

# HOUSING ELEMENT AND FAIR SHARE PLAN

## BOROUGH OF ALLENTOWN

Monmouth County, New Jersey

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Prepared by:



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*Original signed and sealed in accordance with N.J.A.C. 13:41-1 et seq.*

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## INTRODUCTION

The Borough of Allentown has prepared this Housing Plan Element and Fair Share Plan in accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-310 et seq.) (“the FHA”). The Municipal Land Use Law requires that a municipal master plan include a housing plan element to enable the municipality to exercise the power to zone and regulate land use.

This Housing Plan Element and Fair Share Plan supersedes the current Borough Housing Plan Element that was prepared and adopted by the Planning Board as part of the overall Master Plan on June 4, 2018. This Housing Plan addresses current affordable housing planning requirements including the cumulative fair share obligation for the period from 1987 through 2035.

In addition to the following requirements set forth in the FHA, this Housing Plan Element and Fair Share Plan was also prepared utilizing the applicable rules and regulations of the Substantive Rules of the New Jersey Council on Affordable Housing (COAH) for the periods beginning on June 6, 1994 (N.J.A.C. 5:93- 1.1 et seq.) and June 2, 2008 (N.J.A.C. 5:97-1.1 et seq.), as impacted by the March 10, 2015 decision of the New Jersey Supreme Court In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (“Mount Laurel IV”), the New Jersey Department of Community Affairs (DCA) affordable housing obligations and methodology (2025-2035) fourth round and the Administrative Office of the Courts’ Directive No 14-24 (“AOC Directive 14-24”).

## BACKGROUND

The first Housing Plan Element for Allentown was prepared in November 2003 by Janice E. Talley, P.P. of H2M Associates, Totowa, New Jersey, to address the COAH Round 1 calculated affordable housing obligation for the period 1987-1993. The 2003 Housing Plan Element noted that the New Jersey Council on Affordable Housing (COAH) had determined that the Round 1 “Prospective Need” for Allentown Borough was one (1) affordable housing unit.

The 2003 Housing Plan was revised in May 2004 by Janice E. Talley, P.P. to address the COAH Round 2 Rules and COAH recalculated cumulative affordable housing obligation for the period 1987-1999. COAH calculated the Round 2 “Prospective Need” to be 28 new affordable housing units and the “Present or Rehabilitation Need” of seven (7) existing substandard affordable housing units within the Borough. The resulting combined or cumulative Round 1 and 2 COAH Affordable Housing Obligation for the period 1987-1999 totaled thirty-five (35) affordable housing units.

A third Housing Plan Element and Fair Share Plan was prepared by Thomas A. Thomas, P.P., of Thomas Planning Associates in 2005 to address Round 3 Rules adopted by COAH on December 20, 2004. The Plan was adopted by the Planning Board on February 7, 2005 and approved by the Borough Council on February 8, 2005. The Housing Plan was filed with COAH on March 21, 2005 with a petition for Substantive Certification. Following a review of the Plan, COAH requested that the Housing Plan be revised and be resubmitted in accordance with the Round 3 Rules. Subsequent to the submission of the 2005 Housing Plan to COAH, the Round 3 Rules were challenged in Court and revised by COAH.

A fourth Housing Element and Fair Share Plan was prepared on March 2, 2006 by Thomas A. Thomas, P.P., of Thomas Planning Associates to address the revised Round 3 Rules adopted

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by COAH for the period January 1, 2004 to January 1, 2014. A revised Housing Plan was adopted by the Planning Board on May 1, 2006, approved by the Borough Council on May 9, 2006 and filed with COAH on May 16, 2006. The Round 3 Rules, which included a “growth share” methodology, were challenged in Court and remanded back to COAH for revisions by the Appellate Division. Revised proposed Round 3 Rules were subsequently re-introduced on January 22, 2008. The proposed revised Round 3 Rules dramatically increased the municipal affordable housing obligations throughout the state.

A fifth Housing Plan was prepared to address Mount Laurel IV which was adopted by the Planning Board on December 1, 2008 and endorsed by the Borough Council on December 9, 2008. After the adoption of the 2008 Housing Plan Element and Fair Share Plan, the COAH methodology for determining Prospective Need for the period 2004 through 2018 was invalidated in October 2010 by an Appellate Division decision. This decision rendered the Prospective Need 2008 fair share calculations invalid.

In 2013, the New Jersey Supreme Court upheld and modified the 2010 Appellate Division ruling, which partially invalidated the COAH Rules for the period from 2004 through 2018 (pursuant to Mount Laurel IV). As a result, COAH was charged with adopting new affordable housing rules. COAH prepared revised Rules but, in a tie, vote the Council on Affordable Housing failed to adopt them. Due to COAH’s failure to adopt new Rules, the New Jersey Supreme Court ruled on March 10, 2015 that 15 Superior Courts would have jurisdiction over the affordable housing process in the state and would have control of the New Jersey affordable housing administrative and regulatory process for municipal Housing and Fair Share Plans.

The Borough’s prior Housing Plan for cumulative Rounds 1 through 3 was adopted by the Planning Board on June 4, 2018 as part of the Borough’s overall Master Plan. The Housing Plan was not submitted to the Court for approval.

On March 20, 2024, Governor Murphy signed P.L. 2024, c.2. into law which amended the Fair Housing Act and established a new framework and regulations for affordable housing obligations in New Jersey. As part of the new law, the DCA prepared a report in October 2024, calculating the fourth round (2025-2035) fair share methodology for each of the state’s municipalities including present need and prospective need.

The Borough adopted Resolution 71-2025 on January 28, 2025 committing to the DCA fourth round present need (rehabilitation) obligation of zero (0) units and prospective need obligation of 28 units subject to the reservation of all rights. (see Exhibit 1). On January 30, 2025 the Borough filed a complaint for Declaratory Relief pursuant to the AOC Directive 14-24, requesting that the Affordable Housing Dispute Resolution Program (“the Program”):

- (1) review and establish the Borough’s present and prospective affordable housing obligations;
- (2) provide continued immunity from all Mount Laurel lawsuits, including “builder’s remedy” lawsuits, through 2035;

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- (3) review and approve the Borough's Housing Plan Element and Fair Share Plan; and
- (4) issue a Certificate of Compliance to the Borough.

On April 1, 2025, the Program, by way of an Order from the Superior Court, established the Borough's Round 4 present and prospective need obligations based upon the Borough's adopted binding resolution. A copy of that Order is found in Exhibit 2.

