



Sparta Township

Sussex County, New Jersey

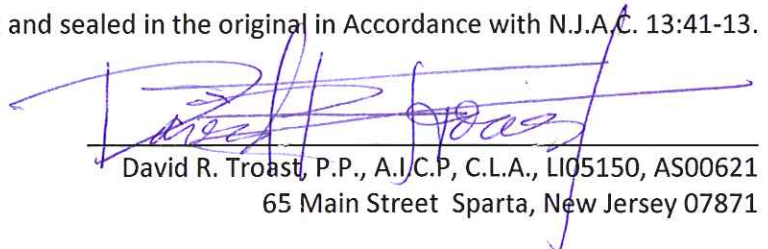
Master Plan Amendment Housing Plan and Fair Share Plan





October 2005
Adopted December 2005
Revised November 21, 2008
Adopted December 3, 2008

This report has been signed and sealed in the original in Accordance with N.J.A.C. 13:41-13.



David R. Troast, P.P., A.I.C.P., C.L.A., LI05150, AS00621
65 Main Street Sparta, New Jersey 07871

TOWNSHIP OF SPARTA

Brian Brady, Mayor
Scott Seelagy, Deputy Mayor
Michael Spekhardt, Council Member
Jerry Murphy, Council Member
Manny Goldberg, Council Member

PLANNING BOARD

William Hookway, Chairman
Ernest Hofer, Vice Chairman
Brian Brady, Mayor
Jerry Murphy, Council Member
William Kulsar, Member
Laura Sachs, Member
Frank Dolce, Member
Ted Gall, Member
William Battaglia, Member
Steven Keene, 1st Alternate
James Hogle, 2nd Alternate

TOWNSHIP STAFF

Henry Underhill, Township Manager
Miriam Tower, Township Clerk
*David Troast, Director of Community Development
*David Manhardt, Assistant Planner and GIS Specialist
*Maureen Donnelly, Land Use Administrator and Board Secretary
*Janice Stevens, Zoning Coordinator
Thomas Ryan, Township Attorney
Thomas Collins, Esq., Board Attorney
David Simmons, P.E., Board Engineer

*The Sparta Township Planning Board recognizes the dedication and superior effort by the staff of the Department of Community Development and Planning in preparing the Housing Plan and Fair Share Plan for the citizens of Sparta Township.

**Sparta Township's Planning Board Resolution
Adopting the Housing Element and Fair Share Plan**

WHEREAS, the Planning Board of the Township of Sparta, County of Sussex, State of New Jersey, adopted its current Master Plan pursuant to N.J.S.A. 40:55D-28 (last revised) on December 5, 2007 ; and

WHEREAS, the Master Plan includes a Housing Element pursuant to N.J.S.A. 40:55D-28b (3); and

WHEREAS, N.J.A.C. 5:97-2.1(a) requires the adoption of the Housing Element by the Planning Board and endorsement by the Governing Body; and

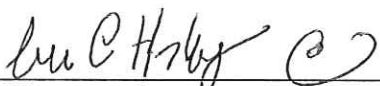
WHEREAS, N.J.A.C. 5:97-3.1(a) requires the preparation of a Fair Share Plan to address the total 1987-2018 fair share obligation of the Township of Sparta; and

WHEREAS, N.J.A.C. 5:97-3.1(b) requires the adoption of the Fair Share Plan by the Planning Board and endorsement by the Governing Body; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board of the Township of Sparta held a public hearing(s) on the Housing Element and Fair Share Plan on December 3, 2008; and

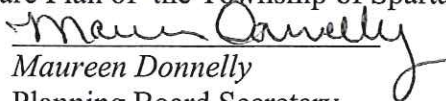
WHEREAS, the Planning Board has determined that the Housing Element and Fair Share Plan are consistent with the goals and objectives of the Township of Sparta's, *(last revised) December 5, 2007* Master Plan and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Township of Sparta County of Sussex, State of New Jersey, that the Planning Board hereby adopts the December 3, 2008 Housing Element and Fair Share Plan.



William Hookway, III, Chairman of Planning Board

I hereby certify that this is a true copy of the resolution adopting the Housing Element and Fair Share Plan of the Township of Sparta, on December 3, 2008.



Maureen Donnelly
Planning Board Secretary

RESOLUTION OF THE TOWNSHIP OF SPARTA

Sussex County, New Jersey

No . 08-193

Date of Adoption: 12/9/08

Title or Subject

5-9 Resolution Requesting the Council on Affordable Housing to Review and Approve Sparta Township's Municipal Affordable Housing Trust Fund Spending Plan

Introduced by: Councilman Murphy
 Seconded by: Councilman Goldberg

WHEREAS, the Township Council of Sparta Township, Sussex County petitioned the Council on Affordable Housing (COAH) for substantive certification on December 9, 2008; and

WHEREAS, Sparta Township received original approval from COAH on March 5, 1998 of its Development Fee Ordinance and Spending Plan; and

WHEREAS, Sparta Township has requested COAH's review and approval of the new Development Fee Ordinance consistent with NJAC 5:97 et seq.; and

WHEREAS, Sparta Township requests review and approval of the new Spending Plan as required by NJAC 5:97et seq.; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and potential energy credits and;

| RECORD VOTE OF COUNCIL ON FINAL PASSAGE | | | | | | | | | |
|---|-----|-----|------|-----|------------|-----|-----|------|------|
| COUNCILMAN | AYE | NAY | N.V. | A.B | COUNCILMAN | AYE | NAY | N.V. | A.B. |
| BRADY | | | | X | SEELAGY | X | | | |
| GOLDBERG | X | | | | SPEKHARDT | X | | | |
| MURPHY | X | | | | | | | | |
| | | | | | | | | | |

I, Mary J. Coe, Deputy Township Clerk do hereby certify that the foregoing resolution was adopted at a meeting of the Council held on December 9, 2008.

12/10/08
Date


Signature – Deputy Township Clerk

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;
9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;
10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, Sparta Township has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

NOW THEREFORE BE IT RESOLVED that the Township Council of Sparta Township, County of Sussex requests that COAH review and approve Sparta Township's spending plan.

RESOLUTION OF THE TOWNSHIP OF SPARTA

Sussex County, New Jersey

No. 08-194

Date of Adoption: 12/9/08

Title or Subject

5-10 Resolution Committing To Petition With A Third Round Affordable Housing Plan And To Expend Affordable Housing Trust Fund Monies On The Development Of A Housing Element And Fair Share Plan For Sparta Township, Sussex County

Introduced by: Councilman Murphy
 Seconded by: Councilman Goldberg

WHEREAS, on December 17, 2007, COAH proposed revised third round regulations that require municipalities with pending petitions to adopt a revised Housing Element and Fair Share Plan in conformance with the revised third round regulations and petition in accordance with the deadlines prescribed in the proposed procedural rules; and

WHEREAS, COAH's current regulations at N.J.A.C. 5:94-6.12(e), allow 20 percent of monies deposited in a municipal housing trust fund account to be expended on administrative costs, which includes, but is not limited to, consultant fees necessary to develop or implement a Housing Element and Fair Share Plan in accordance with COAH's proposed third round; and

WHEREAS, Sparta Township petitioned the Council on Affordable Housing (the Council) for substantive certification of a third round Housing Element and Fair Share Plan on December 9, 2008; and

| RECORD VOTE OF COUNCIL ON FINAL PASSAGE | | | | | | | | | |
|---|-----|-----|------|------|------------|-----|-----|------|------|
| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
| BRADY | | | | X | SEELAGY | X | | | |
| GOLDBERG | X | | | | SPEKHARDT | X | | | |
| MURPHY | X | | | | | | | | |
| | | | | | | | | | |

I, Mary J. Coe, Deputy Township Clerk do hereby certify that the foregoing resolution was adopted at a meeting of the Council held on December 9, 2008.

12/10/08

Date



Signature – Deputy Township Clerk

WHEREAS, pursuant to N.J.A.C. 5:94-6.2(c), a municipality under the Council's jurisdiction shall not spend development fees unless the Council has approved a plan for spending such fees and until the municipality has received substantive certification or a judgment of compliance; and

WHEREAS, on March 25, 2008 the COAH issued a blanket waiver from N.J.A.C. 5:94-6.2(c) for municipalities with COAH approved development fee ordinances and an established housing trust fund account to allow the expenditure of up to 20 percent of housing trust funds prior to the grant of certification and/or approval of a spending plan, on the cost of developing a revised Housing Element and Fair Share Plan in accordance with COAH's new third round rules; and

WHEREAS, the waiver issued by the Council requires that Sparta Township shall pass a resolution stating the current balance in the municipal housing trust fund account and the amount proposed to be spent on developing a Housing Element and Fair Share Plan in accordance with COAH's proposed third round rules, shall not exceed 20 percent allowed for administrative costs.

NOW THEREFORE BE IT RESOLVED by the Township Council of Sparta Township, in the County of Sussex, State of New Jersey, that Sparta Township commits to petition COAH for substantive certification of a newly adopted Housing Element and Fair Share Plan in accordance with COAH's new third round regulations; and

BE IT FURTHER RESOLVED that Sparta Township's current balance as of July 17, 2008 in the municipal housing trust fund account is \$398,753.70 and the amount proposed to be spent on developing a Housing Element and Fair Share Plan in accordance with COAH's proposed third round rules \$8,000.00, which does not exceed the 20 percent allowed for administrative cost; and

BE IT FURTHER RESOLVED that this resolution shall be submitted to COAH within seven days of the municipal governing body action.

RESOLUTION OF THE TOWNSHIP OF SPARTA

Sussex County, New Jersey

No . 08-195

Date of Adoption: 12/9/08

Title or Subject

5-11 Sparta Township's Governing Body Resolution Petitioning with an Adopted Housing Element and Fair Share Plan

Introduced by: Councilman Murphy
Seconded by: Councilman Goldberg

WHEREAS, the Planning Board of Sparta Township, Sussex County, State of New Jersey, adopted the Housing Element of the Master Plan on December 3, 2008 and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on December 3, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

NOW THEREFORE BE IT RESOLVED that the Township Council of Township of Sparta, Sussex County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Sparta Township Planning Board; and

| RECORD VOTE OF COUNCIL ON FINAL PASSAGE | | | | | | | | | |
|---|-----|-----|------|-----|------------|-----|-----|------|------|
| COUNCILMAN | AYE | NAY | N.V. | A.B | COUNCILMAN | AYE | NAY | N.V. | A.B. |
| BRADY | | | | X | SEELAGY | X | | | |
| GOLDBERG | X | | | | SPEKHARDT | X | | | |
| MURPHY | X | | | | | | | | |
| | | | | | | | | | |

I, Mary J. Coe, Deputy Township Clerk do hereby certify that the foregoing resolution was adopted at a meeting of the Council held on December 9, 2008.

12/10/08
Date


Signature – Deputy Township Clerk

BE IT FURTHER RESOLVED that the Township Council of Sparta Township, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that the Township hereby reserves it's right and authority to apply to COAH for an amendment to the Petition or an amendment to the future Substantive Certification if the Township's affordable housing obligation is reduced as a result of COAH's coordination with the Highlands Council and if the Township conforms with the Regional Master Plan in the Planning Area; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Sparta Township municipal clerk's office located at 65 Main Street, Sparta, NJ, during the hours of 8:00 a.m. to 4:30 p.m. on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

RESOLUTION OF THE TOWNSHIP OF SPARTA

Sussex County, New Jersey

No . 08-200

Date of Adoption: 12/9/08

Title or Subject

5-16 Notice Of Intent To Petition The Highlands Council For Plan Conformance

Introduced by: Councilman Murphy
Seconded by: Councilman Goldberg

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other key natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region and requiring that within nine to 15 months after September 8, 2008, each county and municipality located wholly or partially in the Preservation Area must submit a Petition for Plan Conformance to the Highlands Council for that portion of its jurisdiction lying within the Preservation Area; and

WHEREAS, the Highlands Act specifies that conformance with the Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

| RECORD VOTE OF COUNCIL ON FINAL PASSAGE | | | | | | | | | |
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| COUNCILMAN | AYE | NAY | N.V. | A.B | COUNCILMAN | AYE | NAY | N.V. | A.B. |
| BRADY | | | | X | SEELAGY | X | | | |
| GOLDBERG | X | | | | SPEKHARDT | X | | | |
| MURPHY | X | | | | | | | | |
| | | | | | | | | | |

I, Mary J. Coe, Deputy Township Clerk do hereby certify that the foregoing resolution was adopted at a meeting of the Council held on December 9, 2008.

12/10/08
Date


Signature – Deputy Township Clerk

WHEREAS, the Highlands Council's Plan Conformance Guidelines require that for jurisdictions with any lands in the Preservation Area, a Notice of Intent to conform to the Regional Master Plan must be submitted to the Highlands Council as soon as practicable, but not later than February 1, 2009 and that for any lands in the Planning Area, a Notice of Intent may be submitted at any time; and

WHEREAS, Sparta Township lies within the Highlands Region as defined by the Highlands Act; and

WHEREAS, the Sparta Township Council believes that it is in the best interest of the Township of Sparta to conform to the Regional Master Plan.

NOW, THEREFORE BE IT RESOLVED, that the Sparta Township Council hereby provides the Highlands Council with this Notice of Intent to petition the Highlands Council for Plan Conformance for all lands lying within the Preservation Area and Planning Area.

BE IT FURTHER RESOLVED, this Notice of Intent provides notice to the Highlands Council that the Township of Sparta has set December 1, 2009 as the target date for submission of a Petition for Plan Conformance.

RESOLUTION OF THE TOWNSHIP OF SPARTA

Sussex County, New Jersey

No. 08-201

Date of Adoption: 12/9/08

Title or Subject

Resolution Requesting the Council on Affordable Housing to Review and Approve a Development Fee Ordinance

Introduced by: Councilman Murphy
Seconded by: Councilman Goldberg

WHEREAS, the Governing Body of Sparta Township, of Sussex County petitioned the Council on Affordable Housing (COAH) for substantive certification on *December 9, 2008*; and

WHEREAS, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

WHEREAS, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

| RECORD VOTE OF COUNCIL ON FINAL PASSAGE | | | | | | | | | |
|--|-----|-----|------|------|------------------|-----|-----|------|------|
| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
| BRADY | | | | X | SEELAGY | X | | | |
| GOLDBERG | X | | | | SPEKHARDT | X | | | |
| MURPHY | X | | | | | | | | |
| | | | | | | | | | |

I, Mary J. Coe, Deputy Township Clerk do hereby certify that the foregoing resolution was adopted at a meeting of the Council held on December 9, 2008.

12/10/08
Date


Signature – Deputy Township Clerk

1. A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
2. A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
3. A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d);
4. A description of collection procedures per N.J.A.C. 5:97-8.3(f);
5. A description of development fee appeals per N.J.A.C. 5:97-8.3(g); and
6. A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

WHEREAS, Sparta Township has prepared a draft development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH's regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

NOW THEREFORE BE IT RESOLVED that the Governing Body of Sparta Township, Sussex County requests that COAH review and approve Sparta Township's development fee ordinance.

RESOLUTION OF THE TOWNSHIP OF SPARTA

Sussex County, New Jersey

No. 08-203

Date of Adoption: 12/9/08

Title or Subject

5-18 Sparta Township Governing Body Resolution of Intent to Appropriate Funds or Bond in the Event of a Funding Shortfall

Introduced by: Councilman Murphy
Seconded by: Councilman Goldberg

WHEREAS, Sparta Township, County of Sussex, State of New Jersey has petitioned the Council on Affordable Housing (COAH) for substantive certification of its adopted Housing Element and Fair Share Plan; and

WHEREAS, the plan submitted to COAH allocates funds for:

1. Market to Affordable;
2. Supportive Housing;
3. Innovative Housing Options; and

WHEREAS, Sparta Township anticipates that funding will come from the following sources to satisfy these obligations:

1. Development Fee Ordinance;
2. Payment in lieu of construction of affordable units;
3. DCA and Balanced Housing Funds; and

| RECORD VOTE OF COUNCIL ON FINAL PASSAGE | | | | | | | | | |
|---|-----|-----|------|------|------------|-----|-----|------|------|
| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
| BRADY | | | | X | SEELAGY | X | | | |
| GOLDBERG | X | | | | SPEKHARDT | X | | | |
| MURPHY | X | | | | | | | | |
| | | | | | | | | | |

I, Mary J. Coe, Deputy Township Clerk do hereby certify that the foregoing resolution was adopted at a meeting of the Council held on December 9, 2008.

