



# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## ORDINANCE NO. 23-CODE-925

### AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED "LAND USE AND ZONING"

**BE IT ORDAINED** by the Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the following amendments and revisions are made to the Revised General Ordinances of the Borough of Oakland, Chapter 59 entitled "Land Use and Zoning".

#### **Section 1.**

- A. Article VII §59-46 A. Zoning Districts Established; Zoning Map; Interpretation of Boundaries is hereby amended to delete the Central Business District-I zone and insert instead the following new district:

Downtown District (DT-1)

- B. §59-46B. Zoning Map is and shall be amended to replace the Central Business District-I and instead depict the following district in the same locations and the same properties previously depicted as Central Business District-1.

Downtown District DT-1

**Section 2.** Article VII§59-53.1 is and shall be modified to replace Central Business District-I so that it read as Downtown-I District (DT-I)

- A. Within the Downtown District-1 zone, only the following compatible land uses in a distinctive streetscape which enhances and promotes the commercial and civic center of the Borough shall be permitted on any property in the zone pursuant to the recommendations contained within the Borough's master plan and forming an integrated and compatible design with respect to the relationship and location of land uses, buildings, historic structures, parking, signage, circulation, walkways, landscape amenities and buffer features:
1. Antique shops, art galleries, appliance stores, arts and craft shops, auto parts, bakery shops, record and CD stores, , eyewear and optical stores, , bookstores, building mounted wireless communication antennae and ancillary equipment exclusive of towers and/ or poles, , butcher shops, camera stores, card shops, chinaware/flatware and glassware shops, cigar stores, dry-cleaning stores, dry-goods and variety stores, clothing stores, dress shops, candy stores and confectioneries, coin stores, convenience stores, delicatessens, drapers, electronics stores, flower shops, furniture stores, garden equipment, home furnishing stores, gift shops, gourmet and specialty food stores, hardware stores, paint and wallpaper stores, hobby shops, interior decorators, jewelers, leather goods shops, hair accessory shops, knitting supplies stores, linen stores, picture framing shops, package liquor stores intended primarily for retail distribution for off-premises consumption, music shops, musical instruments stores, shoe repair shops, pet shops, pharmacies, photograph equipment, post offices,



radio and television repair shops, recreation equipment stores, telecommunications stores, custom packaging and retail mail services, provided that the service is incidental to the main use, coffee shops, ice cream parlors, shoe stores, sporting goods, stationers, tailor shops, toy stores, travel and ticket agencies, wearing apparel, provided, however that none of the foregoing permitted uses shall carry merchandise other than that to be sold at retail on the premises.

2. Sit down restaurants, bars, cafes and taverns.
3. Business and professional offices.
4. Medical, chiropractic, dental offices.
5. Financial institutions such as banks, brokerage houses, finance companies, insurance companies and stockbrokers providing clients and customers with access to advice, assets and information.
6. Health clubs, exercise studios and commercial gyms.
7. Pet care and grooming services, but not including overnight boarding of animals.
8. Personal service providers limited to barbershops, beauty parlors, skin and nail boutiques.
9. Athletic and sport training studios such as, sport simulators, golf putting practice greens, baseball, basketball, football, lacrosse, softball, volleyball training and wall climbing.
10. Art, dance, martial arts, photography, music and voice instructional studios.
11. Educational and lifestyle enhancement skill centers, such as yoga, meditation, life coach, weight loss centers, language arts centers.
12. Internet website and design, hosting services.
13. Real estate office.
14. Craft distilleries operating according to and in strict conformance with a license pursuant to N.J.S.A.33:1-10. Prior to purchasing any product for consumption on the distillery property, each and every customer is required to take a tour of the distillery.
15. Child-care facilities, pursuant to N.J.S.A. 40:55D-66.6.
16. Governmental buildings and uses.
17. Houses of worship and associated educational facilities including parish houses, rectories and convents.
18. Mixed use buildings and developments consisting of two or more principally permitted uses.

B. Accessory permitted uses allowed in the Downtown-1 zone include the following:

1. Outdoor dining and seating areas, with or without tents, associated with and on the same lot as coffee shops, ice cream parlors, restaurants and cafes.
2. Walk-up, but not drive-up, service windows and counters.
3. Off-street parking.
4. Fences and walls.
5. Signs.
6. Facilities for the temporary storage of rubbish, trash and recycling materials.
7. Solar energy systems only as a use accessory to a permitted principal use. Solar energy systems may be installed only as an accessory use either on the roof of a permitted principal or accessory structure or as freestanding structures included above a parking area.

