

# **FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

Town of Kearny  
Hudson County, New Jersey

May 22, 2025

Adopted by the Planning Board on June 4, 2025

Prepared By:



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Community Planning Consultants  
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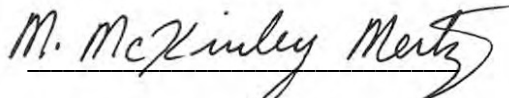
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sealed in accordance with N.J.S.A. 45:14A-12



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## **Table of Contents**

APPENDICES .....	4
EXECUTIVE SUMMARY .....	5
INTRODUCTION .....	6
FIRST AND SECOND ROUNDS .....	7
THIRD ROUND .....	7
FOURTH ROUND .....	9
KEARNY’S HISTORY OF AFFORDABLE HOUSING.....	10
PLANNING FOR AFFORDABLE HOUSING .....	11
PART 1: HOUSING ELEMENT .....	13
DEMOGRAPHIC CHARACTERISTICS.....	13
Population.....	13
Population Composition by Age.....	14
Households.....	15
Income .....	17
Poverty Status .....	18
Household Costs .....	19
EXISTING HOUSING CONDITIONS .....	20
Housing Unit Data .....	20
Housing Type and Size .....	21
Housing Growth and Projections .....	22
Housing Values and Contract Rents .....	24
Housing Conditions.....	26
EMPLOYMENT DATA .....	27
Employment Status.....	29
Class of Worker and Occupation.....	29
Commuting to Work .....	31
Covered Employment.....	32
In-Town Establishments and Employees by Industry: 2023 .....	33
Probable Future Employment Opportunities .....	34
PART 2: FAIR SHARE PLAN.....	35
INTRODUCTION .....	35
CURRENT STANDARDS.....	35
Age-Restricted Housing .....	35
Transitional Housing.....	35
Veterans Housing.....	35
Families with Children.....	35
Rental Units.....	35
Very-Low Income Requirement .....	35
Low/Moderate Income Split .....	36
Affordability Controls .....	36

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Affirmative Marketing .....	36
Uniform Housing Affordability Controls (UHAC).....	36
Unit Adaptability .....	36
Bonus Credits .....	37
KEARNY'S AFFORDABLE HOUSING OBLIGATIONS.....	38
REVIEW OF PREVIOUS ROUND COMPLIANCE .....	38
Prior Round Compliance 1987-1999 .....	39
Third Round Compliance 1999-2025 .....	43
FOURTH ROUND OBLIGATION.....	43
FOURTH ROUND PRESENT NEED / REHABILITATION OBLIGATION .....	43
The HOME Investment Partnership Program (HOME).....	44
Community Development Block Grant (CDBG) Program.....	44
Development Fee Ordinance and Affordable Housing Trust Fund (AHTF) Rehabilitation .....	45
Summary of Rehabilitation Obligation Mechanisms.....	45
Affordable Housing Ordinance.....	46
CONSISTENCY WITH STATE PLANNING REQUIREMENTS .....	46
State Plan.....	46
Multigenerational Family Housing .....	47
USE OF SURPLUS CREDITS.....	47
SUMMARY OF FAIR SHARE COMPLIANCE .....	48

## **APPENDICES**

**Appendix A:** 2017 Court Order of Urban Aid Status

**Appendix B:** 2020 Amended Settlement Agreement

**Appendix C:** 2021 Joint Order of Fairness and Judgement of Compliance and Repose

**Appendix D:** Resolution 2025-66 Adopting Fourth Round Obligations

**Appendix E:** 2025 Court Order Affirming and Fixing the Town's Present and Projective Need Affordable Housing Obligation

**Appendix F:** 2018 HOME Program Policies and Procedures

**Appendix G:** 2025 Resolution Contract with CGP&H

**Appendix H:** Completed Rehabilitation Projects Through CGP&H

**Appendix I:** 2025 Town of Kearny Spending Plan

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## **EXECUTIVE SUMMARY**

The following Fourth Round Housing Element and Fair Share Plan has been prepared for the Town of Kearny in the County of Hudson in accordance with the Fair Housing Act as most recently amended (P.L.2024, c.2).

The Town of Kearny is an 8.8 square mile community located in northeast New Jersey, within the western portion of Hudson County that abuts the neighboring Counties of Essex and Bergen. The Town is bordered by both the Passaic and Hackensack Rivers. It also shares municipal boundaries with North Arlington Borough and Lyndhurst Township to the north and Harrison Town and East Newark Borough to the west. Primary US, County and State routes, including Interstate-95, Interstate-280, US Route 1, NJ Route 7, Hudson County Route 699, and Hudson County Route 697 run through the Town.

The Town can be characterized as an urban municipality and, according to the State Development and Redevelopment Plan (SDRP), the Uplands Kearny and South Kearny portions of the municipality are located in Metro Planning Area 1. The Meadowlands District portion of Kearny is excluded from the SDRP as the Meadowlands are governed by their own protective body.

According to the 2020 Census, Kearny's population was 41,999, which represents an increase of 3.2% from 2010. In 2020, the Town's median age was 38.1 years, representing a 4.7% increase from the median age of 36.4 years in 2010. The Town's average household size in 2020 was 2.62 persons, which was slightly higher than the average at the County level (2.38 persons).

The housing stock of the Town is predominantly either single-family detached dwelling units, 2-family structures, or 3-4 family structures. Approximately 74% of the housing stock was built prior to 1970, making these dwellings older than fifty years. According to the guidelines originally established by COAH, the Town is located in Housing Region 1, a region that consists of Bergen, Hudson, Passaic, and Warren counties. Based on the 2025 Regional Income Limits (released by Affordable Housing Professionals of New Jersey on May 5, 2025), the median income in Region 1 for a four-person household is \$127,200, the moderate-income is \$101,760, the low-income is \$63,600, and the very-low-income level is \$38,160.

Affordable housing obligations in New Jersey are divided into "housing rounds," as will be discussed in detail later in this Plan. Each municipality in New Jersey has a constitutional obligation to provide their fair share of the calculated regional need for affordable housing within the respective housing round. These obligations to construct new affordable housing are known as the "Prospective Need" obligation. Municipalities also have an obligation to rehabilitate units that are deemed substandard, pursuant to the criteria of the Fair Housing Act. This obligation is known as the Present Need, or Rehabilitation Share. The housings rounds are as follows: Prior Round (1987-1999), Third Round (1999-2025), and Fourth Round (2025-2035).

Kearny is officially designated as an "Urban Aid" municipality for the Fourth Round, meaning that it has been identified by the State as being particularly distressed across several measures of economic and social wellbeing. The designation relates to affordable housing in that qualified urban aid municipalities are exempt from prospective need obligations for all housing rounds during which the urban aid designation remains. To qualify, municipalities must meet at least one of the following criteria:

- The ratio of substandard existing deficient housing units currently occupied by low- and moderate-income households within the municipality, compared to all existing housing in the municipality, is greater than the equivalent ratio in the region
- The municipality has a population density greater than 10,000 persons per square mile of land area
- The municipality has a population density of more than 6,000, but less than 10,000 persons per square mile of land area, and less than five percent vacant parcels not used as farmland

The Town of Kearny did not participate in the Prior Round. During the Third Round, the Town contested its Third Round obligation, arguing that it qualified as an "Urban Aid Municipality" under the statutory criteria. The Court ultimately ruled in favor of Kearny, identifying it as "Urban Aid Municipality."

The Town was able to fully meet its Prior Round obligations through credit-worthy units that are existing, under construction, or proposed as well as rental bonus credits.

As a designated urban aid municipality, Kearny is exempt from any prospective need obligation for the Fourth Round but still has a present need (rehabilitation) obligation as calculated by DCA:

Rehabilitation Share: 630

Prospective Need: 0

## INTRODUCTION

The need to provide a realistic opportunity for the construction of affordable housing in New Jersey, the country's most densely populated state, has been recognized for decades. In the case of Southern Burlington County NAACP v. the Township of Mount Laurel 67 N.J. 151 (1975), (commonly known as Mount Laurel I), the New Jersey Supreme Court established the doctrine that developing municipalities in New Jersey have a constitutional obligation to create a realistic opportunity for their fair share of low and moderate income housing.

In Southern Burlington County NAACP v. Township of Mount Laurel, 92 N.J. 158, 456 A.2d 390 (1983), decided on January 20, 1983 (commonly known as Mount Laurel II), the Supreme Court responded to the response of municipalities to Mount Laurel II. The builder's remedy created a mechanism for developers to sue non-compliant municipalities and force them to comply. Mount Laurel II also created the Judgment of Repose to incentivize municipalities to comply. A Judgment of Repose protected municipalities from

potential lawsuits and those who would claim entitlement to a builder's remedy or other relief based upon the claim that the municipality was noncompliant.

In the wake of Mount Laurel II, developers sued municipalities seeking builder's remedies. The wave of builder's remedy lawsuits created the impetus for legislation to protect municipalities from builder's remedies. A decision by Judge Serpentelli, one of three judges appointed by Chief Justice Wilentz to implement Mount Laurel II, increased the need for a legislative cure. More specifically, in 1984, Judge Serpentelli issued the "AMG decision" (AMG Realty Co. v. Warren Twp), which established a formula for any developer to determine the fair share obligation of any municipality.

The pressure of builder's remedy suits, combined with the ease in determining the fair share of any municipality through the AMG formula, culminated in the enactment of the New Jersey Fair Housing Act in 1985. The Fair Housing Act (FHA) is found at N.J.S.A. 52:270-301, et seq. The FHA established the Council on Affordable Housing (COAH) as an administrative alternative to builder's remedy lawsuits and the concomitant jurisdiction of the courts. COAH was given the responsibility of dividing the state into housing regions, determining regional and municipal fair share affordable housing obligations, and adopting regulations that would establish the guidelines and approaches that municipalities may use in addressing their affordable housing need.

In 2008, the Legislature amended the FHA to add requirements for very low-income housing. Very low-income households are those in which the gross household income is 30% or less than the region's median household income. Low-income households are those with incomes no greater than 50% of the region's median household income. Moderate-income households are those with incomes no greater than 80% and no less than 50% of the region's median household income. Each is adjusted for household size and is in relation to the median gross income of the housing region in which the municipality is located.

### FIRST AND SECOND ROUNDS

The First and Second Rounds under COAH are collectively referred to as the "Prior Round." The Prior Round obligation is the cumulative 1987-1999 fair share obligation. The First Round consists of the six-year period between 1987 and 1993 for which COAH first established a formula for determining municipal affordable housing obligations (N.J.A.C. 5:92-1 *et seq.*). Then in 1994, COAH established amended regulations (N.J.A.C. 5:93-1.1 *et seq.*) and produced additional municipal affordable housing obligations for the years 1993 to 1999. This second round of obligations is known as the Second Round. When COAH adopted regulations for Round 2, it made the Round 1 and 2 obligations cumulative for both periods.

### THIRD ROUND

Housing rounds were originally established by the Fair Housing Act as six-year periods, but in 2001 the Legislature extended the rounds to 10-year periods. This should have meant that the Third Round ran from 1999 to 2009. However, COAH didn't establish new rules for the Third Round until the end of 2004 (N.J.A.C.

5:94-1 and 95-1 *et seq.*). The Third Round time period was therefore extended to 2014. The Third Round rules established a new method for calculating a municipality's affordable housing obligation, known as "growth share." This method required municipalities to project future residential and non-residential development, and then derive their obligation from that growth.

After the New Jersey Appellate Court invalidated several components of the Third Round rules, COAH released revised rules in 2008. The Third Round was once again extended to 2018 to provide municipalities with the time to apply the amended rules and establish mechanisms to meet their obligations. The revised Third Round rules, like the initial Third Round, rules established the obligations based on a growth share approach.

