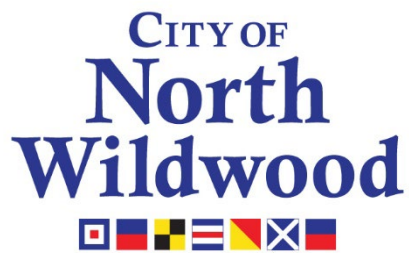


CITY OF NORTH WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

Housing Plan Element & Fair Share Plan

Fourth Round (2025 – 2035)



June 5, 2025

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The original document was appropriately signed and sealed in accordance with the Chapter 41 Title 13 of the State Board of Professional Planners.

Adopted by the Planning Board on June 18, 2025

Endorsed by the City Council on _____

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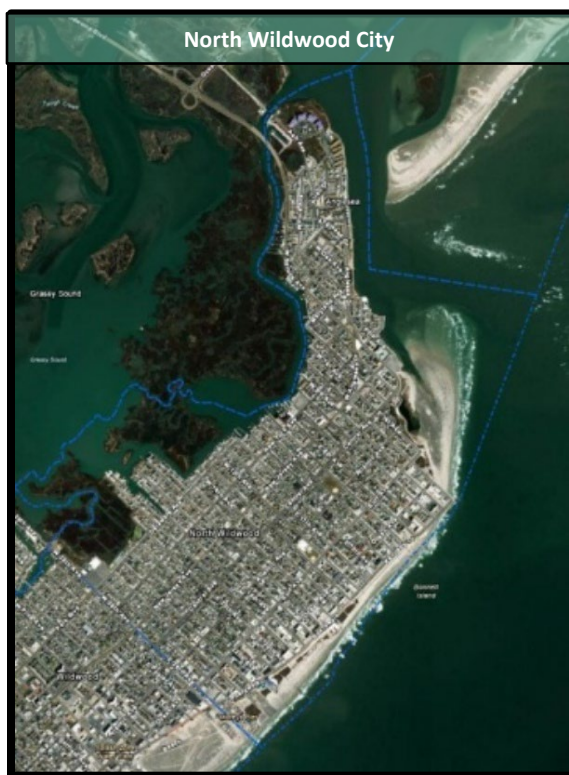
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INTRODUCTION

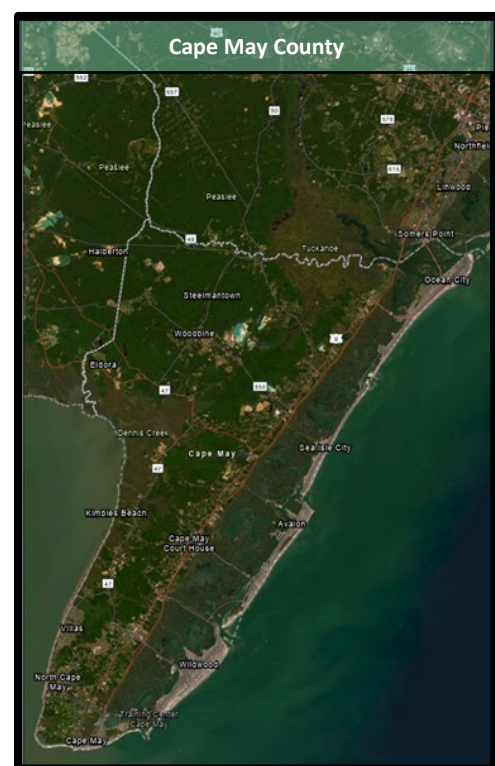
Location and Context

Geography

The City of North Wildwood is located in Cape May County on the southern tip of the Jersey Shore and the northern end of the Wildwoods. The city is part of the Ocean City metropolitan statistical area, and a part of the greater Philadelphia-Wilmington-Camden, PA-NJ-DE-MD combined statistical area. The City consists of a total area of 2.50 square miles, with 1.73 square miles of land and 0.77 square miles of water, along the shores of the Grassy Sound. The City shares nautical borders with the Atlantic Ocean to the east and the municipalities of Middle Township to the west and Stone Harbor Borough to the north, and land border with Wildwood City to the south, which are all located in Cape May County.



Map 1 North Wildwood City Geographic Context



Map 2 Cape May County Geographic Context

The City is approximately twenty-five (25) miles from Ocean City and eighty (80) miles from Philadelphia and Wilmington as well.

The primary transportation corridor in the City is Cape May County Road 621 or New Jersey Avenue, which begins at the eastern end of New Jersey State Route 147 and traverses southwest through the City providing access to Wildwood and Wildwood Crest. New Jersey State Route 147 connects the City to US Route 9 and the Garden State Parkway, and in turn connects the City to all points along the eastern portions of the State.

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The City is about 2.50 square miles in area and is almost entirely built-out, the City is within the sewer service area and has accessible public infrastructure and utilities. Almost the entirety of the City is located within the Coastal Area Facilities Review Act (CAFRA) subject area, which requires special permitting from the New Jersey Department of Environmental Protection (NJDEP) for larger development projects. Subsequently, City is within the 100-year flood plain, and designated as Zone AE and Zone VE, making the City vulnerable to flood hazards. Additionally, the western portions of the City, near the Grassy Sound, are encumbered by wetlands. Almost all the lands in the City are vulnerable to environmental or flood hazards. The City is actively mitigating environmental hazards and flood hazards, while also promoting tourism and economic development.

History and Demographics

The City of North Wildwood was formed through a series of referendums. The first referendum occurred on June 13th 1885, when the Borough of Anglesea was incorporated, later in 1906 the Borough of North Wildwood was incorporated, and finally on April 30th 1917, the Borough of North Wildwood was reincorporated as the City of North Wildwood. The city's name – Wildwood – comes from the native flowers. The City of North Wildwood, transformed from a coastal nature to a booming tourism industry during the 1950's and 1960's led by the construction of the Garden State Parkway and the rise of the automobile.

Post-World War II families frequently opted for road trip vacations, and the Wildwoods By-the-Sea emerged as a prominent destination along the sun-kissed Southern Jersey Shore. This coastal enclave became a cultural hub, fostering the rise of rock 'n' roll and attracting renowned entertainers. It further gained notoriety for its innovative and playful architectural style, evident in the numerous motels constructed along Five-Mile Island. This distinctive aesthetic, now nationally recognized as Doo Wop, has established the Wildwoods as the undisputed Doo Wop Capital of the World.

The City now has a population of 3,621 according to 2020 Census population data. This is an 420 person or 10.4 % decrease from the 2010 Census count of 3,621, which in turn reflects a decline of 894 or 18.1 % from the 2000 Census count of 4,935. The trend of population decline is projected to continue for the next several decades. Population projections from the South Jersey Transportation Planning Organization (SJTPPO) show that the City will remain around 3,000 people at 3,358 by 2050 and down to 3,198 by 2060. However, the City experiences a seasonal population with a lower year-round population and a significantly higher population during the summer, which may not be reflected in the population counts. The 2001 State Development and Redevelopment Plan projects that the summer populations in Wildwood are estimated to be more than 16 times the winter population. Given this multiplier, the population of the City is projected to be 57,936. Subsequently the 5-year Urban Enterprise Zone study estimated that the Wildwoods (described later below) experiences roughly 6 million visitors annually, with the Wildwoods convention center accounting for 250,000 of those.

Of the approximately 3,621 people in North Wildwood, census data indicates that about 3,400 people or 94 % identify as white alone, 37 or 1 % identify as African American or black alone, 7 people or 0.2 % identify as Asian, 1 person or 0.03 % as American Indian or Alaska Native, 2 people or 0.1 % as Native Hawaiian and Other Pacific Islander, 42 or 1.2 % as "Some Other Race" and 132 people or 3.6 % as two

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or more races. Approximately 129 people or 3.6 % of the population of any race is considered Hispanic and 3,365 or 92.9 % of the population identifies as not Hispanic or Latino and white alone.

Census data also indicates a median household income of approximately \$85,812 (2023 ACS 5-Year estimate) for the City. This is consistent with the median household income of \$84,364 in Cape May County; however this is significantly lower than the median household income given that the median income for the state of New Jersey is approximately \$100,000.

The City along with the neighboring municipalities of Wildwood, West Wildwood, and Wildwood Crest, collectively known as the “Wildwoods”, were designated as an Urban Enterprise Zone (UEZ) in 2025. The UEZ program aims to revitalize communities and stimulate growth by encouraging business development and private investment. Specifically, the Wildwoods vision and goals outlined are to:

1. Enhance the Boardwalk with increased amenities for the public, including art installations.
2. Advance Retail Development and Redevelopment
3. Recruit Businesses and Minority Participation into the UEZ program
4. Enable Job Retention and Job Development
5. Create opportunities for off-season and inclement weather tourism-focused businesses and events

The UEZ area within North Wildwood consists of the boardwalk area, New Jersey Avenue, and Anglesea neighborhood located at the northern tip of the island.

State Planning Context

The City is located within the Barrier Island Environmentally Sensitive Planning Area (PA5B).

Within the Barrier Island Environmentally Sensitive Planning Area, it is the State Plan’s intention to:

- accommodate growth in Centers;
- protect and enhance the existing character of barrier island communities;
- minimize the risks from natural hazards;
- provide access to coastal resources for public use and enjoyment;
- maintain and improve coastal resource quality; and
- revitalize cities and towns.

The State Plan encourages barrier island communities to grow sustainable economies that are compatible with the natural environment, minimize the risks from natural hazards, and maximize public access to coastal resources.

The City, along with the surrounding municipalities, of West Wildwood Boro and Wildwood City, are actively petitioning for Plan Endorsement by the State Planning Commission. The City submitted a Municipal Self Assessment to the Office of Planning Advocacy on February 22nd, 2022, and is currently in Step 4 of the Plan Endorsement Process — The Opportunity and Constraints Assessment.

The City’s intent to pursue Plan Endorsement and subsequently petition for its CAFRA Center, was to obtain the impervious coverage increase, facilitating development opportunities and supporting

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businesses and economic development, while maintaining and preserving the natural environment, and protecting its residents from natural hazards.



Map 1 North Wildwood City State Plan Policy Map Areas

Affordable Housing

In 1975, the New Jersey Supreme Court decided that developing municipalities in New Jersey had a constitutional obligation to provide a realistic opportunity for its fair share of low-and moderate-income housing. That case, known as “Mount Laurel I,” became the seminal case in New Jersey fair share housing obligations. In 1983, frustrated with the lack of voluntary compliance, the Supreme Court sought to create an incentive for voluntary compliance. In what would become known as “Mount Laurel II,” the Supreme Court introduced the concept of a builder’s remedy suit, an enforcement action to compel compliance. The Court also called for the State Legislature to enact legislation that would save municipalities from the inefficiency of having the courts determine their affordable housing needs.

First and Second Rounds

In 1985, the Legislature adopted the Fair Housing Act, P.L. 1985, c.222 (“FHA”). The FHA created the New Jersey Council on Affordable Housing (COAH) and charged COAH with the responsibility of adopting regulations by which municipalities could determine their fair share responsibilities and the means by which they could satisfy those responsibilities. The Legislature also sought to promote voluntary compliance and empowered municipalities to submit to COAH’s jurisdiction and voluntarily comply under the protections of the COAH process from builder’s remedy lawsuits.

Pursuant to the FHA, COAH adopted regulations for the first housing cycle in 1986; which covered the years 1987 through 1993 (“First Round”) and for the second housing cycle in 1994; which covered the years 1993 through 1999 (“Second Round”). Under both the First and Second Rounds, COAH utilized what is commonly referred to as the “fair share” methodology. The Second Round reevaluated the First Round obligations and combined them in later rounds to be called the “Prior Round” obligations.

Third Round

In 2004, COAH adopted rules to address affordable housing from 1999 through 2014 (“Third Round”). COAH utilized a different methodology in the Third Round known as “growth share.” The “growth share” approach created a nexus between the production of affordable housing and future residential and non-residential development within a municipality, based on the principle that municipalities should provide affordable housing opportunities proportionate to their market rate residential growth, and that, along with employment opportunities there should be proportionate opportunities for affordable housing. This methodology was challenged in court. In January 2007, the New Jersey Appellate Division invalidated key aspects of COAH’s Third Round rules and ordered COAH to propose and adopt amendments to its rules to address any deficiencies.

In July 2008, the Legislature amended the FHA (P.L. 2008 c. 46), including the imposition of a non-residential construction fee, the elimination of regional contribution agreements, and the addition of the category of very low-income housing. Bookending the FHA’s amendment, COAH adopted new Third Round rules in May 2008 and amendments in October 2008. COAH’s rules were again challenged in court. In October 2010, the Appellate Division invalidated the “Growth Share” methodology and ruled that COAH should adopt regulations that assigned obligations through a methodology similar to those COAH used in

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the first and second rounds. In September 2013, the Supreme Court affirmed the Appellate Division's decision and gave COAH five months to come up with new legally defensible regulations.

Although COAH proposed regulations consistent with the direction of the Supreme Court, when it came time for COAH to adopt the regulations in October 2014, COAH deadlocked 3-3 on the vote to adopt. COAH then failed to take any step to break the deadlock. Fair Share Housing Center, who was a party to earlier cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. In March 2015, the Supreme Court decided a case commonly referred to as Mount laurel IV. In this case, the Court ruled that COAH had failed and returned jurisdiction of affordable housing issues back to the trial courts as it had been prior to the enactment of the Fair Housing Act in 1985. The Court also established a procedure for municipalities to secure approval of a Housing Element and Fair Share Plan in court and to secure immunity while pursuing approval of their plan

In Mount Laurel IV, the Supreme Court ended its opinion as follows:

"It is our hope that an administrative remedy will again become an option for those proactive municipalities that wish to use such means to obtain a determination of their housing obligations and the manner in which those obligations can be satisfied."

