

# AFFORDABLE HOUSING STATUS REPORT

TOWNSHIP OF MONTCLAIR

Montclair Township  
Department of Planning &  
Community Development



July 30, 2024

# Four Decades to Build 70,000 Affordable Homes? Count That as a Success.

In 1975, New Jersey's Supreme Court ordered every town in the state to make way for multifamily housing. It's been a long journey.



*New York Times, July 13, 2024*

- 1975: Supreme Court decision in *South Burlington County N.A.A.C.P v. Mount Laurel Township*.
- 1983: NJ Supreme Court further defined the need for affordable housing and created basis for legislating affordable housing.
- 1985: Fair Housing Act adopted by State of New Jersey outlining process and timing for preparation of Housing Element and Fair Share Plans.
  - 1986 – 1992: First-round obligation.
  - 1993 – 1999: Second-round obligation.
  - 2000 – 2025: Third-round obligation.
  - 2025 – 2035: Fourth-round obligation.

## AFFORDABLE HOUSING OVERVIEW

# WHAT IS AFFORDABLE HOUSING

**Affordable housing** is housing that is affordable to households earning less than 80% of the median gross household income for households of the same size within the housing region.

- **Very-low-income households:** <30% of the median gross household income. At least 13% of affordable units must be for very-low-income households.
- **Low-income households:** >30% and <50% of the median gross household income. At least 50% of affordable units must be for low-income households.
- **Moderate-income households:** >50% and <80% of the median gross household income. No more than 50% of affordable units may be for moderate-income households.



# WHAT IS AFFORDABLE HOUSING

Montclair Township is in Housing Region 2 which includes Essex, Morris, Union, and Warren counties and the current range for eligible household incomes is based on this table.

Household Size	Very Low	Low	Moderate
1	\$27,177	\$45,296	\$72,473
2	\$31,060	\$51,766	\$82,826
3	\$34,942	\$58,237	\$93,180
4	\$38,825	\$64,708	\$103,533
5	\$41,931	\$69,885	\$111,816
6	\$45,037	\$75,061	\$120,098

# HISTORY OF AFFORDABLE HOUSING IN MONTCLAIR

Montclair adopts a Housing Element and Fair Share Plan for the first-round obligation.

1987

Montclair approves an Affordable Housing Strategy that quantifies the need for affordable housing at 3,800 units.

2004

Montclair adopts a Housing Element and Fair Share Plan for the third-round obligation and increased the set aside in the IZO.

2009

1997

Montclair adopts a Housing Element and Fair Share Plan for the second-round obligation.

2004

Montclair adopts an Inclusionary Zoning Ordinance (IZO) and creates the Housing Commission.

