



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
ORDINANCE #25-30**

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, EXTENDING AFFORDABILITY CONTROLS OF THE PROPERTY REFERRED TO AS SUN VALLEY I, LOCATED AT 55-61 PASSAIC AVENUE OTHERWISE DESIGNATED AS BLOCK 4201, LOT 29 ON THE BOROUGH'S OFFICIAL TAX MAP

WHEREAS, within the Borough of Florham Park (the "Borough") there exists a rental residential community hereinafter referred to as "Sun Valley I," located at 55, 57, and 61 Passaic Avenue, otherwise designated as Block 4201, Lot 29 on the Borough's official tax map; and

WHEREAS, Sun Valley I is a rental residential community containing seventy-five (75) affordable, family rental units; and

WHEREAS, an affordable housing deed restriction was executed by Sun Valley I, and the Borough recorded same in June 2018; and

WHEREAS, pursuant to the Fair Housing Act, P.L. 1985, c.222 (the "FHA"), municipalities within the State of New Jersey are required to provide for their fair share of housing affordable to households of low- or moderate-income for an appropriate period of time; and

WHEREAS, pursuant to N.J.S.A. § 52:27D-321 of the FHA, in 1985 the Legislature delegated administrative authority and responsibility to the New Jersey Housing and Mortgage Finance Agency ("HMFA") to establish programs to assist municipalities in providing low-and moderate-income housing ("affordable housing"), and to establish requirements and controls to ensure that such housing continues to remain affordable and occupied by low-and moderate-income households as defined under the FHA; and

WHEREAS, pursuant to this delegated authority, in 2004 the HMFA adopted an updated comprehensive set of rules for the establishment and administration of uniform affordability controls on all affordable housing rental developments in this State, the most recent version of which is set forth at Title 5, Chapter 80, subchapter 26 of the New Jersey Administrative Code (N.J.A.C. §§ 5:80-26.1 thru -26.26), known as the Uniform Housing Affordability Control ("UHAC") regulations; and

WHEREAS, the FHA, the UHAC, and the Borough's Affordable Housing Ordinances now govern the control, use, sale and rental of restricted affordable housing units and affordable developments throughout this State created under the Act, and establishes uniform standards as to: (i) the minimum applicable period(s) of time in which the ownership, sale, use and rental of such affordable housing is to remain restricted to low and moderate income households, otherwise known as "Affordability Control Period(s)" or "Control Period(s)"; (ii) the rental amounts for such affordable units; and (iii) the method and manner in which a municipality is permitted to exercise its right to release or extend the Control Period(s) on affordable housing in this State created pursuant to the FHA; and

WHEREAS, N.J.A.C. § 5:80-26.3 and -26.28 of the UHAC, in relevant part, govern the ability of a municipality to extend the Affordability Control Period(s) for restricted units; and

WHEREAS, the affordability controls on the Sun Valley I units were in effect prior to the effective date of the recent amendments to the FHA which were promulgated pursuant to P.L. 2024, c.2.; and

WHEREAS, N.J.A.C. § 5:80-26.5(a) provides that any unit which prior to the effective date of the amendments promulgated pursuant to P.L. 2024, c.2 was subject to a "contract with either the State or a political subdivision thereof, shall be subject to the regulations at this subchapter that were in effect prior the effective date of the amendments promulgated pursuant to P.L. 2024, c.2."

WHEREAS, pursuant to the Borough's powers to enact ordinances to regulate and control residential rental rates set forth under N.J.S.A. 40:48-2 of the Home Rule Act, and in accordance with the Borough's authority under the FHA, and the UHAC, the Mayor and Council find and declare that it is in the best interests of the Borough and its residents to extend the affordability controls for Sun Valley I at an amount of \$17,500 per affordable rental unit extension..

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Florham Park, Morris County, New Jersey, as follows, that:

Section 1.

