplands. The ordinance amendment will permit a density of 5 units per acre, permit a variety of age-restricted housing types and require that 20% of the units be affordable. Affordable units built on-site would be age-restricted; however, the developer will have the option of constructing up to 50% of the affordable units at an in-town, off-site location to be identified by the Township. The off-site affordable units would not be age-restricted. The draft ordinance is included in Appendix G.

e. New Conversions

A use variance was approved in October, 2009, to permit Salt and Light, Inc. to convert an existing single-family, detached home into a two-family duplex to be used as a Class III shelter for the homeless. The property is located at 593 Fort Drive and is known as Block 1501, Lot 5.

The renovated structure will contain a two-bedroom unit on the first floor and a three-bedroom unit on the second floor. Both units will be full apartments with independent living and eating facilities. Both will be rental units that are subject to COAH rental regulations and deed restrictions.

The Township paid \$70,000 to the Salt and Light organization toward the rehabilitation costs for the two units. The funds were paid from the Township's Affordable Housing Trust Fund.

f. New Construction Conversions

1841 Burlington-Mt. Holly Road, Block 1208, Lot 1, contains a single building with commercial uses on the first floor and three apartments on the second floor. The Salt and Light organization is acquiring the site. They plan to convert the three apartments to deed-restricted affordable units while maintaining the commercial uses to help fund the operation of the site.

Salt and Light, Inc., also has submitted an application for a use variance and site plan approval to construct a second building on-site. The second building would contain 6,500 square feet of office space for Salt and Light operating staff plus two handicapped-accessible apartments on the first floor and eleven apartments on the second floor. All residential apartments would be affordable. Deed restrictions will be placed on the property to ensure compliance with State affordable housing rules and regulations. The application is scheduled to be heard in December 2011.

After construction, the development will provide 16 affordable family rental units. The approval will specify that 2 efficiency units, 8 one-bedroom units, 5 two-bedroom units and 1 three-bedroom unit be provided. Twelve of the 16 units will be designated as units affordable to low-income families.

Upon approval, the Township Committee will adopt a resolution asserting the Township's intention to bond for shortfalls that may occur in funding for the development.

g. Summary

(1) Project Freedom (rental)	72 units
(2) Existing Site #4 (rental)	57 units
[a] Rental bonus	57 units
(3) Existing Site #2 (owner)	13 units
(4) Existing Site #3 (owner)	37 units
(5) New Site #5 (owner)	7 units
(6) New age-restricted development (owner)	39 units
(7) Salt and Light (Block 1501, Lot 5) [rental]	2 units
[a] Rental bonus	2 units
(8) Salt and Light (Block 1208, Lot 1) [rental]	16 units
[a] Rental bonus	<u>16 units</u>

Total:	318 units
Obligation:	<u>227 units</u>

Potential Surplus:	91 units
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H. Development Fee Ordinance

A development fee ordinance has been adopted by the Township Committee. The mandatory fees will provide funding for the Township's Housing Element and Fair Share Plan. Funds raised may be used for any activity approved for addressing the Township's low- and moderate-income housing obligations and may include costs associated with housing rehabilitation, contributions to the cost of new construction, purchase of land for affordable housing, extending or improving roads and infrastructure serving low- and moderate-income housing, assistance designed to render units to be more affordable to low- and moderate-income residents and administrative costs as permissible under COAH rules and regulations.