

RESOLUTION

**TOWNSHIP OF HOWELL PLANNING BOARD
RESOLUTION OF MEMORIALIZATION
MONMOUTH COUNTY, NEW JERSEY
ADOPTION OF AMENDMENT TO THE LAND USE
ELEMENT OF THE MUNICIPAL MASTER PLAN**

**Approved: September 18, 2014
Memorialized: October 2, 2014**

**MATTER OF AMENDMENT TO THE LAND USE
ELEMENT OF THE MUNICIPAL MASTER PLAN**

WHEREAS, pursuant to N.J.S.A. 40:55D-28, the Howell Township Planning Board (hereinafter "Planning Board") may prepare and, after public hearing, adopt or amend a master plan or component parts thereof, to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare; and

WHEREAS, N.J.S.A. 40:55D-28b(2) permits a planning board to adopt a land use element of the municipal master plan; and

WHEREAS, a public hearing was held before the Planning Board on September 18, 2014, to consider the adoption of an amended land use element; and

WHEREAS, the Planning Board's Professional Planner, Jennifer Beahm, P.P. of CME Associates, prepared a draft land use element entitled, "Howell Township, Land Use Element Amendment" dated September 18, 2014; and

WHEREAS, the Planning Board has heard testimony and comments from its own consultants, and with the public having had an opportunity to be heard and present expert testimony; and

WHEREAS, based upon the testimony and draft land use element, as well as the 2014 periodic re-examination report;

NOW, THEREFORE, does the Howell Township Planning Board make the following findings of fact and conclusions of law with regard to the draft land use element.

1. The Planning Board determines that the policy goals and objectives contained in the draft land use element prepared by Jennifer Beahm, P.P., and as further testified to by her at the Board's hearing on September 18, 2014, accurately reflect the policies of the Planning Board based upon the current land use patterns as well as land use challenges which presently exist within the municipality.

2. The Planning Board, therefore, adopts the draft land use element prepared by Jennifer Beahm, P.P. entitled "Howell Township, Land Use Element Amendment, dated September 18, 2014."

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Howell on this 2nd day of October, 2014, that the action of the Planning Board taken on September 18, 2014, adopting the draft land use element prepared by Jennifer Beahm, P.P. entitled "Howell Township, Land Use Element Amendment" pursuant to N.J.S.A. 40:55D-28 is hereby memorialized.

BE IT FURTHER RESOLVED that the Board Secretary is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper and to send a certified copy of this Resolution to the Monmouth County Planning Board and to the Township Clerk, Engineer, Attorney and Tax Assessor, and shall make same available to all other interested parties.



Stephen Johnson, Chairman
Howell Township Planning Board

ON MOTION OF: Mr. Schneider

SECONDED BY: Mr. O'Donnell

ROLL CALL:

YES: O'Donnell, Schneider, Tannenhaus, French, Cavallero, Nicastro, Gotto and Johnson

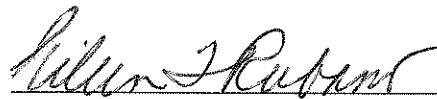
NO:

ABSTAINED:

ABSENT:

DATED: October 2, 2014

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Howell Township Planning Board, Monmouth County, New Jersey, at a public meeting held on October 2, 2014.

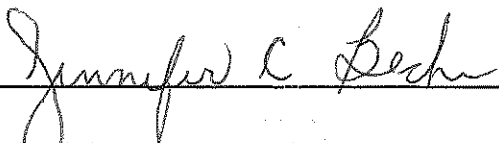


Eileen Rubano, Secretary
Howell Township Planning Board

HOWELL TOWNSHIP
LAND USE ELEMENT AMENDMENT

September 23, 2011
Revised October 6, 2011
Revised November 21, 2011
Revised February 21, 2014
Revised September 18, 2014

Prepared by
Jennifer C. Beahm, P.P., A.I.C.P.
License No. 5625



The original of this document has been signed and sealed in accordance with New Jersey Law

HOWELL TOWNSHIP LAND USE ELEMENT AMENDMENT- September 2014

The overall character of the Township has not changed since the previous amendment to the Land Use Element, nor have there been substantive changes in land use, environmental conditions or circulation patterns in the Township. However, it is important to note that any recommendations listed within this amendment (September 2014) will supersede any recommendations, goals or objectives made in previous reports.

Recommendations

1. Special Economic Development Zones: The 2014 Master Plan Re-Examination recommended re-evaluating the Special Economic Development Zone. This Amendment recommends dividing the current SED Zone into the following individual SED Zones.

