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TOWNSHIP OF SPARTA

SUSSEX COUNTY, NEW JERSEY

MASTER PLAN HOUSING ELEMENT AND FAIR SHARE PLAN

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ACKNOWLEDGEMENTS

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The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.

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01 INTRODUCTION

This document is presented in two parts; which include (i) the Township of Sparta ("Township" or "Sparta") Master Plan Housing Element and (ii) the Township of Sparta Fair Share Plan. This Housing Element and Fair Share Plan addresses the Township's compliance with the Municipal Land Use Law ("MLUL"), relevant Second Round Council on Affordable Housing ("COAH") regulations, relevant Uniform Housing Affordability Controls ("UHAC") regulations, the Highlands Water Protection and Planning Act and its rules, regulation and guidance documents (Highlands Act and Regulations), and other applicable law. The Master Plan Housing Element will examine the Township's demographics, and employment characteristics, population and demographic characteristics of the Township of Sparta, along with the housing stock and historic trends throughout the decades. A Housing Plan according to the N.J. Stat. § 52:27D-310 must include, but is not limited to, residential standards and proposals for the construction and improvement of housing. The Housing Element shall contain at least the following:

- 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;
- A projection of the municipality's housing stock, including the probable future construction of low and moderate 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;
- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024. c.2 (C.52:27D-304.1);
- A consideration of the lands most appropriate for the 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.

- 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)*;
- 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
- An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

The Fair Share Plan will address the plan to meet Sparta's Fair Share Housing Obligation. The Fair Share Plan is part of the "Fourth Round" from 2025 to 2035, and will include the projects and strategies to address the Fourth Round affordable housing obligations.

02 FOURTH ROUND HOUSING ELEMENT

A. OVERVIEW

This 2025 Housing Element and Fair Share Plan was prepared in response to the Amendments to the Fair Housing Act (P.L. 2024, c.2) which established the requirements for the “Fourth Round”, and has been prepared in accordance with the Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-28b(3). The Housing Element and Fair Share Plan has also been prepared to comply with all requirements of the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), Mount Laurel case law, and the NJ DCA Division of Local Planning Services Fair Housing Act Rules, Proposed New Rules (N.J.A.C. 5:99).

1. STATEWIDE AFFORDABLE HOUSING HISTORY

The affordable housing, or Mount Laurel doctrine, started with the 1975 decision by the N.J. Supreme Court involving the Township of Mount Laurel (So. Burl. Cty. N.A.A.C.P. v. Tp. of Mt. Laurel, 67 N.J. 151 (1975) or “Mount Laurel I”). In Mount Laurel I, the Supreme Court decided that under the State Constitution, each municipality “must, by its land use regulations, make realistically possible the opportunity for an appropriate variety and choice of housing for all categories of people who may desire to live there”, including those of low and moderate income. Thus, the Mount Laurel I decision prohibits municipalities from using zoning powers to prevent the potential for the development of affordable housing.

Displeased with progress under its earlier decision, in 1983, the NJ Supreme Court released a second Mount Laurel decision (So. Burlington Ct. N.A.A.C.P. v. Mount Laurel Tp., 92 N.J. 158 (1983) or “Mount Laurel II”). Because the Legislature had not enacted laws to implement the holding in Mount Laurel I, the Court in Mount Laurel II fashioned a judicial, or what is commonly referred to as a “Builder’s remedy”. That remedy created a special process by which builders could file suit for the opportunity to construct housing at much higher densities than a municipality otherwise would allow as long as they set-aside an amount of that housing for low- and moderate-income households. In essence, Builder’s Remedy lawsuits seek to force towns to meet their affordable housing obligations generally utilizing the site proposed by the builder bringing the lawsuit.

Responding to the builder’s remedy litigation generated by the Mount Laurel II decision and the high fair share obligations generated by the AMG Realty Co. v. Warren Tp., 207 N.J. Super. 388 (Law 1984) decision, the State Legislature passed the Fair Housing Act (hereinafter “FHA”) in 1985, which the Supreme Court upheld in (Hills Dev. Co. v. Bernards Twp., 103 N.J. 1 (1986) or “Mount Laurel III”).

