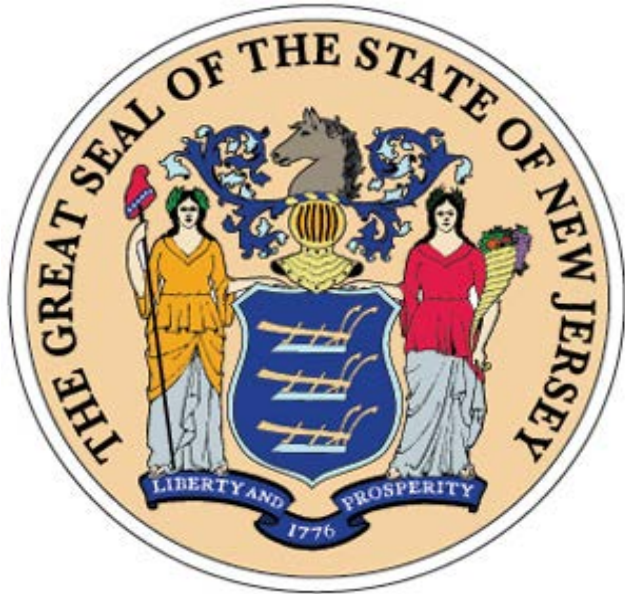


Borough of Allendale Affordable Housing

Mayor & Council
Joint meeting with The Allendale Planning Board
September 14, 2017



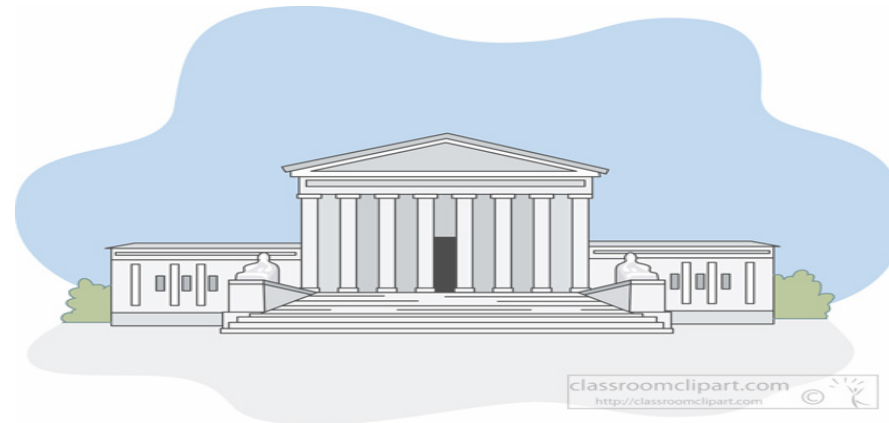
State of NJ Affordable Housing Timeline



COAH

Council on Affordable Housing

- **1975** Supreme Court decided that municipalities must zone for low and moderate income housing (**Mt Laurel I**)
- **1983** Supreme Court implemented a court administered program due to non-compliance. In particular, the court permitted “**builders remedy**” lawsuits in which builders were permitted to sue municipalities to force compliance. (i.e. Builder gets to build higher density in a non-compliant town). (**Mt Laurel II**)



- **1985** The New Jersey Fair Housing Act (FHA) is enacted to replace court ordered system with state system to improve efficiency. The FHA in turn created the Council on Affordable Housing (**COAH**) to assess the needs of municipalities and implement rules (Mt Laurel II)



- **2010** Court (Appellate Division) invalidates third round 'growth share' rules
- **2011** Governor Christie abolishes COAH
- **2013** Supreme Court says the Governor has no authority to abolish COAH

- **2014** COAH members cannot agree on rules and a vote is split therefore the proposed Third Round Rules are not adopted.
- **2015** Supreme Court steps in again and sets up declaratory judgment for evaluating “**constitutional compliance.**” **COAH is declared defunct** and going forward the determination of affordable housing obligations **would be administered by the county courts throughout the state.**
- **July 8, 2015** Deadline for filing declaratory judgment actions.

