

SOUTH ORANGE VILLAGE
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ORDINANCE #2026-08

Introduction: February 23, 2026

Adoption: March 9, 2026

AN ORDINANCE OF SOUTH ORANGE VILLAGE IN ESSEX COUNTY, NEW JERSEY AMENDING AND RESTATING VILLAGE CODE CHAPTER 185 BY THE ADDITION OF ARTICLE XXXIII TO ESTABLISH THE VALLEY STREET AFFORDABLE HOUSING OVERLAY ZONE DISTRICT

WHEREAS, the South Orange Village (the "Village") is obligated to provide a realistic opportunity for the creation of housing affordable to very low-, low-, and moderate-income households pursuant to the New Jersey Fair Housing Act and applicable constitutional requirements; and

WHEREAS, on March 20, 2024, the Fair Housing Act was amended by P.L.2024, c.2, including changes establishing updated Fourth Round compliance procedures and related State monitoring responsibilities; and

WHEREAS, P.L. 2024, c.2 requires ordinances and resolutions implementing the Village's compliance program be adopted on or before March 15, 2026; and

WHEREAS, the Village's Planning Board adopted the Village's Fourth Round Housing Element and Fair Share Plan ("HEFSP") as part of the Village's Master Plan, identifying the strategies, mechanisms, and implementation measures by which the Village will address its Fourth Round affordable housing obligations; and

WHEREAS, the Village Council has endorsed the HEFSP as the policy basis for the Village's affordable housing implementation program; and

WHEREAS, the HEFSP identifies a project at Block 2003, Lots 6 and 7 on the official Tax Map of South Orange Village and otherwise known as 164-168 Valley Street as a project to contribute ten affordable units as part of the Village's Fourth Round compliance program; and

WHEREAS, the Village Council seeks to provide a realistic opportunity for development of affordable housing project identified in its HEFSP in compliance with statutory deadlines.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of South Orange Village, in the County of Essex and the State of New Jersey as follows:

SECTION 1.

Chapter 185, Part 13 – Zoning is hereby amended and restated, in relevant part, by the addition of the following:

Article XXXIII: Valley Street Affordable Housing Overlay

185-195 Purpose and Applicability



- A. The purpose of this article is to provide a realistic opportunity for development of inclusionary affordable housing at Block 2003, Lots 6 and 7 as specified in South Orange Villages Round Four Housing Element and Fair Share Plan. Development on Block 2003, Lots 6 and 7 may be regulated under the standards of this overlay zone district or under the underlying zone districts.
- B. The provisions in this Article are not intended to repeal, abrogate or annul any portion of this chapter, nor shall it be construed to annul the applicability of other provisions of this Chapter except as expressly provided herein.
- C. South Orange Village reserves the right at any time to add to, remove from, or modify any provision of this Chapter provided that such addition, removal or modification is not inconsistent with the Mount Laurel doctrine; the Act; the regulations promulgated pursuant thereto by the New Jersey Department of Community Affairs, LPS; the Affordable Housing Rules; the HMFA Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 et seq.; or the Village's Fourth Round Housing Element and Fair Share Plan.

185-196 Permitted Uses

- A. Multifamily Dwellings on above floors, with accessory spaces, including residential entrance and lobby on the first floor.
- B. Art Gallery, which may include installations on an outdoor rooftop deck.
- C. Retail Sales & Services.
- D. A suite with living, cooking, sleeping, and sanitary facilities expressly for use by Village emergency service first responders for rest, relaxation, and recovery.
- E. Outdoor Rooftop Decks.
- F. Any combination of the above uses.
- G. Art Gallery and/or retail sales & services shall be required as the primary use on the ground floor along Valley Street.
- H. Accessory uses customarily incidental and subordinate to the above permitted uses.

185-197 Lot, Yard, Intensity and Bulk Regulations

- A. Minimum Lot Area: 15,000 square feet.
- B. Minimum Lot Width: 40 feet.
- C. Minimum Lot Depth: 100 feet.



- D. Minimum Front Yard Setback: 10 feet from the property line and 15 feet from the curbline.
- E. Minimum Side Yard Setback, Each: 10 feet.
- F. Minimum Rear Yard Setback: 30 feet.
- G. Maximum Building Coverage: 60 percent.
- H. Maximum Lot Coverage: 75 percent.
- I. Maximum Building Height, Feet: 48 feet.
- J. Maximum Building Height, Stories: 4 stories.
- K. Building Stepback from Public Streets: 25 feet at the fourth story.
- L. Maximum Density: 60 dwelling units per acre.

185-198 Additional Standards

- A. Multifamily housing shall comply with Part 15, Affordable Housing, of this Chapter.
- B. Rooftop decks containing commercial uses shall only be located within stepbacks fronting Valley Street.

SECTION 2.

The Village Council hereby amends the zoning district map of South Orange Village consistent with this Ordinance.

SECTION 3.

REPEALER.

All ordinances or code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4.

If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 5.

This ordinance shall take effect after referral to the Planning Board pursuant to N.J.S.A. 40:55D-64, notice and a hearing pursuant to N.J.S.A. 40:55D-62.1, and upon final passage and publication as required by law. The Village Clerk shall provide any and all notifications mandated by the Municipal Land Use Law, N.J.S.A. 40:49-2.1 and N.J.S.A. 40A:55-1 et seq.



SECTION 6.

On passage and publication, this ordinance shall be codified.

Introduction and First Reading

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Canning		X	X			
Greenberg						X
Haskins			X			
Jones					X	
Lewis-Chang	X		X			
Zollman			X			

CERTIFICATION

I, Ojetti E. Davis, Village Clerk of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was introduced and advanced on first reading by the Village Council at their meeting held on February 23, 2026.


Ojetti E. Davis
Village Clerk

Adoption – Second Reading

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Canning						X
Greenberg		X	X			
Haskins			X			
Jones						X
Lewis-Chang			X			
Zollman	X		X			



CERTIFICATION

I, Ojetti E. Davis, Village Clerk of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was adopted on second reading by the Village Council at their meeting held on March 9, 2026.

A blue ink signature of Ojetti E. Davis, written in a cursive style, positioned above a horizontal line.

Ojetti E. Davis
Village Clerk

Adopted:

A blue ink signature of Sheena C. Collum, written in a cursive style, positioned above a horizontal line.

Sheena C. Collum, Mayor

Attest:

A blue ink signature of Ojetti E. Davis, written in a cursive style, positioned above a horizontal line.

Ojetti E. Davis, Village Clerk