

**ORDINANCE 2026-03
FRANKLIN TOWNSHIP
HUNTERDON COUNTY, NEW JERSEY**

**ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER 220 OF THE CODE OF THE TOWNSHIP OF FRANKLIN TO
AMEND CERTAIN AFFORDABLE HOUSING-RELATED REGULATIONS OF THE MF MULTI-FAMILY ZONE
AND THE MXD MIXED-USE DEVELOPMENT OVERLAY ZONE**

WHEREAS, Franklin Township has a constitutionally-mandated requirement to provide affordable housing; and

WHEREAS, the Township Committee desires to create opportunities for the production of affordable housing within the Township; and

WHEREAS, the Township Committee has determined that modifying the affordable housing set-aside requirement of the MXD Overlay Zone is an appropriate measure as the Township is a durational adjustment community; and

WHEREAS, the Township Committee also believe it is the appropriate time to update the payment in lieu of affordable housing requirement for fraction units, as the fee is now outdated by seven years and the costs of construction have escalated over the past seven years.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Franklin in the County of Hunterdon and the State of New Jersey as follows:

SECTION 1.

Amend Chapter 220 "Land Use", Article III "Use Regulations", Subsection 10 "Zone District Use Regulations", subsection F "Multifamily housing zone" to add the following new underlined text and eliminate text in ~~strikeout~~:

F. Multifamily housing zone.

(4) Affordable housing requirements. Within the MF Multifamily Housing Zone all applications for development shall comply with the following:

(d) If the required number of affordable units results in a fraction of less than 0.50 ~~or less~~, the number of units to be built on site may be rounded down and the application shall make a pro-rated payment-in-lieu to cover the fraction. If the required number of affordable units results in a fraction of 0.5 or greater, the applicant shall round up and provide the additional affordable unit. The payment-in-lieu fee in for ~~2026-2018~~ is ~~\$247,200~~ \$247,200. The payment-in-lieu shall increase each year by 3%. Therefore, the fee will be ~~\$254,616~~ \$254,616 in ~~2027-2019~~, ~~\$262,254.48~~ \$262,254.48 in ~~2028-2020~~ and so on.

SECTION 2.

Amend Chapter 220 "Land Use", Article III "Use Regulations", Subsection 10 "Zone District Use Regulations", subsection G "MXD Mixed-Use Development Overlay Zone" to add the following new underlined text and eliminate text in ~~strikeout~~:

G. MXD Mixed-use Development Overlay Zone.

(5) Affordable housing requirements. Within the MXD Mixed-Use Development Overlay Zone all applications including residential development shall comply with the following:

(a) A minimum of 20% of the total units shall be reserved for affordable housing, regardless of tenure. ~~if the affordable housing units are for sale.~~

~~(b) A minimum of 15% of the total units shall be reserved for affordable housing, if the affordable housing units are for rent.~~

~~(b)~~ (e) All required affordable housing units shall be built on site.

~~(c)~~ (d) If the required number of affordable units results in a fraction of less than 0.50-4 or less, the number of units to be built on site may be rounded down and the application shall make a pro-rated payment-in-lieu to cover the fraction. If the required number of affordable units results in a fraction of 0.5 or greater, the applicant shall round up and provide the additional affordable unit. The payment-in-lieu fee in for ~~20262018~~ is ~~\$247,200100,000~~. The payment-in-lieu shall increase each year by 3%. Therefore, the fee will be ~~\$254,616103,000~~ in ~~20272019~~, ~~\$262,254.48106,090~~ in ~~20282020~~ and so on.

~~(d)~~ (e) Affordable units shall comply with the Fair Housing Act, the Uniform Housing Affordability Controls, Chapter 176, entitled "Affordable Housing Ordinance" and shall be deed restricted for a minimum of 30 years.

~~(e)~~ (f) Unless the Township has retained its own administrative agent, the developer/property owner shall be responsible for retaining a qualified administrative agent, who shall be approved by the Township Committee and who shall be supervised by and report to the Township, to manage the affordable housing units.

~~(f)~~ (g) The developer shall be responsible for paying the required development fees as outlined by the Statewide Non-residential Development Fee Act applicable to the nonresidential portion of the development.

SEVERABILITY. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

REPEALER. Any Ordinances or parts thereof in conflict with the provisions of these Ordinance are hereby repealed as to their inconsistencies only.

