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WARREN TOWNSHIP HOUSING STUDY

AM000081E

Prepared for  
TOWNSHIP OF WARREN  
by  
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ENVIRONMENTAL CONSULTANTS  
and  
LANDSCAPE ARCHITECTS

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## INTRODUCTION

Warren Township is located in the northeast corner of Somerset County. In 1982, Judge Meredith of the Somerset County Superior Court ruled that the Township's Zoning Ordinance must be revised to provide for housing affordable to low and moderate income households. This decision was, of course, rendered prior to the now much publicized New Jersey Supreme Court Mt. Laurel II decision.

In 1982, the Planning Board, subsequent to review of studies and conduct of public hearings and thereafter consideration of all comment adopted an updated and amended Land Use Element of the Warren Township Master Plan. That element set forth various locations which provide for multiple family housing and small lot residential development.

Subsequent to the Board's adoption of the revised Land Use Element, a Zoning Ordinance amendment was prepared. The Township Committee introduced and adopted the Zoning Amendment. Said amendment is consistent with and furthers the intent and spirit of the amended Land Use Plan, all as required by the Municipal Land Use Law. The Zoning Ordinance amendment is known as Ordinance No. 82-19 of the revised General Ordinances of Warren Township.

Subsequent to the actions of the Warren Township Planning Board and Warren Township Committee briefly described above, the New Jersey Supreme Court rendered its Mt. Laurel II decision. As a result of that decision, study and reexamination of requirements for multiple family and small lot residential development as authorized by the Zoning Ordinance amendment (Ordinance 82-19) was made. As a result of this study and reexamination, the Township Committee has introduced further amendment which requires all multiple family developments to provide for housing affordable to low and moderate income households as defined within the Mt. Laurel II decision of the Supreme Court.

In context with all of the above and in particular context with the complaint filed by AMG/Skytop, this report has been prepared setting forth a factual analysis of the Township's Zoning Ordinance.

DETERMINATION OF HOUSING OBLIGATION FOR WARREN TOWNSHIP

The calculation of the Township's housing obligation for low and moderate income households is a direct function of the housing region of the community. The housing region for Warren Township is based upon an approximate 45 minute travel time distance from Warren Township. The starting point of the travel time survey was at the intersection of Mt. Horeb and King George Roads. The travel routes were along the major interstate highways and state highways accessible from the Township.

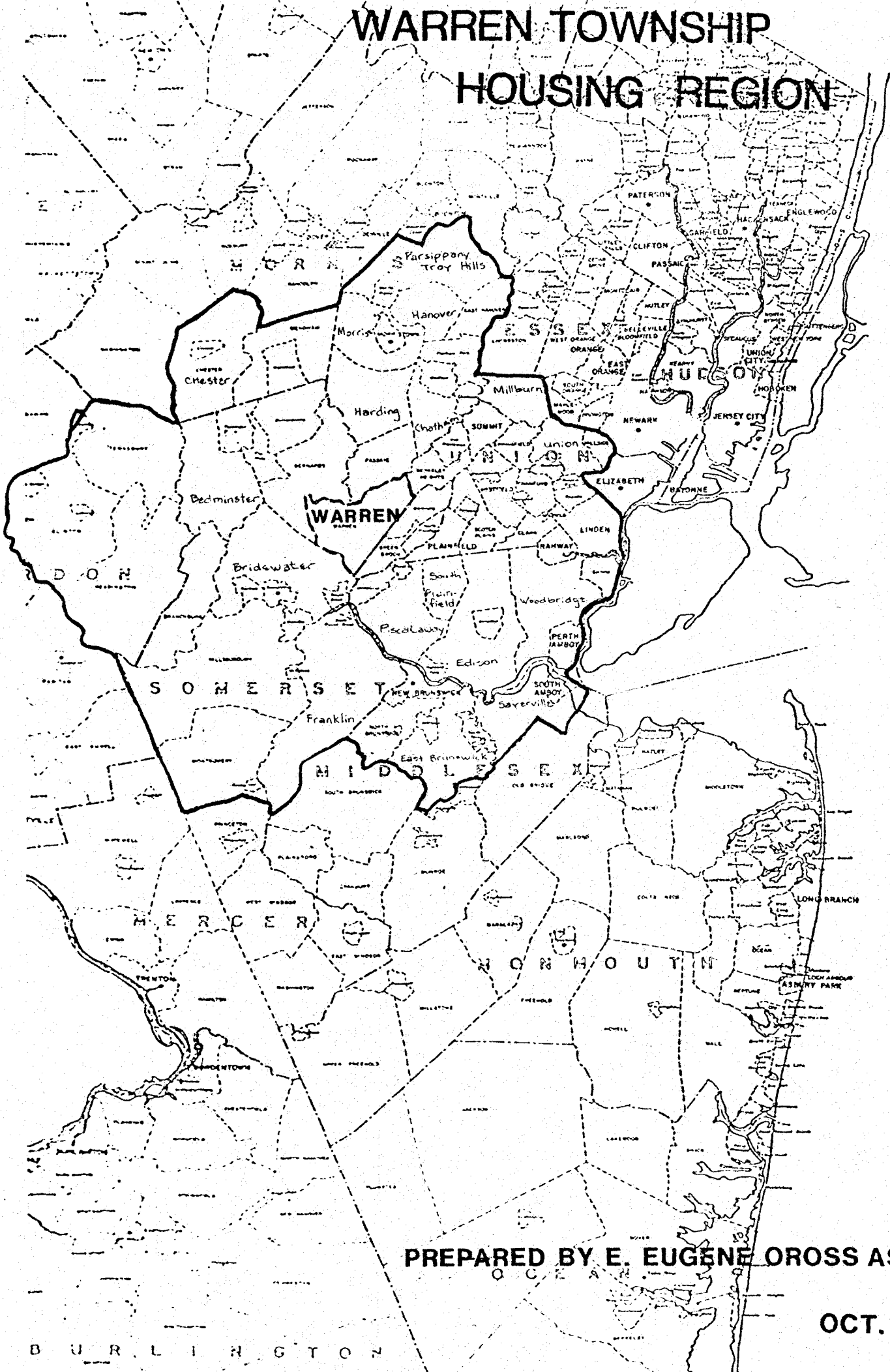
The assignment of a 45 minute travel time as the determinant factor for the delineated housing region of Warren Township is founded upon study and review of commuter travel patterns of the resident work force of the Township and study of the existing and emerging employment centers within this general area of New Jersey.