However, before COAH could be reconstituted and against the backdrop of litigation seeking to compel Governor Murphy to comply with the Fair Housing Act and nominate members to the COAH Board, the Senate President and Speaker of the House announced that there would be new legislation that would abolish COAH. That announcement was made in December of 2024.

Fourth Round

On March 20, 2024, Governor Murphy signed an amendment to the Fair Housing Act into law that made dramatic changes to the Fair Housing Act. The amended Fair Housing Act (hereinafter "FHA II") abolished COAH. It also established new procedures for determining statewide needs and municipal obligations for low- and moderate-income housing. Specifically, FHA II created the Affordable Housing Dispute Resolution Program, also known as the "Program" and charged the Program with trying to resolve disputes amicably. If those efforts failed, FHA II envisioned that the disputes would be resolved by a vicinage area judge.

FHA II also established standards for determining a municipality's fair share and charged the Department of Community Affairs (DCA) to calculate municipal affordable housing obligations based on those standards. FHA II gave the DCA until October 20, 2024 to issue a nonbinding report identifying the fair share obligations of all municipalities based on its interpretation of the standards set forth in FHA II. FHA II gave municipalities the opportunity to set forth their own fair share based upon the standards set forth in the Act. FHA II also provided revisions to the crediting structures for affordable units, with changes to the types of affordable units that are permitted to be granted bonus credits.

FHA II provided that a municipality could secure immunity from exclusionary zoning lawsuits by adopting a resolution committing to a fair share and filing a declaratory judgment action by January 31, 2025. The Act went on to provide that a municipality could preserve its immunity by filing a Housing Element and Fair Share Plan by June 30, 2025..

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North Wildwood's History of Compliance

North Wildwood first participated in the affordable housing process beginning in 1997, with the adoption of a Housing Plan Element and Fair Share Plan. The City then petitioned COAH for Second Round substantive certification in April of 1997. COAH granted the City substantive certification for their Housing Plan and the City was granted immunity from builder's remedy lawsuits in January of 1999. COAH had initially determined that the City had an 80 unit obligation, but granted a Vacant Land Adjustment to a Realistic Development Potential of 7 units. The City's Housing Plan at the time addressed a 7-unit Realistic Development Potential and 33 unit rehabilitation obligation through a combination of a rehabilitation program and the development of senior rental housing at the Marina Bay Towers project.

See Appendix A-1 for a copy of the Resolution of COAH granting Second Round Substantive Certification.

In 2007, the City prepared a Housing Plan and Fair Share Plan consistent with COAH's Third Round "growth share" rules. However, the Court invalidated COAH's "growth share" methodology before the City could adopt the plan.

In 2008, the City revised the draft Plan from 2007. The Planning Board then adopted and the City then endorsed the 2008 Housing Element and Fair Share Plan. In February of 2009 the City submitted the adopted/endorsed Housing Plan to COAH and petitioned COAH to certify that plan. COAH accepted the City's petition, but never certified the City's plan because the Court invalidated the Round 3 regulations that existed at that time.

By January 31, 2025, North Wildwood accepted the invitation of the legislature in FHA II to adopt a resolution committing to a fair share and to file a declaratory judgment action. Specifically, the City adopted Resolution #52-25 wherein it accepted the Present Need calculation and the Round 4 Prospective Need calculation that the DCA had made and included in a report the DCA issued on October 18, 2024. The City subsequently filed a complaint for declaratory relief with the Superior Court of Cape May County. No challenges were filed to the City's obligation numbers.

A copy of Resolution #52-25 and the Declaratory Judgment Complaint filed by the City establishing the City's Fourth Round obligations can be found in Appendix B-1.

The City has prepared this Housing Plan Element and Fair Share Plan in accordance with all requirements of the Municipal Land Use Law, and the Amended Fair Housing Act.

HOUSING PLAN ELEMENT

According to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et. Seq. (MLUL), a municipality is required to adopt a Housing Plan Element of the Master Plan (N.J.S.A. 40:55D-28.b(3)), as well as a Fair Share Plan for addressing its low- and moderate-income housing obligations in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. (FHA).

The Fair Housing Act defines a “Housing Element” as:

“that portion of a municipality’s master plan consisting of reports, statements, proposals, maps, diagrams, and text designed to meet the municipality’s fair share of its region’s present and prospective housing needs, particularly with regard to low- and moderate-income housing, and which shall contain the municipal present and prospective obligation for affordable housing, determined pursuant to subsection f. of section 3 of P.L.2024, c. 2.”

[N.J.S.A.52:27D-304.1]

Pursuant to the Fair Housing Act, P.L. 1985, c. 222, as amended by P.L. 2024, c.2, a municipality’s housing plan element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with attention to low- and moderate-income housing. This updated Housing Plan Element and Fair Share Plan for the City of Vineland has been prepared in a manner that is consistent with the FHA and MLUL requirements, and contains the following, as required by the FHA:

- a. 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, and in conducting this inventory the municipality shall have access, on a confidential basis 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 record cards;*
- b. 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;*
- 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, c. 2 (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 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;*

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- 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 the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c. 273 (C.52:27D-329.20);*
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c. 120 (C.13:20-4), 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. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, 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 transportation based on guidance and technical assistance from the State Planning Commission.*

[N.J.S.A.52:27D-310]

This Housing Plan Element and Fair Share Plan will address the City's obligations with respect to its rehab and new construction obligations. In accordance with FHA II, once the Planning Board adopts the Housing Element and Fair Share Plan, the City, through its counsel will file the adopted plan with the program within 48 hours. After the City endorses the duly adopted Housing Element and Fair Share Plan, the City will supplement its submission to the Program with the resolution of endorsement.

As required by N.J.S.A. 52:27D-310, all housing elements must contain a discussion of the municipality's demographic, housing, and economic characteristics. The following subsections fulfill this requirement by providing a profile of the City's demographic, housing and employment characteristics based on information from the US Census Bureau, and the New Jersey Department of Labor and Workforce Development.

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Demographics

Population Trends

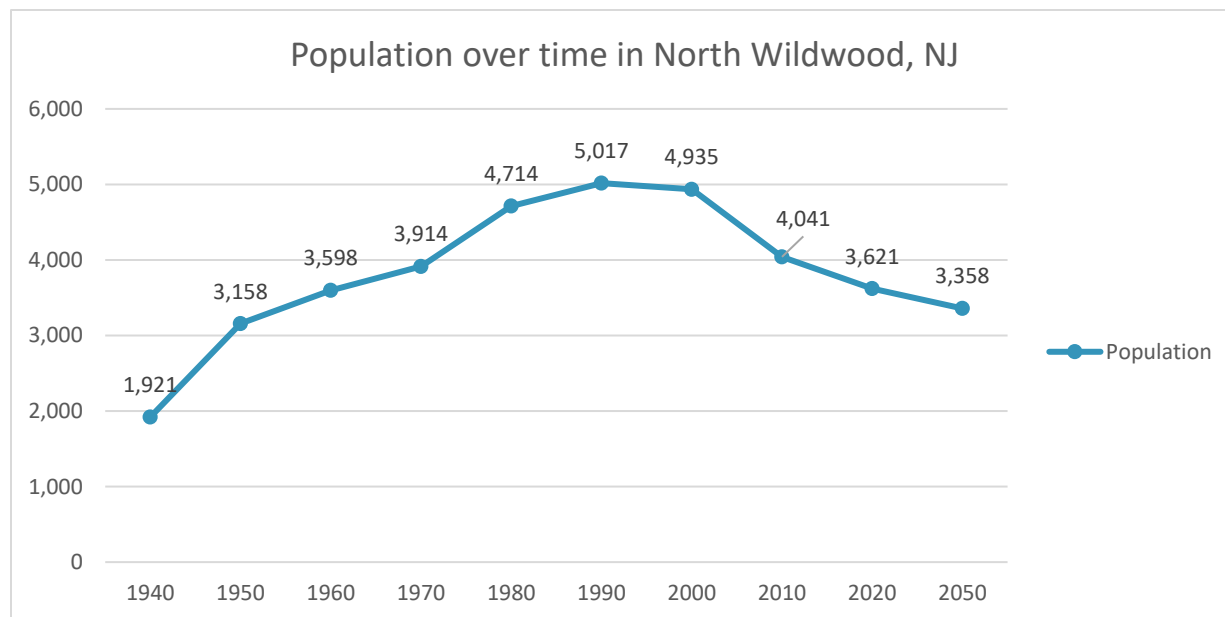
The City of North Wildwood has experienced decreases in population over the past few decades. According to the 2020 U.S Census, the City population stood at 3,621 residents. This marks a 10.39 percent decrease from the 4,041 residents recorded in 2010. In comparison, population fell more sharply between 2000 and 2010, with a decrease of 18.12 % from the 4,925 residents recorded by the 2000 Census. By comparison, Cape May County's population decreased by 4.95 % between 2000 and 2010, and by 2.06 % between 2010 and 2020. Table 1 below illustrates the population growth trends for both North Wildwood and Cape May County from 2000 through 2020.

Table 1: Population Trends, 2000 – 2020

	2000	2010	2020	% Change 2000-2010	% Change 2010-2020
North Wildwood	4,935	4,041	3,621	-18.12%	-10.39%
Cape May County	102,326	97,265	92,701	-4.95%	-4.69%

Source: US Census Bureau Decennial Census (Table DP-1)

The City of North Wildwood's population growth and decline between 1950 – 2050 (actual and estimated) is illustrated in Figure 1 below. The largest population growth occurred between 1940 and 1950, when population increased by 64.39 %. The increase of 1,237 people between the 1940 population of 1,921 and the 1950 population of 3,158 also represents that largest numerical change during this time period. The population continued to rise until 1990, when it was recorded by the US Census that 5,017 people lived in the City. The City has experienced steady population decreases since 1990, and it is projected that population will continue to slightly decrease between 2020 and 2050.



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Since the prospective need is defined in part based upon development and growth reasonably likely to occur, these downward projections suggest that the prospective need should be zero if the projection of development and growth in the region is also lower.

Population Composition by Age

The age composition of North Wildwood has shifted between age cohorts since 2000, as illustrated in Table 2 below. According to the U.S. Census Bureau's Decennial Census Estimates, significant changes occurred between younger and older age groups. The number of residents 59 years old and younger decreased, while those 60 and older all increased between 2000-2020.

Table 2: Population by Age Cohort, North Wildwood, 2000 – 2020					
	2000		2020		%Change 2000-2020
	Number	Percent	Number	Percent	
Total population	4,935	100%	3,621	100%	-26.63%
Under 5 years	195	3.95%	55	1.52%	-71.79%
5 to 9 years	232	4.70%	81	2.24%	-65.09%
10 to 14 years	263	5.33%	124	3.42%	-52.85%
15 to 19 years	238	4.82%	127	3.51%	-46.64%
20 to 24 years	215	4.36%	130	3.59%	-39.53%
25 to 34 years	511	10.35%	256	7.07%	-49.90%
35 to 44 years	656	13.29%	241	6.66%	-63.26%
45 to 54 years	721	14.61%	392	10.83%	-45.63%
55 to 59 years	371	7.52%	366	10.11%	-1.35%
60 to 64 years	365	7.40%	420	11.60%	15.07%
65 to 74 years	654	13.25%	836	23.09%	27.83%
75 to 84 years	402	8.15%	452	12.48%	12.44%
85 years and over	112	2.27%	141	3.89%	25.89%
<i>Source: US Census Bureau, Decennial Census (Table DP-1)</i>					

The age composition of Cape May County has shifted in a similar manner as has the City, as illustrated in Table 3 below. With the exception of the 20 to 24 age cohort, all other cohorts 55 years old and younger decreased, while all age cohorts 55 and above increased.

Table 3: Population by Age Cohort, Cape May County, 2000 – 2020					
	2000		2020		% Change 2000-2020
	Number	Percent	Number	Percent	
Total population	102,326	100%	95,263	100%	-6.90%
Under 5 years	5,244	5.12%	3,878	4.07%	-26.05%

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5 to 9 years	6,541	6.39%	4,524	4.75%	-30.84%
10 to 14 years	7,103	6.94%	4,933	5.18%	-30.55%
15 to 19 years	6,082	5.94%	4,702	4.94%	-22.69%
20 to 24 years	4,450	4.35%	4,494	4.72%	0.99%
25 to 34 years	10,473	10.23%	9,599	10.08%	-8.35%
35 to 44 years	15,606	15.25%	9,023	9.47%	-42.18%
45 to 54 years	14,354	14.03%	10,807	11.34%	-24.71%
55 to 59 years	6,239	6.10%	7,803	8.19%	25.07%
60 to 64 years	5,553	5.43%	8,878	9.32%	59.88%
65 to 74 years	10,662	10.42%	15,639	16.42%	46.68%
75 to 84 years	7,394	7.23%	8,014	8.41%	8.39%
85 years and over	2,625	2.57%	2,969	3.12%	13.10%

Source: US Census Bureau, Decennial Census (Table DP-1)

The median age of North Wildwood residents was 60.5 as of the 2020 census, which is a 28.18 % increase from the median age of 47.2 as of 2000, as indicated in Table 4 below. In contrast, while Cape May County's median age increased 21.75 % between 2000 and 2020, the actual median age as of 2020 (51.5) is nine years less than that of the City. Median age of both North Wildwood and Cape May County are significantly higher than the Statewide median age of 39.9, as well as the overall percentage of increase at the statewide level (8.72 %) being substantially less. While it appears that the broader trend on the Statewide level is reflective of the Baby Boomer generation continuing to age and are not being replaced by younger cohorts, County and City trends appear to reflect a population getting increasingly older and more reflective of those close to and/or being retirement age. As of 2020 a majority of the City was 60 years or older, while a majority of the County was 55 and older.

