

Township of Washington

Morris County, New Jersey

Round Four (2025-2035) Housing Plan Element and Fair Share Plan

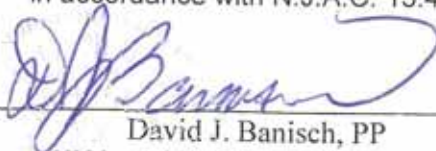
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***Prepared by the
Washington Township Planning Board***
in consultation with Banisch Associates, Inc.
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The original of this report was signed and sealed
in accordance with N.J.A.C. 13:41-1.3



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6-26-25
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Washington Township
Round Four (2025-2035) Housing Plan Element and Fair Share Plan

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EXECUTIVE SUMMARY

This is the Round Four Housing Element and Fair Share Plan (“HEFSP” or “Housing Plan”) for the Township of Washington, Morris County, and upon adoption by the Township of Washington Joint Land Use Board, amends Washington Township’s Master Plan. It, has been prepared in accordance with N.J.S.A. 40:55D-28 of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., (“MLUL”); the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et al, as amended by P.L. 2024, c. 2, (“2024 Amendments” or “FHA-2”); and Administrative Office of the Courts Directive #14-24 (“AOC Directive #14-24”).

The Township’s Round Four HEFSP has been prepared to address the Township’s Fourth Round 10-year municipal affordable housing obligations for the period beginning on July 1, 2025, and ending on June 30, 2035. In addition, thereto, this HEFSP also identifies Washington Township’s plan to address its Round Four Present Need Obligation (or Rehabilitation Obligation) and its Round Four Prospective Need Obligation (or New Construction Obligation) and any units which remain unfulfilled from the Township’s Round Three Obligation.

Therefore, in accordance with N.J.S.A. 52:27D-304.1f(2)(a), and -310 thru -311 of the FHA-2, and AOC Directive #14-24, this HEFSP is designed to outline the manner in which the Township has addressed the affordable housing obligations for each of the prior rounds, (First Round, Second Round and Third Round), as well as how the Township will address its affordable housing obligations for not only the Fourth Round, but also any unfulfilled prior round affordable housing obligations. As discussed in greater detail herein, these obligations were derived from a variety of different sources including the Council on Affordable Housing (COAH), prior Court-approved Judgments of Compliance and Repose and settlement agreements with Fair Share Housing Center (FSHC), and most recently from Fourth Round calculations provided by the Department of Community Affairs (DCA) as modified by court order.

Accordingly, this HEFSP also includes: an assessment of the degree to which the Township has met its fair share affordable housing obligations for each of the prior rounds of affordable housing (First, Second and Third rounds); a discussion of each of the previously approved compliance mechanisms adopted by the Township to address the Township’s prior round affordable housing obligations; a “realistic opportunity review” analysis of each previously approved prior round compliance mechanism, program, project and sites which remain unbuilt and which either continue to present a realistic opportunity for the construction of affordable housing and/or which are no longer realistic; sets forth new proposed programs, projects and/or sites intended to replace any prior round projects/sites which no longer present a realistic opportunity in order to fulfill any outstanding unfulfilled prior round obligation; and any adjustments, compliance mechanisms, programs, projects, sites and credits to be adopted by the Township to fulfill the Township’s Fourth Round Present and Prospective Need Obligations.

By way of background, in accordance with FHA-2, on October 18, 2024, the DCA published its non-binding estimate of the Township's Fourth Round Present Need Obligation of 20, and Fourth Round Prospective Need Obligation of 205 in the DCA's report entitled "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background." Following same, in accordance with FHA-2 and AOC Directive #14-2024, the Township adopted Resolution No. R-36-25 on January 20, 2025, which accepted the DCA's calculation of the Township's Fourth Round Present Need Obligation of 20 and calculated the Township's Fourth Round gross Prospective Need Obligation to be 152. Thereafter, in accordance with the requirements of FHA-2 and AOC Directive #14-2024, the Township timely filed an action with the Affordable Housing Dispute Resolution Program ("Program") and the Court via complaint for declaratory judgment relief with the Superior Court, Morris County, and uploaded the Township's above-referenced Resolution with the Program on January 22, 2025. The Township's Fourth Round action is entitled: In the Matter of the Application of the Township of Washington, Docket No.: MRS-L-000171-25 (Township's "2025 Action").

Ultimately, Washington Township's Round Four Affordable Housing obligations were determined in the Township's 2025 Action by Order of Morris/Sussex County Mount Laurel Judge the Honorable Janine M. Allen, J.S.C. in her "Decision and Order Fixing Municipal Obligations for "Present Need" and "Prospective Need" for the Fourth Round Housing Cycle", dated April 29, 2025. Pursuant to Judge Allen's Order, the Township's Fourth Round unadjusted Affordable Housing Obligation(s) are as follows:

Fourth Round Present Need:	20 Units; and
Fourth Round gross Prospective Need:	173 Units.

Washington Township will address the 20-unit Present Need obligation through continued participation in the Morris County HOME Rehabilitation Program and will provide supplemental rehabilitation funding on an individual project basis to address situations where HOME project funding may not be sufficient.

Highlands Act Applicability & Conformance Status

With respect to the Township's Fourth Round Prospective Need Obligation, N.J.S.A. 52:27D-310h and N.J.S.A. 13:20-23 require the Township's HEFSP to take into the Township's compliance with the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1 et seq., ("Highlands Act").

Washington Township is located entirely within the Highlands Region, and is a fully conforming "Highlands Municipality" governed by the Highlands Act and its regulations and Regional Master Plan adopted pursuant thereto. With respect to the Highlands Region, 88% (25,240.7 acres) of the Township's land area is located within the Highlands Preservation Area, and the remaining 12% of the Township's land area (3,491.2 acres) is situated within the Highlands Planning Area. Therefore this HEFSP also includes an analysis of compliance with the Highlands Regional Master Plan of lands in the Highlands Preservation Area and lands in the Highlands

Planning Area as required by N.J.S.A. 52:27D-310h, the Highlands Act and the Highlands Regional Master Plan, as amended by the New Jersey Highlands Water Protection and Planning Council Resolution 2024-24 and adoption of “*RMP Addendum 2024-3: Highlands Affordable Housing Guidelines*,” the “*Highlands Affordable Housing Regional Master Plan Amendment (July 2024)*” the Highlands Council’s *Highlands Municipal Build-Out Update*, and the “*Highlands Affordable Housing Implementation Guidelines (October 2024)*”.

Pursuant to the above, the Township’s Highlands Preservation Area designation limits development opportunities to primarily the Planning Area of the Township, and imposes certain environmental restrictions on development that limit Washington Township’s ability to address the entirety of the Township’s Fourth Round gross Prospective Need obligation of 173.

In particular, the Highlands Build-out indicates that Washington Township does not have the land resources to address the entirety of its 173 Round Four gross Prospective Need obligation. Nevertheless, Washington Township has designated a redevelopment area for inclusionary zoning to provide a substantial number of affordable family rental units toward satisfying the Township’s Round Four Prospective Need, as adjusted for lack of available, approvable, developable, and suitable sites (“Highlands Adjustment”).

Prior Round Obligations

In addition to addressing the Round Four affordable housing obligations, P.L. 2024, c.2 requires municipalities to assess fulfillment of Prior affordable housing obligations. With respect to the determination of Township’s Third Round Obligation, and compliance with same, in accordance with the New Jersey Supreme Court’s instructions in *In re Adoption of N.J.A.C. 5:96 & 5:97*, 221 NJ 1 (2015) (“Mt. Laurel IV”), Washington Township initiated a civil action in the Superior Court of New Jersey, Law Division, Morris County, in July 2015 entitled *In re Application of the Township of Washington*, Docket No.: MRS-L-1639-15 (“2015 Action”).

The Township’s Round Three Obligations consisted of the cumulative Prior Rounds (Rounds 1 and 2 (1987-1999) Prospective Need of 66 units, which was fully satisfied. Additionally, the Township’s Third Round Prospective Need Obligation (1999-2025) was established in the 2015 at 214 units through a settlement reached between the Township and FSHC. The Township adopted a Round Three Housing Element and Fair Share Plan on or about December 18, 2018, which was approved by the Court appointed Special Master and the Honorable Maryann Nergaard, J.S.C. in the Township’s 2015 Action. Washington Township then received a Round Three Final Judgment of Compliance and Repose issued by the Honorable Maryann Nergaard, J.S.C. on February 22, 2019 (“JOC&R”).

The Round Three FSHC Settlement Agreement in the 2015 Action mirrors Washington Township’s 2018 Round Three Housing Plan. The Plan identifies a total of 220 credits (units & bonuses) to satisfy the 214-unit obligation. Washington Township’s Round Three Plan demonstrated that the 66-unit Prior Round obligation of 66-units was fully satisfied. However, Washington Township has a portion of the Round Three obligation that remains unfulfilled.

With one exception, the unfulfilled Round Three projects and programs remain viable to achieve the full obligation of 214 units. To address that exception, Washington Township proactively adopted a Redevelopment Plan to replace the only Round Three project that is no longer viable with an inclusionary zoning project that will produce 25 affordable family rental apartments, which is the same number of family rental apartments in a project that is unfulfilled. In addition, after receiving the Round Three JOC&R in the 2015 Action, Washington Township zoned for and approved a 32-unit rental apartment project with 8 affordable family rental units and is currently awaiting construction of that project to supplement the Township's inventory of affordable housing, but that project was a head start on Round Four.

The following sections of this Housing Plan detail the summary provided above and identify how Washington Township will address its Round Four affordable housing obligations.

STATUTORY AFFORDABLE HOUSING REQUIREMENTS

This HEFSP has been prepared in accordance with N.J.S.A. 40:55D-28b(3) of the MLUL and N.J.S.A. 52:27D-304.1 and -310 of the Fair Housing Act (FHA) as amended by FHA-2 and AOC Directive #14-2024 to address Washington Township's Round Four affordable housing obligations for the time period 2025-2035. As noted above, past affordable housing obligations for 1987-2025 have been addressed.

The N.J.S.A. 40:55D-28.b(3) of the MLUL and N.J.S.A. 52:27D-304.1 and -310 of the FHA as amended by FHA-2 and AOC Directive #14-2024 identify the components of a municipality's housing element in the Master Plan.

N.J.S.A. 40:55D-28.b(3), in relevant part, states:

(3) A housing plan element pursuant to section 10 of P.L.1985, c.222 (C.52:27D-310), including, but not limited to, residential standards and proposals for the construction and improvement of housing;

N.J.S.A. 52:27D-310 provides that:

“A municipal housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing, and shall contain 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, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;

- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing; 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 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.

This HEFSP addresses each of these required components of a Housing Element. Through sections “a.” – “d”, the Legislature sought the data provided in Appendix A. Section “h.” above pertains to municipalities in the NJ Highlands Region, which will be addressed as part of Section “e.” above (Determination of Fair Share). In the section of the Housing Element below, this Plan

will address: “f.” concerning among other things “lands of developers who have expressed a commitment to provide low- and moderate-income housing”; “g.” concerning the recommendations of the Multigenerational Family Housing Continuity Commission and “i,” concerning the consistency of this plan with the State Development and Redevelopment Plan. After addressing these three provisions, this Plan will address the main questions in any affordable housing plan; namely, (1) what is the Township’s Fourth Round obligation; and (2) how the municipality going to address the obligation?

PRIOR ROUND ASSESSMENT

This section assesses Washington Township’s prior affordable housing obligations and any unfulfilled obligations. Washington Township’s adopted Round 3 Housing Plan Element and Fair Share Plan set forth a plan that fully addressed the Prior Round (First and Second Round period of 1987-1999) obligation and the Round 3 obligation (1999-2025) of 319 units, as reduced to 214 units per Round 3 Settlement with FSHC.

The Prior Round obligation for the cumulative First and Second Round period of 1987-1999 was 66 units and was satisfied with the following existing affordable units:

Project	Block	Lot	Units	Bonus
Peachtree Village	3.01	20	42	17
Mendham Area Senior Housing (MASH, 1 Heritage Drive, Mendham, NJ)	801	25	4	
Brittany Hills (2 Heron Drive)	3.10	20	4	
	Subtotals:		50	17
	Total:		67 Credits & Bonuses	

ROUND THREE ASSESSMENT

The Township’s Round 3 affordable Prospective Need Obligation was 214-units, which was reduced from 319 units due to 87% of the municipality being designated in the Highlands Preservation Area. The units reduced from the full obligation do not have to be addressed because the reduction was memorialized in the Round 3 Court-approved settlement agreement between the Township and FSHC.

The Township’s Round Three Prospective Need Fair Share Obligation of 214-units was fully addressed in the June 2018 Housing Plan Element and Fair Share Plan (“Round 3 Plan”). The Round Three Plan identified 166 “hard” units (actual dwelling units) and 54 bonuses for a total of 220 units and bonuses (6 credits more than the 214 required). The Round Three Plan identified a variety of strategies to address the 214-unit Prospective Share obligation, including market-to-affordable units (“buy downs”), group homes and zoning strategies.

Four of the compliance strategies identified in the Round Three Fair Share Plan have not yet developed and therefore result in an unfulfilled prior round obligation to be addressed in accordance with N.J.S.A. 52:27D-304.1f(2(a)).

Pursuant to N.J.S.A. 52:27D-304.1f(2(a)) an analysis of the Township's Third-Round sites/projects has been completed and a determination has been made as to which Third-Round sites continue to present a realistic opportunity for the construction of affordable housing. Based on this analysis, there is one exception, 73 West Mill Road Project/Site, all other Round Three projects/sites and strategies remain viable and present a realistic opportunity for the construction of affordable housing although such projects have not yet been built. A summary of each of the Township's Third Round outstanding compliance strategies projects/sites and the number of units/credits outstanding are listed in Table 1 below.

TABLE 1. ASSESSMENT OF ROUND 3 UNBUILT PROJECTS/SITES

Property	Description Of Mechanism & Current Issues	LMI Units/ Credits	Bonus Credits	Total
73 West Mill Rd: Block 34 / Lot 46.04	100% affordable housing development project. This property has since been found to be encumbered by wetlands, floodplains, and a Highlands Agricultural resource area designation. Notwithstanding these limitations, efforts to find a developer proved unsuccessful during the compliance phase. Due to a combination of the lack of interest by a developer and environmental encumbrances, at this time, this project appears to be no longer viable for the construction of affordable housing. Therefore, Township has taken steps to replace this project by adopting a LHRL Redevelopment Plan for a 125-unit, 20% inclusionary residential development project on Block 30, Lots 70, 70.01 and 70.02 (208-214 Kings Highway).	25	25	50
Heath Village: Block19, Lots 6 & 7, 422-430 Schooley's Mountain Road	Heath Village submitted a site plan application in March 2019 to develop Lots 6 & 7 with 138 duplex age-restricted dwellings (cottage) units and 24 affordable age-restricted rental apartments, which hasn't yet received site plan approval. In July 2024, Heath Village advised market conditions changed, they proposed a revised concept development plan and will formally propose a modified site plan in the Summer of 2025 for 54 cottages and 84 apartments in two mid-rise apartment buildings with a 24-unit affordable apartment building. The Round 3 Plan calls for 29 affordable units. The remaining 5 units are provided in Heath's Health Care Center five (5) affordable beds (Medicaid) to provide 29 total units as per the Round 3 Plan. This project remains in the 4th Round Plan to address Round Three unfulfilled Prospective Need.	29	9.67	38.67

Property	Description Of Mechanism & Current Issues	LMI Units/ Credits	Bonus Credits	Total
Ballantine Lumber Redevelopment 20 Schooley's Mountain Road	.72-acre site. Included in Round Three at the property owner/developer's request for mixed use residential / commercial development. Zoning could be amended to eliminate split Commercial / Residential zoning for Commercial zoning on Fairview Road frontage. A total of 16 family rental units including 4 affordable units and mixed-use commercial development is proposed. This will remain in the 4th Round Plan to address Round Three unfulfilled Prospective Need Obligation.	4 (16 total units)	4	8
Accessory Apartment Program	1 unit produced of the 20 accessory apartments. There is a 19 unit shortfall in this mechanism. This Program remains viable and will remain in the 4th Round Plan to address Round Three unfulfilled Prospective Need Obligation.	20		19
TOTALS		78	42.67	115.67

The above-listed sites represent 115.67 credits toward the 220 credits that were identified in the Round Three Plan to address the Township's 214-unit Round Three Prospective Need Obligation.