For comparison purposes, a 24 minute travel time is the state average for all workers in New Jersey. Utilization of that trip length (time and distance) is considered inappropriate in context with New Jersey Supreme Court decisions known as Mt. Laurel I and Oakwood at Madison vs. Madison Township.

The boundaries of the Township's housing region are considered general due to the inherent variations of travel time.

In this context, the New Jersey Supreme Court anticipated variations of regional boundaries, but also stated that despite such variations, a general consistency of approach and calculation will result, thereby quantify need and thereafter setting in motion actions which will ultimately satisfy the Mt. Laurel II directives.

# WARREN TOWNSHIP HOUSING REGION



PREPARED BY E. EUGENE CROSS ASSOC.

OCT. 1983

BURLINGTON

CALCULATION OF WARREN TOWNSHIP'S FAIR SHARE HOUSING OBLIGATION

The calculation of the Township's fair share housing obligation is based upon the following:

- A. Employment trends within the Township's housing region from 1972 through 1980.
- B. The Township's percent employment of its housing region for the year 1980.
- C. Moderate and lower income levels are based upon statewide median income data.
- D. The percent of low and moderate income households in 1980 is assumed to remain unchanged throughout the projection period.
- E. The ratio of new households to new jobs within the Warren Township housing region is assumed to reflect the statewide ratio for the period 1972-1980.
- F. Households paying 35% or more of gross income for housing are classified as having an existing financial need. The use of 35% or more factor is based upon U.S. Department of Housing and Urban Development publications for calculation of housing need.



The calculation of the Township's low and moderate income housing obligation includes two components; (1) present need and (2) prospective need. The present need includes the Township's share of the existing substandard housing within its housing region as well as the Township's share of households within the region paying more than 35% of gross income for housing. All data utilized to compute the existing or present need have been taken from the U.S. Census of Population and Housing.

The prospective or future need is based exclusively upon employment growth of the Township's housing region. The Supreme Court stated "formulas that accord substantial weight to employment opportunities in the municipality, especially new employment accompanied by substantial ratables shall be favored."

The calculated total housing obligation of Warren Township projected for a ten year period (1984 through 1993) is 529 units. The data utilized and the method of calculation to compute the Township's total fair share obligation is set forth in Appendix A of this report.

WARREN TOWNSHIP ZONING ORDINANCE COMPARISON TO ITS FAIR SHARE  
HOUSING OBLIGATION

The amended Zoning Ordinance of Warren Township sets forth five locations for multi-family housing and small lot residential development within the community. All of the zones are served by existing public water and sewer facilities. All of the zones are located on fully improved major collector streets. The total number of new housing units potential within the five areas is 1400 plus dwelling units. Appendix B sets forth the data for this calculation as well as maps showing the location of each district.

*That  
would  
provide  
280  
at 20%*

The Township as stated at the outset of this report has recently introduced an amendment to Ordinance 82-19 setting forth a requirement that 20% of all multi-family housing units developed within the zones be affordable to low and moderate income households. This requirement is designed as a first phase amendment to the Land Use and Zoning policy of the Township to affirmatively provide for its obligation for low and moderate income families.

Applying the 20% requirement to the development potential of the multi-family and small lot residential districts produces a total of 280 new dwelling units affordable to low and moderate income households. Clearly, this number of new housing units represents a substantial effort by the Township to meet its projected ten year low and moderate income household obligation.

The New Jersey Supreme Court anticipated the need to phase development and stated:

"The Mt. Laurel obligation to meet the prospective lower income housing need of the region is, by definition, one that is met year after year in the future, throughout the years of the particular projection used in calculating prospective need. In this sense the affirmative obligation to provide a realistic opportunity to construct a fair share of lower income housing is met by a "phase-in" over those years; it need not be provided immediately."