The FHA created COAH, and required COAH to adopt criteria and guidelines not only to establish a fair share formula, but also to establish various means by which a municipality could adjust its fair share based upon credits, adjustments and other factors within COAH’s discretion. The FHA also required COAH to adopt criteria and guidelines to identify the techniques available to municipalities to meet its obligation. The FHA included a process for municipalities to obtain Substantive Certification, which, if granted by COAH, would protect municipalities against an exclusionary zoning lawsuit for a defined period of time. The FHA also provided a means by which a municipality in an exclusionary zoning case at that time could seek to transfer its case to the newly

created state agency, COAH. Finally, the FHA established an administrative process by which a municipality could bring itself under COAH's jurisdiction and comply "without litigation" N.J.S.A. 52:27D-303. To implement the FHA requirements, COAH adopted a series of regulations. COAH adopted the First Round regulations in 1986. In the First Round, COAH adopted regulations establishing a fair share formula by which any municipality could ascertain its fair share in the first instance. COAH also adopted regulations to enable municipalities with insufficient land and other critical resources to address the number generated by the formula to adjust their fair share to the number of units that could realistically be achieved through traditional inclusionary zoning, i.e., rezoning suitable sites at densities of at least 6 units per acre with a 20 percent set-aside. The adjusted fair share became the municipality's fair share and COAH imposed no obligation on the municipality beyond its fair share, as adjusted.

COAH adopted its Second Round regulations in 1994. As in the First Round, COAH adopted regulations (a) by which all municipalities could ascertain the number generated by a fair share formula and (b) by which municipalities with insufficient land or other critical resources could obtain an adjustment to the number generated by the formula. COAH labelled the adjusted number the "realistic development potential" or "RDP" and COAH labelled the difference between the number generated by the formula and the RDP as the "unmet need." In contrast to the First Round regulations, COAH gave itself the discretion to consider the imposition of alternative mechanisms for addressing all or a part of its unmet need. In this regard, N.J.A.C. 5:93-4.2 (h) provides that COAH "may" require a land or critical resource-poor municipality to adopt a development fee ordinance, and overlay ordinance and other ordinances to address all or a portion of the so-called unmet need.

Third Round regulations were supposed to be adopted in 1999 when the Second Round rules were set to expire. However, COAH did not adopt the first iteration of Third Round rules until 2004. In 2007, the Appellate Division affirmed portions of COAH's 2004 Third Round rules, but invalidated other aspects of them. See In Re Adoption of N.J.A.C. 5:94 & 5:95, 390 N.J. Super. 1 (App. Div. 2007). The opinion remanded the matter to COAH for adoption of new compliant regulations, and gave the agency six months to do so.

After the Appellate Division gave COAH two extensions of the six-month deadline, COAH finally adopted a second set of Third Round rules in September of 2008. Many municipalities submitted Third Round affordable housing plans to COAH and to courts for approval in December of 2008 in response to the new Third Round rules.

On October 8, 2010, the Appellate Division concluded that COAH's revised 2008 regulations suffered from many of the same deficiencies as the first set of Third Round rules, and it invalidated substantial portions of the 2008 Third Round regulations again. See In re Adoption of N.J.A.C. 5:96 & 5:97, 416 N.J. Super. 462 (App. Div. 2010). The decision was appealed to the New Jersey Supreme Court, which invalidated the second version of the Third Round regulations and directed COAH to use a methodology for determining prospective affordable housing needs similar to the methodologies used in the prior rounds. See In re Adoption of N.J.A.C. 5:96 & 5:97, 215 N.J. 578, 612, 616-17 (2013).

During this same time period, Governor Christie initiated a series of steps to abolish or reduce the role of COAH. During this time period the Legislature introduced a Bill, which would have transformed the affordable housing world. The S-1 Bill in its initial form was supported by Governor Christie. By the time it went through the Assembly, however, a very different bill passed and the Governor conditionally vetoed the Bill.

Frustrated with the lack of movement by COAH to adopt updated Third Round rules, the Supreme Court issued an order on March 14, 2014, which required COAH to adopt new Third Round regulations by October 22, 2014. COAH proposed the third version of Third Round regulations on April 30, 2014. Unfortunately, in October of 2014, the COAH Board deadlocked 3-3 when voting to adopt the third version of Third Round regulations. COAH never made any effort to overcome the deadlock and, consequently, COAH never adopted Third Round regulations for a third time.

In response to COAH's failure to adopt Third Round regulations, on March 10, 2015, the Supreme Court issued Mount Laurel IV. See In re Adoption of N.J.A.C. 5:96 & 5:97, 221. N.J. 1 (2015). In this decision, the Court (1) found that COAH had violated the March 14, 2014 Order by failing to adopt new Third Round regulations by October 22, 2014, (2) held that, without new Third Round regulations, COAH could not process municipalities' petitions for substantive certification, (3) directed trial courts to assume COAH's functions, and (4) authorized municipalities under COAH's jurisdiction to file Declaratory Judgment Actions along with a motion for Temporary Immunity between June 8, 2015 and July 8, 2015, or risk exposure to Builder's Remedy lawsuits.

While the Supreme Court in the 2015 case declined to adopt a specific methodology or formula to calculate the Third Round affordable housing obligations of the municipalities and instead left that determination to the 15 Mount Laurel Judges (one in each vicinage), it did provide some guidance. The Court also treated municipalities that had participated in the COAH process at the point it issued its decision, but had not yet secured COAH's approval of their affordable housing plans in the same way that the 1985 FHA treated municipalities that had been in builder's remedy litigation at that time and had thereafter secured a transfer of their case from the court to COAH. Such municipalities secured enormous protections from developers seeking to dictate how the municipalities satisfied their obligations.

