

**BOROUGH OF LITTLE FERRY
STATE OF NEW JERSEY
ORDINANCE NO. 1673-15-26**

**AN ORDINANCE AMENDING
CHAPTER 35 ORDINANCE ENTITLED
'LAND USE REGULATIONS, ARTICLE 100 ENTITLED
ZONING'
OF THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF LITTLE FERRY,
COUNTY OF BERGEN
AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Mayor and Council of the Borough of Little Ferry that Chapter 35 of the Ordinances of the Borough of Little Ferry is hereby amended to add a new section entitled “§ 35-126.12. Affordable Housing Requirements,” and that those portions of the Ordinance not set forth below shall remain unchanged.

§ 35-126.12. AFFORDABLE HOUSING REQUIREMENTS.

All affordable housing units shall comply with the Borough’s affordable housing regulations in its Affordable Housing Ordinance, as well as the NJ Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80-26.1 et seq.). This shall include but is not limited to:

a. Twenty percent (20%) of the residential units shall be restricted to low and moderate income households. Fractions of .49 or less may be rounded down; fractions of .50 or more shall be rounded up.

b. All affordable housing units shall comply with the Township’s affordable housing regulations in its Affordable Housing Ordinance, as well as the NJ Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80-26.1 et seq.). This shall include but is not limited to:

i. The requirement that at least thirteen percent (13%) of the affordable units within each bedroom distribution shall be required to be for very low income households earning thirty percent (30%) or less of median income,

ii. The bedroom distribution of very-low, low- and moderate income units for affordable units shall be as follows.

1. No more than 20% of the very-low, low- and moderate-income units shall be one-bedroom units.

2. At least 20% of the very-low, low- and moderate-income units shall be three bedroom units.

3. At least 30% of the very-low, low- and moderate-income units shall be two-bedroom units.

iii. Recording of appropriate affordability controls of not less than forty (40) years for rental units and not less than thirty (30) years for sale units, and

iv. Minimum unit sizes by square footage as required by UHAC for affordable housing units.

v. The affordable units shall be affirmatively marketed in accordance with UHAC and applicable law. The affirmative marketing shall include the community and regional organizations identified by the Township, and it shall also include posting of all affordable units on the New Jersey Housing Resource Center website in accordance with applicable law.

c. The affordable units shall be integrated with the market-rate units, and the affordable units shall not be concentrated in separate building(s) or in separate area(s) or floor(s) from the market-rate units. In buildings with multiple dwelling units of similar tenure, this shall mean that the affordable units shall be generally distributed within each building with market units. The residents of the affordable units shall have full and equal access to all of the amenities, common areas, and recreation areas and facilities as the residents of the market-rate units. The affordable units shall be the same type of housing unit as the market rate units, meaning that a market rate building available to families shall not be developed to provide age-restricted housing units.

d. Construction of the affordable units in inclusionary developments shall be phased in compliance with N.J.A.C. 5:93-5.6(d).

SEVERABILITY

If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgement shall not affect, impair or invalidate the remainder of this Ordinance.

EFFECTIVE DATE

This ordinance shall take effect upon passage and publication, as required by law.

ATTEST:

BOROUGH OF LITTLE FERRY

Barbara Maldonado, Borough Clerk

Mauro Raguseo, Mayor

Introduced:

Motion by:

Second by:

Introduction Roll Call:

Ayes:

Nays:

Absent:

Adopted:

Motion by:

Second by:

Adoption Roll Call:

Ayes:

Nays:

Absent:

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Mayor
and Council at a meeting held on _____ .

Barbara Maldonado,
Borough Clerk