C. Conditionally permitted uses allowed in the Downtown-1 zone include the following:

1. Limited brewery complying with the following conditions:
  - (a) Each and every operator of a limited brewery shall at all times be in possession of a valid license issued by the New Jersey Alcoholic Beverage Commission.
  - (b) No food, other than incidental snacks, shall be sold or provided free of charge within the premises of a limited brewery. Patrons may, however, bring food into or order food to be delivered to the limited brewery.

- (c) A limited brewery shall brew no more than 300,000 barrels of malt beverages a year within the limited brewery.
- (d) Limited brewery patrons must complete a facility tour prior to being eligible to purchase or sample malt beverages produced on site.
- (e) Limited breweries can host special events, private parties and social affairs consistent with and in accordance with the restrictions contained within N.J.S.A. 33:1-10.
- (f) Notwithstanding the fact that a limited brewery is not a restaurant, most limited breweries have chairs, tables and benches similar to some restaurants. Due to this commonality, on-site parking requirements shall be the same established for restaurants in the Downtown-1 zone while being a condition attached to the conditional use.

2. Limited brewpub complying with the following conditions:

- (a) Each and every operator of a brewpub shall at all times be in possession of a valid Restricted Brewery License issued by the New Jersey Alcoholic Beverage Commission.
- (b) Every brewpub must be adjoining a retail consumption licensed premises operation as a working restaurant with both kitchen and dining facilities. Said retail consumption licensed premises must be licensed identically as the entity operating the brewpub under a Restricted Brewery License.
- (c) A brewpub shall brew no more than 10,000 barrels of malt beverages a year. The malt alcoholic beverage product shall be distributed to the restaurant required to be adjacent to the brewery. Holder of a Restricted Brewery License may also sell and distribute malt alcoholic beverage product to licensed wholesalers. If the director of the Division of Alcoholic Beverage Control has issued a permit, the owner of the Restricted Brewery License may offer samples for promotional purposes at charitable or civic events not held at the licensed restaurant premises.
- (d) On-site parking requirements shall be the same as established for restaurants in the Downtown-1 zone while being a condition attached to the conditional use.

D. Uses specifically prohibited in the Downtown-1 zone include the following:

- 1. Adult book and or adult gift shops and adult retail stores.
- 2. Adult mini-motion adult picture theaters.
- 3. Adult motion picture theaters.
- 4. Drive through or drive-up or similar service provided from a building to patrons waiting in automobiles.

**Section 3.**

A. Schedule A: Limiting Lot and Yard Sizes and Bulk Principal Building and Use is modified only in the following particulars to insert the following bulk requirements applicable to the Downtown-1 zone:

Zone Parameter	Zone Requirement
Minimum Lot Area (sq. ft.)	7,500
Minimum Lot Width (ft.)	50
Minimum Lot Depth (ft.)	100
Maximum Building Coverage (%)	65
Min. Open Space (%)	10
Maximum Number of Stories	3
Maximum Height (ft.)	38
Min. Front Yard (ft.)	0



Max. Front Yard (ft.)	10
Min. Side Yard (ft.)	0
Min. Rear Yard (ft.)	20

**B. Buffer Requirements.**

There shall be established along any property line that is contiguous to the RA-3 zone, a buffer area of at least 15 feet in width. The buffer area shall be well landscaped and may include fencing as required to provide appropriate screening of parking areas and buildings from the adjoining residential district. No building or impervious surface shall be permitted within the buffer area. Grading and earthwork shall not be permitted within the buffer area except to enhance the integrity of the buffer, such as the creation or supplementing of earthen berms. Existing vegetation should be preserved in the buffer area where practical.

**C. Supplemental Development Standards.** These following standards are not conditions associated with a conditional use. Deviations from these criteria are cognizable as 40:55D-70c variances.

