

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY**

RESOLUTION

R2025-049: RESOLUTION OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS COMMITTING TO FOURTH ROUND AFFORDABLE HOUSING PRESENT NEED AS CALCULATED BY DCA AND PROSPECTIVE NEED NUMBER AS MODIFIED HEREIN

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the Fair Housing Act (N.J.S.A. 52:27D-301 *et seq.*) (hereinafter “Amended FHA”); and

WHEREAS, the Amended FHA required the Department of Community Affairs (“DCA”) to produce an estimate of the Fourth Round affordable housing obligations on or before October 20, 2024, based upon the criteria set forth in the Amended FHA; and

WHEREAS, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculates the Township of Parsippany-Troy Hills’s Fourth Round (2025-2035) obligations as follows: Present Need (Rehabilitation) Obligation of 138 units and Prospective Need (New Construction) Obligation of 553 units; and

WHEREAS, the Amended FHA provides that the DCA Report is non-binding and authorizes municipalities to either accept, or provide alternate calculations, to the DCA’s calculations for present and prospective fair share obligations “by binding resolution no later than January 31, 2025”, which deadline has been extended to February 3, 2025 by Acting Administrative Director of the Administrative Office of Courts via Directive #14-24 (“AOC Directive #14-24”), dated December 13, 2024 (issued on December 19, 2024); and

WHEREAS, the Township submits this Resolution in satisfaction of the requirements of the Amended FHA, by committing to the DCA estimate of the Township’s Present Need (Rehabilitation) as described in the DCA Report and the Township’s Prospective Need (New Construction) Obligation as modified herein; and

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

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

WHEREAS, based on the foregoing, the Township of Parsippany-Troy Hills relies on the DCA calculations of the Township's fair share obligations as described in the DCA Report with respect to Present Need (Rehabilitation) and as modified herein with respect to Prospective Need (New Construction), to account for the Township's review of the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development, and as further set forth in detail and explained in the analysis attached hereto as Exhibit "A" prepared by Edward Snieckus, Jr., PP, LLA, ASLA (Burgis Associates, Inc.) Township Affordable Housing Planner, and the Township of Parsippany-Troy Hills seeks to commit to provide its fair share of 138 units Present Need (Rehabilitation) and 496 units Prospective Need, subject to any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

WHEREAS, Section 3 of the Amended FHA provides that: "the municipality's determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7" of the Amended FHA; and

WHEREAS, the Township's commitment to the Fourth Round Present Need (Rehabilitation) Obligation of 138 units as calculated by the DCA and Prospective Need (New Construction) Obligation of 496 units as modified herein are entitled to a "presumption of validity" because they are established in compliance with Sections 6 and 7 of the Amended FHA; and

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

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

WHEREAS, the Township specifically reserves the right to adjust its fair share obligations in accordance with the COAH Regulations and the following, if applicable: (a) a survey, such as a windshield survey, which accounts for a higher-resolution estimate of present need and/or (b) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission, inclusive of their regulations and planning documents; and

WHEREAS, based on the foregoing, the Governing Body finds that it is in the best interest of the Township of Parsippany-Troy Hills to commit to the DCA calculations of its fair share of 138 units Present Need (Rehabilitation) and to the modified 496 units Prospective Need (New Construction) for the Fourth Round, subject to any vacant land and/or durational adjustment, and/or any other permitted adjustment it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

WHEREAS, the Township of Parsippany-Troy Hills reserves all rights to revoke or amend this Resolution and commitment, as may be necessary and/or appropriate, based on any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and

WHEREAS, the Township of Parsippany-Troy Hills also reserves all rights to revoke or amend this Resolution and commitment, as may be necessary and/or appropriate, in the event of a successful challenge to the Amended FHA pursuant to the case The Township of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA; and

WHEREAS, in the event that a third party challenges the calculations provided for in this Resolution, the Township of Parsippany-Troy Hills reserves the right (which reservation shall include but not be limited to a reservation of litigation rights and positions, without prejudice) to take such position as it deems appropriate in response thereto, including that its Fourth Round Present or Prospective Need Obligations are lower than described herein; and

WHEREAS, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase to the Township's Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

WHEREAS, in light of the above, the Governing Body of the Township of Parsippany-Troy Hills finds that it is in the best interest of the Township of Parsippany-Troy Hills to declare its obligations in accordance with this binding Resolution and in accordance with the Amended FHA; and

WHEREAS, in addition to the foregoing, pursuant to AOC Directive #14-24, a "municipality seeking a certification of compliance with the FHA shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located . . . within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner"; and