EFFECTIVE DATE. This Ordinance shall not take effect until approved by the Court.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on February 12, 2026, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on March 12, 2026 at 7:30 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the New Municipal Building, 43 Lower Landsdown Road, Annandale, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Christine Burke
Township Clerk

**FRANKLIN TOWNSHIP
HUNTERDON COUNTY**

PUBLIC NOTICE is hereby given that the following titled Ordinances were introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on February 12, 2026, and ordered published in accordance with the law. Said Ordinances will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on March 12, 2026 at 7:30 p.m. or as soon thereafter as the Township Committee may hear these Ordinances at the Franklin Township Municipal Building, 43 Lower Landsdown Road, Annandale, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

A copy of these Ordinances may be acquired from the Franklin Township Clerk's Office during regular business hours and are posted on the Township website:

<https://franklin-twp.org/ordinances>

Christine Burke
Township Clerk

ORDINANCE 2026-01

ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY DELETING AND REPLACING ARTICLE I "AFFORDABLE HOUSING REGULATIONS" AND DELETING ARTICLES II "MUNICIPAL HOUSING LIAISON", III "ADMINISTRATIVE AGENT", AND IV "AFFIRMATIVE MARKETING REQUIREMENTS" OF CHAPTER 176 "AFFORDABLE HOUSING ORDINANCE" TO UPDATE THE TOWNSHIP'S AFFORDABLE HOUSING ORDINANCE IN ACCORDANCE WITH THE DECEMBER 2025 UNIFORM HOUSING AFFORDABILITY CONTROLS, DECEMBER 2025 N.J.A.C. 5:99 REGULATIONS, AND THE AMENDED FAIR HOUSING ACT

ORDINANCE 2026-02

ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY DELETING AND REPLACING ARTICLE V "AFFORDABLE HOUSING DEVELOPMENT FEES" OF CHAPTER 176 "AFFORDABLE HOUSING ORDINANCE" OF THE CODE OF THE TOWNSHIP OF FRANKLIN TO UPDATE THE TOWNSHIP'S DEVELOPMENT FEE ORDINANCE IN ACCORDANCE WITH THE DECEMBER 2025 N.J.A.C. 5:99 REGULATIONS AND THE AMENDED FAIR HOUSING ACT

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SUMMARY AND EXPLANATION

On January 28, 2025, Franklin Township adopted Resolution 2025-17 (filed with the Court on January 29, 2025), which established the Township's Fourth Round present and prospective need obligations pursuant to the amended Fair Housing Act ("FHS") at N.J.S.A. 52:27D-301 et. Seq., per P.L. 2024, c.2. On March 27, 2025, the Court entered an Order fixing the Township's Fourth Round present need obligation as 0 and prospective need obligation as 52. On June 13, 2025, Franklin Township filed its Housing Element and Fair Share Plan ("HEFSP") and, upon review and addressing all challenges, is now proceeding to adjust the Township Code to reflect all necessary amendments to update the Township's Affordable Housing Regulations to meet the Township's Fourth Round fair share obligations.

Provided by Christine Burke, Township Clerk

POSTED:

TOWNSHIP WEBSITE: FEBRUARY 13, 2026.

OFFICIAL NEWSPAPER: STAR LEDGER (NJ.COM): FEBRUARY 19, 2026.

I, Christine Burke, Clerk for the Township of Franklin, hereby certify that Ordinance #2026-03 was introduced on first reading by the governing body of the Township of Franklin, County of Hunterdon, on February 12, 2026.

Public hearing and consideration for adoption was held on March 12, 2026, at which time the Ordinance was finally adopted.


Christine Burke, Township Clerk

Introduction : February 12, 2026

Published : Township Website: February 13, 2026
: Official Newspaper: Star Ledger (NJ.com): February 19, 2026

Amended : N/A

Published : Township Website: N/A
: Official Newspaper: Star Ledger (NJ.com): N/A

Public Hearing : March 12, 2026

Adopted : March 12, 2026

Published : Township Website: March 13, 2026
: Official Newspaper: Star Ledger (NJ.com): March 19, 2026

**FRANKLIN TOWNSHIP
HUNTERDON COUNTY**

PUBLIC NOTICE is hereby given that the following titled Ordinances were duly considered for final passage and adopted by the Franklin Township Committee upon conclusion of the public hearing held on Thursday, March 12, 2026.

A copy of these Ordinances may be acquired from the Franklin Township Clerk's Office during regular business hours and are posted on the Township website:

<https://franklin-twp.org/ordinances>

Christine Burke
Township Clerk

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Provided by Christine Burke, Township Clerk

POSTED:

TOWNSHIP WEBSITE: MARCH 13, 2026.

OFFICIAL NEWSPAPER: STAR LEDGER (NJ.COM): MARCH 19, 2026.