

ORDINANCE NO. 21-CODE-854
BOROUGH OF OAKLAND
COUNTY OF BERGEN
STATE OF NEW JERSEY

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

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 Article VII, §59-44 is hereby amended and revised to include the following terms in proper alphabetic order:

CRAFT DISTILLERY- A manufacturing facility wherein no more than 20,000 gallons of distilled alcoholic beverages per year are produced and as furthered defined and regulated by N.J.S.A. 33:1-10. Craft distilleries are not permitted to sell food or operate a restaurant on the licensed premises.

PLENARY DISTILLERY- A manufacturing facility where alcoholic beverages, without a limit on quantity, are rectified, blended, treated, mixed and distilled and as further defined and regulated by N.J.S.A. 33:1-10.

Section 2 Article VII Zoning is hereby amended in the following parameters only.

- A. §59-53. Business Zones is hereby amended in the following parameters only:
- B. Within the B-2 Local Business Zones, only the following uses shall be permitted on any single lot of any required size:
 - (6) Craft distilleries operating according to and in strict conformance with a license pursuant to N.J.S.A.33:1-10. Prior to selling any product for consumption on the distillery property, each and every customer is required to take a tour of the distillery.
- C. Notwithstanding any language contained in §59-53. C., craft distilleries are specifically included as a permitted use in the B-3 zone.

Section 3 Article VII Zoning is hereby amended in the following parameters only:

- A. §59-53.1 Central Business District-I is hereby amended in the following parameters only:
- B. Permitted uses shall be amended to include the following:
- C. (4) Craft distilleries operating according to and in strict conformance with a license pursuant to N.J.S.A.33:1-10. Prior to selling any product for consumption on the distillery property, each and every customer is required to take a tour of the distillery.

Section 4 Article VII Zoning is hereby amended in the following parameters only:

- A. §59-53.2 Central Business District-II is hereby amended in the following parameters only:
- B. Permitted uses shall be amended to include the following:
 - (4) Craft distilleries operating according to and in strict conformance with a license pursuant to N.J.S.A.33:1-10. Prior to selling any product for consumption on the distillery property, each and every customer is required to take a tour of the distillery.

Section 5 Article VII Zoning is hereby amended in the following parameters only.

- A. §59-54 I-1 and I-2 Zones are hereby amended in the following particulars only:
- B. I-1 and I-2 Industrial Zones:
 - (6) Plenary distilleries operating in strict accordance with a valid license issued pursuant to N.J.S.A.33:1-10.

Section 6 Article VII Zoning is hereby amended in the following parameters only.

- A. §59-55 I-P Industrial Park Zone is hereby amended in the following parameters only:
- B. Permitted uses. Subject to the requirements contained herein, only the following uses shall be permitted on any lot of required size in the I-P Industrial Park Zone:
 - (7) Plenary distilleries operating in strict accordance with a valid license issued pursuant to N.J.S.A.33:1-10.

Section 7 Article VII Zoning is hereby amended in the following parameters only.

- A. §59-56 I-3 Industrial /Office Zone and CO Corporate Office Zone is hereby amended in the following parameters only:
- B. Within the I-3 Industrial/Office Zone, only the following uses shall be permitted on any single lot of required size:
- C. (7) Craft distilleries operating according to and in strict conformance with a license pursuant to N.J.S.A.33:1-10. Prior to selling any product for consumption on the distillery property, each and every customer is required to take a tour of the distillery.
- D. (8) Plenary distilleries operating in strict accordance with a valid license issued pursuant to N.J.S.A.33:1-10.
- E. Within the Corporate Office Zone, only the following uses shall be permitted on any single lot of required size:
 - (2) Plenary distilleries operating in strict accordance with a valid license issued pursuant to N.J.S.A.33:1-10.

Section 8

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 9

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 10

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

NOTICE

The above ordinance was introduced at a meeting of the Mayor and Council held on September 1, 2021.

Adoption of this ordinance will be considered at a meeting to be held at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, NJ on October 13, 2021 commencing at 7:30 pm, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning same. Copies of this ordinance are available at the Municipal Building up to the time of the public hearing for members of the public who request same.

Lisa M. Duncan
Borough Clerk