WHEREAS, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of AOC Directive #14-24 and the Township of Parsippany-Troy Hills reserves any and all rights and remedies in relation to AOC Directive #14-24; and

WHEREAS, the Township of Parsippany-Troy Hills seeks a Certification of Compliance with the FHA and from the Program and, therefore, directs its Affordable Housing Counsel to file a Declaratory Judgement Complaint and Case Information Statement in Morris County, or such other appropriate venue with the Program or any other entity as may be deemed appropriate, within 48 hours of the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED on this 21 day of January, 2025 by the Township Council of the Township of Parsippany-Troy Hills, Morris County, State of New Jersey, as follows:

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

2. For the reasons set forth in this Resolution, the Township of Parsippany-Troy Hills hereby commits to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 138 units and a modification of the calculation of the DCA's Fourth Round Prospective Need (New Construction) Obligation of 496 units as described in this Resolution, subject to all reservations of rights set forth herein and as follows:

a) The right to adjust the Township of Parsippany-Troy Hills's fair share obligations based upon applicable COAH regulations (including but not limited to a Vacant Land Adjustment and/or a Durational Adjustment), and a survey (such as a windshield survey), and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and

b) The right to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and

c) The right to take any contrary position, or adjust its fair share obligations, in the event of a third-party challenge to the Township of Parsippany-Troy Hills's fair share obligations.

3. The Township of Parsippany-Troy Hills, in accordance with the requirements of the Amended FHA and the Acting Administrative Director of the Administrative Office of Court's Directive #14-24, dated December 13, 2024 (issued on December 19, 2024), hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint and a Case Information Statement in Morris County, or any other appropriate venue with the Program or any other entity as may be deemed appropriate, within 48 hours after adoption this resolution.

4. The Township of Parsippany-Troy Hills, in accordance with the requirements of the Amended FHA and the Acting Administrative Director of the Administrative Office of Court's Directive #14-24, dated December 13, 2024 (issued on December 19, 2024), further authorizes its Affordable Housing Counsel to attach this Resolution and the Analysis attached hereto as Exhibit "A" as exhibits to the Declaratory Judgment Complaint that is filed and to submit and/or file this Resolution and the attached Analysis with the Program or any other such entity as may be deemed appropriate.

5. If any part(s) of this Resolution shall be deemed invalid, such part(s) shall be severed and the validity thereof shall not affect the remaining parts of this Resolution.

6. All resolutions or parts thereof inconsistent with this Resolution are hereby rescinded.

7. This Resolution shall take effect immediately, according to law.

COUNCIL MEMBER	Aye	Nay	Abstain	Absent	Motion	Second
Mr. Carifi	X					
Ms. Hernandez	X					X
Mr. McGrath	X					
Mr. Musella	X					
Mr. Neglia	X				X	

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND LAWFUL COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AT ITS MEETING OF JANUARY 21, 2025.


KHALED MADIN TOWNSHIP CLERK


COUNCIL PRESIDENT PAUL CARIFI, JR.

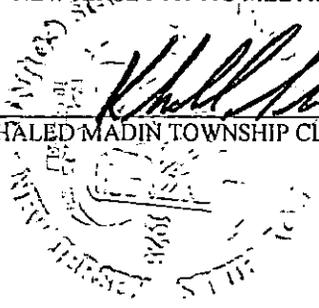
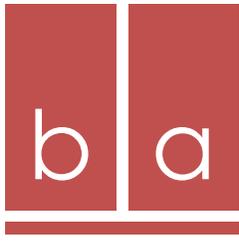


Exhibit "A"

Fourth Round Present and Prospective Need Analysis

Township of Parsippany-Troy Hills | Morris County,
New Jersey

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Community Planning
Land Development and Design
Landscape Architecture

B U R G I S
A S S O C I A T E S , I N C .

Principals:

Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

Fourth Round Present and Prospective Need Analysis

Township of Parsippany-Troy Hills
Morris County, New Jersey

Prepared for the Township of Parsippany-Troy Hills
Mayor and Council

BA# 4173.15

The original document was appropriately signed and sealed on January 14, 2025 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners

Joseph H. Burgis, AICP, PP
Professional Planner #2450

Edward J. Snieckus Jr. PP, LLA, ASLA
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Executive Summary

The following **Present and Prospective Need Analysis** has been prepared for the Township of Parsippany-Troy Hills in Morris County, New Jersey.

By way of background, Governor Murphy signed A-40/S-50 into law on March 20, 2024 after the Senate and Assembly adopted it. This legislation (hereinafter "Amended FHA" or "Act") overhauled the Fair Housing Act (FHA) by abolishing the Council on Affordable Housing (COAH) and created a new process that involved the Department of Community Affairs (DCA) and the Administrative Office of the Courts (AOC).

