

BOROUGH OF CRESSKILL

ORDINANCE NO. 11-05-1407

AMEND CHAPTER 275 ZONING, ARTICLE XXX,
DEVELOPMENT FEES FOR AFFORDABLE HOUSING

BE IT ORDAINED by the Mayor and Council of the Borough of Cresskill in the County of Bergen and State of New Jersey, as follows:

SECTION I §265-127. B. Residential development fees. All developers of residential housing, except those provided in Subsection E, shall pay a development fee of 1% as follows:

1. New Construction:
 - a. For owner-occupied residential structures that have been issued a demolition permit, provided the unit for which the demolition permit has been issued was occupied by its current owner for at least one year prior to the demolition and no change in use has occurred, there shall be a development fee based on the increase in equalized assessed value that results from re-construction, but shall exempt reconstruction that results from fire, flood or natural disaster.
 - b. Where the property was not occupied by a current owner for at least one year prior to the demolition and no change in use has occurred, there shall be a development fee based on the full equalized assessed value, provided no increased density is permitted.

2. Additions and Alterations:

The fee for additions and alterations, shall be based on the increase in equalized assessed value that results from the addition or alteration.

SECTION II

All other Ordinances of the Borough, or parts thereof, which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION III

If any section, subsection, paragraph, subdivision, or sentence of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such decision shall apply only to the section, subsection, paragraph, subdivision, sentence, clause, phrase or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION IV

This Ordinance shall take effect immediately upon final passage and publication according to law.