

TOWNSHIP OF WALL

ORDINANCE NO. 12-2016

AMENDING CHAPTER 140, SECTION 17 OF THE LAND USE AND DEVELOPMENT REGULATIONS PERTAINING TO SHOPPING CENTERS

WHEREAS, the Land Use and Development Regulations govern the permissible uses of all properties within the Township, and

WHEREAS, Section 17 contains the definitions for numerous terms within the Regulations, and

WHEREAS, Township Code provision 140-17 contains the following definition for the term "Shopping Center"- "An integrated development of permitted uses within the zoning district such as retail stores and shops, personal service establishments, professional and business offices, banks, post offices, restaurants, and auditoriums, housed in an enclosed building or buildings, utilizing such common facilities as customer parking, pedestrian walkways, truck loading and unloading space, utilities and sanitary facilities", and

WHEREAS, the Township has determined that the definition of "Shopping Center" should be revised to reflect the established interpretation of the Township's Land Use Office to be consistent with past and current planning practices, and

WHEREAS, in order to ensure consistent interpretation throughout the Township, the definition of "Shopping Center" in Township Code provision 140-17 should be amended to contain the following language:

An integrated development of uses such as retail stores and shops, personal service establishments, professional and business offices, banks, post offices, and restaurants, listed in the schedule of permitted and conditional uses (140 Attachment 3) housed in an enclosed building or buildings, utilizing such common facilities as customer parking, pedestrian walkways, truck loading and unloading space, utilities and sanitary facilities. Gasoline service stations, those prohibited uses set forth in section 140-140, and those uses not listed in the schedule of permitted and conditional uses shall not be permitted in any shopping center.

WHEREAS, the Township Committee of the Township of Wall finds that it is in the best interest of the citizens of the Township of Wall to amend Chapter 140, section 17 as set forth herein, and

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of Wall in the County of Monmouth, in the State of New Jersey, as follows:

Section 1 Chapter 140, Land Use and Development Regulations, Section 17 (Definitions) shall be amended to provide as follows:

SHOPPING CENTER

An integrated development of uses such as retail stores and shops, personal service establishments, professional and business offices, banks, post offices, and restaurants, listed in the schedule of permitted and conditional uses (140 Attachment 3) housed in an enclosed building or buildings, utilizing such common facilities as customer parking, pedestrian walkways, truck loading and unloading space, utilities and sanitary facilities. Gasoline service stations, those prohibited uses set forth in section 140-140, and those uses not listed in the schedule of permitted and conditional uses shall not be permitted in any shopping center.

Section 2 All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 3 Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 4 This Ordinance shall take effect upon its passage and publication according to law.

Introduced on: July 27, 2016

Adopted: August 24, 2016

Attest:


Roberta Lang
Township Clerk

Approve:


Ann Marie Conte
Wall Township Mayor