Table 4: Median Age, 2000 – 2020

	2000	2020	Percent Change
City of North Wildwood	47.2	60.5	28.18%
Cape May County	42.3	51.5	21.75%
New Jersey	36.7	39.9	8.72%

Source: US Census Bureau, Decennial Census (Table DP-1)

Households

Table 5 provides number of households and household sizes within the North Wildwood and Cape May County. A household is defined as one or more individuals, related or not, living together in a single housing unit. According to the 2023 ACS 5-Year estimates, there were approximately 1,901 households in the City. Of these, 54.45 % were households of two people, the largest percentage, followed by 33.56 % with one person, 7.84 % with 4 or more people, and 4.16 % with three people.

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In comparison, the County recorded 40.43 % two-person households, 29.96 % one-person households, 16.05% four-person households, and 13.56 % three-person households. North Wildwood’s average household size was 1.9 people, which is slightly less than both the County’s average of 2.62 and New Jersey’s average of 2.61, according to the ACS estimates.

Table 5: Household Characteristics North Wildwood, Cape May and New Jersey						
	North Wildwood		Cape May County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
Total Households	1,901	100%	44,369	100%	3,478,355	100%
1-person	638	33.56%	13,293	29.96%	918,897	26.42%
2-persons	1,035	54.45%	17,939	40.43%	1,081,842	31.10%
3-persons	79	4.16%	6,015	13.56%	594,946	17.10%
4 or more persons	149	7.84%	7,122	16.05%	882,670	25.38%
Average Household Size	1.9 people		2.11 people		2.61 people	
Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Table S2501& B25010)						

Family households are defined as two or more individuals living together in the same residence, related by blood, marriage, or adoption. Of the total 1,901 households within North Wildwood, 1,137 (59.81%) are family households, while 764 (40.19%) are non-family households. In contrast, Cape May County has 65.75 % family households and 34.25% non-family households, which differs significantly from the City.

Within North Wildwood, approximately 91.20% of family households consist of married couple householders. Among the remaining family households, 3.52 % are headed by a single male householder, and 5.28 % are headed by a single female householder. The average family size in the City is 2.33 persons. In comparison, Cape May County consists of 78.58 % married couples, with 6.65 % male householders and 14.77 % female householders. Further, 19.1 % of the households in North Wildwood are comprised of individuals aged 65 or older, totaling 363 households, whereas in comparison, 15.3 % Cape May County households are headed by individuals aged 65 or older.

Table 6: Household by Type, North Wildwood and Cape May County				
	City of North Wildwood		Cape May County	
	Number	Percent	Number	Percent
Total Households	1,901	100.00%	44,369	100.00%
Average Household Size	1.9 people		2.11 people	
Total Families	1,137	59.81%	29,171	65.75%
Average Family Size	2.33 people		2.56 people	

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Married Couple Family	1,037	91.20%	22,922	78.58%
With own children under 18 years	66	6.36%	6,076	26.51%
No children under 18 years	971	93.64%	16,846	73.49%
Male householder, no wife present	40	3.52%	1,940	6.65%
With own children under 18 years	14	35.00%	677	34.90%
No own children under 18 years	26	65.00%	1,263	65.10%
Female householder, no husband present	60	5.28%	4,309	14.77%
With own children under 18 years	0	0.00%	1,898	44.05%
No own children under 18 years	60	100.00%	2,411	55.95%
Nonfamily Households	764	40.19%	15,198	34.25%
65 years and over	363	19.10%	6,788	15.30%
<i>Source: US Census Bureau, American Community Survey 5-year Estimates 2019 to 2023 (Table S1101)</i>				

*Housing Conditions***Existing Housing Units**

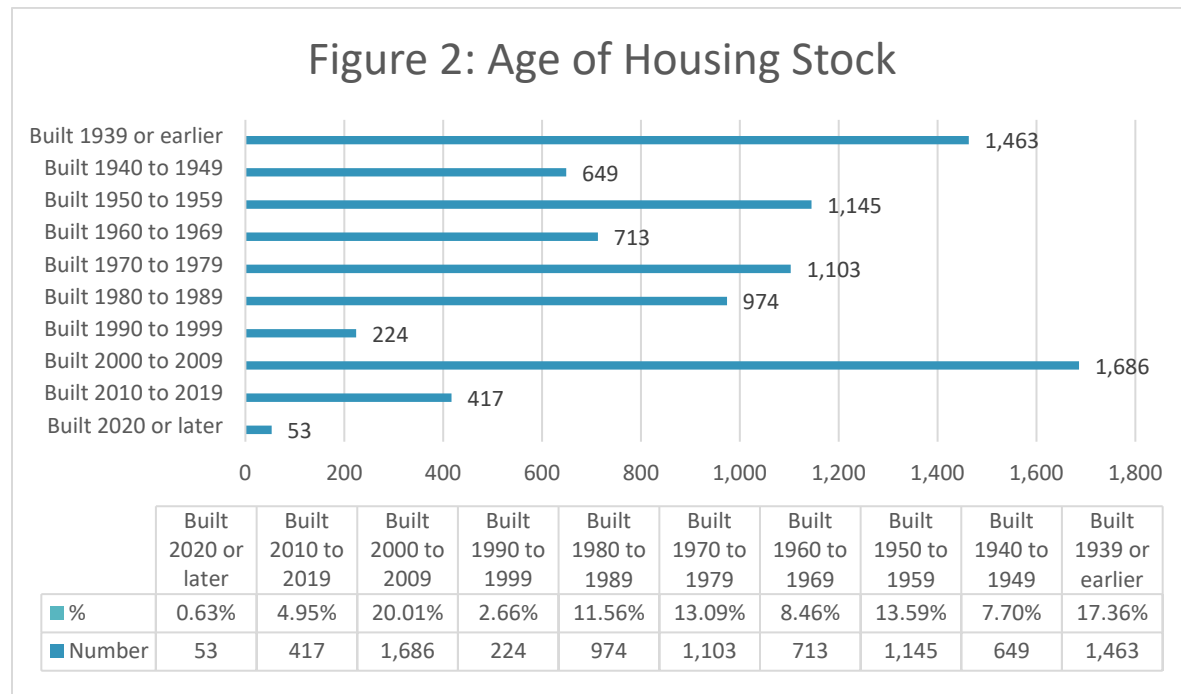
North Wildwood's housing stock is predominantly vacant, as indicated in Table 7. According to 2023 ACS estimates, the City has a total of 8,427 housing units, of which 1,901 units (or 22.56 %) are occupied, and 6,526 (77.44%) are vacant. Among the occupied units, the majority (1,467 or 77.17 %) are owner-occupied, while 434 (or 22.83 %) are renter-occupied. Among the vacant units, the vast majority (6,261 or 95.94 %) are for seasonal, recreational, or occasional use, which is reflective of a vacation-oriented community such as North Wildwood, which has a high level of seasonal residents and visitors.

Table 7: Housing Units in City of North Wildwood		
	Number	Percent
Total Housing Units	8,427	100.00%
Occupied Housing Units	1,901	22.56%
Owner Occupied	1,467	77.17%
Renter Occupied	434	22.83%
Vacant Housing Units	6,526	77.44%
For rent	232	3.56%
Rented, not occupied	0	0.00%
For sale only	6	0.07%
Sold, not occupied	16	0.25%
For seasonal, recreational, or occasional use	6,261	95.94%

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For migrant workers	0	0.00%
Other vacant	11	0.17%
<i>Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables DP04 and B25004)</i>		

As indicated in Figure 2 below, 1,686 housing units (20.01 % of existing housing stock) within North Wildwood was built between 2000-2010, which represents the largest amount of housing stock within the City. However, the second largest grouping of homes in the City were constructed prior to 1940.



Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables DP04)

Housing Type and Size

North Wildwood's housing stock is predominantly comprised of one-unit attached homes, making up an estimated 41.75 % of the City's total housing units as indicated in Table 8 below. The next highest housing type is those consisting of 1-unit detached homes, which makes up 32.23 % of all housing units. Almost one-third (29.45 %) of North Wildwood's housing inventory is made up of 3-bedroom homes, followed by 2-bedroom homes at 28.28 % and 4-bedroom homes at 18.01%.

Table 8: Housing Units by Type: City of North Wildwood		
	Number	Percent
Total Housing Units	8,427	100.00%
1-unit detached	2,716	32.23%
1-unit, attached	3,518	41.75%

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2 units	472	5.60%
3 or 4 units	312	3.70%
5 to 9 units	448	5.32%
10 to 19 units	247	2.93%
20 or more units	714	8.47%
Mobile home	0	0.00%
Boat, RV, Van etc	0	0.00%
Bedrooms		
No bedroom	300	3.56%
1 bedroom	1168	13.86%
2 bedrooms	2,383	28.28%
3 bedrooms	2,482	29.45%
4 bedrooms	1,518	18.01%
5 or more bedrooms	576	6.84%
<i>Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables DP04)</i>		

Housing Values and Contract Rents

According to the ACS 5-Year Estimates, a plurality (36.61 %) of housing units in North Wildwood are valued between \$ 300,000 - \$ 499,999, which is similar to that of Cape May County, in which 33.82 % of housing units are within this price range. Table 9 provides a detailed breakdown of home values for owner-occupied units within the City and the County. 1.64 % and 2.11 % of housing units within Delran were valued at less than \$ 50,000 and between \$50,000 - \$99,999, respectively, as compared to the County's 3.32 % and 1.67 %. The median value of an owner-occupied home in North Wildwood was \$ 446,000, which is higher than the County's median, which was \$ 395,000.

Table 9: Value of Owner-Occupied Housing Units, 2019 -2023

	North Wildwood		Cape May County	
	Number	Percent	Number	Percent
Total	1,467	100.00%	35,180	100.00%
Less than \$50,000	24	1.64%	1,168	3.32%
\$50,000 to \$99,999	31	2.11%	587	1.67%
\$100,000 to \$149,999	41	2.79%	552	1.57%
\$150,000 to \$199,999	32	2.18%	2,169	6.17%
\$200,000 to \$299,999	219	14.93%	6,656	18.92%
\$300,000 to \$499,999	537	36.61%	11,899	33.82%
\$500,000 to \$999,999	458	31.22%	8,585	24.40%

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\$1,000,000 and greater	125	8.52%	3,564	10.13%
Median Value	\$446,400		\$395,000	
Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables DP04)				

The majority of rental prices in North Wildwood (57.76 %) are between \$1,000 to \$ 1,499. Table 10 provides a detailed breakdown of gross rent paid within the City. According to the ACS 5-Year Estimates, the median gross rent in North Wildwood was \$1,228, which is slightly lower than the County median of \$1,345. North Wildwood had no units with rents under \$500 per month, while ACS estimates indicate the 5.28 % of County units had rents below this threshold. Additionally, an estimated 61 North Wildwood units did not require cash rent payments, compared to 743 such units across the County.

Table 10: Gross Rent Paid, 2019 - 2023				
	City of North Wildwood		Cape May County	
	Number	Percent	Number	Percent
Total	373	100.00%	8,446	100.00%
Less than \$500	0	0.00%	446	5.28%
\$500 to \$999	59	15.82%	1,981	23.45%
\$1,000 to \$1,499	189	50.67%	2,475	29.30%
\$1,500 to \$1,999	125	33.51%	2,168	25.67%
\$2,000 to \$2,499	0	0.00%	1,097	12.99%
\$2,500 to \$2,999	0	0.00%	180	2.13%
\$3,000 or more	0	0.00%	99	1.17%
No rent paid	61		743	
Median Contract Rent	\$1,228		\$1,345	
Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables DP04)				

Units Affordable to Low- and Moderate-Income Households

A moderate-income household is a household whose gross family income is more than fifty percent (50%) of the median income, but less than eight-percent (80%) of median income for households of the same size within the housing region. A low-income household is a household whose gross family income is equal to or less than fifty-percent (50%) of the regional median gross household income for a household and a very-low income household is classified as earning less than thirty-percent (30%) of the median area income of the same size within the housing region.

Units are considered affordable to low and moderate-income households if the maximum sales price or rent is set within a specified formula as per UHAC regulations, which is determined by the amount that a low- or moderate-income household can likely afford to pay. North Wildwood is located within is Region 6, which encompasses Atlantic, Salem, Cumberland and Cape May counties. The median household income in North Wildwood in 2023 was \$85,812. The median annual income for a household of 3 persons in Region 6 overall is \$92,500.

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Regional income limits for Region 6 are shown in the Table below.

Table 11. 2025 Affordable Housing Regional Income Limits By Household Size (Persons)											
	1	1.5	2	2.5	3	4	4.5	5	6	7	8
Median	\$71,900	\$77,050	\$82,200	\$87,350	\$92,500	\$102,700	\$106,850	\$111,000	\$119,200	\$127,400	\$135,600
Mod	\$57,520	\$61,640	\$65,760	\$69,880	\$74,000	\$82,160	\$85,480	\$88,800	\$95,360	\$101,920	\$108,480
Low	\$35,950	\$38,525	\$41,100	\$43,675	\$46,250	\$51,350	\$53,425	\$55,500	\$59,600	\$63,700	\$67,800
Very Low	\$21,570	\$23,115	\$24,660	\$26,205	\$27,750	\$30,810	\$32,055	\$33,300	\$35,760	\$38,220	\$40,680
Source: AHPNJ, 2025 Regional Income Limits											

Based on the qualifying formula in N.J.A.C. 5:80-26, the monthly cost of shelter which includes mortgage (principal and interest), taxes, insurance and homeowners or condominium association fees, may not exceed twenty-eight percent (28%) of gross monthly household income based on a five percent (5%) down payment for the sale of an affordable home. In addition, moderate-income sales units must be available for at least three different price points and low-income sales units available for at least two different price points. The maximum sales prices must now be affordable to households earning no more than seventy-percent (70%) of median income. The sales prices for a project of more than 5 affordable units must average fifty-five percent (55%) of regional median income.