The second phase of land use policy and plan reexamination is underway. The Township's Planning Board commissioned a study by this consultant for the Washington Valley Road and Mt. Bethel-King George Road corridor within the Township. This is a second phase of land use plan and housing policy reexamination. This phased approach to housing issues was specifically stated within the adopted Land Use Element of the Township.

In consideration of the significant land use policy and zoning ordinance amendments resulting from the Mt. Laurel II decision, it is only proper and logical that the municipality phase its land use policy and zoning statements over time. In the course of consideration of the various alternative means and methods of achieving new housing affordable to low and moderate income households, the Township will have the benefit of hard data showing employment growth within its region, housing production and the cost of same under its first phase of rezoning and other factors of consideration resulting from study and efforts of this as well as other municipalities. Without question, the New Jersey Supreme Court's Mt. Laurel II decision has mandated substantive changes to municipal land use policy. A measured and monitored program to meet the Mt. Laurel II obligation over time is sound and valid.

TOWNSHIP ZONING ORDINANCE AMENDMENT-COMPLIANCE WITH MT. LAUREL  
AFFIRMATIVE DEVICES REQUIREMENTS

A thorough examination of the Township's amended zoning regulation has been conducted in general consideration of affirmative devices policy and cost generating standards. The Township's Zoning ordinance, as amended, requires a minimum of 20 percent of all multi-family housing units be affordable to low and moderate income households. There can be no issue that such a requirement is an affirmative requirement and meets a fundamental Mt. Laurel II mandate.

The regulations of the Township for multi-family and small lot residential development contain no unusual standards for development. The complete development regulations for multi-family use as contained in Warren Township Ordinance No. 82-19 are as follows:

- Maximum building coverage shall be twenty percent (20%) of the site.
- The maximum percentage of coverage of buildings and pavement/parking areas, inclusive of driveways, parking and sidewalks, recreation facilities, patios or steps, shall be sixty percent (60%).
- Maximum building height: thirty (30) feet.
- Minimum number of units per structure: two (2).
- Maximum number of units per structure (8).

(See section 16.8.3.b.5 through 9 of Warren Township Ordinance No. 82-19.)

The development regulations do not contain gimmickry or other standards that are cost generating. Again, the ordinance complies with the directive of the New Jersey Supreme Court.

AMG-SKYTOP PROPOSAL ANALYSIS

The plaintiff proposes a development consisting of 1,950 units on two tracts of land having a total area of 304 + or - acres. The subject tracts are located along Liberty Corner Road in the most westerly portion of the Township.

The subject area is zoned rural/residential. Existing development (single family homes) borders the entire easterly side of the subject area. This area of the Township clearly exhibits a rural/residential development character.

The AMG/Skytop tract of land is located on the fringe of the designated growth area set forth in the State Development Guide Plan.

The tract abuts the Township of Bernards. The zoning designation within Bernards Township is for very low density residential development (approximately one dwelling unit per 2.5 acres of land).

In context with the above facts, the proposed development is clearly contrary to the land use and zoning policies of Warren Township and the Township of Bernards. Furthermore, the proposal is clearly contrary to the development character of the general area.

The AMG tract (approximately 90 acres) is located in the upper Raritan River basin. This portion of Warren Township at present has limited sewer facilities available. The Township Sewer Authority is, however, constructing the Middlebrook Trunk system which connects to a system under construction in Bridgewater Township. The system was designed under the regulations and standards of the federal government. Such regulations limit capacity of the system to the zoning of the area as it currently exists.

The allowance of any development over and above current zone capacity must be assumed to be limited. In this context, it is the decision of the Township that the most appropriate location for higher density development (over and above current zone capacities) in the upper Raritan River basin is in the Warrentown Center of the Township.

The Warrentown Center area is clearly a activity mode of the community as contrasted with the rural agricultural character of the AMG site. The Warrentown Center consists of shopping centers, municipal buildings, the community park, fire station, office buildings (employment opportunities) and in general a level of development and activity wherein higher density housing is clearly consistent and appropriate.

The Skytop tract of land of some 214 acres is located along Liberty Corner and Mt. Horeb Roads. Statements of fact applicable to the AMG tract.



APPENDIXES

Appendix A Fair Share Warren Township Housing Obligation

Appendix B Existing Multi-family and Small lot zone map and  
development potential calculations

## WARREN TOWNSHIP HOUSING OBLIGATION CALCULATION

The method of calculation for Warren Township's housing obligation is based exclusively upon employment. The factors used to compute the Township's obligation are as follows:

- A. The statewide ratio of jobs to households is .759. This ratio is calculated by dividing total state employment growth (1970 to 1980) for ten years by a total number of new households of the same period. Data sources are the New Jersey Department of Labor and Industry and the U.S. Census of Housing.
- B. Projected job growth is based upon a straight line average of job growth for the housing region of Warren Township for the period 1972 to 1980.
- C. Existing regional housing need is based upon U.S. census of housing data, 1980. A 90% overlap of substandard housing units (overcrowding, lacking plumbing and heating) and financial need was assumed.