## HOUSING PLAN REQUIREMENTS

The Borough of Allentown has prepared this Housing Plan Element and Fair Share Plan:

1. In compliance with the Fair Housing Act, Section 10 of P.L. 1985, c.222 (N.J.S. 52:27D-310), which requires a municipal housing plan element to achieve the goal of and access to affordable housing to meet present and prospective needs;
2. Addressing the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.) for preparation of a municipal "Housing Plan Element"; and
3. Applicable provision of the Substantive Rules of the New Jersey Council on Affordable Housing (COAH) for the periods beginning on June 6, 1994 (N.J.A.C. 5:93-1.1 et. seq.) and on June 2, 2008 (N.J.A.C. 5:97-1.1 et. seq.), as required by the March 10, 2015 decision of the New Jersey Supreme Court in Mount Laurel IV.
4. Mercer County Assignment Judge Mary C. Jacobson's Opinion which addressed methodologies for determining four (4) components that comprise regional and municipal fair share affordable housing obligations for New Jersey municipalities: Present Need, Prior Round Obligation, Gap Period Obligation and Prospective Need.
5. Requirements of P.L. 2024, c. 2 that provides the framework and regulations for affordable housing including Round 4 (2025-2035) calculations for present and prospective need.

The Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., provides that a municipal Master Plan must include a Housing Plan Element as a prerequisite for the adoption of zoning ordinances and any subsequent amendments. This Housing Plan Element and Fair Share Plan was prepared in accordance with N.J.S.A. 40:55D-28.

Section 10 of the Fair Housing Act, N.J.S.A. 52:27D-310, requires that a municipal Housing Plan Element be designed to achieve the goal of providing access to affordable housing to meet present and prospective housing needs, with particular attention to "low" and "moderate" income housing, containing at least:

- 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;

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- b. A projection of the municipality's housing stock, including the probable future construction of "low" and "moderate" income housing, for the next ten (10) 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; and
- 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 rehabilitate 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.

The Borough's affordable housing obligation is described as follows based upon the applicable

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provisions:

1. Prior Round Obligation (including GAP period) - The prior round obligation covers the period from 1987 through 1999 and GAP period 1999-2015. *(As calculated pursuant to the Jacobson Methodology)* **[112 units]**
2. Round 4 Present Need – The present need is a measure of overcrowded and deficient housing that is occupied by low-and-moderate income households. The present need was previously referred to as “rehabilitation share.” *(As calculated by NJ DCA as published in the “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background)* **[zero (0) units]**
3. Round 4 Prospective Need - Prospective need is a measure of low-and-moderate income housing needs based on development and growth that occurred or is reasonably likely to occur in a region or municipality. The Prospective Need includes the Round 4 period from 2025 through 2035. *(As calculated by NJ DCA as published in the “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background)* **[28 units]**

This Housing Plan Element addresses each of these required items under the Municipal Land Use Law and other requirements.

## **BOROUGH OF ALLENTOWN LOCATION**

The Borough of Allentown is situated in the southwestern portion of Monmouth County and contains approximately 395 acres, or 0.62 square miles. The Borough is located along the west central border of Monmouth County adjacent to Mercer County. The Borough is bounded by the Township of Upper Freehold in Monmouth County on the north, east and south and by Robbinsville Township in Mercer County to the west. Figure 1 shows the location of Allentown within Monmouth County.

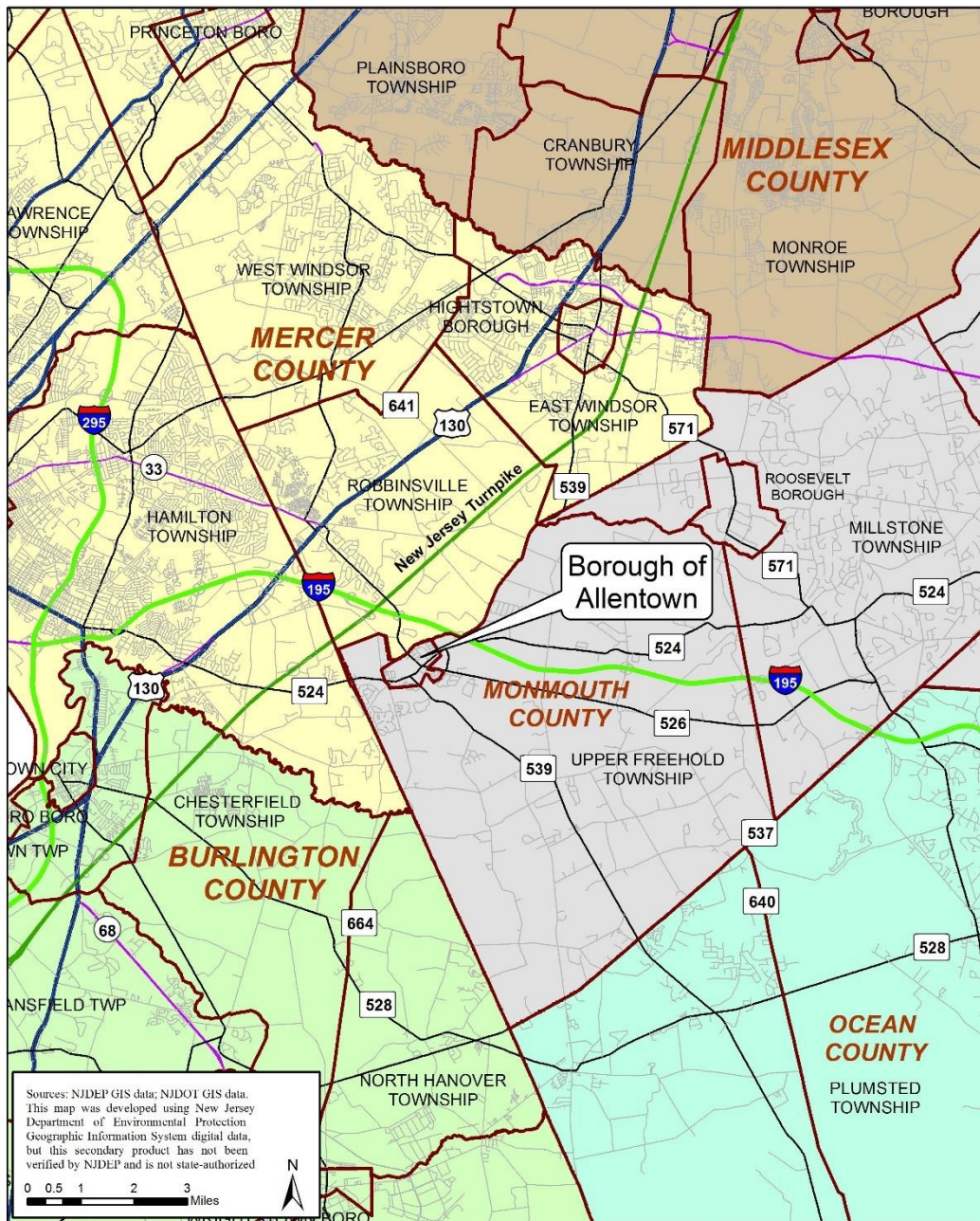
The main roadways within the Borough include Main Street (County Road 524), running north – south through the central portion of the Borough, and Church Street (County Road 526) which intersects Main Street. County Route 539 intersects with Main Street south of Conines Millpond and extends east through Monmouth and Ocean Counties to the Shore.

