

2025 Housing Element & Fair Share Plan

PREPARED FOR:

Township of Rochelle Park Land Use Board

BA: 4295.01

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Community Planning
Land Development and Design
Landscape Architecture

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2025 Housing Element and Fair Share Plan

Township of Rochelle Park
Bergen County, New Jersey

Prepared for the Rochelle Park
Land Use Board

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The original document was appropriately signed and sealed on June 12, 2025 in accordance with
Chapter 41 of Title 13 of the State Board of Professional Planners

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Executive Summary

The 2025 Township of Rochelle Park Housing Element and Fair Share Plan (HE&FSP) is designed to address the way the Township will fulfill its affordable housing obligations. These obligations and the manner in which they are addressed are derived from a variety of sources, including regulatory provisions from the Council on Affordable Housing (COAH), prior settlement agreements with Fair Share Housing Center (FSHC), and the most recent legislation on the 4th Round of the affordable housing issue and associated calculations by the Department of Community Affairs (DCA).

These obligations are summarized as follows:

Table 1: Affordable Housing Obligation Summary

Category	Obligation
First & Second Round Obligation (1987-1999)	64
Third Round Obligation (1999-2025)	165
Fourth Round Obligation (2025-2035)	109
Present Need (Rehabilitation) Obligation	10

First and Second Round Obligations

The Township was assigned a 1st and 2nd Round Obligation of 64 units. The Township had received a First Round Judgment of Compliance and repose in 1991 resulting from a builder's remedy lawsuit. This Judgment included a vacant land adjustment indicating that the lawsuit's site (known as the Koziel property) was the only developable site in the Township. The result was the First Round obligation was reduced from 118 units to a 9 unit realistic development potential (RDP), which was to be satisfied on the Koziel property. The concept of unmet need did not exist as part of this 1st Round of affordable housing ..

During the pendency of the 2nd Round, Koziel approached the Township with a revised plan, resulting in the provision of 4 affordable units to be placed on-site, with the developer funding a payment-in-lieu of affordable housing that would go to either a will receiving municipality through a Regional Contribution Agreement or to a housing trust fund. The projects was subsequently completed and a monetary payment of \$100,000 was made to the Township.

Third Round Obligation

The Township's 3rd Round HE&FSP indicates the Township had 3rd Round obligation of 109 units that was reduced to a combined prior round and 3rd Round realistic development potential (RDP) of 43 units, resulting in a combined 2nd Round/3rd Rund unmet need of 186 units. The projects identified in the 3rd Round Plan to meet this 43 unit RDP are summarized in the accompanying table.

Table 2: 2ND/3RD Round Plan Components

Plan Component	Total AH Credits	Type of Affordable Unit/Credits	Status
Northern Park	4	Age-restricted rental	Completed
120 W. Passaic St Redevelopment Plan	24	Inclusionary redevelopment plan, w/15% set-aside	Redeveloper designated; amended redevelopment plan adopted
Mercury Rising	4	Group Home	Ct-approved Agreement
Rental Bonuses: Mercury Rising 120 Passaic St	3 8		
Total	43		

Fourth Round Obligation

1. The Township will satisfy its 10 unit RDP obligation and a portion of its unmet need through the designation of the following sites:
 - a. 29 Fairfield Dr/70 West Passaic Street: This property is located on the northwest corner of W. Passaic Street and Fairfield Drive, and extends northward to Plaza Way. It occupies an area of 1.3 acres and is irregular in shape. The tract is developed with a dwelling and two detached garages. It is located in an area with a variety of uses, including low density residential development to the north in Paramus above Plaza Way and to the west along Fairfield Drive, a mix of commercial, office and residential development along W. Passaic Street, business uses to the east uses and to the south.

This Plan calls for the site to be developed at 15 units per acre, which would result in a total of 19 units on site. A 20 percent set-aside would result in 4 affordable housing units being constructed on-site.

It is noted that there was a request to allow a total of 300 units on this 1.3 acre property which would be built within the construction of a 13 story building. The plans called for a total of 310 parking spaces to serve its residents and visitors to the site, which represents 1.03 spaces per unit which does not appear to be consistent with RSIS standards. It is also noted that the request for 300 units on 1.3 acres represents a density of 228 units per acre, which is extremely inconsistent, and not reflective at all, with the character of the area and community at large.

This proposal is therefore rejected by the Township, as it does not reflect the established residential development pattern in the immediate vicinity of the site, which is typified by low-rise construction adjacent to and across the street from this property. While it is acknowledged there is a tall structure across the street along W. Passaic Street, this is a non-residential building with very few employees due to the nature of its occupancy, and it doesn't preclude the Township from acknowledging the low density residential land use pattern to the immediate east and north.

- b. 210 & 222 Rochelle Ave: This property is on the easterly side of Rochelle Ave at Central Ave. It occupies an area of 1.45 acres and is irregular in shape. It is developed with a bank and a diner.

This site was the subject of an approved non-condemnation Area In Need of Redevelopment (AINR) designation in 2019, as well as an updated evaluation indicating that, while the site has not been redeveloped, for mixed use at-grade retail with apartments above as contemplated in a redevelopment plan, the site continues to be meet the standards of the AINR designation.

This Plan thus calls for the site to be developed for mixed-use with at-grade retail and apartments above at a density of 20 units per acre, resulting in 29 apartments. This would include a 20 percent for affordable units, resulting in 6 of the units being deed-restricted for income-qualified affordable households.

Based on the above, these two above-noted developments would address the ten unit RDP obligation of the Township. The following site would be utilized to address a portion of the Township's unmet need.

- c. 375 West Passaic Street: This property occupies an area of 3.89 acres. It is currently occupied by a Ramada Inn. The Township has been in preliminary discussions to facilitate this site's redevelopment. It is the Township's understanding that the site may become available in 2028 for redevelopment. Thus, this Plan calls for the site to be designated for an inclusionary development at 30 units per acre within a maximum 4 story building configuration, resulting in a total of 116 units on site inclusive of 23 of the units being set-aside for affordable housing (a 20 percent set-aside).

Structure of Report

This 2025 HE&FSP is divided into the following sections:

❖ Section 1: Introduction

The first section of the 2025 HE&FSP provides an introduction to affordable housing. It summarizes what affordable housing is, offers an overview of the history of affordable housing in the state, and explains the role of a housing element and fair share plan.

❖ Section 2: Housing Element

Section 2 contains the Housing Element for the Township. It offers an overview of the community, with information on the Township's population, housing, and employment characteristics. It also provides a projection of the Township's housing stock and employment projections through the 4th Round period.

❖ Section 3: Fair Share Obligation

Next, Section 3 provides an overview of the Township's fair share obligation. It includes a brief history of the methodologies utilized to calculate affordable housing obligations throughout the state.

❖ Section 4: Fair Share Plan

Finally, Section 4 details the manner in which the Township has addressed its prior obligations and how it will address its 4th Round prospective need obligations.