The Amended FHA directed the New Jersey Department of Community Affairs ("DCA") to report the present need (also referred to as the rehab obligation) and the prospective need for Round Four based upon the standards set forth in the Act. The DCA issued its report on October 18, 2024; and, in accordance with the Act, made clear that the report was advisory only. For Parsippany Troy Hills, the DCA Report identifies a Present Need of 138 and a Prospective Round Four Need of 553.

Since the DCA report is non-binding, each municipality has the opportunity to study and define why its obligations should be different based on the standards in the Act. However, the municipality must adopt a binding resolution by January 31, 2025, identifying the present and prospective need obligation to which it is committing.

As to the Round Four Prospective Need of 149 units that the DCA Reported on October 18, 2024, the methodology used to determine a municipality's prospective fair share obligation requires an initial determination of the regional prospective need. The region that Hasbrouck Heights is in consists of all municipalities in Bergen, Passaic, Hudson and Sussex counties. To determine a municipality's share of the regional need, the Act requires a calculation of three factors: (1) the equalized nonresidential valuation factor; (2) the income capacity factor; and (3) the land capacity factor. The Act then requires these three factors to be averaged and applied to the regional need to determine the share of the regional need for each municipality that is not a Qualified Urban Aid Municipality ("QUAM"). The Act therefore imposes no prospective need obligation on QUAMs, it instead distributes the obligation to the other municipalities in the respective housing region.

The Township does not dispute the DCA's calculation of the Equalized Nonresidential Valuation Factor or the Income Capacity Factor. However, the Township does dispute the calculation of the Land Capacity Factor. More specifically, the Township accepts the DCA's invitation to examine the Land Capacity Factor and the lands that the DCA deemed developable for purposes of calculating this factor.

Recommendation: For the reasons set forth herein, the DCA was overinclusive. Once appropriate corrections are made to the land that is developable, the Township's Prospective Need Obligation should be adjusted from the 553 figure the DCA reported to

496 units. Based upon the findings in this report, the following summarizes the comparison of the three allocation factors as adjusted by the analysis provided herein.

Table 1: Summary of Adjusted Factors

	Equalized Nonresidential Valuation Factor	Income Capacity Factor	Land Capacity Factor
DCA Analysis	4.75%	2.15%	1.20%
Township Analysis	4.75%	2.15%	0.36%

Furthermore, while the Township could conduct a structural conditions survey pursuant to NJAC 5:93-5.2(a) to more accurately reflect those units in need of rehabilitation, the Township has chosen to accept the DCA statistical calculation of the Township's Present Need Obligation of 138 units at this time. The Township reserves the right to perform such structural conditions survey in accordance with the applicable regulations at a later time.

Accordingly, the remainder of this Prospective Needs Analysis is divided into the following sections:

- ❖ Section 1: Present Need
- ❖ Section 2: Equalized Nonresidential Valuation Factor
- ❖ Section 3: Income Capacity Factor
- ❖ Section 4: Land Capacity Factor

Section 1: Present Need

The following section reviews the Township's Present Need as calculated by the DCA. The following is summarized:

1. The Township finds that the methodology utilized by the DCA to calculate its Present Need Obligation is acceptable.
2. The Township accepts the determination by DCA that the present need is 138 units are in need of rehabilitation. The township will continue to utilize current CDBG and allocated Affordable Housing Trust Fund funding to address this need

1.1: Present Need Background

As per the adopted legislation, a municipality's Present Need obligation shall be determined:

"by estimating the deficient housing units occupied by low- and moderate-income households in the region, following a methodology similar to the methodology used to determine third round municipal present need, through the use of most recent datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof."

The "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background" workbook released by the DCA (herein referred to as the "DCA Workbook" or the "Workbook") noted that the Present Need calculations used three factors to calculate its present need: the number of housing units lacking complete kitchen facilities, the number of units lacking complete plumbing facilities, and the number of overcrowded units.

The analysis employed by DCA utilizes data from HUD's Comprehensive Housing Affordability Strategy (CHAS) dataset, which has municipal-level data on the number and percentage of low- and moderate-income households from a special tabulation of the US Census's American Community Survey (ACS) data. For a full explanation of how this data was utilized, see the DCA Workbook.

The DCA determined by the Township's Present Need number is 138 units and the Township does not dispute this finding at this time.

