BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY

ORDINANCE #26-04

AN ORDINANCE IMPLEMENTING THE BOROUGH'S FOURTH ROUND HOUSING PLAN ELEMENT AND FAIR SHARE PLAN CONSISTENT WITH THE TERMS OF A MEDIATION AGREEMENT REACHED BETWEEN THE BOROUGH OF ALLENDALE AND THE FAIR SHARE HOUSING CENTER IN ACCORDANCE WITH THE NEW JERSEY FAIR HOUSING ACT AND RELEVANT REGULATIONS AND POLICIES AND TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, CHAPTER 275 "ZONING" TO AMEND THE FOLLOWING PARTICULARS OF THE ALLENDALE CORPORATE CENTER OVERLAY ZONE (MFRO-3).

WHEREAS, the Borough of Allendale (the "Borough" or "Allendale") having filed a declaratory judgment action pursuant to N.J.S.A. 52:27D-301 et. seq. (the "Fair Housing Act") on January 15, 2025; and

WHEREAS, the Court entered an order on May 5, 2025 setting the Borough's Fourth Round fair share obligations as a Present Need of 159 units and a Prospective Need of 200 units, and ordering the Borough to file a Housing Element and Fair Share Plan ("HEFSP") by June 30, 2025; and

WHEREAS, the Borough having filed its HEFSP on June 17, 2025 ("Adopted HEFSP"); and

WHEREAS, Fair Share Housing Center ("FSHC") and AvalonBay having filed challenges to the Borough's application for approval of its Housing Element and Fair Share Plan; and

WHEREAS, the dispute resolution program ("Program") created by the Fair Housing Act having appointed Judge Toskos as the program judge and Christine Cofone as the adjudicator to help mediate the disputes; and

WHEREAS, mediation culminated in a Mediation Agreement with FSHC and with Avalon Bay withdrawing its objection; and

WHEREAS, the Borough is committing to fulfilling its agreement with FSHC and implementing its Housing Element and Fair Share Plan as amended.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Allendale, County of Bergen, and State of New Jersey that Chapter 270 Zoning of the Zoning Ordinance of the Borough of Allendale is and shall be amended in the following particulars only:

Section 1. Section 275-5 Zone Map is hereby amended to include a new lot within the MFRO-3 overlay zone. More specifically, the following property shall retain their existing district designation but shall also be subject to the overlay district by their inclusion within the MFRO-3 overlay district:

Block 702, Lot 15.

Section 2. Section 270-198 MFRO-3 Allendale Corporate Center Overlay Zone shall be amended and is hereby adopted with following particulars only:

A. Maximum density. The maximum density of housing units shall be 26 units per acre.

Section 3

All Ordinances of the Borough of Allendale which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 5

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Council	Motion	Second	Yes	No	Abstain	Absent
O'Connell	✓		✓			
O'Toole		✓	✓			
Lovisolo			✓			
Homan						✓
Daloisio			✓			
Yaccarino			✓			
Mayor Wilczynski	-----	-----				

I hereby certify the above to be a true copy of an Ordinance introduced by the Governing Body of the Borough of Allendale on February 5, 2026.

Linda Louise Cervino

Linda Louise Cervino, RMC
Municipal Clerk

ATTEST:

Linda Louise Cervino

Linda Louise Cervino, Borough Clerk

BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY

By: _____

Amy Wilczynski, Mayor

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Daloisio						✓
Yaccarino	✓		✓			
Mayor Wilczynski	-----	-----				

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on February 19, 2026.

Linda Louise Cervino

Linda Louise Cervino, RMC
Municipal Clerk

Amy Wilczynski
Mayor

ATTEST:

BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY

Linda Louise Cervino

Linda Louise Cervino, Borough Clerk

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Amy Wilczynski, Mayor