On March 20, 2024, Governor Murphy signed P.L. 2024, c.2 into law, amending the Fair Housing Act (FHA) and establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine.

2. SUMMARY OF THE MT. LAUREL DOCTRINE IN THE CONTEXT OF SPARTA

The Mt. Laurel doctrine imposes on municipalities the obligation to create a "realistic opportunity" for the development of low- and moderate-income housing. "[W]hether the opportunity is 'realistic' will depend on whether there is in fact a likelihood-to the extent economic conditions allow-that the lower income housing will actually be constructed." Southern Burlington County N.A.A.C.P. v. Mount Laurel Twp., 92 N.J. 158, 222 (1983) ("Mt. Laurel II"). The obligation is limited by "rational long-range land use planning" and should not arise from "sheer economic forces[.]" Id. at 215. The Court in Mt. Laurel II further directed that the Mt. Laurel doctrine coincide with the "fundamental legitimate control of municipalities over their own zoning and, indeed, their destiny". Id. at 214.

Pursuant to the New Jersey State Development Plan, Sparta Township is divided between the PA5, or Environmentally Sensitive Planning Area; the PA4, or Rural Planning Area; and the PA4B or Rural/Environmentally Sensitive Planning Area. In addition, Sparta is located in the Highlands Region, with its eastern portion in the Highlands Preservation Area, and the western portion largely within the Highlands Planning Area. These areas contain limited public sewer capacity and are considered areas of exceptional natural resource value. Additionally, in 2003, the State Planning Commission designated Sparta as a "Center."

The Mt. Laurel doctrine provides that judicial remedies must be met by sound planning, which, as the Court emphasized, ties a municipality's affordable housing obligation to areas designated for growth in order to balance the goal of conservation. *Id.* at 237-38; 231. Specifically, development of low- and moderate-income housing is to be channeled into areas in which the State Plan encourages growth "and only in these areas." *Id.* 226-27 (emphasis added). The Court repeatedly emphasized the purpose of the Mt. Laurel doctrine to "channel the entire prospective lower income housing need in New Jersey into "growth areas." *Id.* at 244. "Where a municipality's zoning provides for its fair share of low- and moderate-income housing ... it is not obliged, in its other zones, to allow for the maximum density of construction that environmental factors will permit." *Id.* at 315 (emphasis added). Further, even areas designated for growth are to be shielded from the effects of "inevitable" development if such areas contain open spaces and areas of scenic beauty. *Id.* at 224.

The Fair Housing Act ("FHA"), enacted as the legislative response to the Mt. Laurel decisions, further intended that statewide development be tempered by a municipality's "respective environmental requirements" in order "to promote the conservation of open space and valuable natural resources and to prevent urban sprawl and degradation of the environment through improper use of land." *Id.* at 229 (quoting N.J.S.A. 40:55D-2).

While the FHA suggests that municipalities may implement "a plan for infrastructure expansion and rehabilitation if necessary to assure the achievement of the municipality's fair share of low and moderate income housing," subsection 311(9)(d) of the Act provides that "nothing in [the Act] shall require a municipality to raise or expend municipal revenues in order to provide low and moderate income housing." The Mt. Laurel II court emphasized that development of low and moderate income housing is expected to utilize existing infrastructure, "contiguous with existing development," and to take shape in harmony with the municipality's "respective environmental requirements." *Id.* at 229; 231 (quoting the SDGP). A municipality's Fair Share obligation should be adjusted "based on available vacant and developable land, infrastructure considerations or other environmental factors." In re: Adoption of N.J.A.C. 5:94 and N.J.A.C. 5:95, 390 N.J. Super 1, 21 (2007).

Pursuant to the role intended for Planning Areas 4 and 5, the Township's Prospective Regional Need allocation should be largely, if not entirely, contained within the Township Center or other areas served by sewer, and not in areas that would strain sewer capacity or threaten natural resources. In re: Adoption of N.J.A.C. 5:94 and N.J.A.C. 5:95, 390 N.J. Super at 54.

The Fair Housing Act states that a municipality "may provide for its fair share of low and moderate income housing by means of any technique or combination of techniques which provide a realistic opportunity for the provision of the fair share." N.J.S.A. 52:27D- 311(a) (emphasis added). The New Jersey Supreme Court has repeatedly underscored this flexibility, noting that the Mt. Laurel doctrine "is much too complex to be dogmatic about almost anything." *Mt. Laurel II*, 92 NJ, *supra*, 243; In re Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. at 33 (stating that "courts should employ flexibility in assessing a town's compliance[.]"). In short, the Mt. Laurel doctrine requires "achievement of the constitutional goal, rather than the method of relief selected to achieve it." *Mt. Laurel II*, 92 N.J. at 237. This means only that "provisions for low and moderate income housing" be in place. *Id.* at 243. Once such provisions are shown to exist, a municipality's obligation is met. *Id.* at 259-260.