On October 8, 2010, in response to numerous legal challenges to the second iteration of COAH's Third Round regulations, the Appellate Divisions ruled that COAH could not allocate obligations through a "growth share" formula and directed COAH to use similar methods to those used in the First and Second Rounds. COAH proposed Third Round regulations a third time in 2014 using a formula similar to the ones it had used in the first and second rounds. However, when COAH met to consider adopting these rules on October 20, 2014, it deadlocked.

On March 10, 2015, the New Jersey Supreme Court decided In re Adoption of N.J.A.C. 5:96 & 5:97 by the N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (Mount Laurel IV), wherein it responded to COAH's failure to adopt defensible rules for Round 3. This decision changed the landscape by which municipalities are required to comply with their constitutional obligation to provide their fair share of affordable housing. The Supreme Court held that since COAH was no longer functioning, trial courts were to resume their role as the forum of first instance for evaluating municipal compliance with Mount Laurel obligations, and also established a transitional process for municipalities to seek temporary immunity and ultimately a Judgment of Compliance and Repose ("JOR") from a Court, which was the "judicial equivalent" of Substantive Certification from COAH.

On January 18, 2017, the Supreme Court decided In Re Declaratory Judgment Actions Filed by Various Municipalities, County of Ocean, Pursuant To The Supreme Court's Decision In In re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015) ("Mount Laurel V"), which held that need having accrued during the Gap Period (1999-2015) was part of the Present Need, not Prospective Need. The Supreme Court held that there is an obligation with respect to that period for households that came into existence during that gap that are eligible for affordable housing, that are presently (as of 2015) in need of affordable housing, and that are not already counted in the traditional present need.

As the methodology and obligations from the Gap and Prospective Need had not been fully adjudicated at that time, various trial judges issued opinions on the appropriate methodology and 354 municipalities reportedly settled with Fair Share Housing Center wherein they negotiated the obligations for Round 3.



Municipal obligations were therefore broken down in Round Three Housing Element and Fair Share Plans as Present Need/Rehabilitation, Prior Round (1987-1999), and Third Round and Gap Period (1999-2015). Municipalities that received their Final Judgement of Compliance and Repose were guaranteed immunity from builders' remedy lawsuits through the end of the Third Round, June 30, 2025.

#### FOURTH ROUND

On March 18, 2024, the affordable housing legislation known jointly as Senate Bill S50 and Assembly Bill A4 passed both houses of the legislature. Governor Murphy signed the bill (P.L.2024, c.2) into law on March 20, 2024, establishing a new methodology for determining municipalities' affordable housing obligations for the Fourth Round and beyond. The new legislation, which comprehensively amends the FHA, overhauled the process that municipalities undertake to establish and plan for their constitutionally mandated affordable housing obligation. Most notably, this legislation formally abolished COAH while transferring its functions to the New Jersey Department of Community Affairs (DCA) and Housing Mortgage and Finance Agency (HMFA). As a result, the legislation codified the method for calculating regional and municipal affordable housing needs and returned most of the process from the Courts to state administrative departments.

The amended FHA called on the DCA to issue a non-binding report on the new Present Need Obligation (commonly referred to as the rehab obligation) and the Prospective Need for Round 4 and subsequent rounds. The amended FHA requires the DCA to base its analysis of the obligations for each municipality based upon the standards set forth in the amended FHA. Accordingly, on October 18, 2024 the DCA released a report outlining the Fourth Round (2025-2035) Fair Share methodology and its calculations of low- and moderate-income obligations for each of the State's municipalities. The amended FHA gave municipalities until January 31, 2025, to review the obligation reported by the DCA and perform their own analysis of their obligation based on the methodology in the legislation and previously established by the Courts. If any municipality wished to commit to an obligation different from the one reported by the DCA, the amended FHA required the municipality to adopt a resolution by January 31, 2025, committing to the number that it contended was the appropriate obligation. If a municipality wished to commit to the numbers that the DCA reported, the amended FHA required the municipality to adopt a resolution committing to the DCA numbers.

The amended FHA required any municipality that wished to participate in the new process that the Act created to file a declaratory relief action within 48 hours of adopting the resolution committing to the numbers the municipality deemed appropriate.

The amended FHA gave any interested party who wished to oppose the numbers to which any municipality committed to file an Answer by February 28, 2025 which included a particularized objection to the numbers to which the municipality committed.

The amended FHA gave “the program” until March 31, 2025, to try to resolve any disputes over the fair share numbers to which a municipality committed through an “Affordable Housing Dispute Resolution Program.” The program is a new entity created by the amended FHA. It is staffed with seven current or retired judges and the judges have the authority to use adjudicators to assist it in mediating disputes over the obligations of municipalities.

The amended FHA gives municipalities until June 30, 2025, to file a Housing Element and Fair Share Plan and related documents showing how the municipality will comply with its obligations. The Fourth Round Plans will follow the same general format as they have with certain updates to their requirements dealing with various types of housing and the bonus credit calculation system. Notably, HEFSPs are required to be consistent with the State Development and Redevelopment Plan (SDRP) (a new draft SDRP was released in late 2024 and has yet to be adopted) and the Highlands Regional Master Plan for conforming municipalities. As part of the HEFSP, municipalities shall include an assessment of the degree to which the municipality has met its fair share obligation from the prior rounds of affordable housing (i.e. First, Second, and Third Rounds).

### **KEARNY’S HISTORY OF AFFORDABLE HOUSING**

In December 2008, Kearny’s Planning Board adopted, and the Town’s Governing Body endorsed, a Round 3 Housing Element and Fair Share Plan (“2008 Plan”). On December 30, 2008, the Town filed with COAH its petition for certification of its 2008 Plan, and on March 3, 2009 COAH deemed the petition complete. The Town, however, did not receive substantive certification for the Third Round because the Appellate Division determined the growth share methodology to be invalid.

In response to Mount Laurel IV, Kearny filed a Declaratory Judgment action, along with a motion for temporary immunity, on July 7, 2015. The Town sought from the Court an affirmative declaration of compliance regarding all aspects of its affordable housing obligations.

Because of the uncertainty in the appropriate manner by which to calculate the Town’s obligation at the time, the Town and the Fair Share Housing Center (FSHC) entered into negotiations in order to provide fair and reasonable opportunities for affordable housing for low-, very-low, and moderate-income households within Kearny.

In 2017 the Town contested its Third Round obligation that had been assigned by FSHC’s expert on the grounds that Kearny is an urban aid municipality, as designated by the State, and therefore does not have a Third Round obligation. The Court ruled in an Order and Judgment entered by the Honorable Joseph A. Turula on November 17, 2017 that Kearny is a qualified “Urban Aid Municipality with a qualifying population density,” and therefore does not have a Prospective Need Obligation (Appendix A).

A settlement agreement between the Town and FSHC was signed by the Town on December 11, 2018. An amended settlement agreement, dated March 27, 2020, was prepared to apply inclusionary zoning to additional swaths of land (Appendix B). A new Housing Element and Fair Share Plan ("2020 Plan") was created to reflect the changes in the settlement agreement, adopted by Kearny's Planning Board, and then endorsed by Resolution 2020-478 on October 20, 2020. On that same day, Ordinance 2020-36 was passed, updating the Town's affordable housing code §16-22. Ordinance 2020-35 was also passed which amended the Schuyler Avenue Redevelopment Plan to add two new affordable housing sub-districts.

A joint Order of Fairness and Judgement of Compliance and Repose was issued by Joseph A. Turula on April 6, 2021 for the 2020 HEFSP, settlement agreement, and development fee ordinance (Appendix C).

On January 21, 2025, in accordance with the standards established by the amended FHA and described above, the Town adopted Resolution 2025-66 (Appendix D) and subsequently filed a Complaint for Declaratory Judgment (DJ Action) with the Affordable Housing Dispute Resolution Program (the Program) within 48 hours as required by statute. The resolution and DJ Action accepted the Fourth Round DCA-generated Prospective Need obligation of 0 and Present Need obligation of 630 and thus guarantees protection from builders' remedy suits. The Court issued an order on May 1, 2025 affirming and fixing the Town's present and projective need affordable housing obligation. (Appendix E).

This Fourth Round HEFSP sets forth mechanisms implemented to address the Town's affordable housing obligations and has been prepared in accordance with the Fair Housing Act as most recently amended (P.L.2024, c.2).

### **PLANNING FOR AFFORDABLE HOUSING**

Pursuant to both the FHA (N.J.S.A. 52:27D-310, et seq.) and the Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-28), municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to describe the specific, intended methods that a municipality plans to use in order to meet its low- and moderate-income housing needs. Further, the housing element is meant to demonstrate the existing zoning or planned zoning changes that will allow for the provision of adequate capacity to accommodate household and employment growth projections, to achieve the goal of access to affordable housing for present and future populations. The statutorily required contents of the housing element are:

- 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;
- 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;
- 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.

**PART 1: HOUSING ELEMENT****DEMOGRAPHIC CHARACTERISTICS****Population**

Table 1 below depicts the population trends experienced in Kearny, Hudson County, and the State of New Jersey in the 93-year period between 1930 and 2023. In 2023, there were 40,570 residents in Kearny, which indicates a decrease of 1,429 people (-3.4%) from 2020. Kearny's population has ebbed and flowed through the last ninety years, but is more or less the same as it was in 1930 with a slight decrease of 146 people.. Proportionally, the Town's most significant period of growth occurred in the decade between 1990 and 2000 when the Town saw a 16.2% increase in its population. The trend in Kearny is fairly similar to that of Hudson County as a whole with steady decline from a highpoint in 1930 before beginning to trend back up in the late 1990s. During the roughly ninety year period when the populations of Kearny and Hudson County declined and rebounded, the population of the state as a whole more than doubled with an increase of 129.3%.

<b>Table 1: Population Trends, 1930-2023 Town of Kearny, Hudson County, and New Jersey</b>									
	<b>Kearny</b>			<b>Hudson County</b>			<b>New Jersey</b>		
<b>Year</b>	<b>Population</b>	<b>Change</b>		<b>Population</b>	<b>Change</b>		<b>Population</b>	<b>Change</b>	
		<b>Number</b>	<b>Percent</b>		<b>Number</b>	<b>Percent</b>		<b>Number</b>	<b>Percent</b>
<b>1930</b>	40,716	-	-	690,730	-	-	4,041,334	-	-
<b>1940</b>	39,467	-1,249	-3.1%	652,040	-38,690	-5.6%	4,160,165	118,831	2.9%
<b>1950</b>	39,952	485	1.2%	647,437	-4,603	-0.7%	4,835,329	675,164	16.2%
<b>1960</b>	37,472	-2,480	-6.2%	610,734	-36,703	-5.7%	6,066,782	1,231,453	25.5%
<b>1970</b>	37,585	113	0.3%	607,839	-2,895	-0.5%	7,171,112	1,104,330	18.2%
<b>1980</b>	35,735	-1,850	-4.9%	556,972	-50,867	-8.4%	7,365,011	193,899	2.7%
<b>1990</b>	34,874	-861	-2.4%	553,099	-3,873	-0.7%	7,730,188	365,177	5.0%
<b>2000</b>	40,513	5,639	16.2%	608,975	55,876	10.1%	8,414,350	684,162	8.9%
<b>2010</b>	40,684	171	0.4%	634,266	25,291	4.2%	8,791,894	377,544	4.5%
<b>2020</b>	41,999	1,315	3.2%	724,854	90,588	14.3%	9,288,994	497,100	5.7%
<b>2023</b>	40,570	-1,429	-3.4%	710,478	-14,376	-2.0%	9,267,014	-21,980	-0.2%
<b>Total Change</b>	-	<b>-146</b>	<b>-0.4%</b>	-	<b>19,748</b>	<b>2.9%</b>	-	<b>5,225,680</b>	<b>129.3%</b>

Source: U.S. Census Bureau, Decennial Census and 2023: ACS 5-Year Estimates Table S0101

**Population Composition by Age**

The median age of the residents in Kearny in 2020 was 38.1 years, which shows a 4.7% increase from the 2010 median age of 36.4 years. Analysis of age group characteristics provides insight into the actual changes in population. This comparison is helpful in determining the impact these changes have on housing needs, community facilities and services for the municipality. As detailed in Table 2 below, the entire composition of Kearny experienced notable shifts in the years between 2010 and 2020. The most significant shift occurred in the population aged 55 and over, which collectively saw a 2,359-person (26.7%) increase. Simultaneously, the Town experienced a significant decrease in its population between 15 to 24 years old (-9.9%) and between the ages 45 to 54 (-9.3%). This data suggests that a larger portion of the Town's residents are transitioning into the senior citizen age range, which will require the Town to consider planning tools and approaches that encourage aging-in-place.

