

ORDINANCE NO. O-15-4
TOWNSHIP MEETING DATE - January 27, 2015

ORDINANCE AMENDING CHAPTER 190 (LAND USE), ARTICLE XII (GENERAL ZONING PROVISIONS), SECTION 190-116 (OUTDOOR STORAGE, SALES AND DISPLAY OF GOODS) AND SECTION 190-146 (CORPORATE MULTI-USE DEVELOPMENT ZONES CMX-10, CMX-4, CMX-3 AND CMX-2) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Township Committee of the Township of Freehold, County of Monmouth, State of New Jersey, as follows (additions are underlined, and deletions are in [brackets]):

I

Chapter 190, Land Use, Article XII, General Zoning Provisions, Section 190-116, Outdoor storage, sales and display of goods, is hereby amended to read as follows:

190-116 Outdoor storage, sales and display of goods.

A. Site plan review and approval shall be required for all outdoor storage, sales, and display areas as specified in § 190-37 of this chapter. Nothing shall be stored, sold or displayed out of doors for any purpose except in compliance with the following provisions:

(1) New or used automobiles on display for sale or awaiting delivery may be stored out of doors as a permitted accessory use to a ~~new car dealership~~ New Car Dealership in accordance with §190-146B(9) for any indefinite period of time, provided that the automobiles are in operating condition and further provided that they shall be stored on a paved area constructed to the standards established by this chapter. Automobiles shall not be stored or displayed on access drives or within parking areas designated for customer and employee parking. Automobiles shall not be placed on display ramps or on lawns or other landscaped areas.

(2) - (5)- No change.

B. - D. - No change.

II

Chapter 190, Land Use, Article XII, General Zoning Provisions, Section 190-146, Corporate Multi-Use Development Zones CMX-10, CMX-4, CMX-3 and CMX-2, is hereby amended to read as follows:

190-146 Corporate Multi-Use Development Zones CMX-10, CMX-4, CMX-3 and CMX-2.

A. - No change.

B. Permitted uses. Permitted uses are limited to those included in the North American Industrial Classification System (NAICS) group or classification indicated. NAICS codes are based on North American Industrial Classification Manual of 1997 approved by the United States Office of Management and Budget:

(1) - (8) - No change.

(9) Within the CMX-3/A Zone only, New Car Dealers (NAICS 441110). No more than 30% of a New Car Dealer's displayed inventory may consist of second-hand or used automobiles.

(910) Corporate office uses including or similar to permitted uses listed in Subsection B(1) through (89) above.

(1011) Conference and convention centers.

(1112) Within the CMX-3/A Zone only, motor vehicle showrooms, offices and mechanical repair and maintenance service facilities.

(~~12~~13) Within the CMX-2 and the CMX-4 Zones only, permitted uses shall also include:

- (a) Hotels and motels with a minimum of 100 rooms.
- (b) Conference facilities.

(~~13~~14) Within the CMX-2 and CMX-3, only permitted uses shall also include houses of worship provided that the front yard setback shall be a minimum of 100 feet and the side yards shall be a minimum of 75 feet.

(~~14~~15) Within the CMX-3 Zone, integrated limited business and support services. In addition to the permitted uses in the CMX-3 Zone listed above, integrated limited business and support services may be permitted as an office/commercial planned development option within the CMX-3 Zone in accordance with the provisions of N.J.S.A. 40:55D-65c as part of a planned development to include uses permitted under § 190-146B(1) through (~~10~~11) and uses permitted within Subsection B(~~14~~15)(a) of this section [§ 190-146B(~~14~~15)(a)] and conditional uses permitted under § 190-146C in accordance with the following:

- (a) - No change.
- (b) Bulk, architectural and tract area requirements for:

[1] - [2] - No change.

[3] The floor area approved for an integrated limited business and support services planned development comprised of non-office uses shall not exceed 30% of the total approved floor area. Permitted uses in Subsection B(1) through (~~13~~14) and permitted conditional uses shall not be classified as non-office uses for purposes of this calculation.

[4] Applicants for integrated business and support services planned developments shall submit a schedule of development providing a phasing plan of permitted uses, conditional uses, office and non-office uses based upon the gross leasable floor areas for each category of use. Non-office uses as calculated in Subsection B(~~1415~~)(b)[3] shall not exceed 65% of any construction phase within an approved limited business and support services planned development.

[5] - [10] - No change.

(~~1516~~) Fitness and recreational sports centers (NAICS 713940).

C. - F. - No change.

III

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

IV

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

V

This Ordinance shall take effect upon adoption and publication according to law and filing with the Monmouth County Planning Board.

EXPLANATORY STATEMENT:

The purpose of this Ordinance is to establish the amount of display area to be devoted to second-hand or used automobiles.