- a) SED-1: The purpose of the SED-1 Zone is to provide support for a variety of agricultural and economic development opportunities in areas of the Township where agricultural resources and transportation infrastructure are readily available. Properties to be included within the SED-1 Zone shall be: Block 169, Lots 1.02, 1.03, 1.06, 1.07, 1.13, 2, 3, 4, 7 and 8; Block 164, Lots 2, 3, 4, 5.01, 5.02, 6, 7.02, 7.03, 7.04, 7.05, 8.02, 8.03, 9.01, 9.03, 9.04, 9.05, 10.01, 10.02, 11.01, 11.02, 12, 12.02, 12.03, 13.01, 13.02, 14, 15.02, 18.01, 18.03, 18.04, 18.05, 19; Block 168, Lots 1.01, 1.02, 2, 3, 4.01, 4.02, 4.03, 4.04, 5.01, 5.02, 6, 7, 8.03, 8.04, 13.01, 13.02, 16.01, 17, 18, 19.01, 19.02, 19.04, 19.05, 19.06, 19.07, 19.08, 19.09, 20, 21 through 26, 26.01 through 26.03, 27, 28, 31, 36.01 through 36.04, 37, 38.01, 39, 40, 41, 41.01, 41.02; Block 168.01, Lots 1 and 2; Block 177, Lots 4.01, 4.02, 5.01, 8.01, 9, 12, 13, 14, 123, 124, 127, 129.02 though 129.05, 131, 131.01, 131.02, 134 and 143.01.
- b) SED-2: The purpose of the SED-2 Zone is to provide for a variety of economic development opportunities in areas of the Township where rail and highway infrastructure are readily available. The SED-2 Zone will encompass Block 177 Lots 60.01, 60.02, 62, 64, 65.01, 66, 67, 68, 69; Block 182, Lots 1, 1.01, 2, 2.01, 3, 4, 5, 6, 7, 8 Block 184, Lots 1, 1.02, 1.03, 1.04, 2, 3, 3.01, 3.02, 22, 22.01, 23, 24, 24.01, 24.02, 24.03; Block 230, Lots 1, 2, 3.01, 5, 6, 7, 7.02, 7.03, 8, 9, 10,

11, 12, 13.01, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27; and Block 229, Lots 1, 13.01, 13.02, 14, 15, 16 and 17.

- c) SED-3: The purpose of the SED-3 Zone is to provide for a variety of economic development opportunities in areas of the Township that are near adjacent municipalities and where rail and highway infrastructure are readily available. The SED-3 Zone will include Block 5, Lots 1, 2, 2.01, 3, 4, 5, 6, 7, 7.01, 7.02, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18 and 19; Block 27, Lot 4; and Block 38, Lots 1, 2, 2.01, 3, 4, 5.01 & 5; Block 41, Lot 1, 2, 2.01, 3, 4, 5, 6, 7, 8, 9.01, 9.02, 10, 11, 12, 17, 18, 18.01, 19, 20.02, 21.02, 22, 23, 24, 25, 26 and 26.01; Block 52, Lots 7.02 and 10.

- d) SED-Light: The SED-Light Zone will provide for light industrial economic development opportunities in areas of the Township where rail and highway infrastructure are readily available. Light Industry includes enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials. Comprised within the SED-Light Zone shall be Block 48, Lots 1, 3, 4, 5, 5.01, 5.02, 6, 6.01, 7, 7.01 and 7.02; Block 47.01, Lot 1, 1.01; Block 47.02, Lot 25; Block 49, Lots 18.01, 18.02, 18.06, 17, 16, 15, 14, 13, 1, 1.01, 1.02, 2, 3, 4, 5, 6, 7, 8.01, 8.02, 9, 10, 11, 12, 20.01, 20.02, 21.01, 22, 23, 24.01, 24, 25, 26, 27, 28, 29, 30, 31, 39, 38, 40, 40.01, 41, 42, 43, 44, 45, 45.01, 46, 47, 48 and 49; Block 50, Lots 14, 15, 16, 17, 18, 18.01, 19.03, 19 and 20; Block 221, Lot 4; Block 220, Lots 2, 2.01, 3, 4, 5.01, 10, 10.01 and 11; Block 219, Lots 8, 20.01, 20, 17.02 and 16.04; Block 177, Lots 40.01, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59.01, 70, 71, 72, 73.01, 73.02, 73.03 and 138; Block 182, Lots 10, 10.01, 10.02, 10.03, 13, 14, 15, 16 and 17; and Block 184, Lots 4, 5, 6, 11, 12.01, 15.01, 16, 17, 18 and 19.