<b>Table 2: Population by Age, 2010 to 2020</b>						
<b>Town of Kearny</b>						
<b>Population</b>	<b>2010</b>		<b>2020</b>		<b>Change (2010 to 2020)</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Under 5 years	2,231	5.5%	2118	5.0%	-113	-5.1%
5 to 14	4,606	11.3%	4815	11.5%	209	4.5%
15 to 24	6,069	14.9%	5,470	13.0%	-599	-9.9%
25 to 34	6,575	16.2%	6540	15.6%	-35	-0.5%
35 to 44	6,100	15.0%	6172	14.7%	72	1.2%
45 to 54	6,225	15.3%	5647	13.4%	-578	-9.3%
55 to 64	4,516	11.1%	5,524	13.2%	1008	22.3%
65 and over	4,362	10.7%	5,713	13.6%	1351	31.0%
<b>Total population</b>	<b>40,684</b>	<b>100.00%</b>	<b>41,999</b>	<b>100.00%</b>	<b>1315</b>	<b>3.2%</b>
<b>Median Age</b>	<b>36.4</b>	<b>-</b>	<b>38.1</b>	<b>-</b>	<b>1.7</b>	<b>4.7%</b>

Source: U.S. Census Bureau, Decennial Census, Tables DP1, P12 and P13

Hudson County experienced population fluctuation as well. The County also saw the greatest shift of roughly aged 65 and over (24.6%), which was proportionally slightly lower than the increase experienced at the Town level. The County experienced a slight decrease in its population aged 14 to 25 (-2.3%), directly mirroring shifting age trends occurring in the Town. This data is displayed in Table 3 below.

<b>Table 3: Population by Age, 2010 to 2020</b>						
<b>Hudson County</b>						
<b>Population</b>	<b>2010</b>		<b>2020</b>		<b>Change (2000 to 2010)</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Under 5 years	42,586	6.7%	44,816	6.2%	2,230	5.2%
5 to 14	66,584	10.5%	76,168	10.5%	9,584	14.4%
15 to 24	85,641	13.5%	83,663	11.5%	-1,978	-2.3%
25 to 34	131,508	20.7%	161,172	22.2%	29,664	22.6%
35 to 44	96,716	15.2%	115,232	15.9%	18,516	19.1%
45 to 54	82,985	13.1%	85,205	11.8%	2,220	2.7%
55 to 64	62,180	9.8%	76,308	10.5%	14,128	22.7%
65 and over	66,066	10.4%	82,290	11.4%	16,224	24.6%
<b>Total population</b>	<b>634,266</b>	<b>100.0%</b>	<b>724,854</b>	<b>100.0%</b>	<b>90,588</b>	<b>14.3%</b>
<b>Median Age</b>	<b>34.2</b>	<b>-</b>	<b>34.8</b>	<b>-</b>	<b>0.6</b>	<b>1.8%</b>

Source: U.S. Census Bureau, Decennial Census, Tables DP1, P12 and P13

### Households

A household is defined as one or more persons, either related or not, living together in a housing unit. In 2020 there was a total of 14,639 households in Kearny. Over half of the Town's households comprised two or less people. In fact, two-person households were the most common household size at both the Town (29.2%) and County (30.8%) levels, followed by one-person households. The average household size of the Town in 2020 was 2.62, which was slightly higher than that of the County's average of 2.38.

<b>Table 4: Household Size of Occupied Housing Units, 2020</b>				
<b>Town of Kearny and Hudson County</b>				
	<b>Kearny</b>		<b>Hudson County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
1-person household	3,064	20.9%	86,330	29.8%
2-person household	4,271	29.2%	89,247	30.8%
3-person household	2,986	20.4%	50,455	17.4%
4-person household	2,511	17.2%	36,286	12.5%
5-person household	992	6.8%	15,807	5.5%
6-person household	504	3.4%	7,012	2.4%
7-or-more-person household	311	2.1%	4,271	1.5%
<b>Total Households</b>	<b>14,639</b>	<b>100.0%</b>	<b>289,408</b>	<b>100.0%</b>
<b>Average Household Size (2023)</b>	<b>2.62</b>		<b>2.38</b>	

Source: US Census Bureau 2020, H9 and 2023 ACS 5-year Table S1101

According to the United States Census, family households are defined as two or more persons living in the same household, related by birth, marriage, or adoption. As shown in Table 5, most (73%) of all households in the Town in 2020 were categorized as family households. Approximately 49% of households comprised married couples, and 21% of all households consisted of a married couple with children.

In providing more detail on American households, the 2023 American Community Survey includes the sub-groups of non-traditional households, including “Other Family” and “Non-Family” households. “Other Family” households accounted for 28% of all households, broken down into 15% female householders with no spouse or partner present and 9% male householders with no spouse or partner present. “Non-Family” households are defined as those that consist of a householder living alone or sharing the home exclusively with people to whom he/she is not related. Approximately 27% of the Town’s households were “Non-Family” households, with male householders (15%) being more common than female householders (13%).

<b>Table 5: Household Size and Type, 2023</b>		
<b>Town of Kearny</b>		
	<b>Total</b>	<b>Percent</b>
<b>Total Households</b>	<b>14,756</b>	<b>100%</b>
<b>Family Households</b>	<b>10,762</b>	<b>73%</b>
Married couple family	7,251	49%
With children	3,172	21%
Without children	4,079	28%
Other Family	3,511	24%
Male householder, no spouse	1,321	9%
With children	428	3%
Without children	893	6%
Female householder, no spouse	2,190	15%
With children	1,103	7%
Without children	1,087	7%
<b>Nonfamily household</b>	<b>3,994</b>	<b>27%</b>
Male householder	2,148	15%
Living alone	1,807	12%
Not living alone	341	2%
With children	18	0%
Female householder	1,846	13%
Living alone	1,472	10%
Not living alone	374	3%
With children	3	0%

Source: 2023 ACS 5-Year B11005 and B11010



**Income**

As measured in 2020, Kearny had a significantly lower median household income compared to Hudson County and the State of New Jersey. The median income in Kearny was \$83,212, which was roughly \$7,000 lower than that of the County and \$17,000 lower than that of the State. The per capita income in Kearny was significantly lower than that of the County and State. This data is outlined in Table 6 below.

<b>Table 6: Per Capita Household Income, 2023 Town of Kearny, Hudson County, and New Jersey</b>		
	<b>Per Capita Income</b>	<b>Median Household Income</b>
Kearny	\$37,169	\$83,212
Hudson County	\$53,998	\$90,032
New Jersey	\$140,299	\$101,050

Source: 2023 ACS 5-year Estimates, Table S1902

In 2023, roughly 73.7% percent of all households in the Town earned an income of \$50,000 or more, as compared to roughly 70.7% of households in the County. The income range that accounted for the most Town households was the \$50,000 to \$74,999 bracket, which comprised nearly 18.6% of households in Kearny; this was not mirrored across Hudson County, as the most common income range was \$200,000 or more (19.50%). The second largest income bracket in the Town was \$100,000 to \$149,000, comprising 18.4% of households. At the County level, this same income bracket accounted for a lesser 16.6% of households. This suggests that the Town's household income distribution is slightly skewed toward these lower income brackets as compared to the County, which may at least partially help explain the difference between the median income reported at the Town (\$83,212) and County (\$90,032) levels.

<b>Table 7: Household Income, 2023 Town of Kearny and Hudson County</b>				
	<b>Kearny</b>		<b>Hudson County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Less than \$10,000	605	4.1%	15,664	5.30%
\$10,000 to \$14,999	280	1.9%	13,004	4.40%
\$15,000 to \$24,999	635	4.3%	17,438	5.90%
\$25,000 to \$34,999	1,151	7.8%	17,142	5.80%
\$35,000 to \$49,999	1,210	8.2%	23,349	7.90%
\$50,000 to \$74,999	2,745	18.6%	39,604	13.40%
\$75,000 to \$99,999	2,331	15.8%	33,397	11.30%
\$100,000 to \$149,999	2,715	18.4%	49,062	16.60%
\$150,000 to \$199,999	1,490	10.1%	29,260	9.90%
\$200,000 or more	1,594	10.8%	57,633	19.50%
<b>Total Households</b>	<b>14,756</b>	<b>100.0%</b>	<b>295,552</b>	<b>100.0%</b>
<b>Median Household Income</b>	<b>\$83,212</b>		<b>\$90,032</b>	

Source: 2023 ACS 5-Year Estimates, Table S1901

**Poverty Status**

Of the 38,622 people in Kearny for which poverty status was determined, 4,811 (12.5%) individuals lived in poverty in 2023; this was slightly lower than the County's poverty rate of 14.8%. Of Kearny's population that fell below the poverty level in 2023, nearly half were between the ages of 18 to 64; this trend was mirrored at the County level as well. Proportionally the Town and County had similar percentages of children and elderly living in poverty. This data is presented in Table 8 below.

<b>Table 8: Poverty Status, 2023 Town of Kearny and Hudson County</b>				
	<b>Kearny</b>		<b>Hudson County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total persons</b>	<b>38,622</b>	<b>100.0%</b>	<b>701,665</b>	<b>100.0%</b>
Total persons below poverty level	4,811	12.5%	103,860	14.8%
Under 18	1,568	4.1%	29,616	4.2%
18 to 64	2593	6.7%	57,370	8.2%
65 and over	650	1.7%	16,874	2.4%

Source: 2023 American Community Survey 5-Year Estimate, Table S1701

**Household Costs**

Tables 9 and 10 below show the expenditures on housing as a percentage of household income for those who own and rent in Kearny and Hudson County. In 2023, a majority of Town residents lived in homes they rented, which was the same at the County level as well. General affordability standards set a limit at 30% of gross income to be allocated for owner-occupied housing costs and 28% of gross income to be allocated for renter-occupied housing costs. Approximately 38.3% of Town residents who owned the units they occupied spent 30% or more of their household income on housing, as compared to 48.3% of Town residents who rented the units they occupied. These figures were on par with those of the County.