12/10/08

Date


Signature – Deputy Township Clerk

WHEREAS, in the event that the above funding sources prove inadequate to complete the affordable housing programs included to meet Round #1, Round #2 Actual Growth Share in Sparta Township's COAH-certified Housing Element and Fair Share Plan, Sparta Township shall provide sufficient funding to address any shortfalls.

NOW THEREFORE BE IT RESOLVED by the Governing Body of Township of Sparta County of Sussex, State of New Jersey, that the Governing Body does hereby agree to appropriate funds or authorize the issuance of debt to fund any shortfall in its affordable housing program not meeting the Round # 1, Round #2 and Actual Growth Share that may arise whether due to inadequate funding from other sources or for any other reason; and

BE IT FURTHER RESOLVED that, upon written notification by COAH after a finding that inadequate funding exists to complete the affordable housing programs included in Sparta Township's COAH-certified Housing Element and Fair Share Plan, Sparta Township agrees to appropriate funds or authorize the issuance of debt within 90 days of written notification by COAH; and

BE IT FURTHER RESOLVED that Sparta Township may repay debt through future collections of development fees, as such funds become available.

RESOLUTION OF THE TOWNSHIP OF SPARTA

Sussex County, New Jersey

No. 08-204

Date of Adoption: 12/9/08

Title or Subject

RESOLUTION SEEKING AN EXTENSION OF THE DEADLINE TO PETITION FOR SUBSTANTIVE CERTIFICATION PURSUANT TO EXECUTIVE ORDER 114 AND THE MEMORANDUM OF UNDERSTANDING BETWEEN THE HIGHLANDS COUNCIL AND THE COUNCIL ON AFFORDABLE HOUSING

Introduced by: Councilman Murphy
Seconded by: Councilman Goldberg

WHEREAS, on September 5, 2008, Governor Corzine signed Executive Order 114 which requires the Council on Affordable Housing (COAH) and the New Jersey Highlands Council (Highlands) to enter into a Memorandum of Understanding (MOU) designed to coordinate the regulations of both agencies by maximizing affordable housing opportunities while preserving critical environmental resources; and

WHEREAS, COAH and the Highlands have prepared such an MOU, which was adopted by COAH on October 29, 2008 and by the Highlands Council on October 30, 2008; and

WHEREAS, conformance with the Highlands Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

| RECORD VOTE OF COUNCIL ON FINAL PASSAGE | | | | | | | | | |
|--|-----|-----|------|------|------------------|-----|-----|------|------|
| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
| BRADY | | | | X | SEELAGY | X | | | |
| GOLDBERG | X | | | | SPEKHARDT | X | | | |
| MURPHY | X | | | | | | | | |
| | | | | | | | | | |

I, Mary J. Coe, Deputy Township Clerk do hereby certify that the foregoing resolution was adopted at a meeting of the Council held on December 9, 2008.

12/10/08
Date


Signature – Deputy Township Clerk

WHEREAS, COAH regulations establish a December 31, 2008 deadline for municipalities currently under the jurisdiction of COAH to submit third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, Sparta Township hereby reserves its right and authority to petition COAH for substantive certification before December 31, 2008; and

WHEREAS, the MOU establishes a procedure that municipalities under the jurisdiction of both COAH and the New Jersey Highlands Water Protection and Planning Act may follow to seek an extension to the December 31, 2008 deadline set by COAH for the submission of third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, the MOU provides for an extension of the December 31, 2008 deadline to December 31, 2009 for any Highlands municipality under COAH's jurisdiction that, before December 31, 2008: 1) submits a duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines; and 2) submits a duly adopted resolution notifying COAH of its intent to petition COAH no later than December 9, 2009; and

WHEREAS, on December 9, 2008 the governing body of the Township of Sparta adopted a resolution notifying the Highlands that the Township of Sparta has set by December 9, 2009 as the target date for submission of a Petition for Plan Conformance.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Sparta hereby agrees that its deadline for the submission of a Housing Element and Fair Share Plan pursuant to N.J.A.C. 5:96-16 is extended from December 31, 2008 to December 31, 2009; and

BE IT FURTHER RESOLVED that the governing body of the Township of Sparta hereby directs Township Manager Henry Underhill to immediately transmit a signed and sealed copy of this resolution to COAH; and

BE IT FURTHER RESOLVED that the governing body of the Township of Sparta hereby directs Township Manager Henry Underhill to immediately transmit a signed and sealed copy of the December 9, 2008 duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines to COAH; and

BE IT FURTHER RESOLVED that the governing body of the Township of Sparta intends to submit a petition for substantive certification of a third round Housing Element and Fair Share Plan to COAH not later than December 31, 2009.

BE IT FURTHER RESOLVED that the governing body of the Township of Sparta may exercise and hereby reserves its right and authority to petition COAH for substantive certification before December 31, 2008 with the understanding Sparta Township can benefit from the coordination of COAH and Highlands regarding the regulations of both agencies by maximizing affordable housing opportunities while preserving critical environmental resources.

1.00-Purpose

The purpose of the Housing Plan and Fair Share Plan of the Master Plan is to provide realistic opportunities to address the housing needs of the citizens of Sparta Township within all income levels. Various housing options shall be integrated into the existing land use pattern to preserve, enhance and protect the rural character and natural resources of the Township. The Plan shall meet the intent of the Fair Housing Act, The New Jersey State Development and Redevelopment Plan, the Highlands Regional Master Plan, Council on Affordable Housing (COAH) Rules and the Mount Laurel court decisions. The Township of Sparta will petition for substantive certification for Round Three Growth Share with COAH as a part of the planning process to meet the mandated housing obligation.

The Fair Housing Act also required municipalities in the State to include an adopted Fair Share Plan. The principal purpose of the Fair Share is to provide for methods of achieving the goal of access to affordable housing to meet the municipality's very low, low and moderate-income housing needs. Very low-income households are defined as those with a family income of less than 30 percent of the median household income, adjusted for household size of the housing region. Low-income households are defined as those with an income no greater than 50 percent of the median household income adjusted for household size of the housing region in which the municipality is based. Moderate-income households are those with incomes no greater than 80 percent of the median household income, adjusted for household size of the housing region.

Sparta Township is located in the northern part of Sussex County in the Northeast Housing Region (Region 1), which consists of Bergen, Hudson, Passaic, and Sussex counties. The median household income in the region for a family of four is \$77,072.

The Municipal Land Use Law and the COAH regulations require that the Housing Element and Fair Share Plan include the following:

"5:97-2.3 Content of a Housing Element

5:97-2.3 Content of a Housing Element

- (a) The Housing Element submitted to the Council shall include:
1. The minimum requirements prescribed by N.J.S.A 52:27D-310;
 2. The household projection for the municipality as provided in chapter Appendix F;
 3. The employment projection for the municipality as provided in Appendix F;
 4. The municipality's prior round obligation (from chapter Appendix C);
 5. The municipality's rehabilitation share (from chapter Appendix B); and
 6. The projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

- (b) Supporting information to be submitted with the Housing Element shall include:
 - 1. A copy of the most recently adopted municipal zoning ordinance; and
 - 2. A copy of the most up-to date tax maps of the municipality, electronic if available, with legible dimensions.
- (c) The municipality shall submit any other documentation necessary to facilitate the review of the municipal Housing Element as requested by the Council.
- (d) As an alternate to the household and employment projections required by (a)2 and 3 above, a municipality may rely upon its own household and employment growth projections, provided the total growth share resulting from the municipal household and employment growth projections exceeds the total growth share resulting from the household and employment growth projections provided in Appendix F.
 - 1. The alternate projection of the municipality's probable future construction of housing for 15 years covering the period January 1, 2004 through December 31, 2018 shall consider the following minimum information for residential development:
 - i. Certificates of occupancy issued since January 1, 2004;
 - ii. Pending, approved and anticipated applications for development; and
 - iii. Historical trends of at least the past 10 years, which includes certificates of occupancy issued.
 - 2. The alternate projection of the probable future jobs based on the use Groups outlined in chapter Appendix D for 15 years covering the period January 1, 2004 through December 31, 2018 for the municipality shall consider the following minimum information for non-residential development:
 - i. Square footage of new or expanded non-residential development authorized by certificates of occupancy issued since January 1, 2004;
 - ii. Square footage of pending, approved and anticipated applications for development;
 - iii. Historical trends, of, at least, the past 10 years, which shall include the square footage authorized by certificates of occupancy issued; and
 - iv. Demolition permits issued and projected.

5:97-3.2 Content of a Fair Share Plan

- (a) A Fair Share Plan describes the completed or proposed mechanisms and funding sources, if applicable, that will be utilized to specifically address a municipality's rehabilitation share, prior round obligation, and growth share obligation. The Fair Share Plan shall be in a form provided by the Council and include at least the following:
 - 1. Descriptions of any credits intended to address any portion of the Fair Share obligation, which shall include all information and documentation

- required by N.J.A.C. 5:97-4 for each type of credit;
2. Descriptions of any adjustments to any portion of the fair share obligation, which shall include all information and documentation required by N.J.A.C. 5:97-5 for each adjustment sought;
 3. Descriptions of any mechanisms intended to address the prior round obligation, the rehabilitation share, and the growth share obligation;
 4. An implementation schedule that sets forth a detailed timetable that Demonstrates a “realistic opportunity” as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6, based on the following:
 - i. Documentation for mechanisms to address the prior round obligation, the rehabilitation share, and the growth share obligation up to the first plan review pursuant to N.J.A.C. 5:96-10 shall be submitted at the time of petition;
 - ii. Documentation for zoning for inclusionary development, an accessory apartment program, or a market to affordable program shall be submitted at the time of petition and implemented within 45 days of substantive certification;
 - iii. Documentation for the extension of expiring controls shall be submitted at the time of petition and implemented in accordance with an implementation schedule pursuant to (a)4iv below; and
 - iv. Documentation for all mechanisms not included in (a)4i through iii above shall be submitted according to an implementation schedule, but no later than two years prior to scheduled implementation of the mechanism, and shall consider the economic viability of the mechanisms and the actual growth share obligation that has or will occur as calculated pursuant to N.J.A.C. 5:97-2.5. Pursuant to N.J.A.C. 5:97-2.5(d), the municipality shall comply with the plan evaluation requirements and shall be subject to the enforcement remedies of N.J.A.C 5:96-10.4. 5.
 5. Notwithstanding (a)4iv above, a municipality with insufficient vacant land that has been granted or is seeking a vacant land adjustment pursuant to N.J.A.C. 5:97-5.1 or a household and employment growth projection adjustment pursuant to N.J.A.C. 5:97-5.6 shall submit all information and documentation required by N.J.A.C. 5:97-6 at the time of petition, unless it meets the requirements of (a)5i and ii below, in which case it shall submit the required information and documentation in accordance with an implementation schedule, but no later than two years prior to scheduled implementation of the mechanism, and shall consider the economic viability of the mechanisms and the actual growth share obligation that has or will occur as calculated pursuant to N.J.A.C. 5:97-2.5. Pursuant to N.J.A.C. 5:97-2.5(d), the municipality shall comply with the plan evaluation requirements and shall be subject to the enforcement remedies of N.J.A.C 5:96-10.4.

- i. The municipality demonstrates that the mechanism(s) does not rely upon the availability of vacant land (that is, redevelopment);
 - or ii. The municipality takes appropriate measures to reserve scarce resources that may be essential to implement the mechanisms that rely on the availability of vacant land to address the growth share obligation.
 6. Draft and/or adopted ordinances necessary for the implementation of the mechanisms designed to satisfy the fair share obligation;
 7. A demonstration that existing zoning or planned changes in zoning provide adequate capacity to accommodate any proposed inclusionary developments pursuant to N.J.A.C. 5:97-6.4;
 8. A demonstration of existing or planned water and sewer capacity sufficient to accommodate all proposed mechanisms; and
 9. A spending plan pursuant to N.J.A.C. 5:97-8.10, if the municipality maintains or intends to establish an affordable housing trust fund pursuant to N.J.A.C. 5:97-8.
- (b) The Fair Share Plan shall also include any other documentation pertaining to the review of the municipal Fair Share Plan as required by this chapter and N.J.A.C. 5:96 or requested by the Council.

Source: COAH

1.01 Introduction:

Sparta Township is a rural community, located in Sussex County in northwest New Jersey. The Township is classified in the New Jersey State Development and Redevelopment Plan as Environmentally Sensitive PA5, Rural Planning Area PA4 and Rural/Environmentally Sensitive Planning Area PA4B designations. Future housing obligations for new construction (Inclusionary housing projects) should be planned in "Centers" with the exception of group homes and various other COAH approved options such as Growth Share onsite construction. The Sparta Town Center is a State Planning Commission approved designated "Center" (July 2003). Sparta is currently pursuing Plan Endorsement with the State Planning Commission and Plan Conformance with the Highlands Council for the Preservation Area with options in the Planning Area.

Sparta is a rural bedroom community with limited public sewer and a public water system serving a portion of the community. The total population is 18,080 with 8,915 male and 9,165 female residents. There are 6,590 housing units based on the 2000 US Census. There are 6,225 occupied housing units and 365 vacant units. Seasonal housing units make up of 202 units of the total. The existing housing stock built prior to 1980 is 4,471 or 68% (Source Census 2000). The NJTPA/MPO (North Jersey Transportation Planning Authority, Metropolitan Planning Organization) estimated population for Sparta Township in 2005 is 19,460.

1.02 Municipal Objectives:

1. Provide for a variety of housing opportunities for all income levels in the “existing hamlets and planned centers” in conjunction with public transportation.
2. Provide densities or forms of housing development consistent with the State Plan by examining the impacts on the natural environment.
3. Provide housing opportunities for the senior community.
4. Prepare a Fair Share/Housing Plan to meet the mandated affordable housing obligation as assigned by the Council on Affordable Housing

1.03 Existing Housing Status:

COAH divided the State into Housing Regions for the 1993-1999 cycles and has maintained the Regions for Round Three 1999 to 2018 cycle. Sparta Township is part of Region One, which includes Sussex, Passaic, Bergen and Hudson Counties.

1.03-1 Fair Share Obligation Round One and Two:

The New Jersey Council on Affordable housing (COAH) was established and given the responsibility for implementing the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

COAH previously assigned Sparta Township a prior round obligation of 59 units and 57 rehabilitation units (total prior obligation 133 units). Sparta Township received Certification from COAH in December 2000. The Round Three methodology has changed to a growth share model and the prior obligation assigned in Rounds One and Two has been modified as shown in Appendix C and B of the COAH Round Three Rules. Sparta Township’s prior obligation has been changed to 76 units for new construction and 15 units under rehabilitation. The COAH methodology to determine each municipality’s fair share obligation has been designed to provide uniformity throughout the State in addressing the State’s very low, low and moderate income housing need and to permit each municipality to plan for growth.

1.03-2 Third Round Obligation

The Council on Affordable Housing released the methodology for the third round rules in August of 2003 and modified them several times including on June 2, 2008, September 22, 2008 and the Non-residential Development Fee Act effective July 17, 2008. The Round #3 obligation is calculated from January 1, 2004. The new rules cover the period from 1999 to 2018. The re-assigned obligation for rounds one and two remain and must be accomplished to receive certification. The third round obligation for each municipality is determined with two components.

- “ 1. Growth Share –The projected growth share in accordance with the procedures in N.J.A.C.: 97-2.4;
2. Rehabilitation share – the number of substandard units a town must rehabilitate as identified by COAH.”

Source: COAH

The Growth Share calculation is based on the following:

1. For every 4 residential units receiving a Certificate of Occupancy in a municipality from 2004 to 2018, one affordable unit must be provided.
2. For every 16 jobs created in the municipality, the municipality incurs an obligation of one affordable housing unit.

Source: COAH

Sparta Township has experienced steady growth in housing starts with 1022 building permits issued from January 1990 – March 2000 (source US Census). This is an average of 102 new single-family housing units per year. This average will not continue because residential build-out will be reached within the next ten years or sooner depending on the local, regional and national economies. The information pertaining to the existing housing in a community is an important part of the Housing Element and provides the foundation in developing strategies to meet the Goals and Objectives of the Master Plan by integrating the Land Use Element and Resource Conservation Element with the Housing Plan to determine the appropriate location, type and density of future housing. The natural carrying capacity of the land should not be exceeded. Growth should be planned consistent with the New Jersey State Development and Redevelopment Plan, Highlands Regional Master Plan and the Sussex County Strategic Growth Plan.