As municipalities themselves are best qualified to provide the most accurate and up to date data on land adjustments, completed units, and other considerations, the township is entitled to

individualized, case-by-case evaluation from the Court as to whether its housing plan satisfies its Mt. Laurel obligation. In re Adoption of NJAC 5:96 and 5:97 supra, 221 N.J. at 29.

2. SUMMARY OF SPARTA'S AFFORDABLE HOUSING HISTORY AND ACTIVITIES

The Sparta Township Council and Planning Board prepared the original Fair Share Housing Plan in January 1987, and submitted the plan to the Council on Affordable Housing for substantive certification with a calculated need of 17 units.

Thereafter, Sparta adopted a Second Round HEFSP dated September 17, 1997. The Township of Sparta petitioned for substantive certification from the Council on Affordable Housing (COAH) as a part of the planning process.

The Township of Sparta last adopted a Third Round Housing Element and Fair Share Plan (HEFSP) in 2016. The 2016 HEFSP was an update to the 2008 HEFSP, at which time the Township petitioned the Council on Affordable Housing (COAH) for substantive certification on December 29, 2008. In response to the that petition, Fair Share Housing Center (FSHC) filed an objection to the HEFSP on April 8, 2009. The terms of a Settlement Agreement were set forth in the agreement dated March 9, 2010.

In regards to the Third Round, the terms of an agreement regarding In The Matter of the Township of Sparta, County of Sussex, Docket No.: SSX-L-417-15, between the Township of Sparta and Fair Share Housing Center (FSHC) – were outlined in a Settlement Agreement dated September 14, 2016. The Township received a Judgement of Compliance and Repose ("JOR") on September 26, 2016.

In accordance with the MLUL, the Amended FHA, DCA's updated rules, and other applicable law, the Township hereby presents this Housing Element and Fair Share Plan.

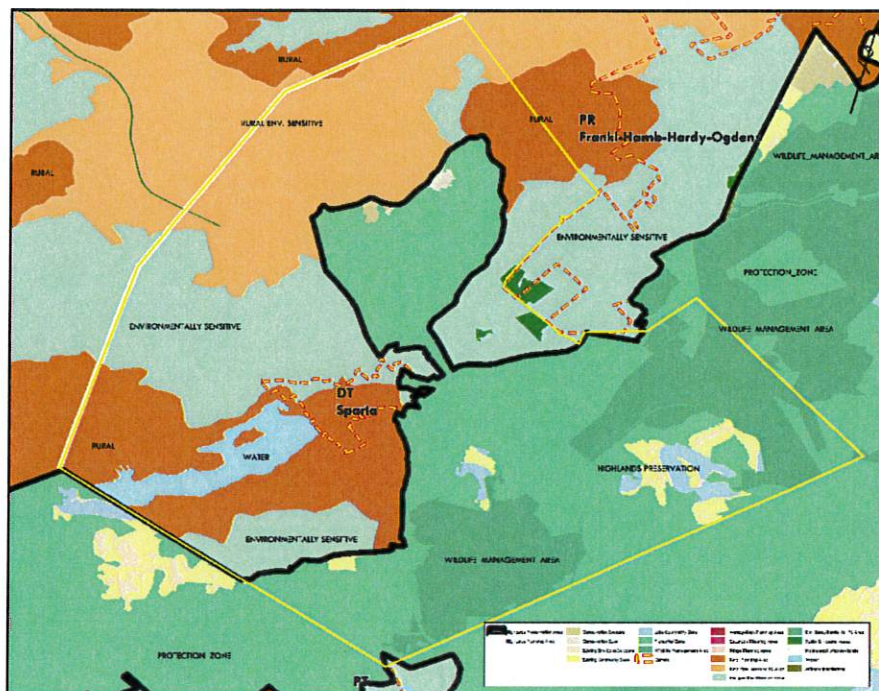
C. DEVELOPMENT CONSTRAINTS IN SPARTA

1. Highlands Water Protection and Planning Act Rules (N.J.A.C. 7:38)

Sparta Township is located in the Highlands Region, which is established by the Highlands Water Protection and Planning Act of 2004 ("the Act"). Overall, about 46.4% percent, or 11,522 acres, of the Township is located in the Preservation Area and 53.6% percent, 13,302 acres, in the Planning Area. The fundamental distinction between the Preservation and Planning Areas is that municipal and county conformance with the Highlands Regional Master Plan ("RMP") is required in the Preservation Area and is voluntary in the Planning Area.

