Agenda

SPECIAL MEETING, TUESDAY, JULY 29, 2025 AT 4:00P.M. OR AS SOON THEREAFTER VIA ZOOM

OPEN PUBLIC MEETINGS ACT

BOROUGH CLERK: this meeting is being held in accordance with the rules and regulations of the Open Public Meetings Act of the State of New Jersey. Adequate notice of this meeting was provided by forwarding a Sunshine notice which included the time, date and location of this public meeting of the Mayor and Council.

ROLL CALL:

COUNCIL MEMBERS: Councilman Fitzhenry, Councilwoman Cavadas, Councilman Karcic, Councilwoman Sheedy, Councilman Del Russo, Councilwoman Bocchino

ALSO PRESENT: Mayor Daniel H. Pronti, Borough Clerk, Kathleen Moore, Borough Administrator, Stephen Lo Iacono, Borough Attorney, Randy Pearce

PLEDGE OF ALLEGIANCE

RESOLUTION

R-176-25 RESOLUTION OF THE COUNCIL OF THE BOROUGH OF NORTH ARLINGTON ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE NORTH ARLINGTON PLANNING BOARD

INTRODUCED BY:
SECONDED BY:
ROLL CALL:

MOTION TO OPEN PUBLIC COMMENTS

INTRODUCED BY:
SECONDED BY:
ROLL CALL:

MOTION TO CLOSE PUBLIC COMMENTS

INTRODUCED BY:
SECONDED BY:
ROLL CALL:

MOTION FOR ADJOURNMENT

INTRODUCED BY:
SECONDED BY:
ROLL CALL:

[AGENDA IS SUBJECT TO CHANGE AS A RESULT OF THE MATTERS NOT KNOWN AT THE TIME OF MEETING]

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
FITZHENRY						
CAVADAS						
KARCIC						
SHEEDY						
DEL RUSSO						
BOCCHINO						
PRONTI						
ON CONSENT AGENDA ___YES _X_ NO						

R-176-25

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF NORTH ARLINGTON ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE NORTH ARLINGTON PLANNING BOARD

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter "FHA II"); and

WHEREAS, FHA II established a procedure by which municipalities can secure approval of a Housing Element and Fair Share Plan ("HEFSP"); and

WHEREAS, that procedure contemplated that municipalities would adopt a resolution by January 31, 2025 committing to a fair share number and filing a declaratory relief action within 48 hours from adoption of the resolution and then filing a HEFSP by June 30, 2025 and filing that plan within 48 hours with the Affordable Housing Dispute Resolution Program (the "Program"); and

WHEREAS, in accordance with this statutory procedure, the Borough adopted a binding resolution on January 27, which committed itself to a present need obligation of 36 and a Round 4 prospective need obligation of 192, in the event the Borough was forced to utilize the methodology promulgated by the Amendment to the Fair Housing Act. In said resolution, North Arlington committed to providing 36 units of present need and 192 units of prospective need, subject to North Arlington's challenge as to the reasonableness of any such housing obligation and any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court's Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("the Program"), along with its binding resolution, on January 29, 2025; and

WHEREAS, the filing of the DJ Complaint gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder's remedy lawsuits, which is still in full force and effect; and

WHEREAS, the Borough received objections from the New Jersey Builder's Association on February 26, 2025, and from the Fair Share Housing Center on February 28, 2025, as to the Borough's Present and Prospective Need numbers; and

WHEREAS, the Superior Court ultimately denied the objections of the New Jersey Builder's Association and the Fair Share Housing Center and the Borough secured a determination that its Present Need obligation is 36 units and its Round 4 Prospective Need is 192 units using mandatory methodology promulgated in the Amended FHA; and

WHEREAS, on June 16, 2025, the Hon. Gregg Padovano, J.S.C. extended the Borough's deadline to adopt and endorse a Fourth Round Housing Element and Fair Share Plan to July 31, 2025; and

WHEREAS, on the basis of the aforementioned rulings of the Superior Court and upon notice that was been duly provided pursuant to N.J.S.A. 40:55D-13, on July 28, 2025, the Planning Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan and adopted a Housing Element and Fair Share Plan with a Fourth Round prospective need obligation of 192, reduced by way of a vacant land adjustment to a realistic development potential of 0;

WHEREAS, the Borough Mayor and Council now wish to endorse the Housing Element and Fair Share Plan, which was adopted by the North Arlington Planning Board on July 28, 2025, to seek approval of the HEFSP, with the Amendment, by the Program and the Court.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington, County of Bergen, State of New Jersey, as follows:

1. The Borough Council hereby endorses the Fourth Round HEFSP, which is attached hereto.

2. The Borough Council hereby directs the Borough's Affordable Housing Counsel and Borough Attorney to (a) file this resolution with the Program, along with any additional documents the professionals deem necessary or desirable; and (b) seek a Compliance Certification from the Program or Vicinage area judge as may be appropriate formally approving the Plan.

3. The Borough reserves the right to further amend the HEFSP attached hereto, should that be necessary.

APPROVED: _____
Daniel H. Pronti, Mayor

ATTEST: _____
Kathleen Moore, Borough Clerk

DATED: July 29, 2025

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Mayor and Council of the North Arlington Borough at a regular meeting held on the ___ day of _____ 2025.

_____
Municipal Clerk

2025

Fourth Round Housing Element and Fair Share Plan

BOROUGH OF NORTH ARLINGTON | BERGEN COUNTY, NEW JERSEY

ADOPTED BY THE PLANNING BOARD:

ENDORSED BY THE COUNCIL:

PREPARED BY:

BRIAN A. INTINDOLA, PE, PP, CME, CPWM

NEW JERSEY PROFESSIONAL PLANNER LICENSE NO. 33LI00647500

LYNDSAY KNIGHT, PP, AICP

NEW JERSEY PROFESSIONAL PLANNER LICENSE NO. 33LI00640100

JULY 14, 2025

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Introduction

The Fair Housing Act of 1985 (the "FHA") provided a constitutional obligation for all municipalities in the State of New Jersey to provide affordable housing. Every municipality in the State was required to provide a "realistic opportunity for a fair share of its region's present and prospective needs for housing low- and moderate-income families". Through this law, a Housing Element became a mandatory part of municipal master plan. In addition, a Fair Share Plan became mandatory which illustrated the means of achieving the goals of the Housing Element.

Initially, the FHA directed the New Jersey Council on Affordable Housing (COAH) to provide regulations that permitted municipalities to prepare a comprehensive planning and implementation response to the constitutional obligation to provide a realistic opportunity for the provision of affordable housing. At the time, COAH was directed to review the municipal Housing Element and Fair Share Plan and was empowered to grant substantive certification. However, during the Third Round of affordable housing obligations, COAH was unable to adopt valid regulations and methodologies for determining municipal fair share obligations. As a result, the New Jersey Supreme Court, in its March 2015 decision (In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015)), transferred jurisdiction over municipal compliance from COAH to the Superior Court. This decision required municipalities seeking protection from exclusionary zoning litigation to file declaratory judgment actions in Superior Court and to secure judicial approval of their Housing Element and Fair Share Plans.

The Borough of North Arlington (the "Borough") did not receive substantive certification from COAH for the Third Round. Instead, the Borough's compliance with its affordable housing obligations has been subject to the oversight and jurisdiction of the Superior Court, consistent with the process established by the Supreme Court's 2015 decision. As of the date of this Plan, North Arlington has continued to address its affordable housing obligations in accordance with the procedures and requirements set forth by the judiciary and relevant state agencies.

In the Spring of 2024, the New Jersey Legislature passed, and Governor Murphy signed Law A4/S50 which amended the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). The amendments provided direction and deadlines for how a municipality must meet its fourth-round affordable housing obligations. This legislative effort was intended to create a more efficient, open, and transparent process for the fourth round and all subsequent rounds.

To effectuate compliance with the Fourt Round of Affordable Housing, municipalities must complete a series of steps and, if the steps are timely completed, the municipality retains immunity from all exclusionary zoning lawsuits, including immunity from builder's remedy lawsuits. The steps are as follows:

1. **Establish Present and Prospective Need Obligation Numbers – January 31, 2025.** The legislation required municipalities to adopt a Present- and Prospective Need Obligation numbers by resolution by January 31, 2025. The Borough of North Arlington accomplished this step by accepting the DCA's calculations and memorializing a resolution prior to the deadline. The Borough's memorialized resolution can be found in the Appendix of this document.
2. **Period to Challenge Numbers – February 1, 2025 to February 28, 2025.** Interested parties can file a challenge to the municipality's adopted numbers. The Borough faced a challenge from the Fair Share Housing Center.

3. **If Challenged, Numbers Reviewed and Settled – March 1, 2025 to April 1, 2025.** The Affordable housing Dispute Resolution program will review the municipality's proposed obligation numbers and review the challenge presented. The Borough's numbers were challenged by the Fair Share Housing Center and New Jersey Builders Association but upheld by the Superior Court of New Jersey (filing dated June, 16, 2025).
4. **Development of Housing Element and Fair Share Plan – June 30, 2025.** The HEFSP must contain several components which must provide a realistic opportunity for the development of affordable housing units that will satisfy the Borough's ultimate fourth-round affordable housing obligation after consideration of adjustments to the Borough's prospective need number by factors such as insufficient vacant land on which to construct housing. The statutory components of the HEFSP include, among other things, an inventory of housing, demographic and employment analyses, and considerations of lands for suitable housing development. This document will also contain areas recommended for rezoning, redevelopment, or other land use strategies to effectuate such housing development. This document will address all of the statutory criteria required by the legislation to achieve conformance with this step. The Borough was granted an extension to this deadline following the Superior Court's decision on June 16, 2025. This extension allows the Borough to file an endorsed unadopted Housing Element and Fair Share Plan before July 31, 2025.
5. **Challenge of Housing Element and Fair Share Plan – August 31, 2025 to December 31, 2025.** Interested parties can file a challenge to the validity of the plan and the strategies to address the obligation contained therein- by August 31, 2025. Municipalities will have until December 31, 2025 to settle any challenge or provide an explanation as to why some or all the requested changes from the intervening party will not be made. If there is a settlement, it must be reviewed and approved by the Supreme Court where the assigned Mount Laurel Judge for the county issues an order approving the settlement and the equivalent of a judgment of compliance and repose which is a form of permanent immunity from exclusionary zoning lawsuits for the Fourth Round. If there is no settlement the Program will review the plan and issue a recommendation which goes to the Superior Court where the assigned Mount Laurel Judge for the county issues a decision.
6. **Final Compliance Deadline – March 31, 2026.** Deadline for municipalities to amend their HEFSP in the event the Borough needs to make any changes pursuant to a settlement or a decision of the Court in response to a challenge, and the deadline for the Borough to adopt the implementing ordinances to align with the plan.

Municipal Summary

The Borough of North Arlington is located along the southwestern border of Bergen County, New Jersey, within Housing Region 1, which also includes Hudson, Passaic, and Sussex counties. The Borough occupies approximately 1,619 acres (2.58 square miles). North Arlington is a predominantly residential community, characterized by established neighborhoods, limited vacant land, and significant development constraints due to its built-out nature and 31% of the municipality is located within the New Jersey Meadowlands. Recent significant multi-family residential development has been achieved by way of designated redevelopment areas.

The Borough of North Arlington presents unique residential land use challenges in the context of the Passaic River at the westerly municipal boundary, the Meadowlands (NJESASE and the Hackensack River) at the easterly municipal boundary. Additionally, Holy Cross Cemetery occupies a significant portion of the Borough's area. In total, approximately 0.8 square miles of the 2.58 square miles is not available for residential construction. Most land uses in North Arlington consists of single-family residential zones, with some commercial and industrial areas. The availability of vacant parcels suitable for new development is limited, and further residential and commercial growth is constrained by both land availability, environmental factors, and proximity to the Meadowlands.

Between 2010 and 2020, North Arlington's population remained relatively stable, reflecting its status as a mature, largely developed suburb with little opportunity for significant new residential construction. In 2010, the population was 15,392, and in 2020, the population was 16,457.

Affordable Housing Obligation

On January 29, 2025, the Borough of North Arlington memorialized by resolution (R-58-25) its Present Need (rehabilitation) obligation of 36 units, as calculated by the New Jersey Department of Community Affairs (DCA). The Borough's Prospective Need obligation was amended from the DCA's initial calculation of 227 units to 192 units, based on a detailed analysis of land capacity and local development constraints. The resolution reserved the Borough's rights to a vacant land adjustment, durational adjustments, and all other applicable adjustments permitted in accordance with the act and COAH regulations.

Borough Goal

It is the overall goal of the Borough's HEFSP to provide the planning context in which access to low- and moderate-income housing can be provided in accordance with the requirements of the Fair Housing Act and the laws of the State of New Jersey.

Content of Housing Element

The Fair Housing Act requires that "the housing element be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing". As per the MLUL, specifically N.J.S.A. 52:27D-310, a housing element must contain at least the following items:

a. An inventory of the Borough's housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential bases for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property records cards;

b. Projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issues, approvals of applications for development and probable residential development of lands;

c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to household size, income level, and age;

d. An analysis of the existing and probable future employment characteristics of the municipality;

e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024.c2(C.52:27D-304.1);

f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;

g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021.c273(C.52:27D-329.20);

h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to P.L.2024.c2(C.52:27D-304.1), and analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include the consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and

i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportations based on guidance and technical assistance from the State Planning Commission.

Inventory of North Arlington's Housing Stock

The following housing data was sourced from the 2018-2023 five-year American Community Survey ("ACS") estimates.

Housing Type

According to the 2023 ACS, there are 6,986 housing units in the Borough of North Arlington. The Borough's housing stock includes single-family detached, single family attached (i.e. townhomes), multi-family dwellings. Single-family detached dwellings comprise the majority of the Borough's housing stock with a total of 2,644 or 37.8% Single-family-attached homes comprise only 251 or 3.6% of North Arlington's housing stock. As the chart on the right indicates there are 1,759, two-unit dwellings and 1,361, 5 or more-unit buildings.