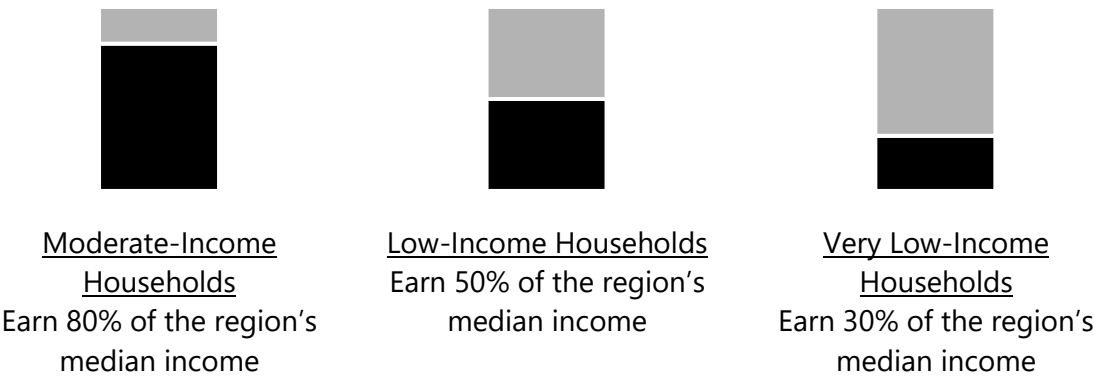
Section 1: Introduction

The following section introduces the issue of affordable housing. It summarizes what affordable housing is, offers an overview of the history of affordable housing in the state, and explains the role of a housing element and fair share plan.

1.1: What is Affordable Housing?

Affordable housing is income-restricted housing that is available for sale or for rent. Generally speaking, it is defined as housing for very-low, low-, and moderate-income households (noted below), although there are exception, such as specific types of special-needs housing . These categories are derived from the state’s median regional income limits.

New Jersey is segmented into six different affordable housing regions. The Township is located in Region 1 which includes Bergen, Hudson, Passaic, and Sussex Counties.



Regional income limitations are typically updated every year, with different categories established for varying household sizes. The table below identifies the 2024 regional income limits by household size for Region 1. As shown, a three-person family with a total household income of no greater than \$86,697 could qualify for affordable housing in the Township’s region.

Table 3: 2024 Affordable Housing Region 1 Income Limits by Household Size

Income Level	2 Person	3 Person	4 Person	5 Person
Median	\$96,329	\$108,371	\$120,412	\$130,045
Moderate	\$77,064	\$86,697	\$96,329	\$104,036
Low	\$48,165	\$54,185	\$60,206	\$65,022
Very-Low	\$28,899	\$32,511	\$37,568	\$39,013

One of the most common forms of affordable housing is inclusionary development, in which a certain percentage of units within a multifamily development are reserved for affordable housing. Nevertheless, affordable housing can be found in a variety of other forms, including but not limited to one hundred percent affordable housing developments, deed-restricted accessory apartments, assisted living facilities, alternating arrangements such as supportive housing or group homes, and age restricted housing.

1.2: What is the History of Affordable Housing in New Jersey?



The history of affordable housing in New Jersey can be traced back to 1975, when the Supreme Court first decided in *So. Burlington Cty. NAACP v. Township of Mount Laurel* (known as Mount Laurel I) that every developing municipality throughout New Jersey had an affirmative obligation to provide for its fair share of affordable housing. In a subsequent decision in 1983 (known as Mount Laurel II), the Court acknowledged that the vast majority of municipalities had ignored their constitutional obligation to provide affordable housing.

As such, the Court refined this obligation to establish that every municipality had an obligation, although those within the growth area of the State Development and Redevelopment Plan (SDRP) had a greater obligation. The Court also called for the state legislature to enact legislation that would save municipalities from the burden of having the courts determine their affordable housing needs. The result of this decision was the adoption of the Fair Housing Act in 1985 as well as the creation of the New Jersey Council on Affordable Housing (COAH), which became the state agency responsible for overseeing the manner in which New Jersey's municipalities address their low and moderate income housing needs.

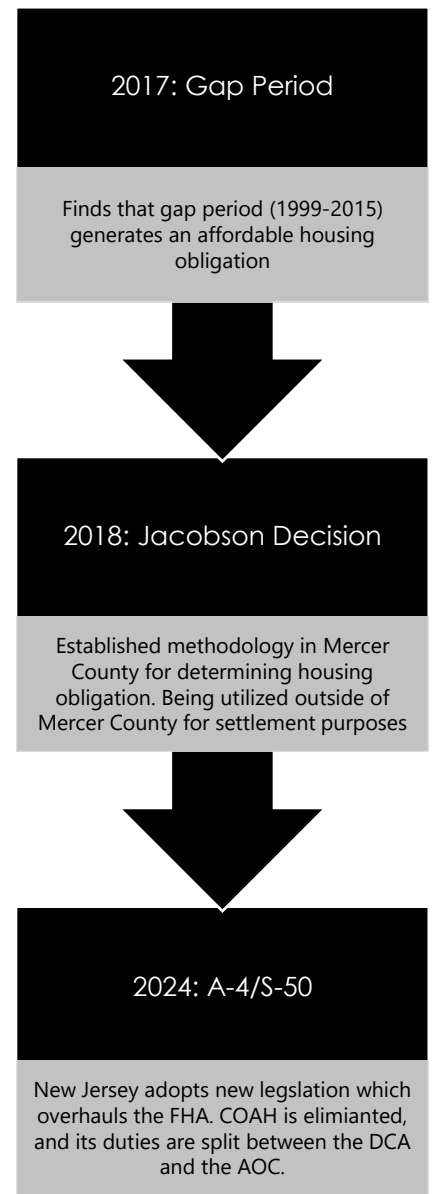
COAH proceeded to adopt regulations for the First Round obligation, which covered the years 1987 to 1993. It also established the Second Round housing-need numbers that cumulatively covered the years 1987 through 1999. Under both the First and Second Rounds, COAH utilized what is commonly referred to as the "fair share" methodology. COAH utilized a different methodology, known as "growth share," beginning with its efforts to prepare Third Round housing-need numbers. The Third Round substantive and procedural rules were first adopted in 2004.

These regulations were challenged and in January 2007, the Appellate Division invalidated various aspects of these rules and remanded considerable portions of the rules to COAH with the directive to adopt revised regulations.

In May 2008, COAH adopted revised Third Round regulations which were published and became effective on June 2, 2008. Coincident to this adoption, COAH proposed amendments to the rules they had just adopted, which subsequently went into effect in October 2008. These 2008 rules and regulations were subsequently challenged, and in an October 2010 decision the Appellate Division invalidated the Growth Share methodology, and also indicated that COAH should adopt regulations pursuant to the Fair Share methodology utilized in Rounds One and Two. The Supreme Court affirmed this decision in September 2013, which invalidated much of the third iteration of the Third Round regulations and sustained the invalidation of growth share. As a result, the Court directed COAH to adopt new regulations pursuant to the methodology utilized in Rounds One and Two.

Deadlocked with a 3-3 vote, COAH failed to adopt newly revised Third Round regulations in October 2014. The Fair Share Housing Center, who was a party in both the 2010 and 2013 cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. The Court heard the motion in January 2015, and issued its ruling on March 20, 2015. The Court ruled that COAH was effectively dysfunctional, and consequently returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985.

This 2015 Court decision created a process in which municipalities may file a declaratory judgment action seeking a declaration that their HE&FSP is constitutionally compliant and receive temporary immunity from affordable housing builders' remedy lawsuits while preparing a new or revised HE&FSP to ensure their plan continues to affirmatively address their local housing need as may be adjusted by new housing-need numbers promulgated by the court or COAH.