Sparta Township in Sussex County has been working with the Highlands Council to help implement the Highlands Regional Master Plan (RMP) at the local level since 2011. The Township adopted a Highlands Preservation Area Master Plan Element in 2014. The Highlands Council does not issue permits, but does review proposed projects throughout the Highlands Region for consistency with the Highlands Act and Highlands Regional Master Plan (RMP). Applications involving projects in the Preservation Area are reviewed and permitted by the New Jersey Department of Environmental Protection (NJDEP), Division of Land Use Regulation. Land within the Highlands Planning Area are exempt from the regulations promulgated by the New Jersey Department of Environmental Protection (NJDEP) set forth in N.J.A.C. 7:38. The following map depicts the Preservation Area in

bright green, which is demarcated from the Planning Area by the black line.



The Highlands Regional Master Plan addresses components necessary to protect the natural, scenic and other Highlands resources, including but not limited to, forests, wetlands, stream corridors, steep slopes, and critical habitat for flora and fauna. More specifically, the Highlands Open Water Protection Areas (N.J.A.C 7:38-3.6) requires a 300-foot buffer from certain waterways and bodies of water. The Highlands Planning Area is the portion of the Highlands Region that is not included in the Highlands Preservation Area. While the Act does not establish any new standards for the Highlands Planning Area, the Highlands Regional Master Plan, provides an avenue for enhanced standards, TDR, and smart growth in this portion of the Highlands Region.

In addition to conservation efforts, the Highlands Act designates certain areas where development and redevelopment is planned and encouraged, known as Highlands Centers. These are intended to support balance in the Highlands Region by providing for sustainable economic growth while protecting critical natural and cultural resources. Sparta's Town Center was previously recognized as a Town Center via the State Plan Endorsement process since 2001, which has since expired.

Likewise, Land Use Capability Zones were developed pursuant to N.J.A.C. 7:38-1.1(a), whereby the Highlands Council has included a land use capability map and a comprehensive statement of policies for planning and managing the development and use of land in its Regional Master Plan. Sparta Township includes 15,701 acres of Protection Zone (8,636 acres in Planning Area, 7,065 acres in Preservation Area); 461 acres of Conservation Zone (416 acres in Planning Area, 45 acres in Preservation Area); 1,826 acres of Existing Community Zone (1,405 acres in Planning Area, 421 acres in Preservation Area), 303 acres of Existing Community - Environmentally Constrained Sub-Zone (254 acres in Planning Area, 49 acres in Preservation Area); 1,354 acres of Conservation Environmentally Constrained Sub-Zone (1,320 acres in Planning Area, 34 acres in Preservation Area); 868 acres of Lake Community Sub-Zone (670 acres in Planning Area, 199 acres in

Preservation Area); and 3,269 acres of Wildlife Management Sub-zone (3,269 acres in Preservation Area). It should be noted that the Township applies the LUCM zones only in the Preservation Area, for which it is conforming with the RMP.

Largely as a result of application of the “Highlands Water Protection and Planning Act Rules” (N.J.A.C. 7:38-1 et seq.), the Preservation Area in the Township of Sparta has limited potential for development, other than projects that would be exempt from the Highlands Act. Specifically, the Highlands Municipal Build-Out evaluation for the Preservation Area in Sparta identified no developable land in the Preservation Area. The Build-Out Report for the Township anticipates potential development of just two (2) additional units in the Preservation Area, each served by on-site septic systems.

2. History of the Highlands Region and COAH

On September 5, 2008 the Governor signed Executive Order #114, which among other directives ordered the Highlands Council to work with COAH to review the Third Round growth projections for consistency with the Highlands Regional Master Plan and assist COAH with developing adjusted growth projections within the Highlands region. It also called for the coordination of deadlines for revision of municipal master plans and Third Round fair share plans to be in conformance with both the Highlands Act and the Fair Housing Act, including a reasonable extension of deadlines. The executive order also included a requirement that the Highlands Council and COAH enter into a joint Memorandum of Understanding (MOU) as soon as practicable but no later than sixty 60 days from the effective date of the Governor’s Executive Order. The MOU was signed at the end of October 2008 and extended the deadline for submission of Housing Plans to COAH initially to December 8, 2009 and further to June 8, 2010 for communities that expressed their nonbinding intent to conform to the Regional Master Plan (RMP). The MOU also established a scarce resource order on all municipalities in the Highlands Region under COAH’s jurisdiction in order to preserve scarce land, water and sewer resources and to dedicate these resources on a priority basis for the production of affordable housing.

3. The Highlands and Septic Densities

Septic system yield is used as a method for minimizing the potential for contamination of ground water. Discharges to ground water from septic systems have the potential to damage the quality of aquifers, reducing their utility as drinking water supplies. They also can damage surface water quality, through the flow of contaminated ground water to natural discharge points such as springs, seeps or stream baseflow. Because septic systems are closely associated with the non-point source effects of non-sewered development, septic system yield is a useful indicator of the potential impacts to ground water quality. Protection of ground water quality requires appropriate septic system yields to ensure that future development utilizing septic systems provide for sufficient dilution of effluent discharges.