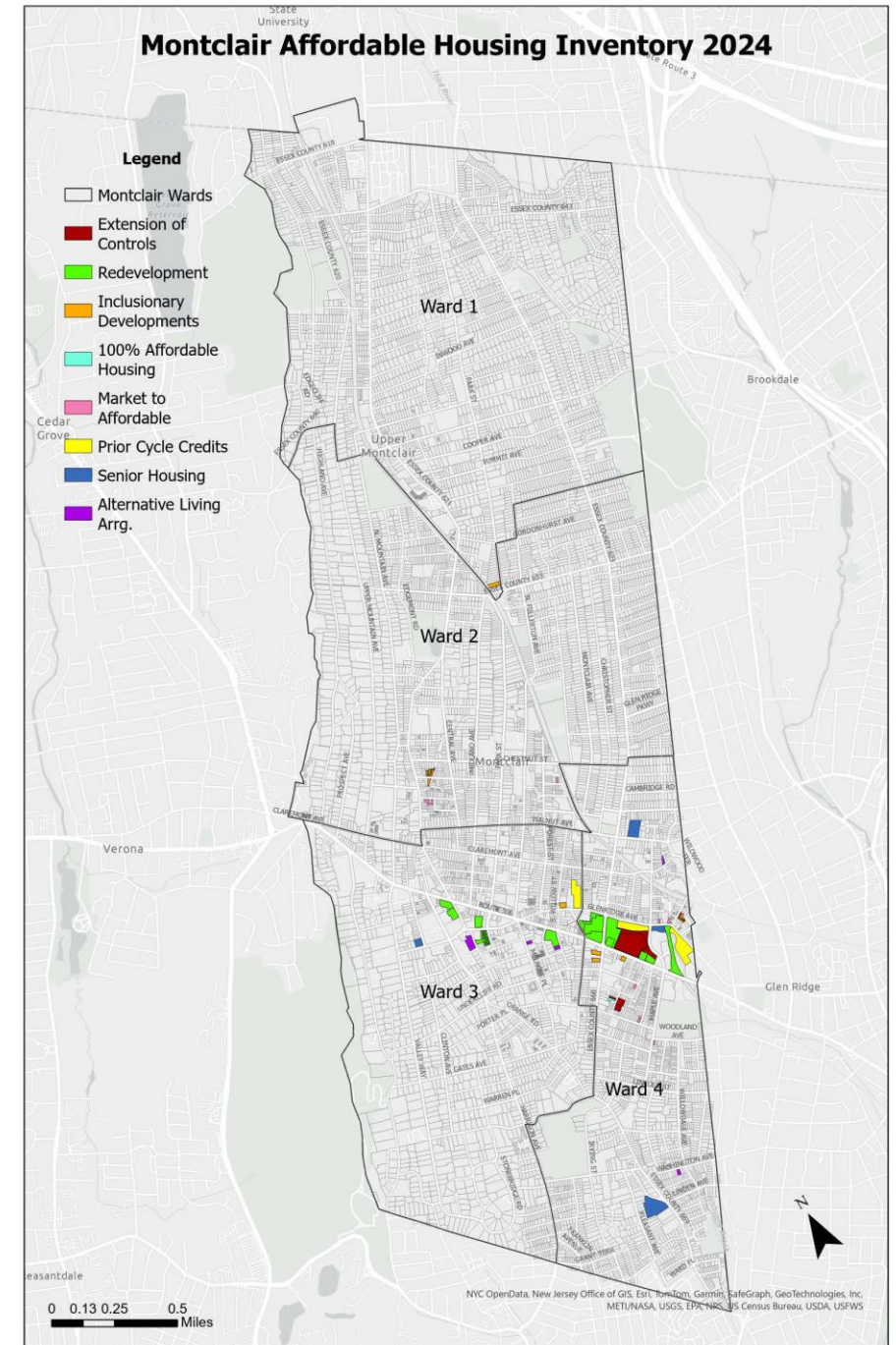
# 2009 HOUSING ELEMENT AND FAIR SHARE PLAN

- Total affordable housing obligation of 320 units.
  - **Rehabilitation share:** 148 units.
  - **Prior Round obligation:** 0 units.
  - **Prospective Need:** 162 units.
- The Fair Share Plan addressed the housing need through a revised Inclusionary Zoning Ordinance (IZO) which increases the set aside 20 percent.
- Other programs included a Market to Affordable Program and a Housing Rehabilitation Program funded, in part, through the Housing Trust Fund.



# AFFORDABLE HOUSING SUMMARY

Program	Number of Units
○ <b>Redevelopment</b>	155 units
○ <b>Inclusionary Development</b>	13 units
○ <b>100% Affordable Housing</b>	9 units
○ <b>Market to Affordable</b>	44 units
○ <b>Prior Cycle Credits</b>	181 units
○ <b>Senior Housing</b>	294 units
○ <b>Alternative Living Arrangements</b>	36 units
○ <b>Extension of Controls</b>	43 units
○ <b>Total</b>	775 units



NYC OpenData, New Jersey Office of GIS, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc. METI/NASA, USGS, EPA/NAS, US Census Bureau, USDA, USFWS

# INCLUSIONARY DEVELOPMENT

<b>Project Name</b>	<b># of units</b>	<b>Status</b>	<b>Expiration</b>
<b>24 Elm Street (2009)</b>	1	Complete	2039
<b>192-194 Bloomfield Avenue (2007)</b>	1	Complete	2047
<b>Bay Street Commons (2014)</b>	1	Complete	2044
<b>58 James Street (2019)</b>	1	Complete	2049
<b>256 Park Street (2020)</b>	2	Complete	2050
<b>James Street Subdivision (2015)</b>	1	UC	
<b>161-167 Glenridge Avenue (2016)</b>	2	Complete	
<b>10 Elm Street (approved 2022)</b>	4	UC	