Subsequently, the Supreme Court ruled on January 18, 2017 that municipalities are also responsible for obligations accruing during the so-called “gap period,” the period of time between 1999 and 2015. However, the Court stated that the gap obligation should be calculated as a never-before calculated component of Present Need, which would serve to capture Gap Period households that were presently in need of affordable housing as of the date of the Present Need calculation (i.e. that were still income eligible, were not captured as part of traditional present need, were still living in New Jersey and otherwise represented a Present affordable housing need).

On March 20, 2024, the State of New Jersey adopted a package of affordable housing bills which overhauled the Fair Housing Act. This legislation ultimately eliminated COAH and split its duties and functions between the Department of Community Affairs (DCA) and the Administrative Office of the Courts (AOC).

The DCA was designated by the legislation as the entity responsible for calculating the state’s regional needs as well as each municipality’s present and prospective fair share obligations pursuant to the Jacobson Decision. However, the legislation makes clear that these numbers are advisory and that each municipality must set its own obligation number utilizing the same methodology. Meanwhile, the Affordable Housing Dispute Resolution Program (the “Program”) within the AOC is tasked to handle any disputes regarding affordable housing obligations and plans.

1.3: What is a Housing Element and Fair Share Plan?

A Housing Element and Fair Share Plan (HE&FSP) serves as the blueprint for how a municipality will address its fair share of affordable housing. It is designed to help a community broaden the accessibility of affordable housing.

While technically a discretionary component of a municipal master plan, a HE&FSP is nevertheless an effectively obligatory plan element. As established by NJSA 40:55D-62.a of the Municipal Land Use Law (MLUL), a municipality must have an adopted HE&FSP in order to enact its zoning ordinance. Thus, from a public policy perspective, a HE&FSP is an essential community document. Moreover, without a HE&FSP, a municipality may be susceptible to a builder’s remedy lawsuit in which a developer could file suit to have a specific piece of property rezoned to permit housing at higher densities than a municipality would otherwise allow, provided a certain percentage of units are reserved as affordable.

The **Municipal Land Use Law (MLUL)** is the enabling legislation for municipal land use and development, planning, and zoning for the State of New Jersey.

The Fair Housing Act (FHA), which was adopted in 1985 and has been amended multiple times since then, establishes the required components of a HE&FSP. These are summarized as follows:

1. An inventory of the municipality’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;

2. 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;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. 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;
6. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and 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;
7. 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 the recommendations of the Multigenerational Family Housing Continuity Commission;
8. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, an 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;
9. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

Section 2: Housing Element

The following section provides the housing element for the Township of Rochelle Park. It offers an overview of its community, as well as back information regarding its population, housing, and employment characteristics. It also provides a projection of the Township's housing stock and its employment projections.

Information Regarding Data Sources

The information contained in Section 2.2 entitled "Population Demographics," Section 2.3 entitled "Inventory of Housing Stock," Section 2.4 entitled "Employment Demographics," and Section 2.5 entitled "Housing & Employment Projections" was obtained from a variety of publicly available data sources. These are summarized below:

1. United States Decennial Census

The US Census is described in Article I, Section 2 of the Constitution of the United States, which calls for an enumeration of the people every ten years for the apportionment of seats in the House of Representatives. Since the time of the first Census conducted in 1790, it has become the leading source of data about the nation's people and economy. Please note that all incomes reported in the Census are adjusted for inflation.

2. American Community Survey (ACS)

The American Community Survey is a nationwide ongoing survey conducted by the US Census Bureau. The ACS gathers information previously contained only in the long form version of the decennial census, such as age, ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. It relies upon random sampling to provide ongoing, monthly data collection. Please note that all incomes reported in the ACS are adjusted for inflation.

3. New Jersey Department of Health

The New Jersey Department of Health is a governmental agency of the State of New Jersey. The department contains the Office of Vital Statistics and Registry, which gathers data regarding births, deaths, marriages, domestic partnerships, and civil unions.

4. New Jersey Department of Community Affairs (DCA)

The New Jersey Department of Community Affairs is a governmental agency of the State of New Jersey. Its function is to provide administrative guidance, financial support, and technical assistance to local governments, community development organizations, businesses, and individuals to improve the quality of life in New Jersey.

5. New Jersey Department of Labor and Workforce Development

The New Jersey Department of Labor and Workforce Development is a governmental agency of the State of New Jersey. One of its roles is to collect labor market information regarding employment and wages throughout the state.

2.1: Community Overview

The Township of Rochelle Park is located in the central portion of Bergen County. It is bordered by four municipalities, including Paramus to the north; Maywood to the east, Lodi to the south, and Saddle Brook to the west.

Access to the Township is provided by several County and state roadways. These include State Highway 17, Interstate 80, State Route 46, and the Garden State Parkway. Residents also have access to nearby transit stations and bus lines.

The Township is a fully developed community with very little vacant land remaining for development. Most vacant lands are characterized by either environmental constraints or are public open space lands.

Rochelle Park occupies a land area of 1.1 square miles. This equates to 704 acres, of which 126 acres are roads and public rights of way. The majority of the Township is characterized by residential development, with single-family residential accounting for the bulk of this use, Multi-family residential development, assisted Living/Nursing Home use, and two-family dwellings also account for a portion of the community's overall development pattern.

Commercial land uses account for less than 20% percent of the Township's total land use area, while public and semi-public uses account for another 20 percent of the community.

2.2: Demographic and Population Data

Analyzing demographic and population data is a necessary and integral step in planning for the future needs and demands of a community. This section outlines the demographic changes experienced by the Township over the past several decades and provides projections with respect to anticipated changes to community demographics.

The analysis of demographic information is from the 2010 Decennial Census as well as American Community Survey (ACS) 5-year estimates. The ACS data consists of estimates based upon data averages across a five-year span, otherwise known as “period” estimates. They are not actual counts, rather they are representative of data collected over a period of time and thus may not be directly comparable to decennial census figures. For example, 2023 ACS includes data collected annually from 2019 through 2023. The following provides assessments of population size, rate of growth, age characteristics, as well as household size and income levels. Each of these items is described below. This information is vital for the Township to carefully plan for the current and future needs of its residents and the community.

Population Changes

The following table indicates the changes in local population going back to 1950. It highlights how the Township experienced significant increases in population during the 1950s and 60s and then declined from 1970 through to 2000. There was a slight increase between 2000 and 2020.

Table 4: Population Growth, 1950-2023

Year	Population	Population Change	Percent Change
1950	4,483	-	-
1960	6,119	1636	36.5%
1970	6,380	261	4.3%
1980	5,603	-777	-12.2%
1990	5,587	-16	-0.3%
2000	5,528	-59	-1.1%
2010	5,530	2	0.0%
2020	5,584	54	1.0%
2023	5,820	236	4.2%

Source: U.S. Census; 2010 & 2023 American Community Survey 5-Year Estimates

Age Characteristics

As shown in the table below, the Township's age characteristics show an increase in median age from 43.6 years in 2010 to 48.3 according to the 2023 ACS 5-year estimate data. The largest age cohorts in 2023 represented 14% of the population (65-74 age group). The largest age cohort in 2010, representing 14.2%, was age 25-34. The age groups showing the greatest declines between the 2010 census and the 2023 ACS data included the 5-9, 45-54 and 25-34 groups.

