

ORDINANCE O-23-35

AN ORDINANCE OF THE TOWNSHIP OF HOWELL SUPPLEMENTING CHAPTER 188, ARTICLE X ZONES ADDING NEW SECTION 188-77.1 ENTITLED HIGHWAY DEVELOPMENT 1 SOUTH (HD-1S) ZONE

WHEREAS, the Howell Township Planning Board having adopted an update to the Land Use Element of the Master Plan in 2022 and has reexamined the Master Plan again in 2023 which recommended several zoning changes throughout the Township; and

WHEREAS, the Township Council of the Township of Howell wishes to supplement the Township's Land Development Ordinance at Chapter 188, Article X Zones through the addition of new Section 188-77.1 Highway Development 1 South (HD-1S) Zone District to provide for highway-oriented development in the Route 9 corridor south of Lanes Mill Road.

BE IT HEREBY ORDAINED by the Mayor and Township Council of the Township of Howell, County of Monmouth, and State of New Jersey that Chapter 188, Article X Zones, Section 188-77.1 entitled Highway Development 1 South (HD-1S) is hereby added and shall read as follows:

NOTE: Sections of Chapter 188, Article X Zones that are to be added as part of new Section 188-77.1 entitled Highway Development 1S (HD-1S) are set forth below. All additions are shown in ***bold with italics with underlines***. All deletions are shown in ~~***bold italics with strikeouts***~~. All sections that are unchanged remain in regular typeface.

SECTION 1:

CHAPTER 188 LAND USE

Article X Zones

188-77.1 Highway Development 1 South (HD-1S).

- A. Purpose. The purpose of the HD-1S Zone is to provide for highway-oriented development in the Route 9 corridor south of Lanes Mill Road.**
- B. Permitted uses.**

(1) Principal uses:

- (a) Banquet/exhibition facilities.
- (b) Offices
- (c) Financial institutions.
- (d) Health-care facilities/medical centers.
- (e) Hospitals.
- (f) Restaurants without drive-through or take-out.
- (g) Restaurants with drive-through or take-out.
- (h) Entertainment uses.
- (i) Retail sales.
- (j) Retail services.
- (k) Home improvement centers.
- (l) Tattoo and body piercing.
- (m) Adult day-care facilities.
- (n) Health club facilities/fitness centers.
- (o) Indoor recreation.
- (p) Microbrewery.
- (q) Schools, commercial.
- (r) Craft distillery.
- (s) Assisted-living facilities.
- (t) Self-storage facilities.

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

(3) Conditional uses:

- (a) Flex space
- (b) All the conditional uses as per §§ 188-77B(3).

(4) Prohibited uses:

- (a) All the prohibited uses as per §§ 188-77C.

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinances 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 invalid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final adopted Ordinance by the Clerk with the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16.

SO ORDAINED as aforesaid.

NOTICE

The Ordinance published herewith was introduced and passed on first reading by the Township Council of the Township of Howell on **October 24, 2023** and will be further considered for final passage and adoption at the Township Municipal Building on 4567 Route 9 North, Howell, New Jersey on November 28, 2023 **at 7:00 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.

Introduction:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Fischer</i>						X
<i>Councilman Gasior</i>		X	X			
<i>Councilman Nadel</i>	X		X			
<i>Deputy Mayor O'Donnell</i>			X			
<i>Mayor Berger</i>						X

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held October 24, 2023. WITNESS my hand this 25th day of October 2023.

Diane Festino

DIANE FESTINO, Municipal Clerk

Adoption:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Fischer</i>		X	X			
<i>Councilman Gasior</i>			X			
<i>Councilman Nadel</i>	X		X			
<i>Deputy Mayor O'Donnell</i>			X			
<i>Mayor Berger</i>						X

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held December 12, 2023. WITNESS my hand this 13th day of December 2023.

Diane Festino

DIANE FESTINO, Municipal Clerk

Explanatory Statement: This ordinance creates the Highway Development 1 South (HD-1S) zone and lists the permitted, accessory, conditional and prohibited uses within.