

**ORDINANCE 26-2026**

**ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 195-48, SECTION C, OF THE CODE OF THE BOROUGH OF MADISON ENTITLED "LAND DEVELOPMENT," REGARDING AFFORDABLE HOUSING INCLUSIONARY DEVELOPMENT REQUIREMENTS**

**WHEREAS**, the Borough Administrator, in consultation with Special Counsel, has recommended amending Sections 198-48 of the Borough Code entitled "Affordable housing inclusionary development requirements"; and

**WHEREAS**, the Borough Council is in agreement with said recommendation.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey as follows:

Section 1: Section 195-48, C of the Borough Code entitled "Affordable Housing inclusionary development requirement" is hereby amended as follows:

C. Residential development. All new applicable residential developments shall be subject to the following affordable housing requirements:

- (1) At least 20% of all for-sale and for-rent dwelling units shall be affordable. Any fractional affordable housing requirement of 0.50 units or higher shall be rounded up to the nearest whole number. Fractional units below 0.50 shall be addressed by either rounding up to the nearest whole unit or by a fractional payment in lieu. Construction of the affordable housing unit(s) shall be subject to the standards and requirements herein and the policies, procedures and administration provisions of § 195-47.
- (2) In the case of residential development involving the creation of fewer than five dwelling units and/or single-family building lots, the developer shall be required to make a payment in lieu of providing affordable housing. The minimum payment amount shall be calculated based on ~~\$250,000~~ **\$ 300,000** multiplied by the fractional affordable housing requirement as calculated to two decimal points.

Section 2: This Ordinance shall take effect as provided by law.

ADOPTED AND APPROVED  
May 27, 2026

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ROBERT H. CONLEY, Mayor

Attest:

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ELIZABETH OSBORNE, Borough Clerk

Introduced and passed: May 11, 2026

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