

MASTER PLAN FOR FRANKLIN TOWNSHIP GLOUCESTER COUNTY, NEW JERSEY

PART I: GOALS, LAND USE & HOUSING

Draft: April 29, 2004



Franklin Township Planning Board



THE
WAETZMAN
PLANNING
GROUP

Adopted by the Franklin Township Planning Board

_____, 2004

Planning Board Members

Peter Colucci
Dante DaTorre
William DiMatteo
Pat Dougherty
Stan Evans
David Ferrucci, Mayor

Sam Gorrell
William Lahn
James Mentzer
Jay Mounier, Chairman
Sara Thurston, Vice Chairperson

Master Plan Committee, 2002 - 2004

Joseph Arsenault
Harold Atkinson
Dan Baxter
Janet Coates
Karen Dixon
Pat Dougherty
James Falisi
David Ferrucci, Mayor
Ray Gordon

Sam Gorrell
Jerry Jessick
Russell Leo
Suzanne McCarthy
Jim Mentzer
Jay Mounier
Lorraine Sullivan
Sara Thurston
Robert Villa

Township Committee

Peter Scapellato, Deputy Mayor
Patrick Dougherty, Committeeman

David F. Ferrucci, Mayor
Louis Moffa, Committeeman
Paul Solowey, Committeeman

Department of Community Development

Patricia Knobloch, Director

Phil Sartorio, Prior Director

Technical Assistance Provided by The Wactzman Planning Group, Inc.
1230 County Line Road
Bryn Mawr, PA 19010
800 669 5202

Project Manager: Larry S. Wactzman, AICP, NJPP 2213

Funding for this project was provided, in part, by a grant from the
Association of New Jersey Environmental Commission

Table of Contents

I. INTRODUCTION	1
II. ASSUMPTIONS, GOALS AND OBJECTIVES.....	3
III. DEMOGRAPHICS	6
Population Change Since 1990.....	6
Housing Demographics	8
Age and Income Demographics	11
IV. LAND USE ELEMENT.....	14
V. HOUSING ELEMENT AND FAIR SHARE PLAN.....	38
Legal Background.....	38
What is Affordable Housing?	40
The Fair Share Plan.....	42
Housing Stock Inventory	45
MEETING THE FAIR SHARE AFFORDABLE HOUSING OBLIGATION.....	46
Indigenous Need (Rehabilitation).....	46
Rehabilitation	51
Purchase of Affordability Controls	51
Inclusionary Development.....	51
Regional Contribution Agreements	52
Other Options	52

Table of Figures

Figure 1: Population Change	6
Figure 2: Population Change for Neighboring Municipalities	7
Figure 3: Population and Density Comparison, 1990-2000	7
Figure 4: Population, Housing and Persons per Occupied Unit.....	8
Figure 5: Housing Units by Units in Structure.....	9
Figure 6: Occupied Housing, by Tenure.....	9

Figure 7: Age of Housing Stock	9
Figure 8: Owner-Occupied Costs as a Percentage of Monthly Income	10
Figure 9: Housing Value, adjusted for 2002 Dollars	10
Figure 10: Gross Rent as a Percentage of Monthly Income	11
Figure 11: Gross Rent Paid, 2002 Adjusted.....	11
Figure 12: Age Distribution of Population.....	12
Figure 13: Household Income, 2000 Census and 2002 Adjusted Figures.....	13
Figure 14: Existing Land Use In Franklin Township	14
Figure 15: Existing Zoning in Franklin Township	17
Figure 16: Vacant/Under-Utilized Land In Receiving Areas, > 2.5 Acres.....	29
Figure 17: Vacant/Under-Utilized Land In Sending Areas, > 5 Acres	29
Figure 18: Proposed Zoning By Land Area	36
Figure 19: Affordability Limits	41
Figure 20: Summary of Calculated Housing Need	44
Figure 21: Franklin Township's Affordable Housing Obligation.....	50

Table of Maps

Existing Land Use	15
Existing Zoning.....	18
Ground Water Recharge.....	24
Proposed Land Use.....	31
Proposed Zoning.....	37

FRANKLIN TOWNSHIP MASTER PLAN

I. INTRODUCTION

All New Jersey municipalities that have enacted a zoning ordinance and other land development regulations are required by the Municipal Land Use Law (MLUL) to have a Master Plan. The Master Plan is adopted and maintained by the Planning Board but implementing ordinances, such as zoning are adopted by the Governing Body (Township Committee). A Master Plan Committee has been appointed which has played a significant role helping to develop this Plan.

The MLUL also requires municipalities to either prepare a new Master Plan or to reexamine the current Master Plan at least once every six years. The periodic review of the Master Plan is such a fundamental element of New Jersey Law that failure to reexamine the Plan creates a refutable presumption that land development regulations in the municipality are no longer reasonable.¹ Moreover, the New Jersey Supreme Court has held, in its landmark *Medici* decision, that all zoning decisions made by the Governing Body, the Planning Board, and the Zoning Board of Adjustment must be based upon the master plan.² Whether adopting a new Plan or preparing a Reexamination Report, the process initially begins with a review of major changes in policies and conditions that have occurred since adoption of the last Master Plan.

Franklin Township has experienced only moderate population growth as reported by the last census. The 2000 population of 15,466 was an increase of just under 1,000 people (6.8%) from the results reported in 1990. This growth is modest compared to the double-digit increases experienced in other parts of the County. Nonetheless, Township residents have reported that they fear a loss of the rural character that attracted many of them to Franklin Township. There is also increasing concern to maintain the natural environment that the community is justly proud of. An Open

¹ N.J.S.A. C.40:55D-89.1

² *Medici v. BPR Co.*, 107 N.J. 1,(1987).

Space Element was adopted in 2002. At the same time, there is growing support for the concepts of Smart Growth and limiting sprawl at the local, regional, and state levels.

As a result of these factors, Franklin Township has elected to prepare a new Master Plan for 2004 that is based upon the principles of Smart Growth. Adoption of this Plan will satisfy the statutory reexamination obligation. This report fulfils all mandatory components of the Master Plan, including (a) goals, objectives, and assumptions; (b) a land use element; and (c) a housing element. It also contains an analysis of the demographic factors upon which the Plan is based. However, this report represents only Phase I of the Master Plan process. A subsequent report will address optional elements including circulation, utility service, community facilities, recreation, historic preservation, and recycling.

II. ASSUMPTIONS, GOALS AND OBJECTIVES

The master plan is built upon a foundation of assumptions, which promote goals and objectives for the development of the community. The assumptions, goals and objectives were developed at a public hearing, during which both members of the general public and local officials participated in a visioning exercise where they were exposed to various photographic images and then developed a consensus of how they would like to see the community develop. The results of this exercise are summarized below:

Assumption: Franklin Township will experience modest growth pressure. The Township will experience the general population increases being felt throughout Gloucester County but growth will be limited due to the lack of public utilities.

Goal: To preserve the quality of life in Franklin Township

Objective: Retain the rural character of the community

Objective: Preserve open space opportunities through public and private actions

Objective: Encourage farmland preservation in cooperation with the local agricultural community

Objective: Strengthen ordinances that enhance community character

Assumption: Smart growth policies will be favored over previous patterns of sprawl.

Goal: To promote orderly growth within the Township

Objective: Develop in accordance with the state plan

Objective: Concentrate new development in existing villages like Franklinville and Malaga or in new hamlets to be developed in a designated receiving area

Objective: Encourage conservation-based noncontiguous clusters and performance-based zoning

Objective: Use environmental constraints, street patterns and utility policies to direct new development

Objective: Coordinate Franklin's Master Plan with the plans of the State, Region, County, and adjoining municipalities

Assumption: Franklin Township will continue to be an attractive place to live.

Goal: Maintain a safe and attractive residential environment

Objective: Provide a variety of housing opportunities and dwelling types for residents at all income levels and provide locations for age-restricted and/or senior housing

Objective: Comply with applicable laws and policies regarding affordable housing

Objective: Insure that major new residential development contributes fairly to the provision of needed services, including recreation

Objective: Provide an appropriate range of public services to meet the needs of current and future residents

Assumption: As it develops, Franklin Township will upgrade all modes of transportation required for the efficient movement of people into, about, and through the municipality.

Goal: To provide a circulation system that is safe, efficient, environmentally sensitive, and respectful of the community's rural character

Objective: Work closely with federal, state, and county highway departments to upgrade and improve roadways that run through Franklin Township, but which are under the control of other jurisdictions

Objective: To insure that new local streets are constructed to Township or Residential Site Improvement Standards, as appropriate

Objective: To provide a road network in Franklin Township that is safe and efficient but which, with the exception of N.J.S.H. Route 55, preserves the rural character of the community

Objective: To encourage alternative methods of circulation, including pedestrian and bikeways

Assumption: Franklin Township seeks to diversify and expand its economy.

Goal: To provide Franklin Township with a broad-based economic foundation

Objective: Preserve and protect the Township's agricultural heritage

Objective: Expand opportunities for commercial and industrial development that complement Franklin's rural character, at defined locations in appropriate zoning districts

Objective: Encourage a sound fiscal mix of future uses

Objective: Implement the economic development/redevelopment plan for the area near the Downtown Airport

Assumption: Protection of the Township's natural features, open space resources and historic heritage will remain a high priority

Goal: To enhance and protect the Township's natural and cultural resources

Objective: Enforce and expand environmental policies and regulations

Objective: Implement the township's Open Space Plan

Objective: Explore new opportunities to protect historic resources

III. DEMOGRAPHICS

Population Change Since 1990

In the last ten years the population of Franklin Township has steadily increased. According to the 2000 Census, the population of Franklin totals 15,446 persons, an increase of over 6% from the 1990 Census tabulation of 14,482. The following chart, Figure 1: Population Change, details the growth in the Township over the last ten years. In addition, the chart includes the current Delaware Valley Regional Planning Commission population forecasts through 2020.

FIGURE 1: POPULATION CHANGE

Year	Population	% Change per period	% Change from 1990
1990	14,482	-	-
2000	15,466	6.8%	6.8%
2005	15,800	2.2%	9.1%
2010	16,750	6.0%	15.7%
2020	18,750	11.9%	29.5%

The projections from DVRPC are developed through coordination with the county planning agencies and local governments to distribute the projected regional growth in the areas that growth is likely to occur. As can be seen from Figure 1, the growth pattern experienced in Franklin over the last ten years is expected to continue at nearly the same pace.

This population growth in Franklin was a little lower than that of its surrounding municipalities, as shown in Figure 2: Population Change for Neighboring Municipalities. The 6.8% growth seen in Franklin in the last ten years kept pace with neighboring Monroe Township in Gloucester County and Pittsgrove and Upper Pittsgrove Townships in Salem County.

FIGURE 2: POPULATION CHANGE FOR NEIGHBORING MUNICIPALITIES

Municipality	County	1990	2000	% Change
Clayton Borough	Gloucester	6,155	7,139	16.0%
Elk Township	Gloucester	3,806	3,514	-7.7%
Franklin Township	Gloucester	14,482	15,466	6.8%
Monroe Township	Gloucester	26,703	28,967	8.5%
Newfield Borough	Gloucester	1,592	1,616	1.5%
Buena Vista Twp.	Atlantic	7,655	7,436	-2.9%
City of Vineland	Cumberland	54,780	56,271	2.7%
Pittsgrove Township	Salem	8,121	8,893	9.5%
Upper Pittsgrove Twp.	Salem	3,140	3,468	10.4%

Because the growth of the Township was relatively small, the corresponding land density only increased 6.4%. As seen in the following chart, Figure 3: Population and Density Comparison, 1990-2000, the increase in density for the Township was significant. When comparing Franklin to surrounding municipalities, the Township's density is still one of the lowest.

