

Township of Little Falls

Resolution [D] 26-02-23 - # 4

A RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS APPROVING A ROUND FOUR SPENDING PLAN FOR AFFORDABLE HOUSING COMPLIANCE.

**WHEREAS**, the Township of Little Falls has prepared a Fourth Round Housing Element and Fair Share Plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., the Amended Fair Housing Act, N.J.S.A. 52:37D-301 et seq., and

**WHEREAS**, a Development Fee Ordinance was originally adopted by the Township in 2007 and subsequently amended in 2017 and most recently amended in 2019 and approved by the Court as part of the Third Round; and

**WHEREAS**, the Development Fee Ordinance established an affordable housing trust fund into which development fees, payments in lieu of construction of affordable housing units, barrier free escrow funds, repayments from affordable housing program loans, recapture funds, and other authorized collections are deposited; and

**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;

**WHEREAS**, the Amended FHA and the Affordable Housing Dispute Resolution Program Administrative Directive #14-24 require that Spending Plans and other municipal regulations be updated to be consistent with the new rules no later than March 15, 2026; and

**WHEREAS**, in accordance with the Amended Fair Housing Act, the Township has prepared an updated Spending Plan (attached hereto as Exhibit A), which accounts for the collection and expenditures of current and future affordable housing trust fund monies that will contribute to the development of affordable housing and assistance to low- and moderate-income households in the Township; and

**WHEREAS**, the Township Planning Board adopted an amended Fourth Round Housing Element and Fair Share Plan on February 5, 2026, which outlines the mechanisms by which the Township will comply with its Fourth Round obligation; and

**WHEREAS**, the Township desires to submit its Spending Plan to the Affordable Housing Dispute Resolution Program for its review and approval;

**NOW, BE IT RESOLVED**, the Township Council of the Township of Little Falls in the County of Passaic, State of New Jersey hereby adopts the Spending Plan that is attached hereto as Exhibit A and directs that it be submitted to the Program for compliance certification.

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APPROVED: February 23, 2026