

NOTICE

Long Branch, Monmouth County Master Plan Hearing

PLEASE TAKE NOTICE that the Planning Board of the City of Long Branch, Monmouth County, New Jersey, will conduct a public hearing on December 15, 2009, at a regular meeting beginning at 8:00 p.m. in the Long Branch Municipal Building, 2nd Floor, 344 Broadway, Long Branch for the purpose of considering and adopting revisions or amendments to the Housing Element and Fair Share Plan component of the Master Plan of the City of Long Branch. The proposed Housing Element and Fair Share Plan is on file at the Office of the City Clerk, Long Branch Municipal Building, 344 Broadway, Long Branch, NJ and is available for review during normal business hours. All interested persons may appear and be heard at the scheduled public hearing.

CITY OF LONG BRANCH PLANNING BOARD

City of Long Branch
Monmouth County, New Jersey

Housing Element and
Fair Share Plan

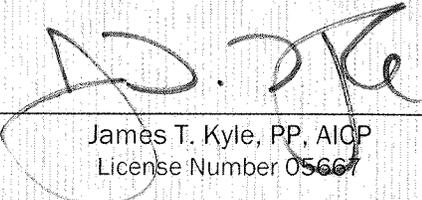
Prepared for:
Mayor and Council
And
The City of Long Branch Planning Board

Prepared by:



November 30, 2009

The original of this document was signed and sealed in
accordance with N.J.S.A. 45:14A-12.



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Acknowledgements

CMX wishes to acknowledge the work of those individuals that contributed to the preparation and adoption of the City of Long Branch Housing Element and Fair Share Plan.

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I. INTRODUCTION

The initial framework of affordable housing regulation in New Jersey was established over 30 years ago with the New Jersey Supreme Court's ruling in *Southern Burlington County N.A.A.C.P. v. Borough of Mount Laurel* (Mt. Laurel I - 1975). In its initial ruling, the Court stated simply that any zoning ordinance that contravenes the general welfare by not providing a realistic opportunity for affordable housing is unconstitutional. Ten years later, *Mt. Laurel II* (*Southern Burlington County N.A.A.C.P. v. Borough of Mount Laurel*) clarified many of the gray areas that arose through implementation of the Mt. Laurel doctrine. This second Mt. Laurel case ultimately resulted in the Fair Housing Act of 1985, which subsequently spawned the Council on Affordable Housing (COAH).

COAH is responsible for creating regulations and a process to implement the provision of affordable housing throughout the State of New Jersey. The "process" is fairly simple and is well defined in COAH's regulations. It begins with the preparation of a Housing Plan element, an element of the municipal Master Plan required to include a variety of information about a municipality's population, employment, income and housing characteristics as well as information on the nature of affordable housing obligation as set forth by COAH. To accompany the Housing Plan element, a municipality must prepare a Fair Share Plan, which details how the affordable housing obligation will be met. Current affordable housing obligations are comprised of the rehabilitation share, the prior round obligation (Second Round) and the growth share obligation (Third Round). While Second Round obligations were assigned by COAH and subsequently amended under the most recent version of the Third Round rules, Third Round obligations are based on a growth share model; for every 4 market rate units constructed, 1 affordable unit must be provided and for every 16 jobs created, 1 affordable unit must be provided.

Together the Housing Element and Fair Share Plan are submitted to COAH along with a petition requesting substantive certification. Participation in the COAH process is voluntary but ensures that those municipalities that participate and receive substantive certification will be given protection from builder's remedy lawsuits, which can be brought to compel municipalities to meet affordable housing needs. The result of a builder's remedy suit is often a determination by the courts as to what type of development is appropriate and usually includes construction of market rate units.

While there have been 2 rounds of the COAH process since 1987, the City has not previously participated. The City's most immediate need in the past has been providing safe and decent housing for its indigenous population of low and moderate income residents. This has been achieved through rehabilitation of substandard units (often utilizing Regional Contribution monies from other municipalities in the Region), provision of public housing and a Section 8 program, both administered by the Long Branch Housing Authority, and through the construction of affordable housing by private developers, sometimes subsidized by public funds. The City has also made use of the Community Development Block Grant Program. As an entitlement jurisdiction, it receives funds on an annual basis, a portion of which has been used to address housing rehabilitation needs.

Long Branch is a city in the midst of revitalization. As the Beachfront and Broadway areas continue to redevelop with new residences, retail, office and arts spaces, the City's focus will be on providing additional opportunities for housing affordable to low and moderate income residents and providing safe and decent housing for all. The City will continue its housing rehabilitation program and strive to reduce its COAH identified rehabilitation share of 322 units, but is requesting a waiver from COAH in accordance with 5:97-6.2(g). While Long Branch has rehabilitated hundreds of units in the past, much of that was undertaken with Regional Contribution Agreement (RCA) funds and is not eligible for credit in the Fair Share Plan. In addition, the City will continue to assess redevelopment projects and seek to

provide increased opportunity to include affordable housing in new developments. The City will also move forward with a development fee ordinance, a draft of which is included in the Appendix of this plan, in order to fund additional rehabilitation activities.

The Long Branch Housing Authority will continue to play a vital role in providing low and moderate income housing through its public housing projects and Section 8 program. The Authority, like many public housing agencies around the nation, is renewing its housing stock with federal HOPE VI funds, demolishing older public housing projects and replacing them with new units. Often new projects include fewer units, but offer a variety of products, including more family friendly single-family and duplex units.

While the City's growth share obligation is 675 units, Long Branch has never completed the process of documenting existing low and moderate income housing units that may be eligible for credit. Based on public housing administered by the Long Branch Housing Authority as well as those privately developed low and moderate income units developed in the past 10-15 years, there should be little difficulty in documenting appropriate credits. This information is presented in the Fair Share Plan and documented in the Appendix.

PLAN REQUIREMENTS

Pursuant to Section 10 of P.L. 1985, C. 222 (C:52:27D-310) a Housing Element must contain at least the following:

- a. An inventory of the municipality'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;
- b. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next ten (10) years, taking into account, but not necessarily limited to, construction permits issued, 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 of low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low and moderate income housing;
- f. A consideration of the lands 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, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing;

In addition to the requirements of the Municipal Land Use Law and Section 10 of P.L. 1985, C. 222 (C:52:27D-310), N.J.A.C. 5:97-2.3 requires that the Housing Element include the following:

1. The household projection for the municipality as provided in Appendix F;
2. The employment projection for the municipality as provided in Appendix F;
3. The municipality's prior round obligation (from Appendix C);
4. The municipality's rehabilitation share (from Appendix B);

5. The projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4; and
6. An inventory of all non-residential space by use group that was fully vacant as of the date of petition, to the extent feasible.

Supporting information to be submitted to COAH shall include:

1. A copy of the most recently adopted municipal zoning ordinance, and
2. A copy of the most up-to-date tax maps of the municipality, electronic if available, with legible dimensions.

II. CITY PROFILE

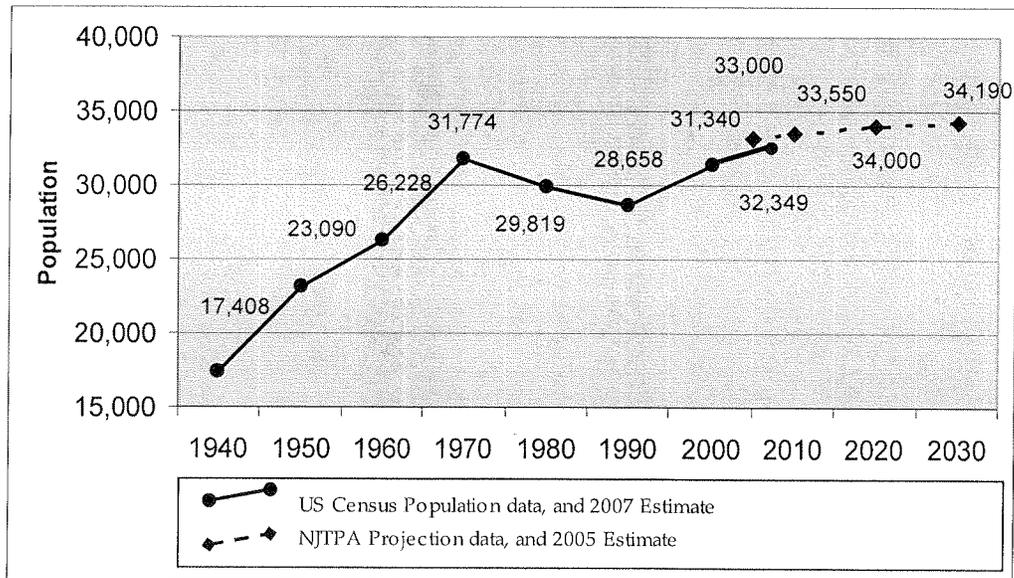
The following chapter describes the demographics, housing stock, employment characteristics, and housing conditions in Long Branch. Topics such as population, age, value of housing, housing types, resident employment and occupation will be comparatively discussed using the 1990 and 2000 decennial census data. Where appropriate, characteristics of the City will be compared to those of Monmouth County and the state to offer context to the figures presented.

DEMOGRAPHICS

Population Trends

The 2000 Census recorded a total population of 31,340 persons in Long Branch. This reflects an increase of 2,682 persons since the 1990 Census, the first population increase since 1970 when the City's population peaked at 31,774. The 2007 Census Estimate reported a population of 32,349 – an increase of 3.2%. The North Jersey Transportation Authority (NJTPA) 2005 estimate of 33,000 is slightly higher than the census estimate and in line with the Monmouth County Planning Board 2008 estimate of 33,504. Recent counts obtained by the City's Community Development Department estimate the population to be 34,200, excluding the estimated 5,000 undocumented residents plus the additional swelling population during the summer months, totaling over 40,000. For purposes of this Plan, however, the Census numbers are used.

Figure II-1
Population Growth, Long Branch City 1940 to 2030



Both the Monmouth County Planning Board (MCPB) and The North Jersey Transportation Planning Authority (NJTPA) project continued growth for the City. The MCPB projects the City's population to reach 34,106 by the year 2025 while the NJTPA projects a population of 34,190 residents by 2030. The NJTPA projection would represent a 9 percent increase from the 2000 Census figure, and would represent the largest number of people within Long Branch in the last 90 years (see Figure II-1).