- a. All roof mounted equipment shall be screened from public view by the use of a parapet wall or other architectural detail. Typical building appurtenances shall not be included in the building height calculation provided that they are shielded from view and do not cover more than 15% of the roof surface.
- b. All single-story buildings are recommended to have a pitched roof. If a pitched roof is not possible, then a combination of a flat roof and pitched roof or a false roof structure is recommended.
- c. Materials for pitched roofs shall be limited to architectural dimensional grade asphalt shingles, natural slate, natural terra cotta, natural wood shakes, copper or factory finished sheet metal.
- d. All buildings with flat roofs shall include a parapet articulation on the front façade of the building. The articulation should be provided through a cornice design.
- e. Buffer Areas. Buffers from adjacent residential properties shall comply with the following standards:
  - i. Landscaped berms shall be incorporated to accentuate the screening qualities of the landscaping proposed. Berms shall be a minimum of two feet in height, The width should vary with side slopes of 1 to 5 to 1 to 2, without adversely affecting natural drainage or slope retention.
  - ii. Berms shall be overlapping where drainage swales are required to pass through them. The final design must be reflected upon the grading and drainage plan.
  - iii. Landscaping shall be designed to complement the berms and shall be designed to provide a screen along the majority of the buffer area. Planting shall be installed at a variety of sizes which conform to the following minimum sizes:
 

Shade Trees	3-inch caliper (12-14 ft)
Evergreen Trees	7-8 feet
Shrubs	18-24 inches
  - iv. Landscaping within the buffer area shall include a predominance of evergreens to provide buffering during the dormant seasons.

Streetscape: The development shall include a cohesive thematic streetscape design, consistent and compatible with previously installed streetscape designs.-on the same side or opposite side of the street block, if any, that includes such items as sidewalk pavement design, stylized street lighting and thematic street tree planting. Developer proposed improvements to be planted, installed or constructed within public rights of ways shall be approved by the governing body prior to construction or installation. Streetscape improvements in the public right-of-way shall conform with adopted municipal standards.

- i. Site and Yard lighting, if any, should incorporate the use of stylized light fixtures that complement the proposed building architecture. The following standards shall apply:
  - 1. Light fixtures should incorporate sufficient photometric controls which shield the source of lighting from adjacent buildings or properties.
  - 2. Height of the street lighting fixtures should be residential in scale and should not exceed a 12-foot mounting height.
  - 3. Lighting levels proposed should conform to all applicable ordinance standards provided herein.
- f. Pedestrian crossings of roadways should be accentuated through the use of differential pavement crossings.
- g. Any and all developments increasing total impervious surface coverage in this zone shall be treated as if classified as a major development under current N.J. D.E.P. stormwater regulations and shall enhance stormwater quality by reducing the average annual total suspended solids loading in the site's post-construction runoff by 80%. and shall manage stormwater flows such that the peak rate of runoff exiting the site post-construction is no greater than the pre-construction peak runoff rate.

**Section 4.** Section 59-61 Off-street parking shall be amended with the inclusion of the following.

Parking Standards are hereby amended and supplemented as follows:

- A. Off-street parking standards in the Downtown-1 zone.
  - 1. All off-street parking areas shall be surfaced with an asphalt, bituminous, or cement binder pavement which shall be graded and drained to an approved stormwater management facility.
  - 2. All lighting in connection with off-street parking shall be so arranged and fully shielded as to reflect the light downward away from all adjoining streets and dwellings. Each applicant shall demonstrate sufficient lighting controls are implemented to reduce sky glow and control of glare from the property. The use of total cut off fixtures are encouraged to achieve these requirements.
  - 3. Off-street parking facilities may be placed in a side or rear yard or a combination of the two.
  - 4. Aisle Width. Provision shall be made for safe and adequate circulation of vehicles and pedestrians between, within and adjoining the subject property.



5. Location of driveways. All entrance and exit driveways to a public or private street shall be located so as to afford maximum safety to pedestrian users of said roadway, to provide for safe and convenient ingress and to minimize conflict with the free flow of pedestrian traffic. Common driveways between adjacent properties are encouraged throughout the Downtown-1 zone.
6. The borough encourages the consolidation and sharing of off-street parking among and between different properties. The borough's intention is for developers to provide adequate parking in safe and convenient locations without providing an over supply of parking. Applicants shall demonstrate through competent testimony and reports the sufficiency of the shared parking for all properties under consideration. When proposing shared parking, applicants shall demonstrate to the board attorney that sufficient legal protections are established for the long-term viability and maintenance of the shared parking arrangement.
7. The following parking standards shall be established for uses within the Downtown-1 zone.