<b>Table 9: Selected Monthly Owner Costs as a Percentage of Household Income, 2023</b>				
<b>Town of Kearny and Hudson County</b>				
	<b>Kearny</b>		<b>Hudson County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total Owner-Occupied Housing Units</b>	<b>6,706</b>	<b>100.0%</b>	<b>92,160</b>	<b>100.0%</b>
Less than 20.0%	2,739	40.8%	41,646	45.2%
20.0 to 24.9%	881	13.1%	10,714	11.6%
25.0 to 29.9%	508	7.6%	7,984	8.7%
30.0 to 34.9%	679	10.1%	5,361	5.8%
35.0% or more	1891	28.2%	25,825	28.0%
Not computed	8	0.1%	630	0.7%

Source: 2023 American Community 5-Year Estimates, Table DP04

<b>Table 10: Gross Rent as a Percentage of Household Income, 2023</b>				
<b>Town of Kearny and Hudson County</b>				
	<b>Kearny</b>		<b>Hudson County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total Renter-Occupied Housing Units</b>	<b>8,050</b>	<b>100.00%</b>	<b>203,392</b>	<b>100.00%</b>
Less than 10%	157	2.0%	9,130	4.5%
10.0 to 14.9%	717	8.9%	20,730	10.2%
15.0 to 19.9%	893	11.1%	28,038	13.8%
20.0 to 24.9%	934	11.6%	25,735	12.7%
25.0 to 29.9%	1,054	13.1%	22,986	11.3%
30.0 to 34.9%	532	6.6%	17,061	8.4%
35.0 to 39.9%	737	9.2%	12,391	6.1%
40.0 to 49.9%	565	7.0%	15,095	7.4%
50% or more	2,052	25.5%	45,116	22.2%
Not computed	409	5.1%	7,110	3.5%

Source: 2023 American Community 5-Year Estimates, Table B25070

**EXISTING HOUSING CONDITIONS****Housing Unit Data**

Kearny's housing stock largely consists of structures built prior to the year 1969. In 2023, Kearny had a total of 15,340 occupied housing units, roughly 43.7% of which were owner-occupied and 52.5% of which were renter-occupied. Over a third of the Town's housing stock was built in 1939 or earlier, and there has been a slow decrease in housing units built with each consecutive decade. According to 2023 American Community Survey Estimates, the Town has seen very few housing structures built between 2010 and 2020 comparatively to earlier decades. The median year of construction for the housing stock in Kearny is 1952. This data is outlined in Tables 11 and 12 below.

<b>Table 11: Housing Data, 2023</b>			
<b>Town of Kearny</b>			
	<b>Number</b>	<b>% of Total Housing Units</b>	<b>% of Occupied Housing Units</b>
<b>Total Housing Units</b>	<b>15,340</b>	<b>100.00%</b>	-
Occupied Housing Units	14,756	96.2%	100.00%
Owner Occupied	6,706	43.7%	45.4%
Renter Occupied	8,050	52.5%	54.6%
Vacant Housing Units	584	3.8%	-

Source: 2023 American Community Survey 5-Year Estimates, Table DP04

<b>Table 12: Year Structure Built, 2023</b>		
<b>Town of Kearny</b>		
	<b>Number</b>	<b>Percent</b>
<b>Total Housing Units</b>	<b>15,340</b>	<b>100.00%</b>
Built 1939 or earlier	5,653	36.9%
Built 1940 to 1949	1,625	10.6%
Built 1950 to 1959	2,329	15.2%
Built 1960 to 1969	1,739	11.3%
Built 1970 to 1979	1,084	7.1%
Built 1980 to 1989	906	5.9%
Built 1990 to 1999	770	5.0%
Built 2000 to 2009	453	3.0%
Built 2010 to 2019	702	4.6%
Built 2020 or later	79	0.5%
<b>Median Year Structure Built</b>	<b>1952</b>	

Source: 2023 American Community Survey 5-Year Estimates, Tables B25034 and B25035

According to the 2023 Census, Kearny has a high occupancy rate, with very few of their housing units vacant. Of Kearny's 15,340 housing units, 14,756 (96.2%) were occupied and 584 (3.8%) were vacant. Of those that are vacant, 38.9% are "For Rent/Rented Not Occupied", 23.5% are "For Sale Only", 32.4% are listed as "Other Vacant", and just 5.3% are listed as "For Seasonal, Recreational or Occasional Use".

<b>Table 13: Housing Occupancy, 2023</b>			
<b>Town of Kearny</b>			
	<b>Total</b>	<b>% of Total Housing Units</b>	<b>% of Vacant Housing Units</b>
Total Housing Units	<b>15,340</b>	100.00%	-
Occupied	14,756	96.2%	-
Vacant Housing Units	584	3.8%	100.0%
For Rent/Rented Not Occupied	227	1.5%	38.9%
For Sale Only	137	0.9%	23.5%
Sold, not occupied	0	0.0%	0.0%
For Seasonal, Recreational or Occasional Use	31	0.2%	5.3%
For migrant workers	0	0.0%	0.0%
Other Vacant	189	1.2%	32.4%

Source: ACS 5-Year DP04 and B25004

#### Housing Type and Size

In 2023, single-family detached housing made up the majority of the Town's housing stock at 31.3%. Two-unit structures were the next most common housing type, representing 27.9% of the Town's housing stock. The median number of rooms within housing structures in the Town was 7.0, with nearly 80% of housing units having a minimum of 4.9 rooms and less than 8% of housing units having 2 or less rooms.

<b>Table 14: Housing Type and Size, 2023</b>		
<b>Town of Kearny</b>		
<b>Units in Structure</b>	<b>Total</b>	<b>Percent</b>
1, detached	4,807	31.3%
1, attached	704	4.6%
2	4,275	27.9%
3 or 4	2,221	14.5%
5 to 9	870	5.7%
10 to 19	1,002	6.5%
20 or more	1,447	9.4%
Mobile home	10	0.1%
Boat, RV, van, etc.	4	0.0%
<b>Total Housing Units</b>	15,340	100.00%
<b>Rooms</b>	<b>Total</b>	<b>Percent</b>
1 room	535	3.5%
2 rooms	561	3.7%

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3 rooms	1,574	10.3%
4 rooms	3,582	23.4%
5 rooms	3,539	23.1%
6 rooms	2,521	16.4%
7 rooms	1,121	7.3%
8 rooms	850	5.5%
9 or more rooms	1,057	6.9%
<b>Total Housing Units</b>	<b>15,340</b>	<b>100.00%</b>
<b>Median number of rooms</b>	<b>4.9</b>	

Source: 2023 ACS 5-Year Estimates, Tables DP04

### Housing Growth and Projections

In terms of residential growth, the issuance of building permits serves as one of the indicators that help to determine housing needs in a given municipality. Table 15 below illustrates the number of building permits that were issued over the 10-year period between January 2015 through December 2024, when the Town issued building permits authorizing the development of 1,025 housing units. Within this time frame, the busiest years for building permits occurred in 2018 and 2020, with roughly half of all building permits since 2015 having been issued in those years. The vast majority of the permits issued during this time frame were for multi-family homes, while only 95 permits were issued for one & two family homes and none were issued for mixed-use structures. Kearny is projected to follow the same trend of housing unit permits throughout 2035. It is expected that the majority of residential development within Kearny will occur through smaller infill development.

Further, throughout the same 10-year period, Kearny issued permits authorizing the demolition of 65 units, which averages to approximately 6.5 units per year. The average demolition rate is approximately 6.3% of the abovementioned development rate (i.e., a home net increase of around 93.7%). If the demolition rate were to remain relatively constant over the next approximately 10-year period, an additional 65 residential units could be expected to be demolished between July 2025 and the end of June 2035, resulting in a projected net increase of 974 units.

<b>Table 15: Housing Units Authorized by Building Permits, 2015-2024</b>				
<b>Town of Kearny</b>				
<b>Year</b>	<b>1 &amp; 2 Family</b>	<b>Multi Family</b>	<b>Mixed-Use</b>	<b>Total</b>
2015	6	150	0	156
2016	2	3	0	5
2017	15	81	0	96
2018	5	280	0	285
2019	0	12	0	12
2020	7	268	0	275
2021	12	0	0	12
2022	24	9	0	33
2023	7	69	0	76
2024	6	69	0	75
<b>Total 2015-2024</b>				<b>1,025</b>
<b>10-Year Average</b>				<b>102.5</b>
<b>10-Year Permit Projection (2025-2035)</b>				<b>1,025</b>

Source: State of New Jersey Department of Community Affairs Building Permits: Yearly Summary Data

<b>Table 16: Housing Units Demolished by Building Permits, 2015-2024</b>				
<b>Town of Kearny</b>				
<b>Year</b>	<b>1 &amp; 2 Family</b>	<b>Multi Family</b>	<b>Mixed-Use</b>	<b>Total</b>
2015	12	0	0	12
2016	9	0	0	9
2017	4	0	0	4
2018	5	4	0	9
2019	11	0	0	11
2020	4	0	0	4
2021	10	0	0	10
2022	1	0	0	1
2023	1	0	0	1
2024	-	-	-	-
<b>Total 2015-2024</b>				<b>61</b>
<b>10-Year Average</b>				<b>6.1</b>
<b>10-Year Demolition Projection (2025-2035)</b>				<b>61</b>

Source: State of New Jersey Department of Community Affairs Building Permits: Yearly Summary Data

**Housing Values and Contract Rents**

According to the 2023 American Community Survey, approximately 83% of the owner-occupied housing stock in Kearny in 2023 was valued at over \$300,000, which is mirrored at the County level. In addition, the Town's median home value (\$431,700) was lower than that of the County (\$508,600) by an estimated \$76,000. This data is outlined in Table 17 below.

<b>Table 17: Value for Owner-Occupied Housing Units, 2023 Town of Kearny and Hudson County</b>				
	<b>Kearny</b>		<b>Hudson County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total</b>	<b>6,706</b>	<b>100.0%</b>	<b>92,160</b>	<b>100.0%</b>
Less than \$50,000	96	1.4%	2,633	2.9%
\$50,000 to \$99,999	24	0.4%	703	0.8%
\$100,000 to \$149,999	9	0.1%	1,065	1.2%
\$150,000 to \$199,999	120	1.8%	2,362	2.6%
\$200,000 to \$299,999	895	13.3%	8,531	9.3%
\$300,000 to \$499,999	3561	53.1%	29,911	32.5%
\$500,000 to \$999,999	1,990	29.7%	37,116	40.3%
\$1,00,000 and greater	11	0.2%	9,839	10.7%
<b>Median Value</b>	<b>\$431,700</b>		<b>\$508,600</b>	

Source: 2023 American Community Survey 5-Year Estimates, Tables B25075 and B25077

As shown on Table 18 below, it is estimated that 58.6% of owner-occupied units in the Town were financed by a primary mortgage, contract to purchase, or similar debt. Of those units, 89.2% did not have any additional lines of credit associated with the unit, while 7.2% were associated with a home equity loan, 2% were associated with a second mortgage, and 5.4 were associated with both a second mortgage and a home equity loan. Proportionally there were slightly more owner-occupied housing units with a mortgage at the County level; more specifically, 65.9% of such units had a primary mortgage, while 34.1% of units did not. Of those units in the County tied to a primary mortgage, 7.9% did not have any additional lines of credit associated with the unit, while 0.4% were associated with a home equity loan, 1.4% were associated with a second mortgage, and 6.1% were associated with both a second mortgage and a home equity loan. Overwhelmingly, of the units with a with a mortgage, contract to purchase, or similar debt , most were made up of a home equity loan without a primary mortgage (90.7%).



**Table 18: Mortgage Status, 2023**  
**Town of Kearny and Hudson County**

	Kearny			Hudson County		
	Number	% of Total Units	% of Units with Mortgage	Number	% of Total Units	% of Units with Mortgage
Total Owner-Occupied Units	6,706	100.00%	-	92,160	100.00%	-
Housing units with a mortgage, contract to purchase, or similar debt:	3,931	58.6%	100.00%	60,723	65.9%	100.00%
Housing units with no second mortgage and no home equity loan	3,505	52.3%	89.2%	4,791	5.2%	7.9%
Housing units with multiple mortgages:	361	5.4%	9.2%	888	1.0%	1.5%
Mortgage with both second mortgage and home equity loan	0	0.0%	0.0%	3,688	4.0%	6.1%
Mortgage, with only home equity loan	284	4.2%	7.2%	215	0.2%	0.4%
Mortgage, with only second mortgage	77	1.1%	2.0%	866	0.9%	1.4%
Home equity loan without a primary mortgage	65	1.0%	1.7%	55,066	59.8%	90.7%
Housing units without a mortgage	2,775	41.4%	-	31,437	34.1%	-

Source: 2023 American Community Survey 5-Year Estimates, Table B25081

As shown in Table 19 below, the median contract rent in Kearny in 2023 was \$1,436, which was roughly \$220 lower than the County median rent of \$1,673. Within the Town, the highest percentage of renters paid between \$1,000 to \$1,499 for monthly rent (45.5%), followed by \$1,500 to \$1,999 (29.9%). Overall, nearly three-quarters (72.6%) of renters in the Town paid between \$1,000 and \$1,999 for monthly rent in 2023. At the County level, only about half (46.2%) of renters paid between \$1,000 to \$1,999 for monthly rent, and there was a significantly higher occurrence of renters paying more than \$2,000 for rent (34.8%) than in Kearny (12.7%). This data suggests that rent in the Town is more affordable than it is throughout the County as a whole.