Household Size

As illustrated in Table II-1, Long Branch's average household size in 2000 was 2.47, less than both the County and state average household sizes for the same year. While average household size increased for all household types, there was a slight decrease in average household sizes for owner occupied homes and a slight increase for renter occupied units.

Table II-1
Comparative Average Household Size, 1990 & 2000

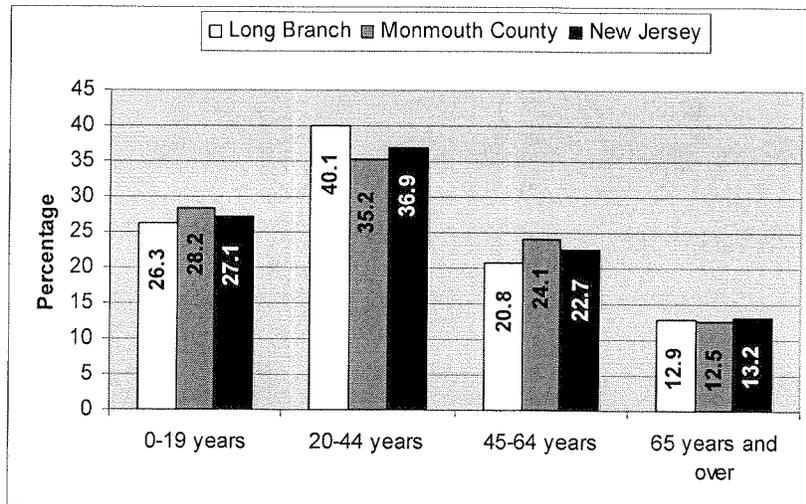
Average Household Size	Long Branch		Monmouth County	NJ
	1990	2000	2000	2000
All Households	2.44	2.47	2.7	2.68
Owner-occupied dwellings	2.69	2.61	2.87	2.81
Renter-occupied dwellings	2.25	2.37	2.21	2.43

Source: US Census

Age

In 2000, Long Branch had a lower percentage of residents under age 20 and between 45 and 64 years old than both the County and State; had a higher percentage of residents between 20 and 44 years old than both the County and State; and had about the same percentage of residents over 65 years old as the County and State (see Figure II-2).

Figure II-2
Comparative Age Groups, Long Branch, 2000



Source: US Census Bureau

From 1990 to 2000, there was a slight increase (1.4%) in the 0-19 year cohort and a 2.5% decrease in the 65 plus age cohort (see Figure II-3) as a percentage of the total Long Branch population. The school-aged cohort, 5 to 19 years old, increased its share of the total population from 17.7% in 1990

to 19.3% in 2000. Although this was not a significant increase in terms of the cohort's share of the total population, the cohort itself grew by 19%; or 975 potential students (see Figure II-4).

Figure II-3
Comparative Age Groups for Long Branch, 1990 & 2000

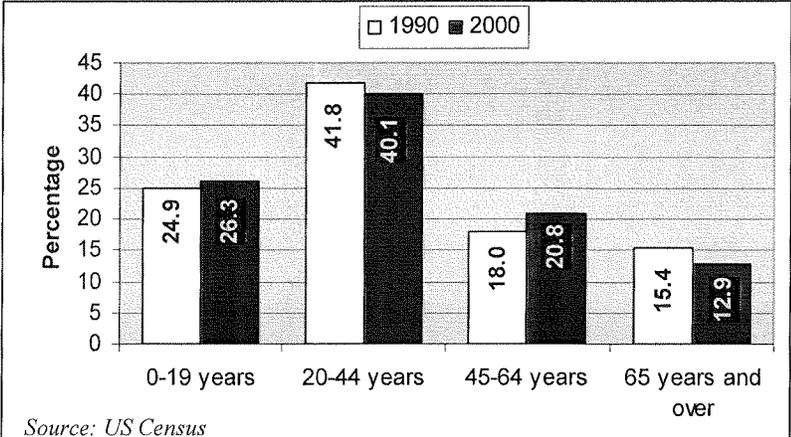
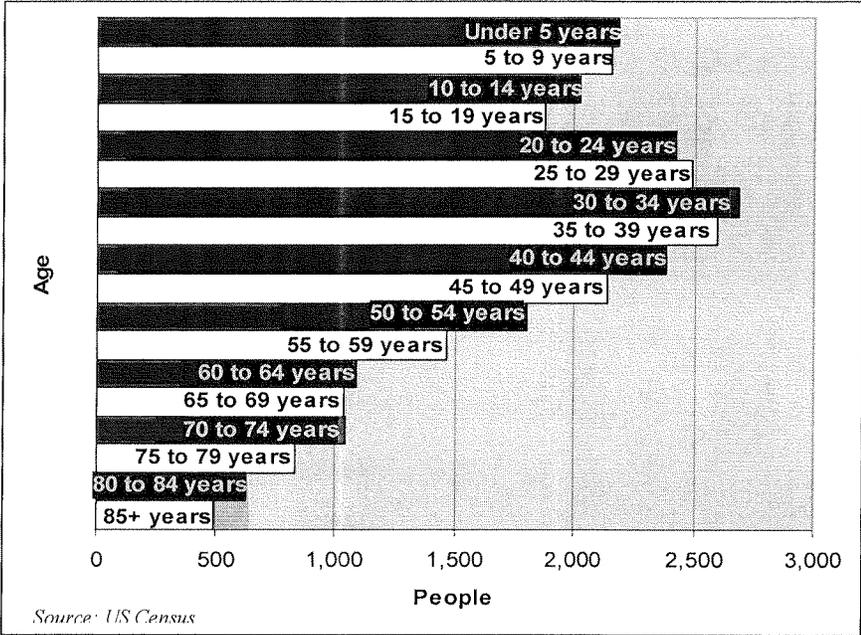


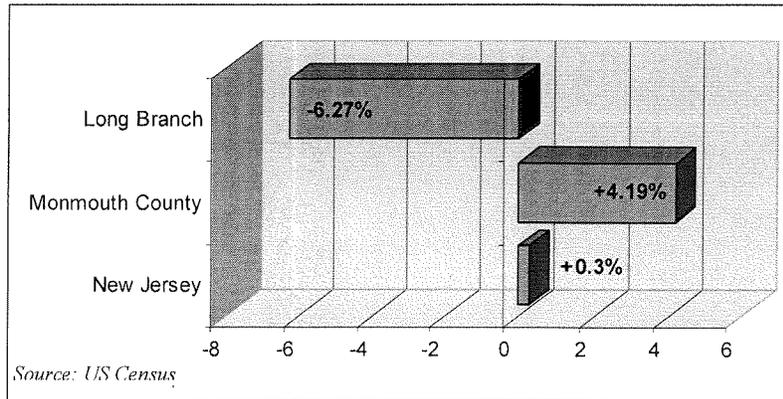
Figure II-4
Long Branch Age Distribution, 2000



Income Level

In Long Branch, the median household income decreased 6.27 percent, from \$41,063 in 1989 to \$38,641 in 1999, while the County and the State saw increases of 4.19 and 0.3 percent, respectively (see Table II-2, on the following page).

Table II-2
Change in household Income, Long Branch, 1989 and 1999



As shown on Table II-3, one-quarter of the block groups in the study area fell within the \$50,000 to \$59,000 range for median household income. The second highest income range was \$30,000 to \$39,999. Only 9.4% of block groups had median household incomes of \$60,000 or more; and 28% were less than \$29,999.

Table II-3
Median Household Income Range
Long Branch Block Groups, 1999

Median Household Income	% of Block Groups
\$10,000 to \$19,999	12.5
\$20,000 to \$29,999	15.6
\$30,000 to \$39,999	21.9
\$40,000 to \$49,999	15.6
\$50,000 to \$59,999	25.0
\$60,000 to \$69,999	6.3
\$70,000 to \$79,999	3.1

Source: US Census 2000

Employment Status of Residents

In 2000, the majority of Long Branch residents worked in either management and professional jobs (28.6%) or sales and office jobs (28.2%). Twenty percent of residents worked in service occupations, 12.1% in production, transportation, and material moving, and 10.5% in construction, extraction, and maintenance (See Figure II-5).

In 2000, Management, Professional and Related Occupations were also the top occupations countywide and statewide. Examples of management, professional and related occupations include financial and computer professions, architects and engineers, legal occupations, and healthcare practitioners. Sales and Office occupations ranked as the second highest occupation in County and the State (See Table II-4). Examples of sales and office occupations include consulting, and administrative support occupations.

Figure II-5
Employed Labor Force by Occupation, Long Branch, 2000

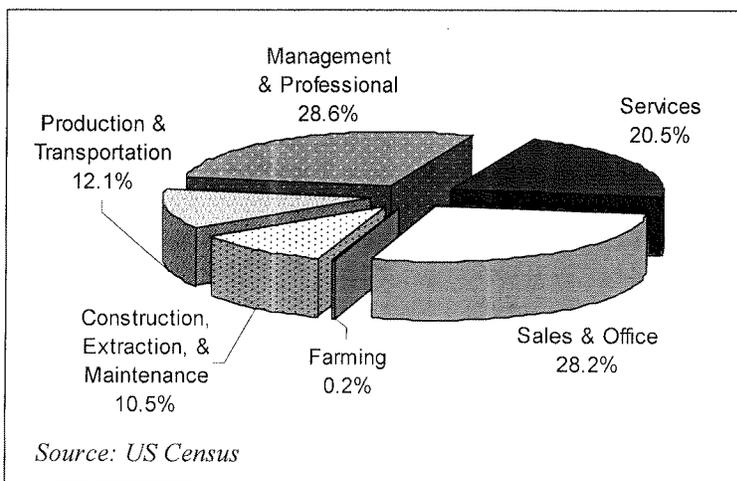


Table II-4
Resident Occupation, 2000
(Expressed as % of Employed Civilian Population 16+)

Jurisdiction	Management & professional	Service	Sales & office	Farming, Fishing, Forestry	Construction, Extraction, Maintenance	Production & Transportation
Long Branch	28.6	20.5	28.2	0.1	10.5	12.1
Monmouth County	41.8	12.4	29.4	0.3	7.7	8.4
New Jersey	38.0	13.6	28.5	0.1	7.8	12.0

Source: US Census

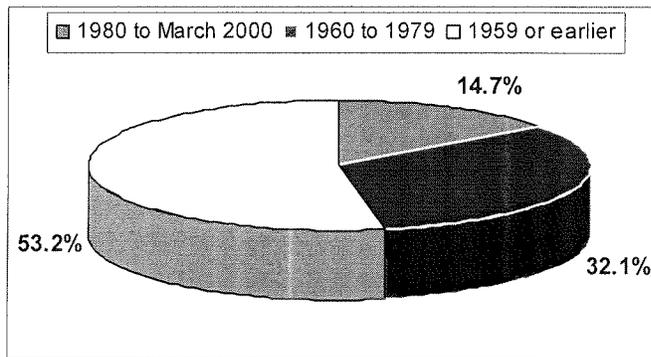
HOUSING STOCK

The following section provides a detailed summary of the housing stock in Long Branch, including year built, housing quality indicators, occupancy status, tenure, vacancy, type, value, and rents.