History of COAH (Mt Laurel) Borough of Allendale

- February 25, 1991- 1st Round (111 units)
- October 1, 2003 - 2nd Round (138 units)
- October 14, 2009- 3rd Round



3rd Round

The Borough has a Prior Round obligation of 137 units, which has been fully met as outlined in the following table:

Allendale Borough's Prior Round Compliance Mechanisms: 137-Units	Credits	Bonuses	Total
Affordable Developments and Credits			
Allendale Brook Estate – Family Affordable Sales	9	0	9
Saddle Dale – Family Affordable Sales	3	0	3
Garden Homes/Whitney – Off-Site Supportive Shared Living Rentals on Crescent Commons	11	11	22
Allendale Senior Housing – Senior Affordable Rentals	16	0	16
Orchard Commons – Supportive Shared Living Rentals (6 units/10 bedrooms)	10	10	20
Crescent Commons – Supportive Shared Living Rentals	11	11	22
Crescent Commons – Permanent Supportive Rentals	3	3	6
RCAs – Funds Transferred to the Boroughs of Ridgefield & Jersey City	44	0	44
Total	107	35	142
Prior Round Surplus			5

Actions taken by the Borough

- Hired Special Planning Consultant (Mary Beth Lonergan)
- Consulted with Borough Planner (Ed Sneikus)
- Participated in Municipal Consortium




Current Litigation Process

- Case management Conferences
- Negotiation Sessions
- Telephone Conferences
- Builders' remedy consequence
- Settlement Agreement



Allendale's Outcome

Allendale's affordable housing obligations according to FSHC	
Rehabilitation Share (per FSHC Report)	21
Prior Round Obligation (pursuant to <u>N.J.A.C. 5:93</u>)	137
Third Round (1999-2025) Obligation	513 



308



54 RDP

- The Parties have agreed, by settlement, to reduce Allendale's Third Round Obligation to **308 units**.
- Reduction of **40 %**, negotiated from **30%**
- Negotiated overlay zones throughout the Borough
- The Borough's Third Round obligation of 308 units will be adjusted to a **54-unit realistic development potential ("RDP")** and a 254-unit unmet need.

