

BOROUGH OF OAKLAND  
COUNTY OF BERGEN  
STATE OF NEW JERSEY  
ORDINANCE 21-CODE-837

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59 ENTITLED "LAND USE AND ZONING" TO CREATE THE RA-3AH ZONE

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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 §59-46 A. Zoning Districts Established; Zoning Map; Interpretation of Boundaries is hereby amended to incorporate the following additional district included herein:
- Affordable Housing                      RA—3AH.
- B. §59-46B. Zoning Map is and shall be amended to include and depict the following district This district shall be applied to Block 4004 Lots 8 & 9 and no other property.
- Affordable Housing                      RA-3AH.

Section 2

- A. §59.61.2 Affordable Housing (RA-3-AH).  
Oakland is constitutionally obligated to provide a reasonable opportunity to comply with its affordable housing obligation. Establishing the RA-3AH zone will assist the Borough in satisfying this obligation by creating a reasonable opportunity for the construction of affordable housing.
- B. Permitted principal uses in this zone include:
- i. Multi-family developments.
  - ii. A municipal building, municipal structure or a municipal use, governmental or proprietary in nature.
- C. Permitted accessory uses in this zone include:
- i. Off-street drives, parking areas, both surface and structured.
  - ii. Recreational and social amenities for the use and enjoyment of residents and guests.

- iii. Signage.
  - iv. Facilities for the temporary storage of trash and recyclables.
- D. Permitted density for developments with units that are to be offered for sale shall not exceed 16 units per acre. If units in the development are to be offered on the rental market, then the permitted density is 22 units per acres.
- E. Lot area and other dimensions. Minimum required lot area in this zone is six (6) acres. Minimum lot width shall be 250 feet, minimum lot depth shall be no less than 300 feet.
- F. Yards. No principal building shall be located closer than 30 (thirty) feet to the front property line. Required side yard setbacks are fifty (50) feet. Each development shall be provided a rear yard of not less than fifty (50) feet. Accessory structures, recreation facilities and on-site parking are all permitted in any side or rear yard, provided that no accessory structure shall project closer than twenty-five (25) feet to any property line. These zoning provisions shall be inserted in Schedule A: Limiting Lot and Yard Sizes and Bulk Principal Building and Use
- G. Building height shall not exceed four (4) stories and 52 feet.
- H. Building coverage shall not exceed thirty (30) percent of the lot.
- I. All areas of the subject site not covered with building, recreational amenities, pavement or walkways shall be suitably landscaped.
- J. Impervious coverage shall not exceed fifty (50) percent of the lot.
- K. No more than two (2) signs are permitted, one sign may be a building mounted wall sign. Said wall sign shall not exceed forty-eight (48) square feet. A monument sign of thirty (30) square feet is permitted. Such sign shall not exceed twelve (12) feet in height. Said sign may be illuminated and shall be setback no less than ten (10) feet from the front lot line. Any proposed sign shall be outside any area necessary for the provision of safe sight distance.
- L. No construction permit shall be issued for a building in this district until and unless a site plan application has been submitted and approved pursuant to this Chapter.
- M. No building construction shall commence and no certificate of occupancy shall be issued until and unless the building owner has been issued a valid New Jersey Department of Environmental Protection treatment works approval permit and the building is physically connected to, through approved plumbing connections, a sanitary sewer treatment facility and the building owner has been issued all

necessary permits for the sewer connection.

- N. Twenty (20) percent of all dwellings shall be affordable to very-low, low- and moderate-income households in strict compliance with Oakland's Affordable Housing Ordinance.
- O. The affordable housing units generated by this zone shall comply in all respects with the requirements and conditions contained within the Settlement Agreement between Oakland and Fair Share Housing Center I.T.M. No. BER-L-6359-15, all relevant Orders of the Honorable Christine A. Farrington, J.S.C., Oakland's Affordable Housing ordinance and all applicable New Jersey requirements pertaining to the operation of privately developed affordable housing.

Section 3:

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 4:

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 5:

This ordinance shall take effect upon final passage, approval and publication as provided by law.

ATTEST:

BOROUGH OF OAKLAND  
COUNTY OF BERGEN  
STATE OF NEW JERSEY

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Lisa M. Duncan, Borough Clerk

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