

2025

Fourth Round Housing Element and Fair Share Plan

FAIRVIEW BOROUGH | BERGEN COUNTY, NEW JERSEY

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ENDORSED BY THE COUNCIL:

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Introduction

The Fair Housing Act of 1985 (the "FHA") provided a constitutional obligation for all municipalities in the State of New Jersey to provide affordable housing. Every municipality in the State was required to provide a "realistic opportunity for a fair share of its region's present and prospective needs for housing low- and moderate-income families". Through this law, a Housing Element became a mandatory part of municipal master plans. In addition, a Fair Share Plan became mandatory, which illustrates the means of achieving the goals of the Housing Element.

COAH adopted first and second round housing need numbers that required the Borough of Fairview to provide 52 low- and moderate-income housing units between the years 1993 and 1999. That figure included 34 indigenous-need units and 17 present need and prospective need units, as adjusted by COAH methodology. The Borough's Housing Element and Fair Share Plan prepared in 1996 sought credit for 146 income restricted units occupied by low-income households and an additional 20 units which were assisted by the Bergen County residential rehabilitation program. The plan therefore addressed the 52-unit obligation for the 1993-1999 housing need cycle and provided credits for 114 units, which were to be applied to the 2000-2006 housing need cycle. COAH adopted new substantive (N.J.A.C. 5:94) and procedural (N.J.A.C. 5:95) rules for the period which began December 14, 2005. Those rules also re-adjusted all municipal housing need new construction numbers from the first and second rounds. The Borough of Fairview's obligation for new construction was reduced to 20 units.

The Third-Round rules were a significant departure from the Council's first and second round methodology and implemented the "growth share" approach to affordable housing that links the production of affordable housing with actual development and projected growth. There are three components to the Third Round Methodology. They include the rehabilitation share, any remaining Prior Round obligation for the 1987-1999 time period, and the new growth share. Growth Share is generated by projections of residential and non-residential growth during the period of January 1, 2004, through January 1, 2014. The new rules state that for every eight market-rate residential unit projected to be constructed, a municipality is obligated to provide one unit that is affordable to low- or moderate-income households. In addition, a municipality is obligated to provide one affordable housing unit for every 25 newly created jobs.

On October 20, 2008, COAH's Revised *Substantive Rules* were put into effect and the Borough adopted a new Housing Element and Fair Share Plan dated October 2, 2009.

In the Spring of 2024, the New Jersey Legislature passed, and Governor Murphy signed, Law A4/S50, which amended the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). The amendments provided direction and deadlines for how a municipality must meet its fourth-round affordable housing obligations. This legislative effort was intended to create a more efficient, open, and transparent process for the fourth round and all subsequent rounds.

To effectuate compliance with the Fourth Round of Affordable Housing, municipalities must complete a series of steps and, if the steps are timely completed, the municipality retains immunity from all exclusionary zoning lawsuits, including immunity from builder's remedy lawsuits. The steps are as follows:

1. **Establish Present and Prospective Need Obligation Numbers – January 31, 2025.** The legislation required municipalities to adopt Present and Prospective Need Obligation numbers by resolution by January 31, 2025. The Borough of Fairview accomplished this step by accepting the DCA's calculations and memorializing a resolution prior to the deadline. The Borough's memorialized resolution can be found in the Appendix of this document.
2. **Period to Challenge Numbers – February 1, 2025 to February 28, 2025.** Interested parties can file a challenge to the municipality's adopted numbers. The Borough's amended prospective need obligation was challenged by the New Jersey Builder's Association (NJBA).
3. **If Challenged, Numbers Reviewed and Settled – March 1, 2025 to April 1, 2025.** The Affordable Housing Dispute Resolution program will review the municipality's proposed obligation numbers and review the challenge presented. The Borough of Fairview and the NJBA participated in a settlement conference which was successful in agreeing upon a Prospective Need obligation.
4. **Development of Housing Element and Fair Share Plan – June 30, 2025.** The HEFSP must include several components that create a realistic opportunity for the development of affordable housing units. These components should be designed to help the Borough meet its ultimate fourth-round affordable housing obligation, taking into account any adjustments to the Borough's prospective need, such as limitations caused by insufficient vacant land available for new housing construction. The statutory components of the HEFSP include, among other things, an inventory of housing, demographic and employment analyses, and considerations of lands for suitable housing development. This document will also contain areas recommended for rezoning, redevelopment, or other land use strategies to effectuate such housing development. This document will address all the statutory criteria required by the legislation to achieve conformance with this step.
5. **Challenge of Housing Element and Fair Share Plan – August 31, 2025 to December 31, 2025.** Interested parties can file a challenge to the validity of the plan and the strategies to address the obligation contained therein- by August 31, 2025. Municipalities will have until December 31, 2025, to settle any challenge or provide an explanation as to why some or all the requested changes from the intervening party will not be made. If there is a settlement, it must be reviewed and approved by the Supreme Court where the assigned Mount Laurel Judge for the county issues an order approving the settlement and the equivalent of a judgment of compliance and repose which is a form of permanent immunity from exclusionary zoning lawsuits for the Fourth Round. If there is no settlement the Program will review the plan and issue a recommendation which goes to the Superior Court where the assigned Mount Laurel Judge for the county issues a decision.
6. **Final Compliance Deadline – March 31, 2026.** March 31, 2026, is the deadline for the Borough to amend its HEFSP in the event the Borough needs to make any changes pursuant to a settlement or a decision of the Court in response to a challenge, and the deadline for the Borough to adopt the implementing ordinances to align with the plan.

Municipal Summary

The Borough of Fairview is located in the southeastern portion of Bergen County, just north of the Hudson County border. The Borough is bounded by Ridgely to the north and northwest, Cliffside Park to the northeast and east and North Bergen to the south. Bellman Creek and Wolf Creek form the Borough's western boundary line.

Fairview is accessible from a number of County and State roadways. Primary north-south roadways include Route 1 & 9, Route 65, Anderson Avenue, Bergen Boulevard, Broad Avenue, Palisade Avenue, and Gorge Road. The principal east-west roadways include Edgewater and Fairview Avenues. Route 95 to the west and Routes 1 & 9 provide links to the New Jersey Regional highway system.

The Borough is a fully developed municipality that is primarily developed residentially, with a mixture of one-family, two-family, and multi-family structures. Fairview also contains an active business district and industrial area that serves the Brough and adjoining municipalities.