Under UHAC regulations, rents including utilities may not exceed thirty-percent (30%) of gross monthly income for the low or moderate income household. The average rent must now be affordable to households earning fifty-two percent (52%) of regional median income. The maximum rents must be affordable to households earning no more than sixty-percent (60%) of regional median income. In averaging fifty-two percent (52%), one rent shall be established for very-low-income units, one rent may be established for low-income units and one rent for moderate-income units, for each bedroom distribution. The utility allowance must be consistent with the utility allowance approved by DCA for its Section 8 program.

In addition, at least thirteen percent (13%) of all restricted units must be affordable to households earning no more than thirty-percent (30%) of median income.

Housing Conditions

Overcrowding is minimal in North Wildwood, with approximately 6.2 % (91 units) of owner-occupied units and no renter-occupied units exceeding one person per room. As outlined in Table 12 below, a small number of units in the City lacking complete plumbing facilities (5 units, or 0.26%) with a slightly large amount lacking kitchen facilities (46 units, or 2.42 %). Housing deficiencies are often key factors in assessing overall housing conditions across North Wildwood and determining municipal rehabilitation needs.

Table 12: Housing Deficiency Characteristics, City of North Wildwood 2023		
	Count	Percent
Housing Units with 1.01 or More Persons Per Room		

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Owner-Occupied	91	6.20%
Renter-Occupied	0	0.00%
Plumbing Facilities		
Total Occupied Housing Units	1,901	100.00%
Lacking complete plumbing facilities	5	0.26%
Kitchen Equipment		
Total Occupied Housing Units	1,901	100%
Lacking complete kitchen facilities	46	2.42%
<i>Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables B25014, S2504)</i>		

Residential Building Permits

North Wildwood issued building permits for 469 new residential units between January 2013 and December 2023 as indicated in Table 13 below, which is based upon data provided by the NJ Department of Consumer Affairs. A total of 243 residential demolition permits were issued during this time period. Subtracting the demolition permits from the construction permits reveals a net increase of 226 residential units over the same timeframe. Of the 469 permits, 428 were for 1 & 2 family homes and 41 were for multi-family units. Overall, the City's overall housing stock saw steady growth and replenishment of demolished housing stock. during this time period.

Table 13: Building Permits and Demolition Permits Issued 2013 - 2023

Year	1&2 Family	Multi Family	Mixed Use	Total New Construction	Total Residential Demolitions	Net Units Added
2013	10	3	0	13	14	-1
2014	23	4	0	27	11	16
2015	30	0	0	30	17	13
2016	49	3	0	52	22	30
2017	52	6	0	58	21	37
2018	30	18	0	48	22	26
2019	46	4	0	50	24	26
2020	34	1	0	35	18	17
2021	74	0	0	74	29	45
2022	43	0	0	43	33	10
2023	37	2	0	39	32	7
Total	428	41	0	469	243	226

Source: NJ DCA, Construction Reporter 2013 to 2023

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*Economic Conditions***Employment Status**

ACS estimates provide data on the work activity of residents aged 16 and older. North Wildwood's working-age population was 3,420, with approximately 1,458 residents in the labor force as indicated in Table 14 below. Approximately 57.37 % of the City's working-age residents were not participating in the labor force at the time of the 5-year ACS estimates, which is higher than the County's 42.68 % non-participation rate. All of North Wildwood's labor force were employed in civilian jobs, with no residents reported as members of the armed forces. North Wildwood's 1.32 % unemployment rate is lower than that of the County, which stood at 3.42 %.

Table 14: Employment Status, 2023				
	City of North Wildwood		Cape May County	
	Number	Percent	Number	Percent
Population 16 years and over	3,420	100.00%	80,597	100.00%
In labor force	1,458	42.63%	46,201	57.32%
Civilian Labor Force	1,458	42.63%	45,696	56.70%
Employed	1,413	41.32%	42,940	53.28%
Unemployed	45	1.32%	2,756	3.42%
Armed Forces	0	0.00%	505	0.63%
Not in Labor Force	1,962	57.37%	34,396	42.68%
Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03)				

Worker Classification

Approximately 78.27 % of North Wildwood's workers were employed in private wage and salary positions, while 1.56 % were self-employed as indicated in Table 15 below. Government employees made up 17.2 % of the workforce, with unpaid family workers representing 2.97 %.

Table 15: Classification of Workers, City of North Wildwood, 2023		
	Number	Percent
Total	1,413	100.00%
Private Wage and Salary Worker	1,106	78.27%
Government Worker	243	17.20%
Self-Employed Worker	22	1.56%
Unpaid Family Worker	42	2.97%
Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03)		

Workforce by Sector

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An analysis of employed individuals over the age of 16 by economic sector reveals while there is a diverse range of industries in which North Wildwood's working-age population is engaged, three (3) sectors comprise a plurality (44.66 %) of the overall total: educational services, healthcare, and social assistance (17.83 %, or 252 employees), professional, scientific, management, administrative, and waste management services (13.87 %, or 196 employees), and agriculture, forestry, fishing and hunting and mining (12.95 %, or 183 employees).

Table 16: Workforce by Sector, City of North Wildwood, 2023

Industry	Number	Percent
Civilian employed population 16 years and over	1,413	100.00%
Agriculture, forestry, fishing and hunting and mining	183	12.95%
Construction	103	7.29%
Manufacturing	16	1.13%
Wholesale trade	17	1.20%
Retail trade	193	13.66%
Transportation and warehousing, and utilities	72	5.10%
Information	0	0.00%
Finance and insurance, and real estate and rental and leasing	127	8.99%
Professional, scientific, and management, and administration and waste management services	196	13.87%
Educational services, health care and social assistance	252	17.83%
Arts, entertainment, and recreation, and accommodation and food services	105	7.43%
Other services, except public administration	39	2.76%
Public administration	110	7.78%

Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03)

Occupations by Type

Table 17 presents a breakdown of occupations by type within the North Wildwood's employed civilian labor force. The largest segment is engaged in management, business, science, and arts occupations (36.16 % or 511 employees), followed by sales and office occupations (446 employees or 31.56 %). Service occupations account for 17.69 % (250 employees) of the total workforce. The sectors with the smallest share are natural resources, construction, and maintenance occupations (7.78 %, or 110 employees) and production, transportation, and material moving occupations (6.79 %, or 96 employees).

Table 17: Occupations by Type, City of North Wildwood, 2023

	Number	Percent
Employed Civilian population 16 years and over	1,413	100.00%

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Management, business, science, and arts occupations	511	36.16%
Service occupations	250	17.69%
Sales and office occupations	446	31.56%
Natural resources, construction, and maintenance occupations	110	7.78%
Production, transportation, and material moving occupations	96	6.79%
<i>Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03)</i>		

Commuting to Work

As shown in Table 18, the vast majority of residents (75.93 %, or 1,060 employees) commuting to work alone by private vehicle, which is marginally higher than the County's 73.66%. Those who carpool represent 9.17 % of the workforce, followed by those who walk (3.37%), commute by other means (2.01 %), and those who rely on public transportation (excluding taxicabs), which comprise 1.65 %.

Table 18: Means of Commute, City of North Wildwood, 2023				
	North Wildwood		Cape May County	
	Number	Percent	Number	Percent
Workers 16 years and over	1,396	100.00%	42,639	100.00%
Car, truck, van - Drove Alone	1,060	75.93%	31,408	73.66%
Car, truck, van - Carpooled	128	9.17%	3,545	8.31%
Public transportation (excluding taxicab)	23	1.65%	303	0.71%
Walked	47	3.37%	1,654	3.88%
Other means	28	2.01%	1,513	3.55%
Worked from home	110	7.88%	4,216	9.89%
<i>Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03)</i>				

As indicated in Table 19 below, 40.82 % residents (525 total) have a commute of more than 30 minutes, which is higher than the County's rate of 26.9 %. In contrast, 43 % of residents (553 total) have a commute of less than 20 minutes, less than the County rate of 53.73 %.

Table 19: Travel Time to Work, 2023				
	North Wildwood		Cape May County	
	Number	Percent	Number	Percent
Less than 10 minutes	185	14.39%	7,904	20.57%
10 to 19 minutes	368	28.62%	12,739	33.15%
20 to 29 minutes	208	16.17%	7,446	19.38%
30 to 44 minutes	21	1.63%	5,747	14.96%

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45 to 59 minutes	140	10.89%	1,757	4.57%
60 to 89 minutes	68	5.29%	1,484	3.86%
90 or more minutes	296	23.02%	1,346	3.50%
Mean travel time to work (minutes)	38		22.7	
Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03, B08303)				

FAIR SHARE PLAN

A Fair Share Plan has been defined by the Amended Fair Housing Act at N.J.A.C. 52:27D-304 as:

“Fair Share Plan” means the plan or proposal that is in a form which may readily be adopted, with accompanying ordinances and resolutions, pursuant to subsection f. of section 3 of P.L.2024, c.2 (C.52:27D-304.1), by which a municipality proposes to satisfy its obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low- and moderate-income housing, as provided in the municipal housing element, and addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

The Fair Share Plan for the City of North Wildwood is broken up into three sections;

- a Present Need or Rehabilitation Obligation,
- the Prior Round / First and Second Round (1987-1999) and Third Round (1999-2025) Prospective Need Obligation, and
- the Fourth Round (2025-2035) Prospective Need Obligation.

The City’s Fair Share Plan specifically describes the completed and proposed mechanisms to address the present need (rehabilitation) obligation, First and Second Round (Prior Round) obligation, Third Round obligation, and Fourth Round obligation.

COAH determined the City’s Prior Round obligations. Judge Jacobson issued an opinion establishing a fair share methodology in an opinion she issued in March of 2018. The City used the Jacobson methodology to determine its Third Round obligation. As noted above, the NJ Department of Community Affairs in a report dated October 18, 2024 wherein it determined the City’s Present need and Round 4 Prospective need. The City Council adopted a binding resolution committing to the numbers the DCA reported subject to its right to seek an adjustment to formula driven numbers

Consideration of Lands Suitable for Affordable Housing

The New Jersey Fair Housing Act (N.J.S.A. 52:27D-310(f)) requires that the Housing Element provide a narrative that includes “a consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.”

No developer has come forward to petition the City with a proposal for development in which the developer has committed to providing affordable housing.

Multigenerational Family Housing Continuity

The FHA requires the Housing Element and Fair Share Plan to provide 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, adopted pursuant to paragraph (1) of subsection f. of 23 section 1 of P.L.2021, c.273 (C.52:27D-329.20).

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 adopted any recommendations.

The statute says to review the goals of the commission, as of the time of preparation of this plan, the commission has not provided any goals.

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

Fair Share Obligation

Affordable Housing obligations are broken down into two distinct categories: “present need” or rehabilitation obligation; and “prospective need” or new construction obligation.

Present Need

“Present need” is not a specifically defined term in the amended Fair Housing Act. The municipal “present need” obligation is determined by estimating the current amount of homes in the City that are likely occupied by low or moderate income households, and are deficient in some way, meaning that the house is over 50 years old and overcrowded, lacks complete plumbing facilities, or lacks a complete kitchen. More specifically:

“A municipality’s present need obligation shall be determined by estimating the existing deficient housing units currently occupied by low- and moderate-income households within the municipality, following a methodology comparable to the methodology used to determine third round present need, through the use of datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof.”

(N.J.A.C. 52:27D-304.3.7.b)

The present need, or rehabilitation obligation is the estimate of the need for substantial repairs to existing homes in the City that are currently occupied by low or moderate income households.

The DCA determined that the City’s present need is 39 and the City accepted that obligation.

Prospective Need

The FHA at N.J.A.C. 52:27D-304 defines “prospective need” as:

“Prospective need” means a projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual determination of public and private entities. Prospective need shall be determined by the methodology set forth pursuant to sections 6 and 7 of P.L.2024, c.2 (C.52:27D-304.2 and C.52:27D-304.3) for the fourth round and all future rounds of housing obligations.

An analysis of how much “development and growth which is reasonably likely to occur in a region or a municipality” According to the calculations for the state prepared by NJDCA in their October 2024 report titled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background”, and as adopted by the City in Resolution #52-25, and amended by Resolution #79-25, North Wildwood has the following cumulative affordable housing obligations: would result in no prospective need because the trajectory of population in the region and municipality is downward.

Notwithstanding the foregoing, “the methodology set forth pursuant to sections 6 and 7 of [FHA II]” calls for a round 4 prospective need of 26.

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

Adding together the prospective need for Rounds 1 through 4 results in a new construction obligation of 220. The breakdown of this number is as follows:

- Prior Round / First and Second Round (1987-1999) Prospective Need = 80 units
- Third Round (1999-2025) Prospective Need = 114 units
- Fourth Round (2025-2035) Prospective Need = 26 units

Present Need (Rehabilitation) Obligation (39)

The City participates in a housing rehabilitation program as a joint effort with the City of Wildwood and Wildwood Crest. This CDBG funded program offers home rehabilitation funds to low- and moderate-income households that are owner occupied by full time residents of the barrier island. The City will continue to participate in this rehabilitation program.