Figure 2, Existing Land Use, maps the existing land uses within the Borough. The Borough has a mix of residential, commercial, apartments, houses of worship, recreation and open space, schools and public properties. The Borough is nearly totally developed. There are only a few private vacant and underdeveloped parcels within the Borough. Most of the vacant and underdeveloped parcels are located within the Allentown National Historic District and contain and/or are bounded by historic structures listed with the New Jersey State Historic Preservation Office and with the National Park Service National Historic Places.

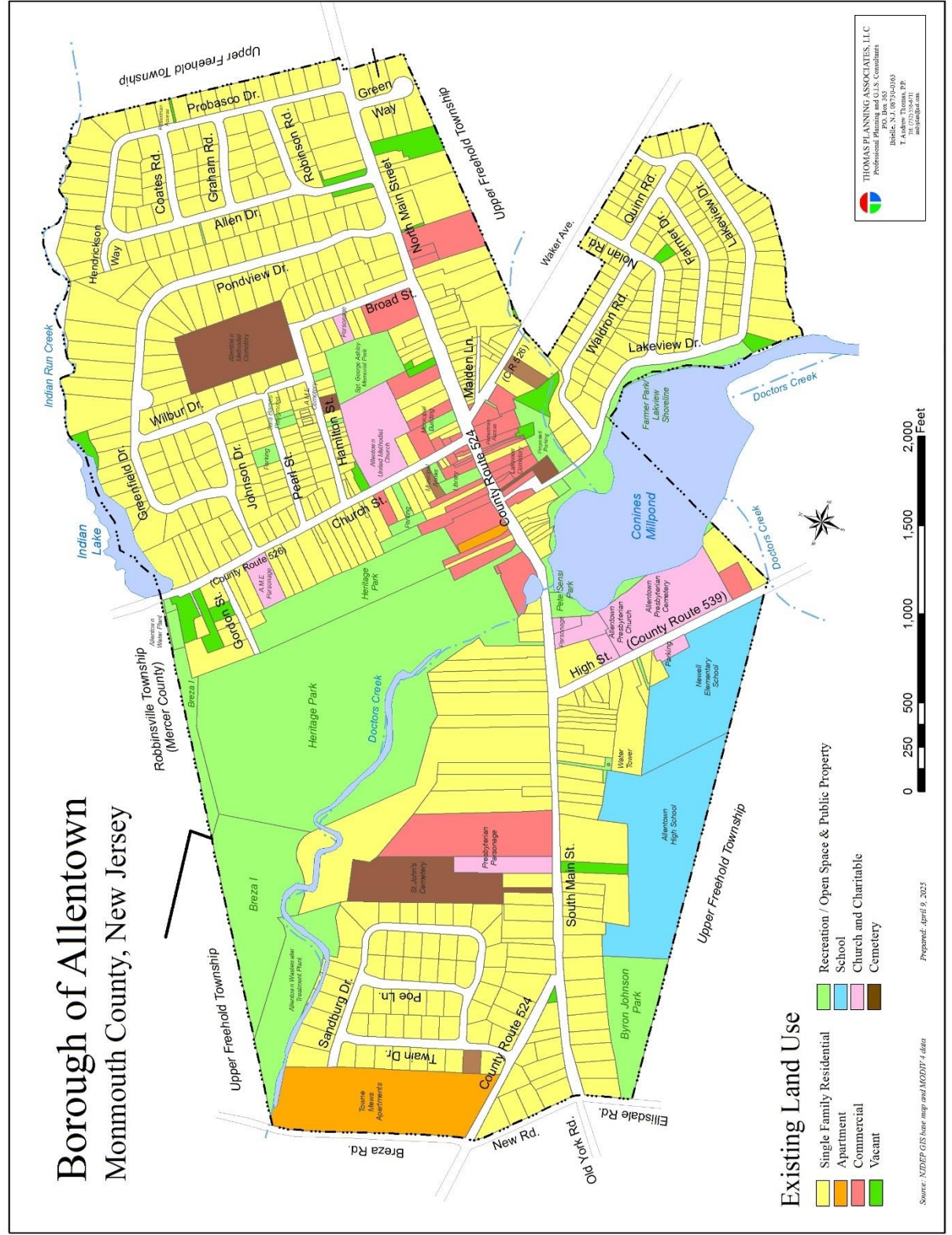


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**Figure 1**  
**LOCATION MAP**  
**Borough of Allentown**



**Figure 2**  
**EXISTING LAND USE MAP**  
**Borough of Allentown**





**ALLENTOWN AND THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN**

On June 12, 1992 the New Jersey State Planning Commission adopted "Communities of Place: The New Jersey State Development and Redevelopment Plan" (SDRP) which serves as a guide for municipal, county and state master planning. The plan was updated and modified in March 2001 as part of the statewide Cross Acceptance II process. The State Planning Commission released a final draft of the New Jersey State Development and Redevelopment Plan on January 13, 2010, however it was not adopted.