Content of Housing Element

The Fair Housing Act requires that “the housing element be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing”. As per the MLUL, specifically N.J.S.A. 52:27D-310, a housing element must contain at least the following items:

- a. An inventory of the Borough’s housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential bases for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor’s office, including but not limited to the property records cards;
- b. Projection of the municipality’s housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issues, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality’s demographic characteristics, including but not necessarily limited to household size, income level, and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality’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, as established pursuant to section 3 of P.L.2024.c2(C.52:27D-304.1);
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of 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;
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021.c273(C.52:27D-329.20);
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to P.L.2024.c2(C.52:27D-304.1), and analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include the consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and
- i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportations based on guidance and technical assistance from the State Planning Commission.

Inventory of Fairview's Housing Stock

The following housing data was sourced from the 2018-2023 five-year ACS estimates.

Housing Type

According to the 2023 ACS, there are 5,724 housing units in the Borough of Fairview. The Borough's housing stock includes single-family detached, single family attached (i.e. townhomes), multi-family dwellings, and mobile homes. Single-family detached dwellings total 1,195 or 20.9% of the Borough's housing stock. Single-family-attached homes comprise 420 or 7.3% of Fairview's housing stock. As the chart on the right indicates there are 1,517, two-unit dwellings and 1,675, 5 or more-unit buildings.

Housing Type by Units in Structure		
Unit Type	Number of Units	Percent
1-unit, detached	1,195	20.9%
1-unit, attached	420	7.3%
2 units	1,517	26.5%
3 or 4 units	917	16.0%
5 to 9 units	489	8.5%
10 to 19 units	324	5.7%
20 or more units	862	15.1%
Mobile home	0	0.0%
Other	0	0.0%
Total	5,724	100%

Source: 2023 ACS Table DP04

Occupancy Status

According to the 2023 ACS estimates, 34.8% of the Borough's occupied housing stock is owner occupied while 65.2% is renter occupied. The Borough's housing vacancy rate is estimated to be 2.0 in 2023. It is important to note that the 144 total vacant units in the Borough are comprised of for rent and for sale only units.

The average household size in Fairview is 2.67 persons, while the average family size is 3.39 persons according to the 2023 ACS.

Occupancy Status		
	Households	Percent
Occupied Total	5,580	97.5%
Owner Occupied	1,944	34.8%
Renter Occupied	3,636	65.2%
Vacant Total	144	2.5%
For rent	105	72.9%
Rented, not occupied	0	0.0%
For Sale only	39	27.1%
Sold, no occupied	0	0.0%
Seasonal	0	0.0%
For migrant workers		
Other	0	0.0%
Total	5,724	100%

Source: 2023 ACS tables DP04 & B25004

Value and Rent of Housing Stock

The ACS provides value estimates for owner-occupied housing units. Of Fairview's estimated 1,944 owner-occupied housing units, the majority of homes (50.3%) are valued at between \$500,000 to \$999,999, while there are 0 homes valued between \$150,000 to \$199,999. See the table below for details.

Value of Owner-Occupied Units		
Value	Number of Units	Percent
Less Than \$149,999	49	2.5%
\$150,000 to \$199,999	0	0.0%
\$200,000 to \$299,999	354	18.2%
\$300,000 to \$499,999	535	27.5%
\$500,000 to \$999,999	978	50.3%
\$1,000,000 or more	28	1.4%
Total	1,944	100.0%

Source: 2023 ACS table DP04

Over 43% of rentals in Fairview have rents priced less than \$1,499 per month. Units with rents of \$3,000 or more comprise only 1.7% of rentals in the Borough. See the table below for more information.

Cost of Rentals		
Cost	Number of Units	Percent
Less Than \$1,499	1,581	43.9%
\$1,500 to \$1,999	1,133	31.4%
\$2,000 to \$2,499	406	11.3%
\$2,500 to \$2,999	421	11.7%
\$3,000 or more	62	1.7%
Total	3,603	100%

Source: 2023 ACS table DP04

Condition of Housing Stock

The Census does not classify housing units as standard or substandard, but it can provide an estimate of substandard housing units that are occupied by low- and moderate-income households. The Appellate Division upheld COAH's use of three indicators to determine substandard housing in the State. Those three indicators are houses built before 1959 and which are overcrowded with more than one person per room. The second indicator is homes lacking complete plumbing and the third indicator is homes lacking kitchen facilities.

The Census indicators available at the municipal level indicate a sound housing stock, as displayed by the following three (3) data tables. According to the 2023 ACS, all but 1.3% or 73 homes of occupied units within the Borough contain complete kitchen facilities.

Condition of Housing Stock		
Fuel Type	Number of Units	Percent
Lacking complete plumbing facilities	0	0.0%
Lacking complete kitchen facilities	73	1.3%
No telephone service available	222	4.0%
Total	5,580	4.6%

Source: 2023 ACS table DP04

Housing with 1.01 or more person per room is an index of overcrowding. In 2023, the ACS found that there were 551 occupied housing units within the Borough that were “overcrowded”. It should be noted that 90.1% of the housing units contained less than 1.00 persons per room.

Occupants Per Room		
Occupants	Number of Units	Percent
1.00 or less	5,029	90.1%
1.01 to 1.50	364	6.5%
1.51 or more	187	3.4%
Total	5,580	100%

