



ORDINANCE #2021-25

Introduction: December 13, 2021

Adoption:

AN ORDINANCE OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE IN ESSEX COUNTY, NEW JERSEY AMENDING SECTION 185-176 OF THE VILLAGE CODE TO ESTABLISH CERTAIN PARKING REQUIREMENT EXEMPTIONS FOR NEW BUSINESSES IN THE CENTRAL BUSINESS DISTRICT.

WHEREAS, the Township of South Orange Village (the "Township") continues to revitalize, maintain, and upgrade certain uses and structures within the Central Business Districts;

WHEREAS, the Township wishes to support and promote the development of new, small businesses in the Central Business Districts as new uses and specifically, in the redevelopment zones therein;

NOW THEREFORE, BE IT ORDAINED, by the Board of Trustees of the Township of South Orange Village, County of Essex, State of New Jersey, as follows:

SECTION 1.

Chapter 185-176 of the Village Code shall be and is hereby amended and supplemented to incorporate the following:

C. The Minimum Off-Street Parking Requirements set forth in Section 185-174 may be waived for new businesses and tenants located in existing buildings and structures in the Central Business District, Central Business District-1, and Central Business District-2 in accordance with the following:

1. Applicants must meet the initial criteria:
 - a. The existing space for which the exemption is sought does not exceed 2500 square feet of net floor area;
 - b. The expansion of an area meant for consumer use does not exceed 300 square feet of gross floor area;
 - c. The use is permitted within the zone for which the exemption is sought;
 - d. The use is not conditional;
 - e. No business immediately benefitting from such waiver is a medical office, urgent care facility, or event hall; and
 - f. The parking requirement for which an exemption is sought does not cause a deviation of greater than 15 parking spaces.
2. Those businesses eligible for waiver of the parking requirement must submit a Use Permit to the Zoning Office for review by the Zoning Official



demonstrating that the Applicant meets the criteria in Subsection (1) above. The Use Permit must be submitted together with the following:

- a. Proof that the Applicant has secured parking permits and/or privileges for all employees through the South Orange Parking Authority; and
 - b. A statement of all existing and proposed uses on each floor within the building including;
 - a survey or floor plan, as applicable, showing square footage of gross floor area per use; and
 - the location and amount of any onsite parking.
3. The approving authority shall take into consideration the type of development in the area surrounding the location for which the request for waiver is made and may reject an Application upon making a finding that there is a substantial need for the Applicant to provide onsite parking or otherwise seek approval of a variance from the Planning Board.

SECTION 2.

Repealer.

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

SECTION 3.

This ordinance shall take effect after final passage and publication as required by law.

SECTION 4.

On passage this ordinance shall be codified.

Introduction – First Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Brown		X	X			
Coallier			X			
Haskins			X			
Hartshorn Hilton			X			
Jones			X			
Zuckerman	X		X			



CERTIFICATION

I, Ojetti E. Davis, Acting Village Clerk of the Township 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 meeting held on December 13, 2021, 2021.

Ojetti E. Davis
Acting Village Clerk

Adoption – Second Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Brown			X			
Coallier						X
Haskins			X			
Hartshorn Hilton			X			
Jones		X	X			
Zuckerman	X		X			

CERTIFICATION

I, Ojetti E. Davis, Village Clerk of the Township 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 February 14, 2022.

Ojetti E. Davis
Village Clerk

Adopted:

Sheena C. Collum, Village President

Attest:

Ojetti E. Davis, Village Clerk