The City will seek to find a qualified entity to supplement the CDBG Program for the rehab of ownership units with a program for rental units occupied by low- and moderate-income households. If the City cannot find a qualified administrator of such a supplemental program, the City will seek a waiver of the obligation to target rental properties in its rehab program.

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

Prospective Need - Prior Round (1987-1999) & Third Round (1999-2025)

COAH certified the City's Housing Element and Fair Share Plan for Rounds 1 and 2 in 1999. See Appendix A-1 for a copy of the Substantive Certification.

Although COAH assigned the City a Round 1 and 2 prospective need of 80, it approved the City's claim for a vacant land adjustment. Consequently, COAH concluded that the City's Realistic Development Potential (RDP) was 7 affordable units, which left an "unmet need" 73 units.

COAH found that the City satisfied its RDP of 7 through the proposed 100% affordable project known at the time as St. Anne's and Anglesea, now referred to as the Marina Bay Towers.

According to the Jacobson methodology, the City has a Third Round obligation of 114 units. No changed circumstances occurred between the second and third round that might trigger an obligation to recalibrate that RDP of 7.

The City's cumulative obligations for the Prior and Third Rounds are a Realistic Development Potential of 7 which is satisfied by the Marina Bay Towers, leaving an unmet need of 187 (114 +73).

The courts have previously determined that a municipality's responsibility to satisfy its unmet need is much less than the obligation for RDP. In this regard, in the Saddle River case, Judge Padovano explained a municipality's responsibility with respect to its unmet need as follows:

"The court notes that while COAH's Second Round and Third Round rules require all municipalities to satisfy their RDP, the rules do not require municipalities to "satisfy" their unmet need - the rules only require municipalities to "address" the unmet need through the use of certain mechanisms specified in the rules. See N.J.A.C. 5:93-4.2(-f) (COAH's Second Round rule); N.J.A.C. 5:97-5.3(b) (COAH's Third Round rule). Significantly, none of the mechanisms specified in the rules require zoning exclusively for affordable housing (overlay zoning which offers an option for affordable housing is one of the mechanisms). Additionally, no rule requires a municipally sponsored affordable housing development, let alone a 100% affordable municipally sponsored development, which will result in the guarantee of construction of affordable units. N.J.S.A. 52:27D-3 I Id provides: "Nothing in ... C.52:27D-301 et al. [the FHA] shall require a municipality to raise or expend municipal revenues in order to provide low and moderate-income housing." As set forth above, the court finds the fact that the amended settlement will produce the actual construction of 42% of the Borough's unmet need quite compelling and leads the court to find that the amended settlement agreement will result in construction of a substantial number of affordable units."

(Rider to Saddle River Judgment of Repose, dated April 28, 2023, available upon request).

RDP of 7 and Unmet Need of 187 For Rounds 1-3

The City will address its 187 unit unmet need for Routes 1 through 3 as follows: First the

First, the City will apply 25 of the 33 credits from Marina Bay Towers to this 187 unmet need. Second, the City has adopted a comprehensive city-wide mandatory set-aside ordinance to ensure that any residential development of five or more units generates an on-site affordable housing. Third, the City will enforce its

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

development fee ordinance. Fourth, the City proposes specifically an inclusionary development option for the Shopping Center District. An elaboration of these devices follows:

Credits from Marina Bay Towers

Marina Bay Towers: 25 of 33 credits

Block 152, Lot 1

610 New York Avenue

The Marina Bay Towers project is an existing senior rental community along the Bay in the west side of the City. The project was initially constructed in 2005 as a 142-unit Low Income Housing Tax Credit (LIHTC) project for senior rentals that was initially approved to include 105 deed restricted affordable rental units. The developer of the property went into foreclosure, resulting in a restructuring plan for the property that the court recently approved.

The City contended that the restructuring plan required the redeveloper to renovate 105 of the existing rental units and make them affordable to low/moderate income seniors, with 33 being available to low-income households, and 72 available to moderate income households, consistent with the initial approvals for the project. The Redeveloper contended that the restructuring plan required only 33 affordable units. The Court ruled in the Redeveloper's favor requiring it to provide only 33 affordable units.

The City spent an enormous amount of time and money to litigate for its right to 105 credits from this project and Fair Share Housing Center even assisted in those efforts. Despite our collective and vigorous efforts, the Court ruled in the Redeveloper's favor requiring it to provide only 33 affordable units.

The City will apply 25 of the 33 credits from Marina Bay Towers to its 187 unit unmet need.

Inclusionary Development Option

Shopping Center District: 32 to 42 credits towards unmet need

Block 107, Lot 1 and Block 108, Lot 2

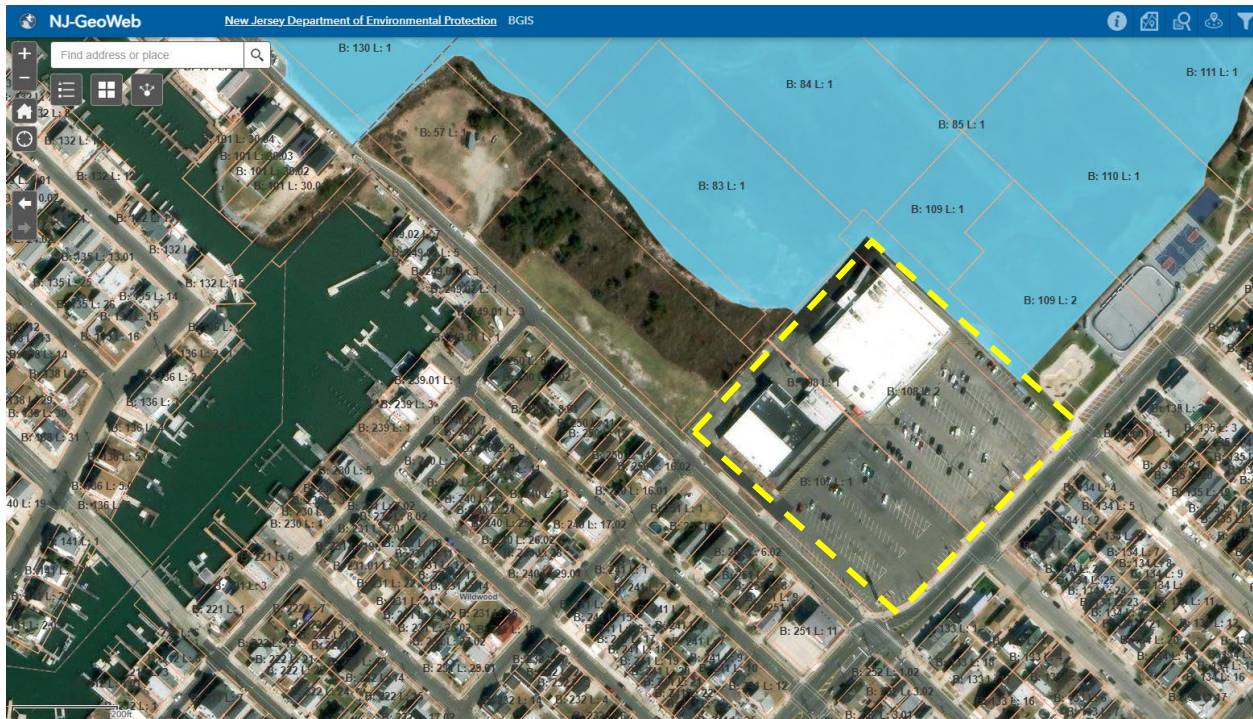
West 26th Street and Delaware Avenue

The Shopping Center District consists of two parcels (Block 107, Lot 1, and Block 108, Lot 2), located on West 26th Avenue and Delaware Avenue. These two parcels, along with a portion of the paper street north of them are approximately 6 acres in size. These two lots are currently developed with the Acme grocery store and strip mall commercial buildings including a pharmacy.

The City proposes to address its unmet need obligation in part by allowing the current use to continue and by providing a mixed-use option as a multi-family affordable housing project that would permit a limited range of commercial uses, primarily a grocery store or supermarket and a pharmacy, which would allow the existing uses to remain on site while permitting dense multi-family housing be constructed above or alongside the commercial uses. The development option is intended to function like an overlay district. However since the entirety of the SC district is these two parcels it is included

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

as a development option within the zone itself rather than an overlay zone. This site is the only grocery store and pharmacy in the City and is essential for citizens of all income. The intent of the inclusionary development option would be to permit new affordable housing to co-exist with these vital commercial uses rather than to replace them.



The development option would permit multi-family housing at a density of up to 35 units per acre and at a maximum building height of 6 stories. The overlay would require a 20% set aside for sale units, and a 15% set aside for rental units. At this density, the tract could yield 32-42 affordable units.

- 6 acres x 35 units / acre = 210 total potential units
- 210 units x 20% set aside = 42 potential affordable units (for sale)
- 210 units x 15% set aside = 32 potential affordable units (rental)

The SC Shopping Center district is generally located on lands that are outside of areas identified to be impacted by 2-foot sea level rise. With this development option having the capacity for 32 to 42 affordable units to be produced on site, this would satisfy a substantial portion of the City's unmet need for the cumulative Prior Round and Third Round.

A draft ordinance can be found in Appendix E-4.

City-wide Mandatory Set Aside Ordinance

The City has adopted a mandatory affordable housing set-aside ordinance (§276-90 of City code) to require that any new residential development in the City of 5 or more dwelling units provide at least 20% of those dwelling units as low and moderate income housing. Consistent with standard

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

ordinances required by Fair Share Housing Center across the state. The ordinance includes the following:

- A. *Except as otherwise regulated in this chapter, any development application proposing five (5) or more new dwelling units shall be required to set aside twenty percent (20%) of said lots or units for affordable housing.*
- B. *This requirement shall apply for all new multi-family residential developments of five (5) or more units that become permissible through either a use variance, a density variance increasing the permissible density at the site, a rezoning permitting multi-family residential housing where not previously permitted, or new redevelopment plan.*
- C. *This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation the part of the City of North Wildwood to grant such rezoning, variance or other relief. A property shall not be permitted to be subdivided so as to avoid compliance with this requirement.*

Development Fee Ordinance (DFO)

The City will adopt a development fee ordinance (“DFO”) imposing fees on residential and non-residential developers. establish standard residential and non-residential development fees to be paid to the Affordable Housing Trust Fund for the purposes of funding affordable housing programs in the City.

The DFO will impose a fee of 1.0% of the equalized assessed value of any residential development or the residential component of any mixed-use project subject to various exceptions. For example, any residential development project that provides affordable housing units on-site within the project shall be exempt from any such development fees.

As to non-residential development, the DFO will incorporate the standards set forth in the Statewide Nonresidential Development Fee Act (“SNDFA”) which requires a fee of 2.5 percent of equalized assessed value subject to various exceptions.

A draft affordable housing and development fee ordinance can be found in Appendix C-3.

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

Prospective Need - Fourth Round Obligation (2025 – 2035)

North Wildwood has a Fourth Round prospective need (new construction) obligation of 26 affordable housing units. The City has a COAH approved RDP of 7 and has a right to rely upon it. Moreover, no changed circumstances have occurred since COAH determined that the City's RDP was 7 that might warrant a recalibration of the RDP. Nonetheless, there is a vacant parcel adjacent to the Acme that could create affordable housing if rezoned for inclusionary development. The City will accept an RDP of 25 for this property and satisfy the 25 RDP by rezoning it for inclusionary development, leaving an unmet need of 1 that the City will satisfy with one of the 33 credits from Marina Bay Towers.

As noted, the City will satisfy its RDP of 25 by amending the zoning of the site that generated it for to require inclusionary affordable housing.

To address the RDP, the following standards apply:

The City must meet the following minimum and maximum requirements in addressing the 25 unit RDP obligation, in accordance with N.J.A.C.52:27D-311.l.

- **Low/Moderate Income Split**: at least fifty percent (50%) of the actual units shall be affordable to very-low-income and low-income households with the remainder affordable to moderate-income households.
- **Very Low Income Units**: Thirteen percent (13%) of all affordable units must be affordable to very low income households, with half of the very-low-income units being available to families.
- **Family Units**: A minimum of fifty percent (50%) of the actual units must be non-age restricted affordable units available to families.
- **Rental Units**: At least twenty-five percent (25%) of the actual units to be constructed shall be met through rental units, including at least half in non-age-restricted rental units available to families.
- **Age Restricted Units**: A maximum of 30 percent (25%) of the City's credited units can be from age-restricted senior units.
- **Bonus Credits**: The City may claim bonus credits for a maximum of 25% of the obligation.

In accordance with N.J.A.C.52:27D-311.k, bonus credits may be claimed for the following types of affordable units:

1. 1.0 bonus credits for special needs housing or permanent supportive housing;
2. 0.5 bonus credits for any affordable housing created in partnership with a non-profit housing developer;
3. 0.5 bonus credits for affordable housing created within ½ mile of a transit station, or within 1 mile of a transit station if the site is located within a garden state growth zone.

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

4. 0.5 bonus credits for age-restricted housing, provided that no more than 10% of the age restricted housing receives bonus credit.
5. 0.5 bonus credits for each three-bedroom affordable unit beyond the minimum requirement for three-bedroom units.
6. 0.5 bonus credits for each affordable unit constructed on land that was previously developed and utilized for retail, office, or commercial space;
7. 0.5 bonus credits for each affordable rental unit that has its affordability controls extended for a new term of affordability, and the municipality contributes funding towards the costs necessary for this preservation.
8. 1.0 bonus credit for each affordable unit in a 100% affordable development in which the municipality contributes toward the costs of the project, either from financial donations, property donations, provided that the municipality funds at least 3% of the cost of the project.
9. 0.5 bonus credits for each affordable unit for very low income families beyond the 13% minimum requirement.
10. 1.0 bonus credits for each market rate unit that is converted to an affordable unit.