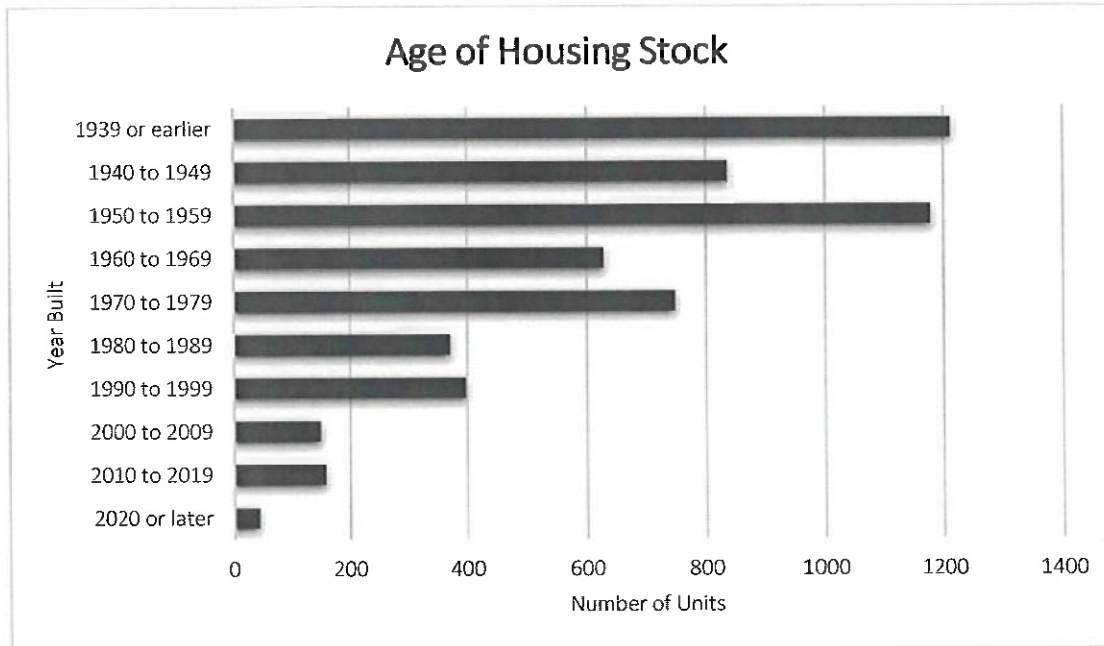
Source: 2023 ACS table DP04

Housing units built in 1975 or earlier are now flagged instead of units built in 1959 or earlier. Research has determined that units built 50 or more years ago are much more likely to be in substandard condition. Included in the rehabilitation calculation are overcrowded units and dilapidated housing. Overcrowded units are defined by the U.S. Department of Housing and Urban Development as those with more than one person living per room.

The table and bar graph on this page and the following page provide the 2023 ACS data on the age of housing stock. The largest number of housing units constructed in the Borough were prior to 1940, with 1,213 units or 21.2% of housing units in the Borough were constructed 1939 or earlier.

Age of Housing Stock		
Year Built	Number of Units	Percent
Built 2020 or later	43	0.8%
Built 2010 to 2019	158	2.8%
Built 2000 to 2009	149	2.6%
Built 1990 to 1999	398	7.0%
Built 1980 to 1989	371	6.5%
Built 1970 to 1979	749	13.1%
Built 1960 to 1969	629	11.0%
Built 1950 to 1959	1,178	20.6%
Built 1940 to 1949	836	14.6%
Built 1939 or earlier	1,213	21.2%
Total	5,724	100%

Source: 2023 ACS Table DP04



Projection of Housing Stock

As per the MLUL, specifically N.J.S.A 52:27D-310, a housing element must contain a projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing for the next ten years, taking into account, but not necessarily limited to construction permits issued, approvals of applications for development, and probable residential development of lands.

The Department of Community Affairs' Division of Codes and Standards website provides data on Certificates of Occupancy and demolition permits for both residential and non-residential development. Within the Division of Codes and Standards website is the New Jersey Construction Reporter, which contains building permit, certificate of occupancy (hereinafter "CO"), and demolition data that is submitted by municipal construction officials within the State each month. The New Jersey Construction Reporter has information dating back to 2000, which can be used to show the Borough's historic development trends.

As shown in the table below, 495 new homes were built and issues COs between 2013 and 2023 while 55 were demolished in the Borough of Fairview. As shown in the table below, the greatest numbers of CO's issued occurred between 2017 and 2019.

Historic Trends of Residential COs and Demolition Permits												
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
COs Issued	2	5	15	6	131	134	140	4	19	23	16	495
Demolitions	1	6	11	2	3	12	8	3	3	6	0	55
Total	3	11	26	8	134	25	146	7	22	29	16	550

Source: New Jersey Construction Reporter from the NJ DCA

Looking at historic development patterns shown in the previous table, the Borough anticipates two (2) multi-family developments in the next ten years. The Borough of Fairview Zoning Board of Adjustment approved the application for 429-439 Fairview Avenue to construct a four-story, multi-family residential building above two levels of parking. The Borough of Fairview Zoning Board of Adjustment also approved the application for 251-285 Broad Avenue to construct a six-story, multifamily residential building with parking and an adjacent commercial/retail building.

Projection of Residential Development			
Approved Development, Under Construction	'24	'25	Total
429-439 Fairview Avenue	30 units	-	30 units
Approved Development, Not Yet Under Construction			
251-281 Broad Avenue	112 units	-	112 units
Projected Development			
Total			142 units

Low- and Moderate-Income Housing Units Previously Constructed

The Borough of Fairview had a Prior Round Obligation of 20 units, which was addressed by credits from the 146-unit new construction of the Fairview Building (15 credits and 5 rental bonus credits). The Borough's Growth Share Obligation was 44 units. The Borough utilized additional credits from the Fairview Building (33 credits and 11 rental bonus credits) to address this obligation.

Low- and Moderate-Income Housing Units Previously Rehabilitated

The Borough's Rehabilitation Obligation in the Third Round was 164 units. COAH regulations only permitted units rehabilitated after April 1, 2000, to be eligible for credits against the rehabilitation share. The Borough's participation in the Bergen County Housing Improvement Program (BCHIP) resulted in the rehabilitation of eight (8) units. Additionally, 22 units were rehabilitated through the Borough of Fairview Housing Program (FHP).

