

ML

Roxbury &
Mallukh

1-13-84

A Collection of reports re: allocation
methodology by Carl Lindblom w/ review of
Mallukh's reports

15.7

note: exper report

ML 000738E

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January 13th, 1984

Memo

To: Joseph J. Vecchio
Subject: Roxbury Township
Mt. Laurel/Morris County Case
Mahwah Township Report by Clarke and Caton.

1. This report uses Region 11 from the DCA Study. The Rutgers Study, which designates 6 regions for the State, may become the standard for regions. This study designates a four county region for Roxbury (Sussex, Morris, Essex, Union). One could use the Mahwah allocation methodology but the Rutgers region could be used with that methodology. In our analysis of alternative regions a four county region (Somerset, Morris, Essex, Union) had a future need of 99 units while the Region 11 analysis required 164 units - only a 65 unit difference. I find it hard to believe that Monroe Township is part of the housing market (commutershed) of Mahwah Township, as would be required for Region 11. If one accepts Region 11 as valid does that mean that the 10 one-county regions of that DCA report are also valid? I think the use of Region 11 raises more questions than it answers.
2. In the Mahwah report indigenous need is considered to be present need and defined as dilapidated units, overcrowded units, and needed vacancy rates, for lower income households. The financial dimension is only used on a regional basis whereas we used it as part of our indigenous need calculation. In order to accomodate overlap the Mahwah report deducts 50% without any justification for that figure. My guess is that it is not that high but there is no data to show that it is not higher.
3. The future need is projected to 1990, just as I did, and for the same reasons. However, the biggest problem here is the use of population projections and household size to determine future need (page 21). For example if the Mahwah report took into consideration the fact that lower income households are, on average, larger than higher income households they would have come up with a regional need for fewer lower income units (page 23).

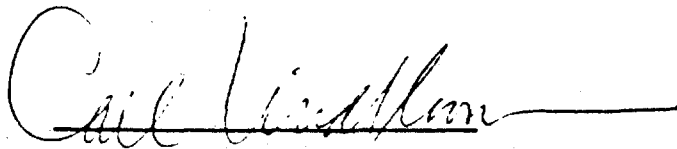
It is also strange that Caton uses a 1980-1990 projection period but in his page 22 determination table he uses 1980=1990 but does not subtract the units built for the 1980-1983 new households.
4. Under the allocation methodology we find several problems.

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4). First, on page 24, they report Montgomery Township and Washington Township as non-growth. A portion of both Township includes some growth area designation. Secondly, the DCA report on vacant developable land did not break down such data by growth and non-growth areas. I believe it is inconsistent to exclude all vacant land in non-growth municipalities, but include all vacant land (growth and non-growth areas) in growth area municipalities.

5. The three indices used for allocation were vacant land, ratable base, and employment growth. These three were averaged and applied to the regional total. For this methodology there was no support for such averaging (no weighting used) and the indices are themselves unequal. For example, the vacant land is, I believe, obsolete data from various agencies for various years; the employment growth is past growth (1972-1981); the ratable base source is not indicated and is assumed to be 1982. What is the rationale for using a 1972-1981 job growth period? If that period resulted in a negative growth, as in the case of Mahwah, why was not a negative factor applied?



Carl Lindbloom.

Roxbury

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January 13th, 1984

Memo

To: Joseph J. Vecchio, Esq.
Subject: Roxbury Township
Mt. Laurel/Morris County Case
Abeles Report

The following are my comments on the Abeles Report dated October, 1983, as requested by you.

1. Definition of Region.

Abeles used the DCA Region 11, and the rationale is similar to the Caton's for the Mahwah Case. See my comments for region in the Mahwah Report.

2. Determination of Prospective Need

For a time period Abeles uses 1980 to 1990 while Caton used 1984 to 1990. Both use similar rationale and both were given copies of my methodology which used 1984 to 1990. I don't understand the justification for Abeles using a time period in which four years have already passed.

Abeles (page 19) uses new family formation as the basis for total future need; I believe the Sternlieb report uses the same technique. It maybe useful to compare their projections. I believe Sternlieb will carry more weight than Abeles and regional definition differences may be important here. There are minor Census differences between Abeles and Caton, but the source is the same.

As noted in my memo on the Mahwah report I don't agree with the use of population projections to determine future need. Projected job growth is more indicative of the need for housing units in a particular area.

It is worthwhile to compare Abeles 1990 population and household projections with those of Caton:

	Population	Households
Abeles	4,546,517	1,676,821
Caton	4,442,192	1,715,132

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Abeles has 104,325 more people, but 38,311 fewer house-holds than Caton.

It is also useful to compare Abeles Table 7 (future regional need) with the same table for Caton on his page 22. Both use identical methodology but come up with very different results:

	<u>(low and moderate need)</u>
Abeles	58,026 units
Caton	71,353 units

A major error both make is not adjusting for the dwelling units built between 1980 and today. Those units are in place and would reduce the projected need. For example in 1982, 9,718 regional dwelling unit building permits were authorized, of which 4,764 or 49% were multi-family units.

Caton makes the same error in Mahwah.