Section 2: Equalized Nonresidential Valuation Factor

The following section reviews the equalized nonresidential valuation factor calculated by the DCA. The following is summarized:

1. The Township finds that the methodology utilized by the DCA to calculate its nonresidential valuation factor is acceptable.
2. The Township's change in equalized nonresidential valuation between 1999 and 2023 is \$1,225,399,702 which is consistent with the DCA calculations.
3. The Township's calculated share of the region's equalized nonresidential valuation of 4.75%.

2.1: Basis of Calculation

As per the adopted legislation, a municipality's equalized nonresidential valuation factor shall be determined as follows:

"To determine this factor, the changes in nonresidential property valuations in the municipality, since the beginning of the round preceding the round being calculated, shall be calculated using data published by the Division of Local Government Services in the department. For the purposes of such, the beginning of the round of affordable housing obligations preceding the fourth round shall be the beginning of the gap period in 1999. The change in the municipality's nonresidential valuations shall be divided by the regional total change in the nonresidential valuations to determine the municipality's share of the regional change as the equalized nonresidential valuation factor."

2.2: Analysis of Calculation

The calculation conducted by the DCA determined that the Township has a 4.75% share of the region's equalized nonresidential valuation.

Table 2: DCA Equalized Nonresidential Valuation Calculation Summary

Year	Non-equalized Nonresidential Valuation	Equalization Ratio	Equalized Nonresidential Valuation
1999	\$924,469,200	0.5475	\$1,688,528,219
2023	\$2,207,300,400	0.7575	\$2,913,927,921
<i>Difference</i>			<i>\$1,225,399,702</i>

Source: DCA Fair Share Housing Obligations for 2025-2035 (Fourth Round) Workbook

The Township has reviewed the methodology and data utilized by the DCA for this calculation. The methodology employed by the DCA is appropriate, the Township finds that the equalization ratios employed by the DCA are accurate.

Section 3: Income Capacity Factor

The following section reviews the income capacity factor calculated by the DCA. It finds that the data and methodology utilized by the DCA relating to the Township’s income capacity factor are both acceptable.

3.1: Basis of Calculation

As per the adopted legislation, a municipality’s income capacity factor shall be determined by calculating the average of the following measures:

“The municipal share of the regional sum of the differences between the median municipal household income, according to the most recent American Community Survey Five-Year Estimates, and an income floor of \$100 below the lowest median household income in the region; and

“The municipal share of the regional sum of the differences between the median municipal household incomes and an income floor of \$100 below the lowest median household income in the region, weighted by the number of the households in the municipality.”

3.2: Analysis of Calculation

The calculation conducted by the DCA determined that the Township has a 1.05% share of the region’s income capacity factor. Table 3 below summarizes the methodology utilized by the DCA to determine this share.

The Township has reviewed the data and the methodology utilized by the DCA for this calculation and finds both to be acceptable.

Table 3: Income Capacity Factor

Number of Households	Median household income in the past 12 months (in 2022 inflation-adjusted dollars) *	\$100 Below Regional Median HH Income Floor	Diff. from Median Household Income Floor with Household Weight	HH Weighted Income Difference % of Region Total	Diff from Median Household Income Floor	Income Difference % of Region Total	Income Capacity Factor
22,159	\$109,308	\$46,360	1,394,864,732	3.5%	\$ 62,948	0.8%	2.15%

Section 4: Land Capacity Factor

The DCA issued the data and mapping that was the basis for the land capacity factor on November 27th, over a month after the DCA deadline to issue its non-binding numbers under the Amended FHA.

The link to the DCA GIS data, and the description section (<https://njdca.maps.arcgis.com/home/item.html?id=12acdfe0a5104f8f8a2f604e96063e74>) includes the following language:

"The land areas identified in this dataset are based on an the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program." (underlined for emphasis)

The areas identified as developable in the DCA's calculation of the Land Capacity factor is overinclusive. Accordingly, the land capacity allocation factor should be adjusted from 64.57 to 19.34 acres. When this correction is made, Parsippany Troy Hills Round Four Prospective Need number should be 496 instead of the 553-unit figure identified by DCA.

While the basis for removing land treated as developable in the DCA's calculation is set forth below, it is important to note that the analysis to correct the land allocation factor is different than the analysis to use the determine a municipality's entitlement to vacant land adjustment. While the analysis to correct the Land Capacity factor focuses on developable land, the analysis to support a vacant land adjustment focuses on land suitable for inclusionary development. Therefore, just because a site was not removed for purposes of calculating the land capacity factor has no bearing on whether it should be removed to calculate entitlement to a vacant land adjustment.