The New Jersey State Plan is being updated in 2025 by the N.J. Department of State Office of Planning Advocacy and the State Planning Commission (SPC). The draft Plan is being reviewed in phases through a process called "cross-acceptance" which is defined as a "process of updating the New Jersey State Development and Redevelopment Plan (State Plan) by comparing statewide planning policies at various government levels with the purpose of attaining a high level of consistency among municipal, county, regional, and State agency plans with the State Plan."<sup>1</sup>

The Borough has participated in the cross-acceptance process of the 1992 State Plan and will continue to participate in the updated State Plan. The Borough has three different designations on the current State Plan – PA-4 Rural Planning Area; Historic and Cultural Site Overlay; and Designated Village.

In the PA-4 Rural Planning Area, the State Plan's intention is to:

- Maintain the Environs as large contiguous areas of farmland and other lands;
- Revitalize cities and towns;
- Accommodate growth in Centers;
- Promote a viable agricultural industry;
- Protect the character of existing, stable communities; and
- Confine programmed sewers and public water services to Centers.

*"The State Plan recommends protecting the rural character of the area by encouraging a pattern of development that promotes a stronger rural economy in the future while meeting the immediate needs of rural residents, and by identifying and preserving farmland and other open lands. The Plan also promotes policies that can protect and enhance the rural economy and agricultural industry in order to maintain a rural environment."*

The State Plan also designates Allentown as a "Historic and Cultural Site," which is an overlay to the "Rural" designation.

*"It is the Intent of the State Plan to fulfill the goals of conserving natural resources and systems and of preserving and enhancing areas with historic, cultural, scenic, open space, and recreational values through:*

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<sup>1</sup> Source: 2024 Updated Cross-Acceptance Manual Office of Planning Advocacy NJ Business Action Center NJ Department of State June 5, 2024.

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- *Recognition of the need for strategic investment decisions designed to protect and enhance rather than adversely impact them;*
- *The application of Statewide Policies, including, but not limited to, those specifically relating to water resources, open lands and natural systems, coastal areas, and historic, cultural and scenic resources; and*
- *The application of relevant provisions of the Environmentally Sensitive Planning Area to these sites in all Planning Areas.”*

Lastly, the Borough is designated as a “DV-Designated Village” in the 2001 SDRP. Villages are defined in the State Plan as compact, primarily residential communities that offer basic consumer services for their residents and nearby residents. Villages are not meant to be Centers providing major regional shopping or employment for their regions.

The Borough of Allentown Master Plan is consistent with the New Jersey State Development and Redevelopment Plan.

## **MUNICIPAL DEMOGRAPHIC CHARACTERISTICS AND HOUSING INVENTORY**

Housing Plans must contain a discussion of the demographic, housing and economic characteristics of the municipality as required by N.J.S.A. 52:27D-310. The following characteristics are provided by the U.S. Bureau of Census (2020), the American Community Survey (ACS) 2018-2023 five -year estimates and the New Jersey Department of Labor and Workforce Development as noted.

### **Demographic Characteristics**

According to the 2020 U.S. Census, the population of the Borough of Allentown was 1,734, a decrease of 94 or 5.1 percent from 2010 when the population was 1,828 persons. There was also a decrease in the number of housing units during this time period which will be discussed further below. Figure 3 shows the population by age and includes cohorts labeled pre-school age, school age, working age and seniors.

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**Figure 3**  
**POPULATION BY AGE**  
**Borough of Allentown**

Age (Years)	Number	Percent
<b>Pre-School Age</b>		
Under 5	95	5.5%
<b>School Age</b>		
5 to 9	82	4.7%
10 to 14	92	5.3%
15 to 19	136	7.8%
<b>Working Age</b>		
20 to 24	104	6.0%
25 to 34	188	10.8%
35 to 44	196	11.3%
45 to 54	243	14.0%
55 to 59	164	9.5%
60 to 64	151	8.7%
		<b>1314</b>
65 and Older	283	16.3%
<b>TOTAL</b>	<b>1,734</b>	<b>100.0%</b>

*Source: U.S. Census (2020)*

Additional key demographic features of the Borough from the 2023 ACS 5-year estimates are as follows:

- (1) The Borough contains approximately 683 households including 498 family households or fifty-four (54) percent.
- (2) The median age of the Borough population is 40.0.
- (3) The median household income was \$134,583. The income distribution is shown in Figure 4. Twenty-six and six tenths (26.6) percent of the Borough households had of \$200,000 or greater while 13.8 percent had household incomes of \$50,000 or less.

**Figure 4**  
**HOUSEHOLD INCOME DISTRIBUTION**  
**Borough of Allentown**

<b>Income Range</b>	<b>Percent</b>
Less than \$10,000	2.9%
\$10,000 to \$14,999	1.0%
\$15,000 to \$24,999	2.3%
\$25,000 to \$34,999	1.0%
\$35,000 to \$49,999	6.6%
\$50,000 to \$74,999	15.5%
\$75,000 to \$99,999	9.4%
\$100,000 to \$149,999	18.4%
\$150,000 to \$199,999	16.3%
\$200,000 or more	26.6%
<b>Total Households</b>	<b>100.0%</b>
Median household income	\$134,583
Mean household income	\$154,860
Per capita income	\$55,178

*Source: 2023 American Community Survey (ACS) five-year estimates*

### **Housing Characteristics**

The housing stock of the Borough of Allentown is comprised of 718 total units per the 2020 Census. This was a decrease of 17 units from the 2010 Census, where 735 units were recorded. Other key housing characteristics from the 2020 Census are presented below:

- (1) There were 683 occupied housing units which account for 94.7 percent of the total units. There were 531 owner occupied units (77.7 percent) and 152 renter occupied units or 22.3 percent.
- (2) The average household size for owner occupied housing units was 3.03, while for renter occupied units it was 2.09.
- (3) Both the homeowner vacant rate and rental vacancy rate was listed as 0.0 percent.
- (4) Householders 65 years of age or older accounted for 23.3 percent of the total households.

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Housing characteristics from the 2023 ACS 5-year estimates were as follows:

- (1) There were zero (0) units lacking complete plumbing facilities and three (3) units lacking complete kitchen facilities.
- (2) Approximately 30.5 percent of the units were built in 1939 or earlier indicating a relatively old housing stock. Only 11.2 percent or 81 units were added to the Borough's housing stock between 1990 and 2023. Figure 5 shows the age of housing stock by construction date.
- (3) The value of the housing stock for owner occupied units is shown in Figure 6. The majority of the homes (68.5 percent) were valued between \$300,000 and \$499,999. One hundred eight (108) units or 20.3 percent were valued between \$500,000 and \$999,999 and eight (8) units were valued at \$1,000,000 or greater or 1.5 percent.
- (4) Median Gross Rent for 2023 was \$1,517. This included (3) three units paying between \$0 and \$999; 72 units paying between \$1,000 and \$1,499; 30 units paying between \$1,500 and \$1,999; 41 units paying between \$2,000 and \$2,499; and (6) six units paying \$2,500 or greater.

