

TOWNSHIP OF LITTLE FALLS

ORDINANCE NO. 1538

AN ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS AMENDING ARTICLE XVIII AFFORDABLE MULTI-FAMILY OVERLAY ZONE (AMF) §280-139.12 “LOW- AND MODERATE-INCOME HOUSING REQUIREMENTS” OF THE TOWNSHIP CODE TO INCREASE THE PERMITTED DENSITY IN THE AMF ZONE PURSUANT TO THE TOWNSHIP’S ADOPTED FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN.

BE IT ORDAINED by the governing body of the Township of Little Falls, Passaic County, New Jersey, that the Zoning Ordinance of the Township of Little Falls is hereby amended to increase the permitted density for multi-family residential developments that include affordable housing units in the Affordable Multi-Family Overlay Zone (AMF), which consists of Blok 251, Lots 1-8, the unimproved portions of Lots 10-11, all of Lot 14, and the unimproved portions of Lot 16, in a manner consistent with a consent order with Fair Share Housing Center and the Township’s adopted Fourth Round Housing Element and Fair Share Plan.

WHEREAS, the Township has agreed to a Consent Order with Fair Share Housing Center that outlines the terms by which the Township can achieve a compliant Fourth Round Housing Element and Fair Share Plan that will provide an opportunity for the development of housing affordable to low- and moderate-income households and provide the Township with immunity from exclusionary zoning lawsuits for the period ending June 30, 2035; and

WHEREAS, the Township has determined that it will address its Fourth Round Prospective Need obligation through a variety of mechanisms including updating existing overlay zones to further the realistic opportunity to provide affordable housing in the Township, consistent with the Fair Housing Act.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Little Falls as follows with additions in **bold underline** and deletions in **~~bold strikethrough~~**:

§280-139.12. Low- and moderate-income housing requirements.

- A. The residentially zoned properties shall be permitted to be developed at a maximum gross density of **35 40** units per acre. Said development shall consist of multifamily residential.

REPEALER

All ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

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

Approved: March 9, 2026

ATTEST:

C. Kraus
Cynthia Kraus, Township Clerk


James Belford Damiano, Mayor