- e) SED-Light Overlay: The following properties, adjacent to a portion of the SED-Light zone shall remain ARE-2 but will include SED-Light zoning as an overlay on said properties: Block 219, Lots 14, 14.01, 14.02, 15, 16.01, 16.02, 16.03, 16.04, 17.01, 17.02, 18.01, 18.02, 18.03, 19, 19.01; and Block 220, Lots 1, 7, 8 and 9.01.

- f) **SED Overlay:** The SED Overlay Zone encompasses Block 157, Lots 1 through 5, 5.01 and 7, and is listed as the SED-1 Zone in Section 188-79.1 of the Township Ordinances. This district shall be renamed as the SED Overlay Zone.
2. **Properties rezoned to ARE-6:** It is recommended that Block 164, Lots 8.01, 15.01 and 16; and Block 168, Lot 38 be rezoned from the SED zone to the ARE-6 zone in order to encourage the preservation of these agriculturally significant properties.
3. **Highway Development-1 (HD-1) Zone Amendment:** The HD-1 Zone shall be amended to include Hotel and/or Conference Center as a permitted principal use.
4. **Highway Development-3 (HD-3) Zone Amendment:** The HD-3 Zone shall be amended to reflect the following changes:
- 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.
- a. Permitted uses.
- i. Principal uses:
1. Offices for business, professional, medical, governmental or educational services.
 2. Financial institutions.
 3. Retail sales and services.
 4. Restaurants
 5. Planned mixed-use age-restricted developments and converted age-restricted developments (development consisting of both residential and commercial uses on a large tract), as provided in Subsections F through L of § 188-78.2.[Added 12-11-2012 by Ord. No. 0-12-22]
 6. Adult day-care facilities.[Added 4-9-2013 by Ord. No. 0-13-07]
 7. Single-family residences consistent with the ARE-1 zone and on a minimum lot size of 1 acre, provided the lot is set back a minimum of 500 feet from Route 33. 1 acre lots may be

clustered to allow up to 4 town house units to the acre, provided that open space and recreation is included.

ii. Accessory uses. Accessory uses customarily incidental and ancillary to a permitted use.

iii. Conditional uses:

1. Houses of worship.
2. Day-care facilities.
3. Telecommunication facilities.
4. Commercial breeders, dog kennels, shelters, pounds, dog training facilities and pet shops.[Added 12-15-2009 by Ord. No. 0-09-59]
5. Gasoline station convenience center provided that the use is located along an arterial or collector road subject to the standards identified in §188-98.4.

f) Planned mixed-use age-restricted developments and converted age-restricted developments general requirements.

1.Planned mixed-use age-restricted developments and converted age-restricted developments must be in a mixed-use form and consistent with the Township's design standards. The 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.

g) Planned mixed-use age-restricted developments and converted age-restricted developments commercial component requirements.

1.A minimum of 10%, up to a maximum of 25%, of the upland buildable land area shall be reserved for commercial uses, provided that the area does not exceed 50,000sf.

2. Retail space is limited to the ground floor of any commercial building. Residential components shall not front along highway corridors.
3. Unless otherwise provided in this section, the bulk standards for commercial development shall be the same as § 188-76, Highway Commercial, and the Schedule II Bulk and Dimensional Requirements for nonresidential zones.
4. Unless otherwise provided in this section, signage standards for commercial development shall be the same as Chapter 256, Signs, of the Howell Township General Ordinances.
5. Open space. A minimum of 25 square feet of outdoor public space per thousand square feet of all commercial space shall be provided in the form of greens or plazas as described in § 188-227 on the commercial lots. The Board may consider reducing this requirement by 25% for an acceptable element of civic art such as sculptures, statues and fountains not associated with drainage basins.
6. Prohibited commercial uses: sexually oriented businesses such as adult book stores; tattoo and body piercing parlors; and pool/billiard halls.

5. Properties rezoned to Neighborhood Commercial Zone: The following properties are recommended to be rezoned from Agriculture Rural Estate-6 to Neighborhood Commercial due to their proximity to US Route 195: Block 47, Lots 3, 12, 15, 16, 17, 18, 19, 20, 21, 22 and 23; Block 46, Lots 10.01, 11.04, 11.05, 11.06, 12, 13, 14, 30, 31.02, 31, 32.01, 33, 42, 41, 40, 39, 38, 37, 36, and 35; Block 50.01, Lots 67, 68, 69, 70, 70.01, 70.02 and 70.03; Block 51, Lots 47.01, 47, 50, 51, 52, 53, 54, 55.01 and 56.02. Additionally, Block 152 Lots 67, 68, 69 and 70; Block 178, Lots 16.01, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34.01, 34.02, 36, 36.01 and 37 shall be rezoned from Agriculture Rural Estate-2 to Neighborhood Commercial.