1.04 Affordable Housing Inventory:

The Township over the years has provided opportunities for affordable housing. **Table One** indicates the “Constructed or Approved Units/Credits” as Certified by COAH for Sparta Township.

Table One
Units Constructed/Credits Approved/Certified under Rounds #1and Round #2:

| Type/Location | Block | Lot | Year | # of Bedrooms/Units | Rental Bonus |
|--|-------|---------|---------------|---|--------------|
| Approved or Constructed Projects: | | | | | |
| SCARC group home | 10.01 | 21 | 1982 | 5 | 0 |
| Center for Humanistic | | | | | |
| Change group home | 159 | 9 | 1988 | 5 | 5 |
| Valley View Residential | | | | | |
| Health Care | 19.03 | 50.01 | 1986 | 3 | 0 |
| Knoll Heights Assisted | | | | | |
| Living Facility | 39.05 | 4 | 1991 | 29 | 4 |
| Round At Sparta | 13.01 | 15 | approx. 9/03 | 24 | 0 |
| Sparta Business Campus | 35.08 | 14 & 15 | approx. 12/02 | 8 | 0 |
| Millrace Village | | | approx. | Payment in Lieu as per Settlement Agreement | |
| Zoned Parcels: | | | | | |
| Broderick | 13.01 | 14 | 2001 | <u>3</u> | <u>0</u> |
| | | | | 77 | 9 |

Credits = 86 Affordable Housing Units

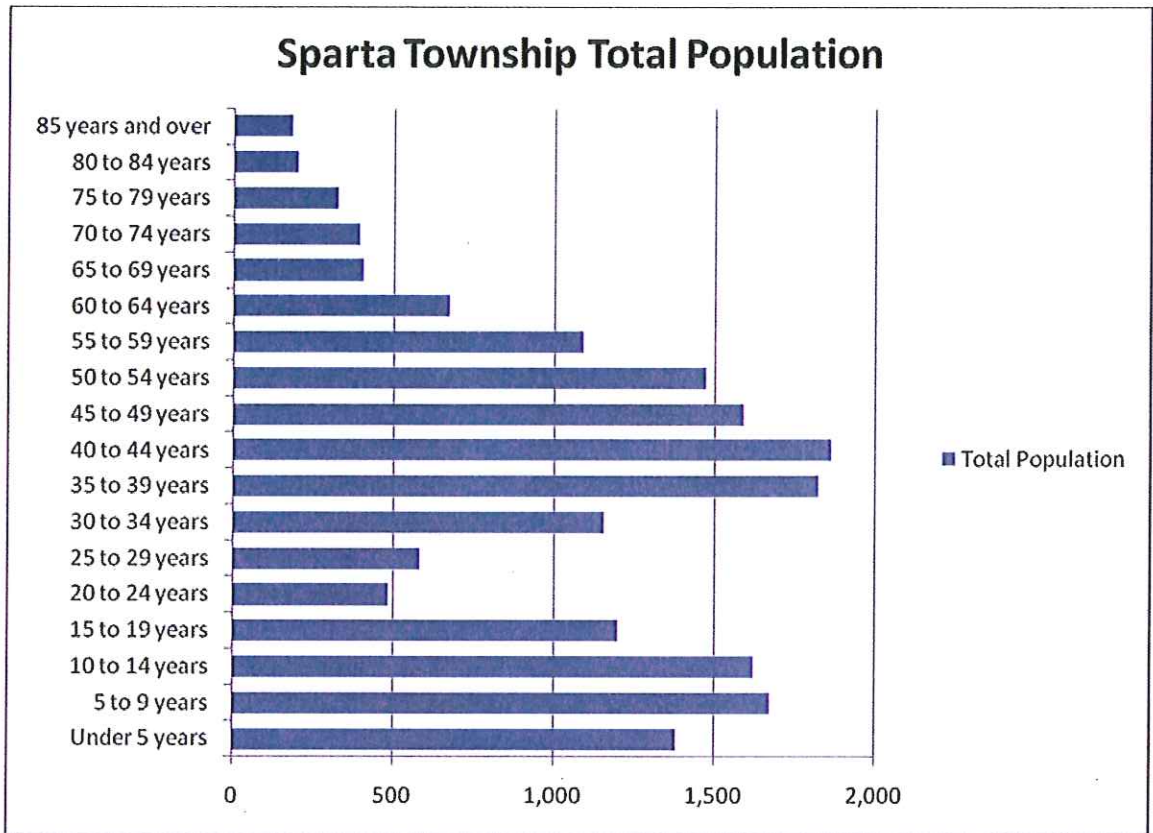
Note: The Valley View Residential Health Care facility has been vacated and the Credits have been reduced by 3 to 83 Affordable Housing Units. Broderick parcel analysis in Appendix. Millrace Village Zoning (MF-3) remains based on the Settlement Agreement of Round #2 Certification.

1.05 Demographic Characteristics:

The purpose of this section of the Housing Plan is to document and analyze demographic data with existing housing trends.

The current population of Sparta in 2005 is 19,460 based on NJTPA. The social mobility, economic prosperity and international immigration have induced cultural diversity in communities traditionally dominated by European ancestry. The New York Metropolitan cultural influence will continue to diversify the population of Sparta Township.

Table Two



1.06 Population Composition By Age:

The Population Composition by age for Sparta Township is based on the 2000 Census data. In evaluating the information, current trends need to be factored in such as the baby boom, baby bust and baby boom echo generations. There has been an increase of retired persons relocating to the Southeastern and Southwestern United States. This information is useful in evaluating capital improvements and public investment as to schools and public facilities.

The data and current trends show increases in the population in the 0 - 16 and 35 to 54 age categories. The general population is aging in place and living longer because of the quality of health care and medical technology advances. These trends indicate the housing needs for families with children and people over the age of 70 years old. Additional housing alternatives including duplex housing, zero lot line housing and age-restricted housing would enhance the quality of life offered in the Township.

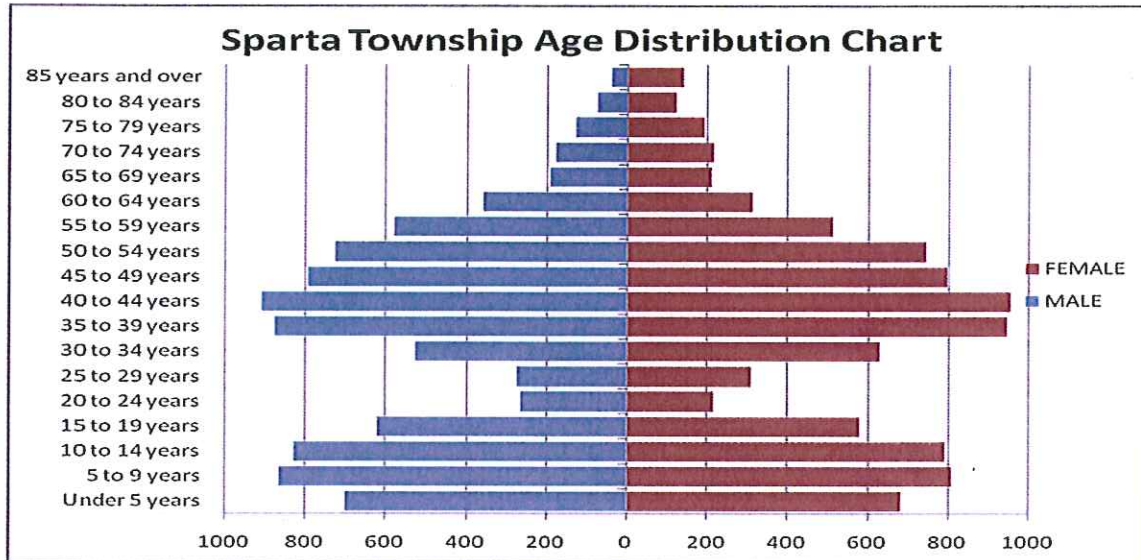
Table Three

| AGE CATEGORY | MALE | | FEMALE | | TOTAL | |
|---------------------|--------------|---------------|---------------|---------------|---------------|----------------|
| Under 5 years | 699 | 3.87% | 682 | 3.77% | 1,381 | 7.64% |
| 5 to 9 years | 863 | 4.77% | 809 | 4.47% | 1,672 | 9.25% |
| 10 to 14 years | 828 | 4.58% | 792 | 4.38% | 1,620 | 8.96% |
| 15 to 19 years | 618 | 3.42% | 580 | 3.21% | 1,198 | 6.63% |
| 20 to 24 years | 266 | 1.47% | 215 | 1.19% | 481 | 2.66% |
| 25 to 29 years | 273 | 1.51% | 309 | 1.71% | 582 | 3.22% |
| 30 to 34 years | 526 | 2.91% | 629 | 3.48% | 1,155 | 6.39% |
| 35 to 39 years | 874 | 4.83% | 946 | 5.23% | 1,820 | 10.07% |
| 40 to 44 years | 906 | 5.01% | 956 | 5.29% | 1,862 | 10.30% |
| 45 to 49 years | 791 | 4.38% | 796 | 4.40% | 1,587 | 8.78% |
| 50 to 54 years | 726 | 4.02% | 744 | 4.12% | 1,470 | 8.13% |
| 55 to 59 years | 578 | 3.20% | 511 | 2.83% | 1,089 | 6.02% |
| 60 to 64 years | 358 | 1.98% | 314 | 1.74% | 672 | 3.72% |
| 65 to 69 years | 191 | 1.06% | 211 | 1.17% | 402 | 2.22% |
| 70 to 74 years | 176 | 0.97% | 215 | 1.19% | 391 | 2.16% |
| 75 to 79 years | 127 | 0.70% | 194 | 1.07% | 321 | 1.78% |
| 80 to 84 years | 75 | 0.41% | 123 | 0.68% | 198 | 1.10% |
| 85 years and over | 40 | 0.22% | 139 | 0.77% | 179 | 0.99% |
| TOTALS | 8,915 | 49.31% | 9,165 | 50.69% | 18,080 | 100.00% |

Median Age 37.8 years

Source: 2000 Census

Table/Chart Four



1.07 Household Size:

The household size is tabulated from the 2000 Census data by documenting the number of persons per household. The US Census defines a household as one or more persons, whether related or not, living together in one dwelling unit. The average number of persons per household in Sparta Township as per the 2000 Census is 2.90 persons. The average household size can be further defined by examining the owner occupied versus renter occupied. The average Sparta Township household size for owner occupied units is 2.99 and 2.05 for renter occupied units.

The number of households as documented in the 2000 Census is 6,590 housing units with 365 vacant units. The dominant housing unit type is single family with the Housing Tenure of owner occupied housing units being a 5,601 and renter occupied units equaling 624.

Source: US Census 2000

1.08 Household Income:

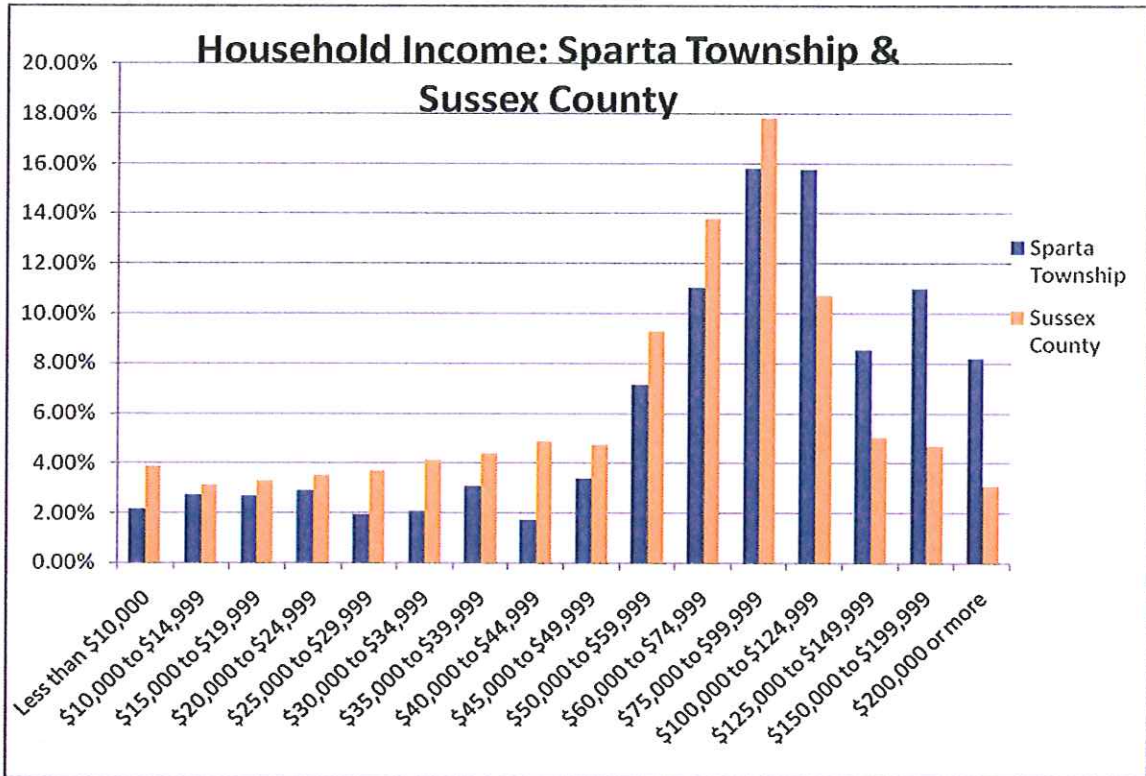
The distribution of household income as documented in the 2000 Census is shown in **Table Five**. The Sussex County data establishes a benchmark to compare Sparta Township to the region. 27.7 percent Sparta’s households have an income less than \$50,000 with the County at 36 percent. There are 43.44 percent of the households that earn \$100,000 or more compared to 23.53 percent for Sussex County. The data indicates a mix of income levels, higher in the mid-income categories and in the highest income categories when compared to the Sussex County. The median income in Sparta Township is \$89,835 compared to \$65,266 for Sussex County.