Housing Type by Units in Structure		
Unit Type	**Number of Units**	**Percent**
1-unit, detached	2,644	37.8%
1-unit, attached	251	3.6%
2 units	1,759	25.2%
3 or 4 units	971	13.9%
5 to 9 units	538	7.7%
10 to 19 units	469	6.7%
20 or more units	354	5.1%
Mobile home	0	0.0%
Other	0	0.0%
Total	**6,986**	**100%**

Source: 2023 ACS Table DP04

Occupancy Status

According to the 2023 ACS estimates, 46.4% of the Borough's occupied housing stock is owner occupied while 53.6% is renter occupied. The Borough's housing vacancy rate is estimated to be 4.9%, while the rental vacancy rate was estimated to be 0.0% in 2023.

The average household size in North Arlington is 2.46 persons, while the average family size is 2.96 persons according to the 2023 ACS. See the table below for additional details.

Occupancy Status		
	Households	**Percent**
Occupied Total	**6,646**	**95.1%**
Owner Occupied	3,082	46.4%
Renter Occupied	3,564	53.6%
Vacant Total	**340**	**4.9%**
For rent	0	0.0%
Rented, not occupied	60	17.6%
For Sale only	105	30.9%
Sold, no occupied	41	12.1%
Seasonal, recreational, or occasional	0	0.0%
For migrant workers	0	0.0%
Other	134	39.4%
Total	**6,986**	**100%**

Source: 2023 ACS tables DP04 & B25004

Value and Rent of Housing Stock

The ACS provides value estimates for owner-occupied housing units. Of North Arlington's estimated 1,550 owner-occupied housing units, the majority of homes (50.3%) are valued at between $300,000 to $499,999, while there are only 27 homes valued between $150,000 to $199,999. No homes are valued at $1,000,000 or more in the Borough. See the table below for details.

Value of Owner-Occupied Units		
Value	**Number of Units**	**Percent**
Less Than $149,999	139	4.5%
$150,000 to $199,999	27	0.9%
$200,000 to $299,999	193	6.3%
$300,000 to $499,999	1,550	50.3%
$500,000 to $999,999	1,173	38.1%
$1,000,000 or more	0	0.0%
Total	**3,082**	**100.0%**
Median (Dollars)	**$464,700**	

Source: 2023 ACS table DP04

Over 23% of rentals in North Arlington have rents priced less than $1,499 per month. Units with rents of $2,500 or more comprise only 2.9% of rentals in the Borough. See the table below for more information.

Cost of Rentals		
Cost	**Number of Units**	**Percent**
Less Than $1,499	813	23.4%
$1,500 to $1,999	2,243	64.6%
$2,000 to $2,499	313	9.0%
$2,500 to $2,999	32	0.9%
$3,000 or more	69	2.0%
Total	**3,470**	**100%**
Median (Dollars)	**$1,706**	

Source: 2023 ACS table DP04

Condition of Housing Stock

The Census does not classify housing units as standard or substandard, but it can provide an estimate of substandard housing units that are occupied by low- and moderate-income households. The Appellate Division upheld COAH's use of three indicators to determine substandard housing in the State. Those three indicators are houses built before 1959 and which are overcrowded with more than one person per room. The second indicator is homes lacking complete plumbing and the third indicator are homes lacking kitchen facilities.

The Census indicators available at the municipal level indicate a sound housing stock, as displayed by the following three (3) data tables. According to the 2023 ACS, 0.1% or 9 homes within the Borough lacked plumbing facilities, 0.6% or 39 homes lacked kitchen facilities, and 0.3% or 21 homes lacked telephone service. North Arlington has a total of 69 substandard housing units.

Condition of Housing Stock		
Fuel Type	Number of Units	Percent
Lacking complete plumbing facilities	9	0.1%
Lacking complete kitchen facilities	39	0.6%
No telephone service available	21	0.3%
Total	69 units	1%

Source: 2023 ACS table DP04

Housing with 1.01 or more person per room is an index of overcrowding. In 2023, the ACS found that there were 273 occupied housing units within the Borough that were "overcrowded". It should be noted that 95.9% of the housing units contained less than 1.00 persons per room.

Occupants Per Room		
Occupants	Number of Units	Percent
1.00 or less	6,373	95.9%
1.01 to 1.50	94	1.4%
1.51 or more	179	2.7%
Total	6,646	100%

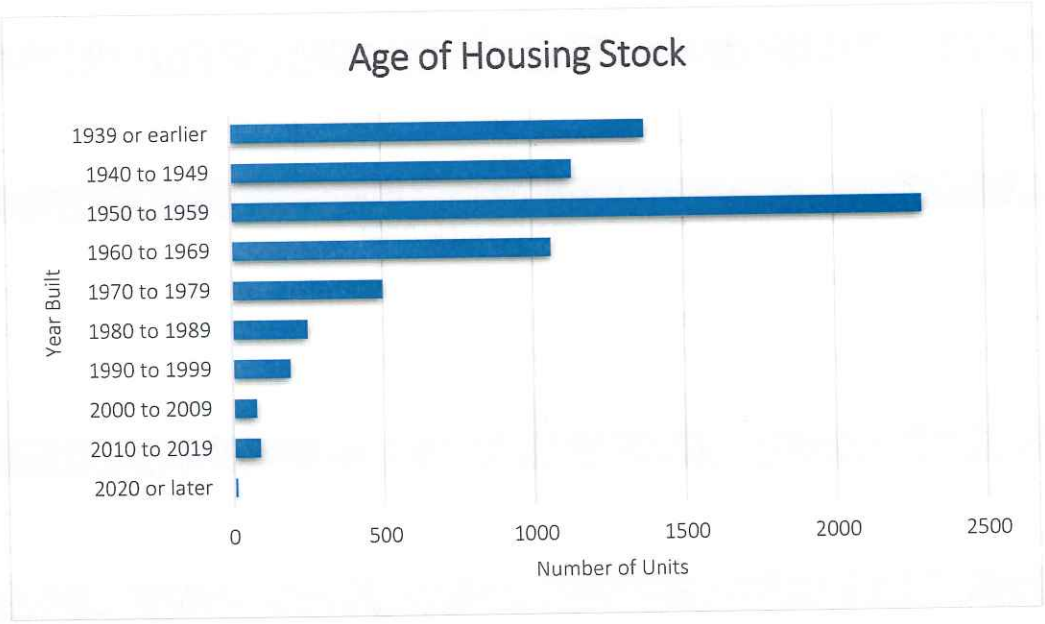
Source: 2023 ACS table DP04

Housing units built in 1975 or earlier are flagged instead of units built in 1959 or earlier because research has determined that units built 50 or more years ago are much more likely to be in substandard condition. Included in the rehabilitation calculation are overcrowded units and dilapidated housing. Overcrowded units are defined by the U.S. Department of Housing and Urban Development as those with more than one person living per room.

The table and bar graph below and on the following page provide the 2023 ACS data on the age of housing stock. The largest number of housing units constructed in the Borough were built in the 1950s, with 2,291 units or 32.8% housing units in the Borough.

Age of Housing Stock		
Year Built	Number of Units	Percent
Built 2020 or later	12	0.2%
Built 2010 to 2019	91	1.3%
Built 2000 to 2009	80	1.1%
Built 1990 to 1999	193	2.8%
Built 1980 to 1989	251	3.6%
Built 1970 to 1979	500	7.2%
Built 1960 to 1969	1,061	15.2%
Built 1950 to 1959	2,291	32.8%
Built 1940 to 1949	1,133	16.2%
Built 1939 or earlier	1,374	19.7%
Total	6,986	100%

Source: 2023 ACS Table DP04



Projection of Housing Stock

As per the MLUL specifically N.J.S.A 52:27D-310, a housing element must contain a projection of the municipality's housing stock, including the probably future construction of low- and moderate-income housing for the next ten years, taking into account, but not necessarily limited to construction permits issued, approvals of applications for development, and probable residential development of lands.

The Department of Community Affairs' Division of Codes and Standards website provides data on Certificates of Occupancy and demolition permits for both residential and non-residential development. Within the Division of Codes and Standards website is the New Jersey Construction Reporter, which contains building permit, certificate of occupancy (hereinafter "CO"), and demolition data that is submitted by municipal construction officials within the State each month. The New Jersey Construction Reporter has information dating back to 2000, which can be used to show the Borough's historic development trends.

As shown in the table below, 175 new homes were built and issued COs between 2013 and 2023, while 24 were demolished in the Borough of North Arlington. As shown in the table below, the greatest number of CO's issued occurred between 2019 and 2020, while most demolitions occurred from 2016 to 2017.

Historic Trends of Residential COs and Demolition Permits												
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
COs Issued	0	16	3	30	0	0	49	46	20	11	0	175
Demolitions	0	0	0	5	19	0	0	0	0	0	0	24
Total	0	16	3	35	19	0	49	46	20	11	0	199

Source: New Jersey Construction Reporter from the NJ DCA

Looking at historic development patterns shown in the previous table, the Borough does not anticipate much residential development in the next ten years, following the declining trend in COs issued and demolitions. However, the Ridge Road corridor is being redeveloped in accordance with adopted Ridge Road Redevelopment Plan. One project associated with this redevelopment plan is the new residential development at 165-173 Ridge Road, which was approved by North Arlington's Planning Board on April 21, 2025.

Projection of Residential Development			
Approved Development, Not Yet Under Construction	'25	'26	Total
165-173 Ridge Road		15 units	
Total			15 units

Low- and Moderate-Income Housing Units Previously Constructed

The Borough of North Arlington did not adopt a Third Round Housing Element and Fair Share Plan, so the Borough's Third Round Obligation was never addressed, and certification was never granted from the courts. According to COAH's 2006 Pre-Mediation Report for North Arlington, the Borough's Third Round Growth Share / Prospective Need obligation was 175 units. This report highlighted the proposed EnCap Development as a tool for creating new affordable housing; however, this development was never built.

Low- and Moderate-Income Housing Units Previously Rehabilitated

For the Third Round, the Borough had a present/rehabilitation need of 23 units and a growth share/prospective need of 175 units. The Borough also had a remaining obligation of 14 units for the prior round. In total, the Borough of North Arlington had a total obligation of 212 units for the Third Round. The Borough does not have a codified rehabilitation program, but the 2016 Master Plan Re-Examination Report stated that rehabilitating older housing is an ongoing goal of North Arlington.

Vacant Land Adjustment

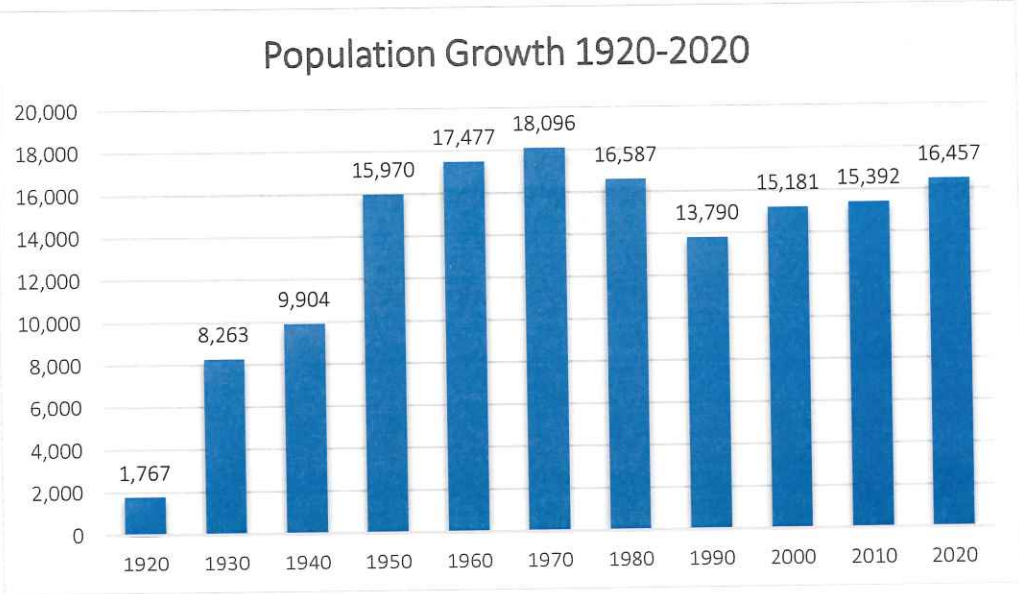
Future development opportunities in North Arlington were assessed as part of a vacant land adjustment, and the imposition of a realistic development potential (RDP) analysis that was undertaken pursuant to COAH's Second Round regulations. As discussed in more detail in the Fair Share Plan section of this report, the Borough has determined that it has an RDP of 0 affordable housing units.

North Arlington's Population Demographics

North Arlington's population experienced growth from 1920 to 1970 until a slight decline of 8.3% in 1980 and 16.9% in 1990. From 2000 to 2020, there has been a steady increase in population, and the 2023 ACS reports an estimated population of 16,368. See the table and chart below for additional information. It shall be noted that the five-year American Community Survey (hereinafter "ACS") data from the US Census Bureau provided estimates of population, housing and employment estimates between the major Census reports each decade. To display the most up to date information, the data used in this report is sourced from the 2018-2023 five-year ACS estimates.

