

SOUTH ORANGE VILLAGE
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ORDINANCE #2026-13

Introduction: March 23, 2026

Adoption: April 27, 2026

AN ORDINANCE OF SOUTH ORANGE VILLAGE IN ESSEX COUNTY, NEW JERSEY AMENDING VILLAGE CODE CHAPTER 185 TO REVISE STANDARDS GOVERNING THE RESIDENCE TH TOWNHOUSE ZONING DISTRICT AS PROVIDED HEREIN

WHEREAS, South Orange Village adopted a comprehensive Master Plan in November 2021, and

WHEREAS, the Land Use + Community Form Plan observes that the Residence TH zone "permits townhouses as well as two-family attached residences. The R-TH zone is only located along the southern portion of Irvington Avenue, applying to approximately 44 parcels, however the majority of these properties do not contain townhouses" (p.40); and

WHEREAS, the Land Use + Community Form Plan reiterates prior recommendations yet to be implemented to, "Link Irvington Avenue with Seton Hall by creating business district around university uses" (p.74); and

WHEREAS, Observation 4.4, Strategy 3 recommends the Village, "Redevelop and rezone much of the Irvington Avenue corridor to encourage mixed-use development, particularly uses that cater to the students and employees of nearby Seton Hall University" (p.123); and

WHEREAS, Observation 6 of the Land Use + Community Form Plan identifies interest among residents for a mix of commercial and multifamily development along Irvington Avenue; and

WHEREAS, the Community Form Framework Plan designates Residence TH-zoned properties within the Village Shopfront, Village Mixed Shopfront, and Mixed Multi-family character areas; and

WHEREAS, the Residence TH – Townhouse zone district does not permit nonresidential uses despite containing several existing nonresidential uses;

WHEREAS, the Village seeks to implement the Master Plan and facilitate improvements to and reuse of existing nonresidential properties within the Residence TH – Townhouse zone district.

NOW THEREFORE, BE IT ORDAINED, by the Village Council of the South Orange Village, County of Essex, State of New Jersey, as follows (additions are underlined and deletions appear as strikethroughs):



SECTION 1: Article 185-I (Short Title; Purpose; Definitions), Section 185-3 (Definitions)

[All definitions not expressly amended or supplemented herein shall remain unchanged.]

CHILD CARE CENTER – An institution or place, for which, upon completion, a license is required from the New Jersey State Department of Human Services pursuant to N.J.S.A. 30:5B-1 et seq., and which, for compensation or otherwise, receives for temporary custody six or more children under the age of six years, apart from their parents or legal guardians, during part or all of the day but for not less than three hours each day.

COMMUNITY CENTER – A building used for recreational, social, educational and cultural activities, open to the public or a designated part of the public and owned and operated by a public or nonprofit group or agency. The facilities shall not include any living-quarters.

SECTION 2: Article 185-XXIX (District Use Regulations), Section 185-162 (Permitted Uses), Attachment 2 (District Use Regulations)

Schedule 1, District Use Regulations, is hereby amended as specified herein. All rows contained in Schedule 1 not expressly amended or supplemented herein shall remain unchanged.

District	Permitted Principal Uses	Permitted Accessory Uses	Permitted Conditional Uses
Residence TH Townhouse	1. Single-family dwellings. 2. Two-family dwellings. 3. 1. Townhouses. 4. 2. Public parks, playgrounds and conservation areas. 5. 3. Common open space. <u>4. Retail Sales and Services</u> <u>5. Banks and Financial Institutions</u> <u>6. Restaurants</u> <u>7. Retail Food Establishments, limited to any coffee shop, short-order cafe, luncheonette, grill, tearoom, sandwich shop, soda fountain, ice cream parlor, catering kitchen, retail bakery, or delicatessen.</u> <u>8. Fitness Services, such as:</u>	1. Private and personal recreation facilities. 2. Accessory buildings and structures. 3. Off-street parking and private garages. 4. Fences. 5. Signs. 6. Industrial feeding establishments and private, public and nonprofit organizations, institutions and groups preparing, storing or serving food. 7. Residential or office lobbies below the second floor. 8. Seasonal outdoor or sidewalk cafes as part of a restaurant intended	1. Essential services. 2. Churches, synagogues and other religious and nonprofit schools for day students only. 3. Lodges, fraternal organizations and associations. 4. Community residences for the developmentally disabled and community shelters for victims of domestic violence. 5. Professional offices in residence. 6. The erection of any building resembling, similar to or having a shape commonly known and referred to as a "geodesic dome."



