TOWNSHIP OF WYCKOFF
CERTIFIED TO BE A TRUE COPY
OF THE ORIGINAL
MUNICIPAL CLERK

TOWNSHIP OF WYCKOFF
340 FRANKLIN AVENUE
WYCKOFF, NEW JERSEY 07481

ORDINANCE #2066

AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND SECTION 186-48 AND -49 OF CHAPTER 186 ZONING, TO INCREASE THE AFFORDABLE HOUSING SET-ASIDE OF THE MANDATORY SET-ASIDE ORDINANCE TO 20%

WHEREAS, the Township adopted a Fourth Round Housing Element and Fair Share Plan that states the mandatory set-aside ordinance would be amended to require a 20% set-aside regardless of tenure; and

WHEREAS, the Township of Wyckoff entered into a Mediation Agreement with Fair Share Housing Center on December 22, 2025 in the Matter of the Application of the Township of Wyckoff's Housing Element and Fair Share Plan (Docket No.: BER-L-756-25); and

WHEREAS, the Mediation Agreement is consistent with the Fourth Round Housing Element and Fair Share Plan, stating the affordable housing set-aside for the mandatory set-aside ordinance shall be 20% for all inclusionary development; and

WHEREAS, the zoning herein is consistent with the Mediation Agreement with Fair Share Housing Center; and

WHEREAS, the mandatory set-aside is further revised to ensure applicability to all residential development, excluding single-family detached homes; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, Bergen County, New Jersey, that the Code of the Township of Wyckoff is hereby amended to increase the set-aside to 20% for all development subject to the mandatory set-aside ordinance.

SECTION 1. Amend Chapter 186 Zoning, Article X. Affordable Housing Regulations as follows:

Additions are shown as **thus**; deletions shown as ~~thus~~

§ 186-48. Purpose.

It is the intent of this Article X to provide zoning regulations that create a realistic opportunity for the construction of housing affordable to very-low, low- and moderate-income households in the context of inclusionary residential developments that are zoned, consistent with an adopted Housing Element and Fair Share Plan, to allow a higher density of ~~multifamily~~ residential development than otherwise permitted in Wyckoff sufficient to subsidize the construction of such very low-, low- and moderate-income housing; to provide reasonable, non-cost-generating bulk

standards for such development, consistent with the Residential Site Improvement Standards (N.J.A.C. 5:21); to provide overlay zoning to certain sites and areas of the Township that may someday redevelop so as to ensure that such sites will be redeveloped as inclusionary residential developments that will provide the opportunity for very-low-, low- and moderate-income housing to be constructed in the future; and to require all ~~multifamily~~ residential developments, ~~including apartments, townhouses, condominiums and any other non-~~ **excluding** single-family detached residential developments, that are approved in the future to be constructed at a certain minimum density, but that are not currently anticipated as part of an adopted Housing Element and Fair Share Plan, to provide a set-aside of very low-, low- and moderate-income housing. All developments constructed pursuant to this article shall also be subject to the requirements of Chapter 77, Affordable Housing, which requirements shall accompany, and, where there is a conflict, supersede the requirements of this Article X. Any other provision of any ordinance of the Township of Wyckoff that is in conflict with this Article X or impose higher standards not directly related to health and safety shall be inapplicable. The definitions set forth in Chapter 77 shall apply to this Article X.

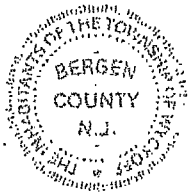
§ 186-60. ~~Amendment to Zoning Map.~~ **(Reserved)**

§ 186-60.1.Mandatory affordable housing set-aside requirements.

A mandatory set-aside requirement of 20% ~~(if the affordable units will be for sale) and 15% (if the affordable units will be for rent)~~ shall be imposed on any ~~multifamily~~ residential development**, excluding single-family detached homes,** created through any Township or Board action involving a rezoning, use variance, density variance, redevelopment plan or rehabilitation plan permitting redevelopment ~~that provides an incentive in the form of an increase in the density on a site~~, which density is at or above six units per acre and results in the construction or creation of five or more new dwelling units over the number of units previously allowed. **Fractional affordable housing obligations of .49 or less may be rounded down and fractional obligations of .50 or greater shall be rounded up.** This requirement does not affect the requirements for production of affordable housing on sites that are zoned for inclusionary development as a result of an adopted Housing Element and Fair Share Plan, which sites shall be developed as provided under the zoning or overlay zoning enacted for those sites. 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 Wyckoff Township to grant such rezoning, variance or other relief, nor does it suggest that a density of six units per acre provides a sufficient financial incentive for inclusionary residential development in all cases. A property shall not be permitted to be subdivided so as to avoid meeting this requirement. All affordable units created by this mechanism shall be family affordable housing units (i.e., non-age-restricted).

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE BERGEN RECORD, A NEWSPAPER PUBLISHED IN THE COUNTY OF BERGEN AND CIRCULATED IN THE TOWNSHIP OF WYCKOFF, IN BOTH THE ISSUE OF FEBRUARY 27 AND MARCH 18, 2026. THIS ORDINANCE WAS ALSO POSTED TO THE TOWNSHIP'S WEBSITE AT WYCKOFFNJ.GOV/NOTICES PURSUANT TO P.L. 2025, c. 72.

INTRODUCTION: February 24, 2026
PUBLIC HEARING: March 12, 2026
ADOPTED: March 12, 2026
EFFECTIVE DATE: March 18, 2026

Nancy A. Brown
NANCY A. BROWN
MUNICIPAL CLERK