

**HOUSING ELEMENT and FAIR SHARE PLAN
With Spending Plan**

For the

**BOROUGH OF RIVERTON
BURLINGTON COUNTY, NEW JERSEY**

Prepared for
The Riverton Planning Board

Written: December 21, 2009
Adopted: January 19, 2010

Forward

According to the New Jersey Municipal Land Use Law, 40:55D-28b(3), a municipal Master Plan must contain a Housing Element. Pursuant to Section C. 52:27D-310 a municipal housing element shall 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. This report includes the Borough's third round housing obligation (2004 to 2018) pursuant to Chapter 97, Substantive Rules of the New Jersey Council on Affordable Housing for the Period Beginning December 20, 2004. A calculation of the currently projected third round obligation and a Fair Share Compliance Plan to meet that obligation are included, along with a prospective spending plan.

The Borough of Riverton previously submitted a Round III Housing Element and Fair Share Plan in December 2005 in accordance with the November 2004 COAH adopted Third Round Rules (Chapter 5:94). The Borough of Riverton then revised its plan and re-petitioned COAH in 2008 because portions of these COAH rules were overturned in 2007. Though the 2008 plan initially complied with the revised COAH rules which became effective June 2, 2008, subsequent legislative changes to rules affecting non-residential development rendered Riverton's 2008 unworkable. Therefore, the Borough is now submitting another revised Housing and Fair Share Plan in its continuing effort to comply with affordable housing regulations.

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Attachment: COAH Petition Application, previously submitted

Appendices

- A. Planning Board Resolution (update pending)
- B. Resolution of the Council petitioning COAH for Substantive Certification of its adopted Housing Element and Fair Share Plan (update pending)
- C. Growth Share Determination Workbook A (previously submitted)
- D. Growth Projection Adjustment Workbook C
- E. Revised Development Fee Draft Ordinance
- F. Revised Affordable Housing Ordinance (pending)
- G. Prior Round Certification (On File)
- H. Rehabilitation Compliance Documentation (pending)
- I. Service List

Introduction

In 1975 the New Jersey Supreme Court ruled that developing municipalities have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate-income housing. In its 1983 Mt. Laurel II decision the Court expanded the Mt. Laurel doctrine and stated that all municipalities share in the obligation. In July 1985 the Fair Housing Act (FHA) was enacted as the legislative response to the Supreme Court rulings. The Act created the Council on Affordable Housing as the administrative alternative to the courts.

The FHA directs the New Jersey Council on Affordable Housing (COAH) to provide regulations that allow municipalities to prepare comprehensive responses which will provide a realistic opportunity for the provision of affordable housing through municipal land use regulation. COAH's primary responsibilities are:

- Establish Housing Regions for the State;
- Estimate regional housing need; and
- Provide guidelines for municipalities to use in addressing their fair share obligations.

Municipal responsibilities under the Fair Housing Act consist of adopting and filing with COAH a Housing Element, prepared according to COAH's criteria and guidelines. According to the New Jersey Municipal Land Use Law, C.52:27D-310, the Housing Element shall contain at least:

1. The 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;
2. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next six years subsequent to the adoption of the Housing Element, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. 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;
6. 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, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

This Housing Element meets all of above requirements as specified in the latest addition of the Municipal Land Use Law, dated February 2008. This plan meets the guidelines of the revised COAH Round III rules and recently adopted State legislation.

I. Background Information

The Borough of Riverton consists of a land area of 0.70 square miles or approximately 448 acres and is located in southern New Jersey, in Burlington County. The Borough is bound by the Delaware River to the north, the Township of Cinnaminson to the south and east and the Borough of Palmyra to the west.

The Borough is historically a suburban, bedroom community, for commuters working in the cities of Camden, Trenton and Philadelphia. With the exception of a small number of infill lots and redevelopment opportunities, the Borough is fully built out. The Borough also faces significant issues to redevelop its existing business and transportation corridors and other infrastructure.

HOUSING CHARACTERISTICS

Age of Housing

While Riverton has fewer housing units (1,113 units) when compared to neighboring communities (Palmyra and Cinnaminson) with similar characteristics, it has a larger percentage of older housing stock. In fact, more than half of Riverton's units (72%) were built prior to 1940 making the median age of homes 60-years-old. The Borough has not kept pace with construction of new units. Only 309 new units were added to its housing stock in a 60 year period between 1940 and 2000, compared to Palmyra's 1,955, and Cinnaminson's 4,614 new housing units.

