

UL v CA

Monroel

02/10/84

Analysis of Monroel Twp's zoning.
Prepared by Hintz/Nelesen Associates.

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CA 002282E

TO: Urban League Team
RE: ANALYSIS OF MONROE TOWNSHIP'S ZONING
Prepared by Hintz/ Nelessen Associates = HNA
FR: Rachel L.
DA: February 10, 1984

HNA has adopted the same four county region and the aggregate or statewide demand for present and prospective Mt. Laurel-eligible households generated by the Rutgers Center for Urban Policy Research. (CUPR) But the allocation formula for distributing each town's fair share within a region was based on HNA's own equation, determined as a percentage of regional data variables. But what makes the process different is that all data was generated from primary sources and programmed into an IBM computer. This allowed HNA to experiment with more and different factors, and believe it or not the 30 or so pages of computer printout that comprises the appendix is fascinating and fun to browse through. (Unless of course everyone isn't as computer-nutty as I am.)

For example, HNA believes that much qualified farmland, usually excluded from the definition of "vacant developable land" is owned by developers, speculators or farmers who wish to sell land for retirement or other financial needs. HNA believes that this land is potentially developable land and should be an additional factor included in the allocation formula. This total potential developable land adds additional weight to land availability. With all the data on the computer, HNA can run the allocation formula with and without this factor. Without it, more weight is given to the other factor of Value Per Capita and past exclusionary statistics.

It is the opinion of HNA that this acreage and corresponding percent of regional developable land per municipality represents a more realistic factor to assess regional need.

Monroe Township has been designated on the SDGP as an area which includes "growth", "limited growth" and "agricultural" land.

The township has grown significantly in the period from 1970 to 1980 in jobs, housing and population. It is surrounded by growing communities but has provided no low and moderate income housing.

In fact, it is the most exclusionary municipality in the county.

	<u>1970</u>	<u>1980</u>	<u>%INC.</u>	
Covered Jobs	170	1,117	557.1 %	
Population	9,138	15,858	73.5 %	
Middlesex County			2.1 %	
Monroe Residential Building Permits from 1972 to 1982			2,761	
Detached Single Family			2,503	91 %
Multi-family (senior citizen)			258	9 %

MAJOR ARTERIAL HIGHWAYS: Route 33 , N.J. Turnpike provide excellent accessibility to jobs and housing.

ONLY ZONE PERMITTING HIGHER DENSITY : PRC (PLANNED RETIREMENT COMMUNITY)
Residents must be 48 or over.

PRC ZONE

No provisions for mandatory set asides for low and moderate income housing.

Provisions determining higher construction costs:

400-acre minimum tract size

60% open space requirement

Two stories high maximum.

Recreational facility requirements too lavish.

No rental units.

ALL OTHER RESIDENTIAL ZONES

Single family detached only.

Lot sizes range from 10,000 sq. ft. to 3 acre minimum.

No mobile home zones or manufactured home parks.

"An analysis of the fair share allocation for Monroe's region shows a significant demand for new low and moderate income housing, yet that housing demand cannot be met by the township's current zoning."

Plaintiff's Property

On Cranbury Station Road, a light industrial zone, bordering on Cranbury Township's high-density zone, within the "growth" designation of the SDGP.

N.J. Turnpike, Interchange 8A, within 3 1/2 miles of property.
Route 130 "only miles away"

Entire area of South Brunswick, Monroe and Cranbury, there are major employment centers and more under construction. If this site is developed with high density housing, easy access to those jobs would be provided.

CONCLUSION

Township has made no provision for meeting its fair share obligation for low and moderate income housing.

A Mt. Laurel builder's remedy applies to Monroe Township.

FAIR SHARE METHODOLOGY AND ALLOCATION

HNA has adopted the the analysis and conclusions, with regard to the statewide present and prospective need and the six regional divisions proposed by the Rutgers University Center for Urban Policy Research. (CUPR)

The aggregate demand for the state of New Jersey is 334,093 units.

Present demand: 120,160 units.

Prospective demand to the year 2000: 213,933 units.

HNA's method of distributing the aggregate demand was based on a

Formula outlined in the Mt. Laurel II decision:

Substantial weight should be given to employment opportunities in the municipality, especially new employment with substantial ratables;

Prospective lower income housing needs should not be tied to the present proportion of lower income residents to the total population of a town;

The fact that a municipality has been successful in past exclusion of low income housing will not have the effect of unreasonably diminishing its share if the proper formula is developed.

FORMULA USED BY HNA

(J2) = % of region's covered jobs , 1981

(J6) = % of region's covered jobs, 1981-1972

(L2) = % of region's vacant developable land

(L8) = % of region's adjusted vacant developable land (or potentially developable)

(v4) = % of region's Value Per Capita

(H5) = % of region's adjusted Households

$$\frac{(J2) + (J6) + (L2) + (L8) + (v4) + (H5)}{6}$$

(J2) Municipalities' share of the region's total covered jobs expressed in percentage of region .1

(J6) M's share of region's increase in covered jobs between 1972 and 1981 expressed in percentage.

(L2) M's share of region's vacant developable land. ² Vacant developable excludes wetlands, flood areas, state-owned lands and agricultural lands.

(L8) The total potential developable land in each municipality was determined as a separate factor and used to weigh the future distribution of low and moderate income households towards

1 As reported by Covered Employment Totals, N.J. Dept. of Labor, 1981.

2 Based on amount of vacant developable land tabulated in the report prepared by N.J. Division of State and Regional Planning, May 1978. These figures have been revised to exclude any additional land which has been purchased or by other legislative action has become state land.

those municipalities in growth areas that are land rich. Those municipalities which were designated in the SDGP as completely in an "agricultural", "conservation" or "limited growth" or those which, when combining vacant developable land from the Statewide Housing Allocation Report and the amount of agricultural-assessed land equalled zero, were excluded from the HNA municipal allocation formula.³ These municipalities would only have to provide their "indigenous" need for low and moderate income housing. If urban built-up areas were assigned zero vacant developable land their "fair share" responsibility was also limited.