**Figure 5**  
**HOUSING CONSTRUCTION DATE**  
**Borough of Allentown**

<b>Year</b>	<b>Number</b>	<b>Percent</b>
2020 or later	0	0.0%
2010 to 2019	0	0.0%
2000 to 2009	14	1.9%
1990 to 1999	67	9.3%
1980 to 1989	17	2.4%
1970 to 1979	131	18.2%
1960 to 1969	42	5.8%
1950 to 1959	154	21.4%
1940 to 1949	76	10.5%
1939 or earlier	220	30.5%
<b>TOTAL</b>	<b>721</b>	<b>100.0%</b>

*Source: 2023 American Community Survey (ACS) five-year estimates*



**Figure 6**  
**VALUE FOR OWNER OCCUPIED HOUSING UNITS**  
**Borough of Allentown**

<b>Year</b>	<b>Number</b>	<b>Percent</b>
Less than \$50,000	7	1.3%
\$50,000 to \$99,999	0	0.0%
\$100,000 to \$149,999	3	0.6%
\$150,000 to \$199,999	0	0.0%
\$200,000 to \$299,999	41	7.7%
\$300,000 to \$499,999	364	68.5%
\$500,000 to \$999,999	108	20.3%
\$1,000,000 or greater	8	1.5%
<b>TOTAL</b>	<b>531</b>	<b>100.0%</b>

*Source: 2023 American Community Survey (ACS) five-year estimates*

### **Employment Characteristics**

Figure 7 shows the employment characteristics for the Borough of Allentown based on the 2023 ACS. One thousand fifty-three (1,053) persons were employed with 30.2 percent (318 persons) working in the education, health and social services industry. The next largest employment category was professional, scientific, and management, and administrative and waste management services with 13.9 percent or 146 persons, and finance and insurance, and real estate and rental leasing with 8.9 percent or 94 persons.

**Figure 7**  
**EMPLOYMENT CHARACTERISTICS \***  
**Borough of Allentown**

<b>Classification</b>	<b>Number</b>	<b>Percent</b>
Agriculture, forestry, fishing and hunting, and mining	3	0.3%
Construction	34	3.2%
Manufacturing	86	8.2%
Wholesale trade	52	4.9%
Retail trade	84	8.0%
Transportation and warehousing, and utilities	26	2.5%
Information	22	2.1%
Finance and insurance, and real estate and rental and leasing	94	8.9%
Professional, scientific, and management, and administrative and waste management services	146	13.9%
Educational services, and health care and social assistance	318	30.2%
Arts, entertainment, and recreation, and accommodation and food services	79	7.5%
Other services, except public administration	41	3.9%
Public administration	68	6.5%
<b>Total - Civilian Employed Population 16 and over</b>	<b>1,053</b>	<b>100.0%</b>

*\* Occupation for Employed Civilian Population 16 Years and Over*  
*Source: 2023 American Community Survey (ACS) five-year estimates*

### **Existing and Probable Future Employment**

Based on the American Community Survey the number of persons within the labor force has remained relatively steady in the Borough between 2010 and 2023. The number of persons employed in the labor force during selected years between 2010 and 2023 are presented in Figure 8 as follows:

**Figure 8**  
**NUMBER OF PERSONS EMPLOYED BY YEAR \***  
**Borough of Allentown**

<b>Year</b>	<b>Persons Employed (16 Years and Older)</b>
2010	1,041
2012	1,041
2014	1,049
2016	1,162
2018	1,175
2020	1,014
2023	1,106

*\* Occupation for Employed Civilian Population 16 Years and Over*

*Source: 2023 American Community Survey (ACS) five-year estimates*

A total of 1106 persons aged 16 years or older were listed as being employed within the Borough. Based on total number of persons in the Borough and given the fact that the Borough is fully built-out it is expected that the number of persons employed within the Borough will continue to remain steady in the future.

### **Low and Moderate Income Units - Allentown**

The approximate number of low- and moderate-income units within the Borough can be determined based on the 2023 ACS and 2023 Affordable Housing Regional Income Limits for low- and moderate-income persons.

The approximate number of housing units that are affordable to two-person low- and moderate-income households for rental and for sale units are as follows based on 2023 income limits and 2023 Census data:

- Low-income rental units: approximately 29 units of 152 units paying rent (19.3% of rental units)
- Moderate income rental units: approximately 94 units of 152 units paying rent (61.8% of rental units)
- Low income for-sale units: approximately 10 units out of 531 total owner-occupied housing units (1.9% of for-sale units)

- Moderate income for sale units: approximately 33 units out of 531 owner occupied units (6.3% of for-sale units)

Exhibit 3 shows the 2023 rental housing rates for low- and moderate-income units and the 2023 sales prices for single family detached units for low- and moderate-income housing units. Exhibit 3 also provides the 2023 Affordable Housing Income Limits by household size as prepared by the Affordable Housing Professionals of New Jersey (AHPNJ).

## **LAND USE PATTERNS / CONSTRAINTS AND AREAS MOST APPROPRIATE FOR LOW- AND MODERATE-INCOME HOUSING**

### **Land Use Patterns**

Allentown Borough can be classified as a mature and nearly fully built-out community. The existing land use acreages are presented in Figure 9 and existing land use patterns are delineated on the Existing Land Use map (Figure 2). Approximately 195 acres, or 49.4 percent of the Borough's 396-acre area, is occupied by residential uses comprised of 1 to 4 family homes. Ten acres, or 2.5 percent, is comprised of apartments. Vacant land (private) accounts for 8.1 acres, or 2.0 percent of the land area. Approximately 17.9 acres or 4.5 percent of the Borough is comprised of commercial uses. Schools account for 19.3 acres, or 4.9 percent of the Borough area. Houses of Worship, cemeteries and other quasi-public uses account for 22.8 acres or 5.7 percent of the Borough area. Approximately 39.1 acres accounting for 9.9 percent of the land area is comprised of streets and rights-of-way. The remaining 83.3 acres, or 21.0 percent of the Borough area, is comprised of publicly owned parks, recreation areas and Borough owned facilities including the Borough Hall, sewerage treatment plant and other facilities.