	Riverton	Palmyra	Cinnaminson	Burlington County
Total Housing Units:	1,113	3,219	5,147	161,311
Built 1999 to March 2000	0	55	60	4,004
Built 1995 to 1998	11	88	154	10,425
Built 1990 to 1994	0	32	185	12,138
Built 1980 to 1989	4	132	281	25,620
Built 1970 to 1979	23	643	594	32,103
Built 1960 to 1969	60	233	2,250	28,884
Built 1950 to 1959	145	444	1,064	21,774
Built 1940 to 1949	66	328	226	7,282
Built 1939 or earlier	804	1,268	333	19,081
Median year structure built	1940	1950	1964	1971

Source: 2000 U.S. Census, Tables H34 and H35

Condition of Housing

The 2000 Census data shows that the housing stock is well maintained with no units lacking plumbing facilities. Riverton, however, does outpace comparison municipalities by more than one percent of homes that are considered crowded. Overcrowding is defined by the U.S. Department of Housing and Urban Development as any unit with more than one person living per room.

Table 2: Condition of Housing				
	Riverton	Palmyra	Cinnaminson	Burlington County
Total housing units	1,113	3,219	5,147	161,311
Lacking complete plumbing facilities	0	5	17	623
% Lacking complete plumbing facilities	0%	0.16%	.33%	0.39%
Lacking complete kitchen facilities	6	13	0	657
% Lacking complete kitchen facilities	0.54%	.40%	0.00%	0.41%
Crowded, Built Pre 1950	17	19	7	547
% Crowded, Built Pre 1950	1.53%	.59%	0.14%	0.34%
<i>Source: 2000 U.S. Census, Tables H47, H49, and H50</i>				

Purchase or Rental Value of Housing

The 2000 median value of homes in Riverton was \$156,600. The table below indicates that the median value of housing in Riverton is more than the County as a whole and neighboring Palmyra but slightly less than Cinnaminson. The median rents in Riverton, however, are less than the County, Palmyra, and Cinnaminson.

Table 3: Purchase and Rental Value of Housing				
	Riverton	Palmyra	Cinnaminson	Burlington County
Median contract rent	\$639	\$685	\$760	\$672
Median value	\$156,600	\$110,300	\$158,200	\$134,000
<i>Source: 2000 U.S. Census, Tables H56, and H85</i>				

Occupancy Characteristics

The vacancy rate in Riverton was 4.2% in 2000, which was slightly lower than the County as a whole, and Palmyra who had the largest percentage rate for vacancy (6.68%). Riverton, however, did have a higher vacancy rate, nearly doubled, in comparison to Cinnaminson.

Table 4: Occupancy Characteristics of Housing				
	Riverton	Palmyra	Cinnaminson	Burlington County
Total Housing Units	1,113	3,219	5,147	161,311
Occupied	1,066	3,004	5,057	154,371
Vacant	47	215	90	6,940
% vacant	4.22%	6.68%	1.75%	4.30%
For rent	20	100	5	2,226
For sale only	7	59	38	2,230
Rented or sold, not occupied	13	14	24	708
For seasonal, recreational, or occasional use	0	29	12	595
For migrant workers	0	0	0	0
Other vacant	7	13	11	1,181
<i>Source: 2000 U.S. Census, Tables H6 and H8</i>				

Housing Type

More than 76% of Riverton's housing stock is owner occupied. The figure is slightly less than Burlington County, and is considerably lower than neighboring Cinnaminson where more than 96% of its units are owner occupied. The table also shows units with “selected conditions,” defined by the U.S. Census as units as having at least one of the following conditions: (1) lacking complete plumbing facilities, (2) lacking complete kitchen facilities, (3) with 1.01 or more occupants per room, (4) selected monthly owner costs as a percentage of household income in 1999 greater than 30 percent, and (5) gross rent as a percentage of household income in 1999 greater than 30 percent. These figures indicate that more than 24 % of Riverton’s owner occupied housing and more than 52% of the renter occupied housing has one or more of these selected conditions.

Table 5: Housing Tenancy & “Special Conditions”				
	Riverton	Palmyra	Cinnaminson	Burlington County
Total units:	1,066	3,004	5,057	154,371
Owner occupied:	815	2,100	4,868	119,500
% Owner occupied	76.45%	69.91%	96.26%	77.41%
Owner occupied with one or more selected condition	199	594	978	30150
% of Owner occupied units with selected condition	24.42%	28.29%	20.09%	25.23%
Renter occupied:	251	904	189	34,871
% Renter occupied	23.55%	30.09%	3.74%	22.59%
Renter with one or more selected condition	131	284	41	12710
% of rental units with selected conditions	52.19%	31.42%	21.69%	36.45%
<i>Source: 2000 U.S. Census, Tables HCT28</i>				

Housing Units

More than 60% of housing units in Riverton are single-family detached units. This percentage is less than Burlington County's figure but more than 11% greater than Palmyra. In comparison, more than 90% of the units in Cinnaminson are single family detached units.