Table 5: Age Characteristics, 2010-2023

Age Group	2010		2023	
	Pop	%	Pop	%
Under 5	208	3.8%	255	4%
5 to 9	524	9.5%	197	3%
10 to 14	210	3.8%	207	4%
15 to 19	381	6.9%	355	6%
20 to 24	122	2.2%	513	9%
25 to 34	781	14.2%	640	11%
35 to 44	641	11.7%	628	11%
45 to 54	748	13.6%	556	10%
55 to 59	260	4.7%	531	9%
60 to 64	425	7.7%	526	9%
65 to 74	512	9.3%	820	14%
75 to 84	433	7.9%	370	6%
85 +	252	4.6%	222	4%
Total	5,497	100%	5,820	100%
Median Age	43.6		48.3	

Sources: 2010 & 2023 American Community Survey 5-Year Estimates.

Household Tenure and Occupancy

The data shown on the following table indicates that the breakdown between the share of owner-occupied and renter-occupied units has remained relatively the same since 2010 with the majority of units being owner-occupied. Housing vacancies experienced a slight decrease from 4.3% in 2010 to 2.9% in 2023. Renter-occupied units also decreased from 27.7% in 2010 to 19.3% in 2023.

Table 6: Owner-Occupied and Renter-Occupied Units, 2010-2023

Category	2010		2023	
	# of Units	%	# of Units	%
Owner Occupied	1,516	68.0%	1,850	77.8%
Renter Occupied	618	27.7%	459	19.3%
Vacant Units	95	4.3%	68	2.9%
Total	2,229	100.0%	2,377	100.0%

Source: 2010 & 2023 American Community Survey 5-Year Estimates

Average Household Size

Census and ACS data shown below indicate the Township's average household size has hovered around 2.5 since 2000. This is similar to Bergen County's average household size which remained somewhat steady at 2.66 over the same time period. The number of households increased from 5,528 in 2000 to 5,820 in 2023.

Table 7: Average Household Sizes, 2010-2023

Year	Total Population	# of Households	Avg. Household Size
2000	5,528	2,061	2.54
2010	5,497	2,229	2.47
2023	5,820	2,377	2.45

Source: U.S. Census; 2010 & 2023 American Community Survey 5-Year Estimates

Household Income

Data from ACS indicates median household income increased 78% from 2010 to 2023.

Table 8: Household Incomes, 2010-2023

Income Category	2010		2023	
	Number	%	Number	%
less than \$10,000	114	5%	124	5.4%
\$10,000 to \$14,999	112	5%	101	4.4%
\$15,000 to \$24,999	232	11%	9	0.4%
\$25,000 to \$ 34,999	222	10%	202	8.7%
\$35,000 to \$ 49,999	137	6%	144	6.2%
\$50,000 to \$74,999	402	19%	135	5.8%
\$75,000 to \$99,999	336	16%	283	12.3%
\$100,000 to \$149,999	336	16%	424	18.4%
\$150,000 to \$199,000	165	8%	354	15.3%
\$200,000 or more	78	4%	533	23.1%
Total Households	2,134	100%	2,309	100.0%
Median Income (Household)	\$66,341		\$118,259	

Source: 2010 & 2023 American Community Survey 5-Year Estimates

2.3: Inventory of Housing Stock

This section of the analysis provides an inventory of the Township's housing stock. The inventory details housing characteristics such as age, condition, purchase/rental value and occupancy. It also details the number of affordable units available to low- and moderate-income households and the number of substandard housing units capable of being rehabilitated. As previously noted, the latest information from the American Community Survey consists of five-year estimates by the Census Bureau, not actual counts and may not be directly comparable to census figures.

Number of Housing Units

As illustrated in the table below, the overall number of housing units within the Township has continued to increase from 2000 through 2023.

Table 9: Housing Units, 2000-2023

Year	Housing Units	Numerical Change	% Change
2000	2,061	-	-
2010	2,229	168	8%
2023	2,377	148	7%

Source: US Census Bureau, 2023 ACS Five-Year Estimate

Units in Structure for Occupied Units

Information regarding the number of dwelling units in housing structures provides insights into the types of housing which exist throughout the Township. The following table offers insights into the unit-composition of the Township's structures since 2010.

The Township's housing stock has historically been comprised of single-family detached and attached dwellings. The 2023 ACS estimate data provided in the table below shows a total of 2,377 single-family detached dwellings which amounts to 78 percent of all housing units in the Township. This is an increase from 2010 when single-family dwellings accounted for approximately 75 percent.

Table 10: Units in Structure, 2010-2023

Units in Structure	2010		2023	
	No.	%	No.	%
Single Family, Detached	1689	75.8%	1854	78.0%
Single Family, Attached	0	0.0%	18	0.8%
2	218	9.8%	164	6.9%
3 or 4	38	1.7%	20	0.8%
5 to 9	47	2.1%	0	0.0%
10 to 19	48	2.2%	100	4.2%
20 +	189	8.5%	221	9.3%
Mobile Home	0	0.0%	0	0.0%

Source: 2010 & 2023 American Community Survey 5-Year Estimates

Purchase and Rental Value of Housing Units

The following two tables identify purchase values and rental values for the specified owner-occupied and renter-occupied units in the Township. Over the past thirteen years, the median value of the Township's owner-occupied housing stock is estimated to have increased approximately 16%, from \$404,800 in 2010 to \$470,200 in 2023. This represents a much lower percentage increase than that of the County (23%) and the State (19.78%).

Table 11: Value of Owner-Occupied Units, 2010-2023

Value Range	2010		2023	
	Number	Percent	Number	Percent
Less than \$50,000	16	1.1%	55	3.0%
\$50,000 to \$99,999	0	0.0%	0	0.0%
\$100,000 to \$149,999	42	2.8%	15	0.8%
\$150,000 to \$199,999	26	1.7%	0	0.0%
\$200,000 to \$299,999	117	7.7%	33	1.8%
\$300,000 to \$499,999	991	65.4%	1,024	55.4%
\$500,000 to \$999,999	314	20.7%	723	39.1%
\$1,000,000 or More	10	0.7%	0	0.0%
Total	1,516	100.0%	1,850	100.0%
Median Value	\$404,800		\$470,200	

Source: 2010 and 2023 American Community Survey Five-Year Estimates

Table 12: Specified Renter Occupied Housing Units by Rent, 2010-2023

Gross Rent	2010		2023	
	Number	Percent	Number	Percent
Less than \$500	0	0%	0	0.0%
\$500 to \$999	95	16%	0	0.0%
\$1,000 to \$1,499	301	50%	173	37.7%
\$1,500 to \$1,999	208	34%	170	37.0%
\$2,000 to \$2,499			31	6.8%
\$2,500 to \$2,999			25	5.4%
\$3,000 or more			60	13.1%
53XNo Cash Rent	91	X	0	X
Total Occupied Units paying Rent	65	100.0%	459	100.0%
Total Occupied units paying rent	604	100%	459	100.0%
Median Gross Rent	1,244		\$1,666	

Source: US Census Bureau; 2010 and 2023 American Community Survey Five-Year Estimates.

