

**BOROUGH OF OGDENSBURG
COUNTY OF SUSSEX
ORDINANCE 02-2021**

**ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX AND
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 30 OF
THE BOROUGH CODE ENTITLED "LAND DEVELOPMENT" RELATING TO THE
BOROUGH'S BC BOROUGH CENTER DISTRICT**

WHEREAS, the Borough of Ogdensburg ("Borough") desires to amend and supplement Chapter 30 of the Borough Code ("Code") entitled "Land Development" relating to the Borough's BC Borough Center District; and

WHEREAS, in furtherance thereof, the Borough seeks to amend and supplement Section 30-201 entitled "Definitions" to add the terms "Apartment" and "Apartment Building," and delete the term "Multi-Family"; and

WHEREAS, the Borough also seeks to amend and supplement select portions of Section 30-411 of the Borough Code entitled "BC Borough Center District" as provided for herein; and

WHEREAS, the Borough has referred this ordinance to the Land Use Board in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. and has accepted its recommendations for approval.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey that Chapter 30 of the Code of the Borough of Ogdensburg entitled "Land Development" is hereby amended, revised and supplemented as follows:

SECTION 1. Chapter 30, Section 30-201 of the Borough Code entitled "Definitions" is hereby amended to add the following definitions:

Chapter 30 Land Development

§ 30-201. Definitions.

DWELLINGS –

APARTMENT - One or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit with a building containing a retail, commercial professional office use on the first floor and one or more dwelling units on the floors above.

APARTMENT BUILDING - A building containing three or more apartments, including units that are located one over the other.

SECTION 2. Chapter 30, Section 30-201 of the Borough Code entitled "Definitions" is hereby amended by deleting the following definition as follows:

~~MULTI FAMILY—A structure containing a minimum of two dwelling units in the BC zone; and a minimum of three dwelling units in all other zones, which structure has common usage areas and/or non-common usage area; and which structure shall not exceed 3 ½ stores or 30 feet in height.~~

SECTION 3. Chapter 30, Section 30-411 entitled “BC Borough Center District” shall be amended by deleting Section 30-411(A)(7) in its entirety, and replacing same as follows:

A. Permitted Principal Uses.

7. Apartments shall not be permitted on the first-floor structure on Main Street (CR517).

SECTION 4. Chapter 30, Section 30-411 entitled “BC Borough Center District” shall be amended by deleting Section 30-411(B)(4) in its entirety, and replacing same as follows:

B. Permitted Accessory Uses.

4. Apartments are permitted on the second floors and above in structure where commercial, retail or professional offices are located on the first floor.

SECTION 5. Chapter 30, Section 30-411 entitled “BC Borough Center District” shall be amended by deleting Section 30-411(E)(2) in its entirety, and replacing same as follows:

E. Minimum Floor Area (Gross).


2. 600 square feet per dwelling unit for apartments.

SECTION 6. All Ordinances or parts of Ordinances inconsistent herewith are repealed.

SECTION 7. If any section, subsection, sentence, clause, phrase, or a portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 8. This ordinance shall become effective after second reading and publication as required by law.


Attest:


Robin Hough, Borough Clerk


George P. Hutnick, Mayor

NOTICE

TAKE NOTICE that the above entitled ordinance 02-2021 was introduced at a regular meeting of the Borough Council of the Borough of Ogdensburg on January 11, 2021, and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Ogdensburg to be held on February 8, 2021 at 7:00PM in the Municipal Building, 14 Highland Ave., Ogdensburg, New Jersey, and shall take effect according to law.



Robin Hough, Borough Clerk

**BOROUGH OF OGDENSBURG
LEGAL NOTICE
ORDINANCE 02-2021**

**AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX
AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 30
OF THE BOROUGH CODE ENTITLED "LAND DEVELOPMENT" RELATING TO
THE BOROUGH'S BC BOROUGH CENTER DISTRICT**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Ogdensburg, in the County of Sussex, State of New Jersey, held in the Municipal Building on the 11TH day of January, 2021, and the same came up for final passage at a meeting of the said Borough Council on the 8th day of February, 2021, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the borough according to law by order to the Borough Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey.



Robin Hough, RMC/CMR