**Figure 9**  
**EXISTING LAND USE \***  
**Borough of Allentown**

<b>Land Use</b>	<b>Acres</b>	<b>Percent of Total Land</b>
Residential (1 to 4 family)	195.5	49.4%
Apartments	10.0	2.5%
Commercial	17.9	4.5%
House of Worship / Quasi-Public	12.8	3.2%
Cemetery	10.0	2.5%
Public School Property	19.3	4.9%
Public Property, Park and Open Space*	83.3	21.0%
Vacant (Private)	8.1	2.0%
Roadways (Right-of-way) approx.	39.1	9.9%
<b>Total</b>	<b>396.0</b>	<b>100.0%</b>

*\* Includes Conines Millpond +/- 12.9 acres*

### **Availability of Sewer and Water Infrastructure**

The Borough of Allentown is served by both public water and sanitary sewer services. The Borough water is obtained from two wells in the Potomac-Raritan – Magothy and Mount Laurel Aquifers.

The Borough operates its own Wastewater Treatment Plant (WWTP) that has been in operation since the 1960's. The plant's location is surrounded by environmentally critical areas including freshwater wetlands and 100-year floodplain associated with the Doctor's Creek. The plant was upgraded in 2022 and included a full replacement and upgrade of the treatment process, electric system, and plant control system.

Despite the upgrades to the WWTP, availability of sewer capacity remains very limited in the Borough. In a report prepared by Roberts Engineering Group on January 31, 2019 entitled “Engineers Report for the Allentown Wastewater Treatment Plant Upgrade” the capacity of the WWTP is not only limited but future allocation flows are assigned to future uses. The maximum potential additional flows based on the report is 43,100 GPD.

### **Constraints on Development**

The major constrain on development is the available sewer capacity as described in the section above. The second constrain on development are freshwater wetlands located along the central portion of the Borough associated with Doctor’s Creek and the Borough’s northern border associated with Indian Run Creek. Other constraints on development include the limited size of

properties and the historic nature of the Borough which provided limits on the overall size and style of future development in accordance with applicable State and local regulations.

### **Multigenerational Housing**

An 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 in which to provide an analysis.

### **Parcels Most Appropriate for Low and Moderate Income Housing**

Based upon the applicable State rules pertaining to lack of developable land, environmental constraints and historic and architecturally important sites, parcels most appropriate for low and moderate income housing include existing affordable housing sites and potentially vacant that could appropriately accommodate affordable housing.

The site most appropriate for low and moderate income housing identified in the Vacant Land Inventory is the undeveloped portion of the Towne Mews Property. The Towne Mews Apartments are located at 55 Breza Road and contain 80 one and two bedroom apartments in eight (8) structures. The southern portion of the site at the corner of Breza Road and County Route 524 is undeveloped and accounts for approximately 3.2 acres. This portion of property is listed in the RDP.

A portion of the vacant Towne Mews property is partly included in a proposed amendment to the Allentown Historic District in an area fronting on County Route 524 consisting of approximately 1.1 acres. The purpose of the expanded Historic District boundary is to maintain the entrance into the Allentown Historic District from the south. This strip of land could be developed for single family homes with a Colonial or Victorian design or planted with evergreen trees and shrubs to provide an aesthetic entryway to the Borough. This area is zoned R-13 and will remain within the R-13 zone. The remaining 2.1 acres outside the proposed Allentown Historic District boundary would be appropriate for a potential multi-family development to complement the existing Towne Mews apartments and adjacent R-13 zone and required to provide an inclusionary low-and-moderate income affordable housing component of twenty (20) percent.

### **ROUND 4 OBLIGATION – (2025 -2035)**

The Round 4 obligation (2025-2035) is outlined in DCA’s fair share methodology and calculations of low- and moderate-income housing obligation report as prepared by the office of Policy and External Affairs and Local Planning Services in the Department of Community Affairs. The report explains the formula and criteria in compliance with P.L. 2024, c.2 (the Affordable Housing Law)

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and provides the present and prospective need calculations for each municipality. The report, although not dated, was published in October 2024. The Borough accepted the Round 4 obligations as prepared by the New Jersey DCA and reserves the right to adjust the number and amend the number in the event of a challenge to the DCA calculations or any change in legislation. The Round 4 present need and prospective need for the Borough of Allentown is as follows:

**Present Need (Rehabilitation) Component (0 Units):**

The present need is a measure of overcrowded and deficient housing that is occupied by low-and-moderate income households. The present need was previously referred to and sometimes commonly referred to as the “rehabilitation share.” The present need obligation for the Borough is zero (0) units.

**Prospective Need (28 units):**

The prospective need obligation for the Borough is 28 units. Prospective need is a measure of low-and-moderate income housing needs based on development and growth that occurred or is reasonably likely to occur in a region or municipality. The Prospective Need includes the Round 4 period from 2025 through 2035.

**HOUSING POLICY**

Allentown Borough has historically provided a variety of housing including small, affordable homes and apartments within the Historic District. Despite the environmental constraints and the constraints associated with the Allentown Historic District, the Borough of Allentown is committed to undertaking its best efforts to prepare a realistic, workable and affordable plan for providing low and moderate income housing through the Round 4 timeframe.

The Borough of Allentown Master Plan sets forth its goals and objectives in its Housing Plan Element as follows:

- To provide an adequate, affordable and balanced supply of housing types for current and prospective residents of the Borough, consistent with the established historic pattern of development within the Borough at this time.
- To maintain the character and value of existing residential neighborhoods.
- To develop group homes utilizing existing structures within and outside the Historic District.
- To support the acquisition and rehabilitation of vacant properties in the Borough by or for low and moderate income households, in partnership with non-profit organizations.
- To explore creation of accessory apartments above garages or as carve outs of larger



homes.

- To explore use of unoccupied apartments above stores in the historic district.
- To explore building individual homes for low and moderate income occupants on scattered vacant lots in the Borough, including house-moving where appropriate and available.

## **REALISTIC DEVELOPMENT POTENTIAL (RDP) CALCULATION**

The Borough of Allentown is nearly completely built-out. The Borough has evaluated all vacant land parcels and has calculated a Realistic Development Potential (RDP). The calculation of the RDP is consistent with the March 15, 2015 New Jersey Supreme Court decision and is based upon the realistic development potential of vacant land that has been identified in the Borough that could be developed in the future in accordance with N.J.A.C. 5:93-4.2 – Lack of Land, New Construction for Site Suitability.