Deficient Housing Units

Neither the Census nor the ACS classify housing units as deficient. However, the Fair Housing Act defines a "deficient housing unit" as housing which is over fifty years old and overcrowded; lacks complete plumbing, or lacks complete kitchen facilities.

Accordingly, the following tables are intended to provide insights into the extent to which the Township has deficient housing units. The table below examines the extent to which there is overcrowding in the Township's housing stock. Overcrowding is typically associated with housing units with more than one occupant per room. As shown, the estimated number of occupied housing units considered to be overcrowded is negligible.

Table 13: Occupants Per Room (2023)

Occupants Per Room	2010		2023	
	Number	Percent	Number	Percent
1.00 or less	2,120	99.3%	2,289	99.1%
1.01 to 1.50	14	0.7%	20	0.9%
1.51 or more	0	0.0%	0	0.0%
Total	2,134	100%	2,309	100.0%

Source: 2023 American Community Survey Five-Year Estimates.

The table below identifies housing units with complete plumbing and kitchen facilities. As shown, all occupied units in the Township were identified as having complete plumbing and kitchen facilities in 2010. In 2023, the estimate shows that approximately two percent of occupied units used a fuel other than standard fuel as a heating source.

Table 14: Plumbing and Kitchen Facilities (2023)

Facilities	2010		2023	
	Number	Percent	Number	Percent
<u>Kitchen:</u> Complete Facilities	2,134	100.0%	2,309	100.0%
Lacking Complete Facilities	0	0.0%	0	0.0%
<u>Plumbing:</u> Complete Facilities	2,134	100.0%	2,309	100.0%
Lacking Complete Facilities	0	0.0%	0	0.0%
<u>Heating Equipment:</u> Standard Heating Facilities	2,134	100.0%	2,255	97.7%
Other Means, No Fuel Used	0	0.0%	54	2.3%

Source: 2023 American Community Survey Five-Year Estimates.

2.4: Housing and Employment Projection

The following section identifies the extent to which redevelopment housing and economic development has occurred in the community, which can assist in the determination of future residential and employment projections.

Recent Residential Development Activity

One way of examining the stability of a community's housing stock is by comparing the number of residential building permits issued for new construction as well as demolition permits issued every year. Since 2014, the Township has annually issued an average of 6 building permits over the past decade and an average of 1.3 demolition permits over the same time frame. This results in an average net growth of 4.7 permits annually. This is reflective of the Township's established development pattern.

Table 15: Residential Building Permits and Demolition Permits

Year Issued	Building Permits				Demos	Net Growth
	1 & 2 Family	Multifamily	Mixed Use	Total		
2014	0	0	0	0	0	0
2015	1	0	0	1	0	1
2016	1	0	0	1	0	1
2017	2	0	0	2	1	1
2018	1	0	0	1	1	0
2019	2	24	1	27	1	26
2020	0	0	0	0	8	-8
2021	2	0	0	2	1	1
2022	0	24	0	24	1	23
2023	2	0	0	2	0	2
Total	11	48	1	60	13	47

Source: Department of Community Affairs

Covered Employment

The table below provides data on the Township's covered employment trends between 2014 and 2023, as reported by the New Jersey Department of Labor and Workforce Development. "Covered employment" refers to any employment covered under the Unemployment and Temporary Disability Benefits Law. Generally, nearly all employment in the state is considered "covered employment."

Employment levels have decreased every year over the past decade except for during 2019 and 2022 through 2023. Similar to the municipalities throughout the State, Employment in the Township decreased the most in 2020 due to excessive job loss during the COVID Pandemic. Since 2021, employment in the Township has slightly increased. As of 2023, the Township's reported covered employment was 3,777 individuals.

Table 16: Average Covered Employment (2014 to 2023)

Year	Number of Jobs	Change in Number of Jobs	Percent Change (%)
2014	4,502	-	-
2015	4,447	-55	-1.2%
2016	4,172	-275	-6.6%
2017	4,112	-60	-1.5%
2018	3,973	-139	-3.5%
2019	4,016	43	1.1%
2020	3,491	-525	-15.0%
2021	3,462	-29	-0.8%
2022	3,597	135	3.8%
2023	3,777	180	4.8%

Source: Department of Labor and Workforce Development

Section 3: Fair Share Obligation

The following section provides an overview of the Township's fair share obligation. It includes a brief overview of the methodology utilized to calculate affordable housing obligations throughout the state.

3.1: Summary of Fair Share Obligation

On March 20, 2024, the State of New Jersey adopted a package of affordable housing bills which overhauled the Fair Housing Act (FHA).

The FHA now designates the Department of Community Affairs (DCA) as the entity responsible for calculating the state's regional needs. Specifically, NJSA 52:27D-304.2 establishes the methodology to be utilized by the DCA to determine the state's regional prospective needs of low- and moderate-income housing for the ten-year period spanning from July 1, 2025 to June 30, 2035. In summary, the projected household change for this period is estimated by establishing the household change experienced in each region between the most recent federal decennial census and the second-most recent decennial census. This household change, if positive, is then to be divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region for the next ten years. This methodology resulted in a statewide prospective need of 84,698 low- and moderate-income units.

Furthermore, the DCA is also the entity responsible for calculating each municipality's present and prospective fair share obligations. However, the FHA makes clear that these calculations are advisory and that each municipality must set its own obligation number utilizing the same methodology.

In January 2025, the Township adopted a Resolution which accepted the DCA's present and prospective fair share obligation calculations for the Township (see Appendix). These obligations are summarized below. That same resolution also noted that the Township reserves the right to conduct a vacant land adjustment (VLA) to determine its realistic development potential (RDP). This is discussed in greater detail in the next subsection.

Table 2: Summary of Fair Share Obligation

Affordable Obligation	Units
Present (Rehabilitation Need) Obligation	10
Fourth Round Obligation (2025-2035)	109

3.2: Realistic Development Potential (RDP)

The Township is a fully developed community and is therefore entitled to adjust its obligation in accordance with a procedure set forth in the FHA. Specifically, NJSA 52:27D-310.1 permits municipalities perform a realistic development potential (RDP) analysis by seeking a vacant land adjustment (VLA).

An RDP analysis is intended to determine which sites in a municipality are most likely to develop for low- and moderate-income housing. Municipalities may present documentation that eliminates a site or part of a site from its inventory of vacant land. Such eliminating factors include: lands dedicated for public uses other than housing since 1997; park lands or open space; vacant contiguous parcels in private ownership of a size which would accommodate fewer than five housing units; historic and architecturally important sites listed on the State Register of Historic Places or the National Register of Historic Places; preserved architectural lands; sites designated for active recreation; and environmentally sensitive lands.

A VLA was previously conducted for the Township's 2020 HE&FSP which indicated that the Township's 3rd Round RDP was 43 units. That analysis is shown in the accompanying table.