In this regard, the Township secured court approval of a vacant land adjustment in Round 3 and will necessarily seek an adjustment in Round Four in conjunction with its preparation of a Housing Element and Fair Share Plan. Nothing herein should be construed as a waiver of those rights that are explicitly reserved.

An analysis of the lands identified by the DCA as being "developable" revealed several inaccuracies. In summary, these inaccuracies generally included lands which were: artifacts of error as described by the DCA; located on developed properties or those inaccessible due to environmental constraints; located on open space or common element properties; located on properties presently under construction; and located on properties with active site plan or approvals. Correcting these inaccuracies adjusts the Township's weighted land area from 64.57 acres to 19.34 acres. This results in an adjustment of the Township's calculated share of the region's land capacity from 1.20% to 0.36%.

4.1: Basis of Calculation

As per the adopted legislation, a municipality's income capacity factor shall be determined by:

"estimating the area of developable land in the municipality's boundaries, and regional boundaries, that may accommodate development through the use of the 'land use / land cover data' most recently published by the Department of Environmental Protection, data from the American Community Survey and Comprehensive Housing Affordability Strategy dataset thereof, MOD-IV Property Tax List data from the Division of Taxation in the Department of the Treasury, and construction permit data from the Department of Community Affairs and weighing such land based on the planning area type in which such land is located. After the weighing factors are applied, the sum of the total developable land area that may accommodate development in the municipality and in the region shall be determined. The municipality's share of its region's developable land shall be its land capacity factor. Developable land that may accommodate development shall be weighted based on the planning area type in which such land is located."

The legislation identifies the primary data sources and weighing factors to utilize in calculating a municipality's land capacity factor. However, unlike the equalized nonresidential valuation factor and the income capacity factor, the legislation did not establish a delineated process to combine the aforementioned data sources into one comprehensive and coherent formula.

The DCA subsequently released a workbook entitled "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background" (herein referred to as the "DCA Workbook" or the "Workbook") which established that department's interpretation on how to calculate the land capacity factor. In summary, that workbook identified the following steps:

1. First, the DCA divided the weighing regions established by the legislation by municipality.
2. Next, land use/land cover areas were used to identify vacant, developable lands. The workbook identifies the codes and descriptions of the land use/land cover data used in this process. In short, they include: cropland and pastureland; orchards/vineyards/nurseries/horticultural areas; deciduous forest areas; coniferous forest areas; plantations; mixed forest areas; old field areas; phragmites dominate old field areas; deciduous brush/shrubland; coniferous brush/shrubland; mixed deciduous/coniferous brush/shrubland; severe burned upland vegetation; and undifferentiated barren lands.
3. These initial vacant, developable lands were then refined to remove rights-of-way as well as developed properties. For the latter, the DCA utilized MOD-IV tax data and selected underlying tax parcels with property class codes for residential, commercial, industrial, apartment, railroad, and school.

4. Construction permit data was then analyzed to capture more recent development activities that may not have otherwise been reflected by the land use/land cover data or MOD-IV tax data.
5. Other limiting factors were utilized to remove initial vacant, developable lands. These include: open space, preserved farmland, category 1 waterways and wetlands (and associated buffers based on special area restrictions), steep slopes exceeding 15 percent, and open waters.
6. Due to limitations resulting from inconsistencies between data sources, the resulting mapping included instances of small land areas caused by an incongruous alignment of geospatial layers. To eliminate these "slivers" of leftover land, the DCA eliminated any feature part with an areas of less than 2,500 square feet. This presumed that a 25' by 100' foot area could be a developable property.
7. Finally, the resulting land area for each municipality was summed with the resulting land areas for all other municipalities within each housing region to then determine the municipal percentage of land capacity for the housing region.

4.2: Analysis of Calculation

The calculation conducted by the DCA determined that the Township has 64.57 acres of developable land which accounts for a 1.20% share of the region's land capacity factor. Overall, the Township finds the general methodology utilized by the DCA to calculate its land capacity factor acceptable. However, an analysis of the DCA's resultant mapping discovered the following:

1. Several of the lands identified as "developable" by the DCA represent slivers which "are considered artifacts of error that are common when overlaying polygons and vectors from non-coincident data sources." The DCA initially tried to eliminate these slivers by deleting any feature parts with an area of less than 2,500 square feet.
2. Other lands identified as "developable" by the DCA are located on properties with development. To eliminate "developable" lands on developable properties, the DCA had removed any lands where the underlying tax parcels had property class codes for residential, commercial, industrial, apartments, railroad, and school. However, the property classifications identified by the DCA did not account for houses of worship, properties developed with nonprofit facilities, and residential dwellings with associated farmland.
3. Several lands identified as "developable" by the DCA were in fact located on open space, common elements for homeowner's associations, or properties containing infrastructure (e.g. detention basins, flood collection areas, rights-of-way, etc.).
4. Some developable areas did not account for areas restricted by regulated 100-year floodway areas of streams and other mapped watercourses.