The financial housing need component includes households up to moderate income level (80% of the state median household income) paying more than 35% of gross income for housing.

Method of Calculation:

A five step method of housing obligation has been used to calculate the 10 year projection for the Township. The steps are as follows:

Steps

1. Regional employment growth (a 10 straight line projection) x statewide jobs to housing ratio equals total projected households.
2. Project households x Township % jobs of Warren Township's housing region in 1980 = projected Township housing units for ten year period.
3. Projected Township housing units x state % of low and moderate income households in 1980 = projected Township housing obligation.
4. Region's existing housing need x Township percent jobs of its housing region in 1980 = existing housing need.
5. Projected housing need + existing housing need =

(step. 3) + (step. 4) = 10 year total housing obligation

Calculation

Step 1: 141,000 jobs x .759 jobs/household = 107,019 households

(annual job growth rate: +14,102 jobs see table A-1)

Step 2: 107,019 jobs x .512 = 547.9 households (Township percent of jobs-see table A-1) (say 548 households)

Step 3: 548 households x 39.5% = 216.5 projected 10 year housing obligation

Step 4: 62,656 households x .512 = 313 households (total existing obligation)

Step 5: 216.5 + 313 + 528.5 households (total 10 year obligation)

TABLE  
A-2

Table A-1

Regional Employment and Projection  
For Warren Township Housing Region

	<u>Employment</u>	
	<u>1972</u>	<u>1980</u>
Somerset County (total)	57,165	79,324
Essex County Sector	8,108	9,152
Union County Sector	172,540	182,516
Middlesex County Sector	171,978	216,531
Morris County Sector	59,727	93,874
Hunterdon County Sector	3,198	4,141
Total	472,716	585,538

- A. Warren Township 1980 - 2,998 jobs equals .512 of housing region employment in 1980.
- B. Housing Region's job growth 1972 to 1980 equals 112,822 jobs or approximately 14,102 jobs/year.
- C. Straight line 10 year employment projection for Warren Township housing region is 141,000 new jobs.

Source: New Jersey Department of Labor and Industry Covered Employment Reports; calculations E. Eugene Cross Associates.

Table A-2  
Existing Housing Need  
Warren Township Housing Region

<u>Places</u>	<u>Physical</u>	<u>Finance</u>
Somerset County	1,729	8,214
Essex County Sector	200 (est)	2,888
Union County Sector	4,309	19,323
Middlesex County Sector	8,068	23,119
Morris County Sector	2,000 (est)	6,372
Hunterdon County	200	1,089
	<hr/>	<hr/>
Total	16,504	61,006
Warren Township	25	236

A. Total existing need assumes 90% overlap of physical and financial need.

61,006 households + (10%)(16,504) = 62,656 households.

B. The calculated existing Township obligation of its housing region is  $0.5\% \times 62,656$  equaling 313 housing units.

Source: U.S. Census of Housing and Population 1980; calculation  
E. Eugene Cross Associates

Note: Estimate shown in Table A-2 result from incomplete source data file.

APPENDIX B

Table B-1 Development Potential and Maps of Zoning Districts



Table B-1

Development Potential  
of Multifamily and Small Lot  
Residential Zones in  
Warren Township

(2)

<u>Location</u> (see maps attached)	(1) <u>size</u>	Potential number of <u>Dwelling units</u>
Mt. View Road Area	66.35 acre	465
Warrenville Area	65.70	526
Stirling Road Area	27.40	192
Mountain Avenue Area	55.0 (est)	200 (3)
Plainfield Garden Area	---	20-30
		1403 - 1413

(1) Based upon Township tax atlas.

(2) Based upon allowed density by district as permitted by Warren Township Ordinance No. 82-19.

(3) Estimate of "in fill" based upon Land Use Survey of E. Eugene Oross Associates.