A new VLA for the 4th Round has been prepared. For the sake of continuity, it identifies those properties which were analyzed in the 2020 HE&FSP as well as additional properties which have been included in the new 4th Round RDP. These include 3 lots shown **in bold** at the end of the accompanying table. The 4th Round RDP analysis reveals the Township's RDP is 10 RDP units, consisting of the following:

1. 29 Fairfield Dr/70 West Passaic St: This property occupies an area of 1.3 acres. For RDP calculation purposes we assigned it a minimum presumptive density of 8 units per acre, resulting in 2.08 RDP units. As detailed in the Plan section of this report, this property is included as an inclusionary development property at a higher density yield.
2. 210 & 222 Rochelle Ave: This property occupies an area of 1.45 acres. It is occupied by a bank and a diner. For RDP calculation purposes we assigned it a minimum presumptive density of 6 units per acre, resulting in 1.74 RDP units. As detailed in the Plan section of this report, this property is included as an inclusionary development property at a higher density yield.
3. 375 West Passaic Street: This property occupies an area of 3.89 acres. It is occupied by a Ramada Inn. For RDP calculation purposes we assigned it a minimum presumptive density of 8 units per acre, resulting in 6.22 RDP units. As detailed in the Plan section of this report, this property is included as an inclusionary development property at a higher density yield.

Table 3: Vacant Land Adjustment

ID #	Block	Lot	Address	Developable Area (ac)	Comments
1	110.01	2	RAILROAD	0.00	Class 5A
2	19.01	1	REAR ROCHELLE AVE	2.07	Class 15C. No longer exists.
3	20.01	1	REAR ROCHELLE AV	1.76	Class 15C. No longer exists.
4	109.04	3	PLAZA WAY	0.00	Class 4A
5	2	20	LEXINGTON AVE.	1.11	Class 15C. Part of public park.
6	102	7.04	WEST PASSAIC ST	1.10	Not applicable Building on property.
7	18.02	1	REAR GROVE ST	0.98	Class 15C, no longer exists.
8	20.02	1	REAR GROVE ST	0.90	No longer exists, now is block 114, lot 22.
9	8	1.01	MIDLAND ST	0.62	No longer exists, now block 101.
10	18.02	2.02	REAR GROVE ST	0.54	Class 15C
11	110.01	1	RAILROAD	0.50	Class 5A
12	18.02	2.01	REAR GROVE ST	0.36	No longer exists.
13	90	2.02	FAIRFIELD AVE REAR	0.32	No longer exists.
14	55.01	1	REAR PASSAIC ST	0.29	Too small to count towards RDP.
15	32	12.01	ROUTE 17	0.26	No longer exists.
16	102	2	374 W PASSAIC ST	0.24	No longer exists.
17	70	9	18 TERRACE AVE	0.23	Class 15D
18	25.02	9	ROUTE 17	0.23	Class 15C
19	101.02	19.02	PLAZA WAY	0.14	Class 15C
20	32	6	80 LINCOLN DR	0.14	No longer exists.
21	110.02	1	RAILROAD	0.14	Class 5A
22	14	10.02	PARKWAY	0.14	No longer exists.
23	14	23.02	ST ANN PL	0.14	No longer exists.
24	101.02	1.02	PLAZA WAY	0.13	Class 15C
25	46.01	4	OLDIS ST	0.12	No longer exists.
26	32	7	76 LINCOLN DR	0.12	No longer exists.
27	32	12.02	ROUTE 17	0.11	No longer exists.
28	90	3	70 W PASSAIC ST.	0.11	Class 4A
29	13	14	ST ANN PL	0.10	No longer exists.
30	11	58	ROCHELLE AV	0.09	No longer exists.
31	8	1.02	REAR OF ROUTE 17	0.07	Class 15F
32	2	11	LEXINGTON AV	0.07	No longer exists.
33	4	12	33 LEXINGTON AV	0.07	No longer exists.
34	1	18	136 ESSEX ST	0.06	Class 15F
35	21	99	OAK ST	0.06	No longer exists.
36	33	1.02	REAR ROUTE 17	0.06	No longer exists.
37	37	160	41 CHESTNUT AVE	0.06	No longer exists.
38	27	260	15 SUSQUEHANNA AVE	0.06	No longer exists.
39	13	5	PARKWAY	0.05	No longer exists.
40	105.05	24	PASSAIC ST	0.05	No longer exists.

41	4	1	ROCHELLE & LEXINGTON	0.04	No longer exists.
42	55.02	2	PASSAIC ST	0.03	Class 15C
43	25.01	5	CENTRAL AV	0.03	No longer exists.
44	88	1.02	ALONG PLAZA WAY	0.02	Class 15C
45	64	7	REAR ROCHELLE AVE	0.02	Class 15C
46	107.01	11	HOWARD AVE	0.02	No longer exists.
47	64	6	ROCHELLE AVE	0.02	Class 15C
48	68	49.01	TERRACE AV	0.01	No longer exists.
49	56.02	2	PLEASANT AV	0.01	Too small to count towards RDP.
50	93.01	1.01	120 W PASSAIC ST.	0.00	No longer exists.
51	93.01	1.02	W PASSAIC ST.	0.00	No longer exists.
52	93.01	1.03	W PASSAIC ST.	0.00	No longer exists.
53	93.01	1.04	W PASSAIC ST.	0.00	100-Year Floodplain
54	106	22	50 LEXINGTON AVE	X	Lot is Municipal land, not to be mapped.
54	101	2	1 MIDLAND STREET	X	Too small to count towards RDP. Not mapped.
55	114	40	REAR GROVE ST	X	Not fronted. Used to be block 20.02, lot 1.
55	102	6	LEXINGTON AV	X	Too small to count towards RDP. Not mapped.
56	104	1	ROCHELLE & LEXINGTON	X	Too small to count towards RDP. Not mapped.
57	104	4	33 LEXINGTON AV	X	Too small to count towards RDP. Not mapped.
58	107	1	ROCHELLE AV	X	Too small to count towards RDP. Not mapped.
59	108	10.01	ROUTE 17	X	Located in Maywood. Not mapped.
60	111	20	PARKWAY	X	Too small to count towards RDP. Not mapped.
61	111	4	ST ANN PL	X	Too small to count towards RDP. Not mapped.
62	112	12	ST ANN PL	X	Too small to count towards RDP. Not mapped.
63	115	4	REAR GROVE ST	X	Too small to count towards RDP. Not mapped.
64	201	8	OAK ST	X	Too small to count towards RDP. Not mapped.
65	203	13	41 CHESTNUT AVE	X	Too small to count towards RDP. Not mapped.
66	207	30	15 SUSQUEHANNA AVE	X	Too small to count towards RDP. Not mapped.
67	211	1	171 ROUTE 17	X	Too small to count towards RDP. Not mapped.
68	211	19	ROUTE 17	X	Too small to count towards RDP. Not mapped.
69	211	20	ROUTE 17	X	Too small to count towards RDP. Not mapped.