Table 2 below is the table identifying all Round Three sites in the Round Three Fair Share Plan. Table 2 below lists all 166 units and 54 bonuses addressing the Round Three Prospective Need of 214 units. The projects identified in ***bold italicized text*** below are the four Projects in the Round Three Plan and Settlement that have not yet fully come to fruition (also listed above).

TABLE 2. ROUND 3 FAIR SHARE PLAN (PROSPECTIVE NEED – 214)

	Project	Block	Lot	Credits & Planned Units	TYPE* (see key below)	Bonuses (Eligible Units)
	<u>CREDIT FROM PRIOR ROUND</u> (Peachtree Village):	3.10	20	1		
1.	ARC of Morris County-2 (25 Overlook Dr.)	36	42	6	ALA/rental	6
2.	ARC of Morris County-3 (245 Mission Rd.)	11.05	9	5	ALA/rental	5
4.	<i>Homeless Solutions (73 W.Mill Rd.) Municipally Sponsored Planned Project</i>	34	43.03	25	P/F	25
5.	Brittany Hills (2 Heron Dr.)	3.10	20	34	AR/rental	11.33
6.	<i>HeathVillage (formerly US Homes)</i>	19	5, 6, 7	29	P/AR	9.67
7.	Homeless Solutions (31Drakestown Rd.)	8	2.02	10 ²	Rental/F	10
8.	REM NJ II (31 Long Valley Blvd.)	35.03	5	3	ALA/rental	3
9.	Buy-Down (80 Fairview)	27	6	1	Owned	0
10.	REM NJ I (229 Pleasant Grove Rd.)	51	45.01	4	ALA/rental	4
11.	Buy-Down (14 Kim La.)	11.03	24	1	Owned	0
12.	Buy-Down (480 Naughtright Rd)	12	37.01	1	Owned	0
13.	Buy-Down (41 Schooley's Mtn. Rd.)	26	1.01	1	Owned	0

14. Buy-Down (8 W Maple Ave.)	26	3	1	Owned	0
15. Buy-Down (175 Schooley's Mtn. Rd.)	31	31	1	Owned	0
16. Muni Rental (73 W Mill Rd.)	34	46.03	1	Rental	1
17. Community Hope, Inc. (10 Trafalgar Ct)	3.01	7.1	3	ALA/Rental	3
18. Monarch Housing (257 Mission Rd.)	11.05	12	4	ALA/Rental	4
19. Special Homes of NJ (2 Hilltop Terrace)	35.03	37	4	ALA/Rental	4
20. SciotoPropSP(6 Jackie Dr)	11.02	6	4	ALA/Rental	4
21. Heritage Senior Living	8	8	3	P - ALF	1
22. Ballantine Lumber Redevelopment	27	22	4	P/F - Rental	4
23. Accessory Apartment Ordinance	-	-	20	P/F - Rental	0
Bonuses					95
Allowable					
Hard Units:					166
Bonuses:					54

Total Credits, Units and Bonuses: 220 vs. 214 Third Round Obligation

Key:	ALA/Rental – Alternative living arrangement units	VLI – Very low-income units
	P – Planned project or units	ALF – Assisted living facility
	AR – Age-restricted units	F – family units

Of the four projects that have not yet fully come to fruition, the following is noted:

1. Project #4 in Table 2 above, 73 West Mill Road, as more fully explained below, is replaced by a 25 unit family rental project at another location;
2. Project #6 above, Heath Village, is being reconfigured by the developer for a mix of multi-family and 2-family housing unit types, instead of all two-family units, and the reconfigured development will still produce 29 affordable age-restricted rental units.
3. Project #22 above, 20 Schooley's Mountain Road, remains viable, the site is in the sewer service and can accommodate the proposed redevelopment of 20 units (4 affordable and 16 market-rate units) and it was zoned at the developer's request.
4. Project #23 above, the Accessory Apartment Program, produced one (1) accessory apartment and remains viable so Washington Township will retain the Accessory Apartment program. The accessory apartment was created at a single-family dwelling located at 119 West Valley Brook Road.

REPLACEMENT OF THIRD ROUND SITE TO ADDRESS UNFULFILLED PRIOR ROUND OBLIGATION NEED

With respect to Project #4 above, 73 West Mill Road (Block 34, Lot 43.03) this 100% affordable housing project did not come to fruition due in part to environmental constraints and designations including floodplain, wetlands and Highlands Agriculture Resource Area affecting the property and due in part to financial/project demands encountered by the Township's selected non-profit developer.

Therefore, Washington Township has replaced this site with an inclusionary project which will yield the same number of affordable units at the USR Optonix site on Kings Highway (Block 30, Lots 70, 70.01 and 70.02) ("Kings Highway Redevelopment Project"). The Kings Highway Redevelopment Project calls for a 125-unit inclusionary zoning development project consisting of 100 market-rate townhomes and 25 affordable family rental units. The "Kings Highway Redevelopment Project will result in 25-units and 25 bonus credits towards the Township's

outstanding Round Three Obligation. All 25 units will be affordable family rental units and will be developed in accordance with the FHA and the Housing and Mortgage Finance Agency's Housing Affordability Controls set forth at N.J.A.C. 5:80-26.1 et seq. ("UHAC").

Although the Kings Highway site is in the Highlands Preservation Area. It received a Highlands Redevelopment exemption (Exemption #4) for redevelopment within 125% of the existing impervious coverage of the former industrial site that has a development area of approximately 7-acres. The NJDEP Highlands Redevelopment Exemption allows for redevelopment of the impervious coverage on the site at the time the Highlands Act was adopted in June 2004. Buildings were removed from the site between 2012 and 2015. The property owner remediated the site and prepared it for residential redevelopment. Washington Township designated the site as a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 (LRHL) in 2015. Subsequently, the Township adopted a Redevelopment Plan in April 2025 for a 125-unit affordable housing inclusionary residential development within 125% of the existing impervious coverage of the site. The site is approvable because Washington Township has zoned the site for a 125-unit inclusionary development requiring a 20% set aside for at least 25-units of affordable family rental housing in the Redevelopment Plan. The site is available because the Redevelopment Plan was adopted in response to the property owner's request to zone the site for residential development and the above-described density and affordable housing set-aside was found acceptable. The site is developable because it is free of environmental constraints that may prevent development of the site and is consistent with the Highlands Regional Master Plan affordable housing amendments adopted in 2024. The site is suitable because it is served by city water and sewer and all necessary utilities and adjoins an existing residential neighborhood, open space and farmland.

SUMMARY OF ROUND THREE ASSESSMENT OF UNFULFILLED UNITS

This assessment concludes that the projects that are unfulfilled in Washington Township's Round Three Fair Share Plan remain viable with one exception, the 25-unit affordable family rental project at 73 West Mill Road that is no-longer viable due to environmental and financial constraints. Washington Township replaces the site with the Kings Highway Redevelopment Project, which is approvable, available, developable and suitable to produce the 25-unit affordable family rental project. A Redevelopment Plan has been adopted to facilitate this development in accordance with the LRHL. All other Third Round projects/sites and remaining strategies for addressing the Township's unfulfilled Round Three obligation remain viable and present a realistic opportunity for the creation of affordable housing during the Fourth Round.

DETERMINATION OF PRESENT AND PROSPECTIVE FAIR SHARE – HIGHLANDS BUILD-OUT ANALYSIS

This section of the Housing Plan addresses the requirements of the Fair Housing Act for the Housing Plan to provide "A determination of the municipality's present and prospective fair share..." and "...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"...(N.J.S.A. 52:27D-310 "e." & "h.").

As indicated in the Executive Summary, Washington Township's Round Four Affordable Housing obligations were determined by Morris/Sussex County Mount Laurel Judge the Honorable Janine M. Allen, J.S.C. in her Order entered in the Township's 2025 Action on April 29, 2025. Pursuant to Judge Allen's Order, the Township's Fourth Round Present Need and gross Prospective Need Obligations are as follows:

Fourth Round Present Need: 20 Units; and
Fourth Round Prospective Need: 173 Units.

HIGHLANDS REGIONAL MASTER PLAN ANALYSIS & TOWNSHIP'S HIGHLANDS BUILD-OUT

As stated in the Executive Summary section above, with respect to the Township's Fourth Round Prospective Need Obligation, N.J.S.A. 52:27D-310h and N.J.S.A. 13:20-23 require the Township's HEFSP to take into the Township's compliance with the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1 et seq., ("Highlands Act").

Washington Township is located entirely within the Highlands Region, and is a fully conforming "Highlands Municipality" governed by the Highlands Act and its regulations and Regional Master Plan adopted pursuant thereto. With respect to the Highlands Region, the Highlands Preservation Area accounts for approximately 88% of the Township's land area (25,240.7 acres) and Highlands Planning Area accounts for approximately 12% of the Township's land area (3,491.2 acres). The Highlands Preservation Area designation, limits development opportunities primarily to the Planning Area, and the Highlands Regional Master Plan imposes additional regional environmental restrictions on development in the Planning Area, which limit Washington Township's ability to address the entirety of the Township's Round Four gross Prospective Need obligation.

In accordance with FHA-2, the Highlands Act and the Highlands Regional Master Plan, as amended by the New Jersey Highlands Water Protection and Planning Council Resolution 2024-24 and adoption of "*RMP Addendum 2024-3: Highlands Affordable Housing Guidelines*," the "*Highlands Affordable Housing Regional Master Plan Amendment (July 2024)*" the Highlands Council's *Highlands Municipal Build-Out Update*, and the "*Highlands Affordable Housing Implementation Guidelines (October 2024)*" Highlands municipalities are required to conduct an analysis that includes 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.

Under Highlands municipal Build-out procedures The affordable housing build-out, or Realistic Development Potential (RDP), is determined in non-sewer service areas based on the gross acreage of a parcel divided by the Highlands-assigned septic density for the Land Use Capability Zone designation in which a given parcel is situated. The build-out for Sewer Service area sites is calculated at a gross density of six (6) dwelling units per acre.

To determine the Highlands Build-out, the procedures set forth in the Highlands Municipal Build-out Update, dated November 1, 2024, were applied to potentially developable parcels of land in Washington Township. The results of the Build-out identify the “Realistic Development Potential (“RDP”) for Washington Township for Round Four. Table 3 below identifies the results of Washington Township’s updated Highlands build-out and the Township’s RDP for Round Four:

TABLE 3. HIGHLANDS BUILD-OUT & ROUND FOUR REALISTIC DEVELOPMENT POTENTIAL

Map #	Site	Highlands / RDP @ 6 du/ac
1.	Block 3.09, Lot 4 (49 Route 46): Highlands Planning Area - The site is 1.92 acres and it is vacant. It is 100% encumbered by Highlands-designated Prime Groundwater Recharge Area and Critical Habitat. The site is potentially developable with a change of the Highlands Prime Groundwater Recharge Areas designation to Municipally Important Groundwater Recharge Areas. Due to same, this site does not yield a unit obligation.	0
2.	Block 3.09, Lot 6 (Route 46): Highlands Planning Area - The site is located at the corner of Hearthstone Road and Route 46. It has .74-acres of unconstrained land. It is encumbered by Highlands Open Water Buffer and has no affordable housing development potential because it does not meet the minimum lot size requirement of .83 acres for sites with public water and sewer. Due to same, this site does not yield a unit obligation.	0
3.	Block 4, Lot 7.03 (80 Route 46): Highlands Planning Area - The site is not presently designated sewer service area. It is entirely encumbered by Highlands Open Water Buffer and Prime Groundwater Recharge Area designations and does not meet the minimum lot size requirement of .83 acres for sites with public water and sewer. Due to same, this site does not yield a unit obligation.	0
4.	Block 8, Lot 8 (67 Drakestown Road): Highlands Planning Area – The site has 1.79-acre of unconstrained land. It is in the sewer service area and previously received use variance approval for development of an age-restricted memory assisted living facility. The site is capable of supporting 11-units with 2 units of affordable housing.	2
5.	Block 8, Lot 9.01 (Route 46): Highlands Planning Area – This 9-acre site has 4.45 acres of unconstrained land. It is not in the sewer service area and is constrained by Highlands Open Water Protection Area and Critical Habitat. Due to same, this site does not yield a unit obligation.	0
6.	Block 8, Lot 9.02 (Route 46): Highlands Planning Area – This 17.57-acre site has 5.67 acres of unconstrained land. It is not in the sewer service area and is constrained by Highlands Open Water Protection Area and Critical Habitat. Due to same, this site does not yield a unit obligation.	0
7.	Block 19, Lot 8 (36 Newburgh Road): Highlands Planning Area – This 30.57-acre site is designated a redevelopment area. A developer has expressed interest in developing this site in the sewer service area. Washington Township has designated this site a LHRL Redevelopment Area. The Highlands Council has identified Prime Groundwater Recharge Area on	36

Map #	Site	Highlands / RDP @ 6 du/ac
	the site, which may be removed if Washington Township chooses to designate Municipally Important Groundwater Recharge Areas as an alternative to the Prime Groundwater Recharge Area.	
8.	Block 30, Lots 70, 70.01 & 7.02 (208 - 214 Kings Highway): Highlands PRESERVATION Area – As discussed above, this site will be designated to address a portion of the Township’s unfulfilled Round 3 obligation due from the 73 West Mill Road. By designating the former USR Optonix site on Kings Highway (Block 30, Lots 70, 70.01 and 70.02) for a 125-unit inclusionary zoning development project consisting of 100 market-rate townhomes and 25 affordable family rental units.	12
9.	Block 34, Lot 46.03 & 46.04 (73 West Mill Road): This site was included in the Round 3 Plan and is being replaced in the Round 3 Plan by Site #8 above.	5
10.	Block 60, Lot 14 Parker Road (Cooper Chemical/Cleveland Industrial Park): This 17.55-acre site, formerly designated a Superfund site has a history of ground water and soil contamination. It is designated a redevelopment area and under site remediation, but it may have potential for mixed use as a redevelopment area site; however, any future use of the site will require a demonstration that the site is suitable for residential development. Due to same, this site does not yield a unit obligation at this time.	0
11.	Block 63, Lot 14: this non-sewer service area 84.6 -acre farmland parcel yields 1 affordable units under the 9 ac/unit density	1
12.	Block 63, Lot 14: this non-sewer service area 47.11-acre farmland parcel yields 1 affordable units under the 9 ac/unit density	1
	Highlands RDP:	57 Affordable Units

Based upon the above, Washington Township’s updated Highlands Build-out analysis and calculation of RDP indicates that the Build-out of affordable units (Realistic Development Potential (RDP)) for Washington Township is 57 affordable units. This includes Sites #4 (2-affordable units), #7 (36-affordable units), #8 (12-affordable units), #9 (5-affordable units), #11 (1 affordable unit) and #12 (1 affordable unit).

The sites identified in Table 3 above are mapped and provided in Appendix A to this Housing Plan.

When a municipality has a scarcity of developable land, as is the case in Washington Township with 88% of the municipality designated Highlands Preservation Area, the difference between the RDP and the Prospective Share Obligation is designated “Unmet Need.”

- Washington Township’s Unmet Need is 116 units (173 –57= 116).

In addition to satisfying the RDP, under the 2024 Fair Housing Act Amendments Washington Township must also zone for redevelopment for 25% of the adjusted obligation. It remains unclear whether the 25% is applied to the RDP or the Unmet Need portion. However, using a conservative approach this would require the Township zone for redevelopment to meet 29 affordable units ($116 \times 25\% = 29$)

FOUR FAIR SHARE PLAN – COMPLIANCE MECHANISMS TO ADDRESS BUILD-OUT & RDP

Washington Township can address a total of 102 of the 173-unit Round Four Prospective Need, as adjusted, through the rezoning of certain property for the creation of 69 affordable units through inclusionary zoning, plus 33 bonus credits for a total of 102 units and bonuses and to address the Washington Township's Highlands Build-out / Round Four RDP of 57.