ORDINANCE NO. O-15-5
TOWNSHIP MEETING DATE – February 10, 2015

AN ORDINANCE AMENDING CHAPTER 190, LAND USE, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Township Committee of the Township of Freehold, County of Monmouth, and State of New Jersey, as follows (additions are underlined and deletions are shown with ~~strikethroughs~~):

I

Chapter 190, Land Use, Article XIII, Zone Regulations, Section 190-159, Village Center Zone, is hereby amended to read as follows:

190-159. Village Center Zone

A. – C. No change.

D. The maximum permitted floor area in the Village Center planned development shall be 500,000 square feet, with a maximum of 403,573 square feet being utilized for retail. A minimum of ~~60%~~ 90% of the retail space shall be comprised of stores with a minimum of 60,000 square feet, and the balance of the planned development comprised of stores with a minimum of ~~20,000~~ 9,000 square feet. If less than 403,573 square feet is proposed for retail use, the square footage not so utilized may be utilized for office, hotel/motel and/or restaurant uses. This additional 3,573 square feet does not increase the total development size beyond the 500,000 square feet provided for in this Subsection D. Restaurants, banks and financial institutions are not retail uses. Multiple retail stores, restaurants and/or banks and financial institutions can be located in a single multitenant building, provided that said building and said retail stores, restaurants, and/or banks and financial institutions otherwise conform to the requirements of §190-159.

E. – L. No change.

II

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

III

If any section, paragraph, sentence, clause or phrase of this ordinance shall be held to be invalid, such decision shall not invalidate any remaining portion of this ordinance.

IV

The ordinance shall take effect immediately upon passage, publication according to law, filing with the Monmouth County Planning Board.

V

Copies of this ordinance shall be filed with the Freehold Township Clerk, Tax Assessor, Planning Board, Board of Adjustment, Municipal Attorney, Township Engineer, Township Planner, Zoning Officer and Construction Official.

EXPLANATORY STATEMENT

The purpose of this Ordinance is to amend Chapter 190, Land Use, by amending the requirements in the Village Center Zone to increase the percentage of retail space that shall be comprised of stores with a minimum of 60,000 square feet from 60% to 90% while reducing the minimum size requirement for retail stores to 9,000 square feet.

ORDINANCE NO. O-15-6

TOWNSHIP MEETING DATE - February 24, 2015

AN ORDINANCE AMENDING CHAPTER 332 (TOWNSHIP-OWNED PROPERTY), BY CREATING ARTICLE III (PROHIBITED USES) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Township Committee of the Township of Freehold, County of Monmouth, State of New Jersey, as follows: (additions are underlined, and deletions are in [~~brackets~~]):

I

Chapter 332, Township-Owned Property is hereby amended by creating Article III, Prohibited Uses, to read as follows:

ARTICLE III

Prohibited Uses

332-10 Prohibited Uses of Parks and Other Public Property Owned by the Township.

The Township's parks and other public property shall only be used for purposes consistent with Township designated governmental uses, public recreation and enjoyment. Set forth below are specifically prohibited uses or activities. Such list is not to be deemed all inclusive; but, representative of specifically prohibited uses or activities:

A. Any use or activity which violates any law, ordinance, regulation or restriction.

B. Any hunting, pursuing, taking or killing, or attempting to hunt, pursue, take or kill any bird or animal, without the specific permission evidenced by a writing signed by the Township Administrator and in the possession of the person.

C. Littering in violation of Chapter 203 of this Code.

D. Committing an act of graffiti.

E. Use of motor vehicles in violation of Article I of this Chapter of this Code.

F. Violation of any provision of this Chapter of this Code.

G. Engaging in any use or activity for which one (1) or more of the participants or instructors is receiving any remuneration. For example, Township tennis courts shall not be used by any person(s) to facilitate giving of tennis lessons for remuneration. Exceptions to this prohibition shall be:

(1.) Remuneration paid to referees, umpires or others officiating an activity which takes place under the auspices of the Township recreation program or organized by one of the nonprofit youth sports organizations which has permission to use the Township facility.

(2.) The sale of fundraising items by a charitable nonprofit organization, the proceeds of which shall be used to subsidize recreational activity of Township residents under the age of eighteen (18) years, provided such organization shall register with the Township Clerk at least three (3) days in advance of the fundraising activity and receive a written permit from the Township Clerk, at no cost, which permit shall set forth:

(a) The name of the charitable nonprofit organization conducting the fundraising activity.

(b) A description of the fundraising activity.

(c) The date(s), time(s) and location(s) when and where such activity shall be conducted.

(d) Name, address, telephone number and e-mail address of the fundraising supervisor in charge.

332-11[~~10~~] Violations **and penalties.**

Violations of the provisions of this article shall be punishable as provided in Chapter 1, Article II, General Penalty.

II

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

IV

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

EXPLANATORY STATEMENT:

The purpose of this ordinance is to codify certain prohibited conduct on Township-Owned Property.