70	212	6	CENTRAL AVENUE	X	Located in Maywood. Not mapped.
71	213	5	CENTRAL AV	X	Too small to count towards RDP. Not mapped.
72	214	11	PROSPECT AVE (REAR)	X	Too small to count towards RDP. Not mapped.
73	214	2	REAR ROUTE 17	X	Too small to count towards RDP. Not mapped.
74	214	6	MARINUS ST	X	Too small to count towards RDP. Not mapped.
75	214	9	OLDIS ST	X	Too small to count towards RDP. Not mapped.
76	214	9.01	PROSPECT AVE (REAR)	X	Located in Maywood. Not mapped.
77	409	4	PROSPECT AVE	X	Located in Maywood. Not mapped.
78	413	8	REAR PASSAIC ST	X	Originally blk 55.01, lot 1. Steep slopes cause the lot to be below .83 threshold.
79	502	11	TERRACE AV	X	Too small to count towards RDP. Not mapped.
80	605	42	87 PASSAIC STREET	X	Not mapped, common area for development.
81	608	10	70 W PASSAIC ST.	x	Too small to count towards RDP. Not mapped
82	608	16	FAIRFIELD AVE REAR	X	Too small to count towards RDP. Not mapped.
83	609	10	120A W PASSAIC ST.	X	Too small to count towards RDP. Not mapped.
84	609	11	W PASSAIC ST.	X	Too small to count towards RDP. Not mapped.
85	609	8	W PASSAIC ST.	X	Too small to count towards RDP. Not mapped.
86	609	9	120B W PASSAIC ST.	X	Class 15F.
87	800	1	WEST OF GARDEN STATE PKWY	X	Too small to count towards RDP. Not mapped.
	90 91.01	2.02 & 3 1-5 & 9	29 Fairfield Dr/ 70 W. Passaic St	1.3 ac	Calculated for RDP at 8 du/ac = 2.08 RDP units
	23 24.01	2.03 1, 2 & 3	210 & 222 Rochelle Ave	1.45 ac	Site dev as bank & diner. Calculated at for RDP at 6 du/ac = 1.74 RDP units.
	103.01	1.01 & 2	375 W.Passaic St	3.89 ac	Site dev w/Ramada Inn. Calculated for RDP at 8 du/ac = 6.2 RDP units
			Total RDP for 4th Round		10.02 RDP units

Section 4: Fair Share Plan

The following Fair Share Plan outlines the components and mechanisms the Township will utilize to address its affordable housing obligations. These obligations are summarized as follows:

Table 4: Affordable Housing Obligation Summary

Category	Obligation
1 st and 2 nd Round Obligation (1987-1999)	64
3rd Round Obligation (1999-2025)	165
4th Round Obligation (2025-2035)	109
Present Need (Rehabilitation) Obligation	10

4.1: 1st and 2nd Round Obligations

The Township was assigned a 1st and 2nd Round Obligation of 64 units. As noted in an earlier section of this report the Township had received a First Round Judgment of Compliance and repose in 1991 resulting from a builder's remedy lawsuit. This Judgment included a vacant land adjustment indicating that the lawsuit's site (known as the Koziel property) was the only developable site in the Township. The result was the 1st Round obligation was reduced from 118 units to a 9 unit realistic development potential (RDP), which was to be satisfied on the Koziel property. The concept of unmet need did not exist as part of this 1st Round of affordable housing.

During the pendency of the 2nd Round, Koziel approached the Township with a revised plan, resulting in the provision of 4 affordable units to be placed on-site, with the developer funding a payment-in-lieu of affordable housing that would go to either a will receiving municipality through a Regional Contribution Agreement or to a housing trust fund. The project was subsequently completed and a monetary payment of \$100,000 was made to the Township.

4.2: Third Round Obligation

The Township's 3rd Round HE&FSP indicates the Township had 3rd Round obligation of 109 units, reduced to a combined prior round and 3rd Round realistic development potential (RDP) of 43 units, resulting in a combined 2nd Round/3rd Round unmet need of 186 units. The projects identified in the 3rd Round Plan to meet this 43 unit RDP are summarized in the accompanying table.

Table 16: 2ND/3RD Round Plan Components

Plan Component	Total Units	Total AH Credits	Type of Affordable Unit/Credits	Status
Northern Park 102 Terrace Ave	57	4	Age-restricted rental. \$100,000 contribution ot Trust Fund in lieu of 5 AH units	Completed
120 W. Passaic St Redevelopment Plan	160	24	Inclusionary redevelopment plan, w/15% set-aside. Design included retention pond in front of site	Redeveloper designated; amended redevelopment plan adopted
Mercury Rising 47 Central Ave	4	4	Group Home	Completed
Rental Bonuses: Mercury Rising 120 Passaic St		3 8		
Total		43		

4.3: Fourth Round Obligation

This section identifies the manner in which the Township shall address its 4th Round RDP obligations and unmet need, as well as its rehabilitation obligations.

2. Rehabilitation Obligation. As noted in a previous section of this plan, Rochelle Park's Rehabilitation obligation is 10 units. The Township plans to address this obligation through participation in the Bergen County Housing Rehabilitation Program and/or, as determined to be necessary, the establishment of a municipal Rehabilitation Program to rehabilitate at least 10 units in the Township and utilize funds from its affordable housing trust fund.

In order to fully satisfy its rehabilitation obligation, the Township will commit \$10,000 per unit. This will require a total contribution of \$50,000. Pursuant to COAH's rules that allow municipalities to utilize money collected from development fees for this purpose, the Township shall set aside the required funds from its affordable housing trust fund account to be made available to income-qualified households to participate in the program, one-third of which will be made available within the first year following approval of this plan. The Spending Plan included in the Appendix of this document demonstrates sufficient funding to satisfy the Borough's 10-unit Rehabilitation obligation.

3. Prospective Obligation/Unmet Need. The Township will satisfy its 10 unit RDP obligation and a portion of its unmet need through the designation of the following sites:

- a. 29 Fairfield Dr/70 West Passaic Street: This property is located on the northwest corner of W. Passaic Street and Fairfield Drive, and extends northward to Plaza Way. It occupies an area of 1.3 acres and is irregular in shape. The tract is developed with a dwelling and two detached garages. It is located in an area with a variety of uses, including low density residential development to the north in Paramus above Plaza Way and to the west along Fairfield Drive, a mix of commercial, office and residential development along W. Passaic Street, business uses to the east and to the south.

This Plan calls for the site to be developed at 15 units per acre, which would result in a total of 19 units on site. A 20 percent set-aside would result in 4 affordable housing units being constructed on-site.

It is noted that there was a request to allow a total of 300 units on this 1.3 acre property which would be built within the construction of a 13 story building. The plans called for a total of 310 parking spaces to serve its residents and visitors to the site, which represents 1.03 spaces per unit which does not appear to be consistent with RSIS standards. It is also noted that the request for 300 units on 1.3 acres represents a density of 228 units per acre, which is extremely inconsistent, and not reflective at all, with the character of the area and community at large.

This proposal is therefore rejected by the Township, as it does not reflect the established residential development pattern in the immediate vicinity of the site, which is typified by low-rise construction adjacent to and across the street from this property. While it is acknowledged there is a tall structure across the street along W. Passaic Street, this is a non-residential building with very few employees due to the nature of its occupancy, and it doesn't preclude the Township from

acknowledging the low density residential land use pattern to the immediate east and north.

- b. 210 & 222 Rochelle Ave: This property is on the easterly side of Rochelle Ave at Central Ave. It occupies an area of 1.45 acres and is irregular in shape. It is developed with a bank and a diner.

This site was the subject of an approved non-condemnation Area In Need of Redevelopment (AINR) designation in 2019, as well as an updated evaluation indicating that, while the site has not been redeveloped, for mixed use at-grade retail with apartments above as contemplated in a redevelopment plan, the site continues to be meet the standards of the AINR designation.

This Plan thus calls for the site to be developed for mixed-use with at-grade retail and apartments above at a density of 20 units per acre, resulting in 29 apartments. This would include a 20 percent for affordable units, resulting in 6 of the units being deed-restricted for income-qualified affordable households.