FIGURE 3: POPULATION AND DENSITY COMPARISON, 1990-2000

Municipality	County	Area	1990 Population	1990 Density	2000 Population	2000 Density	% Change
Clayton Borough	Gloucester	7.18	6,155	857.24	7,139	994.3	13.8%
Elk Township	Gloucester	19.63	3,806	193.89	3,514	179.0	-8.3%
Franklin Township	Gloucester	56.01	14,482	258.56	15,466	276.1	6.4%
Monroe Township	Gloucester	46.55	26,703	573.64	28,967	622.3	7.8%
Newfield Borough	Gloucester	1.70	1,592	936.47	1,616	950.6	1.5%
Buena Vista Twp	Atlantic	41.36	7,655	185.08	7,436	179.8	-2.9%
City of Vineland	Cumberland	68.69	54,780	797.50	56,271	819.2	2.6%
Pittsgrove Township	Salem	45.19	8,121	179.71	8,893	196.8	8.7%
Upper Pittsgrove	Salem	40.39	3,140	77.74	3,468	85.9	9.5%

Housing Demographics

As shown previously, the population in Franklin is steadily growing. Compared to the population increase between 1990 and 2000, there is a larger increase in the number of housing units. Over the last ten years Franklin has seen over a 6.8% growth in population, but a 10.7% growth in Housing Units, and 10.4% increase in occupied units, as shown in the following Figure 4: Population, Housing and Persons per Occupied Unit. Although Franklin's figure for persons per occupied units (3.14) has decreased over the last ten years, this follows the national and regional trend, which has seen the steady decline in family size since the 1970s.

FIGURE 4: POPULATION, HOUSING AND PERSONS PER OCCUPIED UNIT

	1990	2000	% Change 1990-2000
Population	14,482	15,466	6.8%
Housing Units	4,878	5,461	10.7%
Occupied Units	4,679	5,225	10.4%
Persons per Occupied Unit	3.43	3.14	-9.2%

As shown by the following charts, Figure 5: Housing Units by Units in Structure and Figure 6: Occupied Housing, by Tenure, it is clear that Franklin Township is overwhelmingly single-family detached homes (91.5%), in which over 88% are owner-occupied. In addition, most of the housing stock in Franklin has been built before 1990; 15% was built between the 1990 Census and the 2000 Census tabulation and 85% was built before 1989 (and exact breakdown by year can be seen in Figure 7: Age of Housing Stock).

FIGURE 5: HOUSING UNITS BY UNITS IN STRUCTURE

Structure Type	Number	Percent
1-unit, detached	4,999	91.5%
1-unit, attached	32	0.6%
2 units	71	1.3%
3 or 4 units	33	0.6%
5 to 9 units	-	0.0%
10 to 19 units	32	0.6%
20 or more units	18	0.3%
Mobile Home	276	5.1%

FIGURE 6: OCCUPIED HOUSING, BY TENURE

	1990 Census	Percent	2000 Census	Percent
Owner Occupied	4,126	88.2%	4,634	88.7%
Renter Occupied	553	11.8%	591	11.3%

FIGURE 7: AGE OF HOUSING STOCK

Year Structure Built	Number	Percent of Total
1999 to March 2000	59	1.1%
1995 to 1998	283	5.2%
1990 to 1994	481	8.8%
1980 to 1989	1,111	20.3%
1970 to 1979	1,224	22.4%
1960 to 1969	622	11.4%
1940 to 1959	1,196	21.9%
1939 or earlier	485	8.9%

Among the households which owned their own home in 2000, 25% spend 30% or more of their monthly income on housing costs, and conversely over 27% spend less than 15% of their monthly income; a complete breakdown is shown in Figure 8: Owner-Occupied Costs as a Percentage of Monthly Income. In Figure 9: Housing Value, adjusted for 2002 Dollars, the current value for owner-occupied housing has been adjusted using the accepted Consumer Price Index (CPI) inflation rate. Almost 79% of the single-family housing is valued between \$52,240 and \$156,709 (\$50,000 and \$149,999 in 2000), and 18.8% are valued between \$156,710 and \$313,409 (\$150,000 and \$299,000 in 2000).

FIGURE 8: OWNER-OCCUPIED COSTS AS A PERCENTAGE OF MONTHLY INCOME

Percentage of Income	Households	Percentage of Total
Less than 15 percent	1,115	27.1%
15.0 to 19.9 percent	741	18.0%
20.0 to 24.9 percent	689	16.7%
25.0 to 29.9 percent	541	13.1%
30.0 to 34.9 percent	276	6.7%
35.0 percent or more	753	18.3%

FIGURE 9: HOUSING VALUE, ADJUSTED FOR 2002 DOLLARS

2000 Value	2002 Inflated Value	Units	Percentage
less than \$50,000	less than \$52,240	58	1.4%
\$50,000 to \$99,999	\$52,240 to \$104,469	1439	34.9%
\$100,000 to \$149,999	\$104,470 to \$156,709	1811	44.0%
\$150,000 to \$199,999	\$156,710 to \$208,939	632	15.3%
\$200,000 to \$299,999	\$208,940 to \$313,409	144	3.5%
\$300,000 to \$499,999	\$313,410 to \$522,359	18	0.4%
\$500,000 to \$999,999	\$522,360 to \$1,044,719	18	0.4%
\$1,000,000 or more	\$1,044,720 or more	0	0.0%

For those residents of Franklin that rent their residence, only 8.2% spend less than 15% of their monthly income on their rent; however, 40% spend more than 30% of their monthly income on rent. (See Figure 10: Gross Rent as a Percentage of Monthly Income.) The majority of rent charged within Franklin falls between \$522 and \$1,043 in

2002 adjusted figures (\$500 to \$999 in 2000 dollars). The exact breakdown of gross rents paid in Franklin is detailed in Figure 11: Gross Rent Paid, 2002 Adjusted (again, the 2000 Census figures for Value were adjusted using the CPI inflation rate).

FIGURE 10: GROSS RENT AS A PERCENTAGE OF MONTHLY INCOME

Percentage of Income	Households	Percentage of Total
Less than 15 percent	39	8.2%
15.0 to 19.9 percent	102	21.5%
20.0 to 24.9 percent	82	17.3%
25.0 to 29.9 percent	62	13.1%
30.0 to 34.9 percent	80	16.8%
35.0 percent or more	110	23.2%

FIGURE 11: GROSS RENT PAID, 2002 ADJUSTED

2000 Value		2002 Inflated Value		Units	Percentage
less than	\$200	less than	\$207	7	1.2%
\$200 to	\$299	\$207 to	\$312	10	1.8%
\$300 to	\$499	\$313 to	\$521	94	16.5%
\$500 to	\$749	\$522 to	\$782	190	33.4%
\$750 to	\$999	\$783 to	\$1,043	135	23.7%
\$1,000 to	\$1,499	\$1,044 to	\$1,566	46	8.1%
\$1,500 or more		\$1,567 or more		0	0.0%
		No cash rent		87	15.3%

Age and Income Demographics

As shown in Figure 12: Age Distribution of Population, Franklin has seen three significant areas of decrease. The first, the number of children under the age of 5 has decreased by 17.2%, second, the number of children between the age of 5 and 9 years old has decreased over 13%, and third, the largest decrease, people between the age of 25 and 34 years old has decreased by over 32%. Overall, the number of school age children, between the ages of 5 and 19, has increased slightly by 88 students, a 2.4%

increase. The student population increase was greatest among older children, of high school age. The largest increase in any age cohort was for residents over the age 85, an increase of 57 persons (107.5%). Overall, the elderly population increased by over 19% according to the 1990 Census tabulation. The second largest increase was in the 45 to 54 year old population, increasing 843 persons (58.3%). As of the 2000 Census, the median age of all residents in the Township was 36.4 years, and 50.1% of the residents were female.

FIGURE 12: AGE DISTRIBUTION OF POPULATION

Age Group	1990 Census	Percent of total 1990 Population	2000 Census	Percent of total 2000 Population	Change (count) from '90 to '00	Change (percent) from '90 to '00
Under 5 Years	1,154	8.0%	956	6.2%	-198	-17.2%
5 to 9 Years	1,278	8.8%	1,108	7.2%	-170	-13.3%
10 to 14 Years	1,339	9.2%	1,378	8.9%	39	2.9%
15 to 19 Years	1,070	7.4%	1,289	8.3%	219	20.5%
20 to 24 Years	822	5.7%	863	5.6%	41	5.0%
25 to 34 Years	2,636	18.2%	1,768	11.4%	-868	-32.9%
35 to 44 Years	2,395	16.5%	2,989	19.3%	594	24.8%
45 to 54 Years	1,447	10.0%	2,290	14.8%	843	58.3%
55 to 59 Years	599	4.1%	768	5.0%	169	28.2%
60 to 64 Years	502	3.5%	577	3.7%	75	14.9%
65 to 74 Years	852	5.9%	868	5.6%	16	1.9%
75 to 84 Years	335	2.3%	502	3.2%	167	49.9%
85 Years +	53	0.4%	110	0.7%	57	107.5%
	14,482	100.0%	15,466	100.0%	984	6.8%

Household income, as shown in Figure 13: Household Income, 2000 Census and 2002 Adjusted Figures (using the CPI inflation rate to adjust for 2002 dollars), shows that most residents of Franklin earn between \$52,235 and \$78,352 in 2002 adjusted figures (\$50,000 and \$74,999 Census 2000 figures). As of the 2000 Census, there were only 778 residents in the Township with poverty status, 94 of those residents were over the age of 65.

FIGURE 13: HOUSEHOLD INCOME, 2000 CENSUS AND 2002 ADJUSTED FIGURES

2000 Value		2002 Inflated Value		Number of Households	Percent
less than	\$10,000	less than	\$10,446	224	4.3%
\$10,000 to	\$14,999	\$10,446 to	\$15,669	190	3.6%
\$15,000 to	\$24,999	\$15,670 to	\$26,116	506	9.7%
\$25,000 to	\$34,999	\$26,117 to	\$36,564	567	10.8%
\$35,000 to	\$49,999	\$36,565 to	\$52,234	793	15.2%
\$50,000 to	\$74,999	\$52,235 to	\$78,352	1,376	26.3%
\$75,000 to	\$99,999	\$78,353 to	\$104,471	908	17.4%
\$100,000 to	\$149,999	\$104,471 to	\$156,706	555	10.6%
\$150,000 to	\$199,999	\$156,707 to	\$298,942	83	1.6%
\$200,000 or more		\$208,943 or more		26	0.5%