Population Growth		
Year	Population	Percent Change
1920	1,767	-%
1930	8,263	367.6%
1940	9,904	19.9%
1950	15,970	61.2%
1960	17,477	9.4%
1970	18,096	3.5%
1980	16,587	-8.3%
1990	13,790	-16.9%
2000	15,181	10.1%
2010	15,392	1.4%
2020	16,457	6.9%
2023	16,368	-0.5%

Source: US Census Bureau, 2000, 2010, 2020

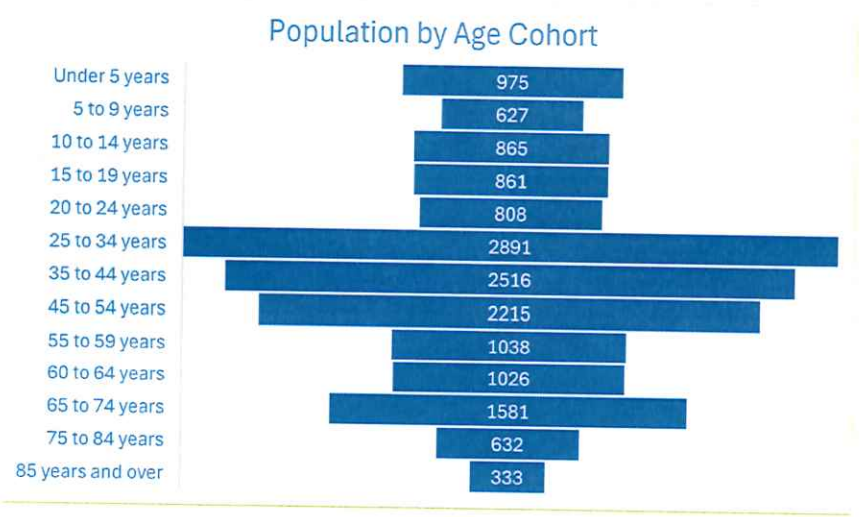


Age Distribution of Population

The 2023 ACS estimates that 2,546 or 15.6% of the population is 65 years or older while the percentage of children aged 19 or younger comprised 3,328 or 20.4% of the Borough's population. Residents aged 25 to 34 years old comprised the largest age cohort with approximately 17.7% of residents fall in this category. The ACS indicates that the Borough's median age was 39.6 years old. See the table and chart below for additional details.

Population By Age Cohort		
Age	**Total**	**Percent**
Under 5 years	975	6.0%
5 to 9 years	627	3.8%
10 to 14 years	865	5.3%
15 to 19 years	861	5.3%
20 to 24 years	808	4.9%
25 to 34 years	2,891	17.7%
35 to 44 years	2,516	15.4%
45 to 54 years	2,215	13.5%
55 to 59 years	1,038	6.3%
60 to 64 years	1,026	6.3%
65 to 74 years	1,581	9.7%
75 to 84 years	632	3.9%
85 years and over	333	2.0%
Total	**16,368**	**100%**

Source: 2023 ACS Table DP05



Household Size and Type

According to the 2023 ACS estimates, North Arlington contains 6,646 households. The Borough had a total of 4,671 or 70.3%, family households. Married-couple families with children under 18 comprised 38.4% or 1,346 of households within the Borough, whereas 29.7% or 1,975 were non-family households

in 2023. Non-family households include persons living alone or a householder who is not related to any of the other persons sharing their home.

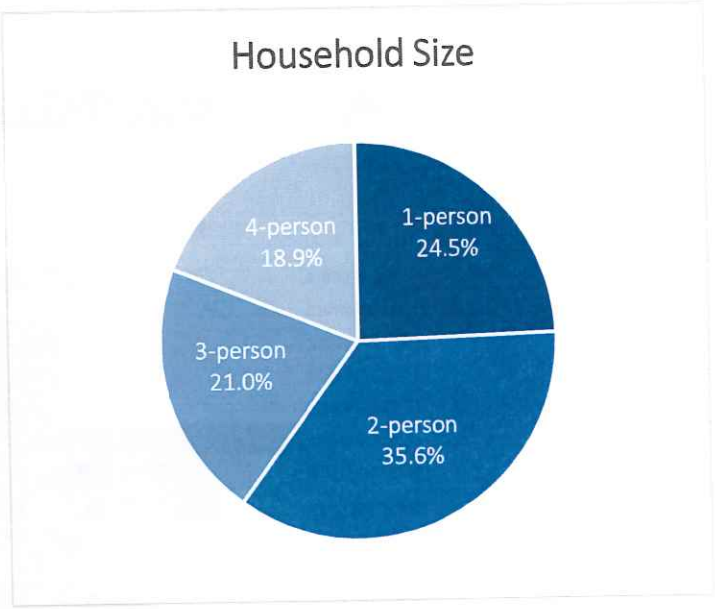
Household Type and Size		
Type	Number	Percent
Family Households	4,671	70.3%
Married couple family	3,508	75.1%
with children under 18	1,346	38.4%
Male Householder, no spouse	390	8.3%
Female Householder, no spouse	773	22.0%
Non-family Households	1,975	29.7%
Total	6,646	100%

Source: 2023 ACS Table S1101

As illustrated in the table and chart below, the most common household size within North Arlington in 2023 was a 2-person household, which totaled 35.6% of all households. Second most common was a 1-person household with 24.5% of all households. Households of 3-persons comprised 21.0% of all households within the Borough. Finally, households of 4-or-more persons comprised 18.9% of all households.

Household Size		
Size	Total	Percent
1-person	1,631	24.5%
2-person	2,366	35.6%
3-person	1,395	21.0%
4 or more person	1,254	18.9%
Total	6,646	100%

Source: 2023 ACS Table S2501



Income and Poverty Status

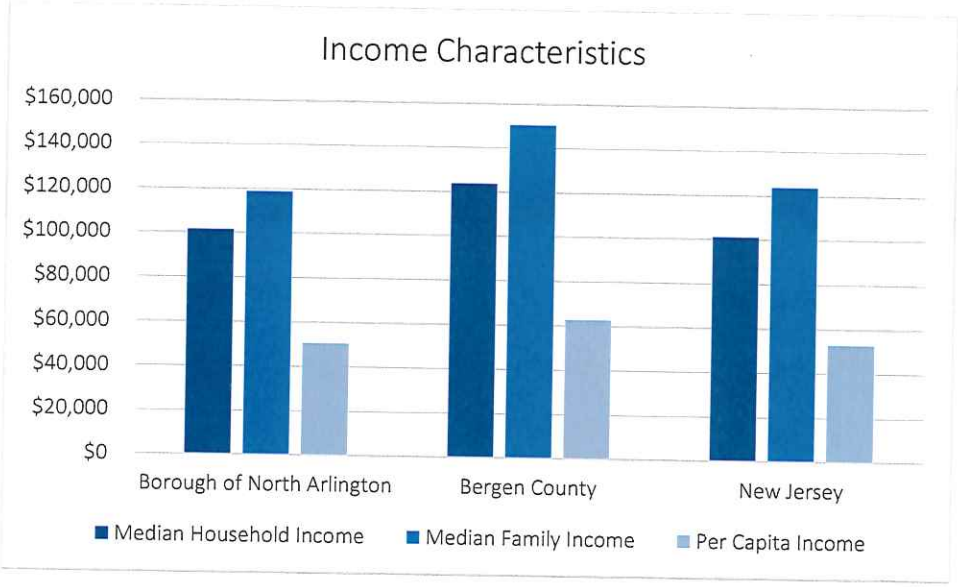
The ACS estimates that the median household income for the Borough of North Arlington is less than the incomes for Bergen County and more than the income for New Jersey, while the median family income and per capita income are less than the County's and State's incomes. North Arlington's median household income is $101,493, compared to $123,715 for the County and $101,050 for the State. The median family income in the borough is $118,828 compared to $150,475 for the county and $123,892 for

the State's. The per capita income for the borough is $50,650 compared to $62,986 for the County and $53,118 for the State.

Individual poverty is at 3.7% in North Arlington compared to 6.7% in the County and 9.8% in the State. Poverty within families is at 2.1% in the Borough compared to 5.0% in the County and 7.0% in the State's. See the table and chart on the next page for additional details.

Income Characteristics			
Income type	Borough of North Arlington	Bergen County	New Jersey
Median Household Income	$101,493	$123,715	$101,050
Median Family Income	$118,828	$150,475	$123,892
Per Capita Income	$50,650	$62,986	$53,118
Poverty Status (Percent of People)	3.7%	6.7%	9.8%
Poverty Status (Percent of Families)	2.1%	5.0%	7.0%

Source: 2023 ACS table S1901, B19301, S1701, S1702



According to the 2023 ACS data, a majority of households (24.3%) in North Arlington earn between $100,000 to $149,999 per year. This compares to 18.2% of households in the County and 18.0% of households in the State. On the opposite end of the spectrum, 17.9% or 1,183 of households earn $50,000 or less per year compared to 20.4% in the County and 25.2% in the State.

Household Income						
	Borough of North Arlington		Bergen County		New Jersey	
	Total	Percent	Total	Percent	Total	Percent
Less Than $10,000	105	1.6%	11,201	3.6%	140,262	4.0%
$10,000 to $14,999	71	1.1%	7,234	2.3%	99,362	2.9%
$15,000 to $24,999	181	2.7%	13,282	4.0%	175,402	5.0%
$25,000 to $34,999	356	5.4%	15,240	4.0%	184,753	5.3%
$35,000 to $49,999	470	7.1%	23,079	6.5%	276,601	8.0%
$50,000 to $74,999	990	14.9%	39,916	11.4%	448,192	12.9%
$75,000 to $99,999	1,015	15.3%	35,056	10.9%	397,939	11.4%
$100,000 to $149,999	1,618	24.3%	62,751	18.2%	627,526	18.0%
$150,000 to $199,999	775	11.7%	45,164	12.1%	407,723	11.7%
$200,000 or more	1,065	16.0%	100,384	27.0%	720,595	20.7%
Total	**6,646**	**100%**	**353,307**	**100%**	**3,478,355**	**100%**

Source: 2023 ACS table DP03

North Arlington's Employment Demographics

This chapter provides a snapshot of employment within North Arlington, including the types of industries within the community and employment projections. The 2023 ACS estimates that North Arlington has 9,566 residents in the labor force. The labor force consists of approximately 65.7% employed person and 4.5% unemployed persons. Additionally, there are no residents in the armed forces.

The majority of workers within the Borough are reported to be private wage and salary workers. Almost 6,800 or 75.9% of those employed fall into this category. Approximately 18.9% of workers are government employees, and 5.2% are self-employed. The ACS estimates that 0 workers are unpaid family workers; however, this statistic may not reflect informal caregiving and other informal work that is not reported by the Census.

Class of Worker		
Class of Worker	**Number of Workers**	**Percent**
Private wage and salary workers	6,794	75.9%
Government workers	1,689	18.9%
Self-employed in own not incorporated business workers	468	5.2%%
Unpaid family workers	0	0.0%
Total Employed Residents	**8,951**	**100%**
Total Unemployed Residents	615	4.5%
Total Residents in the Workforce	**9,566**	**100%**

Source: 2023 ACS Table DP03

Occupational Characteristics

The ACS estimates that 49.9% of the Borough's residents are employed in management, business, science, and arts occupations. The sales and office occupations employ 1,438 residents or 16.1%, of the working population. Service occupations employs 15.3% or 1,371 residents. Natural resources, construction, and maintenance occupations employs 711 residents or 7.9% and production, transportation, and material moving occupations employs 963 residents or 10.8% of the working population.

Employed Civilian Population By Occupation (Age 16 Years or Older)				
Occupation	**Borough of North Arlington**		**Bergen County**	
	Total	**Percent**	**Total**	**Percent**
Management, business, science, and arts occupations	4,468	49.9%	263,942	53.3%
Service occupations	1,371	15.3%	61,574	12.4%
Sales and office occupations	1,438	16.1%	101,185	20.4%
Natural resources, construction, and maintenance occupations	711	7.9%	25,740	5.2%
Production, transportation, and material moving occupations	963	10.8%	42,480	8.6%
Total	**8,951**	**100%**	**494,921**	**100%**

Source: 2023 ACS Table DP03

Employment Projections

The NJTPA estimates that employment within the Borough of North Arlington will grow by 1,045 jobs by 2050. To achieve this projection, North Arlington would need to create 29.9 new jobs per year during the 35-year period.

Employment Projections			
Year	Jobs	Change	Percent
2015	2,856	---	---
2050	3,901	1,045	36.6%

Source: NJTPA Plan 2050, Appendix E; NJTAP Plan 2040, Appendix A (for 2020 data)

Employment by Professions

According to the 2023 ACS there were 8,951 persons in the employed labor force in the Borough of North Arlington and 615 were unemployed. Educational services, and health care and social assistance made up the largest component of the workforce with 1,932 persons or 21.6%. The second largest cohort is professional, scientific, and management, and administrative and waste management services with 1,228 persons or 13.7%.

Employed Persons by Profession		
Occupation	Number of Persons	Percent
Agriculture, forestry, fishing and hunting, and mining	0	0.0%
Construction	583	6.5%
Manufacturing	702	7.8%
Wholesale trade	265	3.0%
Retail trade	651	7.3%
Transportation and warehousing, and utilities	923	10.3%
Information	251	2.8%
Finance and insurance, and real estate and rental and leasing	741	8.3%
Professional, scientific, and management, and administrative and waste management services	1,228	13.7%
Educational services, and health care and social assistance	1,932	21.6%
Arts, entertainment, and recreation, and accommodation and food services	838	9.4%
Other services, except public administration	370	4.1%
Public administration	467	5.2%
Total	**8,951**	**100%**

Source: 2023 ACS Table DP03

Capacity for Fair Share

This chapter of the HEFSP provides the following information as required by the rules:

- The Borough's capacity to accommodate its housing needs.
- A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for low- and moderate-income housing.
- Lands of developers who have expressed a commitment to provide low- and moderate-income housing.
- The location and capacities of existing and proposed water and sewer lines and facilities relevant to the proposed affordable housing sites.

Land Capacity

North Arlington's capacity to construct creditable units toward satisfying its affordable housing obligation is determined by three components – available land, water capacity, and sewer capacity. Additionally, land development is limited by wetland and associated buffers, flood plains, parcel size, and municipal regulations.

Utility Capacity

The entirety of the Borough of North Arlington is served by public water and sanitary sewer systems, with water provided by the Passaic Valley Water Commission and sewer service managed through the Passaic Valley Sewerage Commission. Borough regulations require all development to connect to these municipal utilities, and there are no areas within North Arlington that rely on private wells or septic systems. There is sufficient overall water and sewer capacity to serve the proposed development for each of these sites. However, to determine if infrastructure upgrades are required, the Borough would need to perform a detailed study of the affordable housing sites and their surrounding utility infrastructure. The study would need to include sanitary sewer and water service reports for each development, the condition, size, location and existing capacities and pressures would need to be determined.