Allendale's 54 Unit Realistic Development Potential (RDP) -STATUS

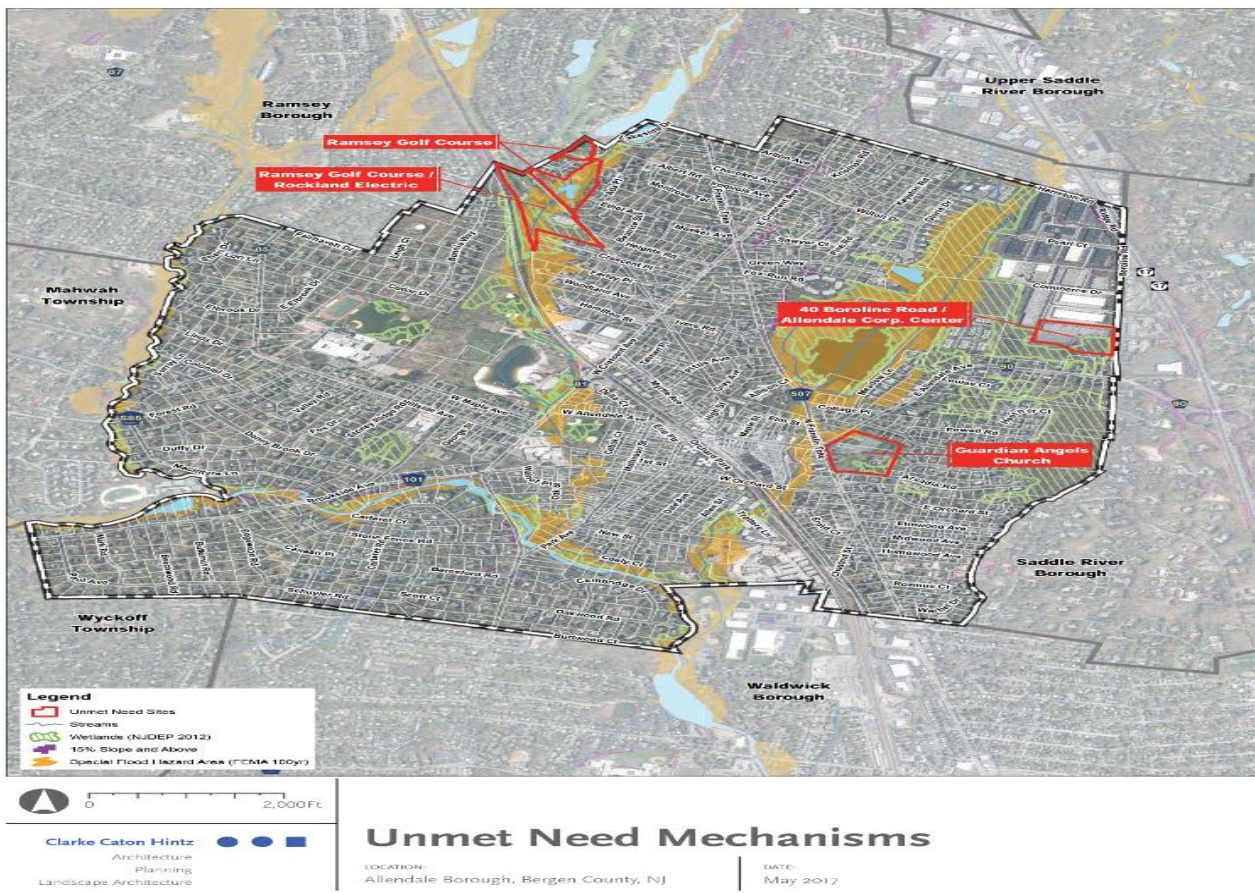
Allendale Borough's Third Round Compliance Mechanisms: 54-Unit RDP	Credits	Bonuses	Total	Status
Affordable Developments-Completed				
Garden Homes/Whitney – On-Site Family Affordable Rentals	12	12	24	✓
Crescent Commons – Supportive Shared Living Rentals	2	cap	2	✓
Eastern Christian Group Home - 5 BRs	5	cap	5	✓
Crescent Commons – Family Affordable Sales	6	0	6	✓
Affordable Developments- Under Construction				
Former Farm – Veterans Family Affordable Rentals	2	2	4	✓
Affordable Developments- Proposed to satisfy obligation until 2025				
220 West Crescent Avenue –Affordable Rentals	4	cap	4	Coming Soon
Eastern Christian Group Home II – 5 BRs	5	cap	5	Coming Soon
Sub-Total	36	14	50	
Built Surplus (prior round)	5	0	5	
TOTAL	41		55	

