

**BOROUGH OF HILLSDALE  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO. 26-05  
(ADOPTION)**

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**AN ORDINANCE AMENDING CHAPTER 310, ARTICLE XXXIII  
“AFFORDABLE HOUSING REGULATIONS” SECTION 141  
“APPLICABILITY” TO REVISE THE AFFORDABLE HOUSING  
SET-ASIDE OF THE BOROUGH CODE**

**WHEREAS**, the Borough of Hillsdale’s Affordable Housing Ordinance requires any new development that creates five or more new units to set-aside 15% as affordable units if the units will be rentals or to set-aside 20% as affordable units if the units will be for sale; and

**WHEREAS**, the Borough is a vacant land adjustment community and rental development no longer receives a one-for-one bonus; and

**WHEREAS**, the Borough seeks to amend the affordable housing set-aside to 20% regardless of tenure.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Hillsdale, County of Bergen, State of New Jersey as follows:

Chapter 310, “Land Use”, Article XXXIII, “Affordable Housing Regulations”, Section 141, “Applicability” of the Borough Code shall hereby be amended and supplemented by adding the following underlined text and removing text in ~~strikeout~~.

**Article XXXIII Affordable Housing Regulations**

**§310-141 Applicability.**

- C. Any property in the Borough of Hillsdale that is currently zoned for nonresidential uses and subsequently receives a zoning change or use variance or approval of a redevelopment or rehabilitation plan to permit multifamily residential development, or that is currently zoned for residential uses and receives a zoning change or density variance or approval of a redevelopment or rehabilitation plan to permit multifamily residential development, which multifamily residential development will yield five or more new dwelling units, shall provide a minimum affordable housing set-aside of 20% regardless of tenure~~15% percent if the affordable units will be for rent and a minimum 20% percent if the affordable units will be for sale~~. This provision does not affect residential development on sites that are zoned for inclusionary residential development as part of the Borough's

Housing Element and Fair Share Plan, which are subject to the affordable housing set-aside requirements set forth in the applicable zoning. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of the Borough of Hillsdale to grant such rezoning, variance or other relief. A property shall not be permitted to be subdivided so as to avoid compliance with this requirement. All affordable units created pursuant to this subsection shall be governed by the provisions of this article. However, properties within the Hillsdale-Patterson Street Redevelopment Plan shall be exempt from the requirements of this subsection.

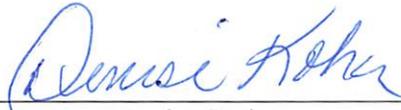
In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

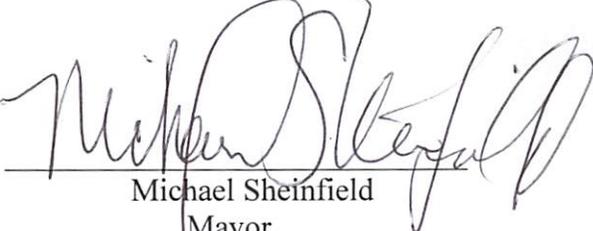
All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

This Ordinance shall take effect upon passage and publication as provided by Law.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
Camp, Christopher		X	X				
Colletti, Robert			X				
DeRosa, Anthony	X		X				
Mazza-Chiong, Melissa			X				
Osso, Clemente			X				
Ruocco, John			X				
Sheinfield, Michael							

Adoption: February 3, 2026

Attest:   
 Denise Kohan  
 Municipal Clerk

  
 Michael Sheinfield  
 Mayor