Appropriate Locations for Affordable Housing

Land that is most appropriate for the construction of low- and moderate-income housing in the Fourth Round includes the following approved, proposed, and anticipated projects:

1. 165-173 Ridge Road – This site is comprised of Block 23, Lots 24, 24.01, and 25. This project includes a 15-unit multifamily building with ground floor commercial space and was approved by the Planning Board on April 21, 2025, under the requirements of the Ridge Road Redevelopment Plan.

Anticipated Development Patterns

Anticipated land use patterns within the Borough of North Arlington will follow the established zoning map (shown on the following page). The Borough has a variety of zoning districts including one-family residential, multi-family residential, townhouse, commercial, light industrial, public, parks, and three (3) redevelopment areas.



Multigenerational Family Housing Continuity

Pursuant to the Amended FHA, an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity is required in each municipality's Housing Element and Fair Share Plan. Plans shall follow the recommendations of the Multigenerational Family Housing Continuity Commission.

November 8, 2021, the Senate and General Assembly of the State of New Jersey adopted C.52:27D-329.20, which established the "Multigenerational Family Housing Continuity Commission" for the purpose of conducting research, obtaining public input, and adopting recommendations on how to most effectively advance the goal of enhancing multigenerational family housing continuity, which can be defined broadly as the degree to which senior citizens are able to reside at the homes of their extended families.

The bill requires each Municipality's Housing Plan Element to provide an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal as described in the recommendations of the commission.

The Borough of North Arlington has a history of being committed to promoting multigenerational family continuity and will continue to do so through the Fourth Round. North Arlington has diverse housing options in a manner consistent with the regulation. North Arlington has a codified Rent Control Ordinance

within Article II of its Rental Property Ordinance that caps rent increases at 4% for qualified senior tenants.

Consistency with the State Development and Redevelopment Plan

The Fourth Round Housing Element and Fair Share Plan is consistent with the 2001 State Development and Redevelopment Plan (SDRP) and the proposed SDRP that is currently in cross-acceptance process as the projects will provide a realistic opportunity for the construction of affordable housing as the projects are located in State Planning area designated as PA-1, which is the Metro Planning Area. Pursuant to the SDRP, PA-1 is the preferred location for redevelopment for compact growth. The development of affordable housing in PA-1 is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into PA-1 areas as the intentions of the Metropolitan Planning Area are to provide for much of the state's future redevelopment promote growth in compact forms. The Borough's Fourth Round Plan is consistent with the 2001 SDRP.

Affordable Housing Trust Fund

A development fee ordinance creating a dedicated revenue source for affordable housing was adopted by North Arlington in 2006 (Ordinance No. 1958).

The Spending Plan, included in the appendix to this Housing Plan, outlines the expected revenues, how those revenues will be collected, and how they will be used. This plan was prepared in accordance with the applicable substantive rules of the former Council on Affordable Housing (COAH). All collected revenue will be placed in the Borough's Affordable Housing Trust Fund and may be dispensed for the use of eligible affordable housing activities, but not limited to:

- Rehabilitation program;
- New construction of affordable housing units and related development costs;
- Extensions or improvements of roads and infrastructure directly serving affordable housing development sites;
- Acquisitions and/or improvements of land to be used for affordable housing;
- Purchase of affordable housing units for the purpose of maintaining or implementing affordability controls;
- Maintenance and repair of affordable housing units;
- Repayment of municipal bonds issued to finance low and moderate-income housing activity; and,
- Any other activity as specified in the approved spending plan.

However, the Borough is required to fund eligible programs in a Court-approved Housing Element and Fair Share Plan, as well as provide affordability assistance.

At least 30% of collected development fees, excluding expenditures made since July 17, 2008, when affordability assistance became a statutory requirement in Fair Housing Act, shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in a municipal Fair Share Plan. At least one third (1/3) of the affordability assistance must be expended on very-low-income units. Additionally, no more than 20% of the revenues collected from development fees each year, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to prepare or implement a rehabilitation program, a

new construction program, a housing element and fair share plan and/or an affirmative marketing program.

Monitoring

The Borough will comply with monitoring provisions consistent with those required by the Fair Housing Act and similar. The monitoring requires regular tracking of progress towards meeting the affordable housing obligations and ensuring the affordable units and affordable housing trust fund are administered properly as follows:

- February 1st of each year- The Borough will provide an annual reporting of the status of all affordable housing activity within the Borough through posting on the municipal website and certifying the account on the Department of Community Affair's portal.

Fair Share Plan

Content of Fair Share Plan

The Fair Share Plan contains the following information:

- Regional income limits;
- Description of existing credits intended to satisfy the obligation;
- Description of proposed mechanisms that will be used to meet any outstanding obligations; and
- An implementation schedule that sets forth a detailed timeline for units to be approved.

Regional Income Limits

Dwelling units are affordable to low- and moderate-income households if the maximum sales price or rental cost is within their ability to pay such costs, based on a specific formula. COAH historically provided income limits based upon the median gross household income of the affordable housing region in which the household is located. A moderate-income household is one with a gross household income equal to or more than 50% but less than 80% of the median gross regional household income. A low-income household is one with a gross household income equal to 50% or less of the median gross regional household income. Very-low-income households are those with a gross household income equal to 30% or less of the median gross household income. North Arlington is located in Region 1, which contains Bergen, Hudson, Passaic, and Sussex County.

Using the 2024 regional income limits, a four-person household moderate-income is capped at $96,329. Two-person households could make up to $77,064 and be considered a moderate-income household or make up to $48,165 and be considered a low-income household. See the table below for greater detail.

2024 Regional Income Limits for Region 1				
Income	Household Size			
	1 Person	2 Person	3 Person	4 Person
Median	$84,288	$96,329	$108,371	$120,412
Moderate	$67,431	$77,064	$86,697	$96,329
Low	$42,144	$48,165	$54,185	$60,206
Very Low	$25,286	$28,899	$32,511	$36,124

Source: https://ahpnj.org/member_docs/Income_Limits_2024_FINAL.pdf

Prior and Third Round Compliance

The Borough of North Arlington submitted a Fair Share Plan to address its 1987-2014 affordable housing obligation consisting of a 23-unit rehabilitation share, a 14-unit prior round obligation and a projected 162-unit growth share obligation for a total obligation of 199 units. The Pre-Mediation Report prepared COAH it was determined the Borough had a new construction obligation for the period 1987-1994 to be at least 189 units and a 23-unit rehabilitation share. The courts did not accept the plan that was submitted and the Borough did not obtain certification for the Prior or Third Round.

Third Round Rehabilitation Obligation

The Borough's Third Round rehabilitation share was 23 units. The plan at the time proposed addressing this obligation with a new development fee ordinance. However, no development fee ordinance was submitted with the petition. The Borough has since adopted a development fee ordinance and created an affordable housing trust fund.

Fourth Round Compliance Status

North Arlington's Fair Share Plan describes the various projects and strategies the Borough proposes to address its affordable housing obligations. There are four components – the Borough's Present Need (Rehabilitation) Obligation, Prior Round Obligation, Third Round Obligation, and Fourth Round Prospective Need Obligation.

Affordable Housing Obligations

This Fourth Round Housing Element and Fair Share Plan addresses the following affordable housing obligations:

Present Need (Rehabilitation Obligation): **23**

Prior & Third Round Obligation (1987-2025): **212 (inclusive of 23 Rehabilitation Share)**

Fourth Round Prospective Need Obligation (2025-2035): **192**

Present Need

The Borough has a **36-unit** Present/Rehabilitation Obligation.

Prospective Need

The Borough of North Arlington has agreed to a Prospective Need Obligation of **192 units** pursuant to Resolution R-58-25.

Addressing the Present Need

The Borough plans to meet its twenty-three (23) unit Present Need obligation through participation in the Bergen County Rehabilitation Program and participation in a newly formed Municipal Rehabilitation Program. Both programs were utilized in the previous round and continue to be successful. Said municipal program shall meet the requirements in N.J.A.C. 5:93-5.2.

Addressing the Prior Round Obligation and Third Round Obligation

The Second-Round affordable housing obligation for North Arlington (1987–1999) was set at four (4) units. Due to evolving COAH and DCA regulations and methodologies, consistent historical tracking of affordable housing obligations in North Arlington has been limited. The Borough did not participate in the Second Round, maintaining that it was already affordable based on local incomes and property values relative to affordability standards.

According to COAH's 2006 Pre-Mediation Report for North Arlington, the Borough's Third Round Growth Share/Prospective Need obligation was 175 units, with a present/rehabilitation need of 23 units. Additionally, the Borough had a remaining prior round obligation of 14 units. In total, North Arlington's Third Round obligation amounted to 212 units.

Existing Credits

North Arlington has zero existing credits from the Prior and Third Round.

Addressing the Fourth Round Prospective Need Obligation

The Borough of North Arlington adopted Resolution 58-25 on January 27, 2025. This resolution accepted the DCA's calculation of the Borough's Present Need obligation and reduced the Prospective Need obligation for the Fourth Round. Following challenges in court, the Borough agreed to a Present Need Obligation of 36 and a Prospective Need Obligation of 192 units.

However, as stated in Resolution 58-25, the Borough reserves its rights to a vacant land adjustment and realistic development potential in Round 4.

After performing a vacant land analysis to determine the Borough's realistic development potential, ("RDP") the Borough has a **Fourth-Round prospective need obligation (RDP) of 0 units**. The full vacant land analysis can be found in the appendix of this report. The Vacant Land Analysis disclosed zero (0) available vacant parcels. Therefore, the 192 units will be included as unmet need and combined with the previous rounds unmet need.

Per 52:27D-310.1 "Any municipality that receives an adjustment of its prospective need obligations for the fourth round or subsequent rounds based on lack of vacant land shall, as part of the process of adopting and implementing its housing element and fair share plan, identify sufficient parcels like to redevelop during he current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjust obligation or demonstrate why the municipality is unable to do so". The Borough of North Arlington has determined the adjusted prospective need obligation for the Fourth Round to be 0. Therefore 25% of 0 would be 0 and the Borough is required to adopt realistic zoning for 0 units. Additionally, the Borough has utilized a vacant land adjustment which provides details in the appendix regarding the vacant properties within the Borough. Based on this analysis, we have determined the only vacant sites within the Borough fall within the sites to be excluded as identified within the legislation.

Appendix

Resolution 58-25

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
FITZHENRY			X			
CAVADAS			X			
KARCIC		X	X			
SHEEDY			X			
DEL RUSSO	X		X			
BOCCHINO			X			
PRONTI						
ON CONSENT AGENDA ___YES _X_ NO						

R-58-25

RESO RE: COMMITTING TO DCA'S FOURTH ROUND AFFORDABLE HOUSING PRESENT NEED AND PROSPECTIVE NEED NUMBERS AS MODIFIED

WHEREAS, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 *et seq.*) (hereinafter "Amended FHA"); and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to produce non-binding estimates of fair share obligations on or before October 20, 2024; and

WHEREAS, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculates the Borough of North Arlington's Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 36 units and a Prospective Need or New Construction Obligation of 227 units; and

WHEREAS, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of Round 4 affordable housing obligations; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.3, a municipality's average allocation factor is comprised of the equalized nonresidential factor, income capacity factor, and land capacity factor and shall be averaged to yield the municipality's average allocation factor, and

WHEREAS, the Amended FHA further provides that "[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or binding court decisions" (N.J.S.A 52:27D-311(m)); and

WHEREAS, COAH regulations authorize vacant land adjustments as well as durational adjustments; and

WHEREAS, the DCA has released a Geographic Information Systems spatial data representation of the Land Capacity Analysis for P.L. 2024, c.2 containing the Vacant and Developable land information that serves as the basis for calculating the land capacity factor; and

WHEREAS, the Borough of North Arlington has reviewed the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development; and

WHEREAS, the New Jersey Supreme Court's Mount Laurel decisions have stated that any affordable housing obligation imposed upon a municipality must be "reasonable" and North Arlington's rent control ordinance has ensured that it maintains a housing stock with hundreds of low/affordable rent apartment units that naturally comply with the affordable housing obligation that the New Jersey Supreme Court stated is constitutionally mandated in the *Mount Laurel* decisions; and

WHEREAS, based on its review, the Borough of North Arlington believes that it has no affordable housing requirement as its present affordable housing stock meets and exceeds any and all constitutionally imposed affordable housing obligation and any further imposition of an affordable housing obligation is therefore unreasonable. However, in the event the methodology contained within the Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) is found to be binding on the Borough of North Arlington, the Borough of North Arlington will rely on the DCA calculations of North Arlington's fair share obligations as modified herein to account for North Arlington's review of the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development, and as further set forth in detail and explained in the attached memo prepared by North Arlington's affordable housing planner. In the event it is forced to utilize the methodology promulgated by the Amendment to the Fair Housing Act, North Arlington will seek to commit to provide its fair share of 36 units present need and 192 units prospective need, subject to North Arlington's challenge as to the reasonableness of any such housing obligation and any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

WHEREAS, the Borough of North Arlington reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

WHEREAS, the Borough of North Arlington also reserves the right to challenge the number of affordable housing units imposed on it and the methodology used to calculate said obligation based on the unreasonableness of same and to adjust its position in the event of any rulings in the *Montvale* case (MER-L-1778-24), or any other such action that alters the deadlines and/or requirements of the Amended FHA; and

WHEREAS, in the event that a third party challenges the calculations provided for in this Resolution, North Arlington reserves the right to take such position as it deems appropriate in response thereto, including the fact that its Round 4 Prospective Need Obligation should be lower than described herein; and

WHEREAS, in light of the above, the Mayor and Council of the Borough of North Arlington finds that it is in the best interest of North Arlington to commit to the modified present need and prospective need Fourth Round affordable housing fair share numbers set forth herein, subject to the reservations set forth herein; and

WHEREAS, in accordance with AOC Directive #14-24 dated December 13, 2024, the Borough of North Arlington finds that, as a municipality seeking a certification of compliance with the FHA, it is in the best interests of the Borough of North to direct the filing of an action in the form of a declaratory judgment complaint within 48 hours after adoption of the within resolution of fair share obligations, or by February 3, 2025, whichever is sooner;

NOW, THEREFORE, BE IT RESOLVED on this 27th day of January, 2025 by the Borough of North Arlington, County of Bergen, State of New Jersey as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution.