Table 6: Units in Structure

	Riverton	Palmyra	Cinnaminson	Burlington County
Total Housing Units:	1,113	3,219	5,147	161,311
1, detached	677	1,597	4,818	104,299
1, attached	139	711	89	22,090
2	113	297	37	3,783
3 or 4	78	116	16	6,374
5 to 9	100	186	172	8,196
10 to 19	0	230	5	7,251
20 to 49	6	38	0	2,999
50 or more	0	40	0	3,810
Mobile home	0	4	10	2,477
Boat, RV, van, etc.	0	0	0	32
% 1, detached	60.83%	49.61%	93.61%	64.66%

Source: 2000 U.S. Census, Tables H 30

Existing Units in Riverton's Affordable to Low-and-Moderate Income Households

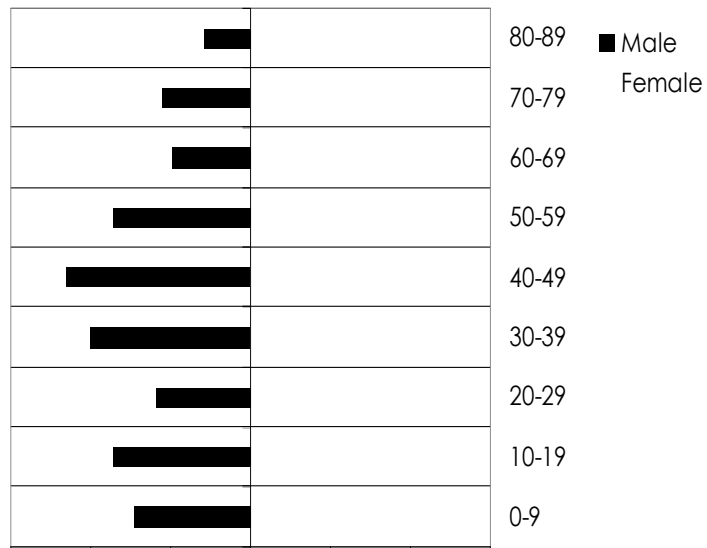
In order to determine the number of existing housing units that are and are not affordable to low- and moderate-income households, the Borough will utilize COAH and Federal housing definitions of housing affordability as well as 2000 Census data in an attempt quantify this estimate.

These agencies use a threshold to define affordability based on housing expense as a percentage of monthly income for households receiving between 0% and 80% of Median Family Income (MFI). In general, households paying more than 30% of monthly income on housing expense are considered cost burdened. For renters, housing costs include rent plus utilities paid by the tenant. For owners, housing costs include the mortgage payment, property taxes, insurance, condominium or homeowner association fees and utilities.

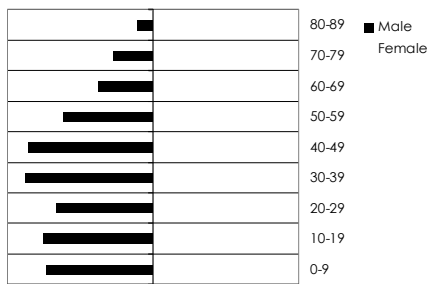
Using 2000 Census data, the U. S. Department of Housing and Urban Development (HUD) has prepared a "Comprehensive Housing Affordability Strategy (CHAS)" study for communities which receive Federal housing funds. As a participant in the HUD-funded State Small Cities CDBG Program, this data is available for Riverton. The data is summarized in the following table and is broken out by tenure type, household type (i.e., elderly, small family, large family, and other household), and by income category.

• **Figure 1: Age Distribution**

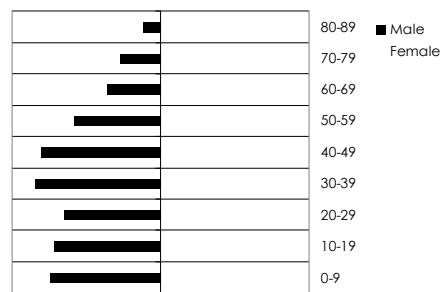
Riverton Age Distribution



Burlington County Age Distribution



New Jersey Age Distribution



• *Source: 2000 U.S. Census, Table P12*

Income Level

The 1999 median income in Riverton was \$58,977, which is comparable to the County as a whole. Riverton residents are more affluent than those in Palmyra but less affluent than those in Cinnaminson.

Table 12: Median Income				
	Riverton	Palmyra	Cinnaminson	Burlington County
Median household income in 1999	\$58,977	\$51,150	\$68,474	\$58,608
<i>Source: 2000 U.S. Census, Table P53</i>				

The 1999 income statistics indicate that incomes in Riverton are typically consistent with averages for Burlington County. There are some deviations in the \$35,000 to \$49,999 income bracket, where the County outpaces the Borough by six percent. Also, the percentages are slightly higher for the Borough for incomes between \$75,000 and \$149,999.

