

SOUTH ORANGE VILLAGE

ORDINANCE #2026-08

The above ordinance, summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of South Orange Village, County of Essex, State of New Jersey, on February 23, 2026. It will be further considered for final passage, after public hearing thereon, at a meeting of the Governing Body to be held on March 9, 2026, at 7:00 p.m. at the Baird Community Center, 5 Mead Street, 3rd Floor Meeting Room, South Orange, NJ. This meeting will be conducted in a hybrid format, with virtual access available via the Zoom Audio/Video System. For instructions on how to access the meeting via the Zoom Audio/Video System, please monitor the Village's website at www.southorange.org, or please contact or visit the Village Clerk's Office either by telephone at (973) 378-7715, ext. 1, by email at clerksoffice@southorange.org or by visiting at 76 South Orange Avenue, 3rd Floor, South Orange, NJ. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office for the members of the general public who shall request the same. The Village Council may adjourn the public hearing of this Ordinance to a date after March 9, 2026, without any further notice. The following ordinance was introduced:

TITLE: 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**
- **185-196 Permitted Uses**
- **185-197 Lot, Yard, Intensity and Bulk Regulations**
- **185-198 Additional Standards**

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.

Introduced: February 23, 2026

ATTEST:

Ojetti E. Davis, Village Clerk
South Orange Village