**Table 19: Contract Rent, 2023**  
**Town of Kearny and Hudson County**

	Kearny		Hudson County	
	Number	Percent	Number	Percent
<b>Total Renter-Occupied Units</b>	<b>8,050</b>	<b>100.0%</b>	<b>203,392</b>	<b>100.0%</b>
Less than \$500	162	2.0%	13,608	6.7%
\$500 to \$999	523	6.5%	21,841	10.7%
\$1,000 to \$1,499	3,661	45.5%	49,214	24.2%
\$1,500 to \$1,999	2,405	29.9%	44,740	22.0%
\$2,000 to \$2,499	720	8.9%	25,091	12.3%
\$2,500 to \$2,999	100	1.2%	15,714	7.7%
\$3,000 or More	207	2.6%	30,007	14.8%
No Rent Paid	272	3.4%	3,177	1.6%
<b>Median Contract Rent</b>	<b>\$1,436</b>		<b>\$1,673</b>	

Source: 2023 American Community Survey 5-Year Estimates, Table B25056 and B25058

**Housing Conditions**

Table 20 below details the conditions of the Town's housing stock in 2023. Overcrowding and age, plumbing, and kitchen facilities are used to determine housing deficiency. In 2023, three-quarters (75.5%) of the Town's housing stock relied on utility gas for heating, followed by electricity (15.2%). A total of 784 (5.4%) occupied housing units experienced overcrowding (more than one person per room). Throughout the Town, there were 81 units (0.5%) that lacked complete plumbing, 367 units (2.4%) that lacked complete kitchen facilities, and 251 units (1.7%) lacked telephone service.

<b>Table 20: Housing Conditions, 2023</b>		
<b>Town of Kearny</b>		
	<b>Number</b>	<b>Percent</b>
<b>House Heating Fuel-Occupied Housing Units</b>		
Total	14,756	100.0%
Utility gas	11,134	75.5%
Bottled, tank, or LP gas	628	4.3%
Electricity	2,245	15.2%
Fuel oil, kerosene, etc.	558	3.8%
Coal or coke	0	0.0%
Wood	0	0.0%
Solar energy	22	0.1%
Other fuel	38	0.3%
No fuel used	131	0.9%
<b>Occupants per Room – Occupied Housing Units</b>		
Total	14,756	100.0%
1.00 or Less	13,972	94.7%
1.01 to 1.50	524	3.6%
1.51 or More	260	1.8%
<b>Facilities – Total Units</b>		
Total	15,340	100.0%
Lacking complete plumbing facilities	81	0.5%
Lacking complete kitchen facilities	367	2.4%
<b>Telephone Service – Occupied Housing Units</b>		
Total	14,756	100.0%
No Service	251	1.7%

Sources: 2023 ACS 5-Year Estimates DP04, B25047, and B25051

**EMPLOYMENT DATA**

Tables 21, 22, and 23 below detail the changes in employment between the years 2010 and 2023 in Kearny, Hudson County, and New Jersey, respectively. Throughout this thirteen-year period, the Town saw an overall 6.5% decrease in its unemployment rate; although the Town experienced an 8.6% spike in unemployment between 2019 and 2020 due to the COVID-19 pandemic, it has rebounded to a considerably lower unemployment rate in recent years. This overall trend is mirrored at both the County and State level as well, although in comparison the County and State has consistently exhibited a lower unemployment rate throughout this time period. In 2023, the Town's unemployment rate was 5.0%, which was 0.6% higher than the County and State ( both at 4.4%).

<b>Table 21: Employment and Residential Labor Force, 2010 to 2023 Town of Kearny</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
2010	21,167	18,735	2,432	11.5%
2011	21,258	18,988	2,270	10.7%
2012	21,296	19,081	2,215	10.4%
2013	20,937	19,014	1,923	9.2%
2014	20,690	19,172	1,518	7.3%
2015	20,776	19,429	1,347	6.5%
2016	20,651	19,528	1,123	5.4%
2017	21,146	20,160	986	4.7%
2018	20,892	19,944	948	4.5%
2019	21,131	20,341	790	3.7%
2020	21,036	18,458	2,578	12.3%
2021	35,189	32,066	3,123	8.9%
2022	21,002	20,025	977	4.7%
2023	21,395	20,327	1,068	5.0%

Source: NJ Dept. of Labor & Workforce Development Labor Force Estimates

<b>Table 22: Employment and Residential Labor Force, 2010 to 2023 Hudson County</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
2010	354,033	319,761	34,272	9.7%
2011	357,688	325,075	32,613	9.1%
2012	360,326	328,212	32,114	8.9%
2013	358,402	329,693	28,709	8.0%
2014	358,235	335,556	22,679	6.3%
2015	359,627	340,535	19,092	5.3%
2016	360,852	344,126	16,726	4.6%
2017	373,664	357,779	15,885	4.3%
2018	370,168	356,342	13,826	3.7%
2019	376,568	364,570	11,998	3.2%
2020	372,954	335,061	37,893	10.2%
2021	370,608	344,250	26,358	7.1%
2022	377,810	363,504	14,306	3.8%
2023	385,860	368,978	16,882	4.4%

Source: NJ Dept. of Labor &amp; Workforce Development Labor Force Estimates

<b>Table 23: Employment and Residential Labor Force, 2010 to 2023 New Jersey</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
2010	4,559,800	4,119,000	440,800	9.7%
2011	4,561,800	4,134,700	427,100	9.4%
2012	4,576,300	4,147,200	429,100	9.4%
2013	4,528,000	4,147,700	380,400	8.4%
2014	4,493,900	4,191,300	302,600	6.7%
2015	4,494,600	4,237,900	256,700	5.7%
2016	4,492,800	4,271,200	221,600	4.9%
2017	4,615,000	4,406,200	208,800	4.5%
2018	4,604,800	4,420,700	184,100	4.0%
2019	4,686,300	4,524,300	162,000	3.5%
2020	4,650,300	4,212,400	437,900	9.4%
2021	4,666,100	4,357,200	308,900	6.6%
2022	4,739,800	4,564,100	175,700	3.7%
2023	4,829,671	4,615,722	213,949	4.4%

Source: NJ Dept. of Labor &amp; Workforce Development Labor Force Estimates

**Employment Status**

It is estimated that nearly two-thirds (67%) of Kearny's population over the age of 16 was in the labor force in 2023, which was slightly lower than the County's rate of 70.3%. Of the Town's labor force, 99.6% of workers were civilians and a vast majority (94.4%) were employed. At the County level, 99.9% of workers were civilians and 94% of the labor force was employed, indicating that the Town and County exhibited similar trends. This data is shown in Table 24 below.

<b>Table 24: Employment, 2023 Town of Kearny and Hudson County</b>						
	<b>Kearny</b>			<b>Hudson County</b>		
	<b>Number</b>	<b>% of 16+ Population</b>	<b>% of Labor Force</b>	<b>Number</b>	<b>% of 16+ Population</b>	<b>% of Labor Force</b>
Population 16 years and over	33,359	100.0%	-	582,051	100.0%	-
In labor force	22,344	67.0%	100.0%	408,999	70.3%	100.0%
Civilian Labor Force	22,250	66.7%	99.6%	408,443	70.2%	99.9%
Employed	21,103	63.3%	94.4%	384,403	66.0%	94.0%
Unemployed	1,147	3.4%	5.1%	24,040	4.1%	5.9%
Armed Forces	94	0.3%	0.4%	556	0.1%	0.1%
Not in labor force	11,015	33.0%	-	173,052	29.7%	-

Source: 2023 American Community Survey 5-Year Estimates, Table DP03

**Class of Worker and Occupation**

According to the 2023 American Community Survey Estimates, the majority of workers (74.7%) living in Kearny were a part of the private wage and salary worker group. This group includes people who work for wages, salary, commission, and tips for a private for-profit employer or a private not-for-profit, tax-exempt or charitable organization. The next largest category was local government workers (8.4%), followed by those who were self-employed or an unpaid family worker (5.5%). This data is outlined in Table 25 below.

<b>Table 25: Class of Worker, 2023 Town of Kearny</b>		
	<b>Number</b>	<b>Percent</b>
Total Civilian Employed Workers (Age 16+)	21,103	100.0%
Private Wage and Salary Worker	15,763	74.7%
Private not-for-profit wage and salary workers	1,091	5.2%
Local Government Worker	1,779	8.4%
State Government Worker	859	4.1%
Federal Government Worker	453	2.1%
Self-Employed Worker or Unpaid Family Worker	1,158	5.5%

Source: 2023 American Community Survey 5-Year Estimates, Table S2408

The occupational breakdown shown in Table 26 below includes only private wage and salary workers. Town residents who worked within the private wage field were concentrated heavily in Management, Business, Science, and Arts occupations as well as Sales and Office occupations. Collectively, the two fields accounted for just over 52% of the entire resident workforce over the age of 16.

<b>Table 26: Resident Employment by Occupation, 2023</b> <b>Town of Kearny</b>		
	<b>Number</b>	<b>Percent</b>
Employed Civilian population 16 years and over	21,103	100.0%
Management, business, science and arts occupations	7,049	33.4%
Service occupations	3,764	17.8%
Sales and office occupations	4,087	19.4%
Natural resources, construction and maintenance occupations	2,214	10.5%
Production Transportation and material moving occupations	3,989	18.9%

Source: 2023 American Community Survey 5-Year Estimates, Table DP03

As portrayed in Table 27, the industry that employed the greatest number of Kearny residents in 2023 was the Educational Services, and Health Care and Social Assistance sector, which accounted for 19.4% of the Town's resident workforce. The second most common industry during this time was the Retail Trade sector, which accounted for 11.1% of jobs occupied by Town residents.

<b>Table 27: Employment by Industry, 2023</b> <b>Town of Kearny</b>		
<b>Industry</b>	<b>Number</b>	<b>Percent</b>
Employed Civilian Population 16 Years and Over	21,103	100.00%
Agriculture, forestry, fishing and hunting, mining	44	0.2%
Construction	1,946	9.2%
Manufacturing	2,227	10.6%
Wholesale Trade	979	4.6%
Retail Trade	2,345	11.1%
Transportation and Warehousing, and Utilities	2,223	10.5%
Information	377	1.8%
Finance and insurance, and real estate and rental and leasing	1,347	6.4%
Professional, scientific, and management, and administrative and waste management services	2,281	10.8%
Educational services, and health care and social assistance	4,099	19.4%
Arts, entertainment, and recreation, and accommodation and food services	1,299	6.2%
Other Services, except public administration	1,009	4.8%
Public administration	927	4.4%

Source: 2023 American Community Survey 5-Year Estimates, Table DP03

**Commuting to Work**

In 2023, it is estimated that nearly two-thirds (63.6%) of the employed population that did not work from home commuted up to 35 minutes to their place of work. Approximately 85% of the Town's workers commuted up to an hour, with the last quarter of the population traveling between an hour to an hour and a half to get to work. A vast majority (64.1%) of the Town's working population drove alone as their primary means of travel to work. Roughly 24.7% of workers carpooled or utilized public transportation, a taxicab, motorcycle, bike, or other means of transportation to commute to work, 6% walked to work, while the remaining 5.3% of the population worked from home. This data is outlined in Tables 28 and 29 below.