6. Neighborhood Commercial Zone Amendment: The NC Zone shall be amended to allow *fraternal organizations with banquet halls and gasoline stations and convenience centers subject to 188-98.4* as a permitted principle uses and to grandfather existing residential uses currently within the Zone.

7. Rezoning of Block 141, Lot 2: The residential use of said property is inconsistent with the current HC- Highway Commercial zoning; therefore, it is recommended that Block 141, Lot 2 be rezoned to the adjacent R-4 Residential Zone.

8. **Definitions:** In addition to the recommended definitions included in the February 2014 Land Use Amendment, the following definitions shall also be amended into section 188-4 of the Township Ordinance.

Day Care Facility

Any facility operated for the purpose of providing care, protection and guidance to 10 or more individuals during only part of a 24-hour day. This term includes nursery schools, preschools, day care centers for individuals, and other similar uses but excludes public and private educational facilities or any facility offering care to individuals for a full 24-hour period.

Light Industrial

Enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, noise, soot, dirt, vibration, odor, etc. A machine shop is included in this category. Also included is the manufacturing of apparel, electrical appliances, electronic equipment, camera and photographic equipment, ceramic products, cosmetics and toiletries, business machines, fish tanks and supplies, food, paper products (but not the manufacturing of paper from pulpwood), musical instruments, medical appliances, tools or hardware, plastic products (but not the processing of raw materials), pharmaceuticals or optical goods, bicycles, and any other product of a similar nature.

House of Worship

A building used for public worship by a congregation, excluding buildings used exclusively for residential, educational, recreational or other uses not normally associated with worship. This includes churches, chapels, cathedrals, temples, and similar designations. A special-purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis.

Indoor Recreation

A commercial recreational land use conducted entirely within a building. These facilities may or may not include seating for spectators, and providing accommodations for a variety of individual, organized, or franchised sports.

Educational Services

Services provided by commercial entities that may include exam preparation activities, tutoring, or similar services that are intended to supplement formal schooling. These services are scheduled during after-school hours, weekends, or summer sessions, and are typically held in commercial facilities rather than schools.

School

Any building or part thereof which is designed, constructed, and licensed by the state for use to educate students up to and through the secondary level.

School, commercial

An establishment which, for a fee or other consideration, offers courses such as but not limited to martial arts, music, art, business subjects and computers to more than one pupil at a time

9. Rezoning of properties to the Recreational-Residential Community (RRC) Zone: It is recommended that Block 185, Lots 28.01, 35, 36 and 37; and Block 218, Lot 29 be rezoned from the Agriculture Rural Estate-3 to the Recreational-Residential Community Zone. The rezoning of said parcels would allow for more consistent zoning with the surrounding uses.

10. Planned Mixed Use Zone Amendment: It is recommended that section 188-73.5, entitled *Planned Mixed Use District*, be revised to the following:

§188-73.5 PLANNED MIXED USE DISTRICT (PMU).

C. Area, yard, bulk and architectural requirements. The following tract requirements shall apply:

1. The following intensity and design ratios are applicable to the entire tract and shall not be applied to any individual lot or lots which may be created as part of the overall plan of development:
 - a) Maximum number of dwellings: ~~220~~ 312.
 - b) Maximum commercial square footage: 30,000 square feet.
 - c) Maximum building coverage: 30%.
 - d) Maximum impervious coverage: 70%.

6(f) An addition of 40 age restricted affordable units and 48 market rate units, with a set aside of 6 affordable units shall be provided. A 4 to 6 bedroom group home shall also be provided.

11. Rezoning of Properties to the Planned Mixed Unit (PMU) Zone: It is recommended that Block 129, Lots 88.02 and 99 be rezoned from the Agriculture Rural Estate-2 Zone to the Planned Mixed Unit Zone. The rezoning of said parcels will be consistent with the surrounding uses and will allow for the construction of affordable housing units.

12. Rezoning of Properties Fronting on Route 33: It is recommended that properties fronting along Route 33 be rezoned to the Highway Development-3 (HD-3) Zone. Currently, many of these properties are zoned for residential uses, which should be discouraged along this highway corridor. Legally existing residential properties shall be grandfathered in provided that there are no further subdivisions.

13. Grandfather Residential Properties in the SED zones: Many residential uses currently exist within the established SED zones. Therefore, all legally existing residential properties shall be grandfathered as permitted uses in all SED zones.