5. There were several instances of lands identified as “developable” by the DCA being located on properties which are presently under construction. This is likely due to a lag in construction permit reporting.
6. Finally, lands identified as “developable” by the DCA are located on properties with active site plan or general development plan (GDP) approvals which are no longer available for development.

These discrepancies are summarized in Table 4 utilizing the Land Capacity Analysis and are detailed in the mapping in Appendix A of this analysis. Removing these lands would adjust the Township’s weighted land area from 64.57 acres to 19.34 acres. This results in an adjustment of the Township’s calculated share of the region’s land capacity from 1.21% to 0.36%.

Irrespective of the land capacity factor analysis established herein, the Township reserves the right to conduct a vacant land adjustment (VLA) to determine its realistic development potential (RDP) at a later date.

Table 4: Summary of Land Capacity Factor Analysis – Parsippany Troy Hills

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
1	32249	7	2	0.9737	Vacant non-developable Morris County owned	Not developable area on county regional facility.	0.0000
2	32250	7	2	0.3226	Vacant non-developable Morris County owned	Not developable area on county owned and developed facility	0.0000
3	32251	7	1	0.1048	Vacant non-developable State of New Jersey Mental Health facility	Not developable area on state owned and developed facility	0.0000
4	32252	7	2	2.5616	Vacant non-developable Morris County owned	Not developable area on county owned and developed facility	0.0000
5	32253	757	54.01	0.4333	Vacant developable lot although frontage compromised	Developable	0.4333
6	32254	7	1	0.2025	Vacant non-developable State of New Jersey Mental Health facility	Not developable area on county state owned and developed facility	0.0000
7	32255	7	2	0.2010	Vacant non-developable Morris County owned	Not developable area on county owned and developed facility	0.0000
8	32256	757	53.01	1.8031	Vacant	Developable	1.8031
9	32257	13	13	1.3771	Vacant but owned by utility.	Not developable	0.0000
10	32258	200	5	1.3917	Gas and electrical easement	Not developable utility owned	0.0000
11	32259	3	15	0.4623	Municipal well and water tower	Not developable utility owned	0.0000
12	32260	7	1	0.1481	Vacant non-developable State of New Jersey Mental Health facility	Not developable area on state owned and developed facility	0.0000
13	32261	7	1	0.0687	Vacant non-developable State of New Jersey Mental Health facility	Not developable area on state owned and developed facility	0.0000
14	32262	723	32	0.4859	Vacant	Developable	0.4859
15	32263	8	2	2.6298	Vacant developable lot although frontage compromised	Developable	2.6298

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
16	32264	175	54	0.4020	Vacant part of utility electrical substation	Developable	0.0000
17	32265	9	9	0.5344	Vacant developable lot although frontage compromised	Developable	0.5344
18	32266	740	4	0.1991	Developed lot	Not developable	0.0000
19	32267	202	9.04	0.1126	Developed lot	Not developable	0.0000
20	32268	14	16.1	0.2899	Vacant developable no frontage	Developable	0.2899
21	32269	8	10	0.0600	Vacant non-developable 7 foot wide	Not developable	0.0600
22	32270	734	49.6	0.3104	Vacant developable lot although frontage compromised	Developable	0.3104
23	32271	14	14.01	1.3814	Vacant not-developable and no frontage	Developable	1.3814
24	32272	15.8	35.02	0.0653	Vacant but owned by water utility	Not developable	0.0000
25	32273	15.8	35.02	0.2645	Vacant but owned by water utility	Not developable	0.0000
26	32274	734	26	0.6091	Developed lot	Not developable	0.0000
27	32275	175	58	0.2810	Vacant frontage	Developable	0.2810
28	32276	15	60	0.0847	Part of open space parcel, narrow sliver, not developable	Not developable	0.0000
29	32277	26.01	1	0.1221	Vacant part of highway offramp	Developable	0.0000
30	32278	14	31	0.2546	Utility high tension line easement	Not developable	0.0000
31	32279	14	18	0.1583	Utility high tension line easement	Not developable	0.0000
32	32280	14	31	0.1856	Open space parcel on multifamily site -not developable	Not developable	0.0000
33	32281	14	31	0.6353	Open space parcel on multifamily site -not developable	Not developable	0.0000
34	32282	199	20	0.6050	Developed lot with Township Library	Not developable	0.0000
35	32283	15	23	0.2367	Vacant with no frontage	Developable	0.2367