Table 13: Household Income by Brackets, 1999			
	Borough of Riverton		Burlington County
	Number of Households	% of Total	% of Total
Less than \$10,000	34	3%	3.9
10,000 - 14,999	15	1%	3.4
15,000 - 24,999	111	10%	8.2
25,000 - 34,999	134	13%	10.2
35,000 - 49,999	99	9%	15.4
50,000 - 74,999	224	21%	23.2
75,000 - 99,999	175	16%	15.5
100,000 - 149,999	157	16%	13.7
150,000 +	60	6%	6.4

Source: U.S. Census Bureau, Table P 52

The COAH regulations define low (those earning up to 50% of the median household income) and moderate-income households (those earning from more than 50% to 80% of the median household income). The figures are adjusted for household size and the municipality's housing region. Riverton is part of Region Five, which includes Burlington, Camden and Gloucester Counties. Below is a breakdown of the maximum 2009 income figures by household size that COAH uses to determine affordability for the region.

Table 14: COAH 2008 Regional Income Limits (Region 5)										
Income	Family Size									
	1	1.5	2	3	4	4.5	5	6	7	8
Median	\$54,460	\$58,350	\$62,240	\$70,020	\$77,800	\$80,912	\$84,024	\$90,248	\$96,472	\$102,696
Moderate	\$43,568	\$46,680	\$49,792	\$56,016	\$62,240	\$64,730	\$67,219	\$72,198	\$77,178	\$82,157
Low	\$27,230	\$29,175	\$31,120	\$35,010	\$38,900	\$40,456	\$42,012	\$45,124	\$48,236	\$51,348
Very Low	\$16,338	\$17,505	\$18,672	\$21,006	\$23,340	\$24,274	\$25,207	\$27,074	\$28,942	\$30,809

Source: COAH, 2009

Employment Status of Residents

Riverton had a higher population of residents who did not work in 1999 (32%), compared to the County and neighboring municipalities. It far outpaced Palmyra by nearly 10 percentage points for population that did not work, and the County by five percentage points.

Table 15: Employment Status				
	Riverton	Palmyra	Cinnaminson	Burlington County
Usually worked 35 or more hours per week	1,194	3,481	5,732	192,981
% of the population that worked 35 or more hours per week	53.1%	61.5%	50.1%	58.7%
Usually worked 34 hours or less hours per week	321	909	2,211	47,093
Did not work in 1999	732	1,271	3,503	88,833
% of the population that did not work in 1999	32.0%	22.5%	30.6%	27.0%

Source: 2000 U.S. Census, Table P47

EMPLOYMENT CHARACTERISTICS

The manufacturing sector is the major employer in Riverton where 51% of jobs are held. This is significantly higher than Palmyra (33%) and Cinnaminson (18%). There are also a significant number of jobs within the construction, wholesale/retail and services sector, while agriculture and information/finance, insurance, real estate reports no employment in these sectors.

National Casein is one of the largest employers in Riverton. National Casein manufactures molded plastic products, tape, adhesives and sealants. Other large employers in Riverton are Barclay Group which an insurance company, Moccia Enterprises which is a kitchen equipment distributor, the Riverview Estates Nursing Home, and CVS Pharmacy.

Table 16: Percent Distribution of Employment by Industry, 2000

Sector	Riverton		Palmyra	Cinnaminson
	Jobs	%	%	%
1 - Agriculture, Forestry, Fisheries, & Mining	0	0%	0%	0%
2 - Construction	48	6%	10%	7%
3 - Manufacturing	381	51%	33%	18%
4 - Transportation, Warehousing & Utilities	8	1%	0%	12%
5 - Wholesale & Retail Trade	46	6%	26%	23%
6 - Information & Finance, Insurance, Real Estate	0	0%	4%	5%
7 - Services	112	15%	24%	27%
8 - Public Administration	12	2%	3%	9%

Source: New Jersey Department of Labor

Employment Outlook & Trends

Riverton is primarily a residential community. The number of jobs in the Borough has remained steady and is not expected to increase since there are few opportunities for economic development in the Borough. Any new growth is expected in the downtown commercial area and would likely be made-up of small restaurants, shops, and offices.

While National Casein has no plans to relocate their operations, many similar light manufacturing companies have moved from the region due to factors in the global economy. However, National Casein has been in the Borough for over 50 years and has weathered many changing economic times.

II. ANALYSIS OF IMPACT OF EXISTING CONDITIONS ON AFFORDABLE HOUSING OPPORTUNITIES

AVAILABILITY OF EXISTING AND PLANNED INFRASTRUCTURE

Riverton is fully served by public water and sewer. There is adequate capacity in the Borough for in-fill type development as well as for smaller redevelopment projects in the Borough. There are no large areas available for new development.

ANTICIPATED DEMAND OF TYPES OF USES PERMITTED BY ZONING

The Borough of Riverton is a fully built-out suburban municipality that permits a couple forms of housing development in its various zoning districts. Demand for any one form of development is extremely low due to the lack of vacant land. There are potentially two smaller scale areas that meet the criteria for redevelopment, but no formal redevelopment plans have been developed or adopted.