UNMET NEED

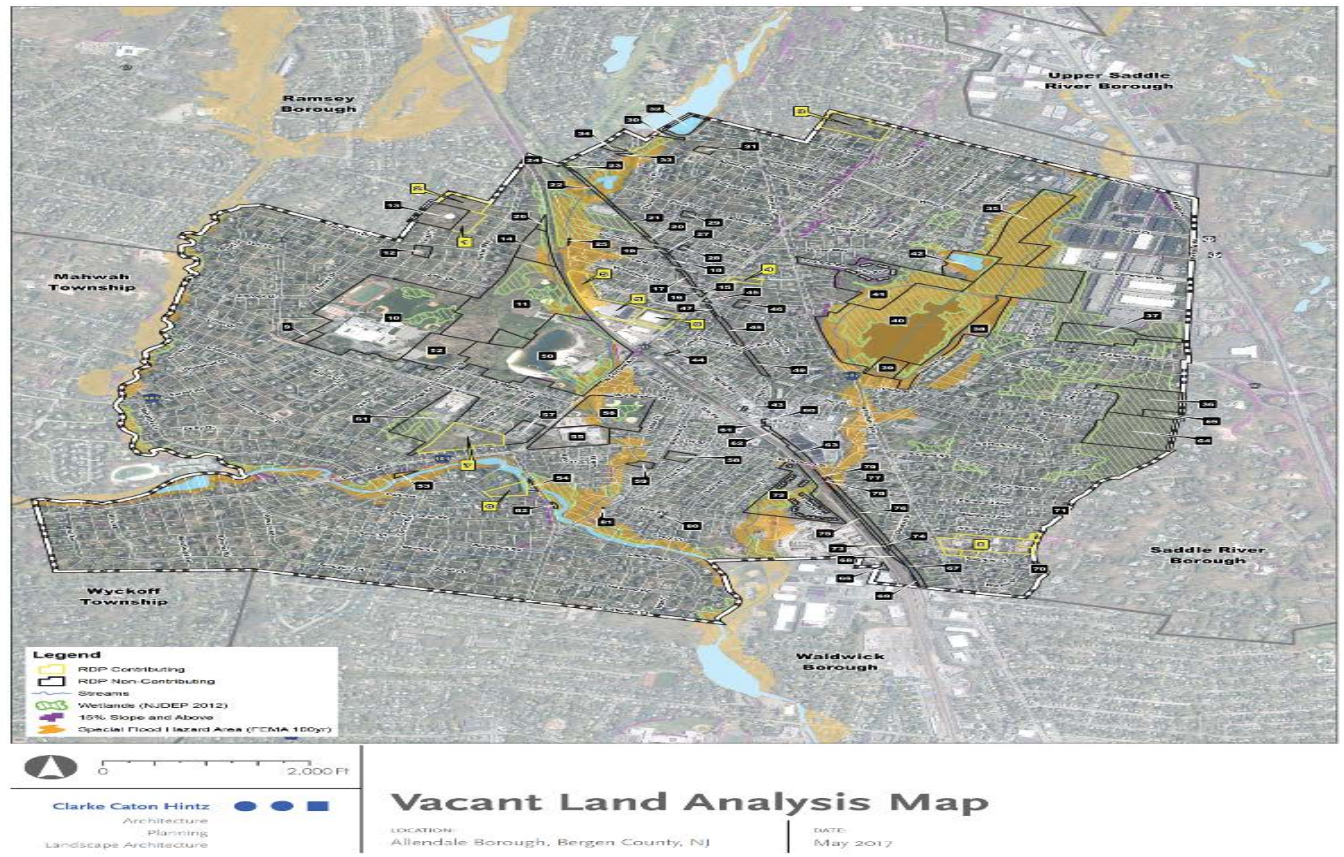
308-54=254 (Unmet Need)

Proposed Unmet Need Mechanisms, Allendale Borough			
Location	Owner	Comments	Area (Acres)
200 HEIGHTS ROAD	ROCKLAND ELECTRIC CO	1. Northern portion is part of the Ramsey Golf and Country Club. Unmet Need Overlay Zoning: 10 units/acre 2. Southern half of parcel contains an electric substation and related equipment.	14.09
ALBERT ROAD	RAMSEY GOLF & COUNTRY CLUB	Unmet Need Overlay Zoning: 10 units/acre	7.86
40 BOROLINE ROAD	ALLENDALE CORPORATE CENTER, LLC	Unmet Need Overlay Zoning: 12 units/acre	9.48
320 FRANKLIN TURNPIKE	CHURCH OF THE GUARDIAN ANGEL	Unmet Need Overlay Zoning: 12 units/acre	11.30
Mandatory Affordable Housing Set-Aside Ordinance		Triggered if Borough adopts multi-family rezoning, "d" variance, etc., at 6 units/acre	Borough-wide
Affordable Housing Development Fee Ordinance		Existing	Borough-wide
Third Round RDP surplus		Proposed	surplus

Areas for Affordable Housing



Map of vacant land analysis



Closing

Affordable Building Requirements to fulfill until 2025

1.	220 West Crescent Avenue –Affordable Rentals	4
2.	Eastern Christian Group Home II – 5 BRs	5
	Total	9

- ✓ Allendale has demonstrated a 20-year commitment to comply voluntarily with its affordable housing obligations.
- ✓ Allendale is considered a leader in state of providing quality affordable housing to the developmentally disabled, seniors, and low-income populations.
- ✓ Allendale’s vision in planning provided for the proper and orderly development of our affordable housing obligation while avoiding costly lawsuits.
- ✓ Allendale’s settlement agreement will protect Borough from builders’ lawsuits and preserve the character and charm Allendale.