<b>Table 28: Travel Time to Work, 2023 Town of Kearny</b>		
	<b>Number</b>	<b>Percent</b>
Workers who did not work at home	19,725	100.0%
Less than 5 minutes	398	2.0%
5 to 9 minutes	1,243	6.3%
10 to 14 minutes	1,676	8.5%
15 to 19 minutes	2,103	10.7%
20 to 24 minutes	2,939	14.9%
25 to 29 minutes	1,193	6.0%
30 to 34 minutes	3,002	15.2%
35 to 39 minutes	429	2.2%
40 to 44 minutes	1,196	6.1%
45 to 59 minutes	2,583	13.1%
60 to 89 minutes	1,803	9.1%
90 or more minutes	1,160	5.9%
<b>Mean Travel Time to Work (minutes)</b>	<b>33.5</b>	

Source: 2023 American Community Survey 5-Year Estimates, Table B08303 and DP03

<b>Table 29: Means of Travel to Work, 2023 Town of Kearny</b>		
	<b>Number</b>	<b>Percent</b>
Workers 16 years and over	20,827	100.0%
Car, truck, van - Drove Alone	13,345	64.1%
Car, truck, van - Carpooled	2,173	10.4%
Public Transportation	2,763	13.3%
Walked	1,243	6.0%
Taxicab, Motorcycle, Bike, or Other	201	1.0%
Worked at home	1,102	5.3%

Source: 2023 American Community Survey 5-Year Estimates, Table DP03

**Covered Employment**

There is currently very limited information available on actual job opportunities within municipalities. The Department of Labor and Workforce Development collects information on covered employment, which is employment and wage data for private employees covered by unemployment insurance. The following table provides a snapshot of private employers located within Kearny.

According to data from the New Jersey Department of Labor and Workforce Development, the highest number of covered jobs in Kearny between 2013 and 2023 was in 2023 when 14,019 jobs were covered by unemployment insurance. Private employment has slowly increased in Kearny since 2013, with its largest gain occurring between 2021 and 2022 (11%), and largest loss occurring between 2019 and 2020 (-13.5%). Kearny Borough experienced a gain of 954 jobs in 2023, representing an increase of 7.3% from 2022.

<b>Table 30: Private Wage Covered Employment 2013 - 2023</b>			
<b>Town of Kearny</b>			
<b>Year</b>	<b>Number of Jobs</b>	<b># Change</b>	<b>% Change</b>
2013	11,179	-	-
2014	11,123	-56	-0.5%
2015	11,123	0	0.0%
2016	11,899	776	7.0%
2017	12,005	106	0.9%
2018	12,201	196	1.6%
2019	12,742	541	4.4%
2020	11,018	-1,724	-13.5%
2021	11,773	755	6.9%
2022	13,065	1,292	11.0%
2023	14,019	954	7.3%

Source: NJ Dept. of Labor & Workforce Development Labor Force Estimates



**In-Town Establishments and Employees by Industry: 2023**

Table 31 below depicts the average annual number of establishments and employees by industry sector that exist within the Town, as reported in the Quarterly Census of Employment and Wages (QCEW) published by the New Jersey Department of Labor and Workforce Development (NJDLWD). The QCEW provides a quarterly accounting of employment, establishments, and wages throughout the State of New Jersey, and accounts for over 95% of available jobs in the state. The annual municipal reports group data according to the North American Industry Classification System (NAICS). The QCEW considers an establishment to be a single economic unit, which is located at one physical location and engaged in one type of economic activity. The NJDLWD specifies that establishments differ from firms or companies in the sense that the latter can have multiple establishments.

In 2023, the Town had an annual average of 1,062 establishments employing an average of 14,019 persons in the private sector. In the private sector, the sectors employing the most people included Transportation/Warehousing (3,680) with 152 units, Retail Trade (2,192) with 111 units, Admin/Waste Remediation (1,392) with 54 units, and Wholesale Trade (1,256) with 78 units. The sectors employing the least people included Information (36) with 10 units, Education (19) with 8 units, and Arts/Entertainment with zero total units.

<b>Table 31: Average Number of Establishments and Employees by Industry, 2023</b>			
<b>Town of Kearny</b>			
<b>Industry ID and Description</b>		<b>2023 Average</b>	
		<b>Units</b>	<b>Employment</b>
11	Agriculture	-	-
23	Construction	106	573
31	Manufacturing	50	998
42	Wholesale Trade	78	1,256
44	Retail Trade	111	2,192
48	Transp/Warehousing	152	3,680
	Information	10	36
52	Finance/Insurance	27	220
53	Real Estate	33	282
54	Professional/Technical	57	264
56	Admin/Waste Remediation	54	1,392
61	Education	8	19
62	Health/Social	163	911
71	Arts/Entertainment	-	-
72	Accommodations/Food	71	856
81	Other Services	78	726
	Unclassifieds	47	59
	<b>Private Sector Totals</b>	<b>1,062</b>	<b>14,019</b>
	<b>Local Government Totals</b>	<b>3</b>	<b>1,756</b>

Source: NJ Dept. of Labor & Workforce Development Labor Force, Quarterly Census of Employment and Wages (QCEW), Municipal Report by Sector (NAICS Based), 2022

Data has been suppressed (-) for industries with few units or where one employer is a significant percentage of employment or wages of the industry.

**Probable Future Employment Opportunities**

The North Jersey Transportation Planning Authority (NJTPA) completes regional forecasts for the New York/New Jersey metropolitan area every four years for population, households, and employment. The most recent report was released in 2021, documenting projections between 2015 and 2050. The 2021 report predicts that the Town's population (0.39%), households (0.4%), and employment (0.68%) will see steady annualized growth through 2050. It is estimated that the population will see an overall 14.5% increase, while households will increase by 15% and employment will increase by 26.6%.

<b>Table 32: Population and Employment Projections, 2015 to 2050</b>					
<b>Town of Kearny</b>					
<b>Category</b>	<b>2015</b>	<b>2050 (Projected)</b>	<b>Annualized</b>	<b>Overall Projected Change</b>	
			<b>Percent Change</b>	<b>Number</b>	<b>Percent</b>
Population	41,558	47,587	0.39%	6,029	14.5%
Households	14,007	16,107	0.40%	2,100	15.0%
Employment	15,174	19,204	0.68%	4,030	26.6%

Source: NJTPA Municipal Forecasts, dated 9/13/2021

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## **PART 2: FAIR SHARE PLAN**

### **INTRODUCTION**

The following Fair Share Plan ("Plan") details the Town of Kearny's Prior Round (1987-1999), Third Round (1999-2025), and Fourth Round (2025-2035) Prospective Need obligations, as well as Kearny's Fourth Round Present Need. This Plan proposes mechanisms by which the Town can realistically provide opportunities for affordable housing for those moderate-, low-, and very low- income households.

### **CURRENT STANDARDS**

The amended Fair Housing Act includes a number of changes associated with the application of various categories of credits. The below walks through the current standards applicable to the Town's Fourth Round obligation.

#### **Age-Restricted Housing**

A municipality may not satisfy more than 30% of the affordable units, exclusive of bonus credits, to address its prospective need affordable housing through the creation of age-restricted housing.

#### **Transitional Housing**

Transitional housing units, which will be affordable for persons of low- and moderate-income, were not previously categorized by the Fair Housing Act as a standalone housing type. The amended legislation includes such transitional housing units as a new category which may be included in the HEFSP and credited towards the fulfillment of a municipality's fair share obligations. This is limited to a maximum of 10% of the municipality's obligations, however.

#### **Veterans Housing**

Up to 50% of the affordable units in any particular project may be prioritized for low- and moderate-income veterans.

#### **Families with Children**

A minimum of 50% of a municipality's actual affordable housing units, exclusive of bonus credits, must be made available to families with children.

#### **Rental Units**

A minimum of 25% of a municipality's actual affordable housing units, exclusive of bonus credits, shall be satisfied through rental units. At least half of that number shall be available to families with children.

#### **Very-Low Income Requirement**

At least 13% of the housing units made available for occupancy by low-income and moderate-income houses shall be reserved for low-income households earning 30% or less of the median income pursuant to the Fair Share Housing Act, N.J.S.A. 52:27D-301, et seq. Half of the very low-income units will be made available to families with children.

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**Low/Moderate Income Split**

At least 50% of the units addressing the Town's obligation shall be affordable to very-low income and low-income households, and the remaining may be affordable to moderate-income households.

**Affordability Controls**

Newly created rental units shall remain affordable to low-and moderate-income households for a period of not less than 40 years, 30 years for for-sale units, and 30 years for housing units for which affordability controls are extended for a new term of affordability, provided that the minimum extension term may be limited to no less than 20 years as long as the original and extended terms, in combination, total at least 60 years.

**Affirmative Marketing**

The affordable units shall be affirmatively marketed in accordance with UHAC and applicable law, to include the community and regional organizations identified in the agreement as well as the posting of all affordable units on the New Jersey Housing Resource Center website in accordance with applicable law.

**Uniform Housing Affordability Controls (UHAC)**

All affordable units created through the provisions of this Plan shall be developed in conformance with the Uniform Housing Affordability Controls (UHAC) pursuant to N.J.A.C. 5:80-26.1 et seq. as amended.

**Unit Adaptability**

All new construction units shall be adaptable in conformance with P.L.2005, c.250/N.J.S.A. 52:27D-311a and -311b and all other applicable laws.

**Bonus Credits**

Bonus credits shall not exceed 25% of a municipality's prospective need obligation, nor shall a municipality receive more than one type of bonus credit for any one unit. Bonus credits may be granted on the following schedule:

Unit Type	Unit Credit	Bonus Credit
Each unit of low- or moderate-income housing for individuals with special needs or permanent supportive housing, as those terms are defined in section 2 of P.L. 2004, c.70 (C.34:1B-21.24).	1	1
Each low- or moderate-income ownership unit created in partnership sponsorship with a non-profit housing developer.	1	0.5
Each unit of low- or moderate-income housing located within a one-half mile radius, or one-mile radius for projects located in a Garden State Growth Zone, as defined in section 2 of P.L.2011, c.149 (C.34:1B-243), surrounding a New Jersey Transit Corporation, Port Authority Transit Corporation, or Port Authority Trans-Hudson Corporation rail, bus, or ferry station, including all light rail stations. <sup>1</sup>	1	0.5
A unit of age-restricted housing, provided that a bonus credit for age-restricted housing shall not be applied to more than 10 percent of the units of age-restricted housing constructed in compliance with the Uniform Housing Affordability Controls promulgated by the New Jersey Housing and Mortgage Finance Agency in a municipality that count towards the municipality's affordable housing obligation for any single 10-year round of affordable housing obligations.	1	0.5
A unit of low- or moderate-income housing constructed on land that is or was previously developed and utilized for retail, office, or commercial space.	1	0.5
Each existing low- or moderate-income rental housing unit for which affordability controls are extended for a new term of affordability, in compliance with the Uniform Housing Affordability Controls promulgated by the New Jersey Housing and Mortgage Finance Agency, and the municipality contributes funding towards the costs necessary for this preservation.	1	0.5
Each unit of low- or moderate-income housing in a 100 percent affordable housing project for which the municipality contributes toward the costs of the project. <sup>2</sup>	1	1
Each unit of very low-income housing for families above the 13 percent of units required to be reserved for very low-income housing pursuant to section 7 of P.L.2008, c.46 (C.52:27D-329.1).	1	0.5
Each unit of low- or moderate-income housing created by transforming an existing rental or ownership unit from a market rate unit to an affordable housing unit. <sup>3</sup>	1	1

<sup>1</sup> The distance from the bus, rail, or ferry station to a housing unit shall be measured from the closest point on the outer perimeter of the station, including any associated park-and-ride lot, to the closest point of the housing project property.