Table Five

| Household Income | Sparta Township | | Sussex County | |
|------------------------|-----------------|------------|-----------------|------------|
| | # of Households | Percentage | # of Households | Percentage |
| Less than \$10,000 | 134 | 2.15% | 1,967 | 3.87% |
| \$10,000 to \$14,999 | 170 | 2.73% | 1,589 | 3.13% |
| \$15,000 to \$19,999 | 166 | 2.67% | 1,666 | 3.28% |
| \$20,000 to \$24,999 | 179 | 2.88% | 1,784 | 3.51% |
| \$25,000 to \$29,999 | 121 | 1.94% | 1,861 | 3.66% |
| \$30,000 to \$34,999 | 127 | 2.04% | 2,095 | 4.12% |
| \$35,000 to \$39,999 | 192 | 3.08% | 2,219 | 4.37% |
| \$40,000 to \$44,999 | 107 | 1.72% | 2,462 | 4.85% |
| \$45,000 to \$49,999 | 210 | 3.37% | 2,407 | 4.74% |
| \$50,000 to \$59,999 | 445 | 7.15% | 4,722 | 9.30% |
| \$60,000 to \$74,999 | 687 | 11.03% | 7,012 | 13.81% |
| \$75,000 to \$99,999 | 984 | 15.80% | 9,053 | 17.82% |
| \$100,000 to \$124,999 | 981 | 15.76% | 5,448 | 10.73% |
| \$125,000 to \$149,999 | 530 | 8.51% | 2,566 | 5.05% |
| \$150,000 to \$199,999 | 684 | 10.99% | 2,375 | 4.68% |
| \$200,000 or more | 509 | 8.18% | 1,563 | 3.08% |
| Total: | 6,226 | 100.00% | 50,789 | 100.00% |

Source: US Census 2000 based on 1999 income

Table/Chart Six



Source: US Census 2000 based on 1999 income

Table Seven

Median Household Income by Tenure: Occupied Housing Units

| | Sparta Township | Sussex County | New Jersey |
|------------------------------------|----------------------------|--------------------------|-------------------|
| Median household income in 1999 -- | | | |
| Total | \$ 89,534 | \$ 64,978 | \$ 554,820 |
| Owner occupied | \$ 94,476 | \$ 71,678 | \$ 68,770 |
| Renter occupied | \$ 32,708 | \$ 36,680 | \$ 34,103 |

Table Eight

Median Household Income by Tenure: Occupied Housing Units

| | Sparta Township | Sussex County | New Jersey |
|------------------------------------|----------------------------|--------------------------|-------------------|
| Median household income in 1999 -- | | | |
| Total | \$ 89,534 | \$ 64,978 | \$ 554,820 |
| Owner occupied | \$ 94,476 | \$ 71,678 | \$ 68,770 |
| Renter occupied | \$ 32,708 | \$ 36,680 | \$ 34,103 |

Table Nine

Gross Rent: Specified renter occupied housing units

| | Sparta Township | Sussex County | New Jersey |
|--------------------|------------------------|----------------------|-------------------|
| Total: | 603 | 8,627 | 603 |
| With cash rent: | 555 | 8,101 | 1,015,329 |
| Less than \$100 | 9 | 36 | 9,371 |
| \$100 to \$149 | 9 | 62 | 15,655 |
| \$150 to \$199 | 36 | 140 | 24,674 |
| \$200 to \$249 | 34 | 141 | 18,603 |
| \$250 to \$299 | 27 | 99 | 14,955 |
| \$300 to \$349 | 17 | 85 | 16,649 |
| \$350 to \$399 | 45 | 115 | 17,058 |
| \$400 to \$449 | 18 | 141 | 24,607 |
| \$450 to \$499 | 0 | 156 | 31,393 |
| \$500 to \$549 | 0 | 273 | 45,324 |
| \$550 to \$599 | 9 | 442 | 55,328 |
| \$600 to \$649 | 9 | 519 | 70,673 |
| \$650 to \$699 | 17 | 575 | 77,981 |
| \$700 to \$749 | 32 | 709 | 84,159 |
| \$750 to \$799 | 29 | 690 | 81,924 |
| \$800 to \$899 | 89 | 1,183 | 136,813 |
| \$900 to \$999 | 45 | 891 | 95,263 |
| \$1,000 to \$1,249 | 42 | 1,170 | 108,645 |
| \$1,250 to \$1,499 | 32 | 462 | 40,528 |
| \$1,500 to \$1,999 | 18 | 134 | 30,884 |
| \$2,000 or more | 38 | 78 | 14,842 |
| No cash rent | 48 | 526 | 33,798 |

Table Ten

Median Gross Rent: Specified renter-occupied housing units paying cash rent

| | Sparta Township | Sussex County | New Jersey |
|-------------------|------------------------|----------------------|-------------------|
| Median gross rent | \$ 777 | \$ 790 | \$ 751 |

Table Eleven

Rental Cost Burden:

Rental cost burden is defined as “median gross rent” [per month] multiplied by 12 [months in the year] and divided by “median household income” for renters.

| | Sparta Township | Sussex County | New Jersey |
|--------------------|------------------------|----------------------|-------------------|
| Renter occupied | \$ 32,708 | \$ 36,680 | \$ 34,103 |
| Median gross rent | \$ 777 | \$ 790 | \$ 751 |
| Rental Cost Burden | 28.51% | 25.85% | 26.43% |

Table Twelve

Median Gross Rent: Specified renter-occupied housing units paying cash rent

| | Sparta Township | Sussex County | New Jersey |
|-------------------|------------------------|----------------------|-------------------|
| Median gross rent | \$ 777 | \$ 790 | \$ 751 |

Rental Cost Burden:

Rental cost burden is defined as “median gross rent” [per month] multiplied by 12 [months in the year] and divided by “median household income” for renters.

Table Thirteen

| | Sparta Township | Sussex County | New Jersey |
|--------------------|------------------------|----------------------|-------------------|
| Renter occupied | \$ 32,708 | \$ 36,680 | \$ 34,103 |
| Median gross rent | \$ 777 | \$ 790 | \$ 751 |
| Rental Cost Burden | 28.51% | 25.85% | 26.43% |

Table Fourteen

Gross Rent: Specified renter occupied housing units

| | Sparta Township | Sussex County | New Jersey |
|--------------------|----------------------------|--------------------------|-------------------|
| Total: | 603 | 8,627 | 603 |
| With cash rent: | 555 | 8,101 | 1,015,329 |
| Less than \$100 | 9 | 36 | 9,371 |
| \$100 to \$149 | 9 | 62 | 15,655 |
| \$150 to \$199 | 36 | 140 | 24,674 |
| \$200 to \$249 | 34 | 141 | 18,603 |
| \$250 to \$299 | 27 | 99 | 14,955 |
| \$300 to \$349 | 17 | 85 | 16,649 |
| \$350 to \$399 | 45 | 115 | 17,058 |
| \$400 to \$449 | 18 | 141 | 24,607 |
| \$450 to \$499 | 0 | 156 | 31,393 |
| \$500 to \$549 | 0 | 273 | 45,324 |
| \$550 to \$599 | 9 | 442 | 55,328 |
| \$600 to \$649 | 9 | 519 | 70,673 |
| \$650 to \$699 | 17 | 575 | 77,981 |
| \$700 to \$749 | 32 | 709 | 84,159 |
| \$750 to \$799 | 29 | 690 | 81,924 |
| \$800 to \$899 | 89 | 1,183 | 136,813 |
| \$900 to \$999 | 45 | 891 | 95,263 |
| \$1,000 to \$1,249 | 42 | 1,170 | 108,645 |
| \$1,250 to \$1,499 | 32 | 462 | 40,528 |
| \$1,500 to \$1,999 | 18 | 134 | 30,884 |
| \$2,000 or more | 38 | 78 | 14,842 |
| No cash rent | 48 | 526 | 33,798 |

The New Jersey Council on Affordable Housing has established eligible income limits for Sussex County / Region 1. The 2008 chart in the Appendix shows the number of persons per household and the income levels for low, moderate and median as defined by the COAH. The chart is updated yearly and provides the standard to qualify new owners and renters for deed restricted affordable units.

1.09 Housing Condition Characteristics:

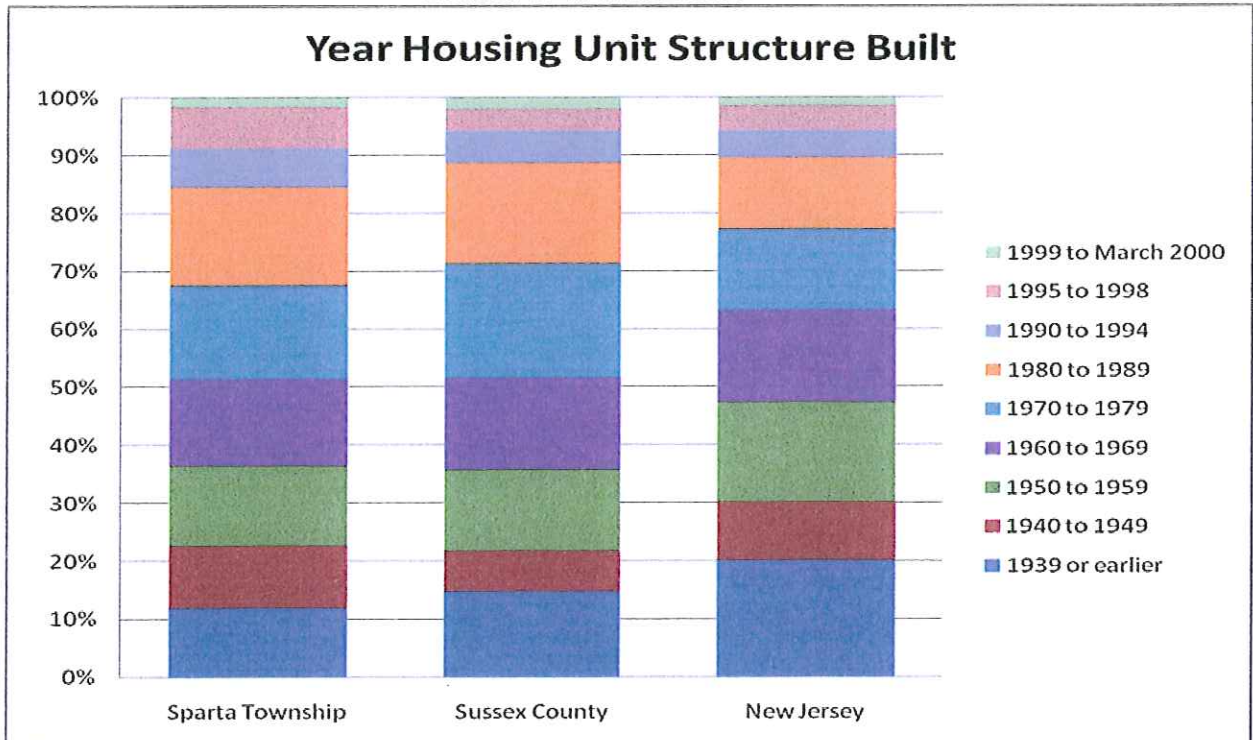
Sparta Township is a bedroom community with a variety of housing stock with the majority of the older housing constructed before 1939. Sparta has experienced steady growth with a rapid growth from 1970 to 1989. The following Tables and Charts provide valuable information concerning the housing stock of Sparta Township.

Table Fifteen

Year Structure Built

| | Sparta Township | Sussex County | New Jersey |
|--------------------|------------------------|----------------------|-------------------|
| Total: | 6,614 | 56,528 | 3,310,275 |
| 1939 or earlier | 783 | 8,271 | 666,046 |
| 1940 to 1949 | 712 | 3,950 | 332,806 |
| 1950 to 1959 | 909 | 7,894 | 565,847 |
| 1960 to 1969 | 997 | 9,073 | 526,732 |
| 1970 to 1979 | 1,070 | 11,157 | 462,740 |
| 1980 to 1989 | 1,121 | 9,812 | 409,978 |
| 1990 to 1994 | 446 | 3,123 | 158,581 |
| 1995 to 1998 | 468 | 2,167 | 139,421 |
| 1999 to March 2000 | 108 | 1,081 | 48,124 |

Table/Chart Sixteen



Median Year Structure Built:

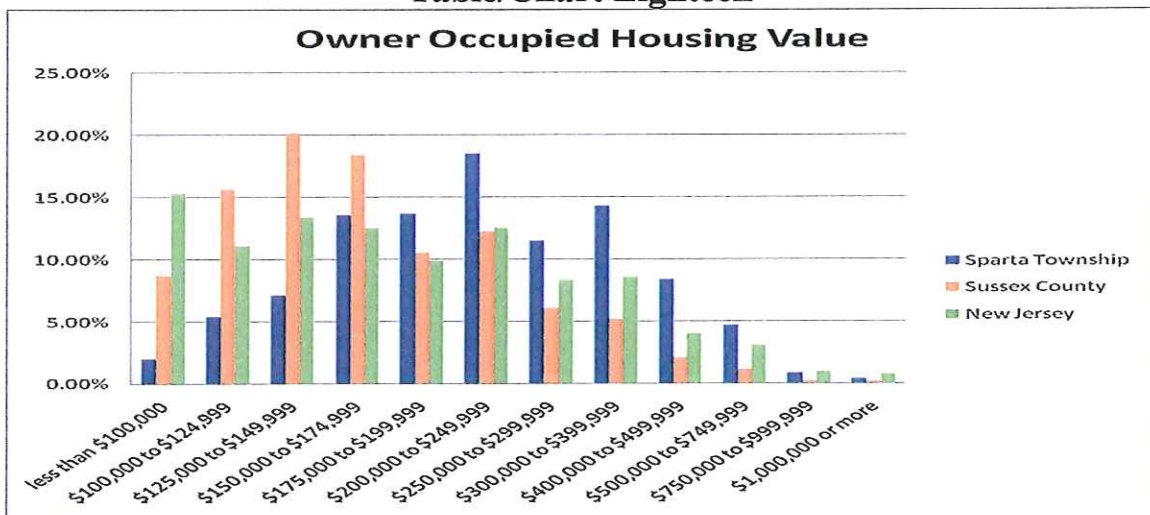
| | Sparta Township | Sussex County | New Jersey |
|-----------------------------|-----------------|---------------|------------|
| Median year structure built | 1969 | 1969 | 1962 |

Table Seventeen

Value of Owner Occupied Housing Unit Structure:

| | Sparta Township | | Sussex County | | New Jersey | |
|------------------------|-----------------|---------|---------------|---------|------------|---------|
| Total: | 5,376 | 100.00% | 37,812 | 100.00% | 1,701,732 | 100.00% |
| less than \$100,000 | 105 | 1.95% | 3266 | 8.64% | 259412 | 15.24% |
| \$100,000 to \$124,999 | 287 | 5.34% | 5,897 | 15.60% | 187,805 | 11.04% |
| \$125,000 to \$149,999 | 382 | 7.11% | 7,609 | 20.12% | 227,385 | 13.36% |
| \$150,000 to \$174,999 | 728 | 13.54% | 6,948 | 18.38% | 212,303 | 12.48% |
| \$175,000 to \$199,999 | 734 | 13.65% | 3,956 | 10.46% | 167,587 | 9.85% |
| \$200,000 to \$249,999 | 995 | 18.51% | 4,627 | 12.24% | 213,034 | 12.52% |
| \$250,000 to \$299,999 | 615 | 11.44% | 2,295 | 6.07% | 141,325 | 8.30% |
| \$300,000 to \$399,999 | 769 | 14.30% | 1,941 | 5.13% | 145,549 | 8.55% |
| \$400,000 to \$499,999 | 450 | 8.37% | 759 | 2.01% | 67,550 | 3.97% |
| \$500,000 to \$749,999 | 251 | 4.67% | 403 | 1.07% | 52,342 | 3.08% |
| \$750,000 to \$999,999 | 42 | 0.78% | 69 | 0.18% | 15,571 | 0.92% |
| \$1,000,000 or more | 18 | 0.33% | 42 | 0.11% | 11,869 | 0.70% |

Table/Chart Eighteen



Median Owner Occupied Housing Value:

| | Sparta Township | Sussex County | New Jersey |
|--------------|------------------------|----------------------|-------------------|
| Median value | \$ 222,700 | \$ 157,700 | \$ 170,800 |

1.10 Employment Characteristics:

Sparta Township is predominately a bedroom community for businesses along the Interstate 80 & 287 corridor and New York City with over 60% of the residents commuting out of the County. The Sparta Township Land Use Plan provides for planned growth in the designated Sparta Town Center and in the Economic Development District consistent with the New Jersey State Development and Redevelopment Plan and the Sussex County Strategic Growth Plan. This will provide employment opportunities in the future. **Table Nineteen** provides the employment data from the 2000 Census for the residents of Sparta Township.