Age of Housing

As illustrated in Figure II-6 on the following page, just over half of the housing stock in Long Branch was constructed in 1959 or earlier, and over 80% was constructed prior to 1980, a pattern typical of post-war suburbs in the United States. A limited amount (5.5%) of housing was built between 1990 and 2000. Table II-5 details the age composition of housing in Long Branch, where the median year of construction is 1958.

**Figure II-6
Age of Housing Stock, Long Branch, 2000**



Source: US Census Bureau

**Table II-5
Year Structure Built, Long Branch, 2000**

	Housing Units	Percent
1999 to March 2000	131	0.9
1995 to 1998	247	1.8
1990 to 1994	392	2.8
1980 to 1989	1,290	9.2
1970 to 1979	1,980	14.2
1960 to 1969	2,507	17.9
1950 to 1959	2,158	15.4
1940 to 1949	1,639	11.7
1939 or earlier	3,639	26.0
Total	13,983	100

Source: US Census

Number of Housing Units and Occupancy Rates

Between 1990 and 2000, Long Branch's inventory of occupied housing units grew by 1,050 dwellings, reflecting a drop in housing vacancy rates and a gain of 351 total housing units during the same time period. The 2000 vacancy rates were 1.3% for owner-occupied units and 3.6% for rental units. Units that were vacant for seasonal, recreational or occasional use accounted for 50.6% of vacant housing units in 2000 (See Table II-7 below).

Table II-7
Housing Occupancy, Long Branch, 1990 & 2000

Long Branch Housing	1990	2000	Difference
Total housing units	13,632	13,983	+351
Occupied housing units	11,544	12,594	+1,050
Vacant housing units	2,088	1,389	- 699
<i>Seasonal, recreational, or occasional use</i>	569	703	+ 134
Total vacancy rate	15.3%	9.9%	-5.4
Homeowner vacancy rate	7.8%	1.3%	-6.5
Rental vacancy rate	10.1%	3.6%	-6.5

Source: US Census

Number of Units in Structure

In 2000, there were a total of 13,983 housing units in Long Branch. Of those total housing units, 38 percent were owner-occupied, 52 percent were rental units, and the remaining 10 percent were vacant. While the majority of the City's housing units were single family attached (34.9%), multi-family units with 50 or more units in the structure comprised nearly 15 percent of all units. Table II-8 details the number of units in structure by tenure (owner or renter occupied).

Table II-8
Housing Units by Number of Units in Structure and Tenure, City of Long Branch, 2000

Number of Units	Owner-Occupied	Rental	Vacant	Total	Percent
Total	5,343	7,251	1,389	13,983	
1, detached	3,563	990	333	4,886	34.9%
1, attached	537	294	41	872	6.2%
2	400	963	126	1,489	10.6%
3 or 4	163	1,153	142	1,458	10.4%
5 to 9	49	804	42	895	6.4%
10 to 19	62	942	60	1,064	7.6%
20 to 49	217	900	139	1,256	9.0%
50 or more	345	1,205	493	2,043	14.6%
Mobile home	7	0	0	7	0.1%
Boat, RV, van, etc.	0	0	13	13	0.1%

NOTES: Percentages have been rounded.
Source: US Census Bureau

Housing Value

The 2000 median housing value in Long Branch was \$138,800 versus \$135,600 in 1990. While housing prices have significantly increased since 1990, the greatest percentage of owner-occupied units by housing value was in the \$100,000 to \$149,999 range, (3,814 units), which accounts for a lower housing value (see Table II-9).

Table II-9
Housing Value, City of Long Branch, 2000

Total:	5,343	Percent
Less than \$50,000	68	1.3%
\$50,000 to \$99,999	954	17.9%
\$100,000 to \$149,999	2,112	39.5%
\$150,000 to \$199,999	1,054	19.7%
\$200,000 to \$299,999	669	12.5%
\$300,000 to \$499,999	400	7.5%
\$500,000 to \$999,999	45	0.8%
\$1,000,000 or more	41	0.8%
Median Value : \$138,800		

NOTES: The US Census defines "total number of owner-occupied housing units" as either a one family home detached from any other house or a one family house attached to one or more houses on less than 10 acres with no business on the property.

Source: US Census Bureau

Contract Rents

In 2000, the median contract rent for rental units was \$670, with over 67 percent of renters paying between \$500 to \$999 monthly. Just over 20 percent of renters paid less than \$500 a month on contract rent (see Table II-10).

Table II-10
Contract Rents, Long Branch, 2000

Renter Occupied Units	Number	Percent
Less than \$250	820	11.3%
\$250 to \$499	708	9.8%
\$500 to \$749	3,091	42.6%
\$750 to \$999	1,818	25.1%
\$1,000 or more	673	9.3%
No Cash Rent	141	1.9%
Total	7,251	100
Median Contract Rent \$670		

NOTES: Percentages have been rounded.
Source: US Census Bureau

Quality Indicators

Housing quality is generally evaluated by several indicators, as follows:

- **Age.** Units built in 1949 or earlier are considered to have a significant age factor.
- **Overcrowding.** Units containing more than 1.0 persons per room are considered to be overcrowded.
- **Plumbing facilities.** Units lacking complete plumbing for exclusive use are considered deficient.
- **Kitchen facilities.** Units lacking a sink with piped water, a stove and a refrigerator are considered deficient.
- **Heating facilities.** Units lacking central heat are considered deficient.

Year Structure Built

COAH's new methodology made one significant change in calculating the rehabilitation share; housing units built prior to 1949 that are overcrowded are now flagged as opposed to those built prior to 1939. In Long Branch, there are a total of 5,278 housing units (37.7%) that were built in 1949 or earlier. Of those, 308 are considered overcrowded.

Plumbing Facilities

According to the 2000 Census, there were 95 housing units in the City that lack complete plumbing facilities. In order to be considered as having “complete plumbing facilities”, housing units must have: (1) hot and cold piped water, (2) a flush toilet, and (3) a bathtub or shower. While all three facilities must be within the housing unit, they don’t necessarily have to be in the same room.

Kitchen Facilities

According to the 2000 Census, there were 81 housing units in the City that lack complete kitchen facilities. In order to be considered “complete kitchen facilities”, housing units must have: (1) a sink with piped water; (2) a range, or cook top and oven; and (3) a refrigerator. It should be noted that a housing unit with only portable equipment (microwave, hot plate or camp stove) should not be considered as having complete kitchen facilities. While all three facilities must be within the housing unit, they don’t necessarily have to be in the same room.

Heating Fuel

According to the 2000 Census, there were 33 housing units that used either wood (6 units) or no fuel (27). These units can be considered deficient.

In determining the rehabilitation share, COAH summarizes overcrowded units built prior to 1949 (308), units lacking complete plumbing facilities (95) and units lacking complete kitchen facilities (81) for a total of 484 units. The result is then multiplied by the percentage of dilapidated units that are likely occupied by low and moderate income families in Region 4, which is 0.665. This determines the overall rehabilitation share for Long Branch, which is 322 units.

EMPLOYMENT

The following section discusses the labor force of Long Branch.

Employment

According to the 2006 US Population Estimate, about 50% (16,156) of Long Branch’s population was in the labor force. According to the NJ Department of Labor, the average unemployment rate was 5.2%. This was a 3.6% improvement over the 1996 unemployment rate of 8.8%. In Monmouth County, the unemployment rate also decreased between 1996 and 2006, dropping from 5.3% to 4.1%. During the same period, unemployment dropped statewide from 6.2 to 4.6. (See Table II-11 on following page)

Table II-11
Annual Average Labor Force Estimates, 1996 & 2006

	Long Branch		Monmouth County		New Jersey	
	1996	2006	1996	2006	1996	2006
Labor Force	16,085	16,156	309,831	332,931	4,199,300	4,518,000
Employment	14,676	15,316	293,483	319,313	3,939,200	4,309,000
Unemployment	1,409	840	16,348	13,618	260,100	209,000
Unemployment Rate	8.8%	5.2%	5.3%	4.1%	6.2%	4.6%

Source: New Jersey Department of Labor

Employment by Industry

The industry groups discussed here represent the places Long Branch residents work, regardless of location, and may or may not be located in Long Branch, the County or the State. The top three employers of Long Branch residents were identical to the County's. In the year 2000, the top three industry groups were: educational, health and social service industries; professional, scientific, management, administration, and waste management industries; and retail trade (see Table II-12). Similarly, residents in the surrounding region were also largely employed by the educational, health and social service industries. (See Table II-12 on following page).