115.69

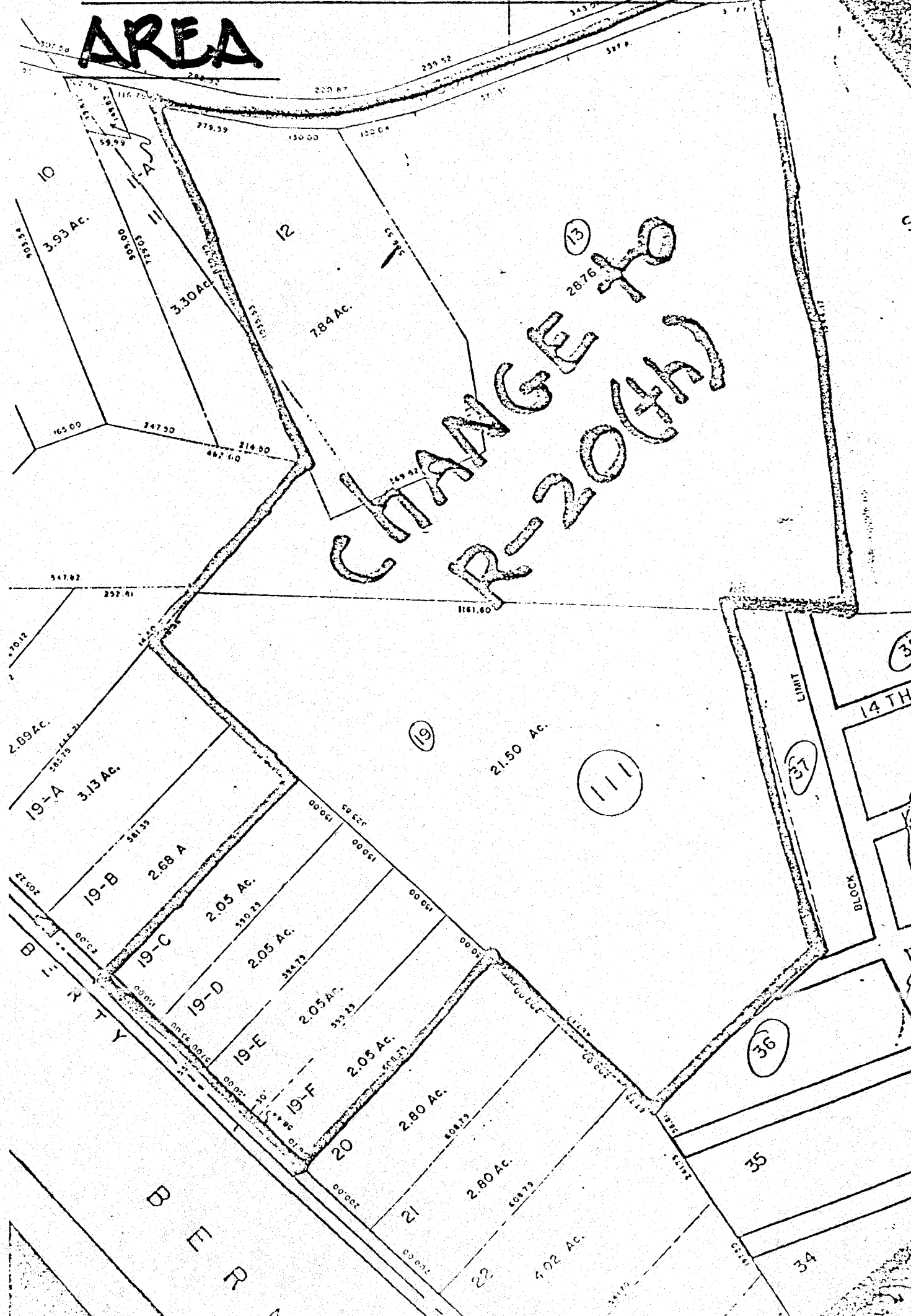
WARREN TOWNSHIP

OFFICIAL ZONING MAP AMENDMENT

Prepared by: E. Eugene Cross Assoc.

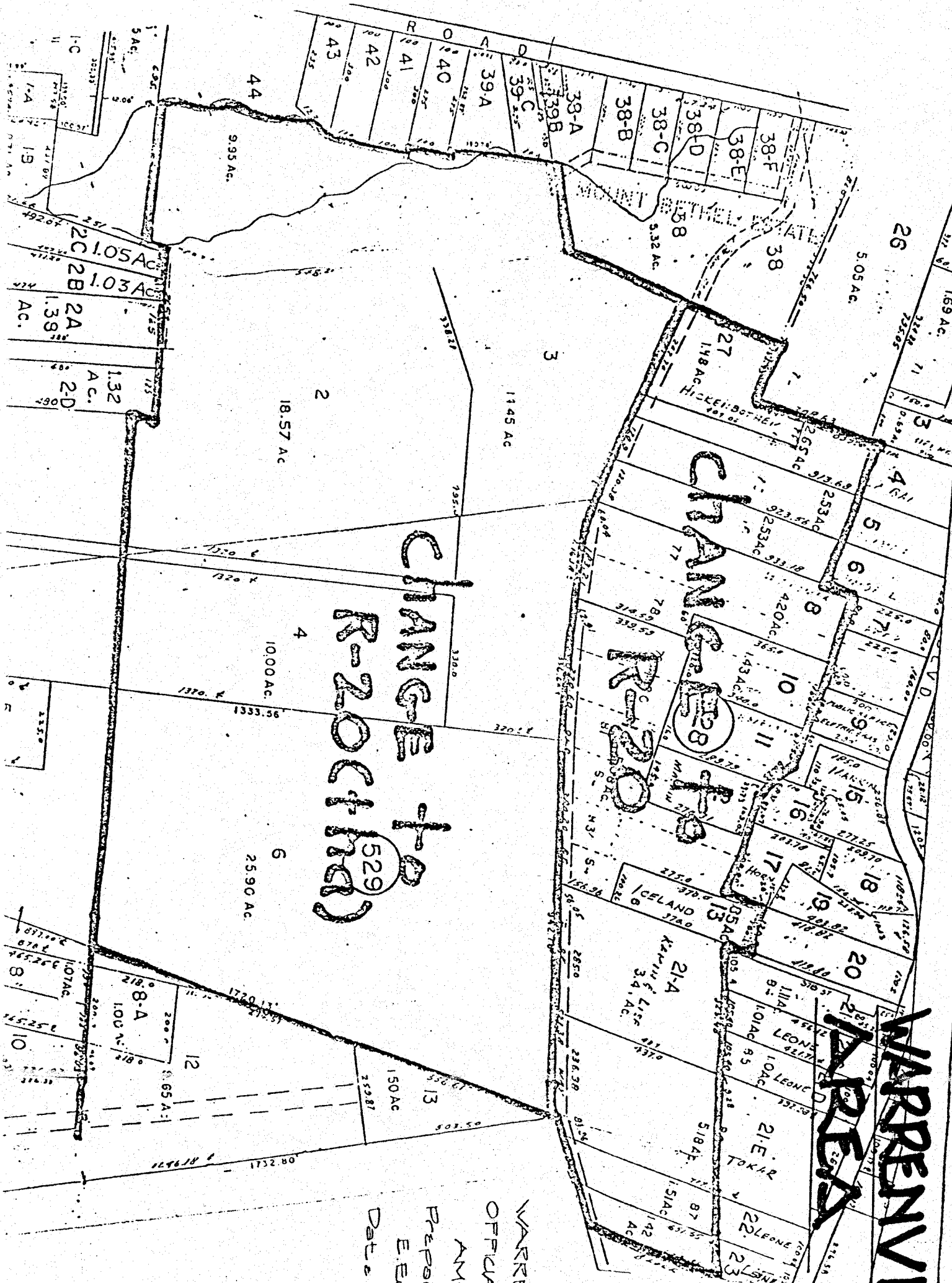
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# MOUNTAIN VIEW ROAD AREA