<sup>2</sup> This contribution may consist of: (a) real property donations that enable siting and construction of the project or (b) contributions from the municipal affordable housing trust fund in support of the project, if the contribution consists of no less than three percent of the project cost.

<sup>3</sup> A municipality may only rely on this bonus credit as part of its fair share plan and housing element if the municipality demonstrates that a commitment to follow through with this market to affordable agreement has been made and: (a) this agreement has been signed by the property owner; or (b) the municipality has obtained ownership of the property.

**KEARNY'S AFFORDABLE HOUSING OBLIGATIONS**

The Town's affordable housing obligations are as follows:

Prior Round Obligation	211
Third Round Obligation	0
Fourth Round Prospective Need	0
Fourth Round Present Need / Rehabilitation Obligation	630

**REVIEW OF PREVIOUS ROUND COMPLIANCE**

As part of any Housing Element and Fair Share Plan, a municipality shall include an assessment of the degree to which the municipality has met its fair share obligation from the previous rounds of affordable housing obligations as established by prior court approval or approval by COAH and determine to what extent this obligation is unfulfilled or whether the municipality has credits in excess of its previous round obligations. If a previous round obligation remains unfulfilled, or a municipality never received an approval from the court or COAH for any previous round, the municipality shall address such unfulfilled previous round obligation in its Housing Element and Fair Share Plan.

In addressing previous round obligations, the municipality shall retain any sites that, in furtherance of the previous round obligation, are the subject of a contractual agreement with a developer, or for which the developer has filed a complete application seeking subdivision or site plan approval prior to the date by which the Housing Element and Fair Share Plan are required to be submitted, and shall demonstrate how any sites that were not built in the previous rounds continue to present a realistic opportunity.

**Prior Round Compliance 1987-1999**

The Town had a Prior Round obligation of 211 units. Per the court approved Third Round Settlement Agreement amended in 2020, Kearny has met their Prior Round obligation through the following mechanisms:

<b>Summary of Kearny Town's Prior Round of 211</b>	
Existing Senior Housing: <i>Spruce Terrace</i> <i>Kearny Senior Housing</i>	52
Existing Group Homes: <i>494 Belgrove Drive</i> <i>47 Clinton Avenue</i> <i>59 Clinton Avenue</i> <i>132 Pleasant Place</i>	18
Schuyler Avenue Redevelopment Area Inclusionary Zoning: <i>Phase 1B</i> <i>Phase II</i> <i>Phase III</i>	88
Possible Rental Bonus Credits	53
<b>Total Units</b>	<b>211</b>

**Spruce Terrace Senior Housing**

Spruce Terrace Senior Housing is a four-story 100% affordable senior housing development located at 21 Spruce Street (Block 202 Lot 12) at the intersection with Schuyler Avenue. The development was constructed in 1995 and provides a total of 74 affordable senior rentals. The property received capital advance financing and project rental assistance from HUD, and therefore has a 40-year use restriction to be used as rental housing for very low-income seniors or disabled persons beginning October 1, 1993.

All associated documentation for Spruce Terrace can be found in the Town's Court-approved Third Round Housing Element and Fair Share Plan, adopted October 7, 2020.

**Kearny Senior Housing**

Kearny Senior Housing is a four-story 100% affordable senior housing development, which is located at 681-697 Schuyler Avenue. The Kearny Senior Housing development was constructed in 2005 and provides a total of 50 age-restricted affordable units. The property received capital advance financing and project rental assistance from HUD, and therefore has a 40-year use restriction to be used as rental housing for very low-income seniors or disabled persons beginning July 21, 2005.

All associated documentation for Kearny Senior Housing can be found in the Town's Court-approved Third Round Housing Element and Fair Share Plan, adopted October 7, 2020.

Group Homes

There are several alternative living arrangements currently offered within the Town of Kearny through group homes. There are two non-profit providers that administer licensed group home facilities within the Town. These providers are Hudson Milestones and Developmental Disabilities Association of New Jersey, Inc. Overall, these entities provide four (4) alternative living arrangement facilities for a total of 18 bedrooms.

- Developmental Disabilities Association operates a licensed group home at 494 Belgrove Drive. The project contains 5 permanent supportive housing units for very-low-income developmentally disabled adults. The facility is licensed through the Department of Human Services Division of Developmental Disabilities. The property was purchased in October 1991 and the facility was established in 1992.
- The Hudson Milestones, Inc. 1 property, located at 59 Clinton Avenue, is a licensed group home containing 5 permanent supportive housing units for very-low-income intellectually/developmentally disabled adults. The property was purchased in November 1984 and received its Certificate of Occupancy from the Town of Kearny on June 27, 1985.
- The Hudson Milestones, Inc. 2 property, located at 47 Clinton Avenue, is a licensed group home containing 5 permanent supportive housing units for very-low-income intellectually/developmentally disabled adults. The property was purchased in June 1998 and received its Certificate of Occupancy from the Town of Kearny on November 3, 1998.
- The Hudson Milestones, Inc. 3 property, located at 132 Pleasant Place, is a licensed group home containing 3 permanent supportive housing units for very-low-income intellectually/developmentally disabled adults. The property was purchased in August of 2000 and received its Certificate of Occupancy from the Town of Kearny on September 6, 2000.

Schuyler Avenue Redevelopment Area – Bergen Avenue

The Schuyler Avenue Redevelopment Area is located on the west side of Kearny and is bordered by Schuyler Avenue to the west and the Meadowlands to the east. The Area historically acted as a buffer between the established residential neighborhood to the west and landfill activities in the meadowlands. The 197-acre Redevelopment Area was designated as an 'area in need of redevelopment' in December 2000 and a subsequent Redevelopment Plan was adopted by the Town in January 2002 and amended in October 2008. The plan included eight (8) distinct land use districts.

As detailed in the Third Round Housing Element and Fair Share Plan, the Schuyler Avenue Redevelopment Plan was amended in 2019 and adopted by Ordinance 2019-O-19 on June 11, 2019. The section of the Redevelopment Area targeted by the amendment has significant frontage along Bergen Avenue, and is herein after referred to as the "Bergen Avenue Development." The Bergen Avenue Development consists of multiple phases, and the undeveloped phases were amended to provide higher densities with affordable



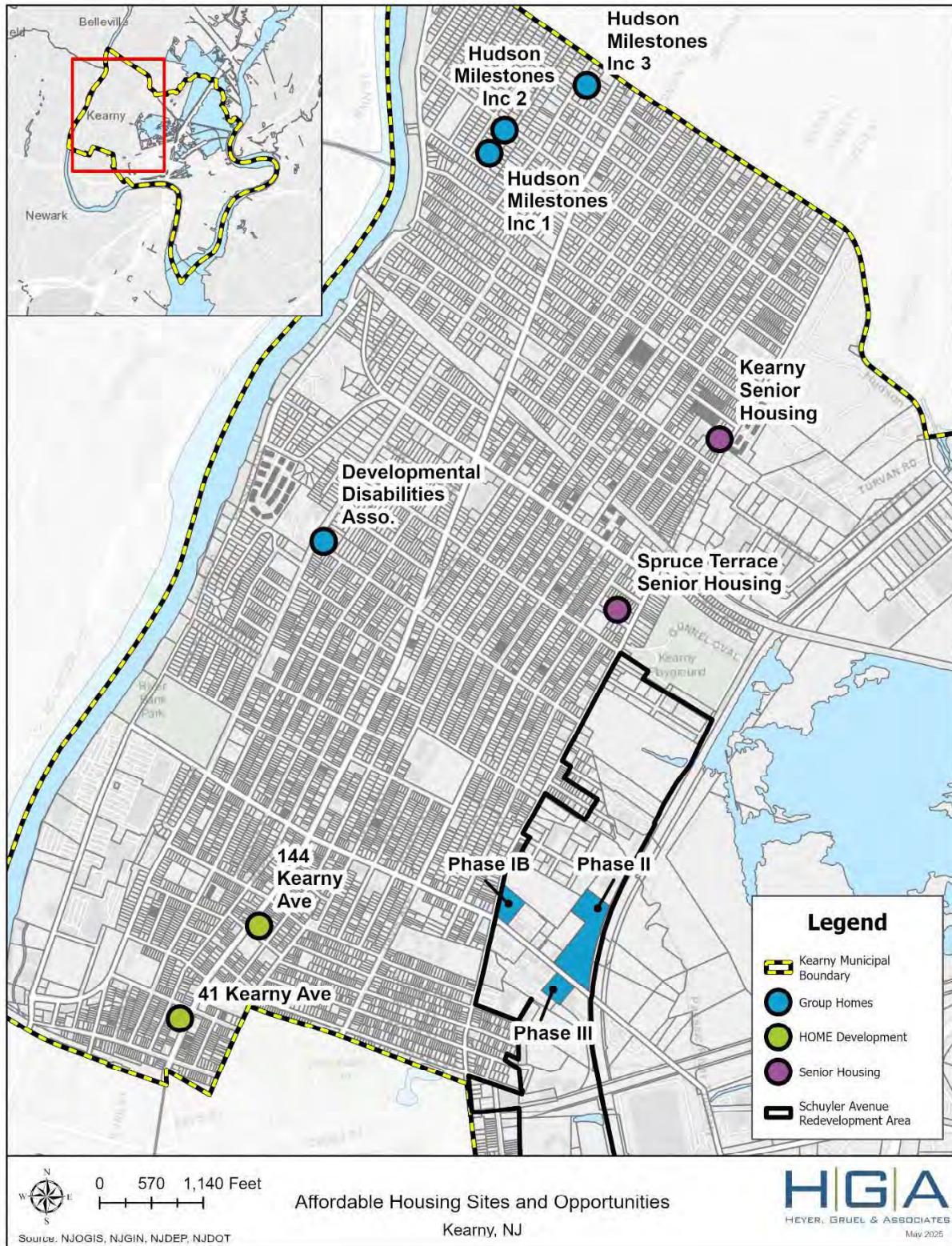
set-asides. Phase 1B consists of Block 242, Lots 1, 2, and 37 (approximately 1.84 acres); Phase II consists of Block 242, Lots 26 through 29 (approximately 6.82 acres); and Phase III consists of Block 252, Lot 3.01 (approximately 1.46 acres).

The amendment added two new sub-districts each with their own minimum affordable family rental unit requirements. Phase 1B was placed in the new “TOD Mixed-Use Affordable Housing Sub-District”. This district established a density of 38 units per acre, which would produce 14 units of affordable housing. Phase II and Phase III were placed in the new “TOD Affordable Housing Sub-District” and are permitted to be developed at 45 dwelling units per acre, which would produce 61 market-rate and 13 affordable units, respectively. In total, the Schuyler Avenue Redevelopment Area is positioned to provide an additional 88 affordable housing units. As of the writing of this Plan, Phases IB, II, and III have yet to be developed but the Town remains confident that they are viable properties for redevelopment and the production of affordable units. The sites are surrounded by other residential developments and are in close proximity to open space and recreational amenities. The existing uses on these sites have active lease agreements in place. It often takes time to see the results of a rezoning given various factors, such as length of existing leases, market demands, and regulatory procedures. The duration of existing leases can delay redevelopment, as tenants may have long-term agreements that need to expire or be renegotiated before the site can be repurposed. Additionally, market conditions can influence the pace of redevelopment, with economic factors like supply and demand, financing availability, and shifting trends in real estate influencing when and how rezoning is pursued.

The Schuyler Avenue Redevelopment Area has seen many developments come to fruition and the Town is confident Phases IB, II, and III will follow.

#### Excess Credits

Under N.J.S.A 5:93-5.14, the Town is permitted to meet 25% of its Prior Round obligation through age-restricted affordable units. As such, of the 124 total units that Spruce Terrace Senior Housing and Kearny Senior Housing provide, 52 units were applied to fulfill the Prior Round obligation. It should be noted the Town has an additional 72 age-restricted units that can be utilized to address future obligations.