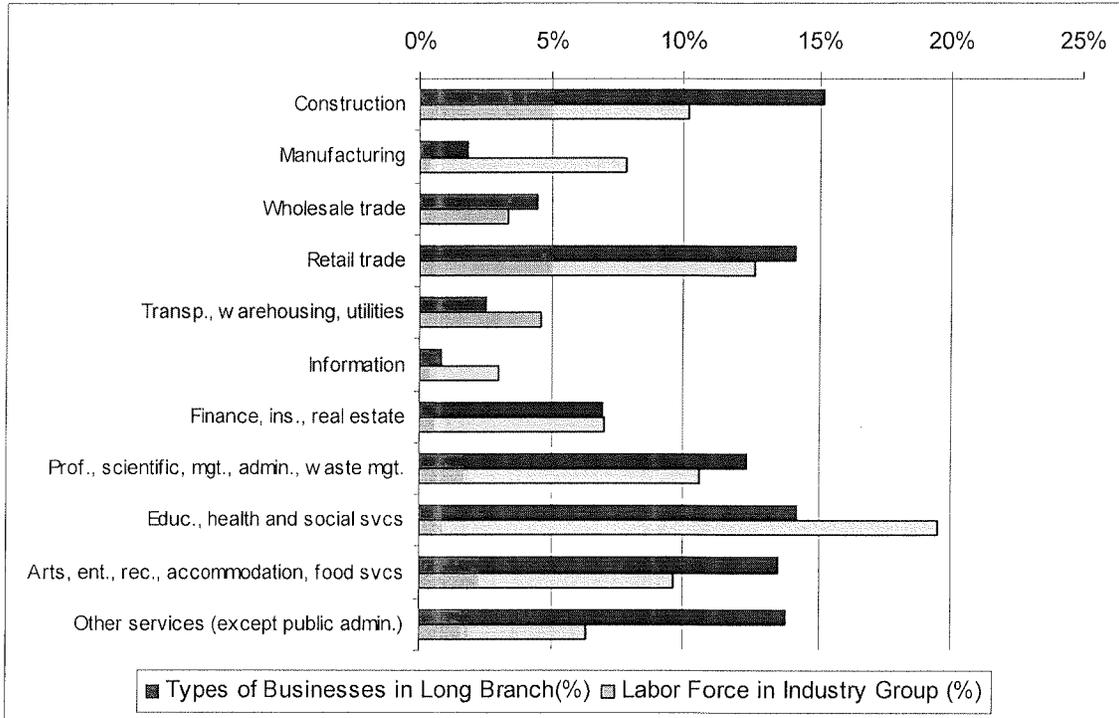
Table II-12
Employment By Industry Group
(Expressed as % of all resident workers)

Industry Group	LONG BRANCH	Monmouth County
Agriculture, forestry, fishing and hunting, and mining	0.2	0.4
Construction	10.2	6.5
Manufacturing	7.8	8.3
Wholesale trade	3.3	3.8
Retail trade	12.6	12.0
Transportation, warehousing, utilities	4.6	5.4
Information	3.0	5.2
Finance, insurance, real estate, and rental and leasing	7.0	11.0
Professional, scientific, management, administration, waste management	10.6	12.2
Educational, health and social services	19.5	19.5
Arts, entertainment, recreation, accommodation, food services	9.6	6.4
Other services (except public administration)	6.3	4.1
Public administration	5.3	5.4
TOTAL	100	100

Source: US Census

Figure II-7 presents a comparison between the types of businesses that are located in Long Branch and the industry groups that the City's labor force is employed in – an approximate match of the labor pool to the types of jobs found within the City. Of the top industries in the City, only the Education, Health, and Social Services labor force represented a larger pool of workers compared to the total number of local establishments. In the Finance, Insurance, and Real Estate industry, there was a fair representation of business establishments versus the pool of workers.

Figure II-7
Employment by Industry Group
(Expressed as % of all resident workers)



Employment Projections

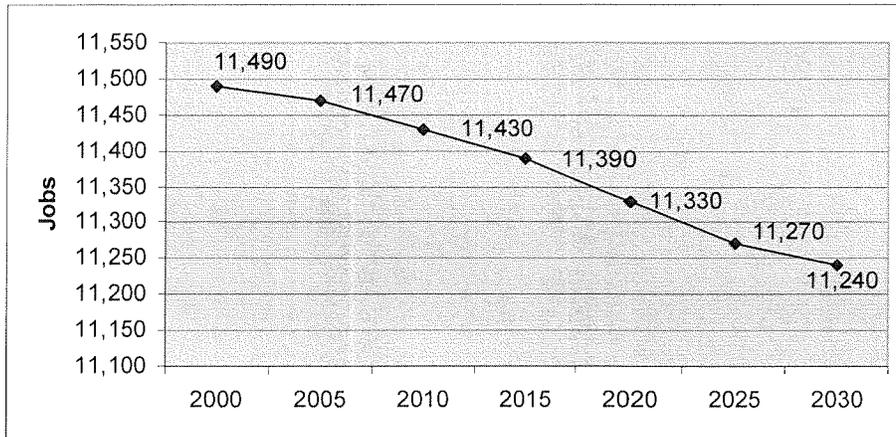
The North Jersey Transportation Planning Authority (NJTPA) forecasts continued job reduction for the City versus job growth for the County to the year 2030. Between 2000 and 2015, NJTPA forecast a growth rate of - 0.9% for the City and 13.8% for the County. Between 2015 and 2030, the gap narrows but the City is still forecast to lose jobs while the County continues to grow (See Table II-13 and Figure II-8). According to the 2006 Demographic and Economic Report: Updates, Estimates, and Projections, prepared by the Monmouth County Planning Board, the County projects that the City will reach a total of 10,122 jobs by the year 2025, slightly lower than the NJTPA projections.

Table II-13
Employment Projections

	2000	2005	2010	2015	Δ 00-15	2020	2025	2030	Δ 15- 30
Long Branch	11,490	11,470	11,430	11,390	-0.9%	11,330	11,270	11,240	-1.3%
Monmouth County	252,200	259,900	273,000	287,000	+13.8%	308,400	330,500	342,600	+1.9%

Source: Final NJTPA (March, 2005)

Figure II-8
NJTPA Employment Projections, Long Branch

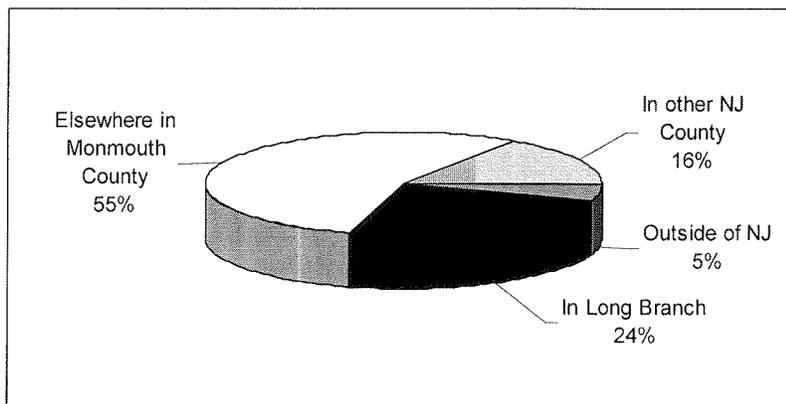


Source: Final NJTPA (March 18, 2005)

Job Location

In 2000, over three quarters (79%) of Long Branch residents worked within Monmouth County, with almost one quarter (24%) working in Long Branch (see Figure II-9.). Only 5% of workers commuted to a job outside of the State. Sixteen percent of Long Branch residents worked in a New Jersey County other than Monmouth.

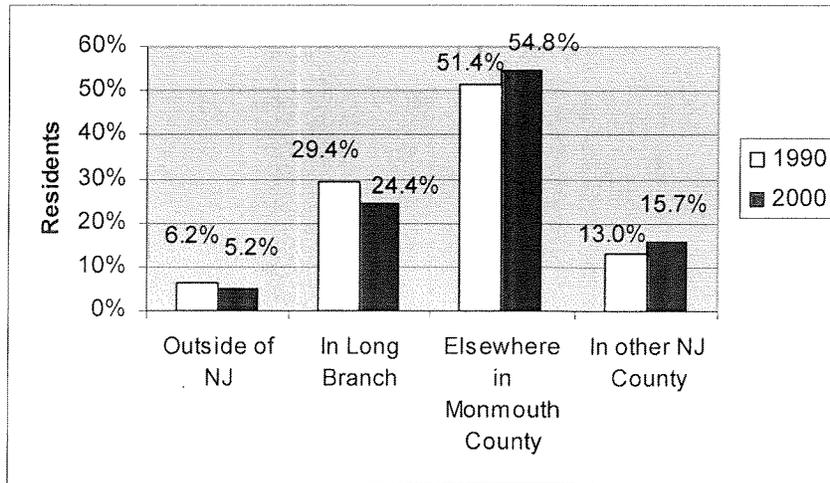
Figure II-9
Job Location, 2000



Source: US Census

From 1990 to 2000, the percentage of residents that worked in Long Branch declined by 5%, which was matched by an increase of 6% in residents that worked elsewhere in New Jersey. The number of residents working outside of NJ declined by 1% between 1990 and 2000. (See Figure II-10)

Figure II-10
Job Location 1990 and 2000



Source: US Census

EXISTING CONDITIONS

Infrastructure

Potable Water

Long Branch receives its potable water from the New Jersey American Water Company Monmouth System. Potable water for the Monmouth System comes from a blend of sources that may include the Potomac-Raritan-Magothy Aquifer, the Glendola Reservoir, the Manasquan River/Reservoir, the Shark River, the Swimming River/Reservoir, middle Potomac-Raritan-Magothy Aquifer, and Jumping Brook.

Wastewater Treatment

The following information is taken from the Long Branch Sewerage Authority web site.

The Long Branch Sewerage Authority (LBSA) operates an activated sludge wastewater treatment facility with a permitted design flow of 5.4 million gallons per day of discharged treated wastewater effluent. The effluent is discharged into the Atlantic Ocean, which is designated as SC (Saline Coastal) Waters in New Jersey.

The LBSA currently serves a population of approximately 31,000 people in Long Branch and at Monmouth University in neighboring West Long Branch. The collection system consists of approximately 500,000 linear feet of sewerage lines and six pump stations. The collection system has seen significant upgrades over the past few years, culminating with the Phase II Sewer Rehabilitation Project that was completed in 2003 and a \$12 million sewer line replacement project was completed in 2006. The treatment plant consists of various treatment trains, many that have also seen significant upgrades over the past few years.