Washington Township will implement the following compliance mechanisms to address the RDP of 57 and the 29-unit Redevelopment requirement in the FHA Amendments:

1. Rezone Site #4, Block 8, Lot 8 (67 Drakestown Road), in the Highlands Planning Area for inclusionary zoning at a 6 du/ac density because it is in the sewer service area. The site is capable of supporting 11-units with 3 units of affordable housing.

3-affordable units=3 credits

2. Block 19, Lot 8 (36 Newburgh Road): This 30.57-acre site is designated a redevelopment area. A concept Plan has been developed for a 289-unit development consisting of 231 townhouse units and 58 affordable rental units at 36 Newburgh Road (see attached concept drawing). This would equate to a density of approximately 9.5 du/ac. This site is a designated redevelopment area and a Redevelopment Plan ordinance will be needed to effectuate the development. In addition, the Highlands Council has identified Prime Groundwater Recharge Area on the site, which may be removed if Washington Township chooses to designate Municipally Important Groundwater Recharge Areas as an alternative to the Prime Groundwater Recharge Area.

Washington Township will adopt a redevelopment plan to designate the site for a 289-unit development consisting of 231 market-rate townhouse units and 58 affordable rental apartments on Block 19, Lot 8 (36 Newburgh Road) and will take all steps reasonable and necessary to remove Highlands limitations on site development.

The 2024 Amendments provide a .5 bonus for each affordable housing unit constructed on a site formerly office/commercial/retail. As applied to this site, the proposed development would result in 58-unit credits and 29 bonus credits for a total 4th Round credit yield of 87 credits towards the Township's obligation.

58-affordable units + 29 bonuses = 87 credits/bonus credits

Concept Development Plan
 Block 19, Lot 8 (36 Newburgh Road)
 289 units, including 58 affordable units



3. Block 1, Lot 5, 20 Route 46: Washington Township zoned this site for multi-family rental housing in 2019 in anticipation of Round Four. The site was formerly a commercial and office site that became vacant and available for development.

The then Washington Township Planning Board approved a 32-unit multi-family apartment complex (redevelopment), including 8 affordable family rental units in 2020 (The Planning Board has since been constituted as a Joint Land Use Board with the Zoning Board of Adjustment). The developer (Hotz Development Co.) has secured all development approvals, including stormwater management approval, water and sewer extension, and is now prepared to develop the site. The site adjoins a residential neighborhood consisting of single-family detached dwellings on Drakestown Road, and commercial uses on Route 46 corridor adjacent to Hackettstown. The site is redevelopment of a formerly commercially developed site. The site is available and approved. The applicant/developer requested zoning from the Township, which facilitated the approval. The developer maintains ownership of the site and has invested considerable time and expense into securing required development approvals. The site is suitable because it adjoins compatible land uses.

The 2024 Amendments provide a .5 bonus for each affordable housing unit constructed on a site formerly office/commercial/retail. As applied to this site, the proposed development would result in 8-unit credits and 4 bonus credits for a total 4th Round credit yield of 12 credits towards the Township's obligation.

$$\underline{8\text{-affordable units} + 4\text{ bonuses} = 12\text{ credits/bonus credits}}$$

This Fair Share Plan to address the Washington Township's Round Four Highlands Build-out RDP of 57 results in Washington Township's Round Four Unmet Need to be reduced from 116 to 71 (173 units – 69 units – 33 bonuses = 71).

CONSIDERATION OF LANDS FOR DEVELOPMENT OF AFFORDABLE HOUSING

1. Block 19, Lot 8 (36 Newburgh Road)

In accordance with N.J.S.A 52:27D-310 f., the requirements to consider lands presented by developers for the construction of affordable housing, Washington Township is designating Block 19, Lot 8 (36 Newburgh Road), which is #2 of the Round Four sites listed above to address Round Four.

The site is 30.57-acre in size and is an abandoned commercial development that was substantially constructed with infrastructure, but no buildings. The infrastructure completed includes roads with curbs, but no pavement, stormwater management facilities, and the installation of sanitary sewer and water supply lines, including fire hydrants. Economic conditions apparently prevented the commercial development from being completed and the site remained dormant until it was presented to Washington Township for a possible inclusionary zoning site. It is in the Highlands Planning Area and certain Highlands Regional Master Plan designations have presented challenges, including the Protection Zone Land Use Capability Zone designation. In support of the development project, Washington Township requested a Highlands Land Use Capability Map

Update to recognize the development that exists on the site. The Highlands Council granted the Map Update change to Existing Community Zone. Washington Township will continue to support the project through the Highlands Plan Conformance process to develop the site. As indicated in this plan, a concept drawing for the development of up to a 289-unit development including 58 affordable units was submitted for the site, which subject to environmental review, and barring any unforeseen regulatory obstacles, is expected to come to fruition.

In consideration of lands and structures suitable for affordable housing, Washington Township's Round Four Fair Share Plan represents the range of sites that the Township has considered to address the affordable housing obligation, including sites that may be likely to redevelop during the 10-year cycle. Due to the extensive Preservation Area designation where affordable housing opportunities are limited, Washington Township identified sites in the Planning Area portion of the Township where there are still land and building opportunities to accommodate development and redevelopment. Washington Township has designated three sites redevelopment areas toward the goal of satisfying the Round Four Prospective Need.

REDEVELOPMENT UNMET NEED PROSPECTIVE SHARE

1. Block 60, Lot 14, 20 Parker Road: As noted above, the FHA Amendments require a municipality to zone for 25% of the adjusted obligation, in this case, 25% of the 116-unit Unmet Need, or 29 affordable units.

Washington Township has designated Block 60, Lot 14, 20 Parker Road, the former Cleveland Industrial Center, a Redevelopment Area under the LRHL, and Washington Township will adopt will adopt a Redevelopment Plan ordinance to permit mixed use and residential development at a residential density of 8 dwelling units per acre on the 17.55 acres site to address this requirement.

MANDATORY SET-ASIDE ORDINANCE

The method for complying with the municipal affordable housing obligation under these circumstances where a municipality faces an unmet need after zoning for all of the affordable housing that is realistic is adoption of a *Mandatory Set Aside Ordinance (MSO)*. An MSO is an ordinance that the municipality adopts that requires all residential development consisting of 5 dwelling units or more to provide a 20% affordable housing set-aside. Given the constraints of the Highlands Preservation Area, this type of ordinance would generally be activated by development in the Planning Area portion of the Township. Washington Township intends to adopt the following proposed MSO for Round Four compliance:

Article _____: Mandatory Affordable Housing Set-Aside
Chapter 217 Zoning, Article VIII Affordable Housing

Purpose. The purpose of this ordinance is to ensure that all residential developments in Washington Township resulting in five (5) or more residential dwelling units provides a 20% affordable housing set-aside.

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

MULTIGENERATIONAL FAMILY CONTINUITY

This section of the Housing Plan addresses that section of the FHA (N.J.S.A. 52:27D-310 (g.) that calls for “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.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN (SDRP) CONSISTENCY

This section of the Housing Plan addresses that section of the FHA (N.J.S.A. 52:27D-310 (i.) concerning the consistency of this plan with the State Development and Redevelopment Plan (SDRP).

The entirety of Washington Township is designated within the Highlands Region in the Highlands Water Protection and Planning Act. Washington Township is fully conforming to the Highlands Regional Master Plan. The SDRP defers to the land use designations and policies embodied in the Highlands Regional Master Plan. In the latest Round of SDRP Cross Acceptance, the Highlands Council is the lead agency in assuring consistency between the Highlands Regional Master Plan and the SRDP. Washington Township’s Round Four Fair Share Plan is consistent with the Highlands Regional Master Plan, and is by extension consistent with the SDRP.

HOUSING ELEMENT PLAN

Inventory of Municipal Housing Conditions

The primary source of information for the inventory of the Township's housing stock is the 2023 American Community Survey (ACS) 5-year estimates, which the Census now utilizes for demographic and housing data reporting.

According to the 2023 Census, the Township had 6,452 housing units, of which 6,330 (98%) were occupied. Table A1 identifies the units in a structure by tenure; as used throughout this Plan Element, "tenure" refers to whether a unit is owner-occupied or renter-occupied. While the Township largely consisted of one-family, detached dwellings (86% of the total, compared to 65% in the County), there were 916 units in attached or multi-family structures. The Township had a relatively low percentage of renter-occupied units, 10%, compared to 26% in Morris County and 36.3% in the State. The Township's housing stock indicates a stable residential community with limited rental options.

Table A1: Units in Structure by Tenure

Units in Structure	Total Units	Vacant Units	Occupied Units		
			Total	Owner	Renter
1, detached	5,536	39	5,497	5,272	225
1, attached	372	30	342	306	36
2	15	0	15	0	15
3 or 4	68	30	38	23	15
5+	389	0	389	33	356
Other	0	0	0	0	0
Mobile Home	72	23	49	49	0
Total	6,452	122	6,330	5,683	647

Source: 2023 ACS 5-year estimates B25032 and B25024

Table A2 indicates the year housing units were built by tenure, while Table A3 compares the Township to Morris County and the State. Table A2 provides an overview of the housing stock in terms of construction periods and occupancy status. The largest share of housing was built between 1980 and 1989 (24.1%) and 1970 and 1979 (23.5%), making up nearly half of the total housing stock (47.6%). This suggests that a significant portion of homes is between 35 and 55 years old. New housing development has been limited, with only 191 units (3.0%) built between 2010 and 2019 and none recorded for 2020 or later.

In terms of tenure, homeownership is predominant, with 5,683 owner-occupied units compared to 647 renter-occupied units. The highest concentration of rental units is in older housing stock, particularly pre-1940 (95 renters), 1960-1969 (101 renters), and 1980-1989 (195 renters). This suggests that rental options are largely found in older homes, which may have implications for housing quality and affordability. The presence of older housing stock is one of the factors that correlates highly with filtering. Filtering is a downward adjustment of housing needs that recognizes

that the housing requirements of lower-income groups can be served by supply additions to the higher-income sections of the housing market.

Table A2: Year Structure Built by Tenure

Year Built	Total Units	% of Total	Vacant Units	Occupied Units		
				Total	Owner	Renter
2020 or later	0	0.0%	0	0	0	0
2010 - 2019	191	3.0%	0	191	159	32
2000 – 2009	495	7.7%	22	473	473	0
1990 – 1999	865	13.4%	0	865	847	18
1980 – 1989	1,558	24.1%	17	1,541	1,346	195
1970 – 1979	1,519	23.5%	0	1,519	1,359	160
1960 – 1969	907	14.1%	0	907	806	101
1950 - 1959	309	4.8%	30	279	233	46
1940 – 1949	149	2.3%	0	149	149	0
Pre-1940	459	7.1%	53	406	311	95
Total	6,452		122	6,330	5,683	647

Source: 2023 ACS 5-year estimates DP-04 and B25036

Table A3 compares the year of construction for all dwelling units in the Township to Morris County and the State. Washington Township has a relatively newer housing stock compared to Morris County and New Jersey, with a median construction year of 1979, making it more modern than the county (1971) and state (1970). Nearly half (47.6%) of the township's homes were built between 1970 and 1989, reflecting a period of significant suburban growth. However, new construction has slowed considerably, with only 3.0% of homes built from 2010 to 2019 and none recorded in 2020 or later. The township also has fewer historic homes, with only 7.1% of its housing built before 1940, compared to 12.0% in Morris County and 18% statewide. While the predominance of mid-to-late 20th-century housing suggests relatively modern infrastructure, the aging housing stock may soon require increased maintenance and upgrades.

Table A3: Comparison of Year of Construction for Township, County, and State

Year Built	%		
	Washington Township	Morris County	New Jersey
2020 or later	0.0%	0.6%	2%
2010 - 2019	3.0%	4.8%	6%
2000 – 2009	7.7%	7.6%	9%
1990 – 1999	13.4%	11.5%	8%
1980 – 1989	24.1%	13.0%	12%
1970 – 1979	23.5%	13.9%	12%
1960 – 1969	14.1%	15.7%	13%
1950 - 1959	4.8%	14.9%	13%
1940 – 1949	2.3%	6.1%	6%
Pre-1940	7.1%	12.0%	18%
Median Year	1979	1971	1970

Source: 2023 ACS 5-year estimates B25034 and B25035

The 2023 Census documented household size in occupied housing units by tenure, and the number of bedrooms per unit by tenure; these data are reported in Tables A4 and A5, respectively. Table A4 indicates that renter-occupied units are mostly (81%) one and two-person households, with 50% of owner-occupied units having fewer than two persons.

Table A4: Household Size in Occupied Housing Units by Tenure

Household Size	Total Units	Owner-occupied Units	Renter-occupied Units
1 person	1,148	831	317
2 persons	2,229	2,019	210
3 persons	1,091	1,058	33
4 persons	1,198	1,137	61
5 persons	515	503	12
6 persons	95	87	8
7+ persons	54	48	6
Total	6,330	5,683	647

Source: 2023 ACS 5-year estimates B25009

The distribution of housing units by bedroom count indicates that the majority of homes in the area are larger, family-sized units, with three-bedroom and four-bedroom homes making up the bulk of the housing stock. Four-bedroom units are the most common, comprising 50.6% (3,262 units) of the total, followed by three-bedroom units at 22% (1,420 units). Meanwhile, smaller units are relatively

limited, with one-bedroom homes accounting for only 4.1% (266 units) and two-bedroom units at 14% (906 units).

Regarding tenure, homeownership is the dominant form of occupancy, particularly among three-bedroom, four-bedroom, and five-bedroom homes, which are almost exclusively owner-occupied. Four-bedroom units have 3,211 owner-occupied homes versus only 12 renter-occupied homes, while five-bedroom units are entirely owner-occupied. In contrast, rental housing is more concentrated among smaller units, with one-bedroom (175 renter-occupied) and two-bedroom (349 renter-occupied) homes making up most of the rental stock.

Table A5: Number of Bedrooms per Unit by Tenure

Number of Bedrooms	Total Units	(%)	Occupied Units		
			Total	Owner	Renter
No bedroom	37	0.6%	37	0	37
1 bedroom	266	4.1%	266	91	175
2 bedrooms	906	14.0%	846	497	349
3 bedrooms	1,420	22.0%	1,397	1,323	74
4 bedrooms	3262	50.6%	3,223	3,211	12
5+ bedrooms	561	8.7%	561	561	0

Source: 2023 ACS 5-year estimates DP-04 and B25042

Table A6 compares the Township's average household size for all occupied units, owner-occupied units, and renter-occupied units in 2023 to those of the County and State. The Township's average household size for renter-units was lower than the State and County. This may correlate to the larger housing unit size for owner-occupied units.

Table A6: Average Household Size for Occupied Units for Township, County, and State

Jurisdiction	All Occupied Units	Owner-occupied units	Renter-occupied units
Washington Township	2.84	2.94	1.97
Morris County	2.61	2.79	2.10
New Jersey	2.58	2.72	2.32

Source: 2023 ACS 5-year estimates B25010

The distribution of number of bedrooms per unit is shown in Table A7. The Township had fewer units with zero (0) to three (0) bedroom units and a significantly higher percentage of four or more-bedroom units than the State but comparable to the County.

Table A7: Percentage of All Units by Number of Bedrooms

Jurisdiction	None or one	Two or Three	Four or More
Washington Township	5%	36%	59%
Morris County	15%	48%	37%
New Jersey	18%	57%	26%

Source: 2023 ACS 5-year estimates DP-04

In addition to data concerning occupancy characteristics, the 2023 Census includes a number of indicators, or surrogates, which relate to the condition of the housing stock. These indicators are used in calculating a municipality's deteriorated units and indigenous need. The surrogates used to identify housing quality, in addition to age (Pre-1940 units in Table A2), are the following:

Persons per Room	1.01 or more persons per room is an index of overcrowding.
Plumbing Facilities	Inadequate plumbing is indicated by either a lack of exclusive use of plumbing or incomplete plumbing facilities.
Kitchen Facilities	Inadequate kitchen facilities are indicated by shared use of a kitchen or the non-presence of a sink with piped water, a stove, or a refrigerator.