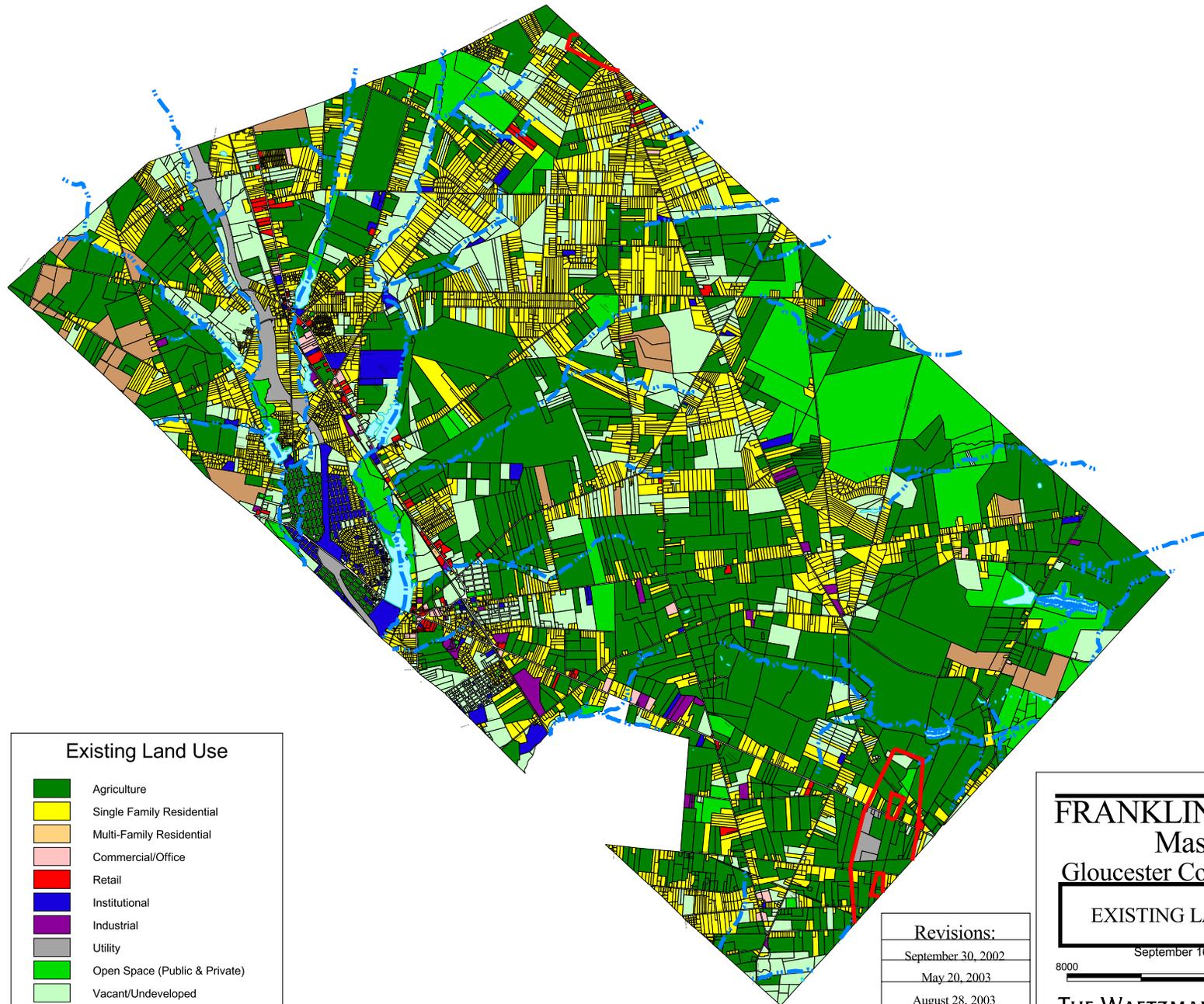
IV. LAND USE ELEMENT

Franklin Township thinks of itself as a rural community. Residents have reported at public forums that they are attracted to the community by its open and rural character and that preservation of its character is a high priority.

It is true that significant amounts of farmland, open space, and undeveloped land remain in the Township, predominately in the southern half of the community. A map of existing land use is shown on the following page and acreage, by land use category, is shown below in Figure 14:

FIGURE 14: EXISTING LAND USE IN FRANKLIN TOWNSHIP

Land Use Category	Acres	% of Township
Agriculture	16,534	47.31%
Single Family Residential	8,630	24.70%
Multi-Family Residential	8	0.02%
Retail	303	0.87%
Commercial/Office	123	0.35%
Industrial	265	0.76%
Institutional	497	1.42%
Utility	445	1.27%
Open Space (Public/Private)	483	1.38%
Vacant/ Undeveloped	7,659	21.92%
Total	34,947	100.00%
Residential Total	8,638	24.72%
Commercial, Retail, Industrial, Utility	1,136	3.25%
All Others (Rural Conducive)	25,173	72.03%
Conducive Lands at Risk	23,426	67.03%



Existing Land Use

- Agriculture
- Single Family Residential
- Multi-Family Residential
- Commercial/Office
- Retail
- Institutional
- Industrial
- Utility
- Open Space (Public & Private)
- Vacant/Undeveloped
- Permanently Preserved Farmland
- Airport Safety Zone

Revisions:
September 30, 2002
May 20, 2003
August 28, 2003
October 3, 2003

FRANKLIN TOWNSHIP
Master Plan
 Gloucester County, New Jersey

EXISTING LAND USE

8000 0 8000 Feet

THE WAETZMAN PLANNING GROUP
 1230 COUNTY LINE ROAD, BRYN MAWR, PA 19010 - 1505
 TELEPHONE: (610) 527-0600; FAX: (610) 527-0445

Residential uses account for just under a quarter of the Township's land area while nonresidential uses such as retail, commercial and office, industrial, or utility uses account for just over 3% of the land.

47.3% of Franklin Township is now devoted to agricultural uses and another 21.9% remains vacant or undeveloped. To this total can be added 1.4% of the land that is devoted to open space uses such as parks and the golf course and another 1.4% of the land that is used for institutional purposes. Thus, 72% of the township is now used in a manner that is conducive to the rural character desired by residents.

This number is deceiving, however. Of the total amount of agricultural land, just 767 acres are permanently preserved farmland, representing less than 5% of the total agricultural land in the township. When the non-permanently preserved farmland is added to the amount of vacant or undeveloped land, it accounts for 93% of the land that is conducive to the rural character, or two thirds of the total township land area. This land is at risk.

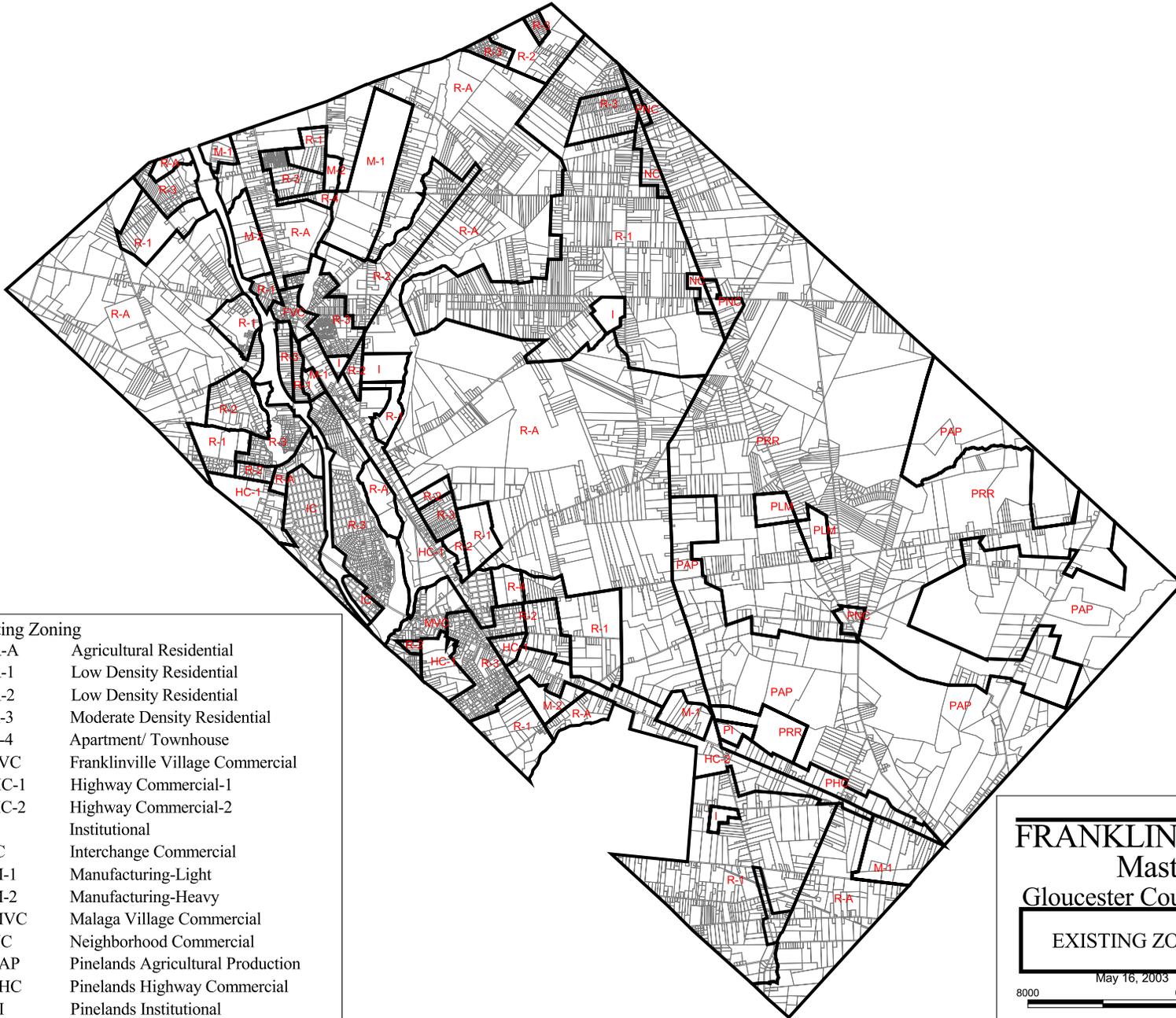
Just over a third (35%) of the eastern portion of the Township is located within the New Jersey Pinelands Preserve, an area in which development is severely restricted.

Moreover, when development has occurred in the non-Pinelands portion of the Township, the existing zoning ordinance, which is shown on the accompanying map, has permitted development patterns that are at odds with the desired rural character. The amount of land devoted to each zoning classification in the current ordinance is shown in Figure 15:

FIGURE 15: EXISTING ZONING IN FRANKLIN TOWNSHIP

Existing Zoning	Acres	% of Township
R-A Residential Agricultural	9,598	27.47%
R-1 Residential	4,794	13.72%
R-2 Residential	1,675	4.79%
R-3 Residential	1,893	5.42%
R-4 Apartment/Townhouse	99	0.28%
NC Neighborhood Commercial	147	0.42%
FVC Franklinville Village Commercial	68	0.19%
MVC Malaga Village Commercial	126	0.36%
HC-1 Highway Commercial 1	1,444	4.13%
HC-2 Highway Commercial 2	509	1.46%
IC Interchange Commercial	233	0.67%
M-1 Light Manufacturing/Industrial	437	1.25%
M-2 Heavy Manufacturing/Industrial	726	2.08%
I Institutional	189	0.54%
PAP Pinelands Agricultural Production	5,007	14.33%
PRR Pinelands Rural Residential	7,106	20.33%
PHC Pinelands Highway Commercial	206	0.59%
PNC Pinelands Neighborhood Commercial	112	0.32%
PLM Pinelands Lt. Manufacturing/Industrial	143	0.41%
PI Pinelands Institutional	44	0.12%
Rte. 55 Corridor	391	1.12%
Total	34,947	100.00%
Non-Pinelands	22,330	63.90%
Pinelands	12,617	36.10%

The residentially zoned portions of Franklin Township, which are not located within the Pinelands, are currently classified into five zoning districts:



Existing Zoning

- R-A Agricultural Residential
- R-1 Low Density Residential
- R-2 Low Density Residential
- R-3 Moderate Density Residential
- R-4 Apartment/ Townhouse
- FVC Franklinville Village Commercial
- HC-1 Highway Commercial-1
- HC-2 Highway Commercial-2
- I Institutional
- IC Interchange Commercial
- M-1 Manufacturing-Light
- M-2 Manufacturing-Heavy
- MVC Malaga Village Commercial
- NC Neighborhood Commercial
- PAP Pinelands Agricultural Production
- PHC Pinelands Highway Commercial
- PI Pinelands Institutional
- PLM Pinelands Light Manufacturing
- PRR Pinelands Rural Residential
- PNC Pinelands Neighborhood Commercial

FRANKLIN TOWNSHIP
Master Plan
 Gloucester County, New Jersey

EXISTING ZONING



8000 0 8000 Feet
 May 16, 2003 North

THE WAETZMAN PLANNING GROUP
 1230 COUNTY LINE ROAD, BRYN MAWR, PA 19010 - 1505
 TELEPHONE: (610) 527-0600; FAX: (610) 527-0445

The R-A Residential Agricultural District permits single-family detached dwellings as well as permitting all types of farming other than piggeries, slaughterhouses, and similar obnoxious uses. In addition, roadside markets for the sale of farm products are permitted, provided that 60% of the product is grown on the premises. Other principal uses that are permitted by right include municipal uses, public and private schools, and privately owned recreational uses that are available for use by the general public. Additional permitted uses are specified accessory uses and specified institutional uses that are permitted as conditional uses. However, the minimum required lot area in the current district is just one acre (43,560 square feet).