# WARRENVILLE

# MAP 26

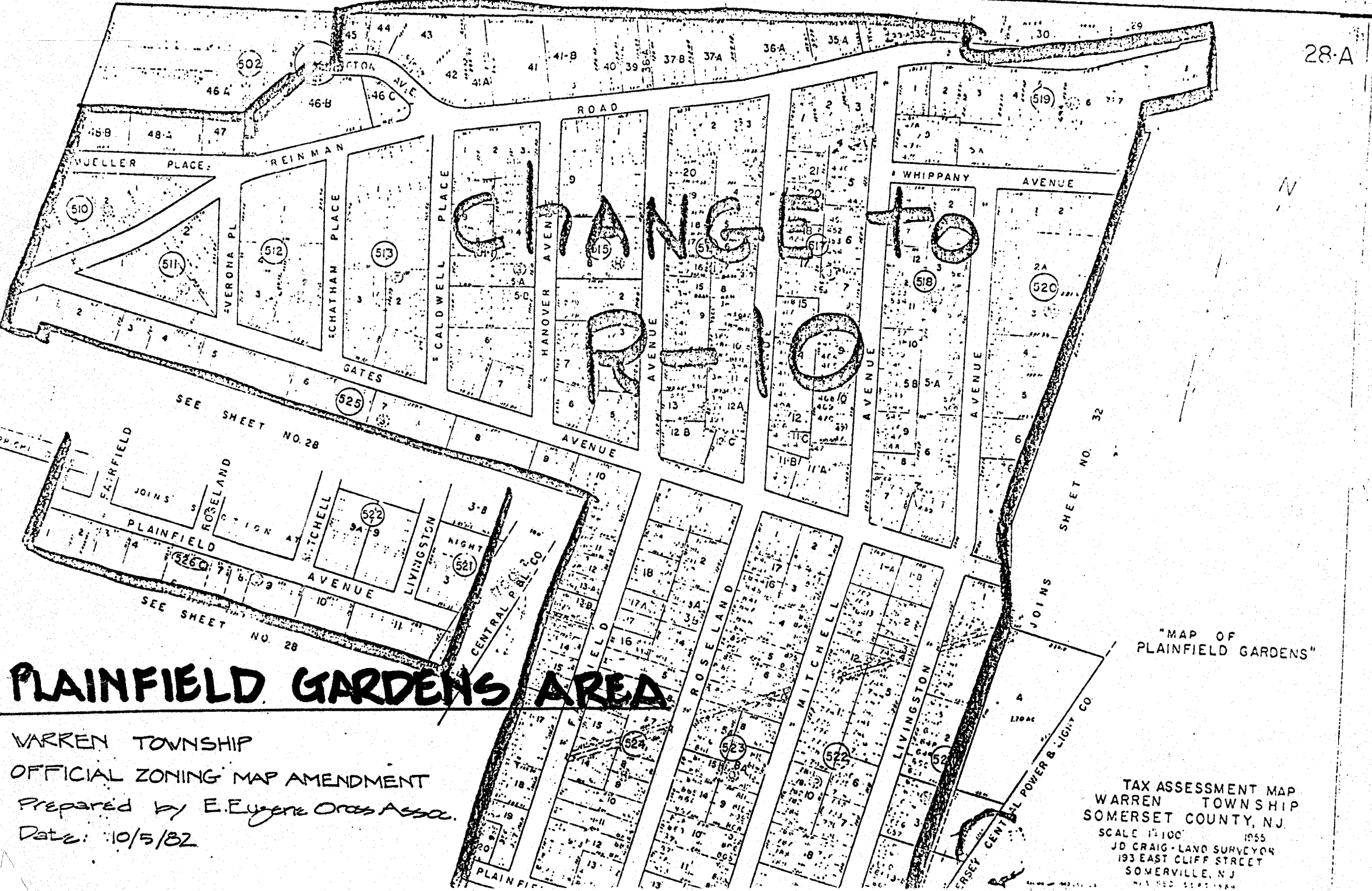


CHANGE TO  
R-20 (H)  
(529)

