

ORDINANCE No. 1- 2008

ORDINANCE OF THE TOWNSHIP OF LIVINGSTON
AMENDING CHAPTER 170 OF THE CODE OF THE TOWNSHIP OF LIVINGSTON

WHEREAS, the 2007 Master Plan Reexamination and Comprehensive Revision recommends that Lot 2, 3 Block 6002, on the easterly side of Eisenhower Parkway, presently in the R-L Research Laboratory District and utilized as a parking area and entry way to the Livingston Mall, should be rezoned to the D-S Designed Shopping Center District in which the Livingston Mall is located; and

WHEREAS, the 2007 Master Plan also recommends that the Mall operator be encouraged to make major façade and entrance improvements, and both the Township's planning consultants H2M Associates, Inc. and the Planning Board have recommended that one Mall building entrance facing Eisenhower Parkway be permitted to have a height not exceeding 52 feet for architectural interest;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Livingston, in the County of Essex, State of New Jersey, as follows:

Section 1. The Zoning Map referenced in § 170-86 of the Code of the Township of Livingston, as heretofore amended, is further amended to rezone and designate all of Lot 2, 3 in Tax Block 6002, presently in the R-L Research Laboratory District, as being in the D-S Designed Shopping Center District.

Section 2. § 170-113.D.(1) of the Code of the Township of Livingston is amended by inserting the language indicated by italicized bold type as follows:

(1) Height of building. No building shall exceed a height of 35 feet above mall level grade, except that a freestanding building as permitted in Subsection D(2)(b) below shall not exceed a maximum height of 28 feet above the one-hundred-year-storm flood elevation; *provided that, the Planning Board may permit not more than one mall entrance facing Eisenhower Parkway to have a height that does not exceed 52 feet above mall level grade to provide architectural interest at that entrance.*

Section 3. Except as hereby amended, the Code of the Township of Livingston shall remain in full force and effect.

Section 4. This Ordinance shall take effect upon final passage and twenty days from the date of publication in accordance with law.


GARY SCHNEIDERMAN, Mayor


GLENN R. TURTLETAUB
Township Clerk

Approved as to form:


SHARON L. WEINER, Township Attorney

Introduced: 1/7/08
Adopted: 1/28/08