The R-1 Residential District limits uses permitted by right to single family detached homes. Accessory uses are also permitted and the list of conditional uses includes two family dwellings. The required minimum lot area is 40,000 square feet per unit.

The R-2 Residential District provides for the same uses as does the R-1 District, but it requires a minimum lot area of 35,000 square feet per unit.

The R-3 Residential District also provides for the same uses as does the R-1 District, but it requires a minimum lot area of 30,000 square feet per unit.

The R-4 Apartment/Townhouse District provides for a wider variety of residential uses including single-family detached dwellings, townhouses, and apartment houses. The district requires a 10-acre minimum tract size with a land area of 22,500 square feet per unit in areas not served by a public or private water and sewer system. When such systems are provided, the land area per unit may be reduced to 11,250 square feet.

The existing zoning does not promote the retention of the rural character that is cherished by Franklin's residents. The lowest density zone, the R-A District, which has a minimum lot area of one acre (43,560 square feet) is not substantially different from

the next highest density district, the R-1, which has a minimum lot area of 40,000 square feet. There is a similar lack of significant density variation in the remaining residential districts, with the R-2 and R-3 Districts permitting minimum lot areas of 35,000 and 30,000 square feet respectively. The R-1, R-2 and R-3 districts permit two-family dwellings as a conditional use, but each unit is required to have the same minimum lot area as a single-family detached dwelling in the same zoning district.

As noted above, the R-4 district offers greater diversity in terms of the type of permitted residential uses, including single-family detached dwellings, townhouses, and apartment houses. However, a 10-acre minimum tract area is required for townhouses and apartment houses and densities are still relatively high for these dwelling types. Without sewer and water service, these developments require 22,500 square feet per unit, for a density of just over two units per acre. Densities double if sewer and water systems are provided, but still remain relatively low. Moreover, the R-4 District accounts for just 0.28% of the Township's land area.

Franklin Township has no less than nine non-residential zoning districts, ranging from neighborhood commercial to a heavy manufacturing industrial district. What is significant about these zones is that in almost every instance, the amount of land zoned for the non-residential use greatly exceeds the existing development.

Manufacturing and industrial uses in particular tend to be scattered throughout the community, near residential development or residentially zoned land. A wide variety of intensive manufacturing, warehouse and distribution uses are permitted in these districts.

Commercial uses are concentrated in the villages of Franklinville and Malaga, as well as along the portion of Delsea Drive that connects these two areas. Isolated neighborhood commercial zones serve smaller sections of the community such as Star Cross and Forest Grove.

The Township has attempted to preserve the established village character of Franklinville and Malaga by establishing specialized zoning districts that are intended

to promote mixed uses. Yet there are differences between the Franklinville Village Commercial (FVC) and the Malaga Village Commercial (MVC) Zoning Districts. To a large extent these reflect the existing conditions, in which Franklinville is a more traditional village and Malaga tends to be oriented towards highway commercial development. Yet zoning and the Master Plan should attempt to influence projected future conditions, protecting existing landmarks in Franklinville and encouraging the preservation of the remaining residential village in Malaga.

The goal of permitting mixed land use in villages is laudable and reflects traditional village patterns, where apartment and office uses often occurred over retail shops. Care must be taken, however, to restrict these uses so that they do not overwhelm and threaten the residential uses, which form the core of both communities. Malaga has become dominated by gas stations, restaurants, and convenience stores that are more characteristic of highway commercial districts than traditional village forms. If similar uses emerged in Franklinville, its character could be destroyed. The zoning ordinance must offer protection to both the mixed-use concept and to the overriding preservation of the village character.

Recent code amendments have strengthened landscape and buffer standards but much needs to be done, particularly with signage. A particular concern is the commercial area along Delsea Drive and the Harding Highway, from the Clayton Borough line to Malaga. This area generally lacks a cohesive design theme and typically consists of strip commercial development or isolated uses, although the recent renovation of a previously derelict shopping center is a positive sign. Unplanned strip commercial development leads to excessive access points onto the highway, which can be a traffic hazard. The lack of coordinated architecture also does little to enhance the aesthetics of the area. Planned, small-scale development should be encouraged that compliments the Township's rural character. One way to achieve that would be to require that new buildings be placed closer to the street and used to screen interior parking lots. Unified architecture, controlled signage, and enhanced landscaping would improve the appearance of these commercial areas.

It is apparent from this short overview of existing zoning patterns that they do little to protect the rural character that is cherished by Township residents. Moreover, there is little basis for the existing zoning scheme other than a desire to recognize patterns of development and to allow for their expansion, perhaps to an unrealistic extent.

The current zoning scheme is not consistent with the principles of Smart Growth that have become the cornerstone of planning philosophy, both nationally and in the State of New Jersey. The State has established Smart Growth Council, located within the Department of Community Affairs, which is designed to coordinate inter-Agency actions to encourage Smart Growth at both the State and local level. Smart Growth is defined by the State as encompassing the following goals:

- Mixed land uses
- Compact, clustered community design
- A range of housing choice & opportunity
- Development of walkable neighborhoods
- Creation of distinctive, attractive communities that offer a sense of place
- Open space, farmland, & scenic resource preservation
- Future development strengthened & directed to existing communities, using existing infrastructure
- A variety of transportation options
- Predictable, fair & cost-effective development decisions, and
- Community & stakeholder collaboration in development decision-making.

In coordination with these efforts, the New Jersey Office of Smart Growth Planning is in the process of preparing revisions to the State Development and Redevelopment Plan (SDRP). The SDRP is a state-wide comprehensive plan and it is the State's intent to use the plan as an anti-sprawl land use tool that is designed to direct most statewide new development into established urban and suburban areas, while preserving rural areas without sewers, such as Franklin Township. The Franklin Township Master Plan supports these goals.

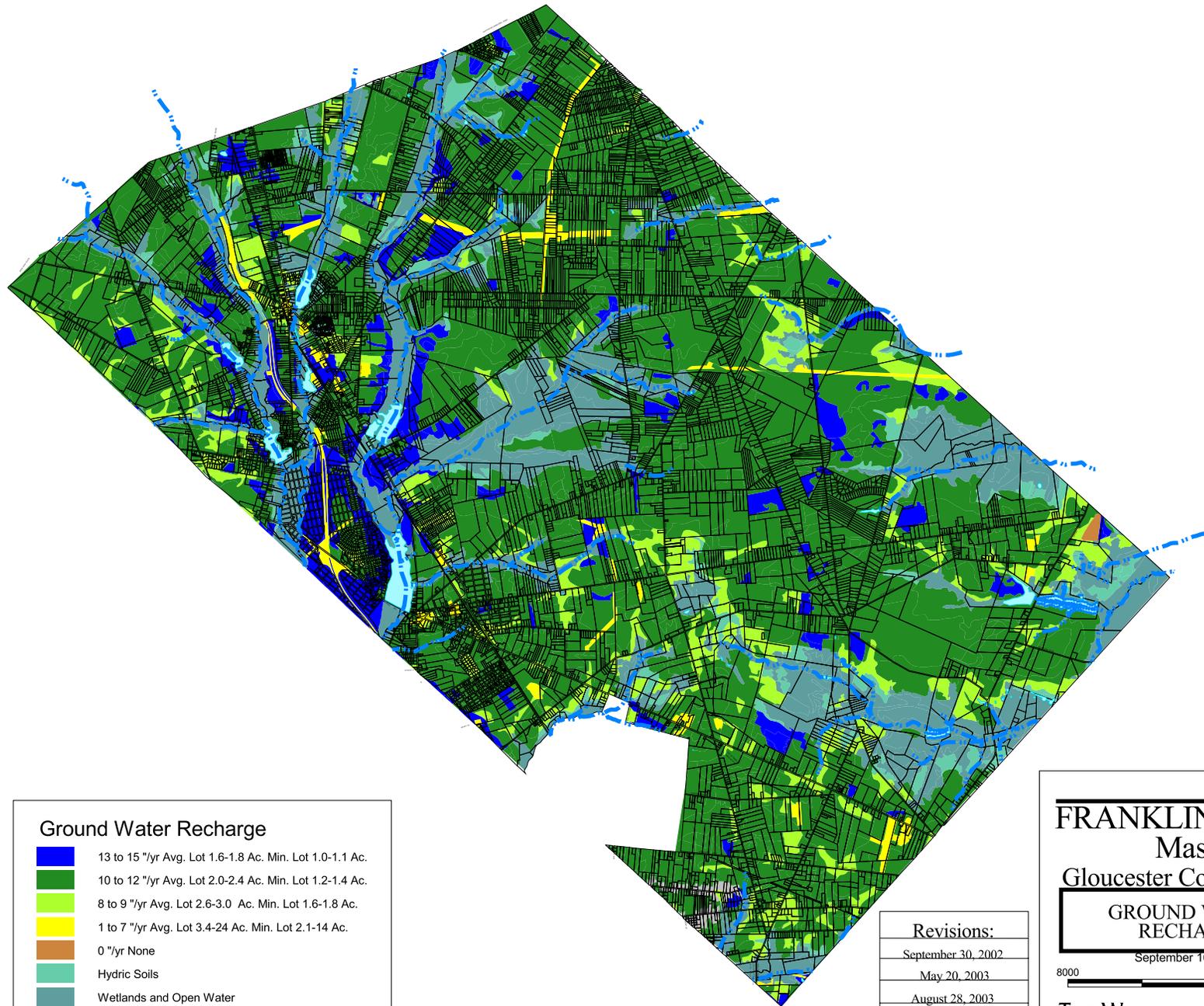
Important new initiatives have recently been enacted to safeguard supplies of drinking water and to preserve water quality. This assures improved protection of groundwater resources that serve the State's population as well as protection of streams and waterways that serve as critical habitats for many of New Jersey's threatened and endangered species.

In light of all of these important developments, and in furtherance of Franklin Township's goal of preserving its character, the Land Use Element of the Master Plan proposes a radical departure from prior zoning and land use patterns. It is proposed that the Land Use Plan should place less emphasis on existing patterns of development and more emphasis on protection of the underlying aquifer. By keying future zoning and land use patterns to groundwater recharge rates, a more reasoned zoning plan can emerge which is based on scientific fact rather than arbitrary decisions affecting density and use.

The map on the following page displays groundwater recharge rates based upon a Recharge-Based Nitrate-Dilution Model prepared by the New Jersey Geologic Survey. The map and its assumptions may be viewed on the Geologic Survey's website. It shows groundwater recharge rates in inches per year and then translates that data into the average and minimum lot sizes that are necessary to protect this critical resource. These calculations are based upon assumptions of resulting impervious cover and are primarily keyed to residential development.

A review of the map shows that the majority of the non-Pinelands portion of Franklin Township falls into the recharge category of 10 to 12 inches per year. This classification supports average lot sizes of 2.0 to 2.4 acres, with a minimum lot area of 1.2 to 1.4 acres. This density is less than in any residential zone currently existing in the township.