ANTICIPATED LAND USE PATTERNS

As stated previously, the Borough of Riverton is a fully built-out suburban municipality that contains most land uses including a small industrial facility. With the exception of any future redevelopment, land use patterns are stable and are not anticipated to change.

MUNICIPAL ECONOMIC DEVELOPMENT POLICIES

As with many older suburban communities, the Borough of Riverton struggles to maintain the vibrancy of its downtown. To address these issues, the Borough recently received a grant from the Delaware Valley Regional Planning Commission to develop a Downtown Revitalization Plan. This effort was completed in early 2009.

In addition, the Borough has an Economic Development Committee and a Business Alliance which actively promote local businesses. The Burlington County Office of Economic Development also takes an active role on business promotion. Nearly all of the Association's efforts strive to keep existing business space operating. There is virtually no room for expanding commercial uses.

CONSTRAINTS ON DEVELOPMENT

As a fully built-out suburban municipality, the Borough of Riverton has only two options for development, in-fill and redevelopment. The lack of land for growth is the ultimate constraint in the Borough.

EXISTING OR PLANNED MEASURES TO ADDRESS THESE CONSTRAINTS

Other than preparing redevelopment plans for the two potential areas, the Borough of Riverton has no available measures to address its largest constraint, the lack of land.

CONSIDERATION OF LAND MOST APPROPRIATE FOR CONSTRUCTION OF LOW AND MODERATE INCOME HOUSING

Opportunities for new construction of any type, including affordable housing, exist on one small tract of underutilized land. A second tract is presently part of the Cinnaminson golf course, a private, member-owner club. Both sites would be appropriate since they are within walking distance of downtown and multiple modes of transportation, including the RiverLine light rail system.

HOUSEHOLD AND EMPLOYMENT PROJECTIONS

This fair share plan relies upon household and employment projections for the municipality as provided in Appendix F of COAH's rules, last amended October 22, 2008.

PLAN ENDORSEMENT

Riverton is included in Burlington County's Route 130 Corridor Planning Region, an endorsed plan that includes twelve communities along the RiverLine. Accordingly, the Borough's Master Plan, and this Housing Element amendment have been developed to comply with the Endorsed Plan. The Endorsed Plan was originally adopted in 1999 and the County is currently updating it in concert with statewide cross-acceptance of the State Plan.

III. FAIR SHARE COMPLIANCE PLAN

AFFORDABLE HOUSING OBLIGATION

In terms of affordable housing, the prospective need is the projection of affordable housing needs based on development and growth which is likely to occur in a municipality or a region. (Fair Housing Act of 1985) Since the Fair Housing Act was established in 1985, subsequent regulations allowed municipalities to take credit for certain developments with affordability controls built after April 1, 1980.

First and second round fair share plans were designed to meet a prospective need as prescribed by the State's Council on Affordable Housing. A municipality's obligation included an assumption based on the amount of affordable housing that a municipality could or should sustain, along with a proportion of a larger need for the Region, and in the case of Riverton, Region 5 (Burlington, Camden and Gloucester Counties).

When Riverton was certified under Round II COAH regulations, the Borough sought and received a vacant land adjustment which reduced the Borough's new unit obligation from fifteen (15) new units to two (2). The Borough adopted inclusionary zoning on Martha's Lane to accommodate the two units, and instituted an overlay zone on the Riverton portion of the Riverton Country Club golf course to account for the thirteen (13) units of unmet need.

For Round III, the Borough is pursuing a growth projection adjustment. This adjustment looks at the amount of land available for development, takes into account the previously approved vacant land adjustment, and factors in residential and non-residential development since 2004. Based on these calculations, outlined in COAH's 'Workbook C', Riverton's revised growth projection should be five (5) affordable units. This calculation is derived from the following information.

Since 2004, certificates of occupancy have been issued for nine (9) new homes on in-fill lots. There was also one demolition permit in 2006. This translates to two (2) affordable units at a rate of one (1) affordable unit among five (5) housing units. Moreover, one new commercial development generated 6,516 sf of office space and 7,241 sf of retail space in the Riverton Square project. The Shoppes at Riverton produced 29,568 sf of retail space, after demolishing 31,785 sf of retail space. Considering the Riverton Square project only, and applying the requisite ratios of employees for each commercial use type, this equates to 0.69 affordable units for the office space and 1.27 affordable units for the retail space or a total of 2.08 affordable units for new non-residential development. This calculation is conservative, because it does not consider any credit for the extra demolition at the Shoppes of Riverton. Adding the noted commercial and residential housing obligations, the Borough's adjusted growth projection is 2.08 plus 2.0, or 4.08 units. Conservatively speaking, that rounds up to five (5) affordable units.

Therefore, the total obligation for the Borough, including Round III obligation and previous rounds is 6.08 units; 4.08 for round three and two (2) outstanding for prior rounds.