In adopting the Highlands Water Protection and Planning Act (HWPPA), the Legislature eliminated designated sewer service areas and any associated treatment works approvals where wastewater collection systems had not been installed by August 10, 2004 for the Preservation Area. The HWPPA at N.J.S.A.13:20-32(e) directs that a septic system density standard must be established at a level to prevent the degradation of water quality, or to require the restoration of water quality, and to protect ecological uses from individual, secondary, and cumulative impacts, in consideration of deep aquifer recharge available for dilution. The septic system density standard

was to be established in consideration of the antidegradation provisions of both the Surface Water Quality Standards (SWQS) at N.J.A.C. 7:9B-1.5(d)6(iii), and Stormwater Management rules at N.J.A.C. 7:8-5.5(h), that are applicable to Category One waters, and are to be applied to all Highlands open waters pursuant to subsection g. of section 34 of P.L.2004, c.120 (C.13:20-32). The RMP outlines a methodology for computing appropriate septic system yields within the Planning Area portion of the municipality, should the municipality conform to the Planning Area.

C. HOUSING, DEMOGRAPHIC AND EMPLOYMENT INFORMATION

The following detailed Housing, Demographic, and Employment background information regarding Sparta helps to describe and create an inventory of characteristics in the Township of Sparta that directly apply to current and future housing demand in the town and region. This analysis will include population demographics, housing characteristics, regional comparison, and recent trends.

1. Analysis of Population and Demographics

The following tables look to analyze the population trends in Sparta from the decennial Census and American Community Survey data. An analysis of population demographics in a target area can help a community to understand and plan for the range of people that live and work within its borders. Also, local population demographics understood in the context of and compared to the larger regional area provides a unique opportunity to understand larger geographic implications of present conditions and future local and regional opportunities. This demographic profile was broken down into functional areas including: analyses of community demographics, housing stock, and employment data.

a. Population

Table 1, which depicts the population change since 1930, shows that from 1970 to 1980, the Township saw a significant increase in population and the largest change in the last 50 years at 23.3%. There was a steady and consistent increase thereafter throughout the 1980s, 1990s, and 2000s. Since the 2010s, the Township of Sparta has experienced minor fluctuations with a slight decrease of 0.21%.

Table 1: Population 1970-2020, Sparta Township		
Year	Total Population	% Change
1970	10,819	-
1980	13,333	23.2%
1990	15,157	13.7%
2000	18,080	19.3%
2010	19,642	8.6%
2020	19,600	-0.21%
Source: U.S. Bureau of the Census, Decennial Censuses		

When compared to Sussex County as a whole (Table 2), the Township has experienced similarly modest and steady increases from 2000 through 2020. Both the County and the Township saw fairly large increases in population during the 1990s, and mirrored subsequent lesser increases during the 2010s. Both Sparta Township and Sussex County have experienced slowed population growth and slight decreases in population in the most recent decade.

Table 2: Population 1970-2020 Township of Sparta and Sussex County				
	Sparta	% Change	Sussex County	% Change
1970	10,819	-	77,528	--
1980	13,333	23.2%	116,119	49.7%
1990	15,157	13.7%	130,943	12.7%
2000	18,080	19.3%	144,166	10.1%
2010	19,642	8.6%	149,239	3.5%
2020	19,600	-0.21%	144,221	-3.4%
<i>Source: U.S. Bureau of the Census, 2000-2020 Decennial Censuses, New Jersey Population Trends 1790-2000 from New Jersey State Data Center</i>				

b. Age Characteristics

Understanding the age make up of a community is important when planning for new housing, resources, and the future of the Township as a whole. Looking at a further breakdown of population data by age and sex, it shows that the Township's population is concentrated in specific age cohorts. Table 3 depicts that nearly 31% of the population is 55 years or older, while another 29.4% is 35-54 years old. Age cohorts ranging from 18 to 34 years old make up 15% of the population, while those under 18 make up almost 25%. These age cohorts generally suggest that Sparta has both an aging population, as well as families with middle-aged parents and children. There are less young adults in Sparta than any other age cohort.