The Master Plan recommends that the current R-1, R-2, R-3, and R-4 Districts be abolished and that all residentially zoned land, not in the Pinelands, be zoned R-A, Residential-Agriculture. Further, the Plan proposes that the current minimum lot area



Ground Water Recharge

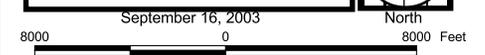
- 13 to 15 "/yr Avg. Lot 1.6-1.8 Ac. Min. Lot 1.0-1.1 Ac.
- 10 to 12 "/yr Avg. Lot 2.0-2.4 Ac. Min. Lot 1.2-1.4 Ac.
- 8 to 9 "/yr Avg. Lot 2.6-3.0 Ac. Min. Lot 1.6-1.8 Ac.
- 1 to 7 "/yr Avg. Lot 3.4-24 Ac. Min. Lot 2.1-14 Ac.
- 0 "/yr None
- Hydric Soils
- Wetlands and Open Water
- No Recharge Calculated

Revisions:

- September 30, 2002
- May 20, 2003
- August 28, 2003
- October 3, 2003

FRANKLIN TOWNSHIP
Master Plan
Gloucester County, New Jersey

GROUND WATER RECHARGE



THE WAETZMAN PLANNING GROUP
 1230 COUNTY LINE ROAD, BRYN MAWR, PA 19010 - 1505
 TELEPHONE: (610) 527-0600; FAX: (610) 527-0445

of 1-acre in the R-A District be increased to a base minimum lot area of 2.5 acres. This will result in a reduction in permitted density in the R-A District from 1 dwelling unit per acre to 0.4 dwelling units per acre. The reduction in density will be even greater in the other existing residential districts, for which a rezoning to R-A is recommended.

Further, it is recommended that the land development regulations be amended so that proposed subdivisions would be required to submit a no-variance conceptual yield plan, showing how many lots can be achieved with conventional development. The base minimum lot area of 2.5 acres per unit and 200 feet of street frontage would be utilized. New streets would be encouraged (as opposed to lotting off existing roads).

Hypothetical Calculation of A Yield Plan

- Assume a 50-acre site.
- 5 acres of the site is environmentally sensitive, but this land could be included within subdivided lots so long as sufficient developable land remains on each lot to build and access a regularly shaped home with a first floor footprint of at least 1,000 square feet.
- Of the 50 developable acres, assume that a minimum of 10% of the site will be roadway, leaving approximately 45 acres for residential lots. The actual percentage of the tract devoted to roads will vary by the design of each yield plan.
- In this example, the yield plan will show a maximum of 18 lots (45 acres/2.5 minimum lot size).
- This establishes the maximum number of lots than can be produced on this tract.

Tracts yielding less than five lots will continue to be subdivided conventionally into two and one half acre lots.

Tracts whose yield plan produces 5 or more lots will be required to utilize conservation subdivision techniques. The total number of units could not exceed those produced by the yield plan but developers can expect to see a reduction in their development costs as

a result of reduced infrastructure costs. For example, fewer linear feet of new streets will be required. No minimum lot area will be required in designing a conservation cluster plan, provided that the maximum permitted density established by the yield plan is not exceeded and provided further that buildings are not located closer than twenty (20) feet to one another.

The conservation plan would require that a minimum of 50% of the adjusted land area (less streets, wetlands, flood plains, and steep slopes) would be preserved in perpetuity as common open space or as permanently protected agriculture. Environmentally sensitive lands could be included either on individual lots or in common open space but not more than 50% of the preserved open space may be environmentally sensitive land. Conservation plans should also be designed to preserve unique features such as architecturally or historically significant buildings, hedgerows, specimen trees and similar features. The plans should also be designed to maximize viewsheds from both the perspective of residents within the development and from the general public when viewing the development from adjacent roads. Common open space or preserved farmland within these developments may serve as the location for leeching fields associated with on-site septic systems, provided that the maintenance of both the fields and preserved land are guaranteed by a homeowners or condominium association or by a land trust.

Conservation-based subdivision plans can be provided anywhere in the Township, utilizing contiguous lands.

The Municipal Land Use Law allows planned residential subdivisions to include non-contiguous land. An applicant would be allowed to acquire development rights to non-contiguous lands that would be preserved into perpetuity. Acquisition of these development rights would occur in the open market place. In addition, a Receiving Area would be established, as shown on the Zoning Map, in a broad area roughly centered on Delsea Drive and the Harding Highway. All other areas of the Township, including those both within and outside of the Pinelands, would be designated as Sending Area. Development rights within the Sending Area can only be transferred into the Receiving Area, allowing the Township to channel growth in that area.

It must be emphasized, however, that this use of non-contiguous planned residential clusters is not intended to be interpreted under recently enacted legislation that permits the statewide Transfer of Development Rights. The Master Plan endorses the general concept of Transfer of Development Rights but recognizes that significant future analysis of the recently enacted regulations will be necessary before they can be enacted in Franklin Township.

As with other conservation subdivisions, a yield plan would have to be prepared that showed a density of not less than 2.5 acres per unit, including the restricted land in the Sending Area. All development would occur in the Receiving Area. The land in the Sending Area used to calculate density would be permanently restricted from development by means of a deed restriction. All lots without community water and sewer service would have to demonstrate that sufficient supplies of potable groundwater were available and that the lots met county standards for septic systems or would utilize innovative and workable sewage disposal techniques.

Example of a Non Contiguous Subdivision

- Assume a 50-acre site in the Receiving Area and a 50-acre site in the Sending Area.
- The 50-acre site in the Receiving Area has 4 acres of environmentally sensitive land and the 50-acre Sending Area Site has 6 acres of environmentally sensitive land.
- Although all of the environmentally sensitive land in the Receiving Area could theoretically be included in a subdivided lot, no environmentally sensitive land of those lands in the Sending Area could be built upon. Therefore, there are 94 developable acres (100 total acres less 6 total acres of environmentally sensitive land in the Sending Area).
- Of the 94 total developable acres, assume that 10% of the site will be roadway, leaving approximately 84.6 acres for residential lots. This must be shown on a conceptual yield plan but the applicant, for purposes of drawing the yield

- plan, may assume that the lands are hypothetically contiguous although in fact they are not. The sensitive lands in the Sending Area would be excluded.
- The yield plan will show a maximum of 33 lots (84.6 acres /2.5 minimum lot size).
 - A Non Contiguous Density Planned Residential Development would be permitted to have a maximum of 33 lots in the Receiving Area. Again, no minimum lot area is required so long as the maximum density determined by the yield plan is not exceeded and buildings are no closer than twenty (20) feet to one another. All of the land in the Sending Area would be permanently restricted to open space or agricultural uses but it is possible that some common open space may also be created in the Receiving Area as well.

When the yield plan produces 30 or more lots, the applicant will have the option of either providing the conventional conservation subdivision plan, as described above, or of taking advantage of a density bonus in return for even greater open space or agricultural preservation. The applicant would be permitted a total number of dwelling units equal to 1.2 times the number of units produced by the yield plan in return for a 70% preservation of open space. All development must occur within the Receiving Area. Other regulations would be similar to the mandatory conservation plan in terms of eliminating minimum lot areas, avoiding sensitive lands and preserving key natural and man-made features. However, evidence must be presented that standards for providing potable water and septic treatment can be met.

In the best of all possible worlds, sufficient developable land would remain in the Sending and Receiving Areas so that any property owner wishing to either purchase or sell development rights would have an unfettered opportunity to do so. This would allow property owners to reclaim some of the values lost by the environmentally motivated down-zoning. Unfortunately this is not possible due to the extent of previous development. Figures 16 and 17 show the extent of land remaining, by tract size, in the Receiving Area, the Non-Pinelands Sending Area, and the Pinelands Sending Area. These calculations do not exclude environmentally sensitive lands but

they do exclude lands not appropriate for conservation subdivision due to reasons such as preserved land or inappropriate existing land uses.

Regrettably, it can be seen that too few large tracts remain in the Receiving Area to accommodate all potential sellers of Development Rights in the Sending Area. Nonetheless, these property owners will retain the right to develop their land in accordance with the underlying zoning regulations.

FIGURE 16: VACANT/UNDER-UTILIZED LAND IN RECEIVING AREAS, > 2.5 ACRES

Parcel Size	Number of Parcels	Acreage
2.5 to 24.9 acres	280	2,091.13
25.0 to 49.9 acres	16	593.13
50 acres or larger	7	630.24
Total Parcels Available for Cluster	303	3,314.50
Parcels of less than 2.5 acres	2,630	2,254.55

FIGURE 17: VACANT/UNDER-UTILIZED LAND IN SENDING AREAS, > 5 ACRES

Parcel Size	Number of Parcels	Acreage
<i>Non-Pinelands Land</i>		
5 to 10 acres	143	1,045.30
10 to 14.9 acres	76	923.00
15 acres or larger	141	4,939.99
Total Parcels Available for Cluster	360	6,908.29
Parcels of less than 5 Acres	2,124	3,307.23
<i>Pinelands Land</i>		
5 to 10 acres	146	1,000.01
10 to 14.9 acres	38	460.33
15 acres or larger	55	1,441.76
Total Parcels Available for Cluster	239	2,902.10
Parcels of less than 5 Acres	917	1,950.03

This strategy will significantly advance the goal of protecting the rural character of Franklin Township in a manner that also protects natural resources. However, it must be recognized that the plan has negative aspects as well. Many existing lots will become nonconforming, although the rights of property owners are protected by the Municipal Land Use Law. Future building additions may require a zoning variance, but the Master Plan directs the Zoning Board of Adjustment to make reasonable accommodation for area and bulk variance applications resulting from this significant amendment to the zone plan.

Another disadvantage of the plan is that the low residential densities permitted by this plan make development of any dwelling types other than single-family detached homes impractical. This limits housing choices for those who would prefer to live in two-family dwellings, townhomes, apartments, or manufactured housing; and for those unable to afford a single family detached dwelling on a two and one half acre lot. One of the problems facing Franklin Township, which will be addressed in the Housing Element, is that it has a Cycle II calculated affordable housing obligation of 237 dwelling units. The Council on Affordable Housing (COAH) has issued draft regulations for Cycle III regulations which, if adopted in their present form, will require that the Cycle II obligation be met and that a new obligation be computed based upon an estimation of new housing construction and job creation through 2014.

Accordingly, the new R-A District regulations would permit development of new villages or hamlets on tracts of at least 50 acres or more in the Receiving Area at higher densities, provided sufficient development credits were obtained so that the average density, including the restricted land, did not exceed an average of density of 1.25 acres per unit. All lots without community water and sewer service would have to demonstrate that sufficient supplies of potable groundwater were available and that the lots met county standards for septic systems or innovative sewage disposal techniques. A 50% open space or agricultural preservation component would be required.

If a community-based (package) water and sewer system were provided on a minimum 50 acre tract of land, a full range of dwelling types could be provided, so long as adequate development credits were obtained. In this instance, densities could be increased to as much as 6 dwelling units per acre for townhouses and apartments, and four dwelling units per acre for small lot single-family dwellings. The required open space or agricultural preservation component would be reduced to 25%, but an affordable housing obligation would be assigned to the project. The Township may use its powers under the Local Redevelopment and Housing Law as a means of assisting the aggregation of sufficient parcels to create tracts of 50 acres or more for the purpose of making affordable housing possible.

Provision could be made for even higher densities as a bonus if additional sewer and water capacity were made available to other nearby sections of the Township, beyond the control of the applicant. The extent of this bonus would be negotiated by the Township, based upon the amount of additional capacity made available.

In both instances (with or without community utility systems), traditional village development forms would be encouraged, including a grid street pattern and permitting up to 15% of the land area in a village or hamlet to be devoted to mixed, non-residential uses that are supportive of the residential community. These would include convenience retail stores and services, offices and restaurants.

Non-residential retail, service, office, restaurant, and related uses would be permitted in the R-A District within the Receiving Area, without associated residential uses, provided that they (a) met the village design standards described above, (b) were located on tracts of land of at least five acres (including development credits), and (c) had direct street access to either Delsea Drive or the Harding Highway.