REHABILITATION

According to Appendix B, the Borough's rehabilitation obligation is seventeen (17), up from fifteen (15) units during the prior rounds.

VACANT LAND ADJUSTMENT AND MECHANISM FOR ADDRESSING PRIOR ROUND

Riverton received a vacant land adjustment under Round II. Since that time, conditions have not changed. The adjustment remains valid and the obligation from prior rounds continue to be two (2) units. This has been confirmed by COAH staff, who indicated that lots included in the Round II vacant land adjustment could be eliminated at the start from the inventory of vacant lots in Workbook C. The only available developable land in town is still some vacant land on Martha's Lane. With Round II certification, the Borough adopted inclusionary zoning on that portion of Martha's Lane to accommodate some market rate and affordable units. Though the lots have not been developed, the Borough has, nonetheless provide a reasonable opportunity for their development.

MECHANISM FOR ADDRESSING GROWTH SHARE

A round three fair share obligation includes three components: 1) the rehabilitation share based on Appendix B of the round three regulations, 2) the new unit obligation from the prior rounds and 3) the growth share obligation for 2005 through 2018. Relying on an adjusted growth projection, Riverton is obligated to rehabilitate seventeen (17) units and construct five (5) new affordable units.

1. The Rehabilitation Share

Riverton's prior round rehabilitation obligation was fifteen (15) units. Under round three, the State re-calculated the Borough's rehab obligation to be four (4) units for a brief time, before re-calculating it again to the current obligation of seventeen (17) units. To date, no units have been rehabilitated for Riverton's round two obligation, so the Borough cannot take credit for completed rehabilitation projects.

Under its Round Two certification, Riverton proposed to meet its rehabilitation obligation with a combination of accessory apartments and a passive rehabilitation program. The accessory apartment program was confined to the downtown in an attempt to re-introduce residential uses into the downtown through apartments on the second floor, above commercial space. This did not materialize.

Riverton now proposes to satisfy this portion of the Fair Share Plan through a passive rehabilitation program accessible to all qualifying homes anywhere in the Borough. Riverton will continue its Memorandum of Understanding with the Burlington County Housing Improvement Program, which will administer and fund the Borough's rehabilitation program. The Borough will encourage the County to expand its program to include rental units. The Borough will rely on the County's housing rehabilitation manual and the County will be responsible for income verification procedures required by COAH. The Borough will advertise the program in accordance with the municipality's affirmative marketing plan.

At the writing of this plan it is not known exactly where the rehabilitation units might be located, but the program will be advertised and efforts will be made to encourage low and moderate income households that qualify for the housing assistance to enter the housing rehabilitation program.

COAH's substantive rules require that at least \$10,000 be allocated for each rehabilitated unit and 10-year affordability controls. Therefore, a total commitment of \$170,000 is required to fund the rehabilitation obligation. Half of the funds must be allocated by year five of COAH's new ten year, Round Three cycle, so the proposed funding schedule is as follows:

FUNDING SCHEDULE		
for Riverton's Housing Rehabilitation Program		
DEADLINE	FUNDING	UNITS COMPLETED
3 years after certification	\$40,000	4
5 years after certification	\$40,000	4
8 years after certification	\$50,000	5
10 years after certification	\$40,000	4
	\$170,000 total	17 total

2. Prior Round and Round III New Unit Obligation

As noted previously, the Borough is obligated to create a realistic opportunity for the construction of five (5) new units, and satisfy an unmet need of thirteen (13) units, stemming from the Borough's previously approved vacant land adjustment. The Borough intends to satisfy this obligation through a combination of inclusionary zoning and affordable housing projects.

Martha's Lane

An Affordable Housing (AH) zone was established along the south side of Martha's Lane. Originally it was designed to include two (2) affordable units with five (5) market rate units. Subsequently, during a development application, an error was discovered in the Borough tax maps which incorrectly identified a portion of the land in the AH zone. A portion of the zone was actually part of a lot in the General Business zone. Therefore as part of this petition, the Borough will revise the AH zoning district, reduce the permitted lot size from 7,000 sf to 5,000 sf and increase the permitted density so the zone will yield two (2) affordable units and seven (7) market rate units. This will accommodate the prior round, two (2) unit obligation. There was an informal request by COAH staff to revise the density of this zone to create affordable housing 20% set-aside, however, the Planning Board feels that permitting an additional lot and smaller lots in the AH zone will adversely impact existing adjoining residential lots in the adjoining R-8 and R-15 zones. Therefore, the Borough will only change the AH zoning district as originally proposed.

Riverton recognizes that there might be limitations to developing the AH zone. These limitations may be partly responsible for the lack of construction in the area. The need to build infrastructure along Martha's Lane undoubtedly adds to the cost of any affordable housing project, and decreases the economic viability of the project.