LAND USES	REQUIRED OFF-STREET PARKING SPACES
Banks and savings institutions	1 per 300 s.f. of LFA
Child Care Centers	1 per 10 children, plus 1 space per staff
Clubs and Fraternal Organizations	1 per 400 s.f. GFA
Eating Establishments, Restaurants, Restaurants with Bar	1 space for each 4 seats.
Funeral home	1 per 300 s.f. GFA
House of worship	1 per 4 seats. For benches, 1 seat = 3 ft. of linear space
Medical or dental offices	1 per 150 s.f. of LFA
Office	1 per 250 s.f. of LFA
Place of Public Assembly	1 per 4 fixed seats or 1 per 75 sf of floor area, whichever is greater
Recreational Uses (including health clubs)	1 per 250 s.f. GFA
Retail store, and personal service establishments	1 per 250 s.f. of LFA
Residential Uses	In accordance with RSIS
Schools Elementary (K through 8)	2 per classroom; but not less than 1.5 per teacher & staff
Other uses not provided herein shall be determined by the approving authority	

**NOTES RELATING TO PARKING REQUIREMENTS:**

GFA = Gross Floor Area

LFA= Leasable Floor Area

8. Inclusion of any use in the above table does not imply it is a permitted use in the Downtown-1 zone. See the applicable sections of this code for the enumeration of permitted uses.
9. A one-car garage and driveway combination shall count as 2.0 off-street parking

spaces, provided the driveway measures a minimum of 18 feet in length between the face of the garage door and the right-of-way. A two-car garage and driveway combination shall count as 3.5 off-street parking spaces, provided a minimum parking area width of 20 feet is provided for a minimum length of 18 feet as specified for a one-car garage and driveway combination. (N.J.A.C. 5:21-4.14d)

10. When housing is included in mixed-use development, a shared parking approach to the provision of parking shall be permitted. (N.J.A.C. 5:21-4.14e)
11. The following standards apply to senior citizen housing. This use is not specifically identified in the State Residential Site Improvement Standards (N.J.A.C. 5:21 et seq): 0.75 spaces for each 1-bedroom unit and 1.25 spaces for each 2-bedroom unit.
12. Applicant shall install make ready equipment for the purpose of charging electronic vehicles as required by state statute or local ordinance.

- B. Parking Spaces for the disabled. In any nonresidential parking lot, designated parking spaces for disabled persons shall be required as follows (these spaces shall be considered part of the total number of required spaces):

REQUIRED PARKING FOR THE DISABLED

TOTAL PARKING SPACES IN LOT	REQUIRED NUMBER OF PARKING SPACES FOR THE DISABLED
Up to 25	1
26 to 100	2
Over 100	2% of total spaces in lot

Parking spaces for the disabled shall be located in one (1) area and designated as parking for the handicapped. They shall be located so that access does not require wheeling or walking behind parked cars. Parking spaces for the disabled shall be at least eight (8) feet wide with a five (5) foot access area located adjacent to the driver's side.

- C. Parking area design standards.

1. Off-Street Parking Lots Intended for Customer Use.
  - a. Aisle width. Provisions shall be made for the safe and adequate circulation of vehicles and pedestrians within and adjoining the subject property. Aisle widths providing direct access to individual parking stalls designated for customer use shall be in accordance with the standards established in the table below. Only one-way traffic shall be permitted in aisles of less than twenty-four (24) feet in width.



## MINIMUM AISLE WIDTH

PARKING ANGLE (DEGREES)	MINIMUM AISLE WIDTH (FEET)	
	ONE WAY	TWO WAY
0 (Parallel Parking)	12	24
30	15	N/A
45	18	N/A
60	20	N/A
90 (Perpendicular Parking)	22	24

### 2. Parking Stall Dimensions

- a. Parking stalls shall dimension nine by eighteen (9x18) feet with a paved area of 162 sf, provided that parking stalls within lots which contain retail uses utilizing shopping carts shall be ten by twenty (10x20) feet.
- b. Two feet of the parking area may be a pervious overhang, but same shall not be included in any required parking setback, buffer or green area.
- c. Parallel parking stalls shall be eight by nineteen (8x19) feet or forty-six (46) feet in tandem.

### D. Circulation within parking area designed and intended to be utilized by customers and clients of an establishment.

1. All parking spaces shall be designed free and clear of any obstruction to individual parking stalls.
2. Parking spaces shall be located in such a fashion as to permit all vehicles to exit in a safe and orderly manner. Under no condition shall vehicles be permitted to back out of a parking lot driveway or a parking space directly into the public right-of-way or otherwise block the free movement of traffic within the parking area or specific points of safety control, such as fire hydrants, doorways, elevators or other similar locations.
3. Pedestrian circulation within a parking area shall be, to as great an extent as possible, separated from vehicular traffic. Safety zones, crossing points and sidewalk areas, where warranted, shall be provided.