By amending the zoning in the Garden Apartment district at Block 82, Lot 1, and Block 57, Lot 1 for inclusionary housing, the City satisfies the 25 unit RDP that the site generates. The following discussion shows this site's development potential.

Garden Apartment District Zoning: 25 credits towards RDP

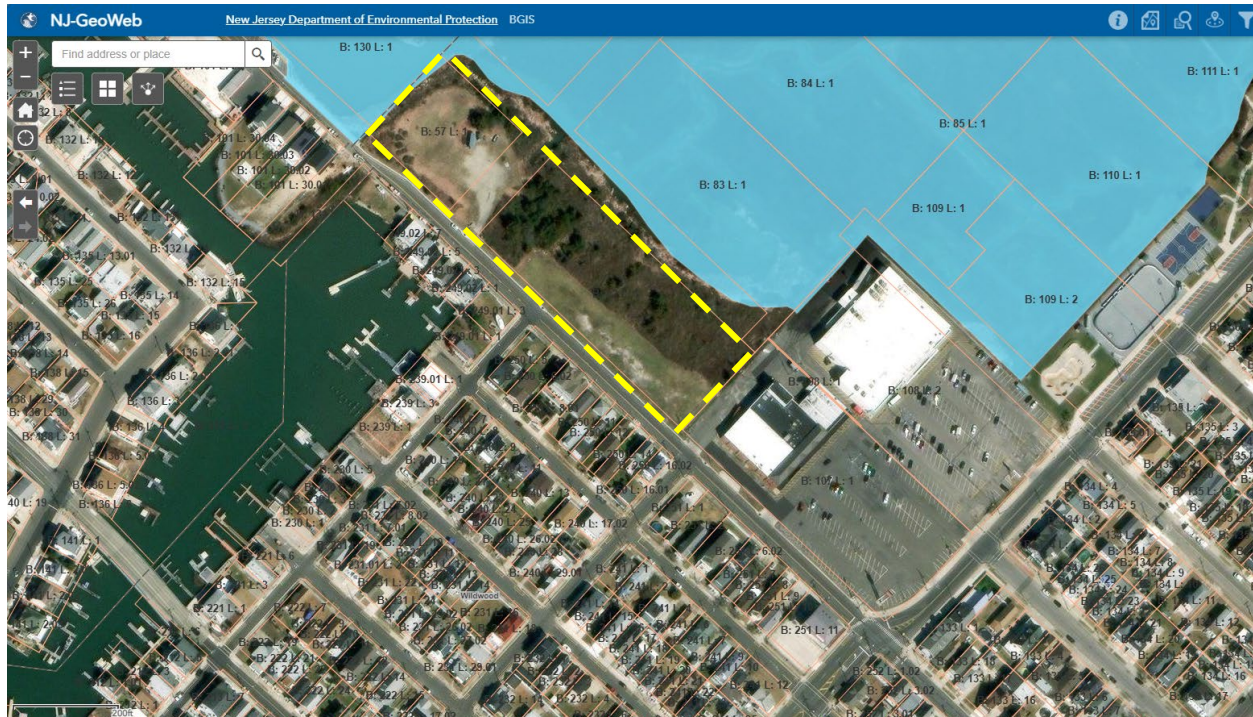
Block 82, Lot 1 and Block 57, Lot 1

West 26th Street

Located in the southwestern corner of the City on the border with the City of Wildwood are two vacant contiguous parcels separated only by a paper street (Block 82 Lot 1, and Block 57 Lot 1). Both parcels are located in the City's Garden Apartment (GA) zoning district. Together, these two parcels are the only vacant and available land in the City that is greater than 1/4 acre in area and not constrained by environmental conditions according to available records from NJDEP.

The City will satisfy its RDP of 25 by up-zoning the Garden Apartment District to permit multi-family housing at a density of 35 units per acre, and increase the permitted building height to 6 stories. The current zoning on the site permits garden apartment style multi-family development at up to 30 units an acre, and up to a maximum building height of 35 feet. The current zoning also has limitations on the style of dwelling, requiring that all multi-family housing be constructed similar to a townhouse or "stacked townhouse" model which limits the number of units that can be achieved. The City will amend the Garden Apartment District zoning to permit an increase in density and building height, and to permit traditional multi-family housing in apartment buildings to make a multi-family project more realistic and feasible. The City will require a mandatory set aside of 20% of all units to be affordable to low and moderate income households.

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan



The two parcels together and the area of the paper street separating them have 3.6 acres of developable area. If built to the proposed capacity of 35 units per acre, the site could produce 25 units of affordable housing.

- 3.6 acres x 35 units/acre = 126 total units
- 126 units x 20% set aside = 25 affordable units

The 25 units from this site is both what generates the City's RDP as the only vacant and available site in the City, and satisfies that RDP through the proposed amended zoning to incentive inclusionary affordable housing construction.

A draft ordinance to adopt inclusionary requirements for the Garden Apartment District can be found in Appendix E-3.

As per previous COAH regulations, the Fair Share Plan must demonstrate site suitability for proposed new units that are not yet fully approved, as required by N.J.A.C. 5:93 -5.3. To qualify as a suitable site under COAH standards, a site must be available, approvable, developable and suitable. COAH defines each of these terms

- A. An “available site” is a site with clear title, and that is free of encumbrances which preclude development for low- and moderate-income housing.
- The City’s plan targets parcels in the Garden Apartment zoning district, located in the southwest end of the City. The two parcels in this area are the only vacant and available tract of land within the City of North Wildwood that is larger than 1/4 acre in area.

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

Although no formal title searches have been performed, the site does not have any environmental encumbrances that would restrict development according to NJDEP records that are available.

- B. A “developable site” is a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area-wide water quality management plan and wastewater management plan.
 - The entire City of North Wildwood is located within a designated sewer service area, and public utilities are available to service the properties in the Garden Apartment district.
- C. A “suitable site” is 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 (not in wetlands, flood hazard areas, steep slopes).
 - Nearly the entirety of the island is within the Special Flood Hazard Area. As a result, properties were not excluded simply due to being located within the FHA. All properties in the City are subject to CAFRA regulations and restrictions. The Garden Apartment district which is the vacant and available tract targeted by this Plan for new inclusionary housing, is otherwise suitable. The site has direct access West 26th Avenue, as well as Lake Avenue and Hudson Avenue.
- D. An “approvable site” is 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.
 - Projects included for the Fourth Round are proposed at this time, and appropriate zoning regulations will be adopted to implement the recommendations of this Housing Plan. The City proposes to amend the zoning within the Garden Apartment district to increase the permitted density and require a mandatory affordable housing set aside.

Unmet Need

The City will satisfy the remaining 1 unit of unmet need for the Fourth Round from the 1 remaining unit from the Marina Bay Towers project.

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

Summary of Fair Share Plan

North Wildwood is a historically built-out resort community on an environmentally sensitive barrier island with little to no vacant space. The City has a cumulative affordable housing obligation of 259, consisting of a rehab number of 39 and a new construction obligation of 220. The City proposes to satisfy its 39 rehab obligation through a rehab program.

As to its 194 new construction obligation for Rounds 1-3, the City proposes to satisfy its 7 RDP for this period through the COAH approved measure: 7 affordable units from Marina Bay Towers. The City proposes to satisfy its 187 unmet need for Rounds 11 through 3 through the five measures summarized above.

As to its 26 new construction obligation for Round 4, the City proposes to satisfy 25 of that obligation through inclusionary zoning of Block 82 Lot 1, and Block 57 Lot 1. The City proposes to satisfy its unmet need of 1 for its Round 4 obligation by applying one credit for one of the 33 affordable credits from Marina Bay Towers.

A map of each of the existing and proposed projects in the City can be found in Appendix D-1.

For all future affordable housing units constructed in the City, the City's ordinance will require new development to be consistent with the Fair Housing Act and UHAC and require the following:

- **Low/Moderate Income Split:** at least fifty percent (50%) of the affordable units shall be affordable to very-low-income and low-income households with the remainder affordable to moderate-income households.
- **Very Low Income Units:** Thirteen percent (13%) of all affordable units must be affordable to very low income households, with half of the very-low-income units being available to families.
- **Bedroom Distribution:** For any family units, a minimum of 20% of all affordable units will be 3-bedroom or 4-bedroom units, and a maximum of 20% of the affordable units will be studio or 1-bedroom units. The remainder of the affordable units may be 2-bedroom units.

AFFORDABLE HOUSING ADMINISTRATION

Affordable Housing Ordinances

The City will adopt a comprehensive affordable housing ordinance to supplement its current mandatory set aside ordinance at §276-90 to address all the requirements of the Amended Fair Housing Act, and the Uniform Housing Affordability Controls. The ordinance will include standards for the following:

- Definitions of all affordable housing language and terms;
- Affordable housing obligations for new construction;
- Applicability of affordable housing requirements
- Monitoring and reporting requirements;
- Phasing of construction for affordable units in inclusionary developments;
- Affirmative marketing requirements;
- Accessibility requirements for affordable units;
- Maximum rents and sales prices;
- Methodology for determining income and bedroom distributions;
- Requirements for the administration of affordable units;
- Eligibility and qualifications for low and moderate income households;
- Mechanisms for enforcement of the affordable housing regulations;

The City will also adopt a development fee ordinance to require all non-residential developments and residential developments that do not provide affordable housing to make a contributions to the City's Affordable Housing Trust Fund at the time of construction and occupancy of new developments.

A draft ordinance can be found in Appendix C-3.

Affordable Housing Trust Fund

The City will establish an Affordable Housing Trust Fund from the collection of development fees dedicated exclusively for the purpose of funding and assisting affordable housing programs in North Wildwood.

The AHTF Spending Plan will demonstrate commitment of the funds collected in the Affordable Housing Trust Fund within four years of the date of collection as required by P.L. 2008 c.46, and to outline the City's plan to utilize the funds in support of proposed and existing affordable housing within the City. The draft spending plan included as Appendix C-4 to this Plan includes estimates of projected revenues into the Trust Fund through the Fourth Round reporting period to June 30, 2035.

City of North Wildwood – Fourth Round Housing Plan Element & Fair Share Plan

Municipal Housing Liaison

The City has appointed Eric Gundrum, the Planning Board Secretary, as the municipal housing liaison.

A copy of Resolution 237-24 appointing the MHL is included in Appendix C-1.

Administrative Agent

The administrative agent will be responsible for ensuring that all affordable housing units in the City are affirmatively marketed and either sold or leased to income-qualified households of the appropriate size in accordance with all UHAC and other applicable regulations. The City has contracted with Triad Associates to serve as the administrative agent.

See Appendix C-2 for a copy of Resolution 238-24 appointing Triad Associates as the designated administrative agent for the City.

Income Levels

The City of North Wildwood is in COAH's Region 6, which includes Atlantic, Cape May, Cumberland, and Salem Counties. Moderate-income households are those earning between 50% and 80% of the regional median income. Low-income households are those with annual incomes that are between 30% and 50% of the regional median income. Very-low income households are a subset of "low income" households, and are defined as households earning 30% or less of the regional median income.

APPENDICES

A. Prior Compliance Documents

1. Resolution of COAH granting 2nd Round Substantive Certification

B. Fourth Round Obligations

1. Complaint for Declaratory Judgment of Fourth Round Obligations

C. Administrative Documents

1. Resolution Appointing Municipal Housing Liaison
2. Resolution Appointing Administrative Agent
3. DRAFT Affordable Housing & Development Fee Ordinance
4. DRAFT Affordable Housing Trust Fund Spending Plan

D. Affordable Housing Projects Map

E. Crediting Documents

1. Marina Bay Towers Restructuring Order
2. Marina Bay Towers DRAFT Deed Restriction
3. DRAFT Ordinance Garden Apartment District
4. DRAFT Ordinance Shopping Center Overlay

APPENDIX A-1

COAH Second Round Substantive Certification

RESOLUTION GRANTING SUBSTANTIVE CERTIFICATION NO. 124199

WHEREAS, on April 2, 1997, North Wildwood City, Cape May County, petitioned the Council on Affordable Housing (COAH) for substantive certification of its housing element and fair share plan pursuant to N.J.S.A. 52:27D-313 and N.J.A.C. 5:91-3.1; and

WHEREAS, North Wildwood published notice of its petition for substantive certification in the Atlantic City Press, which is a newspaper of county-wide circulation on April 29, 1997 pursuant to N.J.S.A. 52:27D-313 and N.J.A.C. 5:91-3.3; and

WHEREAS, no objections were filed to North Wildwood's petition for substantive certification within 45 days of the publication of notice pursuant to N.J.S.A. 52:27D-314 and N.J.A.C. 5:91-4.1; and

WHEREAS, COAH issued a COAH Report dated April 20, 1998 requesting that additional information be submitted within 60 days, which is attached hereto as Exhibit A; and

WHEREAS, North Wildwood submitted all necessary information and documentation by December 4, 1998; and

WHEREAS, COAH has determined that North Wildwood's second round (1987-1999) precertified need is 113 units, of which 33 are rehabilitation units and 80 new construction units; and

WHEREAS, COAH staff has determined that North Wildwood has three sites with developable vacant land suitable for inclusionary development, reducing the borough's realistic development potential (RDP) to seven units, resulting in a fair share of 40 units and an unmet need of 73 units; and

WHEREAS, North Wildwood has contracted with TRIAD Associates to administer a 30-unit housing rehabilitation program; and

WHEREAS, North Wildwood has received two Community Development Block Grants (CDBG) from the New Jersey Department of Community Affairs (DCA) totaling \$400,000 to finance the housing rehabilitation program; and

WHEREAS, North Wildwood intends to address 10 units (25 percent) of its 40-unit fair share with age-restricted units from an approved 142-unit project known as St. Anne's; and

WHEREAS, North Wildwood intends to address its unmet need through excess units from St. Anne's.