The existing AH zone is also isolated; not part of any other residential neighborhood. The land use across the street, across Martha's Lane, is an existing industrial business, National Casein. If that site is redeveloped in accordance with the current GB zoning, it will become retail and/or office space, not neighborhood residential. Therefore the development potential of the adjoining commercial zone might be a hindrance to affordable housing in the current AH zone.

However, buffering requirements between residential and non-residential uses on the adjoining industrial site will mitigate some of the impact of commercial development if and when that site is redeveloped with future offices and retail uses. Moreover, if designed thoughtfully, the redevelopment will be a substantial improvement over the existing industrial use. Also, a significant portion of Martha's Lane has since been constructed with the reconstruction of the Nu-Way site, thereby reducing the extent of the Martha's Lane paper street.

National Casein Site

The Borough had originally determined that the best way to satisfy some of its new affordable housing obligation, as well as improve the realistic development potential of its previous obligation, is to create a second affordable housing zone north of Martha's Lane and rather than being strictly residential, this zone would have been a mix of residential and office development.

The original plan would have had advantages. The Borough has a real need to establish a more well-balanced tax base. The area is currently a commercial use and the tax base would benefit from a more highly valued commercial ratable. On the other hand, redeveloping the National Casein site with residential uses would destabilize the Borough's already ill-balanced tax base. The Borough cannot afford to lose the potential for such a large redeveloped commercial ratable. It would have been preferable, therefore, to include a mix of office and residential development in the new affordable housing zone.

The affordable housing zoning proposed earlier for the National Casein site would have had a very small residential component and a much larger commercial component. This was essential because previous attempts to permit broad scale residential development on the National Casein site created serious community unrest. Sitting Borough Council members were voted out of office. The entire Planning Board resigned in demonstration and there was a nearly complete turn-over of professional staff. Circumstances have not changed and sizeable residential development on the National Casein site is still undesirable. Therefore, since a commercially based inclusionary zone is no longer valid under COAH regulations, the Borough must utilize a different affordable housing mechanism. In this latest affordable housing plan, Riverton proposes to use a group home and an accessory apartment program.

Quality Management Associates Group Home

The Borough of Riverton will collaborate with Quality Management Associates on a new group home for four (4) disabled adults. The organization already has one group home on Homewood Drive and plans to purchase a second on Riverton. The Borough will collaborate with the organization to help underwrite the second home. In exchange for a municipal subsidy, the group home will be deed restriction as affordable housing. This will create four (4) affordable housing units, plus 0.25 bonus credits for each unit, totaling five (5) units for the group home.

Accessory Apartment

Admittedly, Riverton attempted to execute an accessory apartment program under round two and that effort was not successful. However, that program was very different from the one currently proposed. Previously, Riverton attempted to restrict accessory apartments to the downtown area, in an effort to re-introduce residential uses into the central business district. Considering how small Riverton is, it's now clear that the downtown alone can not support an accessory apartment program.

This time, the accessory apartment program will be proposed throughout the Borough. In this historic town, there are many homes with separate apartments and/or stand alone carriage houses that could be converted into accessory apartments. The Planning Board feels that an accessory apartment program will be more viable when it is opened up to housing units throughout the Borough.

Recognizing that COAH will expect Riverton to demonstrate the viability of an accessory apartment program, the Borough proposes to develop a program for only two (2) accessory apartment units. One unit will be a low income unit and the other will be a moderate income unit. The rest of the Borough's obligation will be met with a group home.

Unmet Need

Because of the Vacant Land Adjustment approved during round two, the Borough continues to be responsible for demonstrating that the unmet need can be met in at least two ways. The Borough will maintain the previously approved and enacted overlay zone over the Borough's local golf course site. This zone requires a density of six units to the acre (6/du/ac) with a 20% set-aside. In the event that the members of the golf course decide to sell the site, the overlay zone will have the potential to generate sixty-four (64) units on the 10.76 acre site. Thirteen (13) of those units, or 20%, would be restricted to low and moderate income residents.

As a second means of meeting the unmet need, the Borough has instituted a development fee ordinance. Originally drafted for just the golf course site, the development fee ordinance was recently expanded to include the entire Borough. If the golf course is not developed with affordable housing, then the developer will contribute a fee toward the Borough's housing fund. The payment in lieu of construction must be equal to the cost of the 20% set aside. The overlay zone and the revised development fee ordinance were both previously approved and adopted and copies of these ordinances.

Affordable Housing Administrative Entity

The Borough will contract with the New Jersey Housing and Mortgage Finance Agency (NJHMFA) to administer the Borough's new unit housing program.

IV. CONCLUSION

Riverton Fair Share plan is a combination of inclusionary zoning initiatives and coordinated affordable housing development projects. This new plan will generate seven (7) affordable housing credits; five (5) for the group home and two (2) accessory apartments. It qualifies for one (1) bonus credit for the group home, which means the group home is ‘worth’ five affordable housing units. Thus, the Borough’s Round Three obligation is five (5) and its plan will generate seven (7) credits. Also, the family requirement is very close to being met. Considering the small number of overall units, the family component seems appropriate for Riverton. Lastly, the rental and very low income units far exceed COAH’s requirements.