Table 3: Population by Sex and Age, Sparta Township			
	All	Female	Male
Total Population	18,681	9,629	9,052
Under 5 years	1,157	503	654
5 to 9 years	1,204	693	511
10 to 14 years	1,301	644	657
15 to 19 years	1,400	684	716
20 to 24 years	928	502	426
25 to 29 years	627	281	346
30 to 34 years	851	518	333
35 to 39 years	1,213	574	639
40 to 44 years	1,227	602	625
45 to 49 years	1,299	676	623
50 to 54 years	1,739	902	837
55 to 59 years	1,934	996	938
60 to 64 years	1,330	673	657
65 to 69 years	749	367	382
70 to 74 years	736	447	289
75 to 79 years	401	209	192
80 to 84 years	278	179	99
85 years and over	307	179	128
Median age (years)	42.6	43.2	41.9
<i>Source: 2020 American Community Survey 5-Year Estimates Subject Tables</i>			

Table 4 complements the data and compares it to that of Sussex County as a whole. It depicts the steady increase of the age cohort of 20 to 24 year olds in both Sparta and Sussex County from 2000 to 2020. This likely reflects the current trending of adult children living at home for longer than previous generations. Similar increases were seen for the 55 and over cohorts, including the 55 to 64 and 65 and over subsets. This is representative of a population that is aging in place.

Contrastingly, both the County and Township saw steady declines in the school-aged children population that is under 19 and the 35 to 44, suggesting that less children are being born or less families with school-aged children are moving to Sussex County and Sparta in recent years.

Table 4: Population by Age 2000-2020, Sparta Township and Sussex County												
Age	2000				2010				2020			
	Sparta Township		Sussex County		Sparta Township		Sussex County		Sparta Township		Sussex County	
	#	%	#	%	#	%	#	%	#	%	#	%
Under 5	1,381	7.6	9,815	6.8	1,271	6.5	8,295	5.5	1,157	6.2	6,329	4.5
5 to 19	4,490	24.8	33,441	23.2	4,355	22.2	2,9161	19.4	3,448	18.5	21,501	15.2
20 to 24	481	2.7	30,043	6.4	1,205	6.1	11,188	7.5	1,385	7.4	11,457	8.1
25 to 34	1,737	9.6	17,501	12.1	1,189	6.1	14,322	9.6	1,478	7.9	15,309	10.9
35 to 44	3,682	20.4	27,881	19.3	3,243	16.5	23,361	15.6	2,440	13.1	16,050	11.4
45 to 54	3,057	16.9	23,384	16.2	4,047	20.6	27,577	18.4	3,038	16.3	22,031	15.6
55 to 64	1,761	9.7	13,040	9.0	2,372	12.1	19,618	13.1	3,264	17.5	23,836	16.9
65 & Over	1,491	8.3	13,152	9.1	1,960	10.0	16,474	11.0	2,471	13.2	24,483	17.4
Total	18,080	100	144,166	100	19,642	100	149,996	100	18,681	100	140,996	100
Source: U.S. Decennial Censuses, 2000, and 2010, and 2013-2017, 2020 American Community Survey 5-Year Estimates												
Note: Percentages May Not Add Due to Rounding												

Overall, the fluctuations between the age cohorts suggest that the age makeup of Sparta, and in Sussex County overall, has been shifting over time.

c. Race

Table 5 shows the racial breakdown of the population according to responses from the 2020 Decennial Census. Over 96% of the population responded as "One Race," with 92% responding as White. The next largest racial group in Sparta is Asian at 3.3%, followed by 0.7% responding as Black or African American and 3.5% responding as "two or more races".

Table 5: Population by Race, Sparta Township, NJ		
	#	%
One Race	18,026	96.5
White	17,160	91.9
Black or African American	132	0.7
American Indian/Alaska Native	4	0.02
Asian	623	3.3
Native Hawaiian/Other Pacific Islander	0	0
Some Other Race	107	0.6
Two or More Races	655	3.5
Total population	18,681	100.0
<i>Source: Race, 2020 American Community Survey 5-Year Estimates Detailed Tables</i>		

Overall, Table 6 reflects that the racial demographics of Sparta and Sussex County are generally similar, with the biggest difference in the proportion of Black or African Americans with 0.7% in Sparta and 2.2% in the County.

Table 6: Population by Race, 2020 Sparta Township and Sussex County				
	Sparta Township		Sussex County	
	#	%	#	%
One Race	18026	96.5	136,512	96.8
White	17,160	91.9	128,826	91.4
Black or African American	132	0.7	3,148	2.2
American Indian/Alaska Native	4	0.02	44	0.03
Asian	623	3.3	2,853	2.0
Native Hawaiian/Other Pacific Islander	0	0	18	0.01
Some Other Race	148	0.8	1,623	1.2
Two or More Races	655	3.5	4,484	3.2
Total population	18,681	100	140,996	100
<i>Source: Race, 2020 American Community Survey 5-Year Estimates Detailed Tables</i>				

d. *Household Size and Characteristics*

In addition to population demographics, household size in relation to the population helps to characterize the Township. Using Decennial Census data from 2000 and 2010 and 2020 ACS data, Table 7 below shows that the Average Household Size in Sparta has fluctuated marginally with a steady decrease from 2000 to 2020, in conjunction with a steady increase in population and a

similar fluctuation in the number of occupied housing units. Sussex County as a whole saw a similar fluctuation in the average household size decline.