# REDEVELOPMENT

<b>Project Name</b>	<b># of units</b>	<b>Status</b>	<b>Expiration</b>
<b>Siena (2008)</b>	10	Complete	2038
<b>Residences at Montclair (2009)</b>	17	Complete	2039
<b>Valley and Bloom (2016)</b>	26	Complete	2045
<b>Montclarion II (2017)</b>	2	Complete	2049
<b>The Vestry (2020)</b>	8	Complete	2050
<b>Two South Willow (2021)</b>	20	Complete	2051
<b>37 Orange Road (approved 2020)</b>	4	UC	
<b>59 Church Street (approved 2021)</b>	8	UC	
<b>Lackawanna Plaza RP</b>	60	Zoned	

# MARKET TO AFFORDABLE

Project Name	# of units	Status	Expiration
87 Mission Street/19 Elmwood (2008)	2	Complete	2038
89 Maple /1 Woodland Ave	5	Complete	
7 Sylvan Place (2022)	2	Complete	2052
14 North Willow Street (2011)	2	Complete	2041
25 William Street (2006)	6	Complete	
33 William Street (2006)	6	Complete	
4 Washington Street	9	Complete	
43 Glenridge Avenue (2004)	6	Complete	2024
55 Glenridge Avenue (2007)	6	Complete	2028

# OTHER PROJECTS

Project Type	Project Name	# of units	Status	Expiration
100% Affordable	29 - 33 Talbot Street (2016)	6	Complete	2115
	14 Miller Street (2024)	3	UC	
Prior Cycle Credits	Union Gardens (1974)	55	Complete	
	Matthew Carter 1 (1980)	54	Complete	
	Matthew Carter 2 (1980)	72	Complete	
Extension of Controls	27 Miller Street (2016)	1	Complete	2067
	12 Miller Street (2016)	2	Complete	2067
	Miller Street Cottages (2016)	5	Complete	2067
	Miller Street Homes (2016)	9	Complete	2067
	Montclair Mews (2014-2018)	20	Complete	2058
	Montclarion I (2017)	6	Complete	2049

# OTHER PROJECTS

Project Type	Project Name	No. of Units
Senior Housing	First Montclair House (1980)	130
	South End Gardens (1987)	99
	Pine Ridge of Montclair (2002)	48
	Montclair Inn (1994)	17
Alternative Living Arrangements	Cornerstone House (1989)	6
	ARC of Essex County - Washington (1999)	4
	ARC of Essex County Claremont (1999)	6
	Covenant House (2008)	8
	Mental Health Association (2012)	12

# HOME IMPROVEMENT PROGRAM

Thirty-two applications received of which:

- Five completed (one is a multi-family with two units and one emergency case.
- Two under construction.
- Two preconstruction (one pending comp inspection and one pending a lead risk assessment.
- Four under eligibility review.
- Five withdrew.
- Six terminated for failure to respond to request for documents.
- Two over income.
- Two properties not eligible due to pre-existing lien .
- Four work exceeds funding limit.



# HOUSING TRUST FUND

- Montclair Township collected almost \$4 million in development fees since 2002.
- Spending Plan adopted in 2009, with an amendment in 2012 to include a new Extension of Affordability Controls program.
- Amended Spending Plan approved by Court in 2018 that included several affordability assistance programs including a first-time homebuyer's program and a rental assistance program.

Housing Trust Fund Expenditures, 2004 - 2024	
Administration	\$ 427,448.55
Homebuyer Assistance	\$ 22,500.00
Rental Assistance	\$ 35,945.00
Market to Affordable Program	\$ 1,005,000.00
Extension of Controls Program	\$ 419,552.00
Home Improvement Program	\$ 130,686.52
<b>Total Expenses</b>	<b>\$ 1,794,577.00</b>

# NEW AFFORDABLE HOUSING REGULATIONS

- Gov. Murphy signed into law a new framework to guide towns toward meeting their fourth-round affordable housing obligations on March 20, 2024.
- Officially abolishes the New Jersey Council on Affordable Housing.
- Streamlines the process for future rounds.
- Establishes a new methodology for calculating affordable housing obligations.
- Provides updates to affordability controls, trust fund regulations and enhanced reporting.