Within the Pinelands portion of the Township, the regulations affecting the Pinelands Rural Residential District and the Pinelands Agricultural Preservation District would remain intact but the district boundaries would change significantly, reflecting current patterns of lot size and agricultural preservation.

The Franklinville Village Commercial and Malaga Village Commercial Districts are recommended for replacement by new Franklinville Village and Malaga Village Districts. Boundaries have been expanded to include the existing small lot residential components of these villages and protections would be included to protect their character by allowing significantly smaller lot areas and apartment conversions in houses with a gross floor area in excess of 3,000 square feet. The small existing lot sizes in the Villages would preclude the use of conservation subdivision techniques there. Mixed-uses would be encouraged but strict design standards would protect the character of the historic villages and nonresidential uses would be limited to specific areas. In Franklinville, first floor retail, service, office, restaurant, and related uses, including bed-and-breakfast establishments, would be permitted within 1,000 feet of the five points intersection. Enhanced signage controls and screened parking lots, where practical, would further protect the neighborhood. In Malaga Village, similar controls would be implemented, but commercial uses would require frontage on Delsea Drive or the Harding Highway. New development would be required to screen parking lots with buildings and interconnect driveways, when practical.

A new "B" Business District is proposed along the west side of Fries Mill Road, both north and south of Grant Avenue. This district is intended to accommodate planned development that could include an office campus but would be flexible enough to also accommodate warehousing and distribution and private recreational uses. New manufacturing uses would be excluded, but existing uses would be protected. A hamlet would be provided on this land, allowing it to be developed as a mixed use hamlet provided that 40% of the resulting residential units were restricted to households in which at least one member is age 55 or older and no one is under 18.

The Master Plan proposes a new Interchange Commercial District near the Malaga interchange of N.J.S.H. Route 55. Although premature subdivisions have created many small lots, the majority of this land has been consolidated by a few key landowners. Such premature subdivision, resulting in a proliferation of ownership, is one of the criteria contained in the Local Housing and Redevelopment Act for declaring an area in need of Redevelopment. If this proves to be an obstacle to the development of this area, the Master Plan recommends that the Redevelopment Act be utilized to eliminate the

problem. Similarly, some environmental problems exist in this area, but much of the proposed district consists of upland. The geographic position of this land, near the intersection of two major highways, makes it a logical location for larger-scale planned development that can boost the tax base without creating undue congestion on local streets. It is proposed that the IC District permit planned shopping centers, business parks, and office campuses on tracts with a minimum area of 25 acres of upland.

In addition, other new opportunities for economic development are proposed along Harding Highway, from Main Road to Tuckahoe Road. Since the north side of this area is in the Pinelands and the South side is not, two districts are proposed: a Highway Commercial District and a Pinelands Highway Commercial District. Both districts would require planned retail, commercial or office development on a minimum tract of 10 acres, with a minimum of 400 feet of frontage on Harding Highway, to minimize the number of curbcuts. These would be similar to restrictions imposed on planned commercial development fronting on Harding Highway and Delsea Drive, within the Receiving Area. Design standards will insure compatibility with village standards.

Neighborhood Commercial District boundaries have been adjusted to accommodate existing development in Star Cross, Forest Grove and along other portions of Tuckahoe Road. Similarly, a Pinelands Neighborhood Commercial District is retained to serve the Blue Bell area.

A previously prepared Redevelopment study for the Downtown Airport-Meredith Farms Area is incorporated by reference into this study and is supported by a LM Light Manufacturing District on the site of the airport.

In general, the LMI and HMI Districts have been reduced in area and combined into a single Light Manufacturing District. Four such districts have been identified, each containing significant existing development. A few isolated sites that are now zoned either LMI or HMI would become legal nonconforming uses within the R-A District. Uses permitted would be closer to those now allowed in the LMI District but nonconforming existing uses would be protected. Similarly, the Pinelands Light Manufacturing District has been changed to the PNC Pinelands Neighborhood

Commercial District. Existing uses would become legal nonconforming uses within the PNC District, with the intent that new uses would be more compatible with the surrounding area.

Permanently protected lands in the Pinelands have been placed into a Pinelands Rural Conservation/Recreation District.

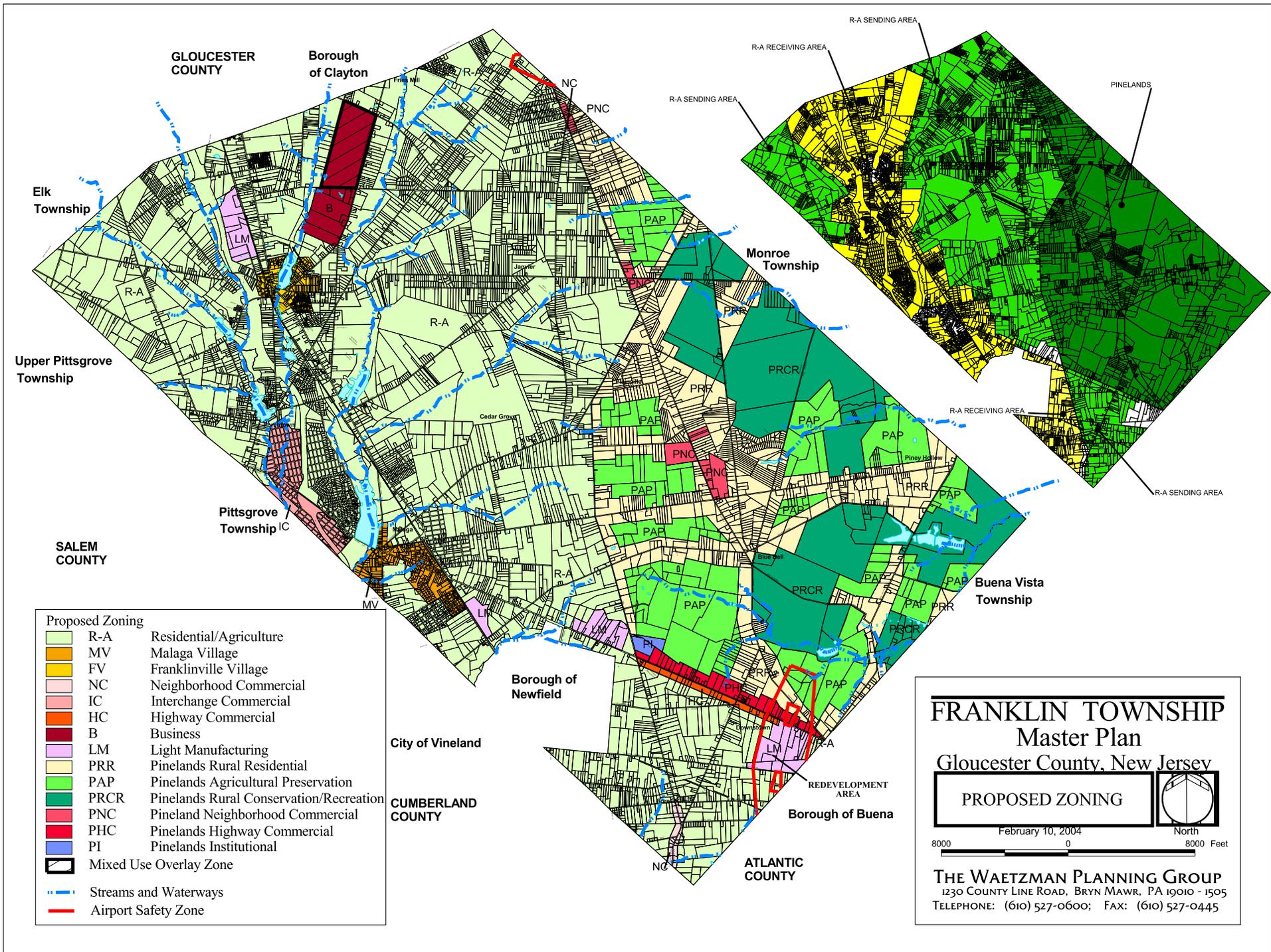
Figure 18 displays the amount of land devoted to each of these proposed zones and a new future land use (zoning) map is shown on the subsequent page.

It will be noted that nearly 60% of the township is proposed for the revised R-A Residential-Agriculture Zoning District. Another 25% of the Township would be placed in the Pinelands Rural Residential District or the Pinelands Agricultural Preservation District. These districts thus account for nearly 85% of the land in the Township but this figure is somewhat misleading. It should be recalled that well designed, planned commercial development is permitted in the R-A District, either within villages or hamlets or at locations on designated highways.

The goal of this Land Use Plan has been to reduce the overall density of Franklin Township, to protect its groundwater, to base the zoning on scientific analysis, and to improve the design standards within the community. The plan is founded on the principles of Smart Growth and should be a significant milestone in the Township's effort to preserve and retain its rural character.

FIGURE 18: PROPOSED ZONING BY LAND AREA

Proposed Zone	Acres	% of Township
RA- Residential Agriculture	20,601.43	58.95%
FV- Franklinville Village	177.22	0.51%
MV- Malaga Village	290.67	0.83%
LM- Light Manufacturing	491.82	1.41%
B- Business	443.72	1.27%
IC - Interchange Commercial	188.60	0.54%
HC - Highway Commercial	85.63	0.25%
NC- Neighborhood Commercial	49.38	0.14%
PAP- Pinelands Agricultural Preservation	3,577.48	10.24%
PRCR- Pinelands Rural Conserv./Rec.	3,951.26	11.31%
PRR- Pinelands Rural Residential	4,633.04	13.26%
PI- Pinelands Institutional	43.59	0.12%
PHC- Pinelands Highway Commercial	212.85	0.61%
PNC- Pinelands Neighborhood Commercial	199.98	0.57%
Total	34,946.66	100.00%



Proposed Zoning

R-A	Residential/Agriculture
MV	Malaga Village
FV	Franklinville Village
NC	Neighborhood Commercial
IC	Interchange Commercial
HC	Highway Commercial
B	Business
LM	Light Manufacturing
PRR	Pinelands Rural Residential
PAP	Pinelands Agricultural Preservation
PRCR	Pinelands Rural Conservation/Recreation
PNC	Pineland Neighborhood Commercial
PHC	Pinelands Highway Commercial
PI	Pinelands Institutional
[Hatched Box]	Mixed Use Overlay Zone

- - - - Streams and Waterways
 - - - - Airport Safety Zone

FRANKLIN TOWNSHIP
Master Plan
 Gloucester County, New Jersey

PROPOSED ZONING

February 10, 2004

8000 0 8000 Feet

North

THE WAETZMAN PLANNING GROUP
 1230 COUNTY LINE ROAD, BRYN MAWR, PA 19010 - 1505
 TELEPHONE: (610) 527-0600; FAX: (610) 527-0445

V. HOUSING ELEMENT AND FAIR SHARE PLAN

Legal Background

The Housing Element and Fair Share Plan is required by the Fair Housing Act, which was signed into law in July of 1985. It mandates that all municipalities that choose to enact and enforce a zoning ordinance must prepare a housing element as part of the community's master plan. The Housing Element became one of the three required elements of a Master Plan in August, 1988. The Housing Element must include an analysis of housing, demographic and employment characteristics of the community and an analysis of municipal lands appropriate for affordable housing.

The affordable housing obligation is sometimes called the "Mt. Laurel Obligation," because the initial court cases that were brought against that township led to a finding by the New Jersey Supreme Court that every municipality in the State had a constitutional obligation to meet the housing needs of low and moderate income households. Litigation brought under the Mt. Laurel Doctrine is sometimes called a "Builder's Remedy Case" because builders who successfully prove that a town has not met its affordable housing obligation are often awarded approval of their plans, regardless of zoning, as a reward for bringing the municipality to the Court's attention. In extreme cases, the Court can order that all development regulations in an offending municipality can be set aside and it can appoint a master (a planner working for the Court) to rewrite the municipal ordinances.