Table/Chart Nineteen

Workers by Industry:

| Industry | Sparta Township | Sussex County |
|---|------------------------|----------------------|
| Total: | 111 | 748 |
| Agriculture, forestry, fishing and hunting, and mining | 32 | 264 |
| Construction | 502 | 3,094 |
| Manufacturing | 9 | 199 |
| Wholesale trade | 127 | 1,300 |
| Retail trade | 18 | 80 |
| Transportation and warehousing, and utilities | 1,621 | 13,819 |
| Information | 95 | 1,009 |
| Finance, insurance, real estate and rental and leasing | 3,873 | 33,245 |
| Professional, scientific, management, administrative, and waste management services | 0 | 41 |
| Educational, health and social services | 0 | 6 |
| Arts, entertainment, recreation, accommodation and food services | 0 | 22 |
| Other services (except public administration) | 137 | 1,089 |
| Public administration | 42 | 348 |

Workers by Industry

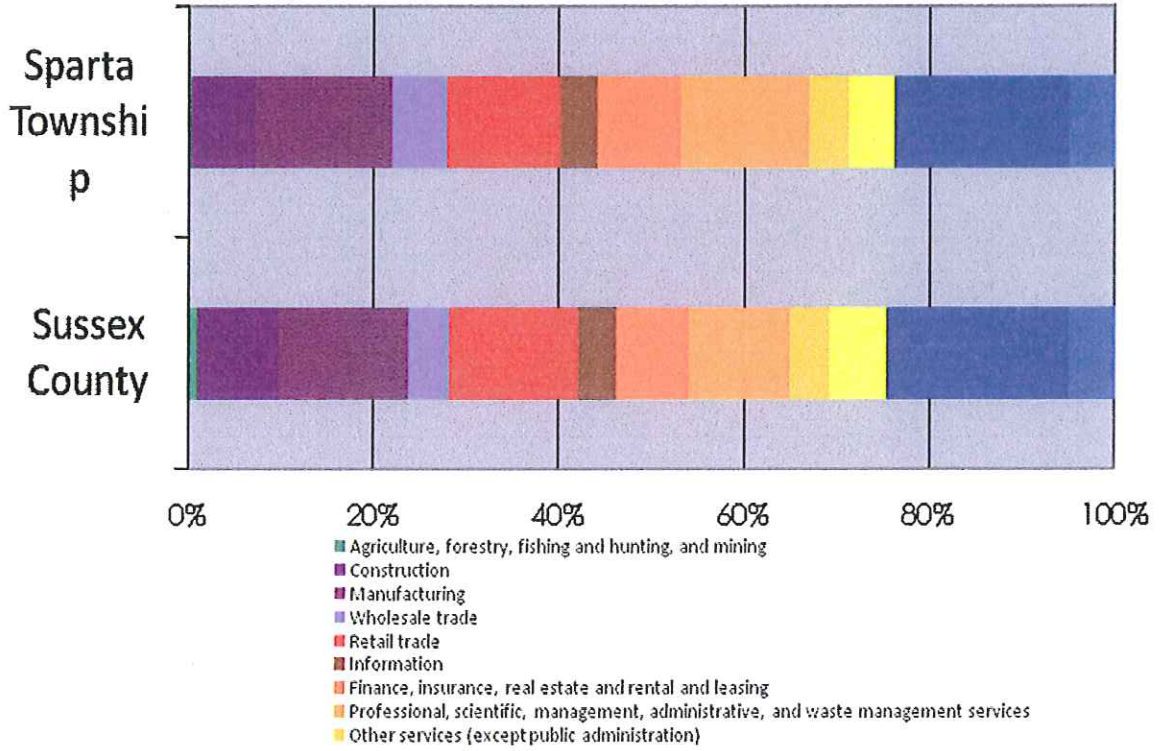


Table Twenty

| 2003 Sparta Township Employment by Industry | | |
|--|-------------------------------|----------------------|
| Industry (NAICS based) | Average Annual Establishments | Average Monthly Jobs |
| Agriculture, forestry, fishing and hunting | . | . |
| Mining | . | . |
| Construction | 112 | 392 |
| Manufacturing | 37 | 447 |
| Wholesale trade | 89 | 302 |
| Retail trade | 124 | 605 |
| Transportation and warehousing | 33 | 259 |
| Information | 17 | 116 |
| Finance and insurance | 44 | 256 |
| Real estate and rental and leasing | 19 | 60 |
| Professional and technical services | 236 | 723 |
| Management of companies and enterprises | 4 | 27 |
| Administrative and waste services | 69 | 500 |
| Educational services | 19 | 114 |
| Health care and social assistance | 105 | 1,075 |
| Arts, entertainment, and recreation | 22 | 372 |
| Accommodation and food services | 69 | 491 |
| Other services, except public administration | 90 | 326 |
| Unclassified entities | 186 | 182 |
| PRIVATE SECTOR MUNICIPALITY TOTAL | 1,278 | 6,261 |
| | | |
| FEDERAL GOVT MUNICIPALITY TOTAL | 2 | 47 |
| LOCAL GOVT MUNICIPALITY TOTAL | 9 | 908 |

Source: *NEW JERSEY EMPLOYMENT AND WAGES: 2003 ANNUAL REPORT (MUNICIPALITIES BY INDUSTRY)*

1.11 Residential Growth Share Projections:

Historic Trend of Certificates of Occupancy and Demolition Permits

| | '96 | '97 | '98 | '99 | '00 | '01 | '02 | '03 |
|-------------|----------|----------|----------|----------|-----------|----------|----------|----------|
| COs Issued | 93 | 135 | 117 | 106 | 89 | 119 | 125 | 96 |
| Demolitions | <u>2</u> | <u>6</u> | <u>2</u> | <u>8</u> | <u>13</u> | <u>5</u> | <u>7</u> | <u>6</u> |
| Net | 91 | 129 | 115 | 98 | 76 | 114 | 118 | 90 |

HOUSING UNIT BY MUNICIPALITY: 2002, 2004, 2018

based on amendments to N.J.A.C. 5:97 proposed on June 16, 2008

| Municipality | COAH Region | County | Units in 2004 | Units Allocated 2018 | Net Changes 2004 - 2018 |
|-----------------|----------------|--------|------------------|----------------------------|----------------------------|
| SPARTA TOWNSHIP | 1 | SUSSEX | 7,071 | 7,805 | 734 |

COAH Growth Share Projections Workbook A (See Sparta Housing Plan Appendix)

Residential Growth Projection = 114.2 Affordable Units

1.12 Non-residential Growth Projections:

**Ten-Year Historic Trend of Certificates of Occupancy
Permits by Square Feet**

| CO's Issued | Square Feet per Year | | | | | | | Total | |
|----------------|----------------------|--------|---------|--------|--------|--------|--------|--------|---------|
| | 96 | 97 | 98 | 99 | 00 | 01 | 02 | | 03 |
| B-Office | 12,704 | 4,600 | 67,069 | 19,703 | 12,880 | 14,736 | 8,355 | 6,200 | 146,247 |
| M-Retail | | | | | | | | | 0 |
| S-Warehouse | | | | | | | | | 0 |
| A-2 Restaurant | | | | | | | | | 0 |
| A-3 | | | | | 5,928 | | 600 | 6,216 | 12,744 |
| A-4 | | | 5,077 | 8,621 | 1,848 | | | | 15,546 |
| Industrial | 10,700 | 11,835 | 220,935 | 57,435 | 30,310 | 12,895 | | 14,480 | 358,590 |
| Educational | | | 149,609 | 35,067 | | 47,830 | 18,560 | | 251,066 |

EMPLOYMENT BY MUNICIPALITY: 2002, 2004, 2018

based on amendments to N.J.A.C. 5:97 proposed on June 16, 2008

| Municipality | COAH Region | County | Employment in 2004 | Employment Allocated 2018 | Net Change 2004 - 2018 |
|-----------------|-------------|--------|--------------------|---------------------------|------------------------|
| SPARTA TOWNSHIP | 1 | SUSSEX | 8,264 | 9,234 | 970 |

COAH Growth Share Projections Workbook A (See Sparta Housing Plan Appendix)

Non-Residential Growth Projection = 57.63 Affordable Units

1.13 Affordable Housing Obligation Summary:

| | |
|--|--------------------------------|
| Rounds #1 and #2 Obligation: | 76.00 Affordable Units |
| Adjusted Residential Growth Projection | 114.20 Affordable Units |
| Adjusted Non-Residential Growth Projection | <u>57.63 Affordable Units</u> |
| | 247.83 Affordable Units |

1.14 Actual Residential Growth: January 2004 – June 2008

Actual Residential Growth: Sparta Township (Source NJDCA)

| Year or Partial Year | 1&2 Family | Multifamily | Mixed Use | Sub Total |
|----------------------|------------|-------------|-----------|-----------|
| 2004 | 53 | 34 | 1 | 88 |
| 2005 | 43 | 0 | 0 | 43 |
| 2006 | 82 | 0 | 0 | 82 |
| 2007 | 45 | 35 | 0 | 80 |
| 2008 Jan. to June | <u>15</u> | <u>10</u> | <u>0</u> | <u>25</u> |
| Totals | 238 | 79 | 1 | 318 |

318 housing units divided by 4 = 79.5 affordable housing units

114-1 Actual Residential Growth Reduction: January 2004 – June 2008

The 79 multifamily units are part of approved inclusionary developments certified under Rounds #1 and #2. Based on Chapter 5:97-2.5(a), a reduction of actual growth is subtracted from the calculation (318 – 79 = 238).

238 housing units divided by 4 = 59.5 affordable housing units

1.15 State Documented Actual Non-residential Growth: January 2004 – June 2008

Square feet of nonresidential space reported on certificates of occupancy: Sparta Township

| | TOTALS | | | | | Sq Ft generating | Affordable | Jobs per | Number |
|--|--------|-------|-------|-------|-------|---------------------|-----------------|-------------|--------------|
| | 2008 | 2007 | 2006 | 2005 | 2004 | One Affordable Unit | Units Generated | 1,000 sq ft | of Jobs |
| Office | 13618 | 75233 | 52250 | 2875 | 16312 | 160,288 | 5,714 | 28.1 | 2.8 448.8064 |
| Retail | 0 | 0 | 0 | 0 | 0 | 0 | 9,412 | 0 | 1.7 0 |
| A-1 | 0 | 0 | 0 | 9410 | 0 | 9,410 | 10,000 | 0.9 | 1.6 15.056 |
| A-2 | 0 | 0 | 8265 | 0 | 8809 | 17,074 | 5,000 | 3.4 | 3.2 54.6368 |
| A-3 | 0 | 0 | 0 | 6562 | 38132 | 44,694 | 10,000 | 4.5 | 1.6 71.5104 |
| A-4 | 0 | 0 | 0 | 0 | 0 | 0 | 4,706 | 0 | 3.4 0 |
| A-5 | 0 | 0 | 0 | 0 | 0 | 0 | 6,154 | 0 | 2.6 0 |
| Multi-Family Dormitories | 79398 | 80992 | 14616 | 32000 | 0 | 207,006 | 9,412 | 22 | 1.7 351.9102 |
| hotel/motel | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 |
| education | 0 | 29401 | 0 | 0 | 8290 | 37,691 | | | 0 |
| industrial | 0 | 0 | 7150 | 0 | 0 | 7,150 | 13,333 | 0.5 | 1.2 8.58 |
| hazardous | 0 | 0 | 0 | 0 | 24052 | 24,052 | 10,000 | 2.4 | 1.6 38.4832 |
| institutional | 0 | 0 | 0 | 0 | 0 | 0 | 6,154 | 0 | 2.6 0 |
| storage | 0 | 12150 | 0 | 16000 | 0 | 28,150 | 16,000 | 1.8 | 1 28.15 |
| signs, fences, utility & mis | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 |
| TOTAL NUMBER OF AFFORDABLE UNITS GENERATED = | | | | | | | | 64 | |
| Total Number of Jobs = | | | | | | | | | 1017.133 |
| Total Number of Affordable Units from Jobs = | | | | | | | | | 63.57081 |

Source: NJDCA/COAH

1.16 Sparta Documented Actual Non-residential Growth: January 2004 – June 2008

Sparta Township has completed a Construction Department file by file review separating the specific use groups for each development. It was determined that entries were made on a single use group only. For example a building in the Commerce Park Business Development would have been logged in as all office or in some cases storage. The inconsistency in the data entry was caused by the program software. The Construction Department has taken the necessary actions to correct the procedure. The Township requests a waiver if required to utilize the chart below and the supporting documentation in the Appendix.

In addition, the following categories have been removed from the calculation based on 5:97-2.5(a), which permits the reduction of certain nonresidential growth from the calculation.

- | | |
|-----------------------------|---------------------|
| 1. Places of Worship | 38469 Square Feet |
| 2. Education K-12 | 29,401 Square Feet |
| 3. Inclusionary development | 115,668 Square Feet |

Sparta Documented Non-residential Growth January 2004 – June 2008

| Square feet of nonresidential space reported on certificates of occupancy: Sparta Township | | | | | | | | | | |
|--|------|-------|-------|-------|-------|--------|--------------------------------------|----------------------------|----------------------|---|
| | 2008 | 2007 | 2006 | 2005 | 2004 | TOTALS | Sq Ft generating One Affordable Unit | Affordable Units Generated | Jobs per 1,000 sq ft | Number of Jobs |
| | | | | | | | | | | |
| Retail | 0 | 0 | 5937 | 0 | 0 | 5,937 | 9,412 | 0.6 | 1.7 | 10,0929 |
| A-1 | 0 | 0 | 5937 | 0 | 0 | 5,937 | 10,000 | 0.6 | 1.6 | 9,4992 |
| A-2 | 0 | 0 | 10796 | 0 | 8809 | 19,605 | 5,000 | 3.9 | 3.2 | 62,736 |
| A-3 | 0 | 16000 | 2000 | 845 | 7692 | 26,537 | 10,000 | 2.7 | 1.6 | 42,4592 |
| A-4 | 0 | 0 | 0 | 0 | 0 | 0 | 4,706 | 0.0 | 3.4 | 0 |
| A-5 | 0 | 0 | 0 | 0 | 0 | 0 | 6,154 | 0.0 | 2.6 | 0 |
| Multi-Family Dormitories | 0 | 2600 | 3406 | 32000 | 0 | 38,006 | 9,412 | 4.0 | 1.7 | 64,6102 |
| hotel/motel | 0 | 0 | 0 | 0 | 0 | 0 | | | | 0 |
| education | 0 | 10841 | 0 | 0 | 0 | 10,841 | | | | 0 |
| industrial | 0 | 0 | 0 | 9410 | 11000 | 20,410 | 13,333 | 1.5 | 1.2 | 24,492 |
| hazardous | 0 | 0 | 0 | 0 | 10000 | 10,000 | 10,000 | 1.0 | 1.6 | 16 |
| institutional | 0 | 3000 | 7150 | 0 | 8290 | 18,440 | 6,154 | 3.0 | 2.6 | 47,944 |
| storage | 0 | 33094 | 7222 | 12000 | 12000 | 64,316 | 16,000 | 4.0 | 1 | 64,316 |
| signs, fences, utility & misc | 0 | 0 | 0 | 0 | 0 | 0 | | | | 0 |
| TOTAL NUMBER OF AFFORDABLE UNITS GENERATED = | | | | | | | | 37 | | |
| | | | | | | | | | | Total Number of Jobs = 599,7635 |
| | | | | | | | | | | Total Number of Affordable Units from Jobs = 37,48521875 |

1.17 Sparta Township's Actual Affordable Housing Obligation:

| | |
|---|--|
| Round #1 and #2 Obligation | 76.00 Affordable Housing Units |
| Actual Residential Obligation (January 2004 – June 2008) | 59.50 Affordable Housing Units |
| Actual Non-residential Growth (January 2004 – June 2008) | <u>37.49</u> Affordable Housing Units |
| Actual Current Obligation (1987 – June 2008) | 172.99 Affordable Housing Units |

1.18 Zoning Analysis:

1.18-1 Sparta Town Center:

The Sparta Town Center is a smart growth center that has been planned for over the last ten years. The State Planning Commission officially designated the center on July 16, 2003. The Sparta Township Governing Body and Planning Board have focused nonresidential and residential growth into the Town Center. The majority of the affordable housing obligation has been constructed or approved within the center boundary meeting the requirements of the State Plan and the COAH Rules. The Township is currently participating in the Plan Endorsement process to maintain Center Designation in the Sparta Town Center.

The construction of the public sewer system has created opportunities for affordable housing and approximately 200,000 square feet of nonresidential space to be constructed in the Town Center over the next five years. The commercial development will provide the needed retail and service uses for the residential growth of the late 1990's and the early part of this decade.

The residential development in the Town Center is approved to provide a variety of housing types (town houses, condominiums, patio homes and apartments), senior housing, family housing and affordable housing.

In the town Center, the Land Management Code requires all development to conform to uniform architectural, landscape and streetscape standards insuring a livable walk able and sustainable center.

1.18-2 Residential Development:

The New Jersey State Legislature adopted the Highlands Act in August of 2004, which encompasses about 48% of Sparta's 39 square miles of land.

The Zone Plan for the remaining larger vacant land parcels in the non-Highlands area has a density of 1 housing unit per 5 acres. There is a minimal amount of land available for development after the environmental regulations are factored into the equation.

1.18-3 Economic Development:

The Master Plan and Zoning Ordinance have designated the development of an employment (job creation) center in the Economic and Planned Commercial Development Zones along Route 15. The Concept Plan for the area is focused on a mixed use core and planned economic growth to complement the existing commercial development with flexible building and site design based on smart growth policies and green technologies and techniques. Future potential light rail or rapid bus service to the Dover rail station or the planned Lackawanna Cutoff rail station would provide smart growth transit alternatives to the center. The mixed use employment center will create additional jobs for the more than 60 % of the counties' residents that commute out of Sussex County for work. The Sussex County Strategic Growth Plan endorsed by the State Planning

Commission has also identified this area as an employment (job creation) center consistent with the State Plan and the Sparta Master Plan. Waste water and potable water extension approvals will be required from NJDEP along with a review by the Highlands Council. The Township is currently seeking Plan Endorsement and possible Plan Conformance with the Highlands Council. The Sparta Township affordable housing obligation can be accomplished without implementing the employment center.