2. The Borough of North Arlington hereby states that it has no affordable housing requirement as its present housing stock meets and exceeds any and all constitutionally imposed affordable housing obligation and any further imposition of an affordable housing obligation is therefore unreasonable. In the event the methodology contained within the Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) is found to be binding on the Borough of North Arlington, it commits to the DCA's Round 4 Present Need Obligation of 36 and a modification of the DCA's Round 4 Prospective Need Obligation of 227 units to 192 units, as explained above and in the attached memo from North Arlington's affordable housing planner, and subject to all reservations of all rights, without limitation, including those set forth above as well as the following:

A. The right to an adjustment to its present need, also referred to as its "rehab" obligations based upon COAH standards that authorize a windshield survey to support an adjustment;

B. The right to a vacant land adjustment, durational adjustments, and all other applicable adjustments permitted in accordance with COAH regulations;

C. The right to comply with the NJIGLA Legislation if enacted, including the right to adjust its fair share obligations;

D. The right to adjust its fair share obligation in the event of any future legislation that adjust the fair share obligations that the DCA reported on October 18, 2024;

E. The right to comply with any future Legislation that changes its obligations under current law.

F. The right to adjust its fair share obligations based upon any ruling in the Montvale Litigation or any other litigation, including, but not limited, to a challenge to the reasonableness of the fair share obligation imposed;

G. The right to adjust its fair share obligations in the event of a third party challenge to the fair share obligations and the Borough of North Arlington's response thereto.

3. The Borough of North Arlington hereby directs its attorneys to file a declaratory judgment complaint in Bergen County within 48 hours after adoption of the within resolution and attaching this resolution as an exhibit with the attached memo.

4. The Borough of North Arlington authorizes its attorneys to submit and/or file the within resolution with attached memo with the Program or any other such entity as may be determined to be appropriate.

5. This resolution shall take effect immediately, according to law.

BE IT FURTHER RESOLVED, that notice of this action to be published according to law.

APPROVED: _____
Daniel H. Pronti, Mayor

ATTEST: _____
Kathleen Moore, Borough Clerk

DATED: January 27, 2025

ARTICLE I
Development Fees
[Adopted 4-19-2006 by Ord. No. 1958]

§ 80-1. Purpose.

In Holmdel Builder's Association v. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules. This article establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's rules. Fees collected pursuant to this article shall be used for the sole purpose of providing low- and moderate-income housing. This article shall be interpreted within the framework of COAH's rules on development fees.

§ 80-2. Use of fees.

The Borough of North Arlington shall not spend development fees until COAH has approved a plan for spending such fees and has received third-round substantive certification from COAH or a judgment of compliance.

§ 80-3. Definitions.

The following terms, as used in this article, shall have the following meanings:

AFFORDABLE HOUSING DEVELOPMENT — A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a one-hundred-percent-affordable development.

COAH — The New Jersey Council on Affordable Housing.

DEVELOPMENT FEE — Funds paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted in COAH's rules.

EQUALIZED ASSESSED VALUE — The value of a property determined by the municipal Tax Assessor through a process designed to ensure that all property in the municipality is assessed at the same assessment ratio or ratios required by law. Estimates at the time of issuance of a building permit may be obtained utilizing estimates for construction cost. Final equalized assessed value will be determined at project completion by the municipal Tax Assessor.

§ 80-4. Residential development fees.

A. Residential developers shall pay a fee of 1% of the equalized assessed value for residential development, provided no increased density is permitted.

B. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of 6% of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

§ 80-5. Nonresidential development fees.

A. Nonresidential developers shall pay a fee of 2% of the equalized assessed value for nonresidential development.

B. If an increase in floor area ratio is approved pursuant to N.J.S.A. 40:55D-70d(4), then the additional floor area realized (above what is permitted by right under the existing zoning) will incur a bonus development fee of 6% of the equalized assessed value for nonresidential development. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base floor area for the purposes of calculating the bonus development fee shall be the highest floor area permitted by right during the two-year period preceding the filing of the variance application.

§ 80-6. Eligible exactions, ineligible exactions and exemptions.

A. Affordable housing developments shall be exempt from development fees. All other forms of new construction shall be subject to development fees, except as provided below.

B. Developments that have received preliminary or final approval prior to the imposition of a municipal development fee shall be exempt from development fees unless the developer seeks a substantial change in the approval.

C. Developers of retail, office or single-family lots shall be exempt from paying a development fee.

§ 80-7. Collection of fees.

Fifty percent of the development fee will be collected at the time of issuance of the building permit. The remaining portion will be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of a building permit and that determined at issuance of the certificate of occupancy.

§ 80-8. Contested fees.

Imposed and collected development fees that are challenged shall be placed in an interest-bearing escrow account by the Borough of North Arlington. If all or a portion of the contested fees are returned to the developer, the accrued interest on the returned amount shall also be returned.

§ 80-9. Affordable Housing Trust Fund.

A. There is hereby created a separate, interest-bearing housing trust fund in an official depository for the Borough for the purpose of depositing development fees collected from residential and nonresidential developers and proceeds from the sale of units with extinguished controls. All development fees paid by developers pursuant to this article shall be deposited into this fund.

B. Within seven days from the opening of the trust fund account, the Borough of North Arlington shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the official depository, and COAH, to permit COAH to direct the disbursement of the funds as provided in N.J.A.C. 5:94-6.16(b).

C. No funds shall be expended from the Affordable Housing Trust Fund unless the expenditure conforms to a spending plan approved by COAH. All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

§ 80-10. Use of funds.

A. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the municipal fair share. Such activities include, but are not limited to: rehabilitation, new construction, RCAs subject to the provisions of N.J.A.C. 5:94-4.4(d), ECHO housing, purchase of land for affordable housing, improvement of land to be used for affordable housing, purchase of housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, or administration necessary for implementation of the Housing Element and Fair Share Plan. The expenditure of all funds shall conform to a spending plan approved by COAH.

B. Funds shall not be expended to reimburse the Borough of North Arlington for past housing activities.

C. After subtracting development fees collected to finance an RCA, a rehabilitation program or a new construction project that are necessary to address the Borough of North Arlington affordable housing obligation, at least 30% of the balance remaining shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of median income by region.

(1) Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, and rental assistance.

(2) Affordability assistance to households earning 30% or less of median income may include buying down the cost of low- or moderate-income units in the third-round municipal Fair Share Plan to make them affordable to households earning 30% or less of median income. The use of development fees in this manner shall entitle the Borough of North Arlington to bonus credits pursuant to N.J.A.C. 5:94-4.22.

(3) Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

D. The Borough of North Arlington may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:94-7.

E. No more than 20% of the revenues collected from development fees each year, exclusive of the fees used to fund an RCA, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20% of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Development fee administrative costs are calculated and may be expended at the end of each year or upon receipt of the fees.

§ 80-11. Monitoring.

The Borough of North Arlington shall complete and return to COAH all monitoring forms included in the annual monitoring report related to the collection of development fees from residential and nonresidential developers, payments in lieu of constructing affordable units on site, and funds from the sale of units with extinguished controls, and the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

§ 80-12. Ongoing collection of fees.

The ability of the Borough of North Arlington to impose, collect and expend development fees shall expire with its substantive certification or judgment of compliance unless the Borough of North Arlington has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If the Borough of North Arlington fails to renew its ability to impose and collect development fees prior to the date of expiration of substantive certification or judgment of compliance, it may resume the imposition and collection of development fees only by complying with the requirements of N.J.A.C. 5:94-6. The Borough of North Arlington shall not impose a development fee on a development that receives preliminary or final approval after the expiration of its substantive certification or judgment of compliance, nor will the Borough of North Arlington retroactively impose a development fee on such a development. The Borough of North Arlington will not expend development fees after the expiration of its substantive certification or judgment of compliance.

Affirmative Marketing Plan

Each municipality is required to establish and maintain an Affirmative Marketing Plan which is maintained in accordance with *N.J.A.C. 5:80-26.* The Affirmative Marketing Plan applies to all developments that contain low and moderate-income units. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer/sponsor, municipality and/or designated administrative agency of affordable housing.

The affirmative marketing program is a continuing program and will meet the following requirements:

- The affirmative marketing process for available affordable units shall begin at least four (4) months prior to excepted occupancy. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all available units have been leased or sold.
- One advertisement will be published in the following newspaper(s) of general circulation within the housing region: The Record;
- The advertisement will include the following:
    - The location of the units;
    - Directions to the housing units;
    - A range of prices for the housing units;
    - The size, as measured in bedrooms, of the housing units;
    - The maximum income permitted to qualify for the housing units;
    - The business hours when interested households may obtain an application for a housing unit; and;
    - Application fees, if any.
- Signs, posters or brochures of available affordable housing units or affordable housing programs should be displayed at all municipal buildings as well as libraries, and developer's sales offices.

The Affirmative Marketing Program should reach out to local religious groups and civic organizations that are likely to apply, or help members apply for housing. This should include sending quarterly flyers and, or applications for circulation.

Developers of affordable housing should be required to aid in the marketing of the affordable units in their prospective development.

The program should actively continue for as long as low and moderate-income units are initially available and continue when occupancy or re-occupancy becomes necessary.

AFFORDABLE HOUSING TRUST FUND SPENDING PLAN

Borough of North Arlington

Bergen County, New Jersey

July 2025

INTRODUCTION

On April 16, 2006, the Borough of North Arlington, Bergen County, adopted a Development Fee Ordinance, which established the Borough's separate interest-bearing Affordable Housing Trust Fund and established standards for the collection, maintenance, and expenditure of development fees for affordable housing purposes.

The Borough has prepared this Spending Plan in conformance with applicable Council on Affordable Housing ("COAH") regulations to itemize the Borough's intended use of the monies in its Affordable Housing Trust Fund.

As of June 30, 2025 the Borough's Affordable Housing Trust Fund had a balance of $708,609.75. All development fees, payments in lieu of constructing affordable units on site, and interest generated by the fees are deposited in the Borough's Affordable Housing Trust Fund for affordable housing purposes. These funds will be spent in accordance with the Fair Housing Act ("FHA"), and applicable COAH regulations as described in the sections that follow.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the Fourth Round (2025-2035), the Borough of North Arlington considered the following:

a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals and that are not exempt;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

b) Actual and committed Payment in Lieu (PIL) of construction from developers as follows:

1. There have not been any Payments in Lieu collected by the municipality. If any such payments are made to the Borough during the Fourth Round, such payments will be deposited in the Borough's Affordable Housing Trust Fund.

c) Other funding sources:

1. The Borough does not currently anticipate the contribution of any other funds toward the municipal Affordable Housing Trust Fund during the Fourth Round. That said, if any such funds are collected during the Fourth Round, said funds will be deposited in the Township's Affordable Housing Trust Fund.

d) Projected interest: It is estimated that the Borough will collect approximately $5000 in interest between January 1, 2025 through June 30, 2035. This figure assumes that, on average, the Township will collect approximately $500 in interest per year during the remainder of the Fourth Round.

Projected Revenue												
Source of Funds	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Development Fees – Projected Development	0	0	0	0	0	0	0	0	0	0	0	0
Payments in Lieu of Construction	0	0	0	0	0	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0	0	0	0	0	0
Interest	250	500	500	500	500	500	500	500	500	500	250	5,000
Total	708,859.75	709,359.75	709,859.75	710,359.75	710,859.75	711,359.75	711,859.75	712,359.75	712,859.75	713,359.75	713,609.75	713,609.75

The Borough of North Arlington projects a total of $5,000 in revenue and interest will be collected between January 1, 2025 and December 31, 2035. All interest earned on the affordable housing trust funds shall be deposited into the Affordable Housing Trust Fund and used only for affordable housing purposes.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Borough of North Arlington:

a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with the Borough of North Arlington's Development Fee Ordinance for both residential and non-residential developments in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), applicable COAH regulations, and the proposed new Fair Housing Act Rules promulgated by the New Jersey Department of Community Affairs (DCA)(N.J.A.C. 5:99).

b) Distribution of development fee revenues:

The governing body shall adopt a resolution authorizing the expenditure of development fee revenues consistent with the spending plan. Once a request has been approved by resolution, the CFO shall release the requested revenue from the Affordable Housing Trust Fund for the specific use approved in the governing body's resolution.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

a) Rehabilitation: The Borough has a Present Need (rehabilitation) obligation of 36 units. The Borough's efforts to meet its Present Need include a municipally sponsored local rehabilitation program and participation in the County's rehabilitation program. The Borough will utilize funds from the Borough's Affordable Housing Trust Fund to help fund this program in the amount of approximately $300,000.

b) Other Emergent Housing Opportunities: The Borough will reserve the remaining trust fund balance, projected at approximately $128,165.85, for other emergent opportunities to create affordable housing that may arise during the Fourth Round. The Borough shall seek approval for any emergent affordable housing opportunities not included in the Borough's fair share plan in accordance with N.J.A.C. 5:99-4.1.

c) Affordability Assistance: Pursuant to N.J.A.C. 5:99-2.5, the Borough is required to set aside a portion of all development fees collected and interest earned for the purpose of providing

affordability assistance to very low-, low- and moderate-income households in affordable units included in the Borough's fair share plan. Affordability assistance means the use of funds to render housing units more affordable to low- and moderate-income households and includes, but is not limited to, down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner's association or condominium fees and special assessments, common maintenance expenses, and assistance with emergency repairs and rehabilitation to bring deed-restricted units up to code, pursuant to N.J.A.C. 5:99-2.5. This may also include offering a subsidy to developers of inclusionary or 100% affordable housing developments or buying down the cost of low- or moderate-income units in the Borough's fair share plan to make them affordable to very low-income households, including special needs and supportive housing opportunities. The Borough will set aside $142,721.95 from the Affordable Housing Trust Fund for this purpose through June 30, 2035.