Table A8 compares the Township, County, and State for some of the above indicators of housing quality. The Township has no units that have inadequate plumbing and a smaller percentage of units that are overcrowded or lack complete kitchen facilities. These indicators suggest relatively high housing quality in the Township.

Table A8: Housing Quality for Township, County, and State

Condition	%		
	Washington Township	Morris County	New Jersey
Overcrowding	.3%	1.7%	4%
Lacking Complete plumbing Facilities	0%	.4%	.3%
Lacking Complete Kitchen Facilities	.6%	.8%	.8%

Source: 2023 ACS 5-year estimates DP-04

The last factors used to describe the municipal housing stock are the assessed housing values and gross rents for residential units. Most homes fall within the \$500,000–\$999,999 range, with a median home value of \$583,100. High home values reflect a stable housing market but may present affordability barriers for lower-income residents.

Table A9: Value of Residential Units

Value	Number	%
Less than \$50,000	73	1.3%
\$50,000 to \$99,999	30	0.5%
\$100,000 to \$149,999	21	0.4%
\$150,000 to \$199,999	14	0.2%
\$200,000 to \$299,999	324	5.7%
\$300,000 to \$499,999	1,506	26.5%
\$500,000 to \$999,999	3,339	58.8%
\$1,000,000 or more	376	6.6%
Median (dollars)	\$583,100	

Source: 2023 ACS 5-year estimates DP-04

The majority of rental units exceed \$1,500 per month with the median rent at \$1,847. Rental affordability is a concern, as high rents may exclude lower-income households. Increasing affordable rental units could address housing accessibility challenges.

Table A10: Gross Rents for Specified Renter-Occupied Housing Units

Contract Monthly Rent	Number	%
Less than \$500	0	0.0%
\$500 to \$999	13	2.1%
\$1,000 to \$1,499	108	17.1%
\$1,500 to \$1,999	281	44.5%
\$2,000 to \$2,499	153	24.2%
\$2,500 to \$2,999	23	3.6%
\$3,000 or more	54	8.5%
Median (contract rent)	\$1,847	

Source: 2023 ACS 5-year estimates DP-04

The data in Table A11 indicate that in 2023 there were 533 households earning less than \$35,000 annually. Many households earning under \$75,000 experience housing cost burdens, spending more than 30% of their income on housing. A figure of 30% is considered the limit of affordability for housing costs.

Table A11: Household Expense in 2023 by as a Percentage of Household Income in 2023

Income	Number of Households	Less than 30%	More than 30%
< \$20,000	342	0	342
\$20,000 – 34,999	191	0	191
\$35,000 - \$49,999	165	0	165
\$50,000 - \$74,999	495	212	283
\$75,000 +	5,094	4,152	942

Note: ¹The universe for this Table is specified occupied housing units.

Source: 2023 ACS 5-year estimates S2503

Tables A12 and A13 show the production and demolition of housing units in the Township. The data on housing construction and demolitions from 2013 to 2024 highlights limited new development activity in recent years. The highest number of housing units authorized for construction occurred in 2014 (28 units), but since then, new housing permits have declined, with multiple years (2021-2022) showing no new construction at all. The most recent increase (7 units in 2023) suggests some recovery but remains modest. All new housing units constructed were single-family homes, with no approvals for multifamily or mixed-use developments.

The demolition data shows a relatively low rate of housing loss, with a total of 27 demolitions between 2013 and 2023. The highest number occurred in 2019 (8 demolitions), but most other years saw only 1-5 demolitions per year. This indicates that while some aging or unviable structures have been removed, the overall housing stock remains stable.

Table A12: Housing Units Authorized by Building Permits for New Construction 2013-2024

Year	Total	1&2 family	Multifamily	Mixed use
2013	3	3	0	0
2014	28	28	0	0
2015	15	15	0	0
2016	15	15	0	0
2017	1	1	0	0
2018	5	5	0	0
2019	2	2	0	0
2020	3	3	0	0
2021	0	0	0	0
2022	0	0	0	0
2023	7	7	0	0

Source: New Jersey Department of Community Affairs, Development Trend Viewer

Table A13: Housing Units Demolished 2013-2024

Year	Total	1&2 family	Multifamily	Mixed use
2013	2	2	0	0
2014	3	3	0	0
2015	2	2	0	0
2016	5	5	0	0
2017	1	1	0	0
2018	1	1	0	0
2019	8	8	0	0
2020	2	2	0	0
2021	1	1	0	0
2022	0	0	0	0
2023	2	2	0	0

Source: New Jersey Department of Community Affairs, Development Trend Viewer

Table A14 shows certificates of occupancy in square feet for non-residential uses between 2013 and 2023. The non-residential development trends in Washington Township show high variability, with significant fluctuations in the total square footage of space approved each year. The most notable spike occurred in 2019 (113.5 thousand square feet). Several years, including 2016 (0 square feet) and 2020 (0.9 thousand square feet), saw minimal or no new non-residential development, likely influenced by economic conditions and the COVID-19 pandemic. However,

in the post-pandemic years, non-residential development has gradually recovered, with 7.2 thousand sq. ft. in 2021, 4.6 thousand in 2022, and 13.3 thousand in 2023, suggesting a potential rebound in commercial activity.

Table A14: Square Feet of Non-residential Space CO

Year	Total (thousands)
2013	7.9
2014	11.4
2015	9.4
2016	0
2017	3.6
2018	9.7
2019	113.5
2020	0.9
2021	7.2
2022	4.6
2023	13.3

New Jersey Department of Community Affairs, CO Yearly Summary
<https://www.nj.gov/dca/codes/reporter/co.shtml>

Analysis of Demographic Characteristics

As with the inventory of the municipal housing stock, the primary source of information for the analysis of the demographic characteristics of the Township's residents is the 2023 U.S. Census. The Census data provide a wealth of information concerning the characteristics of the Township's population in 2023.

The 2020 Decennial Census indicates that the Township had 18,197 residents, or 605 more residents than in 2000, representing a population increase of approximately 3%. The Township's 3% increase from the 2000's compares to a 8% increase in Morris County and 10% in New Jersey.

The age distribution of the Township's residents is shown in Table A15. The Township, similar to most areas in the State and Country, has an aging population, with a higher percentage of residents over 45 compared to county and state averages.

Table A15: Population by Age

Age	% Persons
Under 5 years	5.0%
5 to 9 years	4.3%
10 to 14 years	7.9%
15 to 19 years	10.5%
20 to 24 years	4.0%
25 to 34 years	6.0%
35 to 44 years	11.5%
45 to 54 years	15.4%
55 to 59 years	9.1%
60 to 64 years	6.7%
65 to 74 years	10.9%
75 to 84 years	5.6%
85 years and over	3.0%
Median Age	45.9

Source: 2023 DP-05 ACS 5-year Estimates

Table A16 compares the Township to the County and State by age categories. The principal differences among the Township, County, and State occur in the 45-59 age category, where the Township had a larger proportion than the County and State. The Township generally had more persons in the 55 and older age categories than the County and State.

Table A16: Comparison of Age Distribution for Township, County, and State (% of persons)

Age	Washington Township	Morris County	New Jersey
Under 5 years	5.0%	5.0%	5.6%
5 to 9 years	4.3%	5.6%	5.8%
10 to 14 years	7.9%	6.2%	6.3%
15 to 19 years	10.5%	6.5%	6.3%
20 to 24 years	4.0%	5.8%	5.9%
25 to 34 years	6.0%	11.2%	12.7%
35 to 44 years	11.5%	12.8%	13.3%
45 to 54 years	15.4%	14.1%	12.8%
55 to 59 years	9.1%	7.8%	6.6%
60 to 64 years	6.7%	7.2%	6.8%
65 to 74 years	10.9%	10.0%	10.3%
75 to 84 years	5.6%	5.3%	5.5%
85 years and over	3.0%	2.5%	1.9%
Median	45.9	42.7	40.4

Source: 2023 DP-05 5-year estimates

Table A17 provides Census data on household size for the Township, while Table A18 compares household sizes in the Township to those in Morris County and the State. The Township generally has more households with two or more persons than the County or State and fewer one-person households.

Table A17: Persons in Household

Household Size	%
1 person	18.1%
2 persons	35.2%
3 persons	17.2%
4 or more persons	29.4%
Average Household Size	2.84

Source: 2023 ACS 5-year Estimates U.S. Census, S2501.

Table A18: Comparison of Persons in Household for Township, County, and State (% of households)

Household Size	Township	County	State
1 person	18.1%	24.7%	26.2%
2 persons	35.2%	32.2%	31.7%
3 persons	17.2%	17.7%	17.0%
4+ persons	29.4%	25.4%	25.0%
Average household Size	2.84	2.61	2.58

Source: 2023 ACS5-year estimate S2501 and S1101

Table A19 presents a detailed breakdown of the Township's population by household type and relationship for persons over 65. Family households dominate, but non-family households account for a substantial portion (28%). Planning should include housing that accommodates both family and non-family households, ensuring a diverse and inclusive housing market as demand for senior housing increases.

Table A19: Persons 65+ by Household Type and Relationship

	Persons
In households:	3,394
In family households:	2,446
Householder:	1,198
Male	729
Female	469
Spouse	1,062
Parent	58
Parent-in-law	87
Other relatives	41
Nonrelatives	0
In nonfamily households:	948
Householder:	900
Male:	363
Living alone	344
Not living alone	19
Female:	537
Living alone	517
Not living alone	20
Nonrelatives	48
In Group Quarters	155

Source: 2023 ACS B09020 5-year estimate.

Table A20 provides 2023 income data for the Township, County, and State. The Township's per capita and family incomes were higher than the County and State. Higher incomes suggest economic stability.

Table A20: 2023 Income for Township, County, and State

Jurisdiction	Per Capita Income	Median Income	
		Households	Families
Washington Township	\$73,556	\$164,639	\$201,807
Morris County	\$69,226	\$134,929	\$168,431
New Jersey	\$53,118	\$99,781	\$121,944

Source: 2023 U.S. Census ACS 5 Year Estimates B19301 and S1901,

Table A21 addresses the lower end of the income spectrum, providing data on poverty levels for persons and families in 2023. According to the data in Table A21, the Township had proportionately fewer persons qualifying for poverty status than the State and the County.

Table A21: Poverty Status for Persons and Families for Township, County, and State (% with 2023 income below poverty)

Jurisdiction	Persons (%)	Families (%)
Washington Township	3.5%	2.0%
Morris County	5.1%	3.4%
New Jersey	9.8%	7%

Source: 2023 ACS 5-year estimates S1701 and S1702

The U.S. Census includes a vast array of additional demographic data that provide insights into an area's population. For example, Table A22 provides a comparison of the median year households moved into their current residences. This is a surrogate measure of the mobility/stability of a population. A higher percentage of homeowners and renters have resided in the same home longer compared to county and state averages.

Table A22: Comparison of Median Year Householder Moved Into Unit for Township, County, and State

Jurisdiction	Owner Occupied	Renter Occupied
Washington Township	2005	2015
Morris County	2007	2018
New Jersey	2010	2019

Source: 2023 ACS 5-year estimates B25039

Table A23 compares the educational attainment for Township, County, and State residents over age 25. The data indicate that more Township residents achieved a high school diploma or bachelor's than the state and county.

Table A23: Educational Attainment for Township, County, and State Residents (Persons 25 years and over)

Jurisdiction	Percent (%) high school graduates or higher	Percent (%) with bachelor's degree or higher
Washington Township	98.3%	64%
Morris County	95.1%	57.2%
New Jersey	90.7%	42.9%

Source: 2023 ACS 5-year estimates DP02

The 2023 Census also provides data on the means of transportation that people use to reach their place of work. Table A24 compares the Census data for the Township, County, and State relative to driving alone, carpooling, using public transit, and using other means of transportation. The Township had a relatively high percentage of those who drive alone and a relatively low percentage of workers who carpool or use public transit. However, the Township has a higher percentage of those who work from home in comparison to the County and State. This may be an indication of residents taking advantage of remote work opportunities since the pandemic.

Table A24: Means of Transportation to Work for Township, County and State Residents (Workers 16 years old and over)

	Washington Township	Morris County	New Jersey
Car, truck, or van -- drove alone	67.7%	68.1%	63.7%
Car, truck, or van -- carpoled	3.3%	5.8%	7.7%
Public transportation (excluding taxicab)	1.1%	3.5%	8.5%
Walked	1.1%	1.7%	2.6%
Other means	0.9%	1.4%	2.4%
Worked from home	25.9%	19.6%	15.0%

Source: 2023 ACS 5-year estimates DP-03

The employment distribution in Washington Township reflects a workforce primarily concentrated in professional services, education, and healthcare sectors. The largest employment sector is professional, scientific, management, and administrative services (22.7%), followed by educational services, healthcare, and social assistance (20.3%). These two industries alone account for nearly half of all employment (43%), highlighting a strong reliance on white-collar and service-oriented jobs.

Manufacturing (11.8%) and finance/real estate (10.7%) also represent significant portions of employment, suggesting a presence of both industrial and financial sectors in the local economy.

Table A25: Employment by Industry

Industry	Persons	%
Civilian employed population 16 years and over	8,982	
Agriculture, forestry, fishing and hunting, and mining	19	0.2%
Construction	523	5.8%
Manufacturing	1,062	11.8%
Wholesale trade	99	1.1%
Retail trade	548	6.1%
Transportation and warehousing, and utilities	267	3.0%
Information	179	2.0%
Finance and insurance, and real estate and rental and leasing	960	10.7%
Professional, scientific, and management, and administrative and waste management services	2,043	22.7%
Educational services, and health care and social assistance	1,819	20.3%
Arts, entertainment, and recreation, and accommodation and food services	730	8.1%
Other services, except public administration	517	5.8%
Public administration	216	2.4%

Source: 2023 ACS 5-year estimates DP-03

The employment rate, according to the 2023 census shows that the Township had fewer people employed and in the labor force than the county or state and fewer unemployment than the state but comparable to the county percentages.

Table A26: Labor Force and Employment (%)

Jurisdiction	Percent in Labor Force	Employed	Unemployed
Washington Township	63.9%	61%	2.9%
Morris County	68.5%	64.8%	3.6%
New Jersey	66.2%	62.1%	4.1%

Source: 2023 ACS 5-year estimates DP-03

The forecast for Washington Township’s population and employment growth between 2015 and 2050 suggests slow but steady expansion. The population is projected to increase by only 2,626 residents, reflecting a low annualized growth rate of 0.1%, indicating limited demand for large-scale housing development. In contrast, employment is expected to grow slightly faster (0.4%), adding 506 new jobs, suggesting some economic expansion but not at a pace that would drastically reshape the local job market. Since employment growth outpaces population growth, many of these jobs may be filled by commuters rather than local residents, potentially increasing traffic and the need for improved transportation infrastructure. While these trends indicate economic stability rather than rapid expansion.

Table A27: Forecast for Employment and Population

	2015	2050	Annualized % Change 2015-2045
Population	16,937	19,563	.1%
Employment	3,395	3,901	.4%

Source: NJTPA Municipal Forecasts 2015-2050 Appendix E

Overall, the forecast reflects a stable, slow-growing community with a slightly stronger employment expansion relative to population growth.