1.18-4 Open Space and Farmland Preservation:

The Master Plan and Zoning Ordinance promotes smart growth to protect and preserve land as open space for recreation and resource protection. Since 1998 Sparta Township has preserved over 1,500 acres of land through acquisition or creative land development ordinances. The Town Council will continue to use the Municipal Open Space Trust Fund to purchase land to preserve the rural character, protect the natural resources and maintain a healthy land use mix and balance between residential and commercial uses.

1.18-5 Conclusion:

The Master Plan and Zoning Ordinance provide opportunities for planned growth, while protecting the environment and rural character of Sparta Township consistent with both the State Plan and the Sussex County Strategic Growth Plan. The affordable housing obligation for Round One, Round Two and Round Three can be accomplished within the context of the Master Plan and Zoning Ordinance.

Sparta Township
Fair Share and Compliance Plan
Sussex County, New Jersey

November 17, 2005

Adopted November 30, 2005

Revised November 23, 2008

Adopted December 2008

Prepared for the Sparta Township Council and Planning Board
Prepared by David R. Troast, P.P., A.I.C.P., C.L.A.

2.00 Fair Share and Compliance Plan Purpose:

The purpose of the Fair Share and Compliance Plan is to address Sparta Township's 1987-2018 fair share affordable housing obligation. The obligation includes the estimated and actual residential and non-residential growth share need from the Adopted Sparta Township Housing Plan. Ordinances will be included as appropriate to insure compliance with the calculated affordable housing obligation.

The Fair Share Plan will describe specific projects, programs, strategies and funding sources to meet the affordable housing obligation complying with N.J.A.C. 5:97.

2.01 Rehabilitation Component:

The Rehabilitation Component has been completed to address the municipality's substandard housing units occupied by low and moderate-income households. **Sparta Township's calculated share is fifteen.** Under the previous rules, Sparta Township did have a rehabilitation obligation of 57 units. The current COAH Certified Housing Plan for Rounds #1 and #2 provided for 29 units under the Sparta Rehabilitation Program (38 total). The documentation has been provided to COAH through the mandatory monitoring program. **The Rehabilitation Obligation has been exceeded by 14 units.**

2.02 Municipal Zoning Options:

This section provides a brief description of the options available under N.J.A.C. 5:97 for a municipality in addressing their mandated affordable housing obligation. This section is not all-inclusive and the statute should be referenced for additional information.

2.02-1 Zoning for Inclusionary Development and Mixed Use Development:

5:97-6.4 Zoning for inclusionary development:

- a. Affordable housing units proposed through inclusionary development shall be provided through zoning for development that includes a financial incentive to produce the affordable housing, including but not limited to increased densities and reduced costs to the developer. Inclusionary zoning may apply to all or some zones or sites within the municipality. Financial incentives may provide for a range of opportunities to induce affordable housing production at varying levels provided the compensatory benefits minimally meet the criteria set forth in this section.

2.02-2 Redevelopment for inclusionary Development:

5:97-6.6 Redevelopment

- a. New Jersey's Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq, may be used to create affordable housing units.

2.02-3 Municipally Sponsored Construction and Reconstruction 100 percent affordable:

5:97-6.7 Municipally sponsored and 100 percent affordable developments

(a) Municipally sponsored and 100 percent affordable developments include, but are not limited to:

1. Developments in which all units are available to low- and moderate-income households;
2. Units created through a municipal partnership with a non-profit or other affordable housing provider; and
3. Developments for which the municipality serves as the primary sponsor.

2.02-4 Accessory Apartments:

5:97-6.8 Accessory apartment program

(a) An accessory apartment program shall be established by ordinance to permit Accessory apartments, provided the units are affordable to low- and moderate-income households. Subject to the provisions of (b) 2, accessory apartment programs may be designed to produce only low-income units, only moderate-income units or both low- and moderate-income units.

2.02-5 Market to Affordable:

5:97-6.9 Market to affordable program

(a) A market to affordable program shall include units purchased or subsidized through a written agreement with the property owner and sold or rented to low- and moderate income households. Subject to the provisions of (b)3, market to affordable programs may be designed to produce only low-income units, only moderate-income units or both low- and moderate-income units.

2.02-6 Supportive and special needs housing:

5:97-6.10 Supportive and special needs housing

(a) Supportive and special needs housing includes, but is not limited to: residential health care facilities as licensed and/or regulated by DCA or the New Jersey Department of Health and Senior Services if the facility is located with, and operated by, a licensed health care facility; group homes for people with developmental disabilities and mental illness as licensed and/or regulated by the New Jersey Department of Human Services; permanent supportive housing; and supportive shared living housing. Long term health care facilities including nursing homes, and Class A, B, C, D, and E boarding homes do not qualify as supportive and special needs housing.

2.02-7 Assisted living residence:

5:97-6.11 Assisted living residence

- (a) An assisted living residence is a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available. All or a designated number of apartments in the facility shall be restricted to low- and moderate-income households.

2.02-8 Affordable housing partnership program:

5:97-6.13 Affordable housing partnership program

- (a) An affordable housing partnership is a voluntary agreement by which two or more municipalities cooperate to build low- and moderate-income housing units.
- (b) The following provisions shall apply to affordable housing partnership programs:
1. The municipalities shall be located within the same housing region.
 2. Partnering municipalities may propose and shall meet the requirements of any affordable housing mechanism outlined in this subchapter, except for N.J.A.C. 5:97-6.2, 6.3 and 6.12.
 3. The municipalities shall set forth the number of credits each municipality will be allotted. No credit shall be given to more than one municipality for the same unit.
 4. Each municipality shall contribute resources, including, but not limited to, funding, sewer, water, and land.
 5. Units constructed in another municipality shall fall within the maximum number of units permitted to be provided through an RCA, consistent with the provisions of N.J.A.C. 5:97-3.

2.02-9 Extension of expiring controls:

5:97-6.14 Extension of expiring controls

- (a) A municipality may address a portion of its growth share obligation through the extension of affordability controls in accordance with N.J.A.C. 5:97-9 and UHAC, subject to the following:
1. The unit meets the criteria for prior-cycle or post-1986 credits set forth in N.J.A.C. 5:97-4.2 or 4.3;
 2. The affordability controls for the unit are scheduled to expire during the 1999 through 2018 period;
 3. The municipality shall obtain a continuing certificate of occupancy or a certified statement from the municipal building inspector stating that the restricted unit meets all code standards; and
 4. If a unit requires repair and/or rehabilitation work in order to receive a continuing certificate of occupancy or certified statement from the municipal building inspector, the municipality shall fund and complete

the work. A municipality may utilize its affordable housing trust fund to purchase the unit and/or complete the necessary repair and/or rehabilitation work.

2.02-10 Other innovative approaches:

5:97-6.15 Other innovative approaches

(a) A municipality may propose innovative programs or mechanisms, or any combination of mechanisms included in this subchapter, for the creation of affordable housing, provided that the following performance standards can be achieved and clearly demonstrated:

1. The units shall comply with N.J.A.C. 5:97-9 and UHAC;
2. All sites to be developed with new units shall meet the site suitability criteria set forth in N.J.A.C. 5:97-3.13;
3. Rehabilitated and converted units shall meet all local building codes;
4. The municipality shall demonstrate source(s) of funding; and
5. Units shall not be restricted to youth under 18 years of age.

2.04 Municipal Options for Sparta Township:

This section of the Fair Share/Compliance Plan will provide a description of selected options under Chapter 5:97 to address the mandated affordable housing obligation calculated in the Housing Element of the Master Plan.

2.04-1 Developer Fee Ordinance:

The COAH approved Developer Fee Ordinance is included in the Appendix. The Township is proposing to raise the fee to 1 1/2% for residential development. The non-residential fee of 2.5% has been included based on the recently adopted legislation.

2.04-2 Proposed Ordinances:

The purpose of this section is to provide opportunities to accommodate future Growth Share.

2.04-2.1 Proposed Town Center Mixed Use Overlay Zone

Modify as follows:

Purpose: the purpose of the Mixed Use Overlay Zone is to encourage the construction of onsite affordable housing consistent with the smart policies of the State Plan, Sussex County Strategic Growth Plan and the Sparta Town Center Master Plan and Land Management Code. Incentives are provided consistent with Chapter 5:97-6.4. The following Town Center Zones shall permit apartments over commercial development and on the first floor to comply with the barrier free code with an affordable housing set aside of 20%: The following Zone Districts are included Town Center Commercial

(TCC), Town Center Lower Main Street (TCLM), Town Center Commercial Office (TCCO) .

The following Incentives are provided:

1. Impervious Coverage is increased by 10%.
2. Parking Requirements for the affordable units is 1 space per unit.
3. Building Height shall be a Maximum of 38 feet.
4. Minimum Lot Size shall be 10,000 square feet.

2.04-2.2 Proposed Amendment to the Rural Residential, Rural Residential Conservation One and Two Zone Districts:

Insert the following:

- “4. Permitted housing types for affordable units under 18-4.13g. More than one affordable unit maybe on a building lot. Single-family, duplex and triplex structures are permitted. The following standards shall apply.
- a. 30 year deed restriction as required by COAH on the affordable units.
 - b. Affordable units: 50 % of the units shall be low income and 50% moderate income.
 - c. Bedroom mix shall be in accordance with current COAH rules.
 - d. The affordable housing structures shall be consistent in size and architectural features with the neighborhood or as approved by the Planning Board.
 - e. Septic systems for the affordable housing units on the same lot may only share the leach field and maintained with an annual maintenance fee from each unit. Each owner shall maintain other septic system components.”

Modified as follows:

“g. *Affordable Housing Open Space Incentive Cluster Option.* As an incentive for the production of onsite Affordable or a cash contribution in lieu construction to the Housing Trust Fund, construction or contributions and public open space dedication within the zone, an applicant for a major subdivision may apply for approval from the Planning Board of an incentive cluster subdivision. The maximum number of lots within the incentive cluster subdivision may be increased from the total acreage of the property divided by five (5) acres to add an additional four-tenths (.4) residential site for each five (5) acre portion of the tract, so that there are one and four-tenths (1.4) residential sites for every five (5) acres of gross land area, provided that the applicant meets the following requirements:

1. Open Space Dedication. The open space of the cluster subdivision shall include 40% land dedication and at least fifteen (15%) percent of the those lands which are not least restricted and which are dedicated to the Township of Sparta for open space, recreation, public use, or conservation purposes as determined appropriate by the Township Council of the Township of Sparta.

2. Developer's Agreement. As a condition of preliminary subdivision approval and prior to commencing of site work and/or prior to final subdivision approval, the applicant shall enter into a developer's agreement with the Township of Sparta. The developer's agreement shall provide that the applicant shall construct affordable units onsite or contribute payments in lieu of constructing affordable units on site consistent with 5:97-8.4 with payments consistent with the amounts detailed in N.J.A.C. 5:97-6.4(c) or as modified by COAH. The affordable housing units shall be constructed or the payment in lieu paid prior to transfer of any deed of conveyance and prior to the issuance of any building permit on said additional lots.”

2.04-3 Proposed Ordinance T. C. Professional Business Zone:

Modify the following ordinance Section:

18-4.28 Town Center Professional Business Zone (TCPB).

f. *Conditional Uses.* The following conditional uses may be permitted by the Planning Board acting in accordance with the provisions:

3. Planned residential unit development as a component of an overall mixed use development of up to fifty (50) units “on no more than 9 acres of the parcel at a density of 6 units per acre with a 25% set-aside for affordable housing” pursuant to the conditions set forth in subsection 18-4.7c,21.

2.04 –4 Certified-Constructed/Credits- Rounds #1 and Round #2:

| Type/Location | Block | Lot | Year | # of Bedrooms/Units | Rental Bonus |
|---------------|-------|-----|------|---------------------|--------------|
|---------------|-------|-----|------|---------------------|--------------|

Constructed Projects:

| | | | | | |
|---|-------|---------|---------------|----|---|
| *SCARC group home | 10.01 | 21 | 1982 | 5 | 0 |
| *Center for Humanistic Change group home | 159 | 9 | 1988 | 5 | 5 |
| *Knoll Heights Assisted Living Facility | 39.05 | 4 | 1991 | 29 | 4 |
| Round At Sparta | 13.01 | 15 | approx. 9/03 | 24 | 0 |
| Sparta Business Campus | 35.08 | 14 & 15 | approx. 12/02 | 8 | 0 |

Zoned Parcels:

| | | | | | |
|-----------|-------|----|------|----------|----------|
| Broderick | 13.01 | 14 | 2001 | <u>3</u> | <u>0</u> |
| | | | | 77 | 9 |

* Rental Credits: 9 (bonus 2:1)

Round #1 & #2 Total Units/Credits = 83 Affordable Housing Units

2.04-5 Constructed Units-Round #3

| Project | Address | Type | Block | Lot | Bedrms | Unit | V. Low | Low | Mod. | 1 bedrm | 2 bedrm | 3 Bedrm |
|---------------------|-------------------|------------|-------|-----|--------|------|--------|-----|------|---------|---------|---------|
| Advance Housing | 21 Hunters Lane | Sup-Hous | 18.09 | 12 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 |
| Advance Housing | 7 Tamarack Road | Sup-Hous | 146 | 34 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 |
| Advance Housing | 27 Oak Tree Lane | Sup-Hous | 18 | 14 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 |
| Advance Housing | 124 Woodport Road | Sup-Hous | 18.5 | 50 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 |
| Advance Housing | 116 Hunters Lane | Sup-Hous | 14.1 | 21 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 |
| Diocese of Paterson | 447 Glen Road | Sup-Hous | 5 | 2 | 5 | 0 | 0 | 5 | 0 | 0 | 0 | 0 |
| Harder Pizza Place | 12 Woodport Road | Mrk-Afford | 39.01 | 7 | 0 | 2 | 0 | 0 | 2 | 2 | 0 | 0 |
| Twins on Main St. | 104 Main St. | Mrk-Afford | 32.01 | 10 | 0 | 10 | 0 | 0 | 10 | 6 | 4 | 0 |
| Twins on Main St. | 106 Main St. | Mrk-Afford | 32.01 | 11 | 0 | 10 | 0 | 0 | 10 | 6 | 4 | 0 |
| Sparta Village | 47 Main Street | Inclusion. | 13.11 | 11 | 0 | 3 | 0 | 1 | 2 | 0 | 3 | 0 |
| Subtotals | | | | | 20 | 25 | 15 | 6 | 24 | 14 | 11 | 0 |

Total Units = 45 Rental Units of which 15 units are very low income see Appendix.

2.04-6 Approved/Under Construction Projects:

Approved/Under Construction Projects

| Project/Owner | Address | Type | Block | Lot | Bedrms | Unit | V. Low | Low | Mod. | 1 bedrm | 2 bedrm | 3 Bedrm |
|--------------------|-----------------|-----------------------------|-------|------|----------|----------|----------|----------|----------|----------|----------|----------|
| Lion's Gate | 116 Main Street | Inclusion. | 12 | 7.19 | | 1 | 0 | 0 | 1 | 0 | 1 | 0 |
| Lion's Gate | 118 Main Street | Inclusion. | 12 | 7.2 | | 3 | 0 | 0 | 1 | 1 | 1 | 1 |
| Hamlet | 18 Main Street | Inclusion. | 19.03 | 20 | | 11 | 0 | 0 | 11 | 11 | 0 | 0 |
| Blue Heron Village | 3 Laddey Lane | Inclusion. Age Restrict. | 6 | 127 | | 16 | 0 | 8 | 8 | 16 | 0 | 0 |
| Gergory Leo | 150 Main Street | Sup-Hous | 12 | 3 | 5 | 0 | 0 | 5 | 0 | 0 | 0 | 0 |
| Danlap Corp. Inc | 6 Laddey Lane | Sup-Hous | 12 | 3 | <u>4</u> | <u>0</u> | <u>5</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| | | | | | 9 | 31 | 5 | 13 | 21 | 28 | 2 | 1 |

Total Units/Credits = 40 Affordable Housing Units

2.04-7 Hamlet: 5:97-2.02-10 Other innovative approaches

Sparta Township, Nouvelle Associates and Seed Corporation (nonprofit) are proposing to change the Hamlet age restricted moderate-income one bedroom unit (rental) approval to a family rental project with 6 moderate one bedroom, 3 low one bedroom and 2 very low studio rental project. Seed Corporation will maintain ownership of the project. The Town Center Age Restricted Zone District will need to be modified to permit affordable family housing as a permitted use. The approved Site Plan will need to be amended to permit the subdivision of the existing structure to be renovated. The first phase of the Hamlet project is currently under construction. The property is located in the Sparta Town Center with sewer and water capacity approved and reserved.

