



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-CODE-927

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 Oakland, Chapter 59 entitled "Land Use and Zoning".

Section 1.

- A. Article VII §59-46A Zoning Districts Established; Zoning Map; Interpretation of Boundaries is hereby amended to incorporate the following modification:

Central Business District I Affordable Housing Overlay Zone (CBD-1AHO) shall be deleted and replaced with the following:

Downtown-I Affordable Housing Overlay

Central Business District II Affordable Housing Overlay Zone (CBD-II AHO) shall be deleted and replaced with the following:

Downtown-II Affordable Housing Overlay

In addition, all properties within the Downtown-II District shall also be included in the Downtown-II Affordable Housing Overlay.

Section 2.

- A. §59-53.1.1 Central Business District I Affordable Housing Overlay Zone Is and shall be amended by the deletion of Central Business District I Affordable Housing Overlay and its replacement with Downtown I Affordable Housing Overlay. Further, this section shall be and is amended and revised in the following particulars only:
1. 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.
 2. Residential uses are permitted in this zone in the upper floors of buildings. If residential use of any type is to occupy building space lower than the second floor, compliance with the following provisions is required.
 - a. The parcel of land upon which first floor residential construction is proposed is larger than 21,780 square feet in area.

- b. The total amount of first floor residential building area including but not limited to apartments, corridors, lobbies, stair and elevator space, amenity space, package delivery space, mail room, bike storage areas and other residential support space, shall not exceed 25% of the first-floor area of the building.

Section 3.

- A. §59-53.2.1 Central Business District II Affordable Housing Overlay Zone Is and shall be amended by the deletion of Central Business District II Affordable Housing Overlay and its replacement with Downtown II Affordable Housing Overlay. Further, this section shall be and is amended and revised in the following particulars only:
1. 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.
 2. Residential uses are permitted in this zone in the upper floors of buildings. If residential use of any type is to occupy building space lower than the second floor, compliance with the following provisions is required.
 - a. The parcel of land upon which first floor residential construction is proposed is larger than 21,780 square feet in area.
 - b. The total amount of first floor residential building area including but not limited to apartments, corridors, lobbies, stair and elevator space, amenity space, package delivery space, mail room, bike storage areas and other residential support space, shall not exceed 25% of the first-floor area of the building.

Section 4.

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 5.

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.

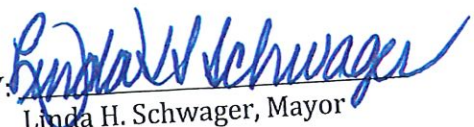
Section 6.

This Ordinance shall take effect immediately upon final passage approval and adoption by the Mayor and Council of the Borough of Oakland.

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 15, 2013

Borough Clerk 