Project	Affordable Units	Family/ 50% min of obligation.	Rental/ 25% min of obligation.	Very Low Income/ 13% min. of obligation.	Credits
Group Home	4	0	4	4	1.0
Accessory Apartment Program	2	2	2	0	0
<i>Round III Total</i>	6	2/40%	6/100%	4/80%	1.0 <i>(group home credits)</i>
Prior Round - Martha’s Lane (AH1 zoning)	2	2	0	0	
Total Obligation - Prior Round and Round III	8.0 + 1.0 credit = 9.0 satisfies 7.0 unit obligation with 2.0 extra credits.				

The Borough will coordinate with Burlington County’s Housing Development Office to satisfy Riverton’s Rehab obligation of seventeen (17) units. The unmet need of thirteen (13) units, created when Riverton’s prior round vacant land adjustment was approved, will continue to be satisfied by the affordable housing overlay zone on the portion of the Riverton Country Club Golf Course property that is located in Riverton.

V. SPENDING PLAN

INTRODUCTION

The Borough of Riverton has prepared a Housing Element and Fair Share Plan that addresses its regional fair share of the affordable housing need 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) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was adopted by the municipality on April 6, 2005 and approved by COAH on April 13, 2005. The ordinance establishes the Riverton affordable housing trust fund for which this spending plan is prepared. A revised development fee ordinance, reflecting COAH's current rules is proposed to update the existing ordinance.

As of October, 2008 Riverton has a balance of \$126,024.23 in its Affordable Housing trust fund accounts. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in Farmers' & Mechanics' Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

1. REVENUES FOR CERTIFICATION PERIOD

Little or no development is anticipated in Riverton. The Borough is not projecting any revenue based on future development activity. The Borough has developed a housing plan that can be supported by its current affordable housing fund. Future revenue, if any, from prospective development fees will be put toward affordable housing obligations generated by the developments from which the fees are collected. There are no quantifiable projects currently anticipated that would employ payments in lieu or development fees.

To calculate a projection of revenue anticipated during the period of third round substantive certification, Riverton 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;
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) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers as follows: No developments are pending.

(c) Other funding sources:

Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, proceeds from the sale of affordable units and the State Affordable Housing Trust Fund.

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate.

Riverton Borough is not projecting any revenue to be collected between November, 2008 and December 31, 2018 relating to development fees or payments in lieu of construction. It is extremely unlikely that there will be any more development in Riverton, unless it is replacement construction of existing uses. All interest earned on the current account will accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

If any incidental, unforeseen infill development does occur, the following procedural sequence for the collection and distribution of development fee revenues shall be followed by Riverton Borough:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Riverton's development fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

The affordable housing trust funds will be distributed on a case-by-case basis in accordance with COAH procedures, and as is appropriate and in the best interest of each municipal affordable housing initiative, following successful negotiations between the Borough and affordable housing project sponsors, with the review and approval of COAH.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)

Riverton Borough will take appropriate action, consistent with the law, to provide approximately \$265,000 to rehabilitation, new construction and affordable housing programs (see detailed descriptions in Fair Share Plan) as follows:

Rehabilitation program: \$ 170,000

New construction project(s): \$ 95,000; \$50,000 for group home, and \$45,000 for the accessory apartment program.

(b) Affordability Assistance (N.J.A.C. 5:97-8.8)

Considering the small size of the Borough's affordable housing program and the fact that three (3) of the five (5) units will be accommodated through a group home, in which the residential already receive assistance, the Borough does not feel that additional affordability assistance is required.

(c) Administrative Expenses (N.J.A.C. 5:97-8.9)

Riverton projects that \$ 25,204.85, or approximately 20% of \$126,024.23, the existing and projected municipal affordable housing funds, will be available from the affordable housing trust fund to be used for administrative purposes. Administrative costs will be incurred for re-petitioning COAH for Third Round certification, administration of an agreement with the group home and accessory apartment program. The rehabilitation project will be managed through the Burlington County Office of Housing Development.

4. EXCESS OR SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of Riverton will adopt a resolution agreeing to take appropriate actions, consistent with the law, to fund any shortfall and it may consider the issuance of debt obligations if no other financial resources become available, including, but not limited to, the State's Affordable Housing Fund. A copy of the draft resolution is attached.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used to expand the rehabilitation program.

5. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with Riverton's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

SUMMARY

Riverton intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated November, 2008.

Riverton has a balance of \$ 126,024.23 as of October, The municipality will dedicate \$ 95,000 towards affordability projects and \$ 25,204.85 to administrative costs. Any shortfall of funds will be offset by other financial resources, including, but not limited to, the State's Affordable Housing Fund. The municipality will dedicate any excess funds toward expanding the rehabilitation program.