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
36	32289	15	56	0.7946	Vacant with no frontage	Developable	0.7946
37	32290	15	1.2	0.0817	Narrow developable area Not developable	Not developable	0.0000
38	32291	168	174	0.0877	Vacant with no frontage	Developable	0.0877
39	32292	693.01	1	0.1195	Area part of Route 46 offramp	Not developable	0.0000
40	32293	15	56	0.3177	Vacant with no frontage	Developable	0.3177
41	32294	15	7.1	0.4906	Vacant with no frontage	Developable	0.4906
42	32295			0.7983	Developed lot plus on developed school property	Not developable	0.0000
43	32296	15	17.1	0.2319	Vacant with no frontage	Developable	0.2319
44	32297	170	49	0.6082	Vacant part of open space area of prior cluster development	Not developable	0.0000
45	32298	170	49	1.1449	Vacant part of open space area of prior cluster development	Not developable	0.0000
46	32299	203	1.02	0.1111	Vacant part of open space area ROSI	Not developable	0.0000
47	32300	736	3	0.0640	Developed lot with water utility tower	Not developable	0.0000
48	32301	736	3	0.1718	Developed lot with water utility tower	Not developable	0.0000
49	32302	724	1	0.3014	Vacant	Developable	0.3014
50	32303	722	1	0.4575	State of New Jersey lot constrained by historic archeological site	Not developable	0.0000
51	32304	725	25	0.8385	Vacant	Developable	0.8385
52	32305	166	96	4.5060	Not vacant no frontage part of religious institution	Not developable	0.0000
53	32306	726	12.01	0.1429	Developed lot	Not developable	0.0000
54	32307	25	2	0.1009	Vacant with no frontage	Developable	0.1009
55	32308	726	10	0.3069	Part of US Route 46 off ramp	Not developable	0.0000
56	32309	226	3.2	0.2300	Developed lot	Not developable	0.0000

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
57	32310	718	31	0.3105	Lot developed with utility electrical substation	Not developable	0.0000
58	32311	725	12	0.8572	Lot developed with religious institution	Not developable	0.0000
59	32312	98	61	0.0669	Vacant frontage	Developable	0.0669
60	32313	719	3	0.5302	Vacant	Developable	0.5302
	32314	223	1	0.3721	Vacant	Developable	0.3721
61	32315	157	1.1	0.7104	Vacant	Developable	0.7104
62	32316	401	2	0.3060	Not developable part of US Route 80 onramp	Not developable	0.0000
63	32317	401	1	0.4557	Not developable part of US Route 80 offramp	Not developable	0.0000
64	32318	98	66	0.7678	Not vacant no frontage part of developed lot	Not developable	0.0000
65	32319	146	1	0.7764	Protected open space on ROSI	Not developable	0.0000
66	32320	166	136	0.4614	Vacant frontage	Developable	0.4614
67	32321	403	1	0.9541	Not developable part of US Route 80 interchange	Not developable	0.0000
68	32322	712	40	0.8649	Not developable area of developed school property	Not developable	0.0000
69	32323	402	2	0.3023	Not developable part of US Route 80 interchange	Not developable	0.0000
70	32324	402	1	0.2412	Not developable part of US Route 80 interchange	Not developable	0.0000
71	32325	402	2	0.1948	Not developable part of US Route 80 interchange	Not developable	0.0000
72	32326	28	1	0.1852	Vacant	Developable	0.1852
73	32327	98	51.7	0.0644	Vacant frontage	Developable	0.0644
74	32328	166	135.3	0.5481	Vacant frontage	Developable	0.5481
75	32329	136.01	1	0.2579	Small sliver on lot approved for assisted living facility.	Not developable	0.0000
76	32330	98	51.7	0.3184	Vacant frontage	Developable	0.3184