Vacant Land Adjustment

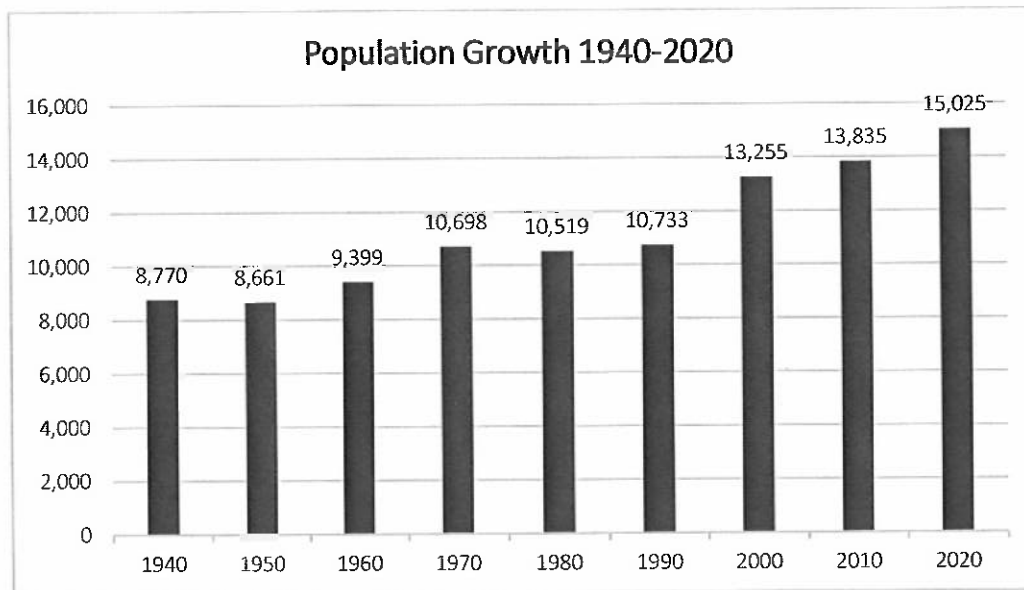
Future development opportunities in Fairview were assessed as part of a vacant land adjustment and the imposition of a realistic development potential (RDP) analysis that was undertaken pursuant to COAH's Second Round regulations. As discussed in more details in the Fair Share Plan section of this report. The Borough has determined that there is not sufficient land within the Borough to construct any new units.

Fairview's Population Demographics

Fairview's population experienced a slight decrease from 1940 to 1950 and again from 1970 to 1980. However, from 1990 to 2020, there has been a steady increase in population. The 2020 US Census Bureau reports the Borough's population to be 15,025 people. The table and chart on the next page contain additional information. It shall be noted that the five-year American Community Survey (hereinafter "ACS") data from the US Census Bureau provided estimates of population, housing and employment estimates between the major Census reports each decade. In an effort to display the most up to date information, the data used in this report is source from the 2018-2022 five-year ACS estimates.

Population Growth		
Year	Population	Percent Change
1940	8,770	-%
1950	8,661	-1.2%
1960	9,399	8.5%
1970	10,698	13.8%
1980	10,519	-1.7%
1990	10,733	2.0%
2000	13,255	23.5%
2010	13,835	4.2%
2020	15,025	8.6%

Source: US Census Bureau, 2000, 2010, 2020



Age Distribution of Population

The 2023 ACS estimates that 1,888 or 12.7% of the population is 65 years or older, while the percentage of children aged 19 or younger, comprised 2,880 or 19.3% of the Borough's population. Residents aged 35 to 44 years old comprised the largest age cohort with approximately 17.9% of residents falling into this category. The ACS indicates that the Borough's median age was 39.0 years old. See the table on the next page additional details.

Population By Age Cohort		
Age	Total	Percent
Under 5 years	759	5.1%
5 to 9 years	644	4.3%
10 to 14 years	877	5.9%
15 to 19 years	600	4.0%
20 to 24 years	1,277	8.6%
25 to 34 years	2,302	15.4%
35 to 44 years	2,672	17.9%
45 to 54 years	2,212	14.8%
55 to 59 years	667	4.5%
60 to 64 years	1,022	6.8%
65 to 74 years	984	6.6%
75 to 84 years	561	3.8%
85 years and over	343	2.3%
Total	14,920	100%

Source: 2023 ACS Table DP05

Household Size and Type

According to the 2023 ACS estimates, Fairview contained 5,580 households. The Borough had a total of 3,646, or 65.3%, family households. Married-couple families with children under 18 comprised 27 of households within the Borough, whereas 34.7% were non-family households in 2023. Non-family households include persons living alone or a householder who is not related to any of the other persons sharing their home.

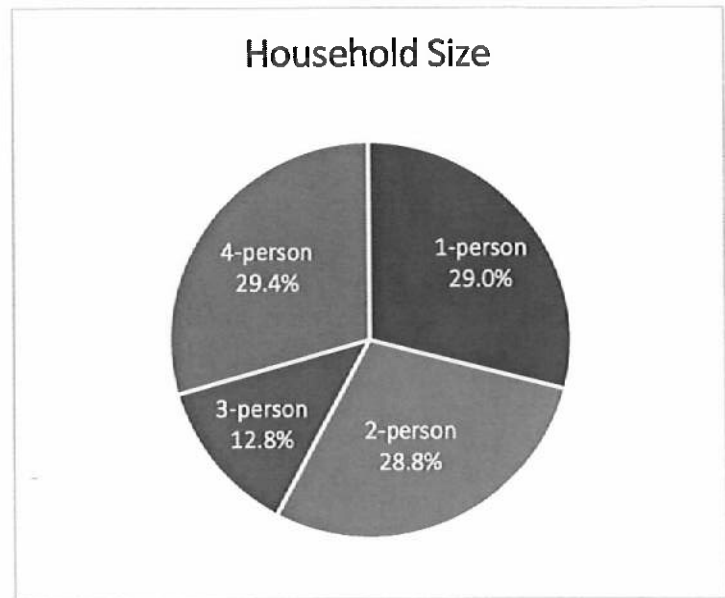
Household Type and Size		
Type	Number	Percent
Family Households	3,646	65.3%
Married couple family	2,459	67.4%
with children under 18	985	27.0%
Male Householder, no spouse	391	15.9%
Female Householder, no spouse	796	32.4%
Non-family Households	1,934	34.7%
Total	5,580	100%

Source: 2023 ACS Table S1101

As illustrated in the table on the next page, the most common household size within Fairview in 2023 was a 4 or more-person household, which totaled 29.4% of all households. Second most common was a 1-person household with 29.0% of all households. Households of 2-persons comprised 28.8% of all households within the Borough. Households of 3-persons only comprise 12.8% of all households.