Existing Land Use

The inventory of existing land use is based on Monmouth County GIS parcel data, MOD IV data, City records and field adjustments. Table II-14 below shows the distribution of each land use category by parcel acreage and as a percentage of the City as a whole (excluding public streets and rights-of-way). The most prevalent land use category is residential (single, two, and multi-family) accounting for 68% of the City's total parcel acreage. Other than public vacant land and a small parcel of farmland, industrial uses cover the least amount of acres; 21 acres or less than 1% of the City.

**Table II-14
2008 Existing Land Use**

Land Use Category	Parcel Acres*	% of Total Acres
Residential	1,496.48	54.4
Multi-Family	380.27	13.8
Commercial	208.01	7.6
Farmland	5.53	0.2
Industrial/Utilities	21.68	0.8
Railroad	45.39	1.6
Public School	100.72	3.7
Public Buildings/Facilities	27.40	1.0
Institutional, Church & Charitable	100.75	3.7
Parks and Public Open Space	242.54	8.8
Public Vacant Land	18.00	0.6
Private Vacant land	102.95	3.8
Total	2,749.71	100.0

Source: MOD IV tax records and field adjustments

* Parcel acres do not include streets and public rights-of-way.

Zoning Comparison

There are 25 zoning districts in Long Branch including six redevelopment zones (see Table II-15 on the following page). In keeping with the predominant land use in the City, residential zones (R-1 through R-5) cover 71% of the City.

Table II-15
Zoning Districts

Zone	Acres*	% of Total
Residential	2,394.07	71.3
R-1 One-Family Residential	389.52	11.6
R-2 One-Family Residential	550.96	16.4
R-3 One-Family Residential	241.12	7.2
R-4 One-Family Residential	821.24	24.5
R-5 One-Four-Family/Townhouse	391.23	11.6
Mixed-Use	218.18	6.5
R-6 Townhouse/Professional Office	37.88	1.1
R-7 Riverfront Mix	109.36	3.3
R-8 Boulevard Mix	18.75	0.6
RC-1 Beachfront Mix	47.28	1.4
RC-2 Riverfront Residential/Commercial	4.90	0.1
Commercial	473.00	14.1
C-1 Central Commercial	27.73	0.8
C-2 Professional Office Related Services	20.39	0.6
C-3 Neighborhood Commercial	101.27	3.0
C-4 Resort Commercial	87.66	2.6
I Industrial	42.54	1.3
MB Manufacturing/Business	45.14	1.4
S-1 Professional Office	10.35	0.3
S-2 Oceanfront	103.06	3.1
M Medical/Hospital	34.86	1.0
Redevelopment Zones	271.60	8.1
BG Broadway Gateway	53.94	1.6
BN Beachfront North	37.55	1.1
BS Beachfront South	40.25	1.2
HC Hotel Campus	25.93	0.8
P/VC Pier Village Center	39.72	1.2
LBC Lower Broadway Corridor	74.21	2.2
Total	3,356.85	100.0

*Acres include streets and rights-of-way.

Environmental Features

Wetlands, endangered species habitats and 100 year flood hazard areas combined cover 586 acres or 18% of the City.

Wetlands

As mapped by the New Jersey Department of Environmental Protection (NJDEP), wetlands are fairly limited in Long Branch. It should be noted that NJDEP offers the following qualifications for their wetlands mapping:

Any wetland boundaries shown on these maps are approximate and are for guidance only. Therefore, these maps are not an accurate indication of whether DEP will classify an area as exceptional resource value wetland under the DEP's freshwater wetland rules. To obtain a determination of whether or where wetlands are located on a property and the resource value classification of a wetland, contact the DEP and apply for a letter of interpretation under the freshwater wetlands rules, N.J.A.C. 7:7A-3.

Threatened or Endangered Species Habitat

Threatened or endangered species habitats are identified by the NJDEP Landscape Project and ranked on a scale of 1 to 5. Rank 5 is assigned to areas containing one or more occurrences of at least one wildlife species listed as endangered or threatened on the Federal list of endangered and threatened species. Rank 4 is assigned to areas with one or more occurrences of at least one State endangered species. Rank 3 is assigned to areas containing one or more occurrences of at least one State threatened species. Rank 2 is assigned to areas containing one or more occurrences of species considered to be species of special concern. Rank 1 is assigned to areas that meet habitat-specific suitability requirements such as minimum size criteria.

Rank 4 and Rank 5 wildlife habitats in Long Branch are found along the oceanfront and along creeks and rivers. There are no Rank 1, 2 or 3 habitats identified in Long Branch.

NJDEP may, on a case by case basis, determine that an area documented as threatened or endangered wildlife habitat on the Landscape Project maps is no longer suitable as habitat. In such cases, the area will not be classified as endangered or threatened species habitat for regulatory purposes.

In May 2008, the City in cooperation with NJDEP's Endangered and Nongame Species Program and the US Department of the Interior Fish and Wildlife Service completed a Beach Management Plan. The plan offered the following analysis of the endangered or threatened species habitats in Long Branch.

Wildlife Species

Piping Plover (*Charadrius melodus*)

Piping Plovers are small, territorial shorebirds present on the New Jersey shore between March and August. One pair nested in the City in 2003 (in the beachfront area at Pier Village) since the species was first observed nesting in nearby Monmouth County beaches in 1997. This area is no longer suitable habitat. Piping Plovers are federally listed as threatened, State-listed as endangered, and protected by the Migratory Bird Treaty Act (MBTA).

Least Tern (*Sterna antillarum*)

Least terns are small, colonial-nesting sea birds, present on the New Jersey shore between April and September. A colony with a peak number of 128 adults was observed in the City in 2003 (in the beachfront area at Pier Village) since the species was observed nesting in nearby Monmouth County beaches in 1996. This area is no longer suitable habitat. Least Terns are State-listed as endangered and protected by the MBTA.

Plant Species

Seabeach Amaranth (*Amaranthus pumilus*)

Seabeach Amaranth is an annual plant, visible on New Jersey's Atlantic coastal beaches between May and November. Seabeach Amaranth is usually found growing in nearly pure sand. The species requires sparsely vegetated upper beach habitat that is not flooded during the growing season. Seeds are dispersed by wind and water, and are present on the beach year-round. Seabeach Amaranth populations in Long Branch have ranged from 1-24 plants since the species was first observed in the City in 2000. Seabeach Amaranth is federally listed as threatened and State-listed as endangered.

Seabeach Knotweed (*Polygonum glaucum*)

Seabeach Knotweed is an annual plant visible on the New Jersey shore between May and November. Most Seabeach Knotweed occurrences in New Jersey are on sandy beaches where the plants generally occur above the limit of the tide. One plant was documented in the City in 2007. No data was available for 2006. Eleven plants were documented in the City in 2005. From 2001 – 2004, the number of plants ranged from 3 – 10. Seabeach Knotweed is State-listed as endangered.

Flood Hazard Areas

The current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Long Branch is dated 1996, which reflects data from 1984. FEMA released a draft revised FIRM for Long Branch in November 2008. At the time of this report, the City was still reviewing the draft maps to ensure that updated road elevations and drainage improvements have been taken into account. Flood Hazard Areas in Long Branch are found along Branchport Creek, Manahasset Creek, Shrewsbury River, Takanasee Lake, and along the oceanfront. Applicable Flood Hazard Areas are as follows:

AE: An area inundated by 100 year flooding, for which Base Flood Elevations (BFE) have been determined.

VE: An area inundated by 100-year flooding with velocity hazard (wave action); Base flood elevations have been determined.

X500: An are inundated by 500-year flooding; an are inundated y 100-year flooding with average depths of less than one foot or with drainage areas less than one square mile; or an area protected by levees for 100-year flooding.

III. FAIR SHARE OBLIGATION

REGIONAL INCOME LIMITS AND PRICING

Regional income limits provide an initial basis for determining housing affordability. The 2009 income limits for Region 4 are provided on the following page. In addition to income, certain monthly costs must also be factored into the price of units offered for sale; tenants in rental units are offered a utility allowance. For owner occupied units, the initial purchase price is calculated so that the monthly carrying costs do not exceed 28 percent of the eligible monthly income for a household of a certain size. Included in carrying costs are principal and interest, real estate taxes, homeowners and private mortgage insurance and condominium or homeowners association fees. For rental units, monthly costs cannot exceed 30 percent of income for a household of a certain size. In addition, the Department of Housing and Urban Development (HUD) sets forth allowances for tenant furnished utilities.

COAH REQUIREMENTS

COAH's Substantive Rules and the Uniform Housing Affordability Controls (UHAC) set forth specific requirements for the provision of affordable housing units. At least 50 percent of the restricted units provided in an affordable housing development within each bedroom distribution must be available to low income persons, with the remainder available to moderate income persons. In addition, the following bedroom distribution is required for non age-restricted affordable housing developments:

- No more than 20 percent of the total number of affordable units shall be efficiency and 1 bedroom units
- At least 30 percent of the total number of affordable units shall be 2 bedroom units
- At least 20 percent of the total number of affordable units shall be 3 bedroom units
- The remainder shall be allocated at the developer's discretion

COAH - 2009 Regional Income Limits
Region 4

# persons	1	*1.5	2	*3	4	*4.5	5	6	7	8	Maximum Increase**		Regional Asset Limit
											Rent	Sales	
Median	\$61,774	\$66,187	\$70,599	\$79,424	\$88,249	\$91,779	\$95,309	\$102,369	\$109,429	\$116,489			
Moderate	\$49,419	\$52,949	\$56,479	\$63,539	\$70,599	\$73,423	\$76,247	\$81,895	\$87,543	\$93,191			
Low	\$30,887	\$33,093	\$35,300	\$39,712	\$44,125	\$45,889	\$47,654	\$51,184	\$54,714	\$58,244			\$165,998
Very Low	\$18,532	\$19,856	\$21,180	\$23,827	\$26,475	\$27,534	\$28,593	\$30,711	\$32,829	\$34,947			4.35%

* These columns are for calculating the pricing for one, two and three bedroom sale and rental units per N.J.A.C. 5:80-26.4(a)

** This column is used for calculating the pricing for resale and rent increases for units as per N.J.A.C. 5:97-9.3. However, low income tax credit developments may increase based on the low income tax credit regulations.