Table 7: Households and Population 2000 to 2020, Sparta Township and Sussex County									
	2000			2010			2020		
	HH Population	Occupied Housing Units	Avg HH Size	HH Population	Occupied Housing Units	Avg HH Size	HH Population	Occupied Housing Units	Avg HH Size
Sparta Township	18,107	6,237	2.90	19,642	6,910	2.84	18,681	6,628	2.80
Sussex County	144,166	50,831	2.80	149,996	55,842	2.66	140,996	54,166	2.57

Source: 2000 U.S. Decennial Census, 2010 American Community Survey 5-Year Estimates Subject Tables, and 2020 American Community Survey 5-Year Estimates Subject Tables

Table 8 shows that household sizes in occupied housing units was highest for 4-persons in Sparta 35.2%, followed by 1-person at 16.4% and thereafter closely by 3-persons at 16.3%.

Table 8: Household Size, Sparta Township		
Household Size	Number of Households	Percent
1 Person	1,089	16.4
2 Persons	2,123	32
3 Persons	1,082	16.3
4 or More Persons	2,334	35.2
Total Occupied Housing Units	6,628	100

Source: Occupancy Characteristics, 2020 American Community Survey 5-Year Estimates Subject Tables

The American Community Survey was utilized to evaluate Sparta income characteristics compared to Sussex County as a whole. Table 9 demonstrates that the per capita income and the median household income in Sparta, \$58,241 and \$137,272, are both higher than the County per capita income and median household income, \$46,124 and \$96,222.

In addition to a higher per capita income, fewer Sparta residents are living below the poverty level. Based on the 2020 American Community Survey (Table 9) 2.3% of Sparta residents compared to 4.9% of Sussex County residents are living below the poverty level. Compared to the State of New Jersey as a whole, Sparta fares better economically as a whole.

Table 9: Income Characteristics, Sparta Township and Sussex County			
	Sparta Township	Sussex	State of New Jersey
Median Household Income	\$137,372	\$96,222	\$85,245
Median Family Income	\$153,775	\$112,443	\$104,804
Per Capita Income	\$58,241	\$46,124	\$44,153
Percent of Persons Below Poverty Level	2.3%	4.9%	10%
<i>Source: 2020 American Community Survey 5-Year Estimates Detailed Tables</i>			

The income limits in Table 10 were produced by the Affordable Housing Professionals of New Jersey in 2025 to set the Affordable Housing Regional Income Limits. The table shows the very-low income, low income, and moderate-income thresholds for Region 1, including Sussex County, for each household size. Specific rows are for calculating the pricing for one and three-bedroom sale and rental units per N.J.A.C. 5:80-26.4(a).

Table 10; Affordable Housing Professionals of New Jersey 2025, Affordable Housing Regional Income Limits Region 1 - Sussex County, New Jersey			
Household Size	Moderate Income	Low Income	Very-low Income
1 Person	\$71,280	\$44,550	\$26,730
1.5 Persons*	\$76,360	\$47,725	\$28,635
2 Persons	\$81,440	\$50,900	\$30,540
2.5 Persons	\$86,520	\$54,075	\$32,445
3 Persons	\$91,600	\$57,250	\$34,350
4 Persons	\$101,760	\$63,600	\$38,160
4.5 Persons*	\$105,840	\$66,150	\$39,690
5 Persons	\$109,920	\$68,700	\$41,220
6 Persons	\$118,080	\$73,800	\$44,280
7 Persons	\$126,240	\$78,900	\$47,340
8 Persons	\$134,400	\$84,000	\$50,400
<i>Source: Affordable Housing Professionals of New Jersey</i>			
<i>* These are for calculating the pricing for one and three-bedroom sale and rental units per N.J.A.C. 5:80-26.4(a)</i>			

2. Analysis of Housing Characteristics

Sparta is a substantially developed community. Population spikes in from the 1980s to 1990s were caused by a large increase in the number of houses being built during this time. From 1980 to 1999, 3,427 houses were built. From the same period, there was an increase of nearly 4,747 people, which correlates to the spike in residential construction. The Township continued to experience construction to a lesser extent through 2009 and beyond, which correlates with the slowed population growth at the same time. Due to continued construction from the 1950s through the 1990s, the age of housing in Sparta is fairly evenly distributed. Similar trends are witness in the Sussex County data as a whole. Nearly 83% of Sparta's housing was built between 1950 and 1999, and comparatively, Sussex County has 70% in the same period. Sussex County has a larger share of housing built prior to 1939, with 12.9%, while Sparta has 3.2%. Construction since 2000 has been comparatively close for Sparta and Sussex County, with 9.5% and 11.3%, respectively.