Based on the above, these two above-noted developments would address the ten unit RDP obligation of the Township. The following site would be utilized to address a portion of the Township's unmet need.

- c. 375 West Passaic Street: This property occupies an area of 3.89 acres. It is currently occupied by a Ramada Inn. The Township has been in preliminary discussions to facilitate this site's redevelopment. It is the Township's understanding that the site may become available in 2028 for redevelopment. Thus, this Plan calls for the site to be designated for an inclusionary development at 30 units per acre within a maximum 4 story building configuration, resulting in a total of 116 units on site inclusive of 23 of the units being set-aside for affordable housing (a 20 percent set-aside).

Pursuant to the applicable COAH regulations as set forth in N.J.A.C 5:93-1.3, an analysis was undertaken to determine that this tract addresses the applicable 'approvable', 'available', 'developable', and 'suitable', criteria, as follows, and as detailed below:

"Approvable site" means a site that may be developed for low and moderate income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate income housing.

"Available site" means a site with clear title, free of encumbrances which preclude development for low and moderate income housing.

“Developable site” means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable areawide water quality management plan (including the wastewater management plan) or is included in an amendment to the areawide water quality management plan submitted to and under review by DEP.

“Suitable site” means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.

These criteria are all affirmed by the sites’ location and physical characteristics, as noted below.

1. Available: These sites are free of encumbrances which would otherwise preclude its development for low and moderate income housing. There are no known encumbrances that would adversely impact the ability to develop the sites as contemplated herein. Additionally, in all cases developers or property owners have expressed interest in developing these sites for inclusionary development. It is our understanding that there is clear title to the properties.
2. Approvable: These sites are approvable, as reflected in their locations and relationship to their surrounding development patterns. A review of site conditions reveals the lots are readily developable to accommodate the number of units projected for the lots.
3. Developable: These sites are developable, as reflected in the fact in some instances the property was already deemed developable.
4. Suitable: The sites are also suitable for the intended development. As previously noted, they are in areas near to multi-family housing, or commercial business districts, or accessible to mass transit or with direct access to the regional road network

With respect to issues of land use compatibility, it is noteworthy that often, compatibility is viewed as consisting of the same land uses and densities as the surrounding development pattern. However, in the context of affordable housing, issues of compatibility and density must be viewed more broadly than that. The reason for this is simple. The New Jersey Supreme ruled in Mt Laurel II that every municipality has a constitutional obligation to provide affordable housing within its community, and that parenthetically requires higher density development. Without accepting this construct, if compatibility was limited to the same land uses and densities, those municipalities whose development pattern historically was limited to large lot single-family development would be allowed to continue to impose what the Court has deemed to be exclusionary zoning practices. And that is precisely what the Courts have struck down.

COAH addressed this when they adopted regulations that stated that they shall consider both the character of the area and the need to provide affordable housing when determining the suitability of a site and identified densities of six to eight dwelling units per acre as a minimum presumptive density for affordable housing.

In summary, the analysis reveals the applicable criteria are met for all sites under consideration. An aerial map of the sites is provided below.

The following identifies preliminary area and bulk requirements for this sites' development. These regulations are preliminary and may be modified as developers participate with the Township for the individual site developments.

Table 17: Preliminary Draft Zoning Regulations for 4th Round Sites

Requirement	29 Fairfield Dr/70 W. Passaic St	210/222 Rochelle Ave	370 W. Passaic St
Min. Lot Area	1.25 ac	1.4 ac	3.75 ac
Min. Setback from External Lot lines:			
Front Yard	35 feet	50 feet	50 feet
Side Yard	15 feet	20 feet	35 feet
Rear Yard	20 feet	25 feet	30 feet
Min. Setback to Internal Roadways	20 feet	20 feet	20 feet
Min. Dist Between Bldgs	20 feet	20 feet	20 feet
Min. Open Space	40 percent	35 percent	40 percent
Min. Acc Bldg Setback to:			
Principal Bldg	15 feet	15 feet	15 feet
Street Lines	25 feet	25 feet	50 feet
Other Lot Lines	15 feet	15 feet	20 feet
Max. Density	15 du/ac	20 du/ac	30 du/ac
Max. Bldg Coverage	25 percent	30 percent	35 percent
Max. Impervious Coverage	60 percent	65 percent	65 percent
Max Bldg Height	2.5 stories/35 feet	3 stories/38 feet	4 stories/50 feet
Max. Bldg Length	175 feet	180 feet	180 feet
Min Parking Standards	Per RSIS	Per RSIS	Per RSIS

All of the sites identified above are shown on the accompanying map on the following page.

Map 4: Site 1: 29 Fairfield Dr/ 70 W. Passaic St:



Source: NJ GeoWeb 2024

Map 567: Site 210 & 222 Rochelle Ave:



Source: NJ GeoWeb 2024

Map 6: Site 375 West Passaic St.



Source: NJ GeoWeb 2024

4.4: Consistency with State Planning Initiatives

As noted in Section 1, a Housing Element and Fair Share Plan must also include:

- ❖ 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 the recommendations of the Multigenerational Family Housing Continuity Commission, and;
- ❖ An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

Accordingly, the following subsection analyzes the consistency of this HE&FSP to the above referenced state planning initiatives.

Multigenerational Family Housing Continuity Commission

The Multigenerational Family Housing Continuity Commission was established by the State of New Jersey in 2021. As noted in NJSA 52:27D-329.20, one of the primary duties of the Commission is to "prepare and adopt recommendations on how State government, local government, community organizations, private entities, and community members may most

effectively advance the goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas.”

As of the date of this HE&FSP, the Multigenerational Family Housing Continuity Commission has not yet adopted any recommendations.

State Development and Redevelopment Plan

As established by NJSA 52:18A-200(f), the purpose of the State Development and Redevelopment Plan (SDRP) is to “coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.”

As such, the SDRP establishes a number of goals and strategies related to a number of different topics, including economic redevelopment. One such goal is to revitalize existing urban centers by directing growth and development to those areas. Specifically, the SDRP seeks to revitalize the State’s cities and towns by protecting, preserving, and developing the valuable human and economic assets in cities, towns, and other urban areas.

As indicated by the SDRP’s Policy Map, the entirety of the Township is located in the PA-1 Metropolitan Planning Area, wherein development and redevelopment is intended to be directed. The intent of this Planning Area is to:

- ❖ Provide for much of the state’s future redevelopment;
- ❖ Revitalize cities and towns;
- ❖ Promote growth in compact forms;
- ❖ Stabilize older suburbs;
- ❖ Redesign areas of sprawl; and;
- ❖ Protect the character of existing stable communities.

Accordingly, this HE&FSP is consistent with the intents of the PA-1. Specifically, it is designed to encourage redevelopment and growth in a compact form, while also protecting the character of the existing community.

Additional Comment:

It is noted that a letter was received regarding additional development abutting the 120 W. Passaic Street Redevelopment Plan area which is developed with 160 dwelling units. The lot in question is 1.82 acres. It is entirely within a 100 year flood plain.

The proposal is to develop this 1.82 acre area with 130 dwelling units, which represents a density of 71.4 units per acre. As this site is within the 100 year flood plain, along with the excessive density, this prospective additional development is not being considered at this time.