WARREN TOWNE  
OFFICIAL ZONING  
AMENDMENT  
Prepared by:  
E. Eugene Cross  
Date: 10/5/82







# PLAINFIELD GARDENS AREA

WARREN TOWNSHIP  
 OFFICIAL ZONING MAP AMENDMENT  
 Prepared by E. Eugene Oros Assoc.  
 Date: 10/5/82

"MAP OF  
 PLAINFIELD GARDENS"

TAX ASSESSMENT MAP  
 WARREN TOWNSHIP  
 SOMERSET COUNTY, N.J.  
 SCALE 1"=100'  
 1955  
 JD CRAIG-LAND SURVEYOR  
 193 EAST CLIFF STREET  
 SOMERVILLE, N.J.

## Region

1. Why #5 not remove
2. Is considered the same as region without other factors
3. What towns involved
4. Is considered a workable region

## Statistics

1. 5 step calculation on pages 16-17 used 30 figures which result error exclusion
2. no allowance made for  
a. excess share  
b. vacancy  
c. loss from inventory
3. no income figures given
4. no breakdown of totals between low + moderate

## F/S

1. How is it for to calculate a prospective fair share of present F/S of the region based on townships present employ  
Includes financial in present but not excess, or vacancy or loss from inventory
2. How about vacant developed land or rentals as a factor
3. uses 4/4 instead of families
4. Check Caton for #8 factors