The Fair Housing Act also created the Council on Affordable Housing (COAH) to administer and implement affordable housing policy among local governments. COAH established both procedural and substantive rules for communities to create a fair share plan to address the affordable housing obligation that is based on a regional fair share allocation formula. COAH was charged with reviewing and, when requested, certifying the municipal fair share plan. With certification, a municipality's zoning ordinance carries a presumption of validity against future legal challenges for a period of 6 years. Although the obligation to prepare a housing plan is mandatory, municipalities are not required to submit their Housing Elements to COAH.

COAH is charged with the responsibility of calculating the need for housing affordable to low and moderate income households in each of six housing regions across the State and then to allocate a "fair share" of that need to each municipality in each region. Franklin Township is located in COAH's Region 5, which includes Burlington, Camden, and Gloucester Counties.

Initially, COAH allocated municipal fair share on the basis of a number of factors including existing need, population growth, income and employment opportunities. The affordable housing obligation could then be adjusted to take into account such factors as environmentally sensitive lands, a lack of utility service, a lack of sufficient recreation land, or a lack of vacant land. Two separate fair share "cycles" were computed, the first for the period 1987 - 93 and the second for the period 1993 - 1999. Franklin Township's cumulative housing obligation for these cycles was 237 units affordable to low and moderate income households.

Normally, COAH would have issued Cycle III numbers by 1999 to cover the period 1999-2005. However, since the fair share allocations were computed on the basis of census data, and a new census was to be undertaken in 2000, COAH determined that it would wait until that data became available. It also approved a rule that would make Cycle III plans eligible for a ten-year period of protection, instead of the 6-year period that applied to Cycle I and II plans.

COAH did not announce draft regulations for Cycle III until August 2003 and those regulations are not expected to be adopted until sometime in 2004. However, as currently proposed, COAH's draft rules would radically redefine the way the municipal fair share obligation is computed. Instead of computing a specific fair share number, the rules would require a municipality to anticipate development for the period 1999 - 2014 and they would incur a new affordable housing obligation of one unit for every ten housing units constructed and for every thirty new jobs created. COAH calls its new approach "growth sharing" because larger affordable housing obligations would be assigned to communities facing strong growth pressure than to communities such as Franklin that are anticipating slower growth.

However, the rules do not eliminate the fair share assigned by prior cycles. Thus Franklin Township's prior round affordable housing obligation of 237 units must be added to the projected 1999-2014 obligation. Because no public sewer or water is available in the Township, Franklin is entitled to a durational adjustment for the new construction component of its obligation that cannot be provided due to a lack of utilities.

What is Affordable Housing?

Affordable housing is defined as a dwelling, either for sale or rent that is within the means of households of either low or moderate income. Low-income households are those with annual incomes that are equal to 50% or less than the median income for the region in which they are located. Moderate-income households are those earning between 50% and 80% of the regional median income. These limits are determined annually by COAH and the most current adopted income limits (adopted in April 2003) are shown in Figure 19.

The key to determining whether the cost of housing meets "affordable" guidelines is the proportion of monthly household income spent on housing. Renters are expected to use no more than 30% of their income for housing while homeowners' housing expenses are limited to 28%. These monthly housing costs include utilities and, in the case of sale housing, mortgage principal and interest, taxes and insurance. The current COAH income standards as applied to Franklin Township, as well as the maximum payments for a household at the upper limits of the low and moderate income categories are also shown in Figure 19.

**FIGURE 19: AFFORDABILITY LIMITS
FOR LOW AND MODERATE INCOME HOUSEHOLDS (REGION 5)**

Household Size	Low Income			Moderate Income		
	Upper Limit Income	Maximum Monthly Rental	Maximum House Payment	Upper Limit Income	Maximum Monthly Rental	Maximum House Payment
1.0	\$23,870	\$597	\$557	\$38,192	\$955	\$891
1.5	\$25,575	\$639	\$597	\$40,920	\$1,023	\$955
2.0	\$27,280	\$682	\$637	\$43,648	\$1,091	\$1,018
3.0	\$30,690	\$767	\$716	\$49,104	\$1,228	\$1,146
4.0	\$34,100	\$853	\$796	\$54,560	\$1,364	\$1,273
4.5	\$35,464	\$887	\$827	\$56,742	\$1,419	\$1,324
5.0	\$36,828	\$921	\$859	\$58,925	\$1,473	\$1,375
6.0	\$39,556	\$989	\$923	\$63,290	\$1,582	\$1,477
7.0	\$42,284	\$1,057	\$987	\$67,654	\$1,691	\$1,579
8.0	\$45,012	\$1,125	\$1,050	\$72,019	\$1,800	\$1,680

It is important to recognize that COAH's affordable housing regulations are designed to meet the needs of that portion of the population earning between 50% and 80% of the median regional income. Because applicants must meet income qualifications for their housing, the program is not designed to meet the needs of very low income households (those earning less than 50% of the regional median income), although the proposed regulations would provide bonus credits if housing were somehow provided for very low income households.

It should also be recognized that some existing housing in the community may be affordable to low and moderate income but it will not qualify towards the affordable housing obligation unless it is restricted for occupancy only by income-qualified households. New construction must have affordability controls that remain in place for a minimum of thirty years while affordability controls on rehabilitated housing may be limited to ten years. There is no evidence that any homes in Franklin Township currently have such controls.

The Fair Share Plan

Franklin Township faces two challenges in providing a Housing Element as required by both the Municipal Land Use Law and by the Fair Housing Act:

First, it must address its unmet cumulative obligation of 237 affordable housing units from Cycles I and II obligation. Then, it must make a good faith effort to address the as yet unadopted Cycle III Regulations and develop a strategy to address that need as well.

The formulas used to determine cumulative Cycle I and II housing need are those that were adopted by COAH. The calculated housing obligation has several component parts that can be explained as follows:

Indigenous need refers to deficient or substandard housing units that are occupied by low and moderate-income households in Franklin Township. The calculation of this number is based upon census indicators, adjusted by sub-regional need. Franklin's indigenous need is 72 units.

Reallocated present need is the municipality's share of a regional pool. Some municipalities have a large indigenous need number but no municipality is required to provide for an indigenous need in excess of the regional average. Those deficient units, which exceed this cap, are placed in a regional pool and reallocated among other municipalities in the region. Franklin has a reallocated present need of 25 units. Together, (with rounding) these two components form present housing need, which is 98 units total.

Prospective need is made up of affordable units for households not now living in the community but who are projected to do so. The extent of prospective need that a community must provide for is affected by projected population growth and projected households for the years 1993 - 1999. Franklin has a prospective need of 129 units.

Total housing need is the sum of these three factors, or 227 units. This number is further modified, however, by a number of factors keyed to the local situation.

Prior cycle prospective need is a recalculated prospective need for the prior period of 1987 - 1993. Franklin has a prior cycle prospective need of 13 units.

Demolition adjusts the fair share by increasing the housing obligation to account for the estimated number of dwelling units, affordable to lower income households, which were lost through demolition during the six year period of the plan. In Franklin's case, there were 15 units expected to be demolished.

Filtering is the process by which purchasers, already living in the housing market area, move into new higher income housing, and sell their lower priced old home to someone who will sell a still lower priced home. This process eventually trickles down to create housing opportunity for a low or moderate-income household. An adjustment is made to the housing obligation to account for this. In Franklin's case, 11 units are subtracted from the obligation for this filtering adjustment.

Conversion accounts for lower income units that will be created through the process of converting large single-family homes to multi-family dwellings or non-residential structures to residential use. It has been found that there is a correlation between this effect and the number of units in structures containing 2 - 4 dwellings each. The conversion factor subtracts another 5 units from Franklin's total obligation.

Spontaneous rehabilitation is an adjustment made for the number of deficient lower income units that will be brought up to code standards by private efforts, regardless of whether any governmental programs are instituted. Franklin's obligation is reduced by 2 units as a result of this process.

A summary of these computations is shown in Figure 20. It indicates that Franklin Township's Cycle II fair share affordable housing obligation was 237 units for the period 1987-1999. Again, this is the last fair share allocation that has been adopted by COAH.

FIGURE 20: SUMMARY OF CALCULATED HOUSING NEED

Present Need Allocation		
Indigenous Need	72	
Reallocated Present Need	+25	
Present Need, 1993		98
Prospective Need 1993-1999		+129
Total Need, 1993-1999		227
Credits and Adjustments	0*	
Prior Cycle Prospective Need	+13	
Demolitions	15	
Filtering	-11	
Residential Conversions	-5	
Spontaneous Rehabilitation	-2	
Subtotal		10
Pre-Credited Need		237

*Franklin Township is entitled to a durational adjustment for its entire new construction obligation until sewer can be provided.

This need is divided into two components: an indigenous need of 72 units, which must be met through rehabilitation of existing units, and a new construction component of 165 units, which can be addressed through a variety of mechanisms.

In addition to meeting the prior Cycle need, this Housing Element is intended to provide a strategy to meet Franklin Township's affordable housing obligation, using the proposed Cycle III regulations, to the extent practical due to utility limitations. Those regulations will require that the housing element is based upon an analysis of current and proposed housing, demographic, and employment trends. It will include a strategy for addressing its present and future housing needs, with particular attention to low and moderate income housing. In addition, COAH requires the following as part of a municipality's housing element:

- An inventory of the municipality's housing stock and a projection of the housing stock through the year 2014;
- An analysis of the municipality's demographic and employment characteristics;
- A determination of the municipality's fair share for low and moderate income housing; and

- A land use analysis of Township lands appropriate for affordable housing, along with any applicable environmental analysis and an assessment of public utility service for each site.

Housing Stock Inventory

Much of the statistical basis of this Housing Element is found in Section III. According to census data, the number of dwelling units in Franklin increased 10.7% between 1990 and 2000, from 4,878 units to 5,461 units. The number of occupied units increased from 4,679 units in 1990 to 5,225 units in 2000, an increase of 10.4%. The Township's population showed an increase of nearly 6.8% between 1990 and 2000 from 14,482 people to 15,466 people. Persons per occupied unit dipped slightly to 3.14 in 2000, a 9.2% decrease over the last decade.

The Delaware Regional Planning Commission (DVRPC) projects that the population in Franklin will increase modestly to 16,750 in 2010, a 8.3% increase over the census result.³ By 2015 DVRPC projects that Franklin's population will increase to 17,700, or 14.4% more than the 2000 census. It should be noted that these projections are probably too high. They do not take into account the density reductions proposed by the Land Use Plan. In addition, although the forecast was conducted during the same month that the Census Bureau was conducting the 2000 Census, the results of that census were not released until two years after the DVRPC forecast. Therefore, DVRPC begins with the erroneous assumption that Franklin Township's 2000 population would be 15,300 or 166 persons less than that found in the Census. This plan assumes that the decrease in development pressure resulting from this Master Plan will be approximately half of that forecast by DVRPC. A 60-65% reduction would be more reasonable if the Master Plan had been adopted soon after the forecast, but the adjusted 50% figure accounts for development that has occurred since 2000.

For comparison, DVRPC expects the population for Gloucester County as a whole is to increase more than 17%. However, as the Land Use Element points out, the Township

³ Year 2025 County and Municipal Population and Employment Forecasts. DVRPC, April 2000.

is seeking to maintain its rural character by reducing density in other parts of the community. All areas proposed for inclusionary affordable housing development in this Plan will be provided with community-based sewer and water, however.

Of the 5,461 dwelling units existing in Franklin Township in 2000, 44.7% were built between 1970 and 1990, with 14.3% built between 1990 and 2000. It is clear that Franklin Township is overwhelmingly single-family detached homes (91.5%), and over 88% of its homes are owner-occupied. There was a vacancy rate of 1.0% for homeowner units and 4.3% for rental units in 2000. Franklin had a relatively low percentage of rental units in 2000, 11.3% as compared to the County as a whole, which has 20.1%.