Sparta Township has reached a tentative agreement with Nouvelle Associates of Sparta New Jersey and Seed Corporation subject to COAH approval to partially fund in the amount of \$135,000 to provide family housing, converting 5 moderate rental units into 3 low income rental units and 2 very income rental units. See Appendix.

2.04-8 Leo Companies: 5:97-6.10 Supportive Housing

Arrangements:

Sparta Township and The Leo Companies are proposing to construct a supportive housing structure of 5 bedrooms on a lot 150 Main Street directly adjacent to the Sparta Town Center. The parcel is known as Block 12, Lot 3 and has received Highlands Exemption The property exceeds two acres and the house can be constructed under 1 acre of disturbance and less than ¼ acre of impervious coverage.

Sparta Township has reached an agreement with Leo Companies of Sparta New Jersey subject to COAH approval to fund in the amount of \$250,000 for 5 supportive housing rental units. See Appendix

2.04-9 Sussex County Habitat for Humanity: 5:97-2.02-10 Other innovative approaches

Sparta Township has a parcel of land in the R-2 Zone District consisting of a ½ acre tract of land purchased with funds from the Housing Trust Fund in late 1990's. The previous Round #3 submission had a tentative agreement with Sussex County Habitat for Humanity for the construction of 1 affordable housing unit. The site is located in the Highlands, but will be exempt from the act based on disturbance of less than 1 acre and less than ¼ acre of impervious coverage. The Township will donate the land and provide for technical assistance to receive and maintain the Highlands Exemption. The Townships reserves the right in the amount of \$10,000 to assist in the construction of the project based on further discussions with Habitat.

2.04-10 Knoll Heights: 5:97-6.9 Market to Affordable

Sparta Township and the Sparta Ecumenical Council propose to enter into an agreement to deed restrict age-restricted units in Knoll Properties (total units 150). The property is known as Block 39.05, Lot 6 at 6 Knoll Road in Sparta New Jersey. The

Projected Growth Share number from Sections 1.10 Residential and 1.11 Nonresidential is 173. The Round #3 rules permit a maximum of 25% of the Projected Growth Share to be age restricted units/credits which is 43 units. The Proposed Plan for Sparta Township for Round #3 currently provides 21 age restricted units leaving 22 potential units for the Market to Affordable option. This will be a phased program based on the Actual Growth and availability money from the Housing Trust Fund.

2.04-11 Harder Pizza Place: 5:97-6.9 Market to Affordable

The Township entered into an agreement on 2006 with the Harder family during the reconstruction of an existing building in the Sparta Town Center. The Site Plan was modified to include an addition to an existing outbuilding on the property to two moderate income one bedroom apartments with a deed restriction for 30 years. The property is located at 12 Woodport Road and is known as Block 39.01, Lot 7 on the Sparta Township Tax Maps. The Township contributed \$50,000 for the construction of the 2 apartments. The apartments are occupied with income qualified individuals approved by the Sparta Rental Administrator. **A wavier may be required from the previously submitted Spending Plan under the first submission for Round #3 in December of 2005.**

2.04-12 Danlap Corp: 5:97-6.10 Supportive Housing

Arrangements:

Sparta Township and The Danlap Corp. are proposing to construct a supportive housing structure of 4 bedrooms on a lot on 6 Laddey Lane. The parcel is known as Block 6 , Lot 39.02 and has received Highlands Exemption The property exceeds 1 1/3 acres and the house can be constructed under 1 acre of disturbance and less than ¼ acre of impervious coverage.

Sparta Township has reached an agreement with Danlap Corp. and Advance Housing of Sparta New Jersey subject to COAH approval to fund in the amount of \$200,000 for 4 supportive housing very low rental units. See Appendix

2.04-13 Leo Companies The Pointe: 5:97-6.9 Market to Affordable

Sparta Township has reached an agreement with the Leo Companies to transition up to 11 existing market rate apartments at the Pointe 107 Main Street (Block 7.01, Lot 2) to moderate income rental units with a deed restrict of 30 years. The property is served by public sewer and water. The tentative agreement will release units as they become vacant and Housing Trust Funds are available at the Township discretion.

2.05 Compliance Plan Summary: The Sparta Township Compliance Plan provides a range of affordable housing alternatives consistent with the COAH Rules, the New Jersey State Development and Redevelopment Plan and the Sussex County Strategic Growth Plan. The Zoning Ordinance, Developer Fee Ordinance and the Housing Trust Fund Account will provide the mechanism for development and the funds for the construction of the affordable units projected under Round #3 in Sparta Township.

2.05-1 Proposed Plan :

Round #1 and #2 Projects Constructed/Zoned

| <u>Project/Owner</u> | <u># of Units</u> | <u>V-low</u> | <u>Low 1 bdm</u> | <u>Low 2 bdm</u> | <u>Low 3 bdm</u> | <u>Mod 1 bdm</u> | <u>Mod 2 bdm</u> | <u>Mod 3 bdm</u> |
|------------------------|-------------------|--------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Round Top at Sparta | 24 | 0 | 2 | 8 | 2 | 2 | 7 | 3 |
| Sparta Business Campus | 8 | 0 | 1 | 2 | 1 | 1 | 2 | 1 |
| Supportive Housing | 15 | 0 | 15 | 0 | 0 | 0 | 0 | 0 |
| Knoll Heights | 33 | 0 | 33 | 0 | 0 | 0 | 0 | 0 |
| Broderick | <u>3</u> | <u>0</u> | <u>1</u> | <u>1</u> | <u>0</u> | <u>0</u> | <u>1</u> | <u>0</u> |
| | 83 | 0 | 52 | 11 | 3 | 3 | 10 | 4 |

Total Units = 83

Round #3 Projects Constructed

| <u>Project/Owner</u> | <u># of Units</u> | <u>V-low</u> | <u>Low 1 bdm</u> | <u>Low 2 bdm</u> | <u>Low 3 bdm</u> | <u>Mod 1 bdm</u> | <u>Mod 2 bdm</u> | <u>Mod 3 bdm</u> |
|------------------------|-------------------|--------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Advance Housing ** | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| Advance Housing ** | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| Advance Housing ** | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| Advance Housing ** | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| Advance Housing ** | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| Diocese of Paterson ** | 5 | 0 | 5 | 0 | 0 | 0 | 0 | 0 |
| Harder Pizza Place ** | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Twins on Main St. ** | 10 | 0 | 0 | 0 | 0 | 6 | 4 | 0 |
| Twins on Main St. ** | 10 | 0 | 0 | 0 | 0 | 6 | 4 | 0 |
| Sparta Village ** | <u>3</u> | <u>0</u> | <u>0</u> | <u>1</u> | <u>0</u> | <u>0</u> | <u>2</u> | <u>0</u> |
| | 45 | 15 | 5 | 1 | 0 | 12 | 10 | 0 |

Total Units = 45

Round #3 Projects Under Constructed/Approved

| <u>Project/Owner</u> | <u># of Units</u> | <u>V-low</u> | <u>Low 1 bdm</u> | <u>Low 2 bdm</u> | <u>Low 3 bdm</u> | <u>Mod 1 bdm</u> | <u>Mod 2 bdm</u> | <u>Mod 3 bdm</u> |
|----------------------------|-------------------|--------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Lion's Gate ** | 5 | 0 | 0 | 0 | 0 | 1 | 3 | 0 |
| Hamlet : Section 2.04-6 ** | 11 | 2 | 3 | 0 | 0 | 6 | 0 | 0 |
| Blue Heron Village * | <u>16</u> | <u>0</u> | <u>8</u> | <u>0</u> | <u>0</u> | <u>8</u> | <u>0</u> | <u>0</u> |
| | 32 | 2 | 11 | 0 | 0 | 15 | 3 | 0 |

Round #3 Proposed Projects

| | | | | | | | | |
|-----------------------------------|-----------|-----------|-----------|----------|----------|----------|----------|----------|
| Leo: Supportive Housing ** | 5 | 0 | 5 | 0 | 0 | 0 | 0 | 0 |
| Habitat: Innovative Approach | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Knoll Properties: Mkt/Afford*, ** | 22 | 12 | 10 | 0 | 0 | 0 | 0 | 0 |
| Danlap Sup. Housing ** | 4 | 4 | 0 | 0 | 0 | 0 | 0 | 0 |
| Leo Co.- Pointe Mkt/Afford ** | <u>11</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>7</u> | <u>4</u> | <u>0</u> |
| | 43 | 16 | 15 | 0 | 0 | 7 | 4 | 1 |

Age Restricted *
Rental **

2.05-2 Bonus Unit Calculation:

Bonus Unit Calculation

| <u>Project</u> | <u>Bonus Type</u> | <u>Bonus Calculation</u> | <u>Bonus Units</u> |
|----------------------|------------------------|--------------------------|--------------------|
| Round Top at Sparta | Smart Growth 5:97-3.18 | 24 x 1.33 = 32 | 8 |
| Twins on Main Street | Compliance 5:97-3.17 | N/A | 20 |
| Sparta Village | Compliance 5:97-3.17 | N/A | 3 |
| Advance Housing | Compliance 5:97-3.17 | N/A | <u>12</u> |
| | | | 43 |

Sub-Total = 43 Affordable Units

2.05-2 Plan Summary of # of Units, Income and Bedroom Mix:

Plan Summary: # of Units - Income - Bedroom Mix

| | <u># of Units</u> | <u>V-low</u> | <u>Low 1 bdm</u> | <u>Low 2 bdm</u> | <u>Low 3 bdm</u> | <u>Mod 1 bdm</u> | <u>Mod 2 bdm</u> | <u>Mod 3 bdm</u> |
|-------------------------------------|-------------------|--------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Round #1 and #2 Constructed/Zoned | 83 | 0 | 52 | 11 | 3 | 3 | 10 | 4 |
| Round #3 Constructed | 45 | 15 | 5 | 1 | 0 | 12 | 10 | 0 |
| Round #3 Under Constructed/Approved | 32 | 2 | 11 | 0 | 0 | 15 | 3 | 0 |
| Round #3 Proposed Projects | 43 | 16 | 15 | 0 | 0 | 7 | 4 | 1 |
| Totals = | 203 | 33 | 83 | 12 | 3 | 37 | 27 | 5 |

Sub-Total = 203 Affordable Units

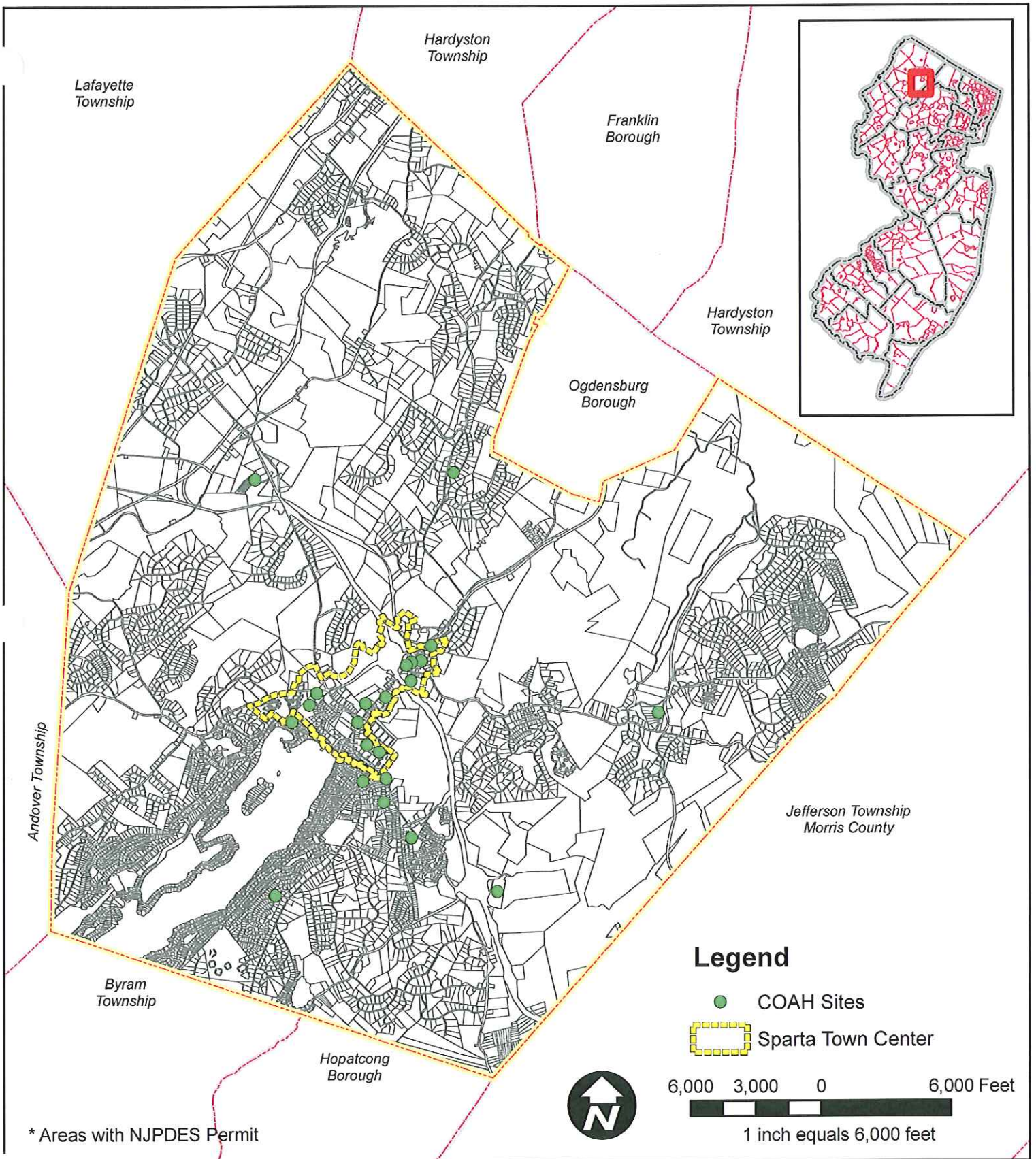
2.05-3 Round #3 Compliance with Specific Unit Types:

| | <u>Minimum</u> | <u>Maximum</u> | <u>Provided</u> | <u>Bonus</u> | <u>Future</u> |
|-----------------------------------|----------------|----------------|-----------------|--------------|---------------|
| Age Restricted (25% of 172) | N/A | 43 | 43 | N/A | N/A |
| Rental (25% of 172) | 43 | N/A | 103 | N/A | N/A |
| Family Housing Rental (50% of 43) | 22 | N/A | 52 | N/A | N/A |
| Family Housing (50% of 172) | 86 | N/A | 50 | 31 | 5 |
| Moderate Income (50% of 172) | 86 | N/A | 69 | 25 | N/A |
| Low Income (50% of 172) | 86 | N/A | 65 | 17 | 4 |
| Very Low Income (13% of 172) | 23 | N/A | 33 | 12 | N/A |

2.05-4 Summary Affordable Unit Total:

| | |
|---------------------------------------|---------------------------------------|
| Round #1 and #2 | 83 Affordable Units |
| Round #3 Constructed | 45 Affordable Units |
| Round #3 Under Construction/ Approved | 32 Affordable Units |
| Round #3 Proposed Projects | 43 Affordable Units |
| Round #3 Bonus Units | 43 Affordable Units |
| Rehabilitation Units | <u>29</u> Income Qualified Households |
| Total | 275 Affordable Units/Credits |

