

# **ORDINANCE O-23-42**

## **AN ORDINANCE OF THE TOWNSHIP OF HOWELL UPDATING SCHEDULE II BULK AND DIMENSIONAL REQUIREMENTS FOR NONRESIDENTIAL ZONES TO INCLUDE HIGHWAY DEVELOPMENT 1 SOUTH (HD-1S) ZONE**

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**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 Mayor & Township Council of the Township of Howell include a zone designated “Highway Development 1 South, further referenced as HD-1S” as Section 188-77.1, which was created and added to the Land Use Ordinance by Ordinance O-23-35; and

**WHEREAS**, the Mayor & Township Council wish to add the bulk and dimensional requirements for the Highway Development 1 South (HD-1S) Zone; and

**BE IT HEREBY ORDAINED** by the Mayor and Township Council of the Township of Howell, County of Monmouth, and State of New Jersey that Schedule II Bulk and Dimensional Requirements for Nonresidential Zones be modified as follows:

	MHP	LC/OS	NC	HC	HD-1	<u>HD-1S</u>	HD-2	HD-3	HD-4	SED	SED-1	SED-2
Minimum lot area	See specific section for requirements		15,000 sf	40,000 sf	80,000 sf	<u>80,000 sf</u>	80,000 sf	40,000 sf	40,000 sf	120,000 sf	120,000 sf	120,000 sf
Minimum lot frontage			100 ft	150 ft	200 ft	<u>200 ft</u>	200 ft	150 ft	150 ft	200 ft	200 ft	200 ft
Minimum side yard			15 ft	25 ft	25 ft or height of principal building, whichever is greater	<u>25 ft or height of principal building, whichever is greater</u>	25 ft	25 ft	25 ft	50 ft or height of building, whichever is greater	50 ft or height of building, whichever is greater	50 ft or height of building, whichever is greater
Minimum front yard setback			35 ft	60 ft	60 ft	<u>60 ft</u>	60 ft	60 ft	60 ft	60 ft	60 ft	60 ft
Minimum rear yard			35 ft	25 ft	25 ft or height of principal building, whichever is greater	<u>25 ft or height of principal building, whichever is greater</u>	25 ft or height of principal building, whichever is greater	25 ft	25 ft	50 ft	50 ft	50 ft
Maximum impervious coverage			70%	70%	70%	<u>70%</u>	70%	70%	70%	70%	70%	70%
Maximum height			35 ft	45 ft	45 ft	<u>45 ft**</u>	45 ft	45 ft	45 ft	45 ft*	45 ft*	45 ft*
Location of accessory buildings			In side or rear yards only, accessory buildings shall be set back at least twice their height.									

\* Maximum height for solar farms in the SED Zone shall be 15 feet.

\*\* Maximum height for offices shall be 4 stories/60 feet

## 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:**

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

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 25<sup>th</sup> day of October 2023.

*Diane Festino*  


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**DIANE FESTINO, MUNICIPAL CLERK**

**Adoption:**

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

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 13<sup>th</sup> day of December 2023.

*Diane Festino*  
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**DIANE FESTINO, Municipal Clerk**

**Explanatory Statement:** This ordinance modifies Schedule II Bulk and Dimensional Requirements Nonresidential Zones to provide bulk and dimensional standards for the Highway Development 1 South (HD-1S) zone.