The value of Franklin's owner-occupied housing is shown in Figure 9. This figure shows the data from the 2000 Census, and inflates the value to 2002 dollar values (using the Consumer Price Index Inflation Calculator). The median housing value of all owner occupied housing in 2000 was \$111,700, which was adjusted to \$119,300 in year 2002 dollars.

MEETING THE FAIR SHARE AFFORDABLE HOUSING OBLIGATION

Indigenous Need (Rehabilitation)

Indigenous need helps low and moderate-income households already living in the township. The Township has an obligation to rehabilitate 72 units. The municipality must demonstrate a stable funding source for the rehabilitation component and provide a mechanism to administer and market the program. To qualify, an average of \$10,000 per unit must be provided, of which at least \$8,000 per unit is allocated to capital or hard costs. Funding is available through the Gloucester County Office of Community Development. COAH records indicate 7 units have been rehabilitated to date.

It must be noted that there are many dwelling units in Franklin Township that may indeed be affordable to lower or moderate-income households but these units can not be counted towards the township's obligation unless their deeds or rental documents contain affordability controls of specified lengths of time. These restrictions are required for all forms of housing in the Fair Share Plan, whether as part of the rehabilitation or new construction component.

A guarantee of funding equal to one third of the rehabilitation component must be offered by the municipality, with funding provided for one sixth of the obligation in each of the subsequent program years. It is recommended that Franklin Township enter into a formal resolution of cooperation with the Gloucester County Office of Community Development for to gain assistance for a portion of the obligation.

It is further recommended that the Township enter into an agreement with Housing Affordability Services of the New Jersey Housing and Finance Agency to administer, market, and monitor its program.

However, it is unlikely that the County Program will be sufficient to fund the large rehabilitation component. Therefore, the following additional actions are recommended.

Adoption of a Development Fee

COAH Regulations permit the municipality to adopt a Development Fee that will be levied against all new construction that does not have an inclusionary component (i.e., development in which a portion of the new residential construction is not specifically set aside for housing units that are affordable to low and moderate income households). The fee is currently permitted to be equal to 0.5% of the equalized value of new residential construction and 1% of the equalized value of new nonresidential construction. Draft COAH rules for Cycle III would double this fee to 1% for residential construction and 2% for nonresidential development. Franklin Township is concerned about attracting new businesses to further its economic development strategies, and therefore it proposes only to levy the Development fee on nonresidential development with a total equalized assessed value of \$1 million or more. The fee would be levied only on the assessed value that exceeds \$1 million.

As described below, it is estimated that Franklin Township will, over the next ten years, attract an average of twenty-eight dwellings per year, with an average equalized assessed value of \$225,000 each. Assuming that the proposed 1% fee is adopted, these 280 homes would generate \$630,000 over ten years.

The projection of new nonresidential development is more problematic, but, if the proposed Interchange Commercial District is developed, in addition to smaller projects throughout the community, it is not unrealistic to expect that the fees on development in excess of \$1 million could conservatively be estimated at least \$5 million over the next ten years. With a fee of 2%, which would generate another \$100,000 to the development fee fund, bringing the total to \$730,000.

This sum is sufficient to fund all of the unmet indigenous need rehabilitation component of 65 units, assuming an average cost of \$10,000 per unit (including administrative expenses).

A surplus of \$80,000 would remain in the fund (\$730,000 - \$650,000), but this surplus could be substantially larger if the effort were aided by additional funding from Gloucester County, or if nonresidential development exceeded projections.

COAH regulations would allow the surplus funds to be used to write-down or buy-down previously owned units and to place 30-year affordability controls on the units. Current and proposed rules will limit this to a maximum of 10 units at a minimum cost of \$20,000 per unit (increasing to \$25,000 under the draft regulations). A comment has been submitted to COAH on the Township's behalf to permit an increase in the number of units that this could be applied to. This would allow inclusion of existing low-cost housing in the Township's affordable housing inventory and the units could be applied to the new construction component. Under current rules, 10 units would require a minimum of \$200,000.

The additional need for Cycle III would be computed on the basis of one additional affordable housing unit for every 10 total housing units produced during the period 1999 - 2014 and one affordable unit for every thirty new jobs.

A total of 343 building permits were issued in Franklin Township between 1999 and 2003, which would account for an added obligation of 34 units affordable to low and moderate income households. This is an average of 69 units per year.

If the recommendations of the Land Use Element are adopted, it can be anticipated that the rate of housing development in Franklin Township will decrease significantly, although the exact rate of future housing growth will be difficult to project at this time. Without better information, it is assumed that housing development during the ten year period beginning in 2004 will be at a rate equal to 40% of the rate experienced from 1999 to 2003. This is based upon the reduction of densities from the current zoning ordinance, with a modest adjustment to account for units in the pipeline. Thus, it can be anticipated that 276 additional housing units will be produced during the next 10 years, generating another added obligation for 28 affordable units.

In addition to the obligation based upon new housing production, the proposed regulations would generate an obligation of 1 affordable housing unit for every thirty new jobs created.

The total number of jobs in Franklin Township is larger and was estimated by DVRPC as being 2,950 jobs in 2000. DVRPC expects this number to increase to 3,350 by 2015. This is an average annual increase of 26.67 jobs per year or 267 jobs during the period 2004 - 2014. This would generate an additional demand for 9 affordable housing units.

The Land Use Element does not propose dramatic reductions in the opportunities for new nonresidential development and, in fact, the Township is encouraging such development. The past growth rate can therefore be expected to provide a reasonable estimate of future job development.

The Draft COAH rules are unclear as to whether Cycle III will cover the full 15-year period from 1999 - 2014 or simply the period from 2004 - 2014. Depending on the answer to that question, Franklin Township's Affordable Housing Obligation will vary from 273 to 312 units, of which 237 remain from unaddressed prior cycles. This is summarized in Figure 21.

FIGURE 21: FRANKLIN TOWNSHIP'S AFFORDABLE HOUSING OBLIGATION

Unmet Prior Cycle Need (Including Indigenous Need)	237	237
Obligation From New Housing, 1999-2003	34	
Obligation From New Housing, 2004-2014	27	27
Obligation From New Job Creation, 1999-2003	5	
Obligation From New Job Creation, 2004-2014	9	9
Total Affordable Housing Obligation	312	273

There are many obstacles to the provision of affordable housing in Franklin Township, not the least of which is the lack of available public or community-based sewer service. COAH regulations require that sites proposed for new affordable construction must be suitable, which among other things requires that sites have access to water and sewer infrastructure. These same regulations state that “the lack of adequate (water and sewer) capacity, in and of itself, shall constitute a durational adjustment of the municipal housing obligation. The requirement to address the municipal housing obligation shall be deferred until adequate water and/or sewer are made available.” [N.J.A.C. 5:93-4.3.c] Since no such sites now exist in Franklin Township, the Plan proposes to request a durational adjustment for the entire present need component of the affordable housing obligation.

Franklin Township has commissioned a study to provide public sewers to a small portion of the Township in Malaga but the study concluded that this was infeasible. Moreover, anti-sprawl policies adopted by the state make it unlikely that the Department of Environmental Protection would approve a “237” Sewer Service Plan for Franklin Township in the foreseeable future. Therefore it is likely that the durational adjustment will remain in effect for the entire period of this Housing Element, i.e., through 2014.

Nonetheless, the Master Plan recognizes the real need to provide affordable housing in Franklin Township. This obligation may be addressed in several ways:

Rehabilitation

The indigenous need component helps low and moderate-income households already living in Franklin Township. Funding for this program was discussed above and it appears that 7 units have already been rehabilitated. Rehabilitation would take place using a development fee or grants available through the Gloucester County Office of Community Development.

Purchase of Affordability Controls (Write-Down/Buy-Down of Previously Owned Market Units)

Also discussed above as a possible use of revenue from a development fee is the write-down or buy-down of previously owned units. Franklin Township is in a unique position in that the 2000 census found nearly 1500 existing dwellings with a value of under \$100,000 (Figure 9). Many of these units may be affordable to low and moderate-income households but they do not count towards the Township's housing obligation because they contain no controls to insure occupancy by income-qualified households.

Inclusionary Development

The prospective need component is designed to help low and moderate income households who do not now live in the Township but who may desire to do so, if the opportunity were available. It is sometimes called the new construction need and it may be met in a number of ways. One of the most common is by zoning for inclusionary development, which means that a percentage of the units constructed in such a development are set aside for equal numbers of low and moderate income households. This is a viable option only when sewer and water is available. However, when this can be provided, the Land Use Plan offers density incentives of up to 6 units per acre or more.

A maximum of 25% of the new construction component (after credits) may now be restricted by age to seniors, although that percentage is proposed to increase to 50% in

the draft Cycle III rules. The provision of senior housing is a high priority of the Township.

Regional Contribution Agreements

Inclusionary development may also meet its affordable housing obligation through the funding of a Regional Contribution Agreement (RCA), whereby a sending municipality agrees to provide funding for up to 50% of its new construction obligation to a receiving municipality in the same housing region so that it can address part of the regional need. Draft rules would also permit a contribution to a Statewide fund. Although the RCA agreements are always between two municipalities, funding is often provided by the developer of an inclusionary development. Currently, COAH has established the minimum price of an RCA at \$25,000 per unit but it has proposed to increase this to \$35,000.

Other Options

Other approaches are available to municipalities. These include alternative living arrangements (shared housing or residential health care facilities), accessory apartments, the purchase of existing housing, a write-down/buy-down program, or the creation of elder cottages.

15% Affordable Housing Obligation

The Plan assigns a 15% affordable housing obligation on all residential developments containing 20 or more units. The developers of these projects could either produce the required units on site, as part of an inclusionary development, or, with the Township's permission, could fund a Regional Contribution Agreement.

It is recognized that the 15% obligation is greater than the 10% obligation incurred for new construction but this is viewed as a good-faith effort on the part of the Township to address its prior unmet need.

The Master Plan makes provision for large developments that can provide community-based sewer systems in hamlets and which will be entitled to higher densities for a

variety of housing types when community sewer and water systems are provided. Because these developments will have access to sewer and water, the affordable housing obligation may be met through the provision of a 15% set aside for affordable housing or through the purchase of a Regional Contribution Agreement. It is estimated that the remaining 40% of the estimated 2004 - 2014 housing production will occur in these larger hamlets and will result in a total of 110 units. This will generate a 15% affordable housing obligation of 17 units.

Rental Units

Each municipality must provide incentives to insure that up to 25% of its prospective need housing obligation is provided through rental units. As a result, the plan recommends that the developers of affordable rental housing units receive a 20% reduction in the required 15% affordable housing obligation, reducing it to 12%.

It is obvious from the discussion above that Franklin Township is unlikely to fully meet its affordable housing obligation by 2014. A portion of the prospective need will be deferred due to the durational sewer adjustment and mechanisms have been established to address the indigenous need component through a rehabilitation program and through a write-down program. It is important that these good-faith efforts be taken now, to avoid the potential of a builder's remedy suit that could prove expensive and disruptive to the community. More importantly, the actions proposed by this Housing element are the "right" thing to do because of the demonstrated need for affordable housing in the community.

The plan is expected to yield a total of \$328,000 in cash contributions to an affordable housing fund plus 17 affordable units provided in larger hamlets.

It is recommended that this plan be submitted to COAH for certification. Several of the recommendations are modifications of current COAH rules but, in the light of the unique conditions in Franklin Township, it is believed that they should be submitted for review and evaluation by the Council on Affordable Housing. Some modification of the plan may ultimately be mandated by COAH, but it is important to open a dialog

with that agency. The filing shall also include a spending plan and draft ordinances. However, no implementing ordinances need be adopted until 45 days after the Fair Share Plan is certified.