### E. Off-Street Parking Lots Intended for Employees Only:

1. The borough recognizes and encourages the continued use of small parking areas typically behind stores that are primarily intended to serve the parking needs of employees and the store's loading needs. As such for employee parking areas of no more than six (6) vehicles (which can be parking in a tandem design) the standards otherwise applicable both to parking stall dimension requirements and to parking



lot design are exempt from the standards detailed above. Employee parking must be in one general location and must allow for emergency vehicle access.

**Section 5.** Section 59-63 Signs shall be amended in the following particulars only.

**A. Signs in Downtown-1 Zone**

Regulations regarding signs in the Downtown-1 zone shall be as follows:

1. Wall signs shall be limited to a maximum of 8% of the wall area at street level for the store that it is advertising but shall not exceed 30 square feet of signage.
2. Lots fronting on two or more streets are permitted signage along each street frontage, but the signage cannot be accumulated and used on only one street frontage.
3. Wall signs may not be located higher than the bottom of the windows of the second level of a multi-story building.
4. Multi-tenant buildings shall have signs with uniform area and height dimensions.
5. Each sign is permitted to include a main title which identifies the name of the store and one subtitle which is a description of the business.
6. The subtitle of the sign may not include a telephone number and must be a smaller font size than the main title.
7. Signs may not be printed in more than two font styles and different font styles on one sign must complement each other.
8. Hanging signs must have the bottom of the sign no less than seven (7) feet above the adjacent sidewalk and may not have an area more than 4 square feet.
9. The wall sign for an establishment with a hanging sign may not be greater than 8 5% of the total wall area at street level for the store.
10. Second floor occupancy of professional or office space shall be permitted one (1) announcement sign per occupancy of not more than two (2) square feet at the main entrance to the building. One (1) nameplate or professional sign with an area of not more than two (2) square feet may be mounted flat against the door of each secondary entrance. Such signs may be exterior illuminated. Building name and address announcements are exempt from these limitations. Signs in second floor office windows shall not exceed twenty five percent (25%) of the glass area of the window.
11. A common sign may be erected in a parking lot with facilities for more than forty (40) cars which service a group of attached stores or a professional building. None of the components announcements shall be larger than any of the others and the total area of the signs shall not exceed thirty (30) square feet. The common sign may be erected as a freestanding sign within the parking lot, provided that it is erected no closer than ten (10) feet to any property line.
12. Large scale shopping centers containing over 60,000 of retail space in addition to the signs permitted by the above regulations may install one free standing sign along but no closer than twelve (12) feet to each arterial roadway it has frontage along. Said sign shall not have more than two (2) faces. Neither sign face shall exceed thirty (30) feet in area. The top of said sign shall not exceed fifteen (15) feet above grade. A landscaping component shall be planted and maintained in association with the sign.
13. The following sign provisions shall govern all signage associated with gasoline and service stations:
  - a. One freestanding sign bearing the brand, trade name and/or trademark with unit prices of the station, not exceeding thirty (30) square feet on each side shall be permitted. The bottom of the sign shall not be less than eight (8)



feet from the average grade elevation below the sign, nor shall any part of the sign be more than fifteen (15) feet above ground level.

- b. No sign shall be permitted on or above a canopy over the fuel dispensers.
- c. Signs are permitted attached to fuel pumps indicating the unit price per gallon of fuel. Such signs shall not exceed one (1) square foot in area per sign per individual pump.
- d. No signage may be illuminated after business hours.
- e. Lettering or other insignia which are a structural part of the gasoline pumps, as manufactured, shall be permitted.
- f. Signs required by law and credit card signs may be placed on or near the gasoline dispensing islands, not to exceed a maximum two (2) square foot per sign per island.

#### **Section 6.** Design Criteria for buildings in the Downtown-1 zone

The following standards are design guidelines that are strongly encouraged for use in the Downtown 1 Zone. All portions of a site not developed with buildings, parking lots, or walks should be suitably landscaped as set forth above.

##### **A. Building Façade Wall Area**

1. All work performed within the Downtown-1 Zone should be visually compatible with the existing streetscape and be constructed from the same, similar or complementary materials.
2. Massing of new buildings and additions to existing buildings should appear to be balanced. Buildings should be in proportion to and of a similar scale to existing buildings.
3. Buildings with expansive blank exterior walls are discouraged. Windows and other architectural devices should give each wall detail and interest.
4. Colors employed on new buildings and additions to existing buildings should be visually compatible with the overall historic streetscape of the zone.
5. Architectural detailing. All proposed building facades of each building should have a coordinated architectural design and style. The architectural detailing of buildings shall be true to the architectural style or theme selected for the development. The architectural elevations should provide some differentiation from building to building on a tract to create variety and interest but should not be so dissimilar as to detract from the overall architectural composition of the development.
6. For each primary building frontage, at least 30% of the area between 3 feet and 10 feet in height should be clear/non-tinted window glass permitting a view of the building's interior.
7. All related piping, ducting, electrical and mechanical utilities, antennae, down spouts, utility receptacles, and service boxes should be painted to match the predominate color of building and be designed to be compatible with the architectural treatment of the principal structure.
8. Architectural details of the façade improvements should wrap around and be repeated on walls that are visible from public rights of way and off-street parking areas.