Household Size		
Size	Total	Percent
1-person	1,616	29.0%
2-person	1,609	28.8%
3-person	713	12.8%
4 or more person	1,642	29.4%
Total	1,678	100%

Source: 2023 ACS Table S2501



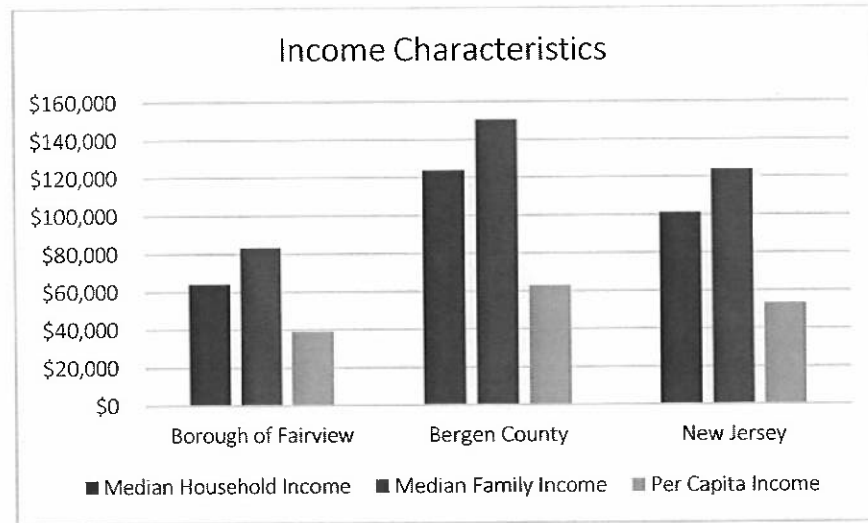
Income and Poverty Status

The ACS estimates that the median household, median family income, and per capita income for the Borough of Fairview was significantly less than the incomes for Bergen County and New Jersey. Fairview's median household income was \$64,152, compared to \$123,715 for Bergen County and \$101,050 for the State. The median family income in the borough is \$67,350 less than the County median and approximately \$40,767 less than the State's. The median per capita income for the borough is \$24,071 less than the County's and approximately \$14,203 less than the State's.

Individual poverty is at 17.7% in Fairview compared to 6.7% in the County and 9.8% in the State. See the table and chart below for additional details.

Income Characteristics			
Income type	Borough of Fairview	Bergen County	New Jersey
Median Household Income	\$64,152	\$123,715	\$101,050
Median Family Income	\$83,125	\$150,475	\$123,892
Per Capita Income	\$38,915	\$62,986	\$53,118
Poverty Status (Percent of People)	17.7%	6.7%	9.8%
Poverty Status (Percent of Families)	15.0%	5.0%	7.0%

Source: 2023 ACS table S1901, B19301, S1701, S1702



According to the 2023 ACS data, a majority of households (15.8%) in Fairview earn between \$50,000 to \$74,999 per year. This compares to 11.4% of households in the County and 12.9% of households in the State. On the opposite end of the spectrum, 37.7% of households earn \$50,000 or less per year compared to 20.4% in the County and 25.2% in the State.

Household Income						
	Borough of Fairview		Bergen County		New Jersey	
	Total	Percent	Total	Percent	Total	Percent
Less Than \$10,000	257	4.6%	11,201	3.6%	140,262	4.0%
\$10,000 to \$14,999	255	4.6%	7,234	2.3%	99,362	2.9%
\$15,000 to \$24,999	415	7.4%	13,282	4.0%	175,402	5.0%
\$25,000 to \$34,999	731	13.1%	15,240	4.0%	184,753	5.3%
\$35,000 to \$49,999	447	8.0%	23,079	6.5%	276,601	8.0%
\$50,000 to \$74,999	882	15.8%	39,916	11.4%	448,192	12.9%
\$75,000 to \$99,999	772	13.8%	35,056	10.9%	397,939	11.4%
\$100,000 to \$149,999	650	11.6%	62,751	18.2%	627,526	18.0%
\$150,000 to \$199,999	423	7.6%	45,164	12.1%	407,723	11.7%
\$200,000 or more	748	13.4%	100,384	27.0%	720,595	20.7%
Total	5,580	100%	353,307	100%	3,478,355	100%

Source: 2023 ACS table B19001 & S1901

Fairview's Employment Demographics

This chapter provides a snapshot of employment within Fairview, including the types of industries within the community. The 2023 ACS estimates that Fairview has 8,643 residents in the labor force. The labor force consists of approximately 62.7% employed person and 5.6% unemployed persons.

The majority of works within the Borough are reported to be private wage and salary workers. Just over 6,916 or 87.2% of those employed fall into this category. Approximately 4.9% of workers are government employees and 7.6% are self-employed. The ACS estimates 25 workers are unpaid family workers.

Class of Worker		
Class of Worker	Number of Workers	Percent
Private wage and salary workers	6,916	87.2%
Government workers	389	4.9%
Self-employed in own not incorporated business workers	601	7.6%
Unpaid family workers	25	0.3%
Total Employed Residents	7,931	62.7%
Total Unemployed Residents	712	5.6%
Total Residents in the Workforce	8,643	100%

Source: 2023 ACS Table DP03

Occupational Characteristics

The ACS estimates that 32.1% of the Borough's residents are employed in management, business, science, and arts occupations. The sales and office occupations employ 1,279 residents, or 16.1%, of the working population. Service occupations employ 24.9% or 1,976 residents. Natural resources, construction, and maintenance occupations employ 667 residents or 8.4% and production, transportation, and material moving occupations employ 1,465 residents and 18.5% of the working population.

Employed Civilian Population by Occupation (Age 16 Years or Older)				
Occupation	Borough of Fairview		Bergen County	
	Total	Percent	Total	Percent
Management, business, science, and arts occupations	2,544	32.1%	263,942	53.3%
Service occupations	1,976	24.9%	61,574	12.4%
Sales and office occupations	1,279	16.1%	101,185	20.4%
Natural resources, construction, and maintenance occupations	667	8.4%	25,740	5.2%
Production, transportation, and material moving occupations	1,465	18.5%	42,480	8.6%
Total	7,931	100%	494,921	100%

Source: 2023 ACS Table DP03

Employment Projections

The NJTPA estimates that employment within the Borough will grow by 481 jobs by 2050. To achieve this projection, Fairview would need to create 13.7 new jobs per year during the 35-year period.

Employment Projections			
Year	Jobs	Change	Percent
2015	2,403	---	---
2050	2,884	481	0.5%

Source: NJTPA Plan 2050, Appendix E; NJTAP Plan 2040, Appendix A (for 2020 data)

Employment by Professions

Educational services, and health care and social assistance made up the largest component of the workforce with 1,428 persons or 18.0%. The second largest cohort is retail trade with 1,163 persons or 14.7%.