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
77	32331	136.01	1	0.0693	Small sliver on lot approved for affordable housing project	Not developable	0.0000
78	32332	90	19	0.1456	Not developable small sliver on lot Not developable	Not developable	0.0000
79	32333	98	48	2.4410	Not on vacant parcels both are developed and no frontage	Not developable	0.0000
80	32334	98	99.01	0.0891	Vacant constrained frontage	Developable	0.0891
81	32335	718	13.1	0.9690	Vacant constrained frontage	Developable	0.9690
82	32336	98	76	0.5850	Vacant frontage	Developable	0.5850
83	32337	98	76	0.1347	Vacant frontage	Developable	0.1347
84	32338	98	76	0.0871	Vacant frontage	Developable	0.0871
85	32339	98	76	0.4292	Vacant frontage	Developable	0.4292
86	32340	712	12	0.5590	Located on developed lot of religious institution	Not developable	0.0000
87	32341	98	77	0.0778	Located on water utility lot	Not developable	0.0000
88	32342	98	76	0.5873	Vacant frontage	Developable	0.5873
89	32343	98	77	0.1362	Located on water utility lot	Not developable	0.0000
90	32344	98	45.15	0.5077	Not on vacant parcels both are developed and no frontage	Not developable	0.0000
91	32345	98	76	0.1005	Vacant frontage	Developable	0.1005
92	32346	98	76	0.4240	Vacant frontage	Developable	0.4240
93	32347	498	25	0.5600	Located on water utility lot	Not developable	0.0000
94	32348	498	23	0.7696	Located on water utility lot	Not developable	0.0000
95	32349	411	24.01	3.6120	Located on developed lot of Township Police Department and Court	Not developable	0.0000
96	32350	411	17.01	0.5749	Located on developed lot with parking area for adjacent B411 L19	Not developable	0.0000

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
97	32351	136	36.1	0.1327	Located on lot with public stormwater basin	Not developable	0.0000
98	32352	498	23	0.2014	Located on lot with developed ball field property	Not developable	0.0000
99	32353	136	28	0.4541	Located on lot with developed ball field property ROSI	Not developable	0.0000
100	32354	498	23	1.0798	Located on lot with developed ball field property	Not developable	0.0000
101	32355	421	29.04	0.3260	Located on lot constrained from further development by easement	Not developable	0.0000
102	32356	136	28	0.1791	Located on lot with developed ball field property ROSI	Not developable	0.0000
103	32357	136	43.3	0.0987	Located on developed lot	Not developable	0.0000
104	32358	136	43.3	0.2781	Located on developed lot	Not developable	0.0000
105	32359	136	43.3	0.2926	Located on developed lot	Not developable	0.0000
106	32360	136	65	0.0803	Located on water utility lot with water tower	Not developable	0.0000
107	32361	421	29.04	1.8160	Located on lot constrained from further development by easement	Not developable	0.0000
108	32362	421	29.04	0.5371	Located on lot constrained from further development by easement	Not developable	0.0000
109	32363	103	1	0.8399	Not developable NJ State owned land adjacent to Route 80	Not developable	0.0000
110	32364	102	6	0.2318	Developed lot	Not developable	0.0000
111	32365	469	6	0.5819	Vacant Lot on ROSI	Developable	0.0000
112	32366	97	5	0.0680	Vacant Lot	Developable	0.0680
113	32367	494	6.1	0.3825	Developed lot	Not developable	0.0000

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
114	32368	494	6.1	0.1190	Developed lot	Not developable	0.0000
115	32369	494	6.1	0.9104	Developed lot	Not developable	0.0000
116	32370	450	1	0.3456	Jersey City Water Reservoir Conservation Lot	Not developable	0.0000
117	32371	450	1	0.2141	Jersey City Water Reservoir Conservation Lot	Not developable	0.0000
118	NONE	693	7	1.5371	Vacant parcel not included in DCA calculations	Developable	1.5371
					TOTAL		19.3429

* Object ID and area computations identified were obtained from the NJDCA published Vacant and Developable Land Analysis.

Appendix A: Land Capacity Factor Area Maps

The following mapping show in more detail the specific mapping of the various land capacity areas as identified in the DCA analysis provided through the Land Capacity Analysis for P.L. 2024, c.2. They are obtained from the web based ARCGIS online mapping utilizing feature layers (hosted) by NJDCA and incorporating other layer features available through NJDEP and ARCGIS Online services.



Legend

- DCA Vacant Land
- Wetlands
- Parcel Data
- Municipal Boundary

Rev	Description	Date	Dwn	Ckd

Dwg. Title:
DCA Calculation Review



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Project Title:
DCA Draft

Township of Parsippany-Troy Hills
Morris County, New Jersey

- Legend**
- DCA Vacant Land
 - Wetlands
 - Parcel Data
 - Municipal Boundary



Rev	Description	Date	Dwn	Ckd

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Rev	Description	Date	Dwn	Ckd

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Graphic Scale



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- Legend**
- DCA Vacant Land
 - Wetlands
 - Parcel Data
 - Municipal Boundary

Rev	Description	Date	Dwn	Ckd

Dwg. Title:
DCA Calculation Review

Graphic Scale:
 0 420 840 1,680 Feet

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