Projected affordability assistance:

North Arlington Projected Affordability Assistance		
Actual development fees through 6/30/2025		$708,609.75
Actual interest thru 12/31/2024	+	$0
Payment in Lieu		$0
Borough Contributions		$0
Projected Development Fees, 1/1/2024 thru 12/31/2035	+	$0
Projected Trust Fund Interest, 1/1/2024 thru 12/31/2035	+	$5,000
Less housing expenditures	-	$0
TOTAL		**$**713,609.75
20%	X .20	$142,721.95
Less Affordability Assistance, 1/1/2025 thru 12/31/2035	-	$0
Projected Affordability Assistance, 1/1/2025 thru 12/31/2035	=	**$142,721.95**

d) Administrative Expense

Projected maximum administrative expense calculation can be found below:

Administrative Expense Calculation		
Actual Development Fees and Interest thru 6/30/2025		$708,609.75
Projected Development Fees and Interest thru 2035	+	$5,000
Payments in lieu of construction and other deposits	+	-
Less RCA expenditures thru 12/31/2035	-	-
Total for Admin Calculation 1/1/2025 thru 2035	=	**$713,609.75**
Calculate twenty percent (20%)	X .20	$142,721.95
Less admin expenditures thru 6/30/2025	-	$0
Projected Maximum available for administrative expenses Thru December 2035	=	**$142,721.95**

The Borough of North Arlington projects that a maximum of $142,721.95 collected from development fees will be available from the affordable housing trust fund to be used for administrative purposes between 2025 and 2035.

Administrative costs may include the costs of salaries and benefits for municipal employees or legal, planning, or other consultants' fees necessary to develop or implement the rehabilitation program, and other Administrative Agent services including implementing the approved Housing Element and Fair Share Plan and affordability assistance.

4. EXPENDITURE SCHEDULE

Borough of North Arlington intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units and for affordability assistance programs.

The Borough of North Arlington has engaged the services of affordable housing consultants to scope the best fit housing solutions that would include the rehabilitation of existing units, construction of new units either as a Borough initiative or in the context of significant redevelopment project and per the as North Arlington Borough Housing Ordinance.

Projected Expenditures												
PROJECTS/ PROGRAMS	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**1/1/35 to 6/30/35**	**Total**
Rehabilitation	$15,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$15,000	$300,000
Affordability Assistance	$7,136.12	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$7,136.12	$142,721.95
Administration	$7,136.12	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$14,272.19	$7,136.12	$142,721.95
Other Emergent Opportunities	$6,408.27	$12,816.59	$12,816.59	$12,816.59	$12,816.59	$12,816.59	$12,816.59	$12,816.59	$12,816.59	$12,816.59	$6,408.27	$128,165.85
Total	$35,680.51	$71,360.97	$71,360.97	$71,360.97	$71,360.97	$71,360.97	$71,360.97	$71,360.97	$71,360.97	$71,360.97	$35,680.51	$713,609.75

5. EXCESS OF SHORTFALLS OF FUNDS

In the event of any expected or unexpected shortfall of funds necessary to implement the Borough's Fourth Round Housing Element and Fair Share Plan, the Borough will handle the shortfall of funds through an alternative funding source to be identified by the Borough and/or by adopting a resolution with an intent to bond. In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be dedicated toward the Borough's Rehabilitation Program, additional funding for affordability assistance, additional administrative expenditures (up to the 20% cap) and/or any other emergent affordable housing opportunities that may arise during the Fourth Round.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with the Borough of North Arlington's Affordable Housing Ordinance and in accordance with applicable regulations.

7. SUMMARY

The Borough of North Arlington intends to spend affordable housing trust fund revenues consistent with the requirements of the Fair Housing Act, applicable regulations and the housing programs outlined in the Borough's Fourth Round Housing Element and Fair Share Plan. The Borough of North Arlington has a balance of $708,609.75 as of June 30, 2025. The Borough projects that it will collect an additional $5,000 in development fees and interest during the Fourth Round. The Borough will dedicate up to $300,000 towards its Rehabilitation Program, $142,721.95 for affordability assistance, and up to $142,721.95 for administrative costs.

North Arlington Spending Plan Summary		
Balance as of 6/30/2025		$708,609.75
PROJECTED REVENUE 2025-2035		
Development Fees	+	$0
Payments in Lieu of Construction	+	$0
Other Funds	+	$0
Interest	+	$5,000
TOTAL AVAILABLE FUNDS	=	**$713,609.75**
PROJECTED EXPENDITURES 2025-2035		
Rehabilitation Program	+	**$300,000**
Housing Activity	+	**$128,165.85**
Affordability Assistance	+	**$142,721.95**
Administration	+	**$142,721.95**
TOTAL PROJECTED EXPENDITURES	=	**$713,609.75**
REMAINING BALANCE	=	**$0**

Vacant Land Analysis

N.J.A.C. 5:93-4.2 provides a mechanism for a municipality to adjust its affordable housing obligations based on a lack of vacant, available, suitable, developable, and approvable land. To demonstrate a lack of capacity to address the Borough's municipal housing obligation, all vacant parcels in the municipality were analyzed to determine the development potential of each property, and the sum of potential units is compared to the prospective need obligation in the foregoing analysis. If there is insufficient vacant land within the municipality to meet the obligation for new affordable units, the total prospective need obligation is adjusted accordingly.

Methodology

An analysis of existing land uses and zoning the Borough was conducted to determine the Realistic Development Potential (RDP), and an estimate of potential inclusionary affordable units was derived from the RDP assuming a 20% affordable set-aside. Using data from the State of New Jersey Tax Assessment Records and New Jersey environmental GIS records of all properties within the Borough were examined to determine if they were vacant and developable. Properties reserved for public use, open space, listed on the NJ ROSI, and those that were occupied by water bodies, steep slopes, wetlands, critical habitats, and within a riparian buffer were removed as candidates for development. The remaining properties were then tested to determine their ability to accommodate a minimum of five (5) units. Public and non-profit owned properties of sufficient size to accommodate potential inclusionary development were also included as vacant and potentially developable in the analysis. All properties with sufficient buildable area to accommodate five (5) or more units were included in the determination of the RDP.

Underlying Assumptions for Realistic Development Potential

Inclusionary Development

N.J.A.C. 5:93-4.2(f) specifies that the RDP is based on an inclusionary zoning framework and available land is not assumed to be developed as 100% affordable housing. The minimum presumptive set aside for affordable housing is 20%, or one in five units. As such, suitable development sites for inclusionary development must have the capacity to provide a minimum of five units.

Density and Minimum Project Size

According to the Second Round Rules, it is important to "consider the character of the area surrounding each site" when crafting assumptions underlying the intensity of residential development. As such, the maximum density for each assemblage was determined as follows:

- The permitted density of each parcel pursuant to the Borough's Zoning Ordinance;
- Minimum presumptive density of six units per acre as required by the Second Round Rules where permitted density is below six units per acre;
- Surrounding land uses;
- The need for affordable housing; and
- Density count of approved projects by the Planning or Zoning Board.

Step 1 – Classification of Vacant Land

All properties with a tax class 1 (Vacant) and vacant properties with tax class 15C (Public) have been included in the table below and on the next three pages.

Vacant Land									
Block	Lot	Location	Class	Acreage	Wetlands	Contaminated	Habitat	FEMA	Steep Slope
1	10	81 RIVER RD	1	0.32		X	X	X	
100	9.01	543 JAUNCEY AVE	1	0.16					X
101	9	18 RIDGE RD	1	0.06					
103	28	11 RUTHERFORD PL	1	0.05					
122	17	81 DEVON ST	1	0.06					
138	1	98 RUTHERFORD PL	1	0.07					
138	23.02	39 RUTHERFORD PLACE	1	0.04					
15	25		1	0.08					
163	17	9-15 CLINTON PL	1	0.11					X
166	2	626 SCHUYLER AVE	1	0.11					
166	4	636 SCHUYLER AVE	1	0.12					
167	5	MEADOWS	1	1.22	X	X	X	X	
168	3	27 PORETE AVE	1	0.58					
168	4	29 PORETE AVE	1	0.31					
168	5	39 PORETE AVE	1	0.75		X			
172	1	SAW MILL CREEK	1	0.19	X	X	X	X	
172	2		1	0.27	X	X	X	X	
174	1.03	SCHUYLER AVENUE	1	2.07		X	X	X	
192	3.02		1	3.86		X	X	X	
193	4	KINGSLAND CREEK HM	1	68.06	X	X	X	X	
196	1	6 JEROME AVE HM	1	4.32	X	X	X	X	
2	21	ROOSEVELT ST	1	0.09					X
236	1.01		1	0.00		X	X	X	
26	34	RR 181 PROSPECT AVE	1	0.04					X
32	11	103 ARLINGTON BLVD	1	0.06					X
32	18		1	0.06					X
32	8.02		1	0.03					X
33	28	BELMOUNT AVENUE	1	0.06					
40	3	108 ARLINGTON BLVD	1	0.09					X

41	2	86 ARLINGTON BLVD	1	0.06					
45	18	15 EAGLE ST	1	0.09					
45	25	16 FRONT ST	1	0.06					
45	31	58 FRONT ST	1	0.12					
46	5	317 RIVER RD	1	0.03		X	X	X	
47	1	268-280 RIVER RD	1	0.27			X	X	
50	13		1	0.03					X
55	15	13 CRYSTAL ST	1	0.06					
55	8	61 CRYSTAL STREET	1	0.02					
57	10	217 CRYSTAL ST	1	0.04					
59	20	104 CRYSTAL ST	1	0.05					X
67	27	351 HIGH ST	1	0.16					
7	11	RIVER ROAD	1	0.27					X
8	11	91 RIVERVIEW AVENUE	1	0.16					
8	18	WILLIAM STREET	1	0.12					
8	26	87 FAIRMOUNT AVE	1	0.12					X
1	11		15C	0.65		X	X	X	
10	51	71 RIDGE RD	15C	0.18					
10	52	63 RIDGE RD	15C	0.25					
10	55	37 RIDGE RD	15C	0.30					
10	66	BELLEVILLE PIKE	15C	0.23					
10	69.02	84 PROSPECT AVENUE	15C	0.07					
11	2.01	139 RIVER RD FRONT	15C	1.12		X	X	X	
133	10	30 STRATFORD PL	15C	0.11					
133	6	96 SCHUYLER AVE	15C	1.54					
133	7	30 STRATFORD PL	15C	1.02					
137	1	208 RIDGE ROAD	15C	0.25					
137	2	214 RIDGE ROAD	15C	1.60					
137	23	BEAVER AVE	15C	0.18					
137	4	LEGION PLACE	15C	0.40					
138	37.01	RUTHERFORD PLACE	15C	0.04					
138	37.02	SEWER RIGHT OF WAY	15C	0.02					
138	43	RIGHT OF WAY	15C	0.36					
140	1	96 SCHUYLER AVE.	15C	0.04					
151	14	578 SCHUYLER AVE	15C	0.09					X
151	15	575 SCHUYLER AVE	15C	0.28		X			X
153	4	169 CANTERBURY AVE	15C	0.04					X
153	9	BET 178-188 LEONARD	15C	0.02					X
154	17.01	RIGHT OF WAY	15C	0.04	X	X	X		
154	18	SCHUYLER AVE	15C	0.75	X	X	X		
154	3		15C	0.36		X	X		X
154	4	550 SCHUYLER AVE	15C	1.52	X	X	X		X

164	15	CLINTON PLACE	15C	0.23					X
166	12		15C	0.07					
167	2	BELLEVILLE PIKE	15C	0.26		X	X		
167	3	MEADOWS	15C	0.59	X	X	X	X	
167	4	MEADOWS	15C	0.82	X	X	X	X	
173.04	1	END PORETE	15C	2.48	X		X	X	X
174	1.02	290 SCHUYLER AVENUE	15C	7.98			X	X	X
175	1	SAW MILL CREEK HM	15C	11.51		X	X	X	
176	1	SAW MILL CREEK HM	15C	12.29		X	X		
177	1	SAW MILL CREEK HM	15C	34.74		X	X	X	
178	1	SAW MILL CREEK HM	15C	33.38		X	X	X	
179	1	KINGSLAND CREEK	15C	6.31	X	X	X	X	
180	1	SAW MILL CREEK HM	15C	14.56		X	X		
181	1	SAW MILL CREEK HM	15C	21.92		X	X		
182	1	SAW MILL CREEK HM	15C	39.25		X	X	X	
183	1	SAW MILL CREEK HM	15C	19.83		X	X	X	
184	1	SCHUYLER AVENUE	15C	6.13			X	X	
184	4		15C	9.10		X	X	X	
185	1	VREELAND DITCH HM	15C	4.96		X	X	X	
186	1	VREELAND DITCH HM	15C	4.99		X	X	X	
187	1	VREELAND DITCH HM	15C	4.43		X	X	X	
188	1	VREELAND DITCH HM	15C	4.68		X	X	X	
189	1	SAW MILL CREEK HM	15C	9.25		X	X	X	
190	1.01	KINGSLAND CREEK	15C	23.08	X	X	X	X	
191	1.01	KINGSLAND CREEK HM	15C	46.19	X	X	X	X	
191	2		15C	2.12	X	X	X	X	
192	1	KINGSLAND CREEK	15C	35.42	X	X	X	X	
192	5		15C	0.90	X	X	X	X	
193	12	KINGSLAND CREEK HM	15C	5.83		X	X	X	
193	3	KINGSLAND CREEK HM	15C	4.59	X	X	X		
24	4	207 RIVER RD	15C	1.07		X	X	X	
24	5	241 RIVER FRONT	15C	0.58			X	X	
30	1	200 RIVER RD	15C	0.73			X	X	X
30	5	ARLINGTON BOULEVARD	15C	0.01					X
300	10		15C	0.31	X		X	X	
300	11		15C	0.31	X			X	
300	12		15C	0.20		X	X	X	
300	13		15C	0.74		X	X	X	
300	14		15C	0.08		X	X	X	
300	15		15C	0.18		X	X	X	
300	16		15C	0.08		X	X		
300	17		15C	0.06		X	X		