3. Allocation of Prospective Need.

Under the allocation methodology Abeles (page 34) says vacant land is the most important criterion. I disagree for the same reasons given in my Mahwah memo. Abeles also uses job growth as his second indice, but uses 1975-1981 growth rather than projected growth. No explanation is given for using that particular period (Caton uses 1972-1981). I think existing (1982) total jobs per municipality might be a better indice than past growth.

Abeles then averages both indices to derive his allocation factor. As you can see in table 8, Roxbury is impacted by the obsolete vacant land indice. If you only used job growth the allocation would be 210 units; if you also corrected the total regional need for units built during 1980-1983 the Roxbury allocation would be under 200 units. This would be in line with our analysis.

There is no basis for using job growth and vacant land. In fact there is some duplication. The towns with more vacant land may get more job growth than the towns with little vacant land.

Roxbury

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January 13th, 1984.

Memo

To: Joseph J. Vecchio, Esq.
Subject: Roxbury Township
Mt. Laurel/Morris County Case
Expert Reports for Public Advocate
Alan Mallach

The following are my comments on the two Mallach reports dated October, 1983, as requested by you.

1. Review of Zoning Ordinance Provisions.

In this report Mallach reviews the specific zoning ordinance provisions of Roxbury Township (and nine other Morris County municipalities) and finds it "inconsistent with the municipality's obligation under Mt. Laurel 11".

Mallach found that all ten ordinances he reviewed were inconsistent with Mt. Laurel 11 and I'm sure he would find every ordinance in the State inconsistent. However, that does not mean that a municipality is not meeting its housing need. These two reports give the impression that only new housing built under zoning ordinance provisions, will satisfy the Mt. Laurel obligation. That is nonsense because it ignores the use of existing housing turnover, subsidies, house sharing, rehabilitation, conversions of schools and other non-residential structures to low and moderate income housing, and other non-zoning means to meet housing need.

I believe that every municipality should, as part of the Housing Plan Element of its Master Plan, develop a Housing Strategy to meet its determined housing need. In such a strategy it can utilize all potential housing resources and, in that way determine the number of set aside units required. If it has enough other non-zoning resources the set aside percentage could be less than the Advocates 20%, making it easier for the developer to provide. Alternatively, the 20% could be maintained but fewer total units would be required.

2. Review of Housing Standards.

In this report Mallach discusses zoning standards in general and offers his opinion on acceptable housing development standards for conformity to the Mt. Laurel decision.

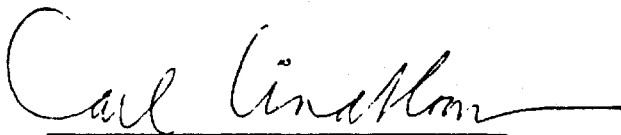
In this report Mallach finds that only mandatory set asides

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and he offers his idea of the necessary development standards for such housing. I have already commented that this is not a comprehensive approach and one that a non-planner might take. A municipality should be urged to consider all possible techniques., in addition to zoning, to meet its housing need. These Mallach reports, with their reliance on the zoning ordinance, do more to obstruct the provision of such housing than they do to help achieve it.

I take strong objection to the imposition of arbitrary housing development standards on all municipalities and all areas. Housing development standards are a function of site location and development constraints. For example, a site with a lower land cost can be developed at a lower density than a site with a higher land cost, with no change in the land cost per unit.

A handwritten signature in cursive script that reads "Carl Lindbloom". The signature is written in dark ink and is positioned above a horizontal line.

Carl Lindbloom

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4. Determination and Allocation of Present Need.

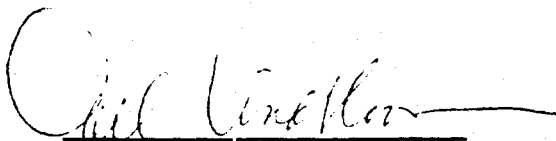
Using physical deficiencies, overcrowded units, and vacancy rates, Abeles comes up with a 191 indigenous need for Roxbury. You will note on Table 10 that he does not give a credit for the surplus rental vacancy rate in Roxbury (11.5% in 1980). If you subtract the 41 unit surplus I found the indigenous need is down to 150.

5. Allocation of Present Need.

To meet present need Abeles proposes a redistribution of the lower income population. He suggests that this occur over a generation in time to the year 2010. I suspect that he proposes this because to try and accomplish it by the year 1990 would produce an unrealistic allocation. He is proposing a massive shift in population distribution from city to suburb, and, in this case, without reference to the need for such a shift and the ability of the receiving municipalities (jobs, land area) to absorb such population.

6. The Fair Share Zoning Obligation.

In this section Abeles stresses the need for all municipalities to zone their full allocation. As discussed in my memo on the Mallach reports I feel the emphasis on the zoning ordinance to produce the needed housing is misplaced. Zoning doesn't build lower income units and cannot be expected to even make it possible for the full allocation to be built over a short seven year period. What is required is a comprehensive approach - the development of a local housing strategy plan which includes the use of all possible techniques and programs, including set asides, to meet the determined need.



Carl Lindbloom.