

CITY OF PASSAIC
ORDINANCE NO. 2520-26

ORDINANCE AMENDING CHAPTER 317-30B(8) “AFFORDABLE HOUSING MANDATORY SET-ASIDE”

WHEREAS, pursuant to N.J.S.A.40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, on March 19, 2024 the City Council adopted Ordinance No. 2436-24 to include Section 317-30 et.seq “Affordable Housing Mandatory Set- Aside” addressing the growing need for affordable units within the City ; and

WHEREAS, Mayor Hector C. Lora wishes to amend 317-30B(8) to further incentivize the development of affordable units; and

WHEREAS, expanding housing options improve quality of life day to day and increases accessibility for economic opportunities; and

WHEREAS, on January 8, 2026 the City Council amended 317-30B(8) which requires additional clarification

NOW THEREFORE, IT IS ORDAINED that the City Council of the City of Passaic hereby accepts the ordinance amendment below for Chapter 317-30B(8) “Affordable Housing Mandatory Set-Aside”

SECTION 1

**ALL ADDITIONS ARE UNDERLINED
ALL DELETIONS ARE NOTED BELOW BY STRIKETHROUGH**

317-30 Affordable Housing Mandatory Set-Aside.

B. (8) Applicants can receive up to a 20% density bonus for affordable units created above the mandatory minimum established by this section from the maximum Dwelling Units per Acre (DUA) established in the Schedule of Regulations for any additional units created after the mandatory set-aside requirements are satisfied. Where the percentage results in a fractional unit greater than 0.5, the ~~total set-aside requirement~~ density bonus shall be rounded upwards to the next whole number.

SECTION II

If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION III

All ordinances or parts of ordinances to inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

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

THE ABOVE ORDINANCE WAS INTRODUCED AND PASSED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PASSAIC, N.J. HELD MARCH 5, 2026 THE SAME WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE BY THE CITY COUNCIL AT THE COUNCIL CHAMBERS LOCATED AT 330 PASSAIC STREET, PASSAIC, NJ, AT THE MEETING OF MARCH 17, 2026 AT 7:00 P.M. ALL PERSONS INTERESTED WILL BE GIVEN THE OPPORTUNITY TO BE HEARD CONCERNING THIS ORDINANCE.

By Order of the City Council

Dated: MARCH 6, 2026

Weatherly Frias, City Clerk