# KEY CHANGES

Revises the bonuses/credits for affordable housing.

- One bonus for special needs or supportive housing units.
- One bonus for 100% affordable developments.
- One bonus for market to affordable units.
- One-half bonus for non-profit partnerships for sale units, transit-oriented development, redevelopment, age-restricted units, 3-bedroom units beyond the minimum, very low-income units beyond minimum and extension of affordability controls.

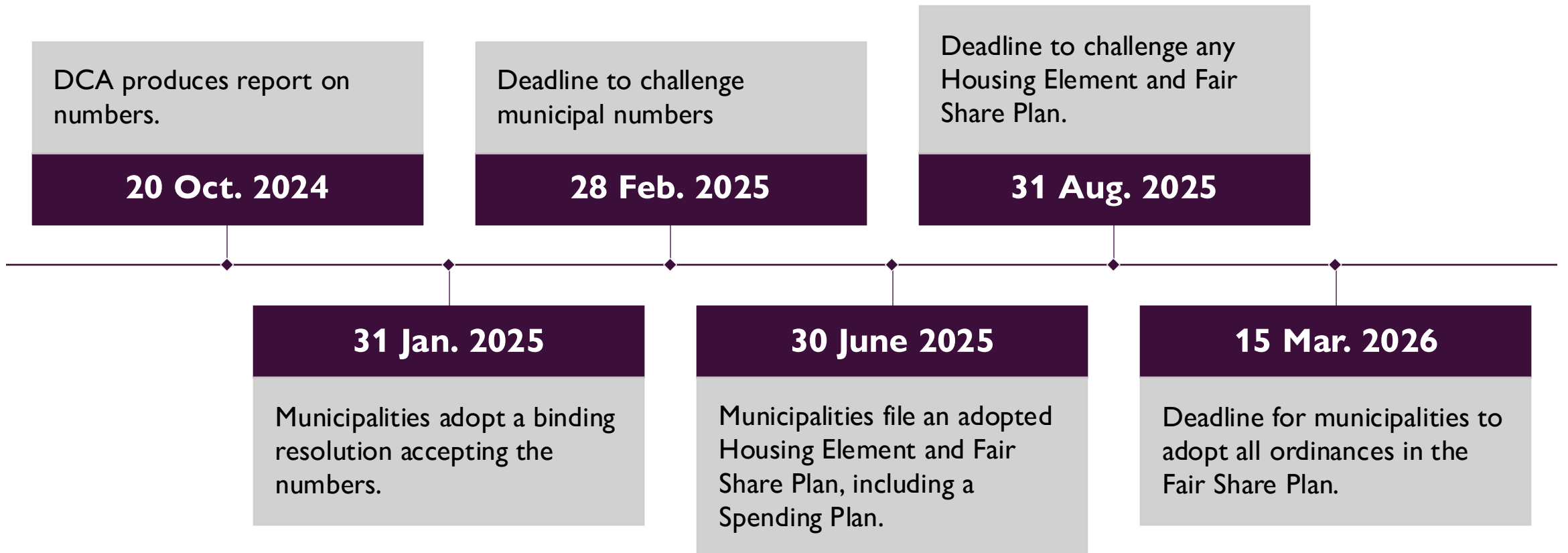
Revises affordability controls and updates the Uniform Housing Affordability Control (UHAC) requirements as follows:

- 40-year controls for rental units.
- 30-year controls for sales units
- 30-year controls for extensions of controls

Emphasis on family housing, redevelopment, and supportive housing.



# TIMEFRAME



# CONSIDERATIONS FOR 4TH ROUND PLAN

- Work with faith-based organizations to use excess land/building resources for affordable housing.
- Use vacant Township properties to provide affordable housing.
- Create a new program to encourage development of Accessory Dwelling Units (ADUs) as affordable housing. The State of New Jersey has a new grant for a pilot program to provide up to \$100,000 in forgivable capital loans and construction financing for affordable ADUs.
- Revise affordable housing regulations to require a further set aside for supportive housing.

