

ORDINANCE NO. O-17-17

AN ORDINANCE OF THE TOWNSHIP OF HOWELL AMENDING CHAPTER 188-78.2 ENTITLED HIGHWAY DEVELOPMENT 3 (HD-3) ZONE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOWELL.

BE IT HEREBY ORDAINED by the Township Council of the Township of Howell that Chapter 188-78.2 entitled Highway Development 3 Zone (HD-3) of the Revised General Ordinances of the Township of Howell shall be amended to read as follows:

NOTE: Sections of Chapter 188-78.2 that are to be amended by the within Ordinance is set forth below. All ***additions*** are shown in ***bold italics with underlines***. All ***deletions*** are shown in ***bold italics with strikeouts***. All other sections of Chapter 188-78.2 will remain unchanged.

Chapter 188. Land Use

Article X. Zones

§ 188-78.2 Highway Development 3 (HD-3)

A. Purpose. The purpose of the HD-3 Zone is to provide for highway development along highway corridors that will provide a balance of social, economic and cultural opportunities for residents while maximizing existing transportation and other infrastructure along highway corridors.

B. Permitted uses.

(1) Principal uses:

- (a)** Offices for business, professional, medical, governmental or educational services.
- (b)** Financial institutions.
- (c)** Retail sales and services.

(e) (Reserved)

(f) Restaurants with or without drive-through facilities.

(g) Age-restricted single-family residences, as provided in Subsections **F** through **L** of § **188-78.2**

(h) Adult day-care facilities.

(i) Health Care Facilities/Medical Centers

(j) Health Club Facilities/ Fitness Centers

(k) Microbrewery

(l) Indoor Recreation

(m) Schools, Commercial

(2) Accessory uses. Accessory uses customarily incidental and ancillary to a permitted use.

(3) Conditional uses:

(a) Houses of worship.

(b) Day-care facilities.

(c) Telecommunication facilities.

(d) (Reserved)[1][1] Editor's Note: Former Subsection B(3)(d), which permitted commercial breeders, dog kennels, shelters, pounds, dog training facilities and pet shops as conditional uses in the HD-3 District, added 12-15-2009 by Ord. No. 0-09-59, was repealed 4-6-2015 by Ord. No. 0-15-16.

(e) Gasoline station convenience center.[2][2] Editor's Note: Former Subsection B(3)(e), Billboards, added 9-21-2010 by Ord. No. 0-10-20, was removed pursuant to Ord. No. 0-11-40, adopted 11-1-2011.

(4) Prohibited uses:

(a) Sexually oriented businesses such as adult book stores; tattoo and body piercing parlors; and pool/billiard halls.

C. Nonresidential development. Unless otherwise provided in this section, the bulk standards for commercial development shall be the same as § 188-76, Highway Commercial Zone, and Schedule II, Bulk and Dimensional Requirements for Nonresidential Zones.[3]

[3] Editor's Note: Schedule II is included at the end of this chapter.

D. Preexisting single-family residences. Unless otherwise provided in this section, all preexisting single-family dwelling units shall be grandfathered as a permitted use and shall be subject to the R4 bulk requirements identified in Schedule II, Bulk and Dimensional Requirements for Residential Zones, effective as of May 19, 2009.[4]

[4] Editor's Note: Schedule II is included at the end of this chapter.

E. Any age-restricted unit legally existing or having received preliminary or final approval as of May 19, 2009, shall be subject to the standards as identified within § 188-78.2, provided no further subdivision of land occurs.

F. Age-restricted single-family developments and converted age-restricted developments general requirements.

(1) Age-restricted single-family developments general requirements are as follows:

(a) Minimum tract area: 40 acres.

(b) Total residential gross density shall not exceed three units to the acre and no more than 200 units shall be provided as part of a planned mixed-use age-restricted development and converted age-restricted development.

(c) Minimum tract frontage: 200 linear feet on a collector or arterial roadway.

(d) No residential structure shall be located closer than 400 feet to the state highway.

(e) A fifty-foot berm with landscaping and decorative fencing shall be required along the state highway frontage.

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

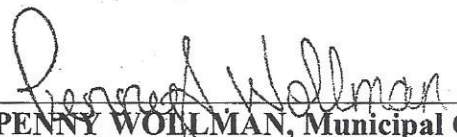
If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

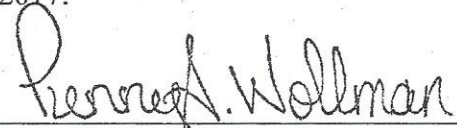
This Ordinance shall take effect upon its passage and publication according to law.

NOTICE

The Ordinance published herewith was introduced and passed on first reading by the Township Council of the Township of Howell on June 13, 2017 and will be further considered for final passage and adoption at the Township Municipal Building at 4567 Route 9 North Howell, New Jersey on July 18, 2017 at 7:30 p.m. or as soon thereafter as the matter can be reached on the Agenda, at which time and place all persons interested therein shall be given an opportunity to be heard and during the week prior thereto, and up to, and including, the date of such meeting, copies of said Ordinance will be available at the Clerk's Office in the Township of Howell Municipal Building to the members of the general public who shall request same.


PENNY WOLLMAN, Municipal Clerk

This is to certify that the foregoing Ordinance was adopted by the Township Council at a regular meeting of the Township of Howell held on July 18, 2017.


PENNY WOLLMAN, Municipal Clerk

The effective date of this ordinance is August 7, 2017.

EXPLANATORY STATEMENT: An Ordinance by the Township Council of the Township of Howell Amending Chapter 188-78.2 Entitled Highway Development 3 Zone to allow Health Care Facilities/ Medical Centers, Health Club Facilities/Fitness Centers, and Microbrewery, Indoor Recreation and Commercial Schools as permitted uses.