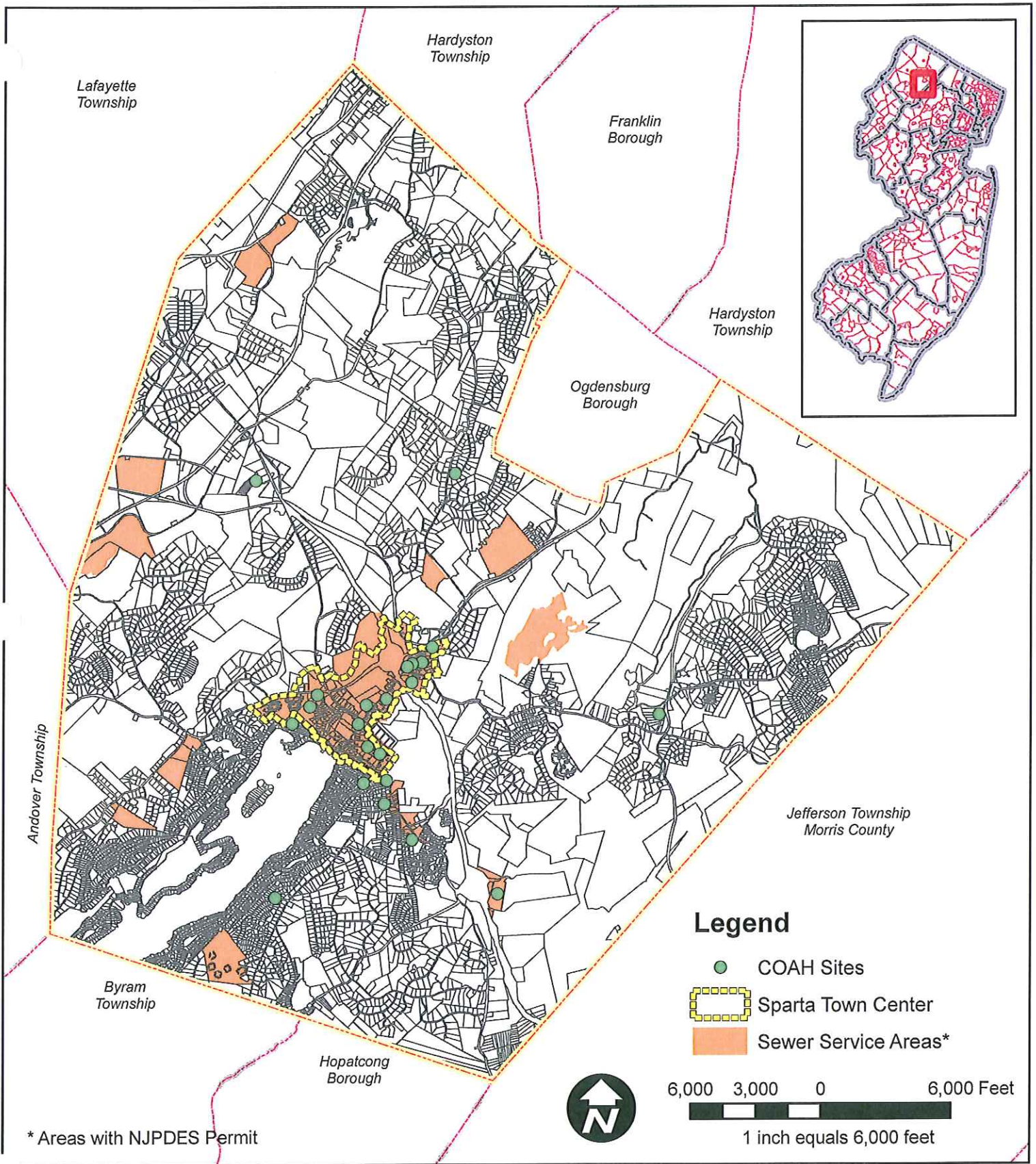
Sparta Township COAH Site Locations



Prepared By:
Sparta Township
Planning Department
November 24, 2008

Master Plan Amendment
Housing Plan and Fair Share Plan
Sparta Township, Sussex County, New Jersey

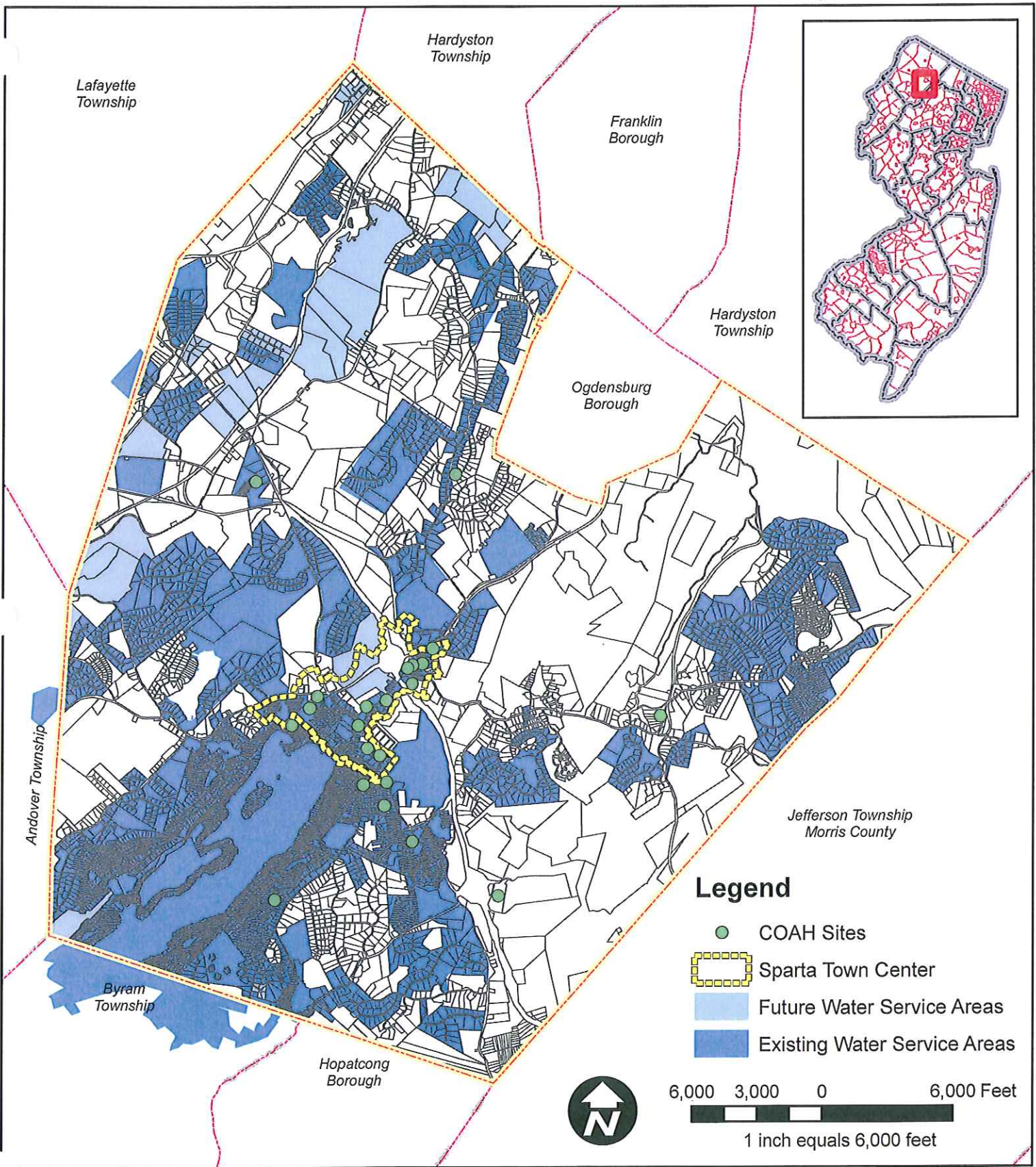
Sparta Township Sewer Service Areas*



Prepared By:
Sparta Township
Planning Department
November 24, 2008

Master Plan Amendment
Housing Plan and Fair Share Plan
Sparta Township, Sussex County, New Jersey

Sparta Township Water Utility Service Areas



Prepared By:
Sparta Township
Planning Department
November 24, 2008

Master Plan Amendment
Housing Plan and Fair Share Plan
Sparta Township, Sussex County, New Jersey

2.05-4 Future Options:

Sparta Township is committed to provide creative alternatives to encourage the construction of affordable housing in the Township and Sussex County. Sparta Township reserves the right to modify changes in the Compliance Plan dependent on the funds collected under the Developer Fee Ordinance. If an opportunity or an option is implemented, the Township will amend the Housing Plan and Fair Share Plan as required under the COAH Rules.

2.06 Requested Waivers from Chapter 5:97:

Sparta Township requests the following waivers from N.J.A.C. 5:97 with Amendments through October 20, 2008 titled COAH Three Round Substantive Rules.

2.06-1 Spending Plan Round Two 5:97-8.10:

Sparta Township entered into an agreement in 2006 and provided Housing Trust Funds of \$50,000 to the Harder Pizza Place under the Market to Affordable Option (5:97-6.9). The property has been deed restricted for 30 years for (2) one bedroom moderate income rental units as documented in the Appendix. A wavier is requested from amending the Second Round Spending Plan and approval is requested for the units towards Sparta's Round Three obligation. The Township notified COAH Planners by telephone. The Township was instructed to submit a revised plan at the time of resubmission under the court mandated modifications. Refer to Sparta Housing Plan Section 2.04.10

2.06-2 NJAC 5:97 Appendix B Rehabilitation Share Credit:

Sparta Township requests a wavier from the assigned Rehabilitation Obligation Share calculated in Appendix B of Chapter 5:97 (15 unit obligation) to credit Sparta Township's an additional 14 units under Growth Share Round #3. Sparta Township funded the rehabilitation of 29 existing homes for qualified low and moderate income residential households. The housing units were rehabilitated after the 2000 and before 2004. Documentation has been provided through the yearly COAH monitoring requirement. Refer to Sparta Housing Plan Section 2.01.

2.06-3 Measuring Actual Nonresidential Growth 5:97-2.5:

A wavier is requested by Sparta Township from utilizing the NJDCA Third Resource Construction Data Base to calculate Actual Nonresidential growth. The Township discovered errors in the data and completed a detailed assessment of the Construction Department files. Refer to Sparta Housing Plan Sections 1.14 and 1.15. The Sparta Township Actual Nonresidential Growth Share obligation is 37 units versus the NJDCA calculation of 64 units. See Appendix for background information.

2.06-4 Bedroom Distribution: NJAC 5:80-26.3:

Sparta Township requests a wavier from the bedroom mix requirement. The complexity of the affordable housing options implemented by Sparta Township and the exemption of the bedroom mix for market to affordable projects and age restricted projects has caused an unbalanced result. The Inclusionary for sale project meet the COAH requirements.

2.06-5 Implementation Schedule Wavier: 5:97-3.2 (a) 4

Sparta Township's implementation of previous Housing Plans has exceeded the Round #1, Round#2 and Actual Growth Share Obligation. The Spending Plan outlines the scheduled projects to comply with the COAH Projected Growth Share Obligation as funds are available.

2.06-6 Site Suitability criteria set forth in N.J.A.C. 5:97-3.13:

Sparta Township requests a waiver from various portions of the site suitability criteria based on the exemptions from the Highlands and NJDEP for the Danlap proposal on 6 Laddey Lane and the Leo proposal on 150 Main Street to permit the construction of two residential units to be used a group home or supportive housing.

2.06-7 COAH Application and Forms:

Sparta Township requests a waiver from various portions of the Application and Forms for proposed projects still under discussion with non profit organizations and property owners to allow more time to complete the agreements. The projects are important to the long range goals of the Plan, but are not needed to comply with Round #1, #2 and actual growth share for the foreseeable future. Based on the success of the Sparta Housing Program the waiver is requested.

2.06-8 COAH Income Guidelines under NJAC 5:80-26-1 et seq.

Sparta Township requests a waiver from the COAH income guidelines for the Knoll Properties Market to Affordable project and permit the income guidelines utilized by HMFA. This will permit flexibility to fund very low income units and retain all 150 units as affordable in a successful regional facility with a long history of serving the senior population.

2.06-9 General Wavier:

Sparta Township requests any additional waivers that may be required after a review of COAH Staff and the Council on Affordable Housing including the payment schedule of Affordability Assistance requirements and very low income family units under A-500.

2.07 Conclusion:

The Sparta Township Fair Share and Compliance Plan provides for realistic opportunities to address the affordable housing goals and objectives of the Master Plan by providing innovative housing options and programs consistent with the Municipal Land Use Law, COAH Rules and the NJ State Development and Redevelopment Plan. The Total Fair Share Obligation is 263 affordable units with the compliance Plan providing 275 affordable units/credits with zoning options to increase the affordable housing if the Actual Growth exceeds the Projected Growth. Several Waivers are requested based the fact that Sparta Township continued to implement affordable housing projects during the multiple changes and modifications to the COAH Rules by the Courts, COAH and the New Jersey Legislature. **Sparta Township is pleased to submit the Housing Plan and Fair Share Plan to the Council on Affordable Housing for Certification approval.**

APPENDIX

2008 INCOME LIMITS

**ROUND #2 ZONED PROPERTY
BRODERICK PARCEL ANALYSIS
BLOCK 13.01, LOT 14**

WORKBOOK: A

**SPARTA DOCUMENTED ACTUAL
NON-RESIDENTIAL GROWTH**

PHOTO EXHIBIT

PROPOSED ORDINANCES

**MODIFICATIONS TO DEVELOPER
FEE ORDINANCE**

**PROPOSED TOWN CENTER
MIXED USE OVERLAY ZONE**

**PROPOSED AMENDMENT TO
RURAL RESIDENTIAL,
RESIDENTIAL ONE AND TWO ZONE DISTRICTS**

**PROPOSED ORDINANCE CHANGE TO
TOWN CENTER PROFESSIONAL
BUSINESS ZONE**

VERY LOW INCOME DATA

AFFORDABLE HOUSING PROVISIONS

**SPARTA TOWNSHIP MASTER PLAN AMENDMENT
JANUARY 5, 2005**

**SPARTA TOWNSHIP STORMWATER MANAGEMENT PLAN
APRIL 2005**

**SPARTA TOWNSHIP MASTER PLAN
REEXAMINATION REPORT
JULY 19, 2006**

**SPARTA TOWNSHIP MASTER PLAN AMENDMENT
DECEMBER 5, 2007**

DESIGNATION OF SPARTA TOWN CENTER

**LIONGATE AT SPARTA, L.P.
BLOCK 12, LOTS 7 & 6.02
CELIA DRIVE**

**CREPEAU DEVELOPMENT, L.L.C.
SPARTA VILLAGE
BLOCK 13.12, LOT 9
MAIN STREET**

**THE HAMLET
BLOCK 19.03, LOTS 18, 19, 20 & 21.01
MAIN STREET**

**THE TWINS ON MAIN
BLOCK 12, LOTS 3.01, 10 & 11
MAIN STREET**

**SPARTA BUSINESS CAMPUS
SPARTA MEADOWS
BLOCK 35, LOT 3
PRIMROSE LANE**

**TIM HARDER
BLOCK 39.01, LOT 7
WOODPORT ROAD**

**SPARTA BUILDERS, L.L.C.
ROUNDTOP AT SPARTA
BLOCK 13.18, LOTS 1-24
MARA BLVD.**

**BLUE & GOLD
BLUE HERON VILLAGE
BLOCK 6, LOT 127
BLUE HERON ROAD**

**MILL RACE VILLAGE, L.P.
BLOCKS 13.10, 13, LOTS 17 & 20
BLOCK 13.13, LOT 21
GLEN ROAD**

ADVANCE HOUSING
21 HUNTERS LANE, BLOCK 18.09, LOT 12
7 TAMARACK ROAD, BLOCK 146, LOT 34
27 OAK TREE LANE, BLOCK 18, LOT 14
124 WOODPORT ROAD, BLCOK 18.05, LOT 50
116 HUNTERS LANE, BLOCK 14.01, LOT 21

RC DIOCESE OF PATERSON
BLOCK 5, LOT 2
GLEN ROAD

SPARTA ECUMENICAL
KNOLL PROPERTIES
MARKET TO AFFORDABLE/INNOVATIVE PROJECT

LEO COMPANIES - THE POINTE:
MARKET TO AFFORDABLE

HAMLET: INNOVATIVE APPROACH

LEO COMPANIES: SUPPORTIVE HOUSING

DANLAP CORPORATION: SUPPORTIVE HOUSING

SUSSEX COUNTY HABITAT FOR HUMANITY

ADMINISTRATIVE AGREEMENTS

COAH APPLICATION AND FORMS

AFFORDABLE HOUSING TRUST FUND
SPENDING PLAN

ZONING MAP