	<u>A. Children's Gym</u> <u>B. Children's Play Space</u> <u>C. Gym</u> <u>D. Yoga or Studios</u> <u>E. Wellness Programs and Classes</u> <u>9. Community Center</u> <u>10. Multi-family Dwellings in combination with a nonresidential use and above the first floor.</u> <u>11. Offices including professional offices (but excluding medical-related offices) and executive offices, retail showrooms, real estate offices, creative studio, community development office, co-working space, and related uses as determined by the Board.</u> <u>12. Educational or Instructional Uses, such as kitchen used primarily for cooking classes, paint and sip studio, wellness programs and classes, vocational schools or studios for the instruction of the arts, dancing, music, languages or photography.</u> <u>13. Child Care Center</u> <u>14. Any combination of the above permitted uses except single-family, two-family, and townhouse uses.</u>	primarily for indoor service of customers.	
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SECTION 3: Article 185-XXX (Zone Lot, Yard And Bulk Regulations), Section 185-165 (Schedule Of Lot, Yard And Bulk Regulations), Attachment 3 (District lot, Yard And Bulk Regulations)

Schedule 2, District lot, Yard And Bulk Regulations, is hereby amended as specified herein. All rows contained in Schedule 2 not expressly amended or supplemented herein shall remain unchanged.



	Minimum Lot Requirements			Minimum Yard Requirements					Maximum		Maximum Floor Area Ratio	Maximum Dwelling Units per Acre
		Width ¹			Side				Building Height			
	Lot Area (square feet) ¹⁸	Interior (feet)	Corner (feet)	Front (feet)	Each (feet)	Corner (feet)	Rear Lot (Feet)	Maximum Lot Coverage ¹⁸	Stories	Feet		
District												
RESIDENCE TH TOWNHOUSE (See § 185-171)												

SECTION 4: Article 185-XXX (Zone Lot, Yard And Bulk Regulations), Section 185-171 (Supplemental Regulations For Residence TH Townhouse District).

A. Townhouses shall meet the following standards:

1. Minimum lot area: 20,000 square feet.
2. Minimum building setback from property line: 25 feet.
3. Maximum lot coverage: 65%.
4. Maximum building height: 2 1/2 stories ~~or~~ and 35 feet.
5. Maximum permitted density: 12 dwelling units per acre.
6. Off-street parking: as regulated in § 185-174A.
7. A five-foot landscaped buffer shall be provided along any property line which abuts a single-family or two-family district. A fence or wall not less than four feet in height nor more than eight feet in height may be substituted for the required landscaping if approved by the approving authority.
8. Building face to pavement: 15 feet.
9. Building spacing: a minimum of 25 feet between buildings.

~~B. The development of detached single family and two-family homes shall meet the bulk and parking requirements of the Residence B Zone.~~

The development of all other uses within the Residence TH Townhouse District shall be governed by the following standards.

1. Bulk Standards



- a. Minimum lot area: 10,000 square feet.
 - b. Minimum lot width, interior lot: 75 feet
 - c. Minimum lot width, corner lot: 100 feet
 - d. Minimum front yard setback: 10 feet
 - e. Minimum side yard setback:
 - 1. Existing lots with lot width less than 35 feet wide, and undersized corner lots: 5 feet
 - 2. All other lots: 10 feet
 - f. Minimum rear yard setback:
 - 1. Existing lots with lot width less than 35 feet wide, and undersized corner lots: 15 feet
 - 2. All other lots: 25 feet
 - g. Maximum lot coverage: 75%
 - h. Maximum building height: 3 stories and 36 feet
 - i. Maximum permitted density: 12 dwelling units per acre
 - j. Off-street parking: as regulated in § 185-174A.
 - k. Properties abutting a single-family or two-family district shall provide buffers compliant with § 185-118.
- 2. The above notwithstanding, lots existing in 2025 shall be exempt from requirements for minimum lot area and minimum lot width.
 - 3. Uses legally existing in 2025 shall be considered preexisting nonconforming uses and shall be permitted limited additional improvements as-of-right, as specified herein.
 - a. Preexisting nonconforming uses or structures may make additional improvements that shall not exceed 10% of existing net floor area, 10% of existing impervious coverage, and 500 square feet and shall be subject to compliance with applicable lot and building standards contained in Section 185-171.
 - b. Should more than half of the gross floor area or half of the improved coverage of the preexisting nonconforming use be demolished or redeveloped, the exemption above is not applicable.



SECTION 5.

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

SECTION 6.

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 7.

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 8.

On passage this ordinance shall be codified.

Introduction – First Reading

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Canning			X			
Greenberg		X	X			
Haskins			X			
Jones	X		X			
Lewis-Chang			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 on first reading by the Board of Trustees at their regular meeting held on March 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 Board of Trustees at their meeting held on April 27, 2026.


Ojetti E. Davis
Village Clerk

Adopted:


Sheena C. Collum
Mayor

Attest:


Ojetti E. Davis
Village Clerk