Exhibit 4, Vacant Land Inventory and Realistic Development Potential, provides the basis for calculating an RDP for the Borough of Allentown. Parcels or portions of parcels that were excluded from the vacant land inventory in accordance with N.J.A.C. 5:93-4.2 include:

- (1) Agricultural lands shall be excluded when the development rights to these lands have been purchased or restricted by covenant
- (2) Environmentally sensitive lands
- (3) Historic and architecturally important sites
- (4) Active recreational lands
- (5) Conservation, parklands and open space lands
- (6) Individual sites that the Council on Affordable Housing (or the Court) determines are not suitable for low-and-moderate income housing

There are 21 potential sites in the Borough that are vacant or underdeveloped as shown in Exhibit 5, Vacant Land Inventory Map. All the potential sites were analyzed and most sites were excluded for the following reasons:

- Presence of freshwater wetlands
- Size of property was too small and resulted in no affordable units at a presumptive density of six (6) units per acre
- Historic District or site

The result is that the RDP for the Borough of Allentown yields an RDP of four (4) units.

**FAIR SHARE PLAN**

A “Fair Share Plan” is defined as a plan that describes the mechanisms and the funding sources, if applicable, by which a municipality proposes to address its affordable housing obligation as established in the Housing Plan Element. It can include the draft ordinances necessary to implement the Housing Plan. A Fair Share Plan is defined as follows:

N.J.S.A. 52:27D-304. Definitions

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

The need for affordable housing in New Jersey is divided into three components:

- *Prior Round Obligation* – The Prior Round Obligation is the cumulative 1987-1999 fair share obligation as was determined by COAH for Round 1 and 2, and 1999-2025 for Round 3 as determined by the Jacobson Opinion. The first three rounds are mutually referred to as the “Prior Round.”
- \* *Fourth Round Present Need or Rehabilitation Obligation* – The Rehabilitation Obligation represents the number of existing housing units that are both “deficient” and occupied by low- and moderate-income households for the fourth round (July 2, 2025 – June 30, 2035). Pursuant to 52:27D-304.2. 6.a.:

*“Municipal present need for each 10-year round of affordable housing obligations shall be determined by estimating the deficient housing units occupied by low- and moderate-income households in the region, following a methodology similar to the methodology used to determine third round municipal present need, through the use of most recent datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof.”*

- \* *Fourth Round Prospective Need Obligation* - The prospective need obligation for Round 4 covers the time period July 2, 2025 through June 30, 2035. It is defined as follows:

*"Prospective need" means a projection of housing needs based on development and growth which is reasonably likely to occur in a region or*

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*a municipality, as the case may be, as a result of actual determination of public and private entities. Prospective need shall be determined by the methodology set forth pursuant to sections 6 and 7 of P.L.2024, c.2 (C.52:27D-304.2 and C.52:27D-304.3) for the fourth round and all future rounds of housing obligations.*

- \* Pursuant to P.L. 2024, c.2 (the “Act”) methodology was adopted to calculate every municipality’s present and prospective need affordable housing obligation for the Fourth Round (2025-2035). The Act directed the Department of Community Affairs (“DCA”) to apply the methodology and render non-binding calculations of each municipality’s present and prospective affordable housing obligations to be contained in a report to be issued not later than October 20, 2024.

Figure 10 presents the three components of the Borough of Allentown affordable housing obligation:

**Figure 10**  
**ROUND 1 THROUGH 4 OBLIGATION**  
**Borough of Allentown**

<b>Allentown’s Fair Share Obligation Components</b>		<b>Units</b>
<b>A.</b>	Prior Round Obligation Round 1 and 2 – (1987 through 1999) Prior Round Obligation Round 3 – (1999 through 2025)	112
<b>B.</b>	Round 4 Present Need Obligation (Rehabilitation Obligation) (July 2, 2025 through June 30, 2035):	0
<b>C.</b>	Round 4 Prospective Obligation (July 2, 2025 through June 30, 2035):	28

**Satisfaction of the Round 1 through 4 Adjusted Fair Share Obligation / Realistic Development Potential (RDP)**

As previously stated, the Borough is entitled to an adjustment of their Round 1 through 4 prospective need due to a vacant land adjustment / RDP. The Borough RDP is 4 units for Round 1 through 4 and will be addressed.

For Round 4, N.J.S.A. 52:27D-310.1 states that a municipality is required to address at least 25 percent of the prospective need obligation that has been adjusted through adoption of realistic zoning as follows:

*“C.52:27D-310.1 Computing municipal adjustment, exclusions.*

*1. Any municipality that receives an adjustment of its prospective need obligations for the fourth round or subsequent rounds based on a lack of vacant land shall, as part of*

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*the process of adopting and implementing its housing element and fair share plan, identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation, or demonstrate why the municipality is unable to do so. When computing a municipal adjustment regarding available land resources as part of the determination of a municipality's fair share of affordable housing, the municipality, in filing a housing element and fair share plan pursuant to subsection f. of section 3 of P.L.2024, c.2 (C.52:27D-304.1), shall exclude from designating, and the process set forth pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1) and section 13 of P.L.1985, c.222 (C.52:27D-313) shall confirm was correctly excluded, as vacant land:"*

Based on the plain reading of the statute, the Borough is required to continue to address its 4-unit RDP which it has done in its previous Housing Plan Element and Fair Share Plan. With regard to the 25% requirement, the Borough's adjusted Round 4 prospective need is zero, as there has been no change in circumstance that have given rise to a Round 4 RDP. Based upon the plain reading of the statute, 25% of zero leaves no obligation for the Borough under section 310.1 and will be applied to the unmet need as will be discussed below.

Based on the plain reading of the statute, the Borough is therefore required to address its adjusted 4-unit RDP obligation.

### **Sites to Address Obligation**

#### *Group Homes*

The Borough has two existing group homes which include:

- (1) Pennreach is a 4 bedroom group home (3 bedrooms for residents with disabilities and one for a caretaker) located on Waker Ave. (Block 9, lot 5). This group home is zoned HR-10. The Pennreach group home is a licensed group home under the Division of Development Disabilities and has been in operation since January 24, 2019. The facility is in operation in accordance with the applicable covenants and restrictions. All documentation for the Pennreach Group Home can be found in Exhibit 6. The Borough will apply three (3) credits and one (1) bonus credits for a total of (4) four credits pursuant to Round 3 regulations.