300	18		15C	0.11					
300	19		15C	0.75			X	X	
300	2		15C	1.48		X	X	X	
300	20		15C	0.41		X	X	X	
300	21		15C	0.50	X	X	X		
300	22		15C	0.57	X	X	X		
300	22		15C	0.31	X	X	X		
300	23		15C	0.47		X	X		
300	3		15C	0.98		X	X	X	
300	4		15C	0.67		X	X	X	
300	5		15C	1.47	X	X	X	X	
300	6		15C	2.24		X	X	X	
300	7		15C	1.09		X	X	X	
300	8		15C	0.76		X	X	X	
300	9		15C	1.54	X	X	X	X	
32	29	BET 86 & 88 BELMOUNT	15C	0.07					X
33	23	18 HILLSIDE PLACE	15C	0.05					
38	8	RIVERVIEW AVE	15C	0.63					
42	5	PT. OF FRONT ST.	15C	0.01					X
46	10.01	341 RIVER RD	15C	0.14			X	X	
46	10.02	351 RIVER RD	15C	0.28			X	X	
46	7	325 RIVER RD	15C	0.07			X	X	
46	8	329 RIVER RD	15C	0.10			X	X	
46	9	RIVER RD	15C	0.14			X	X	
49	3	294 RIVERVIEW AVENUE	15C	0.05					
70	1.02	375 RIVER RD	15C	0.43			X	X	
70	1.03	395 RIVER RD.	15C	0.23			X	X	
70	2	403 RIVER RD	15C	0.42		X	X	X	
76	14	BOSTON AV COR OF 6TH ST	15C	0.12					X
78	4	BET RIVRVW AV & 6TH	15C	1.25					X
78	7	BOSTON AV COR OF 6TH ST	15C	0.06					X
8	10	34 PERSHING PL	15C	0.08					
80	3	SIXTH STREET	15C	0.06					
82	4	RIVERVIEW & 6TH ST	15C	0.02					
87	2		15C	0.56		X	X	X	
87	3	451-453 RIVER ROAD	15C	25.11	X	X	X	X	
87	4		15C	0.99	X		X	X	
87	6		15C	4.88		X	X	X	

Step 2 - Site Analysis

The sites were mapped using GIS and overlaid with Critical Habitat, Steep Slopes, Flood Hazard, Wetlands, and Waterbodies. Any properties impacted by these environmental constraints have been noted in the table above and were not considered for potential development.

Additional exclusions for the following:

- Historic or architecturally important – Noted in Blue
- Active Recreational Lands – Noted in Green
- Parklands and Open Space – Noted in Green

Properties with a low yield are noted in red. The Second Round Rules established by the Council of Affordable Housing in N.J.A.C. 5:93 required development potential to consider principles of sound land use planning in regard to density, and that the minimum presumptive density be 6 du/ac. In conformance with this requirement, the analysis used existing zoning densities to determine the number of units per acre that could be constructed. In cases where permitted density under the zoning ordinance did not meet the minimum presumptive density, the development potential was calculated at 6 units per acre. The acreage of the assemblages created were multiplied by the permitted number of units per acre to determine the property yield. All vacant assemblages whose yield was less than five units are noted in the table in red.

Step 3 – Determining Yield for Property

After reviewing the Vacant Land table and applying all criteria for ineligible lots, only two vacant lots remained in the Borough. The Second Round Rules require consideration of the surrounding area's character when determining appropriate residential development intensity. Block 168, Lots 3 and 4, are located within the Porete Avenue Area/Subzone of the Porete Avenue Redevelopment Area. The Borough Planning Board adopted the Porete Avenue Redevelopment Plan by Ordinance No. 1653 in 1992, with subsequent amendments in 1999, 2005, 2010, 2015, and 2020. All adjacent properties to Lots 3 and 4 are also within this subzone. The Porete Avenue Redevelopment Plan does not permit residential uses in this area and requires a minimum lot size of one acre. **As a result, these vacant lots are not eligible for residential development, and zero (0) units can be constructed on them.**

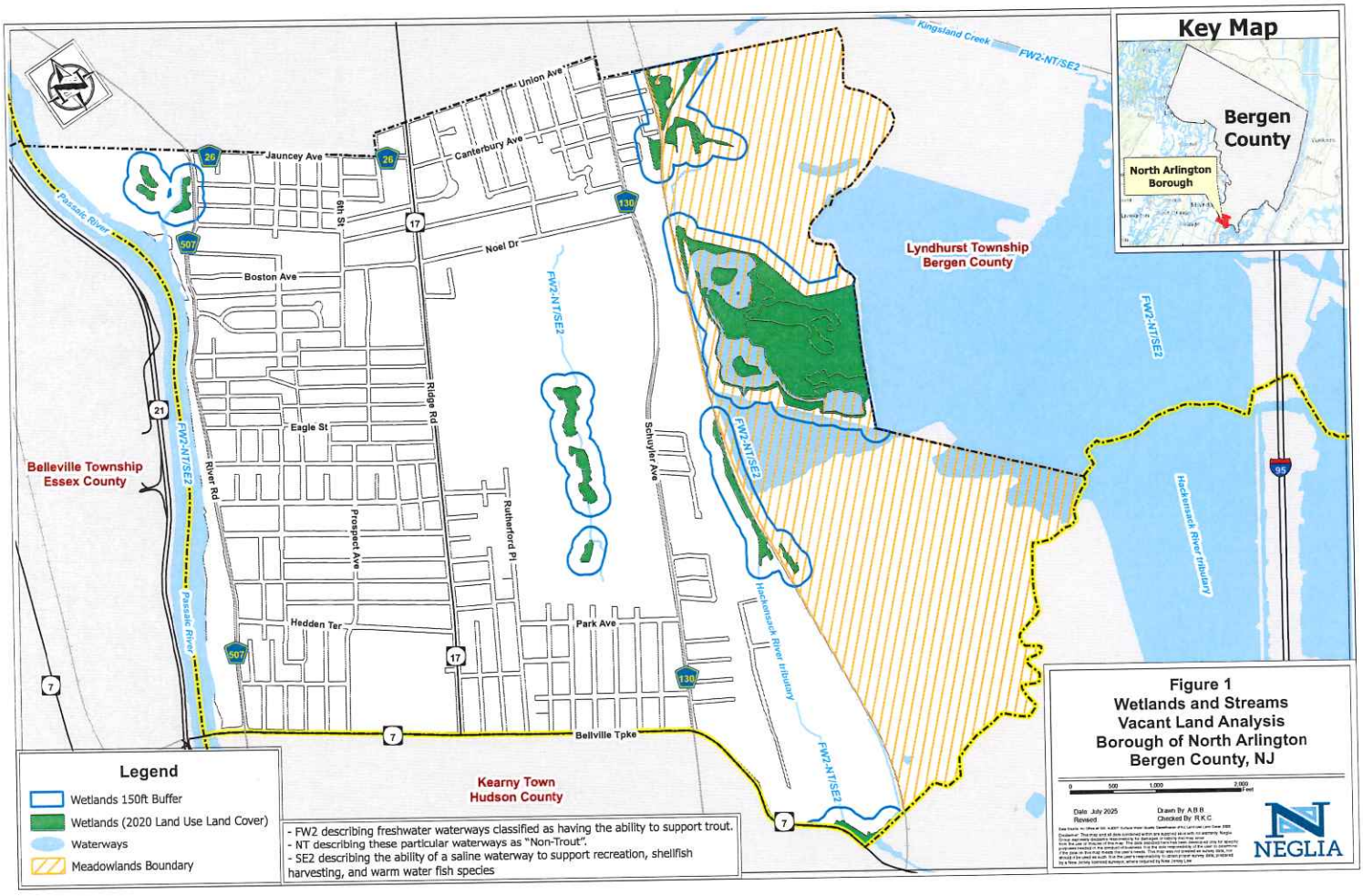
Vacant Land									
Block	Lot	Location	Class	Acreage	Wetlands	Contaminated	Habitat	FEMA	Steep Slope
168	3	27 PORETE AVE	1	0.58					
168	4	29 PORETE AVE	1	0.31					

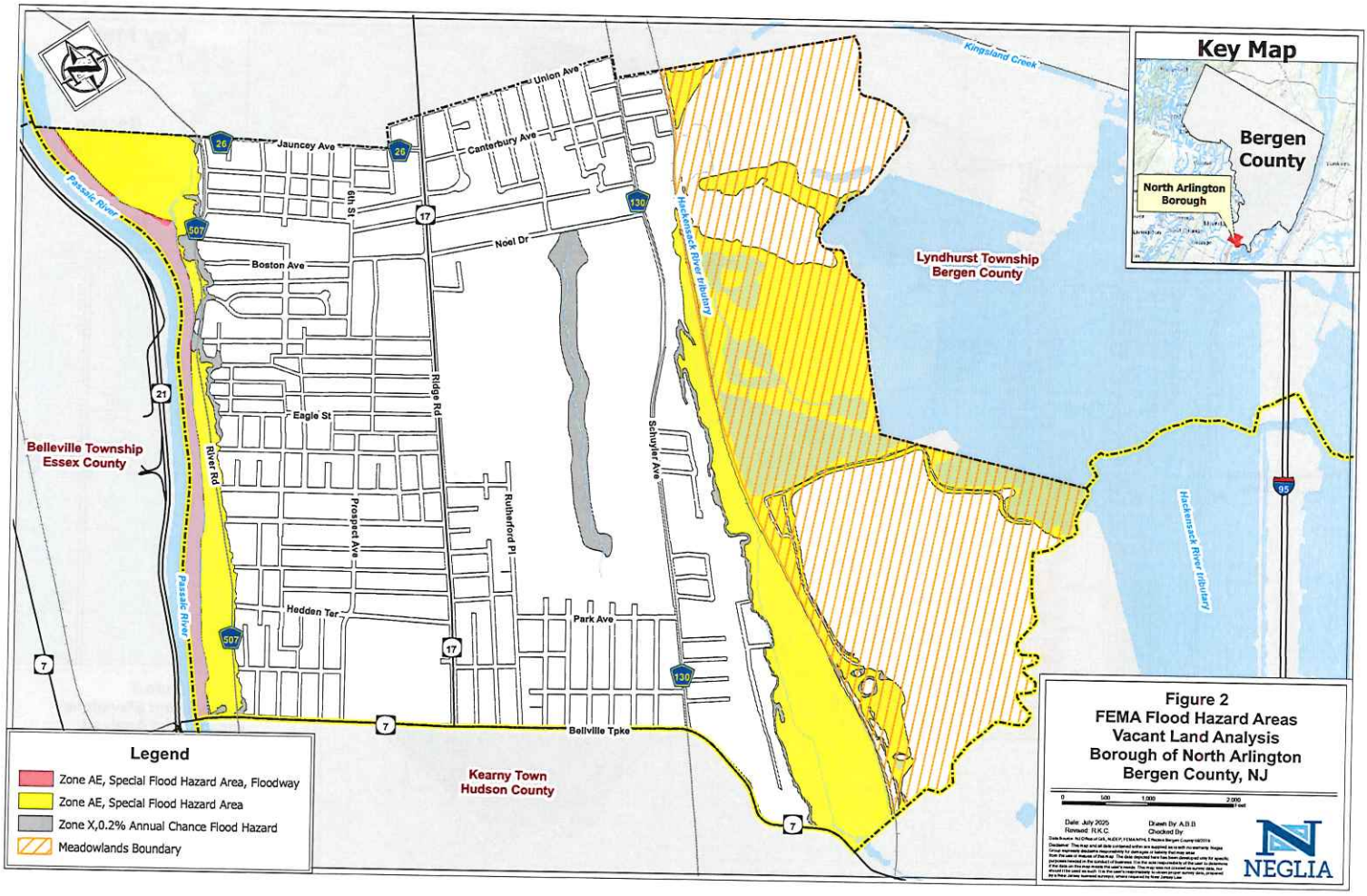
Vacant Parcels with Environmental Constraints

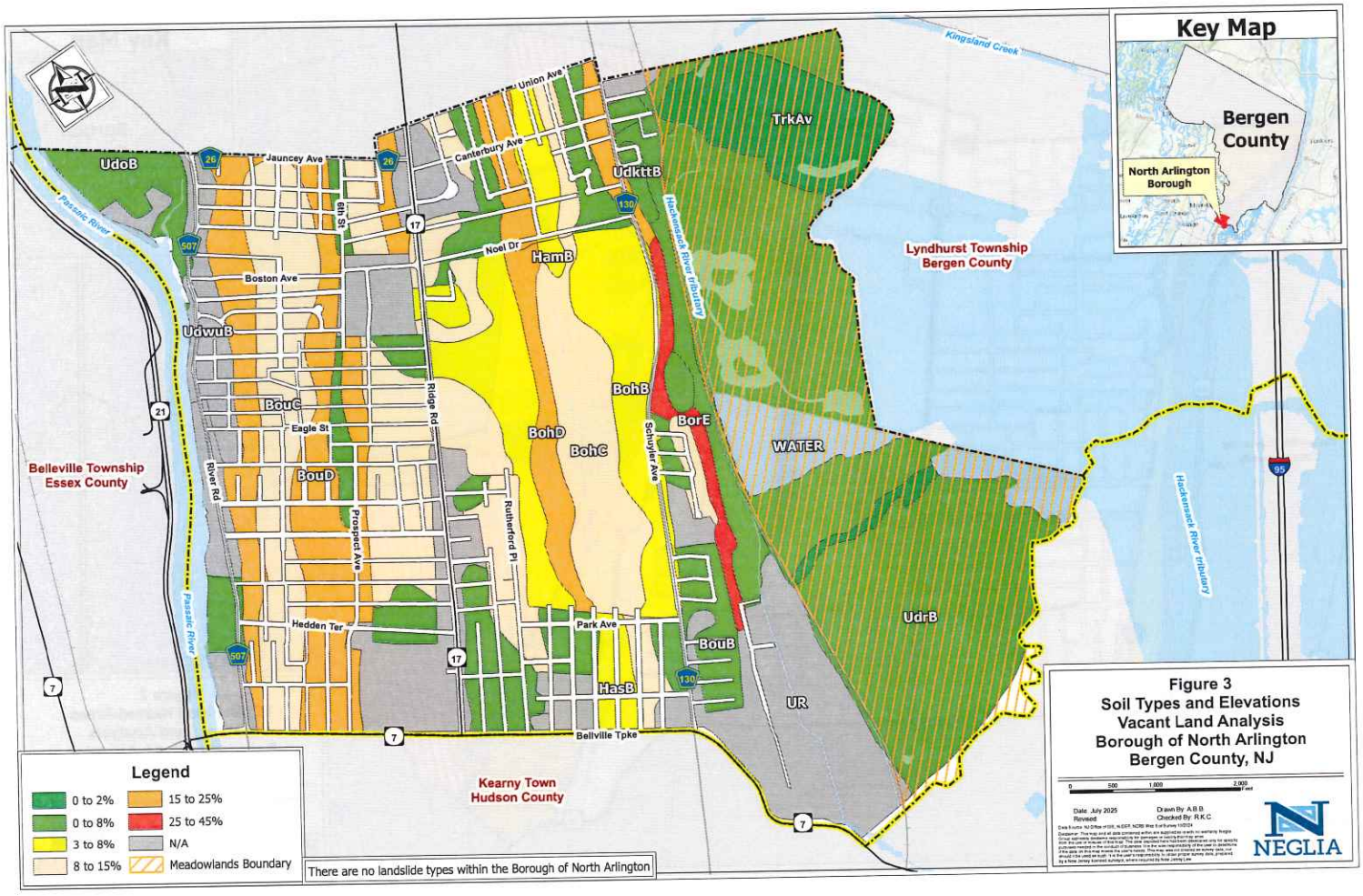
The following maps illustrate the application of the above methodology to all parcels in the Borough to identify potentially developable vacant sites based on size and yield.