(v4) Value Per Capita. VPC is a measure of the economic ability of a municipality to provide the additional services new developments require. Total equalized value per town was divided by population and the percentage of the region represented by this calculation is VPC.⁴ A lower or higher weight in the allocation formula depended upon the VPC of the particular town.

(H5) Adjusted households: Total households⁵ minus the number of households of low and moderate income minus the number of assisted households, expressed as a percentage of the region equaled the final factor of the allocation formula.

3 Adjusted developable land includes that defined in the Revised Statewide Housing Allocation Report and land under "farm" assessment" as tabulated by the N.J. Dept of Taxation. This provided the opportunity to determine the total potential developable land in each municipality as a separate factor.

4 To determine VPC, the equalized value for each town was taken from the county divisions of taxation for 1983. The population per municipality was taken from the 1980 U.S. Census.

5 The total number of households in each municipality was determined using U.S. Census.

Two factors in the allocation formula measure local advantage/need using jobs as the indicator.

Two factors use land.

One factor uses past exclusionary practices reflected as an indicator of non-low and moderate income households.

One factor uses local economic capacity.

The sum of these 6 factors was then divided by 6 to give each factor an appropriate equal weight. A final allocation ratio was determined and assigned to the region's total present and prospective housing need.

FAIR SHARE ANALYSIS FOR CRANBURY AND MONROE TOWNSHIPS

As per the CUPR, the region used was Middlesex, Hunterdon, Warren and Somerset Counties, justified by comparable housing markets, inter and intra bi-county, journey-to-work commuter patterns, diversity of socio-economic conditions, built-up and non-built-up areas, and the availability of data from the U.S. Census regions and county planning boards.

JOBS

Major criteria in determining fair share.

Monroe : 1972 - 170	
1981 - 1,117	557.1% Increase
Cranbury :	25.3%
Monroe/Cranbury : 1.24% of total jobs in region.	
1.78% of regional increase 1971 - 1981.	

LOCAL DEVELOPMENT POTENTIAL

Monroe/Cranbury : 13, 293 acres
5.65% of regional total of vacant developable land

"Much of the qualified farmland in any developing municipality is owned by developers, speculators or farmers who wish to sell land for retirement or other financial needs. It is the opinion of HNA that this farmland is developable and an additional factor that should be added

to the allocation formula. This factor is total potential developable land. This adds additional weight to land availability where assigning the fair share. . . . it is the opinion of HNA that this acreage and corresponding percentage of regional land per municipality is a more realistic assessment of regional need:

Monroe/Cranbury : 5.16% of total vacant developable land in region.

LOCAL ECONOMIC CAPACITY

~~1980 U.S. Census of Population~~
~~1983 County Equalized Valuation~~ = per capita value per town

Cranbury : \$88,205 = taxable per capita value

Monroe : \$31,663 = taxable per capita value

Cranbury/Monroe = 3.99% of the regional per capita value.

CONCENTRATIONS OF LOW AND MODERATE HOUSING AND ASSISTED HOUSING

This indicator attempts to direct allocation away from areas of high concentrations of low and moderate income or subsidized housing and towards those municipalities which have previously been exclusionary.

RATIONALE : (1) the poor should be dispersed rather than concentrated in any particular geographic location and/or
(2) locations which have existing high levels of housing for the poor are already doing a part of their full fair share.

Low-income = 0 to 50% of median household income (MHI)

Moderate = 50% to 80% of MHI.

Warren (MHI) + Middlesex (MHI) + Somerset (MHI) + Hantaerdon (MHI)

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$$\frac{\$18,969 + \$22,826 + \$26,235 + \$24,115}{4} = \$23,036$$

Low Income = 0 to 50% of this regional averaged median, or

\$0 to \$11,518.00

Moderate Income = between 50% and 80% of this averaged median, or

\$11,518.00 to \$18,428.80

REGION'S PRESENT AND PROSPECTIVE NEED

PRESENT need = 8,520 units.

7 Basic Variables Determining Existing Housing Deficiencies:

1. Year built, prior to 1940 or after 1940
2. Persons per room, overcrowding = more than 1.01 per room.
3. Units which lack exclusive access.
4. Units lacking exclusive plumbing facilities.
5. Units lacking complete kitchen facilities.
6. Units lacking central heating.
7. Units in structures four stories or greater w/o elevators.

Suggested additions:

- (a) Vacancy rates : 5% for rental housing.
1.5% for sale housing.
- (b) Income constrained households living in sound housing but who are paying more than 25% of their income on rent.

Present need would increase if these were included.

Prospective need as determined by CUPR is 33,957 which makes a total West Central need of 42,477 units.

Fair share allocation of low/moderate income housing need:

CRANBURY: 748

If the vacant land portion of the equation is deleted, and only adjusted vacant land is used (HAR vacant land plus assessed farmland), the allocation = 962.

Using Mallach report for calculating present fair share :

Indigenous Demand: 20
Present redistributed Demand: 172

192 + prospective = 790.

MONROE: 1,269

Using only adjusted vacant land: 973.

By keeping the six factor equation, the result is greater allocations to those communities that are less suburbanized but still in the "growth" designation according to SDGP.

Finally, if the Mallach figures for indigenous and present need for the nine-county region, applied to MONROE'S allocation percentage, the present need is 631, and with the commuter region of the four counties for the prospective need (1,015), the MONROE fair share rises to 1,646.