

**ORDINANCE NO. 2015-05**

**ORDINANCE OF THE TOWNSHIP OF MANALAPAN, COUNTY OF MONMOUTH, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 95 (DEVELOPMENT REGULATIONS), SECTIONS 5.3 (PERMITTED AND PROHIBITED USES) AND SECTION 5.4 (PLANNED DEVELOPMENT AND VARIABLE LOT SIZE DEVELOPMENT STANDARDS) TO PERMIT PLANNED COMMERCIAL DEVELOPMENT AS A USE OF THE OP-10 OFFICE PARK DISTRICT**

**BE IT ORDAINED** by the Township Committee of the Township of Manalapan that Chapter 95 (Development Regulations) of the Code of the Township of Manalapan, Monmouth County is hereby amended and supplemented as follows:

**SECTION ONE:** Section 95-5.3 (Permitted and prohibited uses), Exhibit 5-4 Commercial, Industrial and Office Districts Schedule of Permitted Uses is hereby amended and supplemented to identify Planned Commercial Development as a permitted use of the OP-10 Office Park Zone District (*see attached amendment to Exhibit 5-4*).

**SECTION TWO:** Section 95-5.4, Planned development and variable lot size standards, is hereby amended and supplemented to include a new section 95-5.4.O. Planned commercial development in the OP-10 District, which shall read as follows (*underlined text denote additions*):

**95-5.4.O. Planned commercial development in the OP-10 District.**

A developer may choose planned commercial development with retail uses in the OP-10 Office Park District as an alternative to other permitted uses of the zone, subject to the following requirements:

(1) Minimum tract area and location. The minimum tract area required for development as a planned commercial development in the OP-10 District shall be thirty-five (35) contiguous acres. The tract shall front on N.J.S.H. 9 and on Symmes Drive.

(2) Planning. A site plan for the development and operation of the entire tract proposed for use as a planned commercial development shall be submitted for Planning Board approval. The site plan shall show how the planned commercial development will be designed, developed, and operated as a single entity to satisfactorily address the requirements of the Township development regulations. The site plan shall include plans for utilities, landscaping, and stormwater management and other site plan information as required by the Township development regulations. The design of individual buildings shall be coordinated to address the requirements of §95-8.6, architectural and building design requirements.

(3) Maximum building floor area. The maximum permitted floor area within the planned commercial development shall be one hundred five thousand (105,000) square feet.

(a) The floor area of any building within the planned commercial development shall not exceed eighty-thousand (80,000) square feet.

(b) The floor area occupied by any one tenant of the planned commercial development shall not exceed fifty thousand (50,000) square feet.

(4) Permitted Uses. Any use permitted within the OP-10 Office Park District and/or within the C-1 Regional Commercial Shopping Center District shall be a permitted use within the planned commercial development.

(5) Required mix of uses. The planned commercial development shall provide for a mix of uses which shall include restaurant use and public use. The public use shall provide an area for public access as an off-street parking area for commuter parking with a minimum of three hundred (300) parking spaces.

(6) Minimum open space. A minimum of forty-five percent (45%) of the planned commercial development shall be designed and maintained as open space. Open space may include areas of freshwater wetlands and freshwater wetlands transition areas.

(7) Area, yard, and building requirements. The planned commercial development shall meet the requirements of the OP-10 District for area, yard, and building; buffers; and parking and loading setbacks, except as specified below.

(a) The dedicated area for public off-street commuter parking shall not be subject to the minimum required setbacks. The Planning Board may approve a reduced setback for the public off-street commuter parking area as determined to be appropriate by the Board based upon Board review of the site plan for the design and operation of the entire tract.

(b) The applicant may provide an averaging plan to reduce the minimum yard provided for parking areas, loading areas, buildings, and structures provided that the minimum yard provided is not less than fifty (50) feet and further provided that any reduced yard areas and any areas planned to offset the reduction are approved by the Planning Board as part of the site plan for the planned commercial development.

(8) Signage. Signs permitted in the C-1 District and/or the OP-10 District shall be permitted within the planned commercial development. The site plan shall include a program for signs meeting the requirements of §95-8.7.1, planning requirements for shopping centers, industrial parks, and office parks. The program for signs shall be subject to Planning Board review and approval.

(9) Circulation. The site plan shall include a circulation plan conforming to §95-8.8, circulation design requirements. The circulation plan shall be subject to Planning Board review and approval.

(10) Required findings for approval. Prior to approval of a planned commercial development in the OP-10 District, the Planning Board shall find the facts and conclusions required by §95-7.38 for planned developments.

**SECTION FOUR:** Any ordinances or portions thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency. All other provisions of Code of the Township of Manalapan are ratified and remain in full force and effect.

**SECTION FIVE:** If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**SECTION SIX:** This Ordinance shall take effect immediately upon final passage and publication according to law and its filing with the Monmouth County Planning Board.

### **NOTICE OF PUBLIC HEARING**

The Ordinance published herewith was Introduced and approved at a meeting of the Township Committee of the Township of Manalapan held on January 28, 2015. This Ordinance will be further considered for final passage after a Public Hearing thereon before the Township Committee of the Township of Manalapan during a meeting to be held on February 25, 2015 at the Municipal Complex, 120 Route 522 and Taylors Mills Road, Manalapan, New Jersey at 8:00 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard.

The proposed Ordinance in its entirety with Attachment 1 (Proposed Revisions to the Official Zoning Map is on file in the Municipal Clerk's Office and copies may be obtained without charge between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. A complete copy may also be obtained from the Manalapan Township web-site [www.twp.manalapan.nj.us](http://www.twp.manalapan.nj.us) under Agenda posted for the Township Committee meeting of February 25, 2015.

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REGINA PRETROT, RMC  
Municipal Clerk

ATTACHMENT: Schedule of Permitted Uses