Extension of Controls. In accordance with the New Jersey Fair Housing Act, N.J.S.A. § 52:27D-301 et, seq. ("FHA"), Title 5, Chapter 80, subchapter 26 of the New Jersey Administrative Code (N.J.A.C. §§ 5:80-26.1 thru -26.26), known as the Uniform Housing Affordability Control ("UHAC"), the Boroughs' Affordable Housing Ordinances, the affordability controls governing the seventy-five (75) affordable rental units in Sun Valley I be and hereby are extended for a period of thirty (30) years, in accordance with the following schedule:

Initial Move-In Date	Physical Address	New Release Date
5/1/2002	1001 Sun Valley Way Florham Park, NJ 07932	5/1/2062
10/1/2002	1002 Sun Valley Way Florham Park, NJ 07932	10/1/2062
1/13/2012	1003 Sun Valley Way Florham Park, NJ 07932	1/13/2072
4/1/2002	1004 Sun Valley Way Florham Park, NJ 07932	4/1/2062
4/1/2002	1005 Sun Valley Way Florham Park, NJ 07932	4/1/2062
4/1/2002	1006 Sun Valley Way Florham Park, NJ 07932	4/1/2062
8/1/2002	1007 Sun Valley Way Florham Park, NJ 07932	8/1/2062
3/1/2003	1008 Sun Valley Way Florham Park, NJ 07932	3/1/2063
4/1/2002	1009 Sun Valley Way Florham Park, NJ 07932	4/1/2062
4/5/2003	1010 Sun Valley Way Florham Park, NJ 07932	4/5/2063

9/15/2002	1011 Sun Valley Way Florham Park, NJ 07932	9/15/2062
11/8/2002	1012 Sun Valley Way Florham Park, NJ 07932	11/8/2062
4/1/2002	1013 Sun Valley Way Florham Park, NJ 07932	4/1/2062
4/1/2002	1014 Sun Valley Way Florham Park, NJ 07932	4/1/2062
6/1/2002	1015 Sun Valley Way Florham Park, NJ 07932	6/1/2062
11/1/2002	1016 Sun Valley Way Florham Park, NJ 07932	11/1/2062
4/1/2002	1017 Sun Valley Way Florham Park, NJ 07932	4/1/2062
11/1/2002	1018 Sun Valley Way Florham Park, NJ 07932	11/1/2062
4/20/2002	1019 Sun Valley Way Florham Park, NJ 07932	4/20/2062
3/8/2003	1020 Sun Valley Way Florham Park, NJ 07932	3/8/2063
11/1/2002	1021 Sun Valley Way Florham Park, NJ 07932	11/1/2062
4/1/2002	1022 Sun Valley Way Florham Park, NJ 07932	4/1/2062
4/1/2002	1023 Sun Valley Way Florham Park, NJ 07932	4/1/2062
4/1/2002	1024 Sun Valley Way Florham Park, NJ 07932	4/1/2062
11/13/2001	1101 Sun Valley Way Florham Park, NJ 07932	11/13/2061
11/1/2001	1102 Sun Valley Way Florham Park, NJ 07932	11/1/2061
11/1/2001	1103 Sun Valley Way Florham Park, NJ 07932	11/1/2061
11/1/2001	1104 Sun Valley Way Florham Park, NJ 07932	11/1/2061
10/27/2001	1105 Sun Valley Way Florham Park, NJ 07932	10/27/2061
11/3/2001	1106 Sun Valley Way Florham Park, NJ 07932	11/3/2061
11/1/2001	1107 Sun Valley Way Florham Park, NJ 07932	11/1/2061
4/1/2002	1108 Sun Valley Way Florham Park, NJ 07932	4/1/2062
11/1/2001	1109 Sun Valley Way Florham Park, NJ 07932	11/1/2061
7/15/2002	1110 Sun Valley Way Florham Park, NJ 07932	7/15/2062
11/1/2001	1111 Sun Valley Way Florham Park, NJ 07932	11/1/2061
11/1/2001	1112 Sun Valley Way Florham Park, NJ 07932	11/1/2061