NOW THEREFORE BE IT RESOLVED that COAH has reviewed North Wildwood City's petition for substantive certification of the city's housing element and fair share plan and determines that it is consistent with the rules and criteria adopted by COAH and the achievement of the low and moderate income housing needs of the region; and

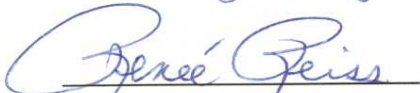
BE IT FURTHER RESOLVED that North Wildwood City's RDP is seven units; and

BE IT FURTHER RESOLVED that North Wildwood City shall address its unmet need through excess units from the 142-unit age-restricted project known as St. Anne's; and

BE IT FURTHER RESOLVED that after having reviewed and considered all of the above, COAH HEREBY GRANTS NORTH WILDWOOD CITY SUBSTANTIVE CERTIFICATION of its housing element and fair share plan addressing the city's 1987-1999 fair share obligation of 33 rehabilitation units and seven new construction units; and

BE IT FURTHER RESOLVED that any changes to the facts upon which this substantive certification is based or any deviations from the terms and conditions of this substantive certification which affects the ability of North Wildwood City to provide for the realistic opportunity of its fair share of low and moderate income housing and which the city fails to remedy may render this certification null and void.

I hereby certify that this
resolution was duly adopted
by the Council on Affordable
Housing on January 5, 1999.

A handwritten signature in blue ink, appearing to read "Renee Reiss", is written over a horizontal line.

Renee Reiss, Secretary
Council on Affordable Housing

APPENDIX B-1

Complaint for Declaratory Judgment and Resolution #52-25

SURENIAN, EDWARDS, BUZAK & NOLAN LLC

311 Broadway, Suite A
Point Pleasant Beach, NJ 08742
(732) 612-3100

By: Jeffrey R. Surenian, JRS@Surenian.com; Attorney ID: 024231983
Michael C. Borneo, MCB@Surenian.com; Attorney ID: 006101999

Attorneys for Declaratory Plaintiff, City of North Wildwood

**IN THE MATTER OF THE
APPLICATION OF THE CITY OF NORTH
WILDWOOD, COUNTY OF CAPE MAY,
STATE OF NEW JERSEY**

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: CAPE MAY COUNTY**

DOCKET NO.: CPM-L-_____

CIVIL ACTION
AFFORDABLE HOUSING
PER DIRECTIVE # 14-24

**COMPLAINT FOR DECLARATORY
RELIEF PURSUANT TO DIRECTIVE #
14-24**

Declaratory Plaintiff, the City of North Wildwood, County of Cape May, State of New Jersey (hereinafter, “North Wildwood ” or the “City”), a municipal corporation of the State of New Jersey, with principal offices located at 901 Atlantic Avenue, North Wildwood NJ 08260 by way of this Declaratory Judgment Action (“DJ Action”) as authorized under Directive # 14-24 of the Administrative Office of the Courts alleges and says:

Background

1. North Wildwood is a municipal corporation of the State of New Jersey.
2. The Planning Board of the City of North Wildwood (hereinafter, “Planning Board”) is a municipal agency created and organized under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq., (“MLUL”), and, among other duties and obligations, is responsible for adopting the Housing Element and Fair Share Plan (“HEFSP”) of North Wildwood ’s Master Plan.

3. Through this DJ Action, North Wildwood seeks the following relief in relation to its Fourth Round (2025-2035) affordable housing obligation: (a) to secure the jurisdiction of the Affordable Housing Alternative Dispute Resolution Program (the “Program”) pursuant to P.L. 2024, c.2 (hereinafter, the “Act”) and the Court, pursuant to Directive # 14-24; (b) to have the Program and the Court approve the City of North Wildwood ’s Present and Prospective affordable housing obligations as set forth in the binding resolution adopted by the City, attached hereto as **Exhibit 1**; (c) to have the Program and the Court approve a HEFSP to be adopted by the Planning Board and endorsed by the Council and issue a conditional or unconditional “Compliance Certification” pursuant to the Act or other similar declaration; (d) to the extent it is not automatically granted pursuant to the Act, through the filing of this DJ Action and binding resolution, to have the Program and the Court confirm North Wildwood ’s immunity from all exclusionary zoning litigation , including builder’s remedy lawsuits, during the pendency of the process outlined in the Act and for the duration of Fourth Round, i.e., through June 30, 2035; and (e) to have the Program and the Court take such other actions and grant such other relief as may be appropriate to ensure that the City receive and obtain all protections as afforded to it in complying with the requirements of the Act, including, without limitation, all immunities and presumptions of validity necessary to satisfy its affordable housing obligations voluntarily without having to endure the expense and burdens of unnecessary third party litigation.

COUNT I

ESTABLISHMENT OF JURISDICTION UNDER P.L.2024, C. 2

4. The City of North Wildwood repeats and realleges each and every allegation as set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

5. The Act represents a major revision of the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 *et seq.*

6. Among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program. Among other things, the Act authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, “Director” and “AOC”) to create a framework to process applications for a compliance certification.

7. On or about December 13, 2024, the Director issued Directive # 14-24, which among other things, required municipalities seeking compliance certification to file an action in the form of a declaratory judgment complaint and Civil Case Information Statement in the County in which the municipality is located within 48 hours after the municipality’s adoption of a binding resolution as authorized under the Act and attach a copy of said binding resolution to the DJ Action.

8. The City adopted a binding resolution establishing its present and prospective affordable housing obligations within the statutory window of time set forth in the Act and in accordance with the methodology and formula set forth in the Act, a certified copy of which resolution is attached to this DJ Action as **Exhibit 1**.

9. Based on the foregoing, the City has established the jurisdiction of the Program and the Court in regard to this DJ Action for a compliance certification as set forth hereinafter.

WHEREFORE, the City of North Wildwood seeks a declaratory judgment for the following relief:

- a. Declaring that the City has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as Exhibit 1 to this DJ Action or to adjust such determination consistent with the Act;
- b. Declaring the present and prospective affordable housing obligations of the City under the Act;

- c. Declaring the approval of the City's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the City Council, including, as appropriate and applicable, (i) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (ii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iii) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (iv) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (v) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vi) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;
- d. Declaring that the City continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established under the Program;
- e. Declaring and issuing compliance certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the City of North Wildwood for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and applicable COAH regulations.

COUNT II

DETERMINATION OF THE PRESENT AND PROSPECTIVE NEED OF THE CITY OF NORTH WILDWOOD

10. North Wildwood repeats and realleges each and every allegation set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

11. The Act adopted the methodology to calculate every municipality's present and prospective need affordable housing obligation for the Fourth Round (2025-2035) and beyond.

12. The Act directed the Department of Community Affairs ("DCA") to apply the methodology and to render a non-binding calculation of each municipality's present and prospective affordable housing obligations to be contained in a report to be issued not later than October 20, 2024.

13. The DCA issued its report on October 18, 2024.

14. Pursuant to the October 18, 2024 report, the DCA calculated North Wildwood's present and prospective affordable housing obligations as follows:

PRESENT NEED (REHABILITATION OBLIGATION)	FOURTH ROUND PROSPECTIVE NEED OBLIGATION (2025-2035)
39	26

15. Pursuant to the Act, a municipality desiring to participate in the Program is obligated to adopt a "binding resolution" determining its present and prospective affordable housing obligations to which it will commit based upon the methodology set forth in the Act.

16. North Wildwood adopted a binding resolution, a copy of which resolution and expert report is attached hereto and made a part hereof as Exhibit 1 to this DJ Action.

17. The binding resolution maintains that the Present ("Rehabilitation") Need obligation of North Wildwood is 39 and its Prospection Need obligation is 26.

18. North Wildwood seeks the approval of and confirmation by the Program and the Court of the Present and Prospective affordable housing obligations as set forth in the binding resolution attached hereto and made a part hereof as **Exhibit 1** or the adjustment of those obligations consistent with the Act and the applicable COAH regulations.

19. Pursuant to the binding resolution, the City of North Wildwood reserves all rights to amend its affordable housing obligations in the event of a successful legal challenge, or legislative change, to the Act.

20. Pursuant to the binding resolution, North Wildwood specifically reserves the right to seek and obtain 1) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 2) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); 3) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; 4) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; 5) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or 6) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations.

WHEREFORE, the City of North Wildwood seeks a declaratory judgment for the following relief:

- a.** Declaring that the City has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as Exhibit 1 to this DJ Action or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of North Wildwood under the Act;

- c. Declaring the approval of North Wildwood 's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Council, including, as appropriate and applicable, (i) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (ii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iii) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (iv) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (v) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vi) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;
- d. Declaring that the City continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established under the Program;
- e. Declaring and issuing compliance certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to North Wildwood for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and applicable COAH regulations.

COUNT III

HOUSING ELEMENT AND FAIR SHARE PLAN

21. The City of North Wildwood repeats and realleges each and every allegation set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

22. Pursuant to the Act, a Housing Element and Fair Share Plan (hereinafter, (“HEFSP”) must be prepared, adopted by the Planning Board and endorsed by the municipality by June 30, 2025.

23. North Wildwood hereby commits for its professionals to prepare the appropriate HEFSP to address its affordable housing obligations, as determined by the Program and the Court which HEFSP shall apply as appropriate, any applicable adjustments, including, without limitation, 1) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 2) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); 3) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; 4) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; 5) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or 6) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations.

WHEREFORE, the City of North Wildwood seeks a declaratory judgment for the following relief:

- a.** Declaring that North Wildwood has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as Exhibit 1 to this DJ Action or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of North Wildwood under the Act;
- c.** Declaring the approval of North Wildwood ’s HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Council, including, as appropriate and applicable, (i) a Vacant Land Adjustment predicated upon a

lack of vacant, developable and suitable land; (ii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iii) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (iv) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (v) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vi) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;

- d. Declaring that the City of North Wildwood continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established under the Program;
- e. Declaring and issuing compliance certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the City of North Wildwood for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the program and Court deems just and proper within the parameters of the Act and applicable COAH regulations.

COUNT IV

CONFIRMATION OF IMMUNITY

24. The City of North Wildwood repeats and realleges each and every allegation set forth in the previous paragraphs of this declaratory judgment complaint as if set forth herein in full.

25. Pursuant to the Act, a municipality that complies with the deadlines in the Act for both determining present and prospective affordable housing obligations affordable housing

obligations and for adopting an appropriate HEFSP shall have immunity from exclusionary zoning litigation.

26. The City of North Wildwood has met the deadline for the adoption and filing of its binding resolution (and the filing of this DJ Action in accordance with Directive # 14-24) not later than January 31, 2025 by adopting the binding resolution attached to this DJ Action as Exhibit 1, and has committed to the adoption of its HEFSP by the June 30, 2025.

WHEREFORE, the City of North Wildwood seeks a declaratory judgment for the following relief:

- a.** Declaring that the City has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as Exhibit 1 to this DJ Action or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of North Wildwood under the Act;
- c.** Declaring the approval of North Wildwood 's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Council, including, as appropriate and applicable, (i) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (ii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iii) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (iv) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (v) an adjustment based upon any ruling in litigation involving

affordable housing obligations; and/or (vi) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;

- d. Declaring that North Wildwood continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established under the Program;
- e. Declaring and issuing compliance certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to North Wildwood for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and applicable COAH regulations.

SURENIAN EDWARDS BUZAK & NOLAN LLC
Attorneys for Declaratory Plaintiff,
City of North Wildwood

By: *Jeffrey R. Surenian*
Jeffrey R. Surenian, Esq.

Dated: January 21, 2025

CERTIFICATION PURSUANT TO R. 4:5-1

Jeffrey R. Surenian, Esq., of full age, hereby certifies as follows:

1. I am a member of the Firm of Surenian, Edwards, Buzak & Nolan LLC, attorneys for declaratory plaintiff, City of North Wildwood.
2. To the best of my knowledge, the following cases asserts affordable housing claims: Manufacturers and Traders Trust Company v. Marina Bay Towers Urban Renewal II, L.P., et.al., Docket No.: F-049229-14 and Anglesea Properties LLC v. City of North

Wildwood, City of North Wildwood Planning Board, Patrick Rosenello, Mayor, City council of the City of North Wildwood, ABC Company, AYX Partnership, DEF LLC, GHI PC, John Doe, Richard Jones, and Jane Roe, Docket No.: CPM-L-359-15.

3. To the best of my knowledge, there is no other action pending in any court or any pending arbitration proceeding of which the matter in controversy herein is the subject and no such other action or arbitration proceeding is contemplated. To the best of my knowledge, there are no other parties who should be joined in this action.
4. The within Complaint was filed and served within the time prescribed by the Rules of Court.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

SURENIAN EDWARDS BUZAK & NOLAN LLC
Attorneys for Declaratory Plaintiff,
City of North Wildwood

By: *Jeffrey R. Surenian*
Jeffrey R. Surenian, Esq.