APPENDIX A

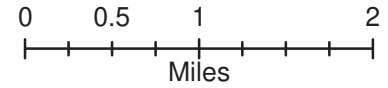
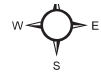
APPENDIX A

Highlands Build-Out - RDP

Potential Sites for Affordable Housing Development

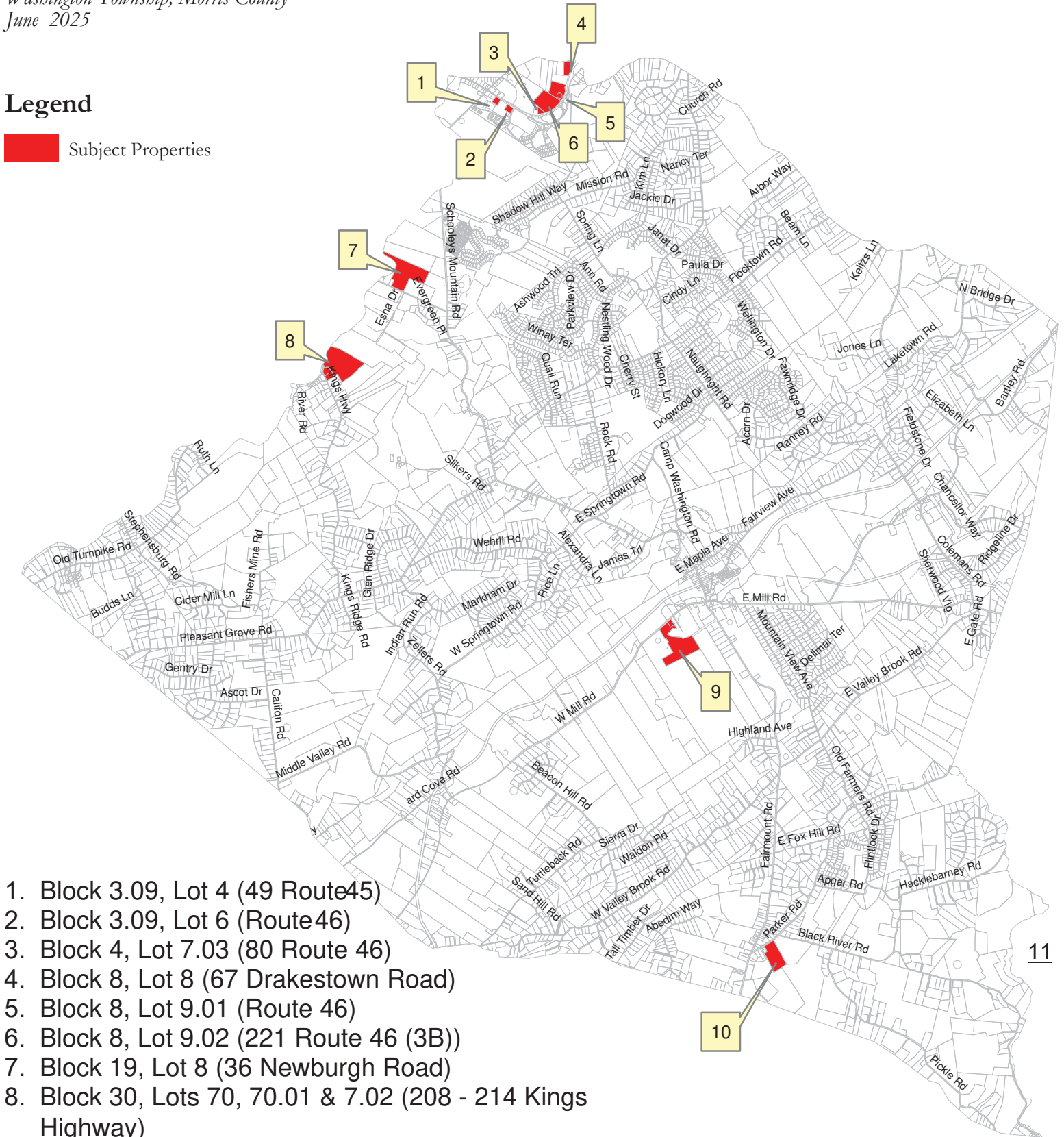
Washington Township, Morris County

June 2025



Legend

Subject Properties



1. Block 3.09, Lot 4 (49 Route 45)
2. Block 3.09, Lot 6 (Route 46)
3. Block 4, Lot 7.03 (80 Route 46)
4. Block 8, Lot 8 (67 Drakestown Road)
5. Block 8, Lot 9.01 (Route 46)
6. Block 8, Lot 9.02 (221 Route 46 (3B))
7. Block 19, Lot 8 (36 Newburgh Road)
8. Block 30, Lots 70, 70.01 & 7.02 (208 - 214 Kings Highway)
9. Block 34, Lot 46.03 & 46.04 (73 West Mill Road)
10. Block 60, Lot 14 Parker Road (Cooper Chemical)
11. Block 63, Lot 14 (Black River Road)
12. Block 63, Lot 18 (Black River Road)

11

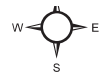
12

Highlands RMP Constraints

Block 3.09, Lots 4 & 6

Washington Township, Morris County









March 2025



0 105 210
Feet



Legend

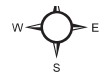
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|--|-------------------------------|---|------------------------------------|---|----------------------------|
|  | Subject Property |  | Confirmed Vernal Pools 300m Buffer |  | Open Water Protection Area |
|  | Streams |  | Prime Groundwater Recharge Areas |  | Critical Wildlife Habitat |
|  | Steep Slopes Greater than 20% |  | Special Environmental Zones | | |

Block 8, Lots 9.01 & 9.02

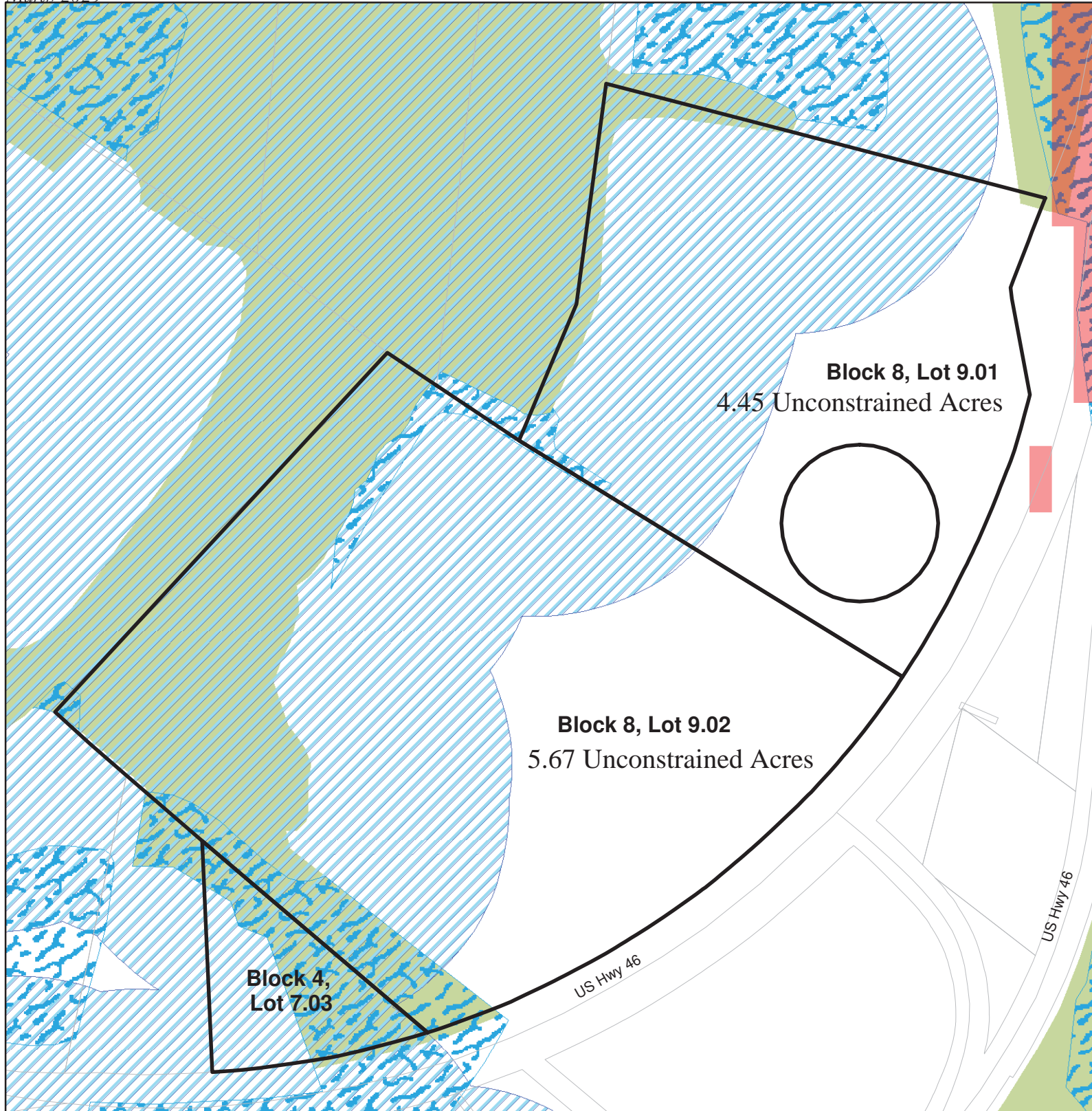
Block 4, Lot 7.03

Washington Township, Morris County

March 2025



0 125 250
Feet



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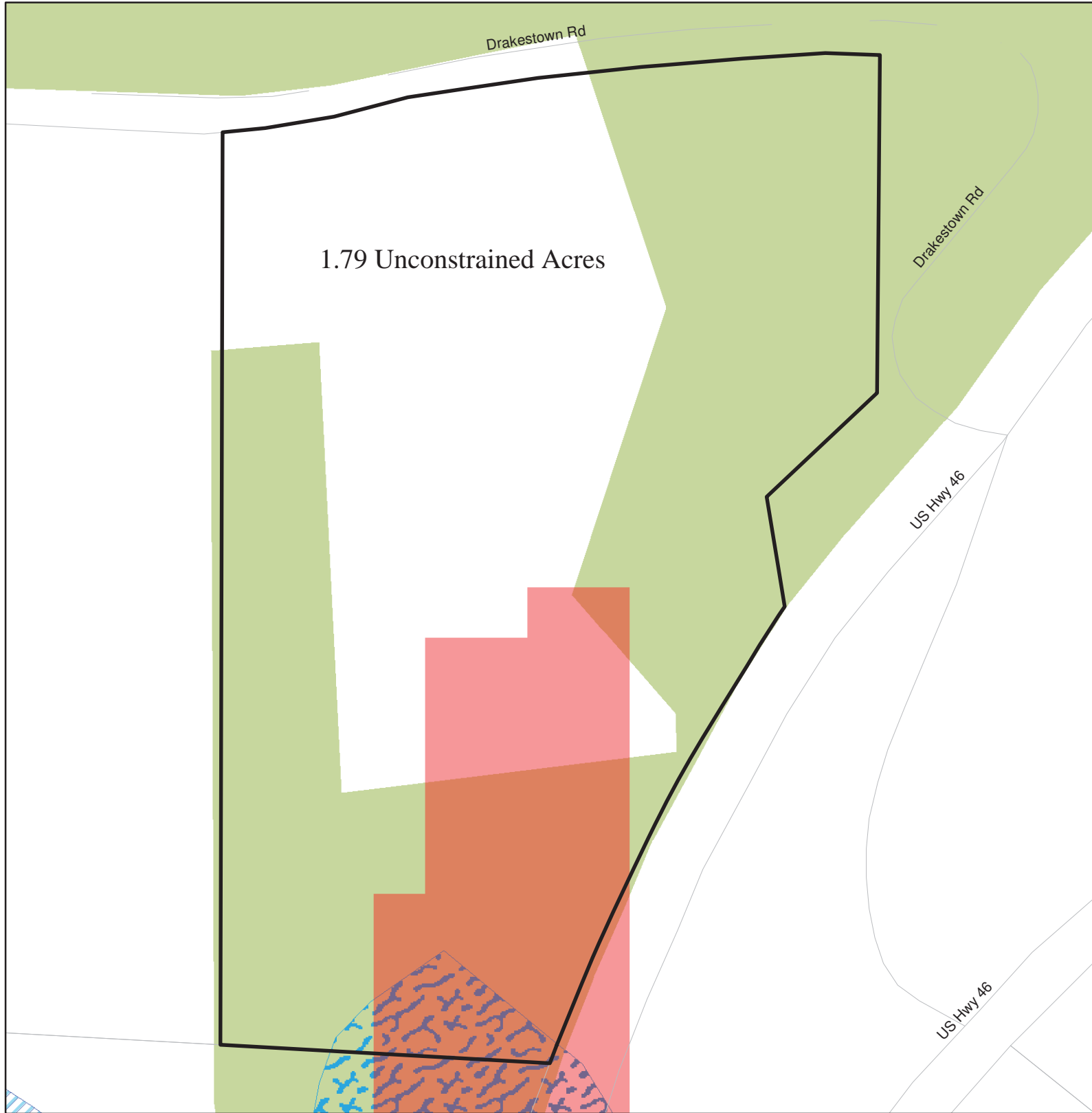
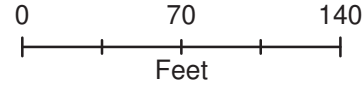
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|--|-------------------------------|--|------------------------------------|--|----------------------------|
| | Subject Property | | Confirmed Vernal Pools 300m Buffer | | Open Water Protection Area |
| | Streams | | Prime Groundwater Recharge Areas | | Critical Wildlife Habitat |
| | Steep Slopes Greater than 20% | | Special Environmental Zones | | |

Highlands RMA Constraints

Block 8, Lot 8

Washington Township, Morris County

March 2025



Legend

- | | | | | | |
|--|-------------------------------|--|------------------------------------|--|----------------------------|
| | Subject Property | | Confirmed Vernal Pools 300m Buffer | | Open Water Protection Area |
| | Streams | | Prime Groundwater Recharge Areas | | Critical Wildlife Habitat |
| | Steep Slopes Greater than 20% | | Special Environmental Zones | | |

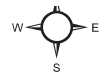
Highlands RMA Constraints

Block 19, Lot 8

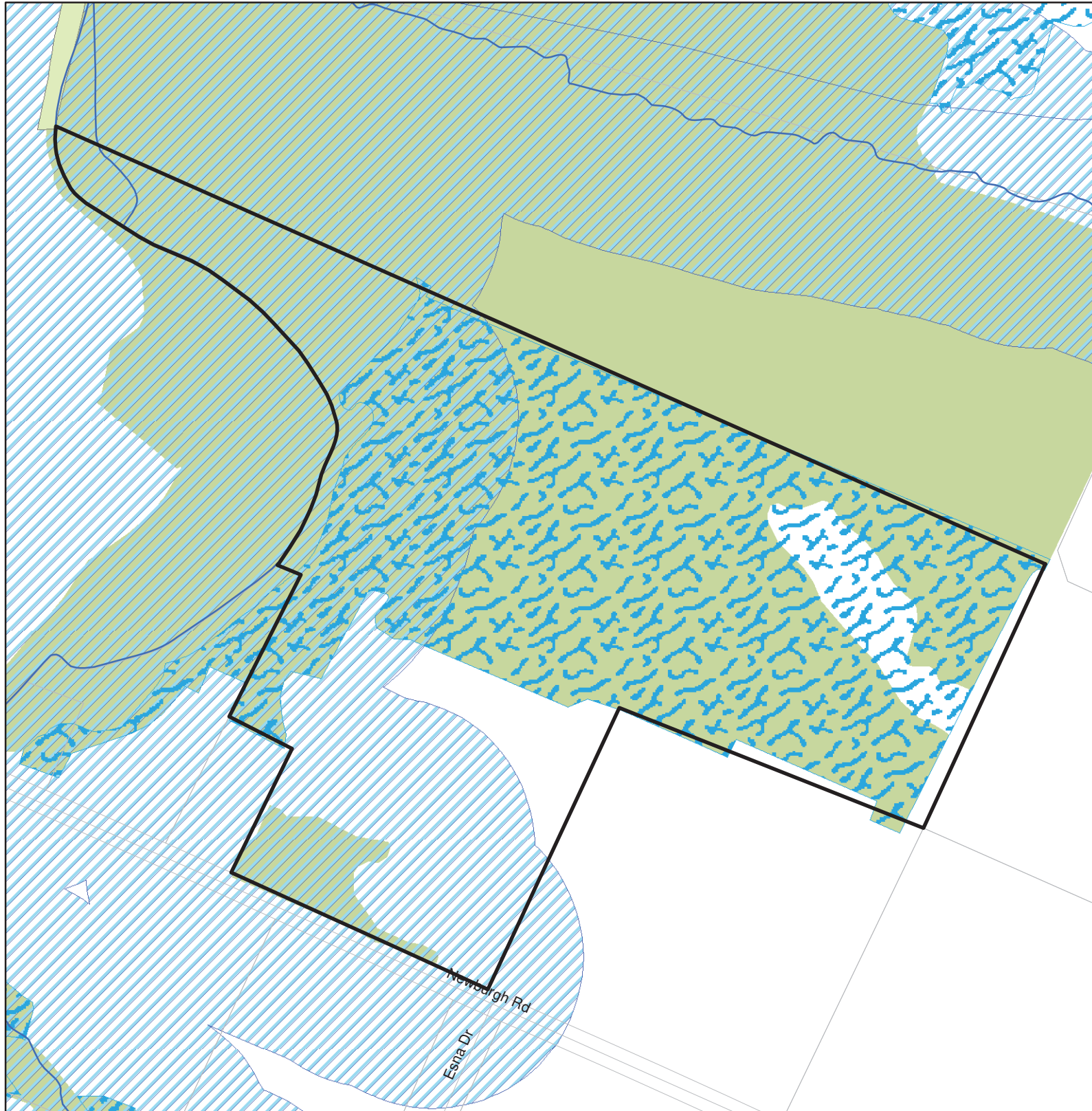
Washington Township, Morris County

March 2025

1.66 Unconstrained Acres



0 125 250
Feet



Legend

- | | | |
|-------------------------------|------------------------------------|----------------------------|
| Subject Property | Confirmed Vernal Pools 300m Buffer | Open Water Protection Area |
| Streams | Prime Groundwater Recharge Areas | Critical Wildlife Habitat |
| Steep Slopes Greater than 20% | Special Environmental Zones | |