12/15/2001	1113 Sun Valley Way Florham Park, NJ 07932	12/15/2061
1/1/2002	1114 Sun Valley Way Florham Park, NJ 07932	1/1/2062
2/1/2002	1115 Sun Valley Way Florham Park, NJ 07932	2/1/2062
11/1/2001	1116 Sun Valley Way Florham Park, NJ 07932	11/1/2061
11/1/2001	1117 Sun Valley Way Florham Park, NJ 07932	11/1/2061
1/31/2003	1118 Sun Valley Way Florham Park, NJ 07932	1/31/2063
11/1/2001	1119 Sun Valley Way Florham Park, NJ 07932	11/1/2061
4/18/2003	1120 Sun Valley Way Florham Park, NJ 07932	4/18/2063
11/1/2001	1121 Sun Valley Way Florham Park, NJ 07932	11/1/2061
12/2/2001	1122 Sun Valley Way Florham Park, NJ 07932	12/2/2061
11/1/2001	1123 Sun Valley Way Florham Park, NJ 07932	11/1/2061
12/13/2001	1124 Sun Valley Way Florham Park, NJ 07932	12/13/2061
10/4/2002	1201 Sun Valley Way Florham Park, NJ 07932	10/4/2062
11/1/2002	1202 Sun Valley Way Florham Park, NJ 07932	11/1/2062
9/4/2002	1203 Sun Valley Way Florham Park, NJ 07932	9/4/2062
3/1/2003	1204 Sun Valley Way Florham Park, NJ 07932	3/1/2063
8/26/2002	1205 Sun Valley Way Florham Park, NJ 07932	8/26/2032
11/1/2002	1206 Sun Valley Way Florham Park, NJ 07932	11/1/2062
2/1/2003	1207 Sun Valley Way Florham Park, NJ 07932	2/1/2063
9/15/2002	1208 Sun Valley Way Florham Park, NJ 07932	9/15/2062
9/1/2002	1209 Sun Valley Way Florham Park, NJ 07932	9/1/2062
10/25/2002	1210 Sun Valley Way Florham Park, NJ 07932	10/25/2062
10/1/2002	1211 Sun Valley Way Florham Park, NJ 07932	10/1/2062
7/2/2003	1212 Sun Valley Way Florham Park, NJ 07932	7/2/2063
11/1/2002	1213 Sun Valley Way Florham Park, NJ 07932	11/1/2062
12/1/2002	1214 Sun Valley Way Florham Park, NJ 07932	12/1/2062

12/1/2002	1215 Sun Valley Way Florham Park, NJ 07932	12/1/2062
12/2/2002	1216 Sun Valley Way Florham Park, NJ 07932	12/2/2062
11/15/2002	1217 Sun Valley Way Florham Park, NJ 07932	11/15/2062
2/18/1976	1218 Sun Valley Way Florham Park, NJ 07932	2/18/2062
8/28/2002	1219 Sun Valley Way Florham Park, NJ 07932	8/28/2062
8/21/2002	1220 Sun Valley Way Florham Park, NJ 07932	8/21/2062
8/8/2002	1221 Sun Valley Way Florham Park, NJ 07932	8/8/2062
8/9/2002	1222 Sun Valley Way Florham Park, NJ 07932	8/9/2062
2/1/2004	1223 Sun Valley Way Florham Park, NJ 07932	2/1/2064
1/17/2003	1224 Sun Valley Way Florham Park, NJ 07932	1/17/2063
4/5/2003	1225 Sun Valley Way Florham Park, NJ 07932	4/5/2063
8/8/2002	1226 Sun Valley Way Florham Park, NJ 07932	8/8/2062
9/28/2002	1227 Sun Valley Way Florham Park, NJ 07932	9/28/2062

Section 2.

Authority. The Mayor and Borough Clerk be and hereby are authorized to execute and attest, respectively, any agreement, document or instrument in connection with the extension of affordability controls authorized by this Ordinance.

Section 3.

Severability. If any article, section, subsection, sentence, or clause or phrase of this Ordinance is, for any reason, held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect and shall be deemed valid and effective.

Inconsistencies. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the municipality, the provisions hereof shall be determined to govern and those inconsistent provisions shall be repealed to the extent of such inconsistency.

Section 4.

Referral to Planning Board. A copy of this Ordinance shall be referred to the Planning Board following its introduction for review pursuant to N.J.S.A. 40A:55D-26A.

Section 5.

Effective Date and Scope. This Ordinance shall immediately take effect upon its passage and publication, and as otherwise provided for by law. The provisions of this Ordinance shall be applicable within the entire municipality upon final adoption and shall become part of the Code once completed and adopted.

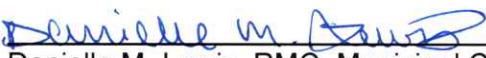
INTRODUCED: September 18, 2025

ADOPTED: October 16, 2025



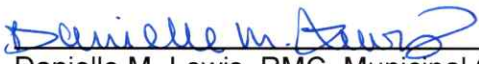
Mark Taylor, Mayor

Attest:



Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park, and adopted on October 16, 2025.



Danielle M. Lewis, RMC, Municipal Clerk