Dated: January 21, 2025

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, notice is hereby given that Jeffrey R. Surenian, Esq., attorney for the Declaratory Plaintiff, City of North Wildwood is designated as trial counsel in the above captioned matter.

SURENIAN EDWARDS BUZAK & NOLAN LLC
Attorneys for Declaratory Plaintiff,

City of North Wildwood

By: *Jeffrey R. Surenian*
Jeffrey R. Surenian, Esq.

Dated: January 21, 2025

CERTIFICATION PURSUANT TO R. 1:38-7(b)

Jeffrey R. Surenian, Esq., of full age, hereby certifies as follows:

1. I am a member of the firm of Surenian, Edwards, Buzak & Nolan LLC, attorneys for Declaratory Plaintiff, City of North Wildwood.
2. I certify that confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future in accordance with R. 1:38-7(b).

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

SURENIAN EDWARDS BUZAK & NOLAN LLC
Attorneys for Declaratory Plaintiff,
City of North Wildwood

By: *Jeffrey R. Surenian*
Jeffrey R. Surenian, Esq.

Dated: January 21, 2025

CITY OF NORTH WILDWOOD

Cape May County, New Jersey

RESOLUTION

COMMITTING TO COMPLY WITH AFFORDABLE HOUSING OBLIGATIONS REPORTED BY THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) (hereinafter "Amended FHA"); and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to produce non-binding estimates of fair share obligations on or before October 20, 2024; and

WHEREAS, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report identifies the City's Present Need, also referred to as its Rehabilitation Obligation, as 39 and its Round 4 Prospective Need as 26; and

WHEREAS, the Amended FHA further provides that "[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or binding court decisions" (N.J.S.A. 52:27D-311 (m)); and

WHEREAS, COAH regulations authorize vacant land adjustments as well as durational adjustments; and

WHEREAS, based on the foregoing, the City of North Wildwood accepts the DCA calculations of its fair share obligations and commits to its fair share of 39 units present need and 26 units prospective need subject to any vacant land and/or durational adjustments it may seek as part of the Housing Element and Fair Share Plan it submits by the June 30, 2025 deadline the Amended FHA establishes; and

WHEREAS, the City of North Wildwood reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

WHEREAS, the City of North Wildwood also reserves the right to adjust its position in the event of any rulings in the Montvale case (MER-L-1778-24) or any other such action that alters the deadlines and/or requirements of the Amended FHA; and

WHEREAS, in the event that a third party challenges the calculations provided for in this Resolution, the City of North Wildwood reserves the right to take such position as it deems appropriate in response thereto, including that its Round 4 Present or Prospective Need Obligations should be lower than described herein; and

WHEREAS, in light of the above, the City of North Wildwood finds that it is in the best interest of the City to declare its commitment to the obligations reported by the DCA on October 18, 2024 subject to the reservations set forth herein; and

WHEREAS, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the City's Round 4 Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of Amended FHA is to establish, for example, unchallenged numbers by default on March 1, 2025; and

WHEREAS, in addition to the above, the Acting Administrative Director issued Directive #14-24, dated December 13, 2024, and made the directive available later in the week that followed; and

WHEREAS, pursuant to Directive #14-24, a municipality seeking a certification of compliance with the FHA shall file an action in the form of a declaratory judgment complaint in the county in which the municipality is located within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner; and

WHEREAS, the City of North Wildwood seeks a certification of compliance with the FHA and, therefore, directs its Affordable Housing Counsel to file a declaratory relief action within 48 hours of the adoption of this resolution in Cape May County and the program.

NOW, THEREFORE, BE IT RESOLVED on this 21st day of January, 2025 by the governing body of the City of North Wildwood, Cape May County, New Jersey, as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution.
2. The City of North Wildwood hereby commits to the DCA Round 4 Present Need Obligation of 7 units and the Round 4 Prospective Need Obligation of 98 subject to all reservations of rights, which specifically include:
 - a) The right to a vacant land adjustment or a durational adjustment in accordance with COAH regulations;
 - b) The right to comply with the NJILGA Legislation if the Legislature enacts it or any other legislation that modifies its rights and obligations under current laws;
 - c) The right to adjust its obligation in the event of any future legislation that adjusts the obligations the DCA reported on October 18, 2024;
 - e) The right to adjust its obligations based upon any ruling in the Montvale litigation or any other litigation; and
 - d) The right to adjust its obligations in the event of a third party challenge to the obligations of the City of North Wildwood and the City defends itself.
3. The City of North Wildwood hereby directs its Affordable Housing Counsel to file a declaratory judgment complaint in Cape May County within 48 hours after adoption this resolution attaching this resolution.
4. The City of North Wildwood authorizes its Affordable Housing Counsel to attach this resolution as an exhibit to the declaratory judgment action that is filed and to submit and/or file this resolution with the Program or any other such entity as may be determined to be appropriate.
5. This resolution shall take effect immediately, according to law.

I, W. Scott Jett, City Clerk of the City of North Wildwood, in the County of Cape May, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Mayor and Council of the City of North Wildwood at a meeting duly held on the 21st day of January, 2025.

Dated: January 21, 2025

Signed: _____

W. Scott Jett, City Clerk

APPROVED: _____

Patrick T. Rosenello, Mayor

	Motion	Second	Aye	Nay	Abstain	Absent
Tolomeo						✓
Rullo			✓			
Kane		✓	✓			
Del Conte	✓		✓			
Koehler			✓			
Bishop						✓
Zampirri			✓			

CITY OF NORTH WILDWOOD

Cape May County, New Jersey

RESOLUTION

AMENDING CLERICAL ERRORS IN RESOLUTION NO. 52-25 REGARDING COMMITMENT TO COMPLY WITH AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) (hereinafter "Amended FHA"); and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to produce non-binding estimates of fair share obligations on or before October 20, 2024; and

WHEREAS, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculates the Round 4 (2025-2035) obligations of the City of North Wildwood as follows: a Present Need or Rehabilitation Obligation of 39 and a Prospective Need or New Construction Obligation of 26; and

WHEREAS, the City, in accordance with the Amended FHA, adopted a resolution on January 21, 2025 and filed a declaratory relief action the same day; and

WHEREAS, the declaratory relief action correctly noted that the City was committing to the Present Need number of 39 and the prospective need number of 26; and

WHEREAS, Resolution No. 52-25, adopted on January 21, 2025 provides that the "City of North Wildwood accepts the DCA calculations of its fair share obligations"; and

WHEREAS, notwithstanding the City's commitment to the DCA calculations, it has come to Council's attention that Resolution No. 52-25 contained typographical errors and did not correctly identify the DCA numbers to which the City was committing as set forth in the declaratory relief complaint; and

WHEREAS, the City wrote a letter, dated January 29, 2025, to the Court explaining the intent of the City and the problem/solution (see Exhibit A); and

WHEREAS, the City wishes (a) to correct the clerical errors contained Resolution No. 52-25, (b) to make it consistent with the declaratory relief complaint and the City's stated intentions in Resolution No. 52-25 to accept the DCA's calculations; (c) to eliminate any confusion as to the City's intention to commit to the DCA's numbers and (d) to ratify the correction of the clerical errors reported in the letter dated January 29, 2025.

NOW, THEREFORE, BE IT RESOLVED on this 4th day of February, 2025 by the City of North Wildwood, Cape May County, New Jersey, as follows:

1. All of the statements of the preamble are repeated and are incorporated herein by this reference thereto as though the same were set forth at length.

2. Paragraph 2 of Resolution No. 52-25 is hereby amended to replace "7" with "39" and to replace "98" with "26".
3. The corrections reported in the letter dated January 29, 2025 are hereby ratified.
4. Said letter shall be annexed to and made part of this Resolution.
5. Affordable Housing Counsel is directed to file this resolution immediately with the Affordable Housing Program and the Court.
6. Resolution No. 52-25 shall be annexed to and made part of this Resolution.

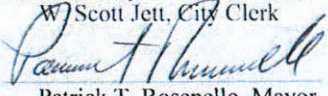
STATE OF NEW JERSEY**COUNTY OF CAPE MAY**

I, W. Scott Jett, City Clerk of the City of North Wildwood, in the County of Cape May, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Mayor and Council of the City of North Wildwood at a meeting duly held on the 4th day of February 2025.

Dated: February 4, 2025

Signed: 

W. Scott Jett, City Clerk

Approved: 

Patrick T. Roscigno, Mayor

	Motion	Second	Aye	Nay	Abstain	Absent
Tolomeo		✓	✓			
Rullo						✓
Kane			✓			
Del Conte			✓			
Kochler			✓			
Bishop	✓		✓			
Zampirri			✓			

79-25

APPENDIX C-1

Resolution Appointing Municipal Housing Liaison

CITY OF NORTH WILDWOOD

Cape May County, New Jersey

RESOLUTION**DESIGNATING MUNICIPAL HOUSING LIAISON**

WHEREAS, under the New Jersey Fair Housing Act and the administrative regulations adopted thereunder the City of North Wildwood is required to designate a Municipal Housing Liaison; and

WHEREAS, Eric Gundrum has experience with issues arising under the Fair Housing Act; and

WHEREAS, Council considers Eric Gundrum to be a qualified candidate to serve as the Municipal Housing Liaison of the City of North Wildwood.

NOW, THEREFORE, BE IT RESOLVED, by the Members of Council of the City of North Wildwood, in the County of Cape May and State of New Jersey as follows:

- 1) All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
- 2) The designation of Eric Gundrum as Municipal Housing Liaison of the City of North Wildwood be and it hereby is approved.
- 3) The City Clerk shall forward copies of this Resolution to the appropriate State agencies that interact with the City of North Wildwood regarding the Fair Housing Act of the State of New Jersey.
- 4) Eric Gundrum is hereby authorized and directed to complete any designation form or other documentation, and fulfill any other obligation, as required by the Fair Housing Act for the position of Municipal Housing Liaison.

I, W. Scott Jett, City Clerk of the City of North Wildwood, in the County of Cape May, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Mayor and Council of the City of North Wildwood at a meeting duly held on the 17th day of September, 2024.

Dated: ___ September 17, 2024 ___

Signed: 
W. Scott Jett, City Clerk

APPROVED: 
Patrick T. Rosenello, Mayor

	Motion	Second	Aye	Nay	Abstain	Absent
Tolomeo			✓			
Rullo	✓		✓			
Kane		✓	✓			
Del Conte			✓			
Koehler			✓			
Bishop			✓			
Zampirri			✓			

APPENDIX C-2

Resolution Appointing Administrative Agent

CITY OF NORTH WILDWOOD

Cape May County, New Jersey

RESOLUTION

DESIGNATING MUNICIPAL HOUSING ADMINISTRATIVE AGENT AND AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH TRIAD ASSOCIATES

WHEREAS, under the New Jersey Fair Housing Act and the administrative regulations adopted thereunder the City of North Wildwood is required to designate a Municipal Housing Administrative Agent; and

WHEREAS, Triad Associates has experience with issues arising under the Fair Housing Act; and

WHEREAS, the North Wildwood Purchasing Agent has determined that the value of the contract authorized by this Resolution may exceed \$17,500.00 and, therefore, if the contract exceeds that value, it would be subject to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the professional services agreement authorized by this Resolution is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, *et. seq.*; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et. seq.*, provides that contracts for professional services may awarded without public advertisement therefor; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et. seq.*, the subject contract would be a contract for professional services because:

- a. Professional services of the type herein sought are of such a nature as to require a high degree of trust or confidence in the individual providing the service and, in fact, may require the creation of a confidential or fiduciary relationship between that individual and the municipality;
- b. The services required are highly specialized or technical in nature;
- c. The services require peculiar ability or skill, and demand a high degree of specialized knowledge or expertise;
- d. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
- e. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
- f. The individual or entity who will perform these services is held to and fully adheres to, the strict ethical standards that govern the involved profession;
- g. The services include advice to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
- h. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, Council considers Triad Associates to be a qualified entity to serve as the Municipal Housing Administrative Agent of the City of North Wildwood.

NOW, THEREFORE, BE IT RESOLVED, by the Members of Council of the City of North Wildwood, in the County of Cape May and State of New Jersey as follows:

- 1) All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
- 2) The designation of Triad Associates as Municipal Housing Administrative Agent of the City of North Wildwood be and it hereby is approved.

- 3) The Mayor and City Clerk, on behalf of the City of North Wildwood, be and they hereby are authorized to execute a contract with Triad Associates for its services as Municipal Housing Administrative Agent.
- 4) The City Clerk shall forward copies of this Resolution to the appropriate State agencies that interact with the City of North Wildwood regarding the Fair Housing Act of the State of New Jersey.
- 5) Triad Associates is hereby authorized and directed to complete any designation form or other documentation, and fulfill any other obligation, as required by the Fair Housing Act for the position of Municipal Housing Administrative Agent.
- 6) This Resolution shall only be effective when a copy of the certification of availability of funds prepared by the Chief Financial Officer of the City is attached hereto.
- 7) A notice of the letting of this contract shall be published in the City's official newspaper within ten (10) days of the date of this resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the City Clerk.

 I, W. Scott Jett, City Clerk of the City of North Wildwood, in the County of Cape May, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Mayor and Council of the City of North Wildwood at a meeting duly held on the 17th day of September, 2024.

Dated: __ September 17, 2024 __

Signed: _____

W. Scott Jett, City Clerk

APPROVED: _____

Patrick T. Rosenello, Mayor

	Motion	Second	Aye	Nay	Abstain	Absent
Tolomeo			✓			
Rullo	✓		✓			
Kane		✓	✓			
Del Conte			✓			
Koehler			✓			
Bishop			✓			
Zampirri			✓			