Bottom line - 528.5 F/S

## Ord -

1. Ord 203 - 204 - 205 - 206 - 207 - 208 - 209 - 210 - 211 - 212 - 213 - 214 - 215 - 216 - 217 - 218 - 219 - 220 - 221 - 222 - 223 - 224 - 225 - 226 - 227 - 228 - 229 - 230 - 231 - 232 - 233 - 234 - 235 - 236 - 237 - 238 - 239 - 240 - 241 - 242 - 243 - 244 - 245 - 246 - 247 - 248 - 249 - 250 - 251 - 252 - 253 - 254 - 255 - 256 - 257 - 258 - 259 - 260 - 261 - 262 - 263 - 264 - 265 - 266 - 267 - 268 - 269 - 270 - 271 - 272 - 273 - 274 - 275 - 276 - 277 - 278 - 279 - 280 - 281 - 282 - 283 - 284 - 285 - 286 - 287 - 288 - 289 - 290 - 291 - 292 - 293 - 294 - 295 - 296 - 297 - 298 - 299 - 300 - 301 - 302 - 303 - 304 - 305 - 306 - 307 - 308 - 309 - 310 - 311 - 312 - 313 - 314 - 315 - 316 - 317 - 318 - 319 - 320 - 321 - 322 - 323 - 324 - 325 - 326 - 327 - 328 - 329 - 330 - 331 - 332 - 333 - 334 - 335 - 336 - 337 - 338 - 339 - 340 - 341 - 342 - 343 - 344 - 345 - 346 - 347 - 348 - 349 - 350 - 351 - 352 - 353 - 354 - 355 - 356 - 357 - 358 - 359 - 360 - 361 - 362 - 363 - 364 - 365 - 366 - 367 - 368 - 369 - 370 - 371 - 372 - 373 - 374 - 375 - 376 - 377 - 378 - 379 - 380 - 381 - 382 - 383 - 384 - 385 - 386 - 387 - 388 - 389 - 390 - 391 - 392 - 393 - 394 - 395 - 396 - 397 - 398 - 399 - 400 - 401 - 402 - 403 - 404 - 405 - 406 - 407 - 408 - 409 - 410 - 411 - 412 - 413 - 414 - 415 - 416 - 417 - 418 - 419 - 420 - 421 - 422 - 423 - 424 - 425 - 426 - 427 - 428 - 429 - 430 - 431 - 432 - 433 - 434 - 435 - 436 - 437 - 438 - 439 - 440 - 441 - 442 - 443 - 444 - 445 - 446 - 447 - 448 - 449 - 450 - 451 - 452 - 453 - 454 - 455 - 456 - 457 - 458 - 459 - 460 - 461 - 462 - 463 - 464 - 465 - 466 - 467 - 468 - 469 - 470 - 471 - 472 - 473 - 474 - 475 - 476 - 477 - 478 - 479 - 480 - 481 - 482 - 483 - 484 - 485 - 486 - 487 - 488 - 489 - 490 - 491 - 492 - 493 - 494 - 495 - 496 - 497 - 498 - 499 - 500 - 501 - 502 - 503 - 504 - 505 - 506 - 507 - 508 - 509 - 510 - 511 - 512 - 513 - 514 - 515 - 516 - 517 - 518 - 519 - 520 - 521 - 522 - 523 - 524 - 525 - 526 - 527 - 528 - 529 - 530 - 531 - 532 - 533 - 534 - 535 - 536 - 537 - 538 - 539 - 540 - 541 - 542 - 543 - 544 - 545 - 546 - 547 - 548 - 549 - 550 - 551 - 552 - 553 - 554 - 555 - 556 - 557 - 558 - 559 - 560 - 561 - 562 - 563 - 564 - 565 - 566 - 567 - 568 - 569 - 570 - 571 - 572 - 573 - 574 - 575 - 576 - 577 - 578 - 579 - 580 - 581 - 582 - 583 - 584 - 585 - 586 - 587 - 588 - 589 - 590 - 591 - 592 - 593 - 594 - 595 - 596 - 597 - 598 - 599 - 600 - 601 - 602 - 603 - 604 - 605 - 606 - 607 - 608 - 609 - 610 - 611 - 612 - 613 - 614 - 615 - 616 - 617 - 618 - 619 - 620 - 621 - 622 - 623 - 624 - 625 - 626 - 627 - 628 - 629 - 630 - 631 - 632 - 633 - 634 - 635 - 636 - 637 - 638 - 639 - 640 - 641 - 642 - 643 - 644 - 645 - 646 - 647 - 648 - 649 - 650 - 651 - 652 - 653 - 654 - 655 - 656 - 657 - 658 - 659 - 660 - 661 - 662 - 663 - 664 - 665 - 666 - 667 - 668 - 669 - 670 - 671 - 672 - 673 - 674 - 675 - 676 - 677 - 678 - 679 - 680 - 681 - 682 - 683 - 684 - 685 - 686 - 687 - 688 - 689 - 690 - 691 - 692 - 693 - 694 - 695 - 696 - 697 - 698 - 699 - 700 - 701 - 702 - 703 - 704 - 705 - 706 - 707 - 708 - 709 - 710 - 711 - 712 - 713 - 714 - 715 - 716 - 717 - 718 - 719 - 720 - 721 - 722 - 723 - 724 - 725 - 726 - 727 - 728 - 729 - 730 - 731 - 732 - 733 - 734 - 735 - 736 - 737 - 738 - 739 - 740 - 741 - 742 - 743 - 744 - 745 - 746 - 747 - 748 - 749 - 750 - 751 - 752 - 753 - 754 - 755 - 756 - 757 - 758 - 759 - 760 - 761 - 762 - 763 - 764 - 765 - 766 - 767 - 768 - 769 - 770 - 771 - 772 - 773 - 774 - 775 - 776 - 777 - 778 - 779 - 780 - 781 - 782 - 783 - 784 - 785 - 786 - 787 - 788 - 789 - 790 - 791 - 792 - 793 - 794 - 795 - 796 - 797 - 798 - 799 - 800 - 801 - 802 - 803 - 804 - 805 - 806 - 807 - 808 - 809 - 810 - 811 - 812 - 813 - 814 - 815 - 816 - 817 - 818 - 819 - 820 - 821 - 822 - 823 - 824 - 825 - 826 - 827 - 828 - 829 - 830 - 831 - 832 - 833 - 834 - 835 - 836 - 837 - 838 - 839 - 840 - 841 - 842 - 843 - 844 - 845 - 846 - 847 - 848 - 849 - 850 - 851 - 852 - 853 - 854 - 855 - 856 - 857 - 858 - 859 - 860 - 861 - 862 - 863 - 864 - 865 - 866 - 867 - 868 - 869 - 870 - 871 - 872 - 873 - 874 - 875 - 876 - 877 - 878 - 879 - 880 - 881 - 882 - 883 - 884 - 885 - 886 - 887 - 888 - 889 - 890 - 891 - 892 - 893 - 894 - 895 - 896 - 897 - 898 - 899 - 900 - 901 - 902 - 903 - 904 - 905 - 906 - 907 - 908 - 909 - 910 - 911 - 912 - 913 - 914 - 915 - 916 - 917 - 918 - 919 - 920 - 921 - 922 - 923 - 924 - 925 - 926 - 927 - 928 - 929 - 930 - 931 - 932 - 933 - 934 - 935 - 936 - 937 - 938 - 939 - 940 - 941 - 942 - 943 - 944 - 945 - 946 - 947 - 948 - 949 - 950 - 951 - 952 - 953 - 954 - 955 - 956 - 957 - 958 - 959 - 960 - 961 - 962 - 963 - 964 - 965 - 966 - 967 - 968 - 969 - 970 - 971 - 972 - 973 - 974 - 975 - 976 - 977 - 978 - 979 - 980 - 981 - 982 - 983 - 984 - 985 - 986 - 987 - 988 - 989 - 990 - 991 - 992 - 993 - 994 - 995 - 996 - 997 - 998 - 999 - 1000
2. It seems to be a good idea to phase in its 20% of an appropriate number p 8-9
3. The conclusion that 2.11 needs not be met with the present densities