

**TOWNSHIP OF WALL
ORDINANCE NO. 22-2011**

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER 140 OF "THE LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF WALL", PERMITTING SPECIAL TRADE CONTRACTORS AS A CONDITIONAL USE IN OR-2 ZONE AND TO CLARIFY CONDITIONAL USE OFFICE FLOOR SPACE REQUIREMENT

WHEREAS, the Township of Wall regulates land use and development within the Township of Wall, by and through Chapter 140 of the Code of the Township of Wall; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall as follows:

Section 1. Chapter 140, "Land Use and Development" Section 140 Attachment 3:2 be and the same is hereby amended and supplemented to:

A. Modify §140 Attachment 3:2 at the line item row for NAICS Code 23511 as follows:

In that row, under the 'Office Research' column, add the following language -

C (OR-2 only)

B. Amend §140-155(B) to read as follows:

140-155

B. A minimum of 30% of the building shall be devoted to office space. In the case of partial building occupancy, 30% of the space designated for the use (NAICS 23511) shall be devoted to office space ancillary to that use.

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 All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.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. Pursuant to the Municipal Land use Law, the Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15. Notice of the Introduction of this Ordinance shall also be sent to the Municipal Clerk of each bordering municipality as per NJSA 40:55D-15. Upon the adoption of this ordinance after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance with the County Planning Board as required by N.J.S.A. 40:55D-16.

Section 5. This Ordinance shall take effect upon final passage and publication as provided by law, however, subsequent to first reading, this ordinance must be referred to the municipal Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed ordinance.

**SUMMARY AND NOTICE
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Adoption of this Ordinance will modify §140 Attachment 3:2 at the line item row for NAICS Code 23511 pertaining to special trade contractors in the OR2 Zone. This ordinance further clarifies §140-155 pertaining to Conditional Use Office Floor Space requirements.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on August 10, 2011, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on September 14, 2011, at 7:30 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall

be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or on our website at www.wallnj.com.

LORRAINE KUBACZ, R.M.C.
Township Clerk