Employed Person by Profession		
Occupation	Number of Persons	Percent
Agriculture, forestry, fishing and hunting, and mining	13	0.2%
Construction	730	9.2%
Manufacturing	781	9.8%
Wholesale trade	94	1.2%
Retail trade	1,163	14.7%
Transportation and warehousing, and utilities	558	7.0%
Information	20	0.3%
Finance and insurance, and real estate and rental and leasing	575	7.3%
Professional, scientific, and management, and administrative and waste management services	831	10.5%
Educational services, and health care and social assistance	1,428	18.0%
Arts, entertainment, and recreation, and accommodation and food services	946	11.9%
Other services, except public administration	681	8.6%
Public administration	111	1.4%
Total	7,931	100%

Source: 2023 ACS Table DP03

Capacity for Fair Share

This chapter of the HEFSP provides the following information as required by the rules:

- The Borough's capacity to accommodate its housing needs.
- 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.
- Lands of developers who have expressed a commitment to provide low- and moderate-income housing.
- The location and capacities of existing and proposed water and sewer lines and facilities relevant to the proposed affordable housing sites.

Land Capacity

Fairview is a predominantly fully developed community with little opportunity for continued growth with the exception of limited infill development and redevelopment. Most of the vacant land that exists within the Borough are not appropriate for development because they are too small, landlocked, or environmentally constrained.

Utility Capacity

There is sufficient overall water and sewer capacity to serve future developments within the Borough. However, to determine if infrastructure upgrades are required, the Borough would need to perform a detailed study of the affordable housing sites and their surrounding utility infrastructure. The study would need to include sanitary sewer and water service reports for each development, the condition, size, location and existing capacities and pressures would need to be determined.

Appropriate Locations for Affordable Housing

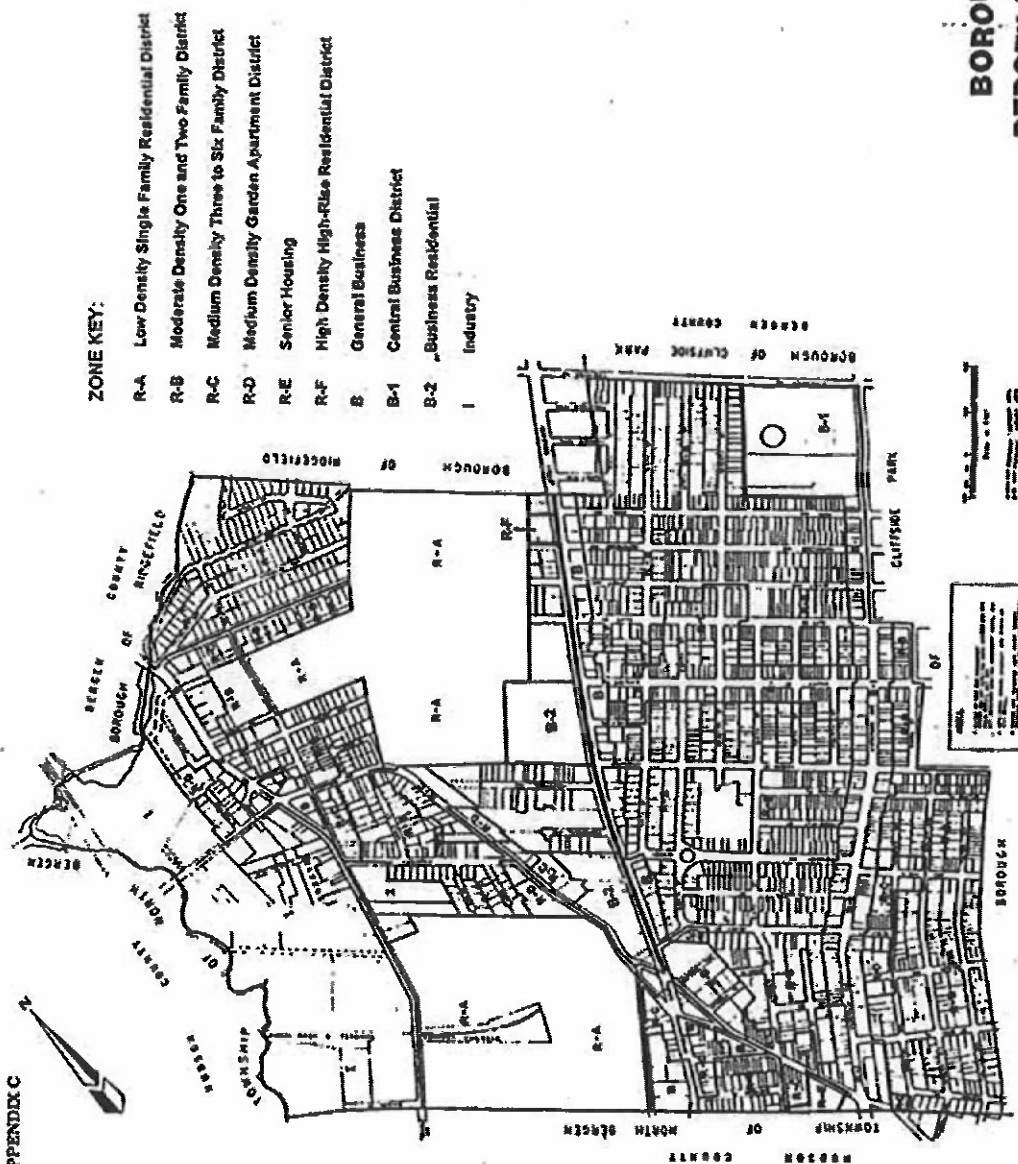
Land that is most appropriate for the construction of low- and moderate-income housing in the Fourth Round includes the following approved, proposed, and anticipated projects. At this time, the Borough of Fairview anticipates two (2) projects to be developed with affordable housing. The Borough recently approved 429-439 Fairview Avenue, a 30-unit multi-family building inclusive of a 15% set aside for affordable housing. The project will result in 5 affordable housing units. The Borough also approved 251-281 Broad Avenue, a 112-unit, mixed-use building. The project consisted of a 10% affordable housing set aside and would result in the construction of 11 affordable units. In addition, a Borough wide affordable housing ordinance is being proposed with this plan to make efforts towards achieving affordable housing units in the future.

Anticipated Development Patterns

Anticipated land use patterns within the Borough of Fairview will follow the established zoning map (shown on the following page). The Borough has a variety of zoning districts including low density single-family residential, moderate density one- and two-family, medium density three to six family, medium density garden apartment, senior housing, high density high-rise residential, general business, central business, business residential, and industry.