Highlands RMA Constraints

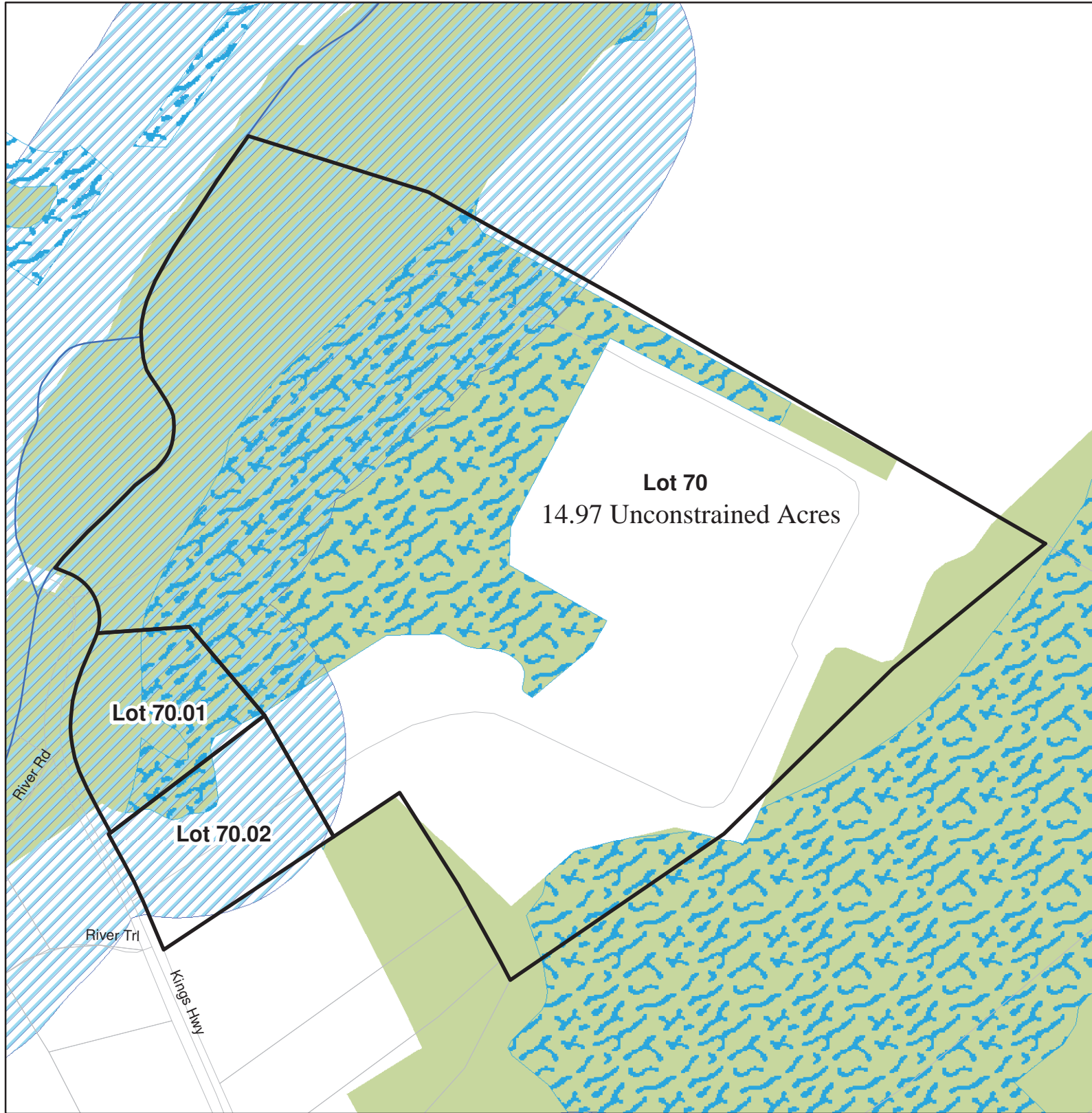
Block 30, Lots 70, 70.01 & 70.02

Washington Township, Morris County









March 2025



0 125 250
Feet



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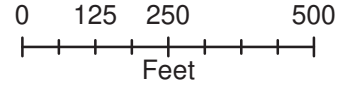
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|--|--|--|
|  Subject Property |  Confirmed Vernal Pools 300m Buffer |  Open Water Protection Area |
|  Streams |  Prime Groundwater Recharge Areas |  Critical Wildlife Habitat |
|  Steep Slopes Greater than 20% |  Special Environmental Zones | |

Highlands RMA Constraints

Block 34, Lots 46.04 & 46.03

Washington Township, Morris County

March 2025



Legend

- | | | | | | |
|--|-------------------------------|--|------------------------------------|--|----------------------------|
| | Subject Property | | Confirmed Vernal Pools 300m Buffer | | Open Water Protection Area |
| | Streams | | Prime Groundwater Recharge Areas | | Critical Wildlife Habitat |
| | Steep Slopes Greater than 20% | | Special Environmental Zones | | |

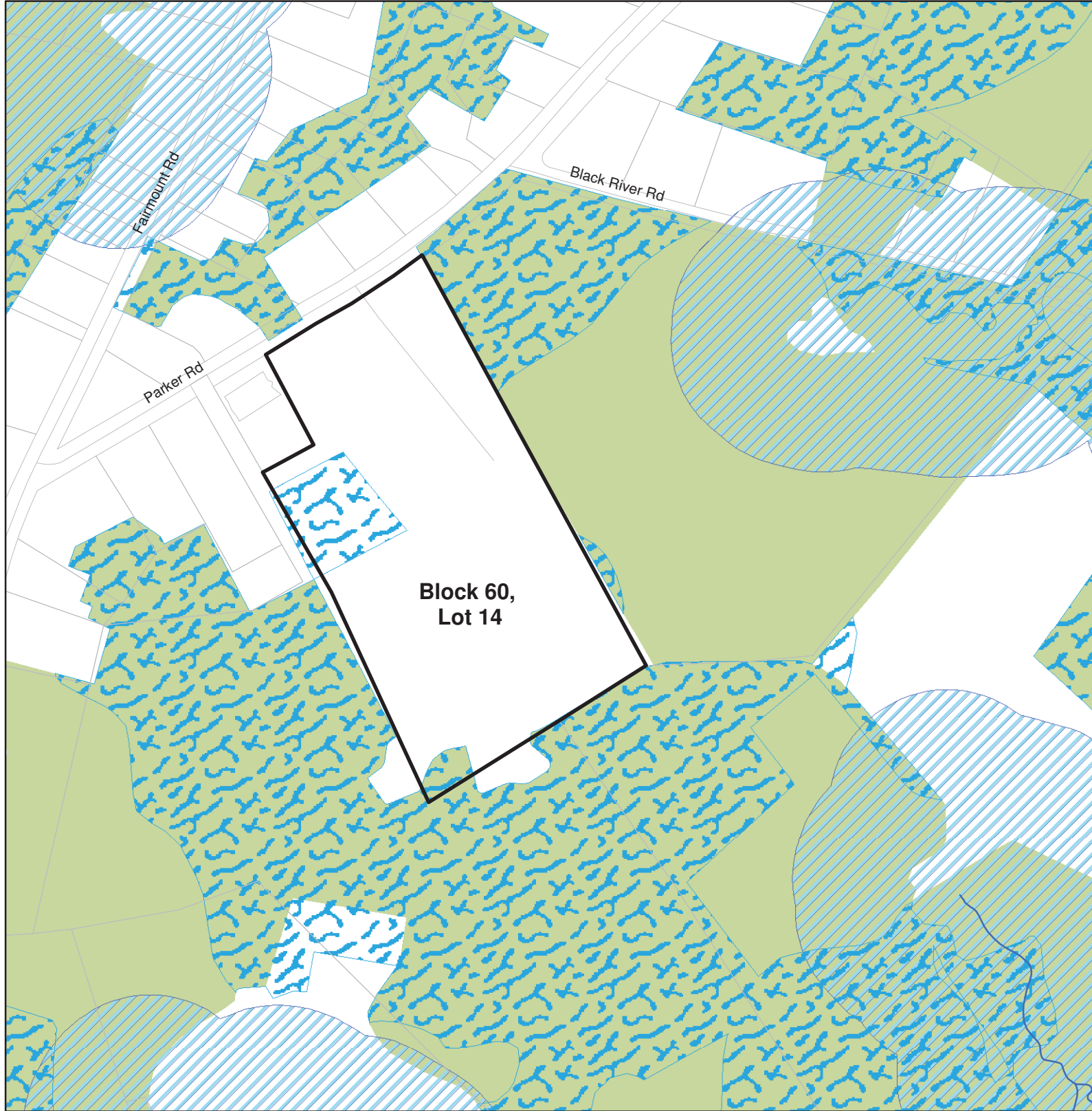
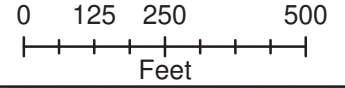
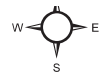
Highlands RMP Constraints

Block 60, Lot 14









Washington Township, Morris County

March 2025

14.78 Unconstrained Acres



Legend

- | | | |
|--|--|--|
|  Subject Property |  Confirmed Vernal Pools 300m Buffer |  Open Water Protection Area |
|  Streams |  Prime Groundwater Recharge Areas |  Critical Wildlife Habitat |
|  Steep Slopes Greater than 20% |  Special Environmental Zones | |

APPENDIX B

ORDINANCE # RO-05-25

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, ADOPTING THE KINGS HIGHWAY REDEVELOPMENT PLAN AND ASSOCIATED ZONING STANDARDS PERTAINING TO BLOCK 30, LOTS 70, 70.01, 70.02, A PREVIOUSLY DESIGNATED NON-CONDEMNATION REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-7 OF THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Washington Township Committee adopted Resolution No. R-112-15 on July 20, 2015 designating Block 30, Lots 70, 70.01 and 70.02, and a portion of Lot 71.03 "A Non-Condemnation Area in Need of Redevelopment" (hereinafter "Kings Highway Redevelopment Area") in accordance with the provisions set forth at N.J.S.A. 40A:12A-6 of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (hereinafter "LRHL"); and

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:12A-7.f., of the LRHL, and pursuant to Resolution No. R-112-15, the Washington Township Committee further authorized and directed the Washington Township Planning Board to prepare a Redevelopment Plan consistent with the provisions of N.J.S.A. 40A:12A-7, including, but not limited to, site access, security, buffering, setbacks and other essential site plan details, for referral to the Township Committee; and

WHEREAS, N.J.S.A. 40A:12A-7.a., in relevant part, provides that "[n]o redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, ..."; and sets forth statutory requirements for the contents of a Redevelopment Plan; and

WHEREAS, Washington Township zoning and the Washington Township Master Plan designate Block 30, Lots 70.01 and 70.02 in the Kings Highway Redevelopment Area for Residential, R-20 development; and Block 30, Lot 70 for Office Research / Industrial (OR/I) development; and

WHEREAS, Washington Township's R-20 and OR/I Zoning and Master Plan designations for the Kings Highway Redevelopment Area and the property therein have failed to attract any interest in uses permitted by existing zoning, including any new development or redevelopment in accordance with the permitted uses and Master Plan designations for the property for approximately twenty (20) years; and

WHEREAS, the buildings formerly used for industrial purposes have been removed from Lots 70, 70.01 and 70.02, and the removal of the industrial buildings has left a patchwork of impervious coverage consisting of driveways, parking areas and concrete building foundation pads formerly serving the previous industrial use of the property; and

WHEREAS, the property owner has proposed inclusionary residential development including affordable housing; and

WHEREAS, the redevelopment of the property with inclusionary residential development would advance Washington Township's goal to provide affordable housing despite the inconsistency between zoning and Master Plan designations, and proposed inclusionary residential redevelopment; and

WHEREAS, the conditions within the Kings Highway Redevelopment Area that were documented by the Washington Township Planning Board in its report entitled "Preliminary Redevelopment Investigation Area Report, Township Committee Resolution No. R-139-14, Block 30, Lots 70, 70.01, 70.02 & 71.03, Washington Township Planning Board, Public Hearing: April 13, 2015" and established the need for redevelopment in 2015, and that need for redevelopment has persisted, with the exception that buildings formerly used for industrial purposes within the redevelopment area have been removed from the site and extensive impervious coverage of the site remains; and

WHEREAS, pursuant to Washington Township Committee Resolution No. R-112-15, adopted July 20, 2015 (attached hereto and incorporated herein by reference), that designated Block 30, Lots 70, 70.01, 70.02 and a portion of Lot 71.03 a Non-Condemnation Area in Need of Redevelopment, and directed the Washington Township Planning Board (Land Use Board) to prepare a redevelopment plan for the Kings Highway Redevelopment Area, the Washington Township Land Use Board, acting as the Planning Board, has since prepared and submitted to the Washington Township Committee the attached Redevelopment Plan entitled "Kings Highway Redevelopment Plan, Washington Township 2024" (hereinafter "Redevelopment Plan") that sets forth redevelopment standards only for Block 30, Lots 70, 70.01 and 70.02 for redevelopment of the property for residential inclusionary redevelopment including affordable housing, which Redevelopment Plan addresses the statutory requirements of N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the Washington Township Land Use Board, acting in its capacity as a Planning Board, has prepared the attached Redevelopment Plan after consideration of the Township's Master Plan, zoning ordinances, existing uses on the subject properties, and input analysis from the Township Planning Professional David Banisch, PP, AICP, and Land Use Board Engineer Leon C. Hall, PE, over the course of several open public meetings, including on September 4, 2024 and October 2, 2024; and

WHEREAS, it is the opinion of the Washington Township Land Use Board and the Township's Planning Professional that the Redevelopment Plan fulfills and satisfies several purposes of the Municipal Land Use Law (hereinafter "MLUL"), including as set forth at N.J.S.A. 40:55D-2.a., -2.g., and -2.m., that the Redevelopment Plan encourages the appropriate use and development/redevelopment of land in a manner that promotes the public health, safety, and general welfare; provides for sufficient space in appropriate locations for a variety of land uses in the Township according to their environmental requirements to meet the needs of the citizens of the Township, region, and the State; and encourages coordination of public and private procedures/activities shaping land development with a view of lessening the cost of such development and the more efficient use of land; and

