

ORDINANCE No. 27-2007

ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING AND SUPPLEMENTING CHAPTER 170 OF THE CODE OF THE TOWNSHIP OF LIVINGSTON BY AMENDING THE DEFINITION OF "MINOR SITE PLAN"

WHEREAS, the Planning Board has recommended that the definition of Minor Site Plan in § 170-3 Terms Defined of the Code of the Township of Livingston be amended as set forth herein to expand and clarify the scope of its applicability; and

WHEREAS, such expansion would make the simplified Minor Site Plan approval procedure more readily available to the public;

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. § 170-3 Terms Defined. of the Code of the Township of Livingston is hereby amended by inserting the language indicated by italicized bold type as follows:

MINOR SITE PLAN – A site plan of one or more lots only for approval:

- (1) pursuant to § 170-94.E.(6) or § 170-94.G.(2), of a change in use from one previously approved to another within the scope of development specifically permitted in the zoning district by this Chapter; and/or
- (2) of establishment of outdoor seating for consumption of food or beverages by patrons in excess of the number of seats that can be authorized by seasonal permit pursuant to §170-92.1; *and/or*
- (3) *of erection or replacement or relocation of a fence or retaining wall in a non-residential district or at an existing non-conforming non-residential use in a residential district; and/or*
- (4) *outdoor installation, replacement or relocation, in a non-residential district, of*
  - a. *a refuse or solid waste storage and collection area and its screening, or*
  - b. *an emergency power generator; or*
  - c. *signage;**and/or*
- (5) *redesign of the layout or internal traffic flow of an existing parking area in a non-residential district or at an existing non-conforming non-residential use in a residential district; and/or*
- (6) *site improvements to provide, increase or improve barrier free access for persons with disabilities;*

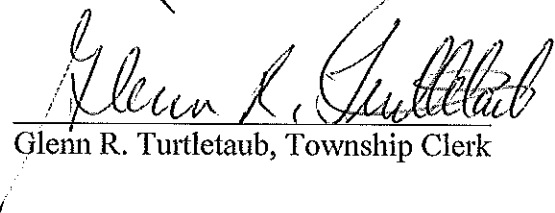
provided always that such site plan contains the information reasonably required in order to make an informed determination as to whether the requirements established by ordinance for approval of a minor site plan have been met and does not involve *approval of:*

- a. A use *or other* variance.
- b. A planned development.
- c. Any new street or extension of any off-tract improvement which is to be pro rated pursuant to N.J.S.A. 40:55D-42 or ordinance.

Section 2. Except as hereby amended, revised and supplemented, the Code of the Township of Livingston shall remain in full force and effect.

Section 3. This Ordinance shall take effect upon final passage and twenty days from the date of publication in accordance with law.

  
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Stephen A. Santola, Mayor

  
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Glenn R. Turtleaub, Township Clerk

Approved as to form:

  
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Sharon L. Weiner, Township Attorney

Introduced: 7/16/07

Adopted: 8/6/07