LAND USE AND DEVELOPMENT REGULATIONS
25 Attachment 3

APPENDIX C



ZONING
REVISED: 1/22/98

BOROUGH OF FAIRVIEW
BERGEN COUNTY, NEW JERSEY

Multigenerational Family Housing Continuity

Pursuant to the Amended FHA, an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity is required in each municipality's Housing Element and Fair Share Plan. Plans shall follow the recommendations of the Multigenerational Family Housing Continuity Commission.

On November 8, 2021, the Senate and General Assembly of the State of New Jersey adopted C.52:27D-329.20, which established the "Multigenerational Family Housing Continuity Commission" for the purpose of conducting research, obtaining public input, and adopting recommendations on how to most effectively advance the goal of enhancing multigenerational family housing continuity, which can be defined broadly as the degree to which senior citizens are able to reside at the homes of their extended families.

The bill requires each Municipality's Housing Plan Element to provide an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal as described in the recommendations of the commission.

The Borough of Fairview has a history of being committed to promoting multigenerational family continuity and will continue to do so through the Fourth Round. Fairview has diverse housing options in a manner consistent with the regulation. Additionally, the Borough is employing a variety of approaches to accomplish this task through a variety of housing types and affordability levels in close proximity to public transportation (such as the train station and bus stops), shopping centers, and the downtown.

Consistency with the State Development and Redevelopment Plan

The Fourth Round Housing Element and Fair Share Plan is consistent with the 2001 State Development and Redevelopment Plan (SDRP) and the proposed SDRP that is currently in cross-acceptance process as the projects will provide a realistic opportunity for the construction of affordable housing as the projects are located in State Planning area designated as PA-1, which is the Metro Planning Area. Pursuant to the SDRP, PA-1 is the preferred location for redevelopment for compact growth. The development of affordable housing in PA-1 is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into PA-1 areas as the intentions of the Metropolitan Planning Area are to provide for much of the state's future redevelopment promote growth in compact forms. The Borough's Fourth Round Plan is consistent with the 2001 SDRP.

Affordable Housing Trust Fund

A development fee ordinance creating a dedicated revenue source for affordable housing was adopted by the Borough in 2010.

The Spending Plan is included in the appendix to this Housing Plan, which discusses the anticipated revenues, collection of revenues and the use of revenues, and was prepared in accordance with former COAH's applicable substantive rules. All collected revenue will be placed in the Borough's Affordable Housing Trust Fund and may be dispensed for the use of eligible affordable housing activities, but not limited to:

- Rehabilitation program;
- New construction of affordable housing units and related development costs;
- Extensions or improvements of roads and infrastructure directly serving affordable housing development sites;
- Acquisitions and/or improvements of land to be used for affordable housing;
- Purchase of affordable housing units for the purpose of maintaining or implementing affordability controls;
- Maintenance and repair of affordable housing units;
- Repayment of municipal bonds issued to finance low and moderate-income housing activity; and,
- Any other activity as specified in the approved spending plan.

However, the Borough is required to fund eligible programs in a Court-approved Housing Element and Fair Share Plan, as well as provide affordability assistance.

At least 30% of collected development fees, excluding expenditures made since July 17, 2008, when affordability assistance became a statutory requirement in the Fair Housing Act, shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in a municipal Fair Share Plan. At least one third (1/3) of the affordability assistance must be expended on very-low-income units. Additionally, no more than 20% of the revenues collected from development fees each year, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to prepare or implement a rehabilitation program, a new construction program, a housing element and fair share plan and/or an affirmative marketing program.

Monitoring

The Borough will comply with monitoring provisions consistent with those required by the Fair Housing Act and similar. The monitoring requires regular tracking of progress towards meeting the affordable housing obligations and ensuring the affordable units and affordable housing trust fund are administered properly as follows:

- February 1st of each year- The Borough will provide an annual reporting of the status of all affordable housing activity within the Borough through posting on the municipal website and certifying the account on the Department of Community Affairs' portal.

Fair Share Plan

Content of Fair Share Plan

The Fair Share Plan contains the following information:

- Regional income limits;
- Description of existing credits intended to satisfy the obligation;
- Description of proposed mechanisms that will be used to meet any outstanding obligations; and
- An implementation schedule that sets forth a detailed timeline for units to be approved.

This section of the report addresses the municipality's total 1987 through 2035 fair share obligation and describes how the municipality will meet its overall obligation. The Fair Share Plan shall be adopted by the Planning Board and endorsed by the governing body prior to the municipal petition for substantive certification.

Regional Income Limits

Dwelling units are affordable to low- and moderate-income households if the maximum sales price or rental cost is within their ability to pay such costs, based on a specific formula. COAH historically provided income limits based upon the median gross household income of the affordable housing region in which the household is located. A moderate-income household is one with a gross household income equal to or more than 50% but less than 80% of the median gross regional household income. A low-income household is one with a gross household income equal to 50% or less of the median gross regional household income. Very-low-income households are those with a gross household income equal to 30% or less of the median gross household income. Fairview is in Region 1, which contains Bergen, Hudson, Passaic, and Sussex County.

Using the 2024 regional income limits, a four-person household moderate-income is capped at \$96,329. Two-person households could make up to \$77,064 and be considered a moderate-income household or make up to \$48,165 and be considered a low-income household. See the table below for greater detail.

2024 Regional Income Limits for Region 1				
Income	Household Size			
	1 Person	2 Person	3 Person	4 Person
Median	\$84,288	\$96,329	\$108,371	\$120,412
Moderate	\$67,431	\$77,064	\$86,697	\$96,329
Low	\$42,144	\$48,165	\$54,185	\$60,206
Very Low	\$25,286	\$28,899	\$32,511	\$36,124

Source: https://ahpnj.org/member_docs/Income_Limits_2024_FINAL.pdf

Prior and Third Round Compliance

The Borough of Fairview had a Prior Round Obligation of 20 units, which was addressed by credits from the 146-unit new construction of the Fairview Building (15 credits and 5 rental bonus credits). The Borough's Growth Share Obligation was 44 units. The Borough utilized additional credits from the Fairview Building (33 credits and 11 rental bonus credits) to address this obligation.

