

TOWNSHIP OF WALL

ORDINANCE NO. 5-2017

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND CLARIFYING CHAPTER 140 ATTACHMENT 3:1 “NOTES” AND 3:2 OF THE “SCHEDULE OF PERMITTED AND CONDITIONAL USES FOR NONRESIDENTIAL ZONE DISTRICTS” TO PERMIT “SPECIAL TRADE CONTRACTORS” AND AMENDING CHAPTER 140-155 TO DEFINE THAT “SPECIAL TRADE CONTRACTOR” SHALL INCLUDE SOLAR SYSTEM CONTRACTORS AND THAT MORE RESTRICTIVE CONDITIONAL USE STANDARDS SHALL APPLY IN OP-2 AND OR-2 ZONES FOR “SPECIAL TRADE CONTRACTORS”

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,

WHEREAS, the Wall Township Committee, through its land use ordinance, utilizes the 1997 NAICS to categorize different land uses; and,

WHEREAS, the Wall Township Committee desires to clarify that Special Trade Contractor (NAICS 235) shall include Plumbing, Heating and Air Conditioning, and Solar System Contractors and that Special Trade Contractor (NAICS 235) shall be a conditional use in the following nonresidential zones: Highway Business HB-20; HB-40; and a permitted use in the following nonresidential zones: General Industrial GI-2; GI-5; GI-10; and,

WHEREAS, the Wall Township Committee desires to clarify that Special Trade Contractor (NAICS) shall be a conditional use in Office Park OP-2 and Office Research OR-2 subject to Section 140-158 of Chapter 140 of the Wall Township Land Use and Development Regulations; and,

NOW, 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” Section 140 Attachment 3:1 under “Notes” be and the same is hereby amended and supplemented to:

⁷Solar System Contractors only per section 140-155.

⁸Except Solar System Contractors per section 140-155.

¹¹Conditions of Section 140-158 shall apply.

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

Eliminate the C on line 3 under the heading HB-80

Add C¹¹ on line 4 under the heading HB-20 and HB-40

Add P on line 4 under the heading GI-2, -5 and -10

Section 3. Chapter 140, Section 140-155, “Special trade contractors; plumbing, heating and air conditioning contractors” be and the same is hereby amended and supplemented to:

140-155 Special trade contractors; plumbing, heating and air conditioning, and solar system contractors (NAICS 23511).

Special trade contractors; plumbing, heating and air conditioning, and solar system contractors involving the installation, servicing and selling of heating and air conditioning appliances and solar systems may be permitted in the OP-2 and OR-2 zones as set forth in the Schedule of Permitted and Conditional Uses only upon receipt of a conditional use permit.

Section 4. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

Section 5. This Ordinance may be renumbered for codification purposes.

Section 6. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

Section 7. This Ordinance shall take effect upon final passage and publication as provided by law.

Introduced: May 24, 2017

Adopted: June 28, 2017

Attest: 
Roberta M. Lang, Clerk

Attest: 
Dominick DiRocco, Mayor

Ordinance 5-2017 Attachment

WALL CODE

Township of Wall
 Schedule of Permitted and Conditional Uses for Nonresidential Zone Districts¹
 January 2004

NAICS Code ²	Use	Highway Business					Office Business			Commercial Recreation		Office Park	Office Research OR-2, -5, and -10	General Industrial GI-2, -5 and -10	Airport	
		NB	HB-20	HB-40	HB-80	HB-120	HB-200	OB-20	OB-40	OB-120	CR-10					CR-40
234 (except 234990)	Heavy construction other than building construction - contractors															
234990	All other heavy construction (limited to marine and tennis court repair)															
235	Special trade contractors	C	C	C	—C—											
23511	Special trade contractors; plumbing, heating, air-conditioning and solar system contractors	C ¹¹	C ¹¹								C ⁸		C ⁷ (OR-2 only)			
	Manufacturing															
3118	Bakery products															
3113	Sugar and confectionery products															
315	Apparel and other cloth fabrics															
321	Lumber and wood products, except furniture															
323	Printing															
324191	Petroleum, oil, grease products															
32562	Toilet preparation manufacturing															
326299	Other rubber product manufacturing															
327	Stone, clay, glass and concrete															
337	Furniture and fixtures															
333414	Heating equipment, except electric and warm air and plumbing fixtures															
33231	Fabricated structural metal products (except 322313)															
33272	Screw machine products															
332813	Coating, engraving and allied products															
333	Machinery manufacturing															
334	Computer and electronic product															
333924	Industrial trucks and equipment															

LAND USE AND DEVELOPMENT REGULATIONS

- ¹ P = permitted use. C = conditional use. Specific NAICS codes listed for a zone indicate the only permitted use within the applicable NAICS classification.
- ² Air Hazard Zone supersedes uses in the underlying zones. (See § 140-163.)
- ³ NAICS code refers to the North American Industry Classification System Manual, prepared by the Executive Office of the President, Office of Management and Budget, 1997 Edition.
- ⁴ Uses not classified by NAICS code.
- ⁵ Agricultural uses are permitted only on lots larger than five acres, as per § 140-164B.
- ⁶ Churches and other places of worship must have a minimum lot size of five acres, as per § 140-156.
- ⁷ Solar system contractors only *per section 140-155*.
- ⁸ Except solar system contractors *per section 140-155*.
- ⁹ Except NAICS 72241 Drinking places with entertainment.
- ¹⁰ Gross floor area of a building or any part thereof is limited to a maximum of 55,000 square feet.
- ¹¹ *Conditions of Section 140-158 shall apply.*