WHEREAS, it is the opinion of the Washington Township Land Use Board, the Township Planner, and Land Use Board Engineer that the proposed Redevelopment Plan better promotes appropriate, compatible, and suitable land uses and transition density to be situated between and among the existing OR/I Zone and adjoining R-20 Zone and R-5 Zone districts in lieu of the existing zoning for industrial and office research uses currently permitted at Block 30, Lot 70 of the property in furtherance of N.J.S.A. 40:55D-2.g. and -2.m. of the MLUL; and

WHEREAS, it is also the opinion of the Washington Township Land Use Board and Township Planner that the proposed Redevelopment Plan is reasonable and appropriate to address the Township's constitutional obligation to provide for realistic development opportunities for affordable housing in accordance with the *Mount Laurel* doctrine and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., in satisfaction of the purposes set forth at N.J.S.A. 40:55D-2.a., and 2.m. of the MLUL; and

WHEREAS, the Washington Township Committee is desirous of enacting a redevelopment plan to guide the future use, development and redevelopment of Block 30, Lots 70, 70.01 and 70.02 in a manner that serves the public health, safety and general welfare to permit residential inclusionary affordable housing development on the site that has public sewer and water already available and that was previously used for industrial purposes, and despite the technical inconsistency between existing zoning and the Washington Township Master Plan designations and residential inclusionary redevelopment, as the Redevelopment Plan better fulfills and satisfies the purposes set forth at N.J.S.A. 40:55D-2.a., -2.g., and -2.m. of the MLUL and the Township's constitutional obligation established under the *Mount Laurel* doctrine and the New Jersey Fair Housing Act, as set forth above;

NOW, THEREFORE, BE IT ORDAINED, by the Washington Township Committee of the Township of Washington, County of Morris State of New Jersey, as follows:

Section 1. The Redevelopment Plan entitled "Kings Highway Redevelopment Plan, Washington Township, 2024" (hereinafter "Redevelopment Plan") as recommended by the Washington Township Land Use Board, is hereby approved and adopted by the Washington Township Committee; and

Section 2. In accordance with the Redevelopment Plan the Code of the Township of Washington is hereby amended and supplemented, as follows:

1. Chapter 217, Zoning, Article II, Zoning Districts, subsection 217-5, Zoning Map, is hereby amended and supplemented by designating Washington Township Block 30, Lots 70, 70.01, 70.02 and a portion of Lot 71.03 as a Non-condemnation Area in Need of Redevelopment" and adding the following designation to the legend on the Zoning Map:
"Kings Highway Redevelopment Area".
2. Chapter 217, Zoning, Article III, Use Regulations, is hereby amended and supplemented, by adding the following new subsection 217-13.A. (6), as follows:
(6) Apartments and townhouses within the Kings Highway Redevelopment Area in accordance with Chapter 159 Site Plan review and § 217-59.7
3. Chapter 217, Zoning, Article III, Use Regulations, is hereby amended and supplemented, by adding the following new subsection 217-18.A. (18), as follows:
(18) Apartments and townhouses within the Kings Highway Redevelopment Area in accordance with Chapter 159 Site Plan review and § 217-59.7
4. Chapter 217, Zoning, Article VI, Supplemental Regulations Governing Certain Uses is hereby amended and supplemented with a new § 217-59.7 entitled "Kings Highway Redevelopment Plan" as follows:

§ 217-59.7 Kings Highway Redevelopment Plan, Washington Township 2024 .

In accordance with N.J.S.A. 40A:12A-1 et seq. this section provides development standards prepared pursuant to Washington Township Committee Resolution No. R-112-15, dated July 20, 2015, designating the Kings Highway Redevelopment Area and directing the Planning Board to prepare a redevelopment plan for the redevelopment of Block 30, Lots 70, 70.01, and 70.02. The Kings Highway Redevelopment Area is depicted on Attachment A (attached hereto) and consists of Block 30, Lots 70, 70.01, 70.02 and a portion of Lot 70.03. Inclusionary residential development shall be permitted within the Redevelopment area in a manner substantially consistent with the Concept Plan depicted on Attachment B, entitled "Highlands Exemption Conceptual Site Plan", prepared by E&LP, dated 8/11/2022, last revised 6/18/24 and in accordance with the standards set forth herein.

A. Purpose. The purpose of this section is to guide the redevelopment of only Block 30, Lots 70, 70.01 and 70.02 for redevelopment that will result in a neighborhood of apartments and townhouses, including on-site improvements and amenities, in furtherance of the goal of delivering affordable housing through inclusionary zoning in accordance with the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., and the *Mount Laurel* doctrine.

B. Principal Permitted Uses.

- (1) Townhouse residential units as part of an inclusionary housing neighborhood provided no townhouse building contains more than 8 units and provided at least one affordable unit is constructed on site for every four (4) market rate units.
- (2) Stacked multifamily affordable rental apartment residential units in buildings containing no more than 25 units.

C. Permitted Accessory Uses.

- (1) Off-street parking
- (2) Patios and decks
- (3) Monument Sign
- (4) Building-mounted signs for identification and emergency services
- (5) Recreational uses and residential amenities including, but not limited to common open spaces, walking paths, gazebos, tot lots, gardens, a clubhouse, swimming pool, maintenance building(s) and other structures.
- (6) Leasing/Maintenance office
- (7) Solid waste/Recycling areas
- (8) Accessory buildings or structures required for maintenance and operations
- (9) Electronic vehicle charging stations
- (10) Stormwater management basins and associated structures
- (11) Water supply hot boxes, architecturally designed to be compatible with building architecture and appropriately landscaped to shield such uses from view on and off site.
- (12) Mailboxes, architecturally designed to be compatible with building architecture and with a roof and sufficient overhang for protection from the elements.

D. Principal Building Area and Yard Requirements

Minimum Tract Size - 40 Acres
 Minimum Front Yard from ROW - 500 feet Minimum Side Yard - 100 feet
 Minimum Rear Yard from northerly tract line - 40 feet
 Maximum Improved Lot Coverage - As Permitted under Highlands Exemption #4 Maximum Building Coverage - 20%
 Minimum Distance Between Buildings (side to side) - 25 feet Minimum Distance Between Buildings (rear to rear) - 40 feet Minimum Distance Between Decks - 20 feet
 Maximum Building Length - 250 feet
 Minimum Townhouse facade offset- 2 feet between units Minimum Apartment facade offset- At least 2 feet offset every 50'
 Maximum Building Height - 40 feet, except that the maximum permitted height of units situated within interior blocks of the development may not exceed 45 feet in height.
 Maximum Stories - 3

E. Development Standards

- (1) Proposed impervious coverage shall not exceed 125% of the pre-existing impervious coverage on the site.
- (2) Rental apartments and for-sale townhouses shall only be developed as an inclusionary residential development with a 20% affordable housing set aside of the total number of dwelling units to be constructed. All affordable units shall be restricted to occupancy by

persons/households pre-qualified in advance of occupancy, as having income levels that do not exceed very low income, low- income and moderate- income levels established for Affordable Housing Region 2 in accordance with the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., as amended by P.L. 2024, c.2., the regulations established by the Council on Affordable Housing (COAH) Rules, the Uniform Housing Affordability Controls (UHAC) and any new or amended rules/regulations promulgated by any Department of New Jersey government, including the Department of Community Affairs (DCA), and the Township's Affordable Housing Ordinances, each as may be amended from time to time hereinafter.

- (a) All first-floor affordable dwelling units shall meet barrier-free code and applicable accessibility code requirements, including adaptability requirements of the Fair Housing Act.
 - (b) All affordable dwelling units shall conform to minimum square footage requirements in accordance with the Fair Housing Act, the Uniform Housing Affordability Controls (UHAC) and all other applicable rules, regulations and codes.
 - (c) All affordable dwelling units shall be deed restricted for a period of at least forty (40) years, with the Township reserving and retaining the right to extend the affordability control period for each affordable unit for an additional length of time in accordance with then applicable law within a reasonable period of time after the initial affordability control period is set to end.
- (3) Prior to any Certificate of Occupancy being issued, the owner/developer and/or the owner/developer's successors-in-interest or title to the property shall first obtain from the Township Attorney the Township of Washington's approved Affordable Housing Deed Restriction. The owner/developer and/or the owner/developer's successors-in-interest or title shall execute the Affordable Housing Deed Restriction in favor of the Township of Washington, and record the Affordable Housing Deed Restriction in the chain of title for the property in the Office of the Morris County Clerk.
 - (4) A formalized arrangement of access and parking for at least 5 vehicles including one van-accessible handicap space shall be provided adjacent to the Musconetcong River to enhance hiking and fishing access.
 - (5) A perimeter walking path shall be developed around the site connecting the pedestrian sidewalks in the neighborhood to the river, the configuration of which shall be subject to Board approval.
 - (6) The development shall provide not less than a ¼ acre cleared lawn area or areas for open play.
 - (7) A fenced tot lot shall be provided with:
 - (a) a handicap accessible path to neighborhood sidewalks;
 - (b) a pavilion for shade and outdoor seating with trash receptacles, *and*
 - (c) a facility including at least 1,500 square feet enclosed by a fence with play features to support a range of activities for tots, children consisting of weather resistant play equipment which shall include climbing and sliding activities and which provides equipment for at least 3 additional activities such as swinging, spinning, balancing, jumping, hanging, creative play, crawling, hiding, rocking, rolling, bouncing, digging, sand and water play.
 - (d) Play apparatus shall comply with applicable government agency requirements for playground design and safety. (See <http://playgroundsafety.org/standards/cpsc>). Design and construction of playgrounds shall conform to the requirements of Americans with Disabilities Act (ADA).
 - (8) Sidewalks shall be provided on at least one side of all streets. Sidewalks shall be a minimum of 4' in width and shall be separated from the curb by a 4' wide planting strip.
 - (a) There shall be a minimum setback distance of 22' between the nearest finished front plane of each dwelling unit and the edge of sidewalk.
 - (9) The driveway length between the garage door and the edge of pavement shall be:
 - (a) at least 26 feet where no sidewalk exists, and
 - (b) at least 25 feet between the garage door and the sidewalk.
 - (10) More than one principal building or structure shall be permitted per lot.
 - (11) The developer will be required to comply with any and all studies, including but not limited to environmental studies, required by the Township's land use Code provisions and the Municipal Land Use Law.

(12) Electric vehicle charging facilities shall be provided in accordance with law.

(13) Emergency generators:

(a) Permanent electric generators shall be permitted for only affordable housing units for emergency electric power in the case of electric power failure.

(b) Permanent emergency electric generator installations shall not be permitted except that the affordable housing units shall be provided with a permanent electric generator to fully power the affordable housing apartment building in the case of electric power outage.

(14) The emergency fire access lane on the west side of the tract extending to Kings Highway shall be maintained and suitably improved as may be necessary for emergency and fire-fighting apparatus access between Kings Highway and the development.

F. Concept Plan

The design of the inclusionary development shall be substantially consistent with the Concept Plan, titled "Highlands Exemption Conceptual Site Plan," prepared by John Hansen, P.E., of Environmental & Land Planning (E&LP), dated August 11, 2022, last revised June 18, 2024 (hereinafter referred to as "Concept Plan" and attached hereto as Attachment B).

Section 3. RENUMBERING. This ordinance may be renumbered for codification purposes.

Section 4. SEVERABILITY. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 5. REPEALER. Any Ordinances or parts thereof in conflict with the provisions of these Ordinance are hereby repealed as to their inconsistencies only.

Section 6. EFFECTIVE DATE. This Ordinance shall not take effect until approved by the New Jersey Highlands Council.

TOWNSHIP OF WASHINGTON,
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:


Denean Probasco, RMC, Township Clerk


Michael A. Marino, Mayor

NOTICE OF FINAL ADOPTION

Notice is hereby given that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of Washington Township, in the County of Morris, New Jersey, held on the 18th of February, 2025, and the same came up for final passage at a meeting of said Township Committee on the 21st day of April, 2025 at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Township according to law. By order of the Township Committee of the Township of Washington, County of Morris and State of New Jersey.

Adopted: April 21, 2025

Attest: I herein certify that the foregoing Ordinance was duly adopted by the Washington Township Committee at a regular meeting held by the Township Committee on April 21, 2025.


Denean Probasco, RMC
Township Clerk

Kings Highway Redevelopment Plan

Washington Township Tax Block 30, Lots 70, 70.01, 70.02
and a portion of Lot 71.03

Washington Township
Morris County, NJ

December 2024

Prepared by the Washington Township Land Use Board
in accordance with N.J.S.A. 40A:12A-1 et set.

Introduction

This redevelopment Plan was prepared by the Washington Township Land Use Board (acting as the Planning Board) in accordance with N.J.S.A. 40A:12A-1 et seq. and pursuant to Washington Township Committee Resolution No. R-112-15, dated July 20, 2015, which designated Block 30, Lots 70, 70.01, 70.02 and a portion of Lot 70.03 a Non-Condemnation Area in Need of Redevelopment (hereinafter referred to as the Kings Highway Redevelopment Area). The Kings Highway Redevelopment Area is depicted on Attachment A to this Plan.

Washington Township Committee Resolution No. R-112-15 also directed the Planning Board (now Land Use Board) to prepare a redevelopment plan for the redevelopment for the Redevelopment Area. This Redevelopment Plan sets forth a Plan for the redevelopment of Block 30, Lots 70, 70.01, and 70.02 for residential inclusionary development. This Plan identifies development standards for a total of 125 residential dwelling units consisting of 100 townhouses and 25 affordable rental apartments in accordance with the provisions of the Mount Laurel Doctrine and applicable New Jersey affordable housing law. The Kings Highway Redevelopment Area is depicted on Attachment A (attached hereto) and consists of Block 30, Lots 70, 70.01, 70.02 and a portion of Lot 70.03.

The buildings formerly occupying Block 30, Lots 70, 70.01 and 70.02 that were formally used for industrial purposes have been removed. These buildings were primarily situated on Lot 70; however, the three lots (Lots 70, 70.01 and 70.02) have been owned and continually operated under a single entity for approximately 40 – 50 years. The removal of the industrial buildings has left a patchwork of impervious coverage consisting of driveways, parking areas and concrete building foundation pads formerly serving the previous industrial use of the property. Apart from the removal of buildings formerly used for industrial purposes, the conditions establishing the need for redevelopment, as documented by the Planning Board in 2015, remain essentially unchanged from the conditions identified by the Planning Board in its Preliminary Investigation conducted in 2015.

With the enactment of the Highlands Water Protection and Planning Act in 2004 (Highlands Act), the site was designated by the NJ Legislature within the “Highlands Preservation Area.” This designated is the most restrictive of development designations within the Highlands Region. However, the developed character of the Kings Highway Redevelopment Area and the remaining impervious coverage existing at the time of the enactment of the Highlands Act entitles the property owner to redevelop the site within 125% of the existing impervious coverage that existed as of 2004.

In accordance with N.J.S.A. 40A:12A-1 et seq., a Redevelopment Plan is required to address certain statutory requirements, which are addressed in this Plan.

As directed by the Township Committee, the Washington Township Land Use Board prepared this Redevelopment Plan, which involved reviewing site conditions and exploring development options for the Kings Highway Redevelopment Area. The options identified all

included residential development including market-rate townhomes and affordable rental apartments. As mentioned above, the site is constrained by Highlands Act development limitations; however, the 125% redevelopment exemption in the Highlands Act provides enough flexibility for the site to accommodate the redevelopment identified in this Plan. In preparation of this Redevelopment Plan, a concept plan for redevelopment was developed, reviewed and analyzed by the Land Use Board, which is depicted Attachment B, entitled "Highlands Exemption Conceptual Site Plan", prepared by E&LP, dated 8/11/2022, last revised 6/18/24. It serves as the basis for this Redevelopment Plan.

The first section of this Redevelopment Plan sets forth the standards for redevelopment in the Redevelopment Area to consist of 125 residential dwelling units including market-rate townhomes and affordable rental apartments.