Third Round Rehabilitation Obligation

The Borough's Rehabilitation Obligation in the Third Round was 164 units. COAH regulations only permitted units rehabilitated after April 1, 2000, to be eligible for credits against the rehabilitation share. The Borough's participation in the Bergen County Housing Improvement Program (BCHIP) resulted in the rehabilitation of eight (8) units. Additionally, 22 units were rehabilitated through the Borough of Fairview Housing Program (FHP).

Fourth Round Compliance Status

Fairview's Fair Share Plan describes the various projects and strategies the Borough proposes to address its affordable housing obligations. There are four components – the Borough's Present Need (Rehabilitation) Obligation, Prior Round Obligation, Third Round Obligation, and Fourth Round Prospective Need Obligation.

Affordable Housing Obligations

This Fourth Round Housing Element and Fair Share Plan addresses the following affordable housing obligations:

Present Need (Rehabilitation Obligation): **313**

Prior Round Obligation (1987-1999): **20**

Third Round Obligation (1999-2025): **44**

Fourth Round Prospective Need Obligation (2025-2035): **95, RDP results in adjusted obligation of 16 units**

Addressing The Present Need

The Borough plans to meet its three hundred and thirteen (313) unit Present Need obligation through continuing participation in the Bergen County Home Improvement Program (BCHIP) and the Borough of Fairview Housing Program. The BCHIP provides assistance to owner/occupants of one- and two-family homes in making necessary repairs to their homes. The BCHIP provides loans up to \$17,500 for a one-family and up to \$25,000 for a two-family home at a simple rate of 3%. The Borough intends to continue participation in BCHIP to address its Fourth Round Rehabilitation Obligation. This program was utilized in the previous rounds and continues to be successful. This municipal program shall meet the requirements in N.J.A.C. 5:93-5.2.

The Borough of Fairview has three (3) affordable housing complexes inclusive of 204 Section 8 apartments and 146 low-income housing units:

- 371 Bergen Boulevard – Low Income Housing
- Fairview Apartments – Low Income Housing
- Eastview Towers – Section 8

There are four (4) housing authorities that serve the area:

- Cliffside Park Housing Authority
- Edgewater Housing Authority
- Englewood Housing Authority
- Fort Lee Housing Authority

Addressing The Prior Round Obligation and The Third Round Obligation

The Borough has a Prior Round Obligation of **twenty (20)** and a Third Round Obligation of **forty-four (44)**. There is therefore no Prior or Third Round Obligation for the Borough to address. The Borough met its Prior Round obligation through a combination of 100 percent affordable housing projects and bonus credits.

Addressing The Fourth Round Prospective Need Obligation

The Borough will address its Fourth Round Prospective Need Obligation of **ninety-five (95)** as follows:

Fourth Round Rental Obligation

The Borough must provide at least 25 percent of the Prospective Need component through rental units. Therefore, based on the Borough's obligation of 95, its rental obligation is 25 percent, or **twenty-four (24)** units. In consideration of the adjusted obligation, the rental obligation is **4 units**. The Borough anticipates rental units will be generated through the Mandatory Set-Aside Ordinance (MSO).

Fourth Round Age-Restricted Housing

Municipalities are permitted to age-restrict up to 30 percent of the Fourth-Round obligation of 95, or **twenty-nine (29 units)**. In consideration of the adjusted obligation, the age-restricted cap is **five (5)**.

Fourth Round Very-low-Income Housing Obligation

As a result of the July 2008 amendments to the Fair Housing Act, all municipalities have an obligation to ensure that at least 13 percent of affordable units being provided Borough wide, with the exception of units constructed as of July 1, 2008, and units subject to preliminary or final site plan approval as of July 1, 2008, are affordable to very low-income households (households that earn 30 percent or less of the median income).

The Borough anticipates that additional very-low-income units will be provided via future affordable housing projects through the Mandatory Set Aside Ordinance. The Borough will ensure that the 13% very-low-income obligation is satisfied through any new projects, and that any very-low-income units built after 2008 are inventoried and accounted for.

Fourth Round Rental Bonus Credits

The Borough is entitled to rental bonus credits according to the maximum 25% cap permitted. Based upon the Fourth-Round obligation of 95, the Borough is permitted up to **twenty-nine (29)** bonus credits. In consideration of the adjusted obligation, the bonus cap is **four (4)**.

Fourth Round Family Units

The minimum number of Fourth Round units that are required to address its prospective need affordable housing obligation through the creation of housing available for families with children is 50%. Therefore, the Borough would require a minimum of 50% of the total Fourth Round obligation of 95 less the total of bonus credits of 29, or a 50% requirement of **33 units**. In consideration of the adjusted obligation, **6 units** will be made available for families with children.

Vacant Land Adjustment

Future development opportunities in Fairview were assessed as part of a vacant land adjustment and the imposition of a realistic development potential (RDP) analysis that was undertaken pursuant to COAH's

Second Round regulations. As discussed in more details in the Appendix section of this report. The VLA determined there are no lands within the Borough that are vacant and developable and future development would have to take place in the form of redevelopment. Based on the approved projects listed in the table below, the Borough has determined that it has an **RDP of 16 affordable housing units**.

Projects to Address Fairview's Prior and Third Round Obligation			
Block and Lot	Address	Total Affordable Units	Status
B: 217 L: 12	429-439 Fairview Avenue	5	Approved by ZBA
B: 802 L: 1-4	251-281 Broad Avenue	11	Approved by ZBA
TOTAL FOR FOURTH ROUND		16	

Mandatory Set-Aside Ordinance (MSO)

The Borough will adopt a Borough wide Mandatory Set-Aside Ordinance for inclusionary projects in which the low and moderate units are to be offered for sale, the minimum set-aside percentage shall be twenty percent (20%); for projects in which the low- and moderate-income units are to be offered for rent, the minimum set-aside percentage shall be fifteen percent (15%). This ordinance shall apply to all multi-family projects of 5 or more new dwelling units as a result of a subdivision or site plan approval, rezoning, use variance, redevelopment plan or rehabilitation plan approved by the Borough or a Borough land use board shall be required to set aside a minimum percentage of units for affordable housing. Where the set-aside percentage results in a fractional unit, the total set-aside requirement shall be rounded upwards to the next whole number. It is anticipated that this Ordinance will capture additional affordable housing units in the Fourth Round.

Existing Credits

Fairview has 82 existing credits from the Prior Round and Third Round, these credits are associated with the Fairview Building, a 146-unit building. The Prior Round utilized 20 credits and the Third Round utilized 44 credits.