*** The Regional Asset Limit is used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3. Moderate income is between 80 and 50 percent of the median income. Low income is 50 percent or less of median income. Very low income is 30 percent of median income.

The following section details the City of Long Branch’s affordable housing obligation in accordance with COAH methodology for the following three categories: rehabilitation share, prior round obligation, and growth share obligation.

REHABILITATION SHARE

The rehabilitation share is the number of existing housing units in a municipality as of April 1, 2000 that are both deficient and occupied by households of low or moderate income. As indicated in N.J.A.C. 5:97-1 et seq., based upon amendments adopted October 20, 2008, the City’s rehabilitation share is 322 units. As an Urban Aid municipality, the City formally requests a waiver in accordance with 5:97-6.2(g) from the entire rehabilitation share of 322 units.

PRIOR ROUND OBLIGATION

Based upon amendments effective October 20, 2008, the prior round obligation for the City is zero (0) units.

GROWTH SHARE OBLIGATION

Actual Growth Share

The growth share obligation is initially calculated based on projections. The projections are based on New Jersey Department of Labor and Workforce Development county projections, which are allocated to the municipal level based on historical trends for each municipality and the extent to which each municipality approaches its physical growth capacity. The projections of household and employment growth are converted into projected growth share affordable housing obligations by applying a ratio of one (1) affordable unit among five (5) residential units projected, plus one (1) affordable unit for every sixteen (16) newly created jobs projected. Based on the household and employment projections for Long Branch indicated in the table prepared by COAH entitled “REHABILITATION SHARE, PRIOR ROUND OBLIGATION & GROWTH PROJECTIONS”, effective October 20, 2008, the City’s projected growth share obligation is 254 affordable units (see Table III-1 below). For reasons outlined in the sections that follow, this is not the obligation that will be planned for.

Table III-1
COAH 2004-2018 Projections and Growth Share Obligation for Long Branch

COAH 2004-2018 Projections	Ratio	Growth Share Obligation (in affordable units)
593 units	1 affordable unit among 5 residential units	119
2,164 jobs	1 affordable unit per 16 jobs	135
Total		254

Source: COAH’s table entitled “Rehabilitation Share, Prior Round Obligation & Growth Projections based on amendments to NJAC 5:97 adopted October 20, 2008.”

Actual Growth Share: Residential

As an alternative to the household and employment projections prepared by COAH, a municipality may rely on its own housing and employment growth projections, provided they exceed COAH's projections. Pursuant to N.J.A.C. 5:97-2.5(a), the City's actual residential growth share is measured based upon permanent market-rate residential Certificates of Occupancy (CO's) issued between January 1, 2004 and December 31, 2018. The table below indicates CO's issued from January 1, 2004 through February 29, 2009. Note that the 1,341 CO's issued during this period is greater than COAH's projected number of total new units for the entire period of 2004-2018.

Table III-2
Actual Residential Growth 2004-Present for Long Branch

Year	CO's Issued
2004	310
2005	460
2006	100
2007	238
2008	224
2009 (through February)	9
Total	1,341

Source: US Census Bureau (2004-2009)

COAH's Substantive Rules, 5:97-2.4(a)1i, allows for the subtraction of affordable housing units which have been or are projected to be constructed after January 1, 2004 and received credit in a certified first or second round plan. While the City itself did not have a first or second round certified plan, it did receive Regional Contribution Agreement (RCA) monies from a number of municipalities and construct or rehabilitate units that received credit in the certified plans of those communities. Many of these units were issued Certificates of Occupancy after January 1, 2004. Table III-3, below, identifies these units.

Table III-3
Units Issued CO's after January 1, 2004
Contained in Other Certified Plans

Transferring Municipality	New Units
Colts Neck	32
Barnegat	38
Total	70

Source: City of Long Branch Community Development Department

Table III-4, on the following page, outlines the City's growth share obligation resulting from actual residential development, after exclusions.

Table III-4
Actual Residential Growth Share Obligation for Long Branch

Actual Residential Growth (CO's)	Minus	Exclusions	Total	Growth Share ¹
1,341	-	70	1,271	318

NOTE: ¹ Residential Growth Share is calculated by dividing actual growth by 4.

Actual Growth Share: Non-Residential

Pursuant to N.J.A.C. 5:97-2.5(b), the City's actual non-residential growth share is measured based upon the square footage of non-residential development issued CO's between January 1, 2004 and December 31, 2018, converted to jobs based on the use group ratios provided in N.J.A.C. 5:97-1 et seq. Appendix D. Table III-5, below, details an estimate of the number of jobs created during that time period.

Table III-5
Actual Non-Residential Growth in Square Feet
2004-Present for Long Branch

Year	Office	Retail	A-1	A-3	Industrial	Storage	
2008	0	0	0	0	0	0	
2007	928	0	0	16,000	0	6,520	
2006	0	0	2,700	3,199	416	17,054	
2005	0	9,000	0	2,156	0	1,200	
2004	3,116	0	0	7,789	0	0	
Total s.f.	4,044	9,000	2,700	29,144	416	24,774	
jobs /1,000 s.f.	2.8	1.7	1.6	1.6	1.2	1.0	
Total jobs	11.3	15.3	4.3	46.6	0.5	24.8	102.8
Total aff. Units	0.708	0.956	0.270	2.914	0.031	1.548	6.428

*Source: NJ Construction Reporter (2004-2006);
Township Construction Official (2007 to present)*

Table III-6 indicates the non-residential growth share obligation generated from actual growth for the City:

Table III-6
Actual Non-Residential Growth Share Obligation for Long Branch

Actual Non-Residential Growth (jobs)	Minus	Exclusions	Total	Growth Share
102.8	-	0	102.8	6

Projected Growth Share

The City of Long Branch has been very successful in its use of The Local Housing and Redevelopment Law to effectuate change for the better of residents. The City designated a significant area of the oceanfront and downtown as an area in need of redevelopment and adopted a comprehensive Redevelopment Plan, which addresses the various sectors of the Redevelopment Area. While most of the redevelopment sectors have been associated with the oceanfront area, the Redevelopment Plan contemplates additional development in other sectors, including the Broadway Gateway sector (a bridge between the oceanfront and downtown), and the Lower Broadway Corridor. A number of redevelopment projects that include both residential and nonresidential components have, and to a lesser extent will continue to, contribute to the City’s overall growth between the period January 1, 2004 through 2018. In establishing projected growth share, it is also assumed that residential development will continue outside of formally designated redevelopment areas, albeit on a somewhat limited basis. The following sections document the City’s projected growth share.

Projected Growth Share: Residential

There are nine (9) redevelopment projects anticipated to include new residential units, both for sale and for rent. Table III-7 on the following page documents the total number of units associated with each area, disaggregated by phase, where appropriate.

Additionally, based on a study prepared in conjunction with update of the City’s Master Plan, the number of additional residential units that could be built in areas not within formally designated redevelopment areas could total 254 units. For purposes of projecting future growth share, it is assumed that 10% or 26 units will be issued CO’s by the year 2018.

Therefore, the total projected residential growth share is 1,048 units. Based on required growth share ratios, the total number of affordable housing units required is 210.

Table III-7
Projected Residential Growth in Units (2009 to 2018)

Project	For Sale	Rentals
Pier Village 2		223
Pier Village 3	50	221
Broadway Arts Center		69
PAX		22
Broadway Gateway South	109	
Hotel Campus - Phase I	24	
Hotel Campus - Phase II	28	
Hotel Campus - Phase III		
Hotel Campus - Phase IV	85	
Broadway Gateway North - Phase I	74	
Broadway Gateway North - Phase II	43	
Beachfront North 2	24	
Beachfront South	50	
Additional Units Outside Redevelopment	26	
Totals	513	535
Total Units	1,048	

Projected Growth Share: Nonresidential

Each of the nine (9) anticipated redevelopment projects also contemplates additional nonresidential development that will include retail, office and entertainment space as well as college dormitories and hotel rooms. Table III-8 on the following page documents the total square footage of nonresidential uses anticipated by type.

Table III-8
Projected Nonresidential Growth in Square Feet (2009-2018)

Project	Retail	Office	Theatre/ Assembly (A1/A3)	Hotel	Entertainment /Dining (A2)
Pier Village 2	4,000				
Pier Village 3	12,500			68,241	
Broadway Arts Center	38,015	23,000	19,870		
PAX	21,191	2,748			
Broadway Gateway South	91,300	83,900			
Hotel Campus – Phase I	21,042				
Hotel Campus – Phase II	7,792			116,086	
Hotel Campus – Phase III	75,031	51,860			
Hotel Campus – Phase IV	21,489				
Broadway Gateway North – Phase I	187,935	104,520	35,845		
Broadway Gateway North – Phase II	52,260	43,550			
Beachfront North 2					
Millennium Pier	500		17,000		26,000
Totals	533,055	309,578	72,715	184,327	26,000

Table III-9, below, applies growth share requirements per Appendix D of COAH's Substantive Rules and details the resulting number of affordable housing units required.

Table III-9
Projected Affordable Units Required – Nonresidential Growth Share (2009 to 2018)

Type/UCC Use Group	Total Square Feet	Square Feet Generating 1 Affordable Unit	Total Affordable Units Required
Retail (Use Group M)	533,055	9,412	56.6
Office (Use Group B)	309,578	5,714	54.1
Theatre (Use Group A-1/A-3)	72,715	10,000	7.8
Hotel (Use Group R-1)	184,327	9,412	19.6
Entertainment/Dining (Use Group A-2)	26,000	9,412	2.8
Total Affordable Units Required		141	

Total Projected Growth Share Obligation

The total projected growth share covering the period of 2009 to 2018 is detailed in Table III-10 below.