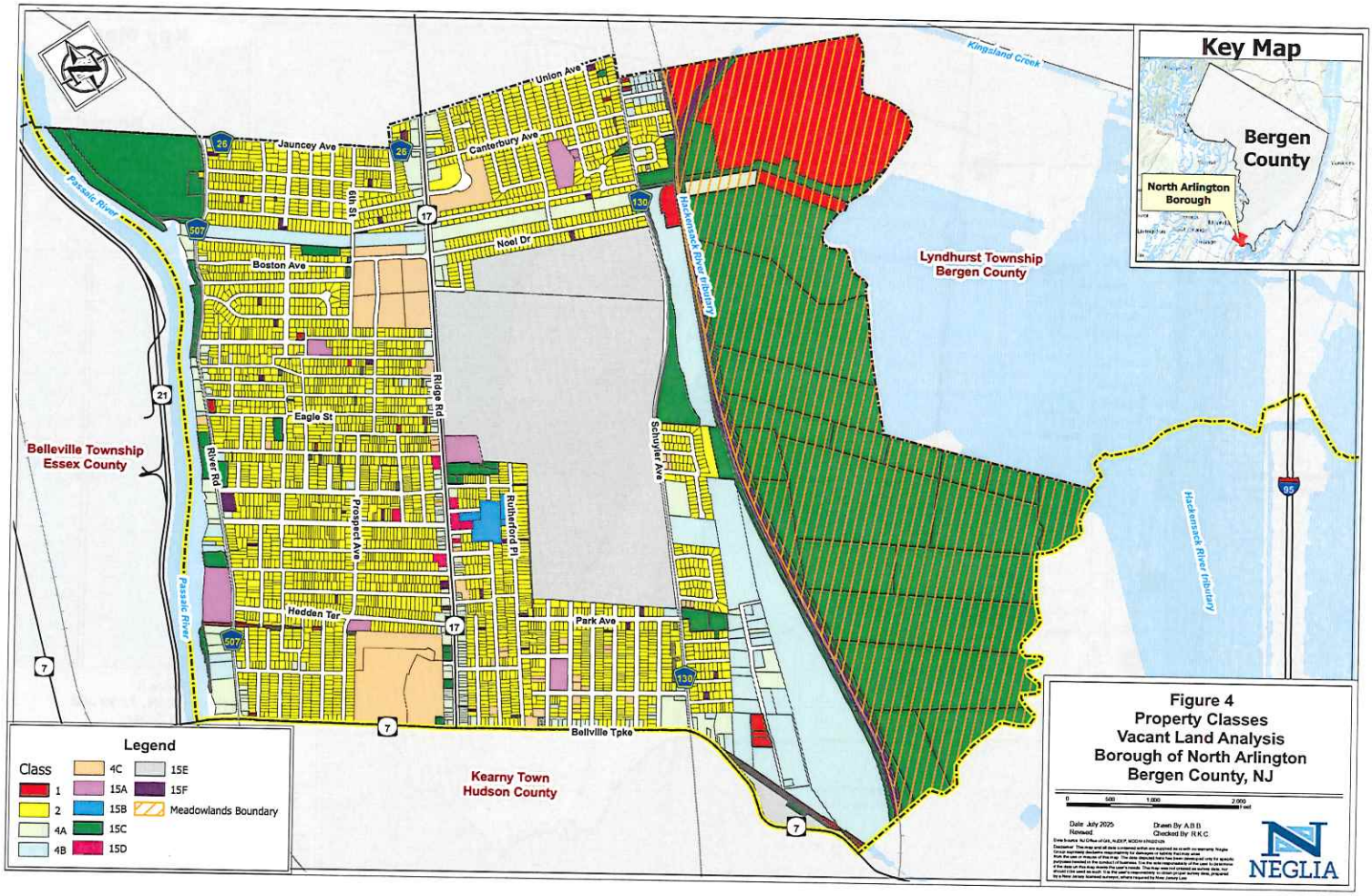
Analysis of the sites (with the ability to produce 5 or more units at 6 du/acre) on the Inventory of Vacant Sites revealed that most of the vacant land within the Borough is environmentally constrained.

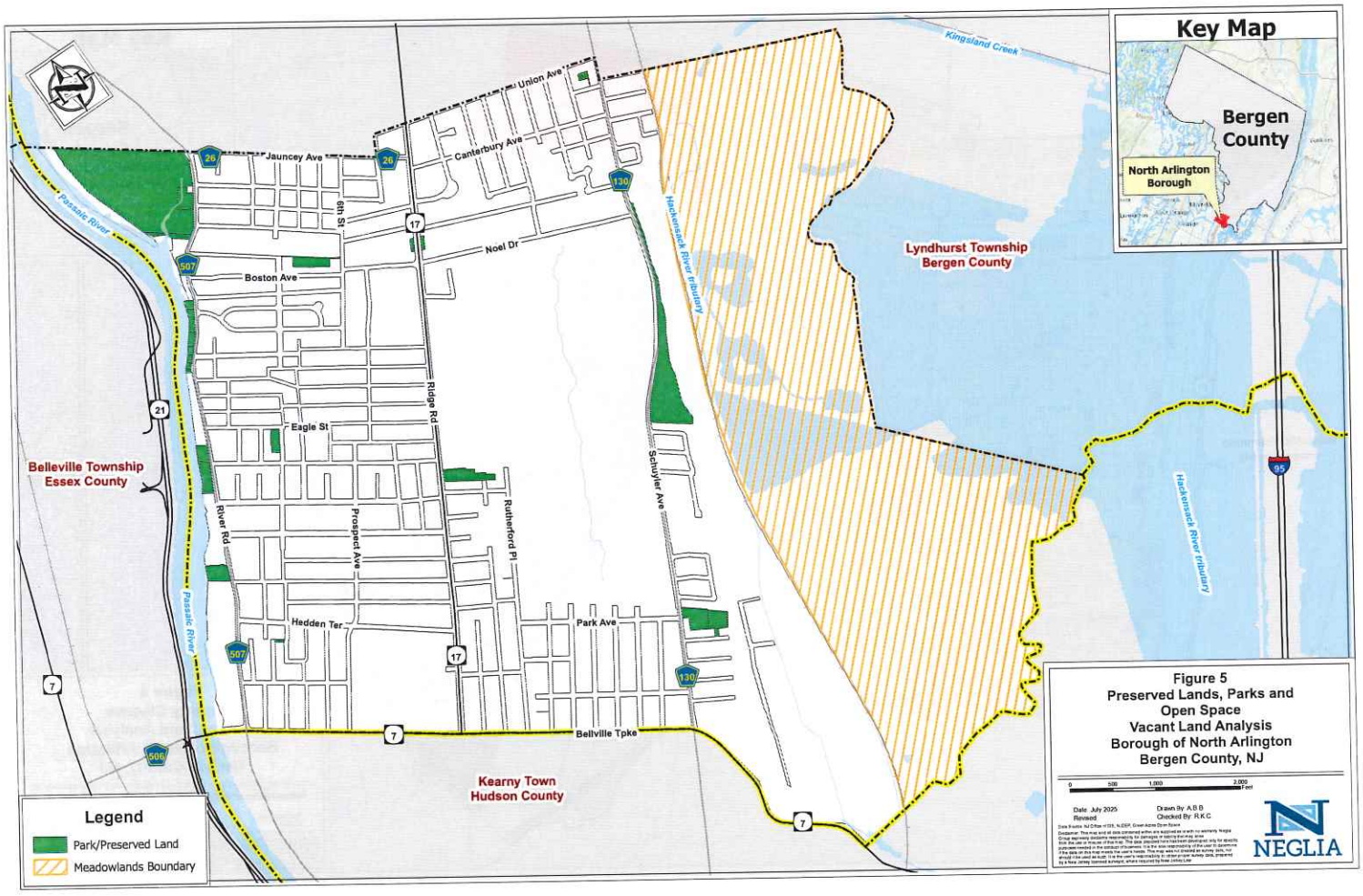
Maps


Key Map
Bergen County
North Arlington Borough
Kingsland Creek
FW2-NT/SE2
Union Ave
Canterbury Ave
Jauncey Ave
8th St
Noel Dr
Boston Ave
Passaic River
Lyndhurst Township
Bergen County
Belleville Township
Essex County
Eagle St
Ridge Rd
River Rd
Prospect Ave
Rutherford Pl
Schuyler Ave
Hedden Ter
Park Ave
Bellville Tpke
Hackensack River tributary
Kearny Town
Hudson County
Legend
Wetlands 150ft Buffer
Wetlands (2020 Land Use Land Cover)
Waterways
Meadowlands Boundary
- FW2 describing freshwater waterways classified as having the ability to support trout.
- NT describing these particular waterways as "Non-Trout".
- SE2 describing the ability of a saline waterway to support recreation, shellfish harvesting, and warm water fish species
Figure 1
Wetlands and Streams
Vacant Land Analysis
Borough of North Arlington
Bergen County, NJ
Date July 2025
Revised
Drawn By A B B
Checked By R K C
NEGLIA


Key Map
Bergen County
North Arlington Borough
Kingsland Creek
Union Ave
Jauncey Ave
Canterbury Ave
6th St
Noel Dr
Boston Ave
Passaic River
Hackensack River tributary
Lyndhurst Township
Bergen County
Belleville Township
Essex County
Eagle St
Ridge Rd
River Rd
Prospect Ave
Rutherford Pl
Schuyler Ave
Hedden Ter
Park Ave
Belleville Tpke
Kearny Town
Hudson County
Legend
Zone AE, Special Flood Hazard Area, Floodway
Zone AE, Special Flood Hazard Area
Zone X,0.2% Annual Chance Flood Hazard
Meadowlands Boundary
Figure 2
FEMA Flood Hazard Areas
Vacant Land Analysis
Borough of North Arlington
Bergen County, NJ
NEGLIA


Key Map
Bergen County
North Arlington Borough
Kingsland Creek
Union Ave
Canterbury Ave
Jauncey Ave
5th St
Noel Dr
Boston Ave
Eagle St
Ridge Rd
River Rd
Prospect Ave
Rutherford Pl
Schuyler Ave
Hedden Ter
Park Ave
Bellville Tpke
Passaic River
Hackensack River tributary
Lyndhurst Township
Bergen County
Belleville Township
Essex County
Kearny Town
Hudson County
TrkAv
UdoB
UdkttB
HamB
UdwuB
BohB
BohD
BohC
BorE
BouC
BouD
WATER
UdrB
BouB
HasB
UR
Legend
0 to 2%
0 to 8%
3 to 8%
8 to 15%
15 to 25%
25 to 45%
N/A
Meadowlands Boundary
There are no landslide types within the Borough of North Arlington
Figure 3
Soil Types and Elevations
Vacant Land Analysis
Borough of North Arlington
Bergen County, NJ
Date: July 2025
Revised:
Drawn By: A.B.B.
Checked By: R.K.C
NEGLIA


Key Map
Bergen County
North Arlington Borough
Union Ave
Jauncey Ave
Canterbury Ave
6th St
Noel Dr
Boston Ave
Ridge Rd
Eagle St
River Rd
Prospect Ave
Rutherford Pl
Schuyler Ave
Hedden Ter
Park Ave
Belleville Tpke
Passaic River
Hackensack River tributary
Kingsland Creek
Lyndhurst Township
Bergen County
Belleville Township
Essex County
Kearny Town
Hudson County
Legend
Class
1
2
4A
4B
4C
15A
15B
15C
15D
15E
15F
Meadowlands Boundary
Figure 4
Property Classes
Vacant Land Analysis
Borough of North Arlington
Bergen County, NJ
Date: July 2025
Revised:
Drawn By: A.B.B.
Checked By: R.K.C
NEGLIA


Key Map
Bergen County
North Arlington Borough
Union Ave
Jauncey Ave
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Bellville Tpke
Passaic River
Kingsland Creek
Hackensack River tributary
Lyndhurst Township
Bergen County
Belleville Township
Essex County
Kearny Town
Hudson County
Legend
Park/Preserved Land
Meadowlands Boundary
Figure 5
Preserved Lands, Parks and
Open Space
Vacant Land Analysis
Borough of North Arlington
Bergen County, NJ
0
500
1,000
2,000
Feet
Date July 2025
Revised
Drawn By A.B.B
Checked By R.K.C
NEGLIA