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### **Third Round Compliance 1999-2025**

As previously discussed, in 2017 the Town contested its Third Round obligation that had been assigned by FSHC's expert on the grounds that Kearny is an urban aid municipality. The Court ruled that Kearny is a qualified "Urban Aid Municipality with a qualifying population density," and therefore does not have a Prospective Need Obligation for the Third Round.

### **FOURTH ROUND OBLIGATION**

On January 21, 2025, the Town adopted Resolution 2025-66, accepting their Fourth Round Prospective Need obligation of 0 and a Rehabilitation Obligation of 630. On October 20, 2024, the New Jersey Department of Community Affairs ("DCA") released a report outlining the Fourth Round (2025-2035) Fair Share methodology and its calculations of low- and moderate-income obligations for each of the State's municipalities. The obligations were calculated in alignment with the formulas and criteria found in P.L.2024, c.2.

The amended Fair Housing Act affirms that the DCA report is not binding on any municipality and that "a municipality shall determine its present and prospective fair share obligation for affordable housing in accordance with the formulas established in sections 6 and 7 of P.L.2024, c.2...by resolution..." The 2025-66 resolution adopted by the Town determined a Prospective Need obligation of 0 and a Rehabilitation Obligation of 630, the same as the obligations determined by DCA.

### **FOURTH ROUND PRESENT NEED / REHABILITATION OBLIGATION**

Present Need was previously determined in N.J.A.C. 5:93-1.3 to be the sum of a municipality's indigenous need, the deficient housing units occupied by low- and moderate-income households, and the reallocated present need, which is the portion of a housing region's present need that is redistributed throughout the housing region. Under the Second Round rules, evidence for deficient housing included: year structure was built, persons per room, plumbing facilities, kitchen facilities, heating fuel, sewer service, and water supply. (N.J.A.C. 5:92).

The Third Round Rules (N.J.A.C. 5:97-1.1 et seq.) reduced the number of criteria of evidence of deficient housing to three: pre-1960 over-crowded units, which are units that have more than 1.0 persons per room; incomplete plumbing, and incomplete kitchen facilities. (N.J.A.C. 5:97). This reduction in the number of criteria was found to be by the Appellate Division to be within the Council's discretion and was upheld in the Supreme Court's decision in Mount Laurel IV.

The previously discussed Mount Laurel IV decision found that the reallocated need is no longer a component in the determination of Present Need. Therefore, the Present Need now equates to indigenous need, which means the obligation is based on deficient housing as determined by pre-1960 over-crowded units, incomplete plumbing, and incomplete kitchen facilities.



The Town intends to address its 630-unit Fourth Round Rehabilitation Obligation through the following mechanisms:

#### [The HOME Investment Partnership Program \(HOME\)](#)

The HOME Investment Partnership Program (HOME) works with communities to provide assistance in funding a wide range of affordable housing projects. The Hudson County Consortium (the "Consortium") for the HOME Program is comprised of eleven municipalities within Hudson County including the Town of Kearny (Appendix F).

41 KEARNY AVENUE: Utilizing HOME Investment Partnership Program funds available through the Hudson Urban County Consortium, Habitat for Humanity built a new house at 41 Kearny Avenue for the purposes of providing affordable housing opportunities. The building at 41 Kearny Avenue consists of three (3) units, all of which are deed restricted for-sale units and are occupied by low-income households. The building was completed in 2015 and each of the three units is occupied. Because each unit is deed restricted for 20 years (from May 2016 until at least May 2036), these units qualify under the Town's Present Need obligation. The deeds and agreements for each of the three units can be found in the Court-approved 2020 Housing Element and Fair Share Plan.

144 KEARNY AVENUE: Garden State Episcopal received a \$616,750 loan through the Hudson County Consortium HOME funds. The funds were used to acquire the property located at 144 Kearny Avenue (which was purchased by Garden State Episcopal in 2017) and rehabilitate three (3) units consisting of one (1) for-sale unit and two (2) rental units for the purpose of providing affordable housing. Garden State Episcopal completed the rehabilitation of the three-family home and then, per the mortgage agreement, sold the property to household whose household income does not exceed eighty percent (80%) of the Area Median Income ("AMI") as defined by HUD. The owner of the property lives in the principal residence. The second and third units are at a fixed rent and are to be rented to tenants at or below sixty percent (60%) of the Area Median Income. All three (3) units are restricted for a 15-year period. The mortgage and rehabilitation agreement between Garden State Episcopal and Hudson County can be found in the Court-approved 2020 Housing Element and Fair Share Plan.

#### [Community Development Block Grant \(CDBG\) Program](#)

Hudson County, along with seven of its municipalities, including Kearny, receives CDBG funds on an entitlement basis as an Urban County Consortium. The County administers the program, provides funding to communities, non-profits, and public agencies to help address a range of development needs, mainly involving affordable housing projects and developments. In a resolution adopted by the Council on May 23, 2017, the Council authorized continued participation in the Hudson County Community Development Block Grant Program and to continue as a member of the Hudson Urban County Consortium. The Town is an active participant in the Consortium and intends to continue its participation.

It should be noted that developers that use County funds to create new affordable housing units through either the HOME Program or the CDBG Program are required to submit to the County their affirmative marketing plan. The County requires this affirmative marketing plan to be identical or substantially consistent with the Department of Community Affairs' affirmative marketing plan, which is consistent with the Council on Affordable Housing and the Uniform Housing Affordability Controls ("UHAC", N.J.A.C. 5:50-26.1 et seq.).

#### **Development Fee Ordinance and Affordable Housing Trust Fund (AHTF) Rehabilitation**

In conformance with the Town's development fee ordinance (§16-22), which was updated in 2020 via Ordinance 2020-36 and approved by the Court, developers must deposit an affordable housing development fee into the Town's Affordable Housing Trust Fund.

Kearny has implemented a Town-wide rehabilitation program, funded with Affordable Housing Trust Fund monies, aimed at the rehabilitation of both owner- and renter-occupied units. Community Grants, Planning & Housing (CGP&H) was selected to establish and administer the rehabilitation program on Kearny's behalf and continues to do so today (Appendix G). The initiative is actively marketed, posted on the Town's website, and shared through community spaces. Kearny will continue to advertise the program to residents.

Since the Town Rehabilitation Program's inception in 2020, 15 units were rehabilitated for an average cost of \$19,900 each during the Third Round. Common repairs that were conducted include window, gutter, and roofing replacement as well as electrical work. See Appendix H for the complete list of rehabilitated units. During the Fourth Round the program aims to rehabilitate up to 21 units annually for an estimated average cost of \$20,000 per unit based on past performance. See the Spending Plan, Appendix I for more information. Over the 10-year timeframe of the Fourth Round, Kearny projects to rehabilitate a total of 210 units.

#### **Additional Measures**

Kearny seeks to build a 100% affordable housing development for veterans on Block 169, Lots 3-5. The Town intends to select a qualified developer for this project and will coordinate a realistic development program for the site at that time. Kearny anticipates that funding from the trust fund may be appropriate to facilitate in the construction of this 100% affordable development.

#### **Summary of Rehabilitation Obligation Mechanisms**

Kearny will continue to pursue affordable housing development opportunities through funding partnerships with HOME and CDBG. The Town's development fee ordinance will further enlarge the affordable housing trust fund and, consequently, increase opportunities to rehabilitate units via the program run by CGP&H. As evidenced by the proposed 100% affordable veteran housing project, Kearny is committed to providing affordable housing for the area's residents.

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### Affordable Housing Ordinance

An Affordable Housing Ordinance was adopted by the Town of Kearny (Ordinance No. 2020-36), establishing the criteria for implementing affordable housing units in conformance with the Uniform Housing Affordability Controls (UHAC). While this Plan acknowledges that an amendment to the UHAC was released on an emergency basis in December 2024, those rules are set to expire in December 2025. It is also the understanding that the Housing Mortgage and Finance Agency (HMFA), the entity currently responsible for the UHAC regulations, is in the process of establishing further amendments to those rules. Because of the uncertainty with the UHAC regulations, the Borough will refrain from adopting an updated ordinance until such rules are finalized, acknowledging that the December 2024 UHAC rules adopted under emergency measures are the current governing regulations. Should there be any discrepancy between the Town's adopted ordinance and the current UHAC regulations, the current UHAC regulations shall govern.

### **CONSISTENCY WITH STATE PLANNING REQUIREMENTS**

#### State Plan

In accordance with the amended Fair Housing Act, Housing Elements and Fair Share Plans shall provide an analysis of consistency with the State Development and Redevelopment Plan (SDRP), including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

Sites that are located in the Metropolitan Planning Area 1 are the preferred location for municipalities to address their fair share obligation.

The 2001 State Plan describes Planning Area 1 as "a variety of communities that range from large Urban Centers such as Newark, to 19th century towns shaped by commuter rail and post-war suburbs, such as Englewood and Cherry Hill. As the name implies, the communities in this Planning Area often have strong ties to, or are influenced by, major metropolitan centers" These communities often exhibit traits like mature settlement patterns, diminished supply of vacant land, infrastructure systems beyond or approaching their reasonable life expectancy; housing stock in need of rehabilitation; positioned for redevelopment, and the need for regionalized services.

Planning Area 1 is delineated in the 2024 Preliminary State Plan by:

- Density of more than 1,000 people per square mile.
- Existing public water and sewer systems, or physical accessibility to those systems, and access to public transit systems.
- Land area greater than one (1) square mile.
- A population of not less than 25,000 people.

A draft SDRP was approved by the New Jersey State Planning Commission December 4, 2024. This draft does not include mapping alterations. Instead, the Planning Commission is relying on municipalities to propose where Planning Areas should change. The Planning Commission has final say on whether to accept the proposed changes.

Kearny is entirely within Planning Area 1 due to its intensive urban development. Consequently, all possible housing sites in the municipality are within a Planning Area that the State Plan deems preferable for development. By placing affordable housing in Kearny, low-resource households are co-located with job opportunities, public transit, and social service providers. Further, established municipalities like Kearny already possess the infrastructure necessary to physically support additional housing. Affordable housing developments can be utilized to refresh Kearny's aging housing stock and to redevelop the Town's underutilized industrial areas, as is encouraged by the State Plan.

### Multigenerational Family Housing

A previous amendment to the Fair Housing Act requires "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)." As of the date of this Housing Plan there have been no recommendations by the Multigenerational Family Housing Continuity Commission for which to provide an analysis.

### **USE OF SURPLUS CREDITS**

Any surplus credits generated would be applied to any future obligation that the Town may have.

**SUMMARY OF FAIR SHARE COMPLIANCE**

Summary of Kearny Town's Obligation				
	Total	Very Low	Low	Moderate
<b>Fourth Round Present Need Obligation</b>	<b>630</b>			
HOME	6	2	4	-
CDBG	-	-	-	-
Town Rehabilitation Program-Completed	15	-	-	-
Town Rehabilitation Program- Planned	210	-	-	-
<b>PROJECTED PRESENT NEED UNITS ADDRESSED</b>	<b>231</b>			
<b>Prospective Need Obligations</b>				
<b>Prior Round Obligation</b>	<b>211</b>	-	-	-
Existing Senior Housing	52	52	-	-
Existing Group Homes	18	13	5	-
Schuyler Avenue Redevelopment Area*	88	-	-	-
<i>Possible Rental Bonus</i>	53	-	-	-
<b>TOTAL PRIOR ROUND</b>	<b>211</b>			
<b>Third Round Obligation</b>	<b>0</b>			
<b>Fourth Round Obligation</b>	<b>0</b>			

\*The Schuyler Avenue Redevelopment Area will follow an income distribution in accordance with UHAC standards.