Table III-10
Total Projected Growth Share Obligation for Long Branch

Projected Residential Growth Share	Plus	Projected Non-Residential Growth Share	Total Projected Growth Share
210	+	141	351

Total Growth Share Obligation

The actual and projected residential growth share is added to the actual and projected non-residential growth share to determine the City's total growth share obligation. Table III-11, on the following page, indicates Long Branch's total growth share obligation covering the period 2004-2018:

Table III-11
Total Growth Share Obligation for Long Branch

Actual and Projected Residential Growth Share	Plus	Actual and Projected Non-Residential Growth Share	Total Growth Share
528	+	147	675

Pursuant to N.J.A.C. 5:97-2.3(d), the City's total growth share obligation is 675 units. Since this number exceeds the household and employment projections provided by COAH, the City will plan to address 675 units.

COAH's substantive rules set forth minimum and maximum requirements for the Third Round obligation as follows:

- At least 25 percent of the total growth share obligation shall be rental housing, equal to 169 units.
- At least 50 percent of the growth share obligation shall be units shall be family units, equal to 338 units.
- At least 50 percent of the units addressing the fair share obligation shall be affordable to low income households, equal to 338 units.
- No more than 25 percent of the total growth share obligation may be met with age-restricted housing, equal to 169 units.
- At least 13% of the units shall be affordable to very low-income households, equal to 88 units.
- In no event shall a unit receive more than one type of bonus.
- The maximum total of all bonuses shall not exceed 25 percent of the growth share obligation, equal to 169 units.

VACANT LAND AND REDEVELOPMENT AREAS ANALYSIS

Assessment of Existing Vacant Land

Based on a build out study prepared in conjunction with update of the Master Plan, it has been determined that an additional 254 residential units could be constructed based on current zoning. This accounts for all lands that are outside of formally designated redevelopment areas. With respect to redevelopment areas, the projections that are presented in this Housing Element represent the sum of all future redevelopment in the City.

Based on credits identified in the Fair Share Plan, the availability of vacant land and land within redevelopment areas will not be a significant factor in the City meeting its affordable housing obligation. Nevertheless, the City will seek to adopt a growth share ordinance that will provide the possibility of some limited development through offering incentives for lot consolidation and development in these areas outside of the redevelopment areas.

IV. FAIR SHARE PLAN

The Fair Share Plan is the implementation plan for meeting Long Branch's projected Third Round affordable housing obligation. It represents the current strategy that Long Branch intends to implement, following COAH Certification, but it is also an amendable plan that may change as circumstances and developments unfold from now through 2018. Therefore, it will almost certainly require, not unlike other fair share plans throughout New Jersey, several amendments throughout its life.

In accordance with N.J.A.C. 5:97-3.2, a municipal Fair Share Plan shall include at least the following:

1. Descriptions of any credits intended to address any portion of the fair share obligation, which shall include all information and documentation required by N.J.A.C. 5:97-4 for each type of credit;
2. Descriptions of any adjustments to any portion of the fair share obligation, which shall include all information and documentation required by N.J.A.C. 5:97-5 for each adjustment sought;
3. Descriptions of any mechanisms intended to address the prior round obligation, the rehabilitation share, and the growth share obligation;
4. An implementation schedule that sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6, based on the following:
 - i. Documentation for mechanisms to address the prior round obligation, the rehabilitation share, and the growth share obligation up to the first plan review pursuant to N.J.A.C. 5:96-10 shall be submitted at the time of petition;
 - ii. Documentation for zoning for inclusionary development, an accessory apartment program, or a market to affordable program shall be submitted at the time of petition and implemented within 45 days of substantive certification;
 - iii. Documentation for the extension of expiring controls shall be submitted at the time of petition and implemented in accordance with an implementation schedule pursuant to (a)4iv below; and
 - iv. Documentation for all mechanisms not included in (a)4i through iii above shall be submitted according to an implementation schedule, but no later than two years prior to scheduled implementation of the mechanism, and shall consider the economic viability of the mechanisms and the actual growth share obligation that has or will occur as calculated pursuant to N.J.A.C. 5:97-2.5. Pursuant to N.J.A.C. 5:97-2.5(d), the municipality shall comply with the plan evaluation requirements and shall be subject to the enforcement remedies of N.J.A.C 5:96-10.4.
5. Notwithstanding (a)4iv above, a municipality with insufficient vacant land that 19 has been granted or is seeking a vacant land adjustment pursuant to N.J.A.C. 5:97-5.1 or a household and employment growth projection adjustment pursuant to N.J.A.C. 5:97-5.6 shall submit all information and documentation required by N.J.A.C. 5:97-6 at the time of petition, unless it meets the requirements of (a)5i and ii below, in which case it shall submit the required information and

documentation in accordance with an implementation schedule, but no later than two years prior to scheduled implementation of the mechanism, and shall consider the economic viability of the mechanisms and the actual growth share obligation that has or will occur as calculated pursuant to N.J.A.C. 5:97-2.5. Pursuant to N.J.A.C. 5:97-2.5(d), the municipality shall comply with the plan evaluation requirements and shall be subject to the enforcement remedies of N.J.A.C 5:96-10.4.

- i. The municipality demonstrates that the mechanism(s) does not rely upon the availability of vacant land (that is, redevelopment); or
- ii. The municipality takes appropriate measures to reserve scarce resources that may be essential to implement the mechanisms that rely on the availability of vacant land to address the growth share obligation.

6. Draft and/or adopted ordinances necessary for the implementation of the mechanisms designed to satisfy the fair share obligation;

7. A demonstration that existing zoning or planned changes in zoning provide adequate capacity to accommodate any proposed inclusionary developments pursuant to N.J.A.C. 5:97-6.4;

8. A demonstration of existing or planned water and sewer capacity sufficient to accommodate all proposed mechanisms; and

9. A spending plan pursuant to N.J.A.C. 5:97-8.10, if the municipality maintains or intends to establish an affordable housing trust fund pursuant to N.J.A.C. 5:97-8.

(b) The Fair Share Plan shall also include any other documentation pertaining to the review of the municipal Fair Share Plan as required by this chapter and N.J.A.C. 5:96 or requested by the Council.

MECHANISMS INTENDED TO ADDRESS THE FAIR SHARE OBLIGATION

A municipality's Fair Share Plan must address its (1) rehabilitation share, (2) prior round obligation, and (3) growth share obligation. COAH's regulations provide the means for a municipality to determine and address its new affordable housing obligation. Based on the previous chapter, the City's Third Round Obligation can be summarized as follows:

**Table IV-1
Third Round Affordable Housing Obligation for Long Branch City**

	Number of Units	
Rehabilitation Share	322	<i>(See Appendix B at N.J.A.C. 5:97. et seq.)</i>
Prior Round Obligation	0	<i>(See Appendix C at N.J.A.C. 5:97. et seq.)</i>
Projected Growth Share	351	<i>Source: City of Long Branch</i>
Actual Growth Share	324	<i>See Chapter III Fair Share Obligation</i>

REHABILITATION SHARE

Long Branch is in a unique position with respect to its rehabilitation share of 322 units. As outlined in the Housing Element, the rehabilitation share is largely determined by documenting the number of deficient units occupied by low and moderate income families based on 2000 Census data. Since that data was gathered, the City has rehabilitated hundreds of housing units within its borders, primarily using Regional Contribution Agreement (RCAs) funds from municipalities in the region including 75 units with funds from Colts Neck, 39 units with funds from Barnegat, 37 units with funds from West Windsor and 87 units with funds from Stafford. This totals 238 units, all rehabilitated since the 2000 Census data was collected. Thus, in actuality, the number of substandard units occupied by low and moderate income households was reduced by 238, bringing the remaining number of units in need of rehabilitation to 84.

COAH's substantive rules at 5:97-6.2(g) states the following:

"A municipality receiving State aid pursuant to P.L. 1978, c. 14 (N.J.S.A. 52:27D-178 et seq.) may seek a waiver from addressing its entire rehabilitation component in one 10-year period of substantive certification. A municipality seeking such a waiver shall demonstrate that it cannot rehabilitate the entire rehabilitation component in 10 years and/or that an extraordinary hardship exists, related to addressing the entire rehabilitation component in 10 years."

Beyond a likely reduction in the number of units in need of rehabilitation as discussed above, the City cannot reasonably be expected to rehabilitate in excess of 35 units per year for the next 9 years to meet the total rehabilitation share of 322 units. It is Long Branch's opinion that a hardship exists and that a waiver in accordance with COAH's substantive rules is appropriate. Notably, with the exception of some very limited Community Development Block Grant (CDBG) funds, effectively the entirety of funding for the rehabilitation program has been through RCAs. With the abolition of future RCAs pursuant to amendments to the Fair Housing Act, N.J.S.A. 52:27D-312(g), Long Branch will lose its primary funding source for its rehabilitation program.

While the City is seeking a waiver of the 322 unit rehabilitation share in its entirety, it will continue the existing housing rehabilitation program, albeit at a substantially lesser rate, administered through the Office of Community and Economic Development (OCED). As noted, in past years the program has relied almost exclusively on RCAs, supplemented with some limited CDBG funds, to support rehabilitation of between 30 and 50 units annually. With the elimination of RCA's, the City and the OCED will have to rely on recaptured program funds, fees obtained pursuant to this Fair Share Plan, as well as continued use of CDBG funds obtained through the City's entitlement status, to the extent available. The City is committed to continuing the rehabilitation program to upgrade low and moderate income housing by abating code violations. As detailed below, the City will also apply funds obtained through development fees or payments in lieu, to the extent any such funds are not otherwise committed to funding construction of affordable housing. It is anticipated that such funds may reasonably be sufficient to rehabilitate approximately 20 units per year, which could provide up to 200 rehabilitated units during the compliance period.

PRIOR ROUND OBLIGATION

The City's Prior Round Obligation as identified by COAH was zero (0) units.

GROWTH SHARE OBLIGATION

Table IV-2, below, details the projects that will satisfy the City's growth share obligation.