With respect to the bonus credits, a municipalities RDP is capped at 25 percent of its RDP.  
 $\text{RDP 4 units} \times 25\% = 1 \text{ unit}$

- (2) Triple "C" is a 4 bedroom group home (3 bedrooms for residents and one for caretaker) group home located on Allentown-Yardville Rd. (Block 18, lot 32). This group home is zoned R-13. The Triple C group home is a licensed group home under the Division of Development Disabilities and has been in operation since November 2023. The facility is in operation in accordance with the applicable covenants and restrictions. All documentation for the Triple "C" Home can be found in Exhibit 6. The Borough will apply

three (3) credits pursuant to Round 3 regulations.

A total of seven (7) credits will be applied for the two group homes.

#### *Breza Road - Overlay Zone*

The Borough will adopt an “Overlay Zone” on a portion of Block 18, lot 2.01 Towne Mews undeveloped property located at 55 Breza Road. The undeveloped portion includes an area of approximately 2.1 acres. The overlay zone will be subject to all notice and hearing provisions set forth in the New Jersey Municipal Land Use Law and any other relevant statutes. The overlay zone will be an overlay to the existing MF zone to permit multi-family residential development at a gross density of 12 dwelling units per acre. In addition, the overlay zone will permit a maximum building height of 2 ½ stories and 35 feet. The overlay zone will require a twenty (20) percent affordable housing set aside for affordable housing set aside. Setbacks of 50 feet are recommended from existing residential uses and roadways. It is further recommended that any multi-family development be interconnected to the existing Towne Mews complex and be consistent in design with the historic character of the Borough.

The vacant portion of the Towne Mews property along County Route 524 consisting of approximately 1.1 acres is within a proposed amendment area to the Allentown Historic District and will remain within the R-13 district. The amended Historic District area is not part of the affordable housing overlay zone.

It is anticipated if the multifamily option is selected it would produce four (4) affordable housing units.

Exhibit 7 provides a draft zoning ordinance for the property.

#### **Summary of Obligation and Credits**

To summarize the obligation and credits, Figure 11 shows the obligation and potential credits for Round 1 through 4. The Round 1-3 obligation of 112 units is the subject of a vacant land adjustment and Realistic Development Potential (RDP) which adjusts to four (4) units.

Potential credits occur from two (2) group homes, bonus credits and an overlay zone totaling 11 units/credits to be applied to the obligation.

**Figure 11**  
**ROUND 4 OBLIGATION/ CREDITS**  
**Borough of Allentown**

<b>Obligation</b>	
<b>Item</b>	<b>Units</b>
Round 1 through 4 RDP	4
Present Need	0
<b>Total Round 1 through 4 Prospective Need Obligation Required to Be Satisfied</b>	<b>4</b>

<b>Potential Credits</b>	
<b>Item</b>	<b>Units/ Credits</b>
Penn Reach Group Home and Triple “C” Group Homes and bonus credits	7
Breza Road -Overlay Zone	4
<b>Total Potential Credits</b>	<b>11</b>

### **Unmet Need**

The term “unmet need” is the difference between the affordable housing obligation and the number of credits provided addressing that obligation. The Borough’s cumulative obligation for Rounds 1 through 4 is 140 units (112 + 28) and the RDP is four (4) units. Therefore, the unmet need is 136 units. (140-4=136) that should be addressed. Also pursuant to N.J.A.C. 5:93.4 (h) provides that “If the RDP described in N.J.A.C. 5:93.4 (f) is less than the pre-credited need minus the rehabilitation component, the COAH [or Court] shall review the existing municipal land use map for areas that may develop or redevelop. Examples of such areas include, but are not limited to: a private club owned by its members; publicly owned land; downtown mixed-use areas; high density residential areas surrounding the downtown; areas with a large aging housing stock appropriate for accessory apartments; and properties that may be subdivided and support additional development. After such an analysis, the COAH [or Court] may require at least any combination of the following in an effort to address the housing obligation:

- (1) Zoning amendments that permit apartments or accessory apartments;
- (2) Overlay zoning requiring inclusionary development or the imposition of a development fee consistent with N.J.A.C. 5:93-8. In approving an overlay zone, the COAH [or Court] may allow the existing use to continue and expand as a

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conforming use, but provide that where the prior use on the site is changed, the site shall produce low-and-moderate income housing or a development fee; or

- (3) Zoning amendments that impose a development fee consistent with N.J.A.C. 5:93-8

There are no additional mechanisms to capture affordable housing due to the historic nature of the Borough and the Allentown National Historic Boundary covering the majority of the Borough, and the one major piece of vacant property will be utilized as an overlay zone.

Pursuant to N.J.A.C. 5:93-4.2 the Historic district and buffer area are excluded and will rely upon the current zoning based on the following (N.J.A.C. 5:93-4.2 iv):

**N.J.A.C. 5:93-4.2**

*3. Historic and architecturally important sites may be excluded as follows:*

- i. Historic and architecturally important sites shall be excluded if such sites were listed on the State Register of Historic Places in accordance with N.J.A.C.7.4 prior to the submission of the petition of substantive certification.*
- ii. Municipalities may apply to exempt a buffer area to protect sites listed on the State Register of Historic Places. The Council shall forward such request to the Office of New Jersey Heritage for a recommendation pertaining to the appropriateness and size of a buffer.*
- iii. Upon receipt of the Office of New Jersey Heritage's recommendation, the Council shall determine if any part of a site should be eliminated from the inventory described in (d) above.*
- iv. Within historic districts, a municipality may regulate low-and-moderate income housing to the same extent it regulates all other development.*



## **FAIR SHARE PLAN DOCUMENTATION**

The following additional documentation are included as Exhibits:

**Exhibit 1 - Resolution - 71-2025 – Committing to DCA Round 4 Number**

**Exhibit 2 – Order entered by the Court Setting the Round 4 Prospective Need**

**Exhibit 3 - Rental and Sales Rates – 2023**

**Exhibit 4 - Vacant Land Inventory and Realistic Development Potential (RDP)**

**Exhibit 5 - Vacant Land Inventory Map**

**Exhibit 6 – Group Home Documentation**

**Exhibit 7 - Draft Ordinance**

**Exhibit 8 – Resolutions**