The second section of this Redevelopment Plan addresses the statutory requirements for a redevelopment plan as found at N.J.S.A. 40A:12A-7 call for responses to N.J.S.A 40A:12A-7.a.(1) - (8) and b. – f.

Redevelopment Plan Standards

Inclusionary residential development shall be permitted within the Redevelopment area in a manner substantially consistent with the Concept Plan depicted on Attachment B, entitled "Highlands Exemption Conceptual Site Plan", prepared by E&LP, dated 8/11/2022, last revised 6/18/24 and in accordance with the standards set forth herein.

- A. Purpose. The purpose of this section is to guide the redevelopment of Block 30, Lots 70., 70.01 and 70.02 for redevelopment that will result in a neighborhood of apartments and townhouses, including on-site improvements and amenities, in furtherance of the goal of delivering affordable housing through inclusionary zoning in accordance with the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., and the *Mount Laurel* doctrine.
- B. Principal Permitted Uses.
 - (1) Townhouse residential units as part of an inclusionary housing neighborhood provided no townhouse building contains more than 8 units and provided at least one affordable unit is constructed on site for every four (4) market rate units.
 - (2) Stacked multifamily affordable rental apartment residential units in buildings containing no more than 25 units.
- C. Permitted Accessory Uses.
 - (1) Off-street parking
 - (2) Patios and decks
 - (3) Monument Sign
 - (4) Building-mounted signs for identification and emergency services
 - (5) Recreational uses and residential amenities including, but not limited to common open spaces, walking paths, gazebos, tot lots, gardens, a clubhouse,

- swimming pool, maintenance building(s) and other structures.
- (6) Leasing/Maintenance office
- (7) Solid waste/Recycling areas
- (8) Accessory buildings or structures required for maintenance and operations
- (9) Electronic vehicle charging stations
- (10) Stormwater management basins and associated structures
- (11) Water supply hot boxes, architecturally designed to be compatible with building architecture and appropriately landscaped to shield such uses from view on and off site.
- (12) Mailboxes, architecturally designed to be compatible with building architecture and with a roof and sufficient overhang for protection from the elements.

D. Principal Building Area and Yard Requirements

- Minimum Tract Size - 40 Acres
- Minimum Front Yard from ROW - 500 feet
- Minimum Side Yard - 100 feet
- Minimum Rear Yard from northerly tract line - 40 feet
- Maximum Improved Lot Coverage - As Permitted under Highlands Exemption #4
- Maximum Building Coverage - 20%
- Minimum Distance Between Buildings (side to side) - 25 feet
- Minimum Distance Between Buildings (rear to rear) - 40 feet
- Minimum Distance Between Decks – 20 feet
- Maximum Building Length - 250 feet
- Minimum Townhouse facade offset– 2 feet between units
- Minimum Apartment facade offset– At least 2 feet offset every 50'
- Maximum Building Height - 40 feet, except that the maximum permitted height of units situated within interior blocks of the development may not exceed 45 feet in height.
- Maximum Stories - 3

E. Development Standards

- (1) Proposed impervious coverage shall not exceed 125% of the pre-existing impervious coverage on the site.
- (2) Affordable rental apartments and for-sale townhouses shall only be developed as an inclusionary residential development with a 20% set aside of the total number of units to be constructed which shall be restricted to ownership/occupancy by persons/households with income levels that do not exceed very low income, low-income and moderate income levels established for Affordable Housing Region 2 in accordance with the the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., as amended by P.L. 2024, c.2., the regulations established by the Council on Affordable Housing (COAH) Rules, the Uniform Housing Affordability Controls (UHAC) and any new or amended rules/regulations promulgated by any

Department of New Jersey government, including the Department of Community Affairs (DCA), as amended from time to time hereinafter.

- (a) All first-floor affordable dwelling units shall meet barrier-free code and applicable accessibility code requirements, including adaptability requirements of the Fair Housing Act.
 - (b) All affordable dwelling units shall conform to minimum square footage requirements in accordance with the Fair Housing Act, the Uniform Housing Affordability Controls (UHAC) and all other applicable rules, regulations and codes.
- (3) Prior to any Certificate of Occupancy being issued, the owner/developer and/or the owner/developer's successors-in-interest or title to the property shall first obtain from the Township Attorney the Township of Washington's approved Affordable Housing Deed Restriction. The owner/developer and/or the owner/developer's successors-in-interest or title shall and execute the Affordable Housing Deed Restriction in favor of the Township of Washington, and record the Affordable Housing Deed Restriction in the chain of title for the property in the Office of the Morris County Clerk.
- (4) A formalized arrangement of access and parking for at least 5 vehicles including one van-accessible handicap space shall be provided adjacent to the Musconetcong river to enhance hiking and fishing access.
- (5) A perimeter walking path shall be developed around the site connecting the pedestrian sidewalks in the neighborhood to the river, the configuration of which shall be subject to Board approval.
- (6) The development shall provide not less than a ¼ acre cleared lawn area or areas for open play.
- (7) A fenced tot lot shall be provided with:
- a handicap accessible path to neighborhood sidewalks;
 - a pavilion for shade and outdoor seating with trash receptacles, *and*
 - a facility including at least 1,500 square feet enclosed by a fence with play features to support a range of activities for tots, children consisting of weather resistant play equipment which shall include climbing and sliding activities and which provides equipment for at least 3 additional activities such as swinging, spinning, balancing, jumping, hanging, creative play, crawling, hiding, rocking, rolling, bouncing, digging, sand and water play.
 - Play apparatus shall comply with applicable government agency requirements for playground design and safety. (See <http://playgroundsafety.org/standards/cpsc>). Design and construction of playgrounds shall conform to the requirements of Americans with Disabilities Act (ADA).
- (8) Sidewalks shall be provided on at least one side of all streets. Sidewalks shall be a minimum of 4' in width and shall be separated from the curb by a 4' wide planting strip.
- (a) There shall be a minimum setback distance of 22' between the nearest finished front plane of each dwelling unit and the edge of sidewalk.
- (9) The driveway length between the garage door and the edge of pavement shall

be:

1. at least 26 feet where no sidewalk exists, and
2. at least 25 feet between the garage door and the sidewalk.
- (10) More than one principal building or structure shall be permitted per lot.
- (11) The developer will be required to comply with any and all studies, including but not limited to environmental studies, required by the Township's land use Code provisions and the Municipal Land Use Law.
- (12) Electric vehicle charging facilities shall be provided in accordance with law.
- (13) Emergency generators:
 - a) Permanent electric generators shall be permitted for only affordable housing units for emergency electric power in the case of electric power failure.
 - b) Permanent emergency electric generator installations shall not be permitted except that the affordable housing units shall be provided with a permanent electric generator to fully power the affordable housing apartment building in the case of electric power outage.
- (14) The emergency fire access lane on the west side of the tract extending to Kings Highway shall be maintained and suitably improved as may be necessary for emergency and fire-fighting apparatus access between Kings Highway and the development.

F. Concept Plan

The design of the inclusionary development shall be substantially consistent with the Concept Plan, titled "Highlands Exemption Conceptual Site Plan," prepared by John Hansen, P.E., of Environmental & Land Planning (E&LP), dated August 11, 2022, last revised June 18, 2024 (hereinafter referred to as "Concept Plan", and incorporated herein as Attachment B).

Statutory Requirements of a Redevelopment Plan

The statutory requirements of N.J.S.A. 40A:12A-7 call for responses to N.J.S.A 40A:12A-7.a.(1) - (8) and b. – f., which are provided below in italicized text below. The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

N.J.S.A 40A:12A-7.a. (1) Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

Appropriate Land Use - This Redevelopment provides for a multi-family neighborhood of townhouses and apartments that includes 25 units affordable to low- and moderate-

income households and persons in close proximity to State Highway 57 and the commercial services available nearby.

No significant population density change – Applying the ratio of 2.84 person/household as recorded by the US Census Bureau in July 2023, the 125 units will accommodate approximately 355 persons. Based on the July 2022 population estimate of 18,197, an increase of 355 persons represents an increase of just 1.8% of the Township's total population.

No permanent traffic impact no impact to public transportation - The project will result in a temporary traffic impact related to the construction phase of development during which time construction vehicles and construction labor vehicles will travel to and from the site. At the anticipated rate of 10 vehicle trips per unit per day, the anticipated traffic anticipated to be generated from the development of the site is 1,250 trips per day, of which approximately 55% of the traffic is anticipated to flow to State Route 75, which is roughly 1,000' from the site. This would equate to approximately 688 vehicle trips to NJ State Route 57. 563 Vehicle trips could be anticipated (45%) from the site to the east on Kings Highway. There are no public transportation facilities serving the site and there will be no impact to public transportation.

Public Utilities – The site is served by public water and sewer provided by the Hackettstown Municipal Utility Authority.

No Public Recreation, Community Facilities, Public Improvements - This Redevelopment Plan anticipates the provision of public access from the site to the Musconetcong River to the west. Private recreation facilities serving the residents of the redevelopment area will be developed, including tot and child play equipment, and approximately 1/4-acre of open play field area.

N.J.S.A 40A:12A-7.a. (2) Proposed land uses and building requirements in the project area.

Section 2 of this ordinance amends the Township's land use ordinances to permit the redevelopment of the site with an inclusionary residential development consisting of townhouses and affordable apartments. This ordinance establishes appropriate development standards to permit this development while limiting the impacts to adjoining rural land uses.

N.J.S.A 40A:12A-7.a. (3) Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

The site is vacant. No residential relocation is involved.

N.J.S.A 40A:12A-7.a. (4) An identification of any property within the redevelopment area proposed to be acquired in accordance with the redevelopment plan.

No property acquisition is needed or proposed.

N.J.S.A 40A:12A-7.a. (5) Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L. 1985, c.398 (C.52:18A-196 et al.).

The Washington Township Master Plan identifies the Kings Highway Redevelopment Area (Block 30, Lots 70, 70.01 and 70.02) within the Washington Township Resource Conservation District. This R-5 Zoning designation, crafted to protect groundwater quality and quantity, requires a minimum residential lot area of 5-acres per dwelling unit for a standard septic system and permits all forms of agriculture and farming, as well as schools, houses of worship and community facilities and utility uses. This Redevelopment Plan ordinance establishing inclusionary residential development as a permitted use responds to the Township's desire to provide affordable housing and townhouse development to respond to emerging demands. Additionally, the proposal is not inconsistent with the Township's Master Plan intent for this area to be primarily for residential use and agriculture, although not at such density. The proposed development will respect the groundwater protection objective by being served by the Hackettstown Municipal Utilities Authority.

The State Development and Redevelopment Plan defers to the Highlands Regional Master Plan (RMP) as the regional plan operative for lands within the NJ Highlands. The Kings Highway Redevelopment Area is situated within the Highlands RMP Preservation Area. This redevelopment plan is not inconsistent with the policies of the Highlands RMP because the RMP specifically establishes provisions for redevelopment consistent with the redevelopment for the site that is identified in this Redevelopment Plan.

N.J.S.A 40A:12A-7.a. (6) As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.

As of July 20, 2015, there were no residential dwelling units affordable to low- and moderate-income households whatsoever occupying Block 30, Lots 70, 70.01, 70.02 and 71.03.

N.J.S.A 40A:12A-7.a. (7) A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for

those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.

No displacement of persons occupying residential dwelling units affordable to low-and moderate-income persons or households will result from this Redevelopment Plan. None have existed within the Redevelopment Area. This Redevelopment Plan specifically calls for the creation of 25 new affordable residential dwelling units, which will increase the inventory of affordable dwelling units in Washington Township.

N.J.S.A 40A:12A-7.a. (8) Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

This Redevelopment Plan requires the provision of electric vehicle charging infrastructure in accordance with New Jersey law.

N.J.S.A 40A:12A-7.b. A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L. 1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan.

The Kings Highway Redevelopment Plan provides for an inclusionary residential development requiring 20% of the Townhouses and Apartments units to be constructed to be deed-restricted for at least 40 years for exclusive occupancy by pre-qualified very-low, low-income and moderate-income households/ individuals, with the Township reserving and retaining the right to extend the affordability control period for each Affordable Unit for an additional length of time in accordance with then applicable law, which right shall be exercised by the Township within a reasonable period of time following the end of the initial 40 year affordable control period.

N.J.S.A 40A:12A-7.c. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L. 1975, c.291 (C.40:55D-1 et seq.). The redevelopment plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area. When the redevelopment plan supersedes any provision of the development regulations, the ordinance adopting the redevelopment plan shall contain an explicit amendment to the zoning district map included in the zoning ordinance. The zoning district map as amended shall indicate the redevelopment area to which the redevelopment plan applies. Notwithstanding the provisions of the "Municipal Land Use Law," P.L. 1975, c.291 (C.40:55D-1 et seq.) or of other law, no notice beyond that required for adoption of

ordinances by the municipality shall be required for the hearing on or adoption of the redevelopment plan or subsequent amendments thereof.

This Redevelopment Plan amends Washington Township OR/I Office Research / Industrial Zoning and the Washington Township Zoning Map by adding the “Kings Highway Redevelopment Area” zoning designation as a permitted use for the tract designated Block 30, Lots 70, 70.01 and 70.02 in Washington Township, which has been designated a “Non-condemnation Area in Need of Redevelopment” by Washington Township Committee Resolution No. R-112-15 adopted July 20, 2015 in accordance with the procedures set forth at N.J.S.A. 40A:12A-14.

N.J.S.A 40A:12A-7.d. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.

Existing Washington Township Master Plan policies do not permit inclusionary development as a permitted use for Block 30, Lots 70, 70.01 and 70.02. However, the provision of affordable housing remains an overarching municipal master plan objective and thus is not inconsistent with the Washington Township Master Plan.

N.J.S.A 40A:12A-7.e. Prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan. This report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate. The governing body, when considering the adoption of a redevelopment plan or revision or amendment thereof, shall review the report of the planning board and may approve or disapprove or change any recommendation by a vote of a majority of its full authorized membership and shall record in its minutes the reasons for not following the recommendations. Failure of the planning board to transmit its report within the required 45 days shall relieve the governing body from the requirements of this subsection with regard to the pertinent proposed redevelopment plan or revision or amendment thereof. Nothing in this subsection shall diminish the applicability of the provisions of subsection d. of this section with respect to any redevelopment plan or revision or amendment thereof.

Washington Township Committee Resolution No. R-112-15 adopted on July 20, 2015 authorizes the Planning Board to prepare this redevelopment plan, which under the statute relieves the Planning Board of the obligation to prepare a report to the governing body on the redevelopment plan prior to the governing body introducing and adopting the Redevelopment Plan Ordinance.

N.J.S.A 40A:12A-7.f. The governing body of a municipality may direct the planning board to prepare a redevelopment plan or an amendment or revision to a

redevelopment plan for a designated redevelopment area. After completing the redevelopment plan, the planning board shall transmit the proposed plan to the governing body for its adoption. The governing body, when considering the proposed plan, may amend or revise any portion of the proposed redevelopment plan by an affirmative vote of the majority of its full

authorized membership and shall record in its minutes the reasons for each amendment or revision. When a redevelopment plan or amendment to a redevelopment plan is referred to the governing body by the planning board under this subsection, the governing body shall be relieved of the referral requirements of subsection e. of this section.

P.L. 1992,c.79,s.7.

The Washington Township Planning Board has prepared this Kings Highway Redevelopment Plan in response to Washington Township Committee Resolution No. R-112-15 adopted July 20, 2015, which directed the Washington Township Planning Board to prepare this Plan and refer it to the governing body to enact regulations for the inclusionary development of the property.

Attachments A and B:

Redevelopment
Area

Block / Lot	Acreage	Prop. Tax Class	Zoning	Ownership
30 / 70	30.38	4A	OR/I	Kings Highway Investors, LLC
30 / 70.01	1.09	4B	OR/I	Kings Highway Investors, LLC
30 / 70.02	1.53	1	OR/I	Kings Highway Investors, LLC
30 / 71.05	1.00	3A	OR/I	The Nicholas Martin Foundation
30 / 71.05	50.38	Q Farm - 3B	OR/I	The Nicholas Martin Foundation
Total:	102.38			

