

**ORDINANCE No. 11- 2007**

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

**WHEREAS**, the owner of Lot 75, Block 100 on the westerly side of Eisenhower Parkway has requested that such property, presently zoned R-2 Residence, be rezoned CI Commercial Industrial; and

**WHEREAS**, the Planning Board having reviewed the request and having recommended, by the unanimous vote of the Members present at the Planning Board's March 6, 2007 Open Conference Meeting, that the specific requested zoning would be inappropriate because of the broad range of uses permitted in the CI Commercial Industrial District but that the property and certain other specified lots may appropriately be rezoned to the P-B Professional Building District with addition of restaurants with table service, as described in §170-118.A.(5)(k) of the Code of the Township of Livingston, as a permitted use in such district; and

**WHEREAS**, the recommended rezoning would be consistent with the Planning Board's analysis that led to a recommendation in the July 2005 Master Plan Amendment that specific other properties on Eisenhower Parkway be rezoned to the P-B Professional Building District; and

**WHEREAS**, the rezoning recommended by the Planning Board would produce consistency of potential uses on the westerly side of Eisenhower Parkway, would add an additional permitted use in the P-B Professional Business District to the benefit of the community, and would not be inconsistent with the Master Plan recommendations;

**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 Lots 70, 71, 72, 73, 74 and 75 in Tax Block 100, presently in the R-2 Residence District, as being in the P-B Professional Business District.


**Section 2.** § 170-110.A.(1) of the Code of the Township of Livingston, setting forth the structures and uses for which the P-B Professional Business District is designed, is amended by adding:

“(d) Restaurants limited to establishments wherein patrons seated at tables are served food and beverages by table servers.”

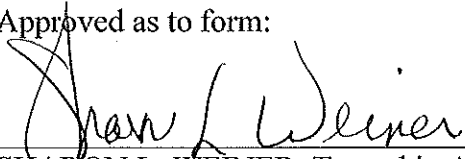
**Section 3.** Except as hereby amended, the Code of the Township of Livingston shall remain in full force and effect.

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

  
\_\_\_\_\_  
STEPHEN A. SANTOLA, Mayor

  
\_\_\_\_\_  
GLENN R. TURTLETAUB, Township Clerk

Approved as to form:

  
\_\_\_\_\_  
SHARON L. WEINER, Township Attorney

Introduced: 4/23/07

Adopted: 6/4/07