#### B. Columns and Piers

1. It is recommended that buildings that exceed 30 feet in width should include vertical piers, columns or other vertical visual elements that break up the plane of the building frontage. The vertical elements should be spaced at equal intervals. Vertical visual elements can include articulations in the façade itself such as insets or projections
2. Recommended column and pier width is between 8 and 30 inches
3. Recommended column and pier base height is between 10 and 24 inches.
4. Recommended column and pier cap height is between 6 and 24 inches.

#### C. Cornice and Fascia

1. Each façade should be designed to have a delineated floor line between the street level and upper floors. This delineation can be in the form of a masonry belt course, a concrete lintel, or a cornice line delineated by wood detailing.
2. The top of the building is recommended to be capped by a cornice or sloping roof element

#### D. Windows

1. All street-fronting ground level developments should have windows that are clear and not tinted, mirrored, or painted. However, seasonal painting of design windows is encouraged so long as the seasonal painting is removed no later than 89 days after painting.
2. Display windows should cover a minimum of 30% of the building frontage.
3. Display windows should be positioned within a maximum of 3 feet above the grade of the sidewalk and a maximum height of 8 feet.
4. The windows on the upper levels should have an appropriate sill or lintel to accent building openings and provide architectural interest.
5. Bulkheads should have a maximum height of 3 feet and be comprised of the same architectural detailing, materials, and colors as the windows.
6. Window displays and signage not attached to the structure of the window itself should not occupy more than 20% of the window area.
7. Window displays located within 36 inches of the window should occupy not more than 70% of the window area.

#### E. Doors

1. The doors and windows should cover a minimum of 50% of the building frontage on the street level.
2. All doors should have a glass panel which occupies a minimum of 10% of the door to afford internal views of the space. Windows in doors are subject to the same recommendations as noted in subparagraph D above, including seasonal painting.

#### F. Canopies and Awnings

1. Awnings over windows should match the color of the wall area or trim and are to be clearly integrated into the design of the store front.
2. Canopies and awnings shall not project closer than 3 feet to the curb line.
3. Canopies and awnings shall not be lower than 7 feet from grade level.
4. Canopies and awnings should be comprised of canvas/fabric material. Metal or plastic material is discouraged.
5. Structural elements supporting canopies and awnings should be constructed of a tubular galvanized metal such as aluminum, bronze or copper.
6. For multi-tenant buildings the awnings for each retail space should be of the same material.

7. The length of the awning should complement the architectural details of the building. For example, the awning should break for columns & piers.
8. Canopies should be one solid color, exclusive of any signage incorporated into or on the canopy.
9. A logo should not be larger than 6 square feet in area.
10. The lettering on valence signs should be between 6 and 9 inches in height and should not occupy more than 70 percent of the valence area of the canopy.

### **Section 7**

All Ordinances of the Borough of Oakland which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

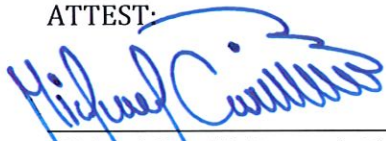
### **Section 8**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

### **Section 9**

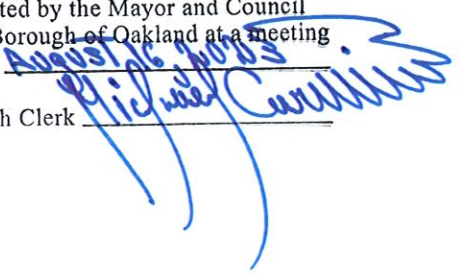
This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST:

  
\_\_\_\_\_  
Michael Carelli, Borough Clerk

BY:   
\_\_\_\_\_  
Linda H. Schwager, Mayor

This is to certify that this is a true copy  
as adopted by the Mayor and Council  
of the Borough of Oakland at a meeting  
held on August 16, 2005

Borough Clerk   
\_\_\_\_\_