**Table IV-2
Satisfaction of Growth Share Obligation, City of Long Branch**

Name	Complete Date	Afford. Units	Family	Rental	Low/Mod.	Very Low	Bonus	Total
Riverwalk LLC Proctor Estates	2005	48	48	0	24/24	5	0	
Riverwalk LLC (scattered site)	2002 - 2006	34	34	0	17/17	4	0	
LBHA Presidential Estates	Nov. 2007	70	70	70	70/0	10	0	
LBHA Seaview Manor	Nov. 2007	33 ¹	33	33	33/0	5	0	
LBHA Garfield Court (Phase 1)	Dec. 2008	61 ²	61	61	61/0	8	0	
LBHA Homeownership Program	2010	31	31	0	0/31	0	0	
LBHA Garfield Phase 2	2011	73	73	73	37/36	10	68 (rent)	
LBHA Gregory School	2012	100	0	100	50/50	13	0	
Lower Broadway Redevelopment	2014	105	105	105	53/52	14		
Overall Redevelopment		32	32	0	16/16	5		
Inclusionary zoning		39	39	0	20/19	6		
Market to Affordable		4	4	0	4/0	4		
Accessory Apartment		4	0	4	4/0	4		
Requirement		675	338	169	338 low	88	169 Max.	675
Total		634	530	446	389	88	68	702

¹ 40 affordable units were constructed, but because the LBHA utilized \$975,000 in RCA funds applied at \$150,000 per unit, 7 units were deducted from the credit.

² 67 units constructed, but 6 units are not income-restricted.

CONSIDERATION OF LANDS APPROPRIATE FOR AFFORDABLE HOUSING

As set forth previously, Long Branch is substantially built out and has little land available for future development outside of designated redevelopment areas. The entire City is located within Planning Area One (PA-1) and a sewer service area, however, very little of the City's undeveloped land is actually available for future development. The majority of remaining undeveloped land is dedicated to parks and public open space or farming, or are either protected wetlands, endangered species habitats or within 100 year flood hazard areas. Thus, the City can only realistically sustain an additional 254 units under current zoning based on available undeveloped land.

Long Branch has six redevelopment sectors, all of which are still in some phase of development. None of the redevelopment projects completed to date contain any affordable housing because these projects were planned, negotiated, and approved prior to Long Branch being assigned a growth share obligation. To the extent the City had negotiated any requirements with redevelopers, those were accomplished as set forth in Table IV-2.

Development in the vast majority of the Redevelopment Area, however, is subject to the jurisdiction of the New Jersey Department of Environmental Protection (NJDEP), pursuant to the Coastal Areas Facilities Review Act (CAFRA). Long Branch has the distinction of being the only municipality with a CAFRA approval rule, under which any development proposal that is consistent with the Redevelopment Plan and Design Guidelines is considered to be in compliance with applicable CAFRA regulations and, therefore, does not need to submit to the CAFRA approval process. Any projects that receive approval by the City and deviate from the Redevelopment Plan or Design Guidelines, however, will not be deemed compliant with CAFRA regulations and will be subject to an independent CAFRA approval process.

Due to the foregoing, Long Branch is constrained with respect to offering developer bonuses for inclusionary development in the Redevelopment Areas, as this would necessarily require deviations from the Redevelopment Plan and Design Guidelines, triggering independent CAFRA review and approval. The realistic added cost and delay this would entail is likely to diminish the intended benefits of any bonuses offered. There also can be no assurance that CAFRA will approve the requested deviations, and a developer is unlikely to be persuaded to include an affordable component through increased density or height when there is a very real possibility that, after investing substantial time and money into an uncertain process, it may never be permitted to build the project. Requiring inclusionary development in the redevelopment sectors will therefore not likely lead to the construction of affordable housing.

As indicated previously, Long Branch's total growth share is 675 affordable units. The various affordable housing requirements pursuant to COAH's third round rules are:

- Growth Share - 675 units
- Low Income Requirement -338 units
- Rental Obligation - 169 units
- Family Rental Requirement - 338 units
- Very Low Income Requirement - 88 units
- Age Restricted Unit Limitation -169 units
- Accessory apartment Limitation- 67
- Market to Affordable Limitation- 67

Table IV-2 summarizes the City's proposed approach for addressing the foregoing affordable housing requirements. Based upon projects completed to date, Long Branch has already provided 246 affordable units, all of which are family units, 164 are rental, 205 are low-income affordable and 32 are very low-income affordable. Thus, the City's production of affordable housing to date is well on pace to meet the various COAH growth share requirements above.

In order to address its growth share obligation, Long Branch intends to employ several methods:

- (1) Zoning for inclusionary development,
- (2) Municipally sponsored 100% affordable housing projects,
- (3) Development fee ordinance,
- (4) An accessory apartment program, and
- (5) A market to affordable program.

Long Branch intends to adopt a development fee ordinance that imposes a fee of 1.5% of equalized assessed value for residential projects in the Redevelopment Area, pursuant to 5:97-8.3. The City will nevertheless seek to negotiate the inclusion of affordable housing units within the Redevelopment Area residential projects, as an alternative to the development fee, and offer subsidies for on-site construction (once it has collected sufficient fees for its affordable housing trust fund).

Given the City's goal of negotiating some inclusionary developments, the City will assume for purposes of this Plan that it will successfully negotiate 15% of the residential developments in the Redevelopment Area to include a 20% set-aside of affordable units, which would result in construction of 32 affordable units in the redevelopment areas. Although not reflected in Table IV-2, applying the 1.33 bonus credits per unit would result in a total of 43 credits towards the City's growth share obligation.

The remaining 890 units will pay a development fee. Assuming an average equalized assessed value of \$300,000 per unit, the City could collect \$4,000,500.00.

The City also intends to adopt an ordinance for the collection and retention of the Statewide Nonresidential Development Fee of 2.5%, commencing on July 1, 2010, pursuant to the New Jersey Stimulus Act of 2009. While the City does not anticipate any significant new commercial development outside of redevelopment areas during the course of the third round compliance period, to the extent there is any such new commercial development value during that period, the City will collect the 2.5% fee.

There will be significantly more commercial development within the redevelopment areas, as set forth in Table III-8 and III-9. It is anticipated that some of that non-residential development has or will have received site plan approval prior to July 1, 2010 and will be exempt from the fee. It is anticipated, however, that approximately 1 million square feet of commercial space will not be approved by July 1, 2010 and will be subject to the 2.5% fee. Assuming an equalized assessed value of \$250 per square foot, the City could collect \$6,250,000.00.

These development fees, totaling over \$10,000,000.00, will be put into an affordable housing trust fund (upon COAH approval) and dedicated toward construction of affordable housing outside of the Redevelopment Area, to subsidize potential affordable housing units within some redevelopment projects, where feasible, to fund the accessory apartment and market to affordable programs, and to fund the rehabilitation program.

The City intends to adopt an ordinance for inclusionary development that will serve as an overlay zone for the R-4, R-5, and RC-1 Zones. This ordinance will require 20% to 25% set-asides and provide for developer bonuses including density, bulk and height deviations. It is believed that the ordinance will encourage and provide opportunity for lot acquisition and consolidation, where feasible and desirable, and create greater opportunity to facilitate spontaneous private “redevelopment” or revitalization.

Assuming that 50% of the remainder of available developable land covered in these zones is developed under the inclusionary zoning ordinance (approximately 11 acres) during the third round compliance period, with the median available density bonuses and set-aside requirements, a total of between 28 and 49 affordable units could be constructed under the inclusionary ordinance. For purposes of this Plan, the City will assume the actual number built will be the median of this range, or 39 units.

The inclusionary ordinance will include a market to affordable program and an accessory apartment program. The City will subsidize these programs through development fees to support the creation of exclusively very low-income units. Through this mechanism the City will meet its very low-income requirement.

There was a previous proposal for the construction of 105 affordable units in the lower Broadway redevelopment area that was forestalled due to the economic conditions. It is anticipated, however, that this project will proceed within the growth share compliance period.

The City is negotiating the sale of public property, the former site of a public school, to the Long Branch Housing Authority for the construction of approximately 100 units of affordable senior housing. This falls below the age-restricted unit maximum of 25% of the total growth or obligation of 169 units.

IMPLEMENTATION SCHEDULE AND SPENDING PLAN

The general timeline for the development projects is set forth in Table IV-2. Funds would start becoming available through residential development fees once the City adopts the ordinance and received COAH approval of the ordinance. Funds would become available from non-residential development fees beginning after June 30, 2010.

Once collection of fees commences and such funds become available, the City will use them to 1) subsidize the development of affordable units in the Redevelopment Areas through costs for additional necessary infrastructure, structured parking, affordability assistance, and subsidies to developers constructing affordable units, 2) market to affordable and accessory apartment programs, 3) implementation of the City’s rehabilitation program, and 4) any 100% municipally sponsored development projects, should the City determine any such project can realistically be developed.

DEMONSTRATION OF EXISTING OR PLANNED WATER AND SEWER CAPACITY SUFFICIENT TO ACCOMMODATE ALL PROPOSED MECHANISMS

The City has adequate capacity to serve the anticipated water and sewer service needs for the development anticipated in this Fair Share Plan.

Wastewater Collection and Treatment

The Long Branch Sewerage Authority (LBSA) operates an activated sludge wastewater treatment facility with a permitted design flow of 5.4 million gallons per day of discharged treated wastewater effluent. The effluent is discharged into the Atlantic Ocean, which is designated as SC (Saline Coastal) Waters in New Jersey.

The LBSA currently serves a population of approximately 31,000 people in Long Branch and at Monmouth University in neighboring West Long Branch. The collection system consists of approximately 500,000 linear feet of sewerage lines and six pump stations. The collection system has seen significant upgrades over the past few years, culminating with the Phase II Sewer Rehabilitation Project that was completed in 2003 and a \$12 million sewer line replacement project was completed in 2006. The treatment plant consists of various treatment trains, many that have also seen significant upgrades over the past few years.

Water Supply

Long Branch receives its potable water from New Jersey American Water Company Monmouth System. Potable water for the Monmouth System comes from a blend of sources that may include the Potomac-Raritan-Magothy Aquifer, the Glendola Reservoir, the Manasquan River/Reservoir, the Shark River, the Swimming River/Reservoir, middle Potomac-Raritan-Magothy Aquifer, and Jumping Brook.