

# DENIED 04/06/2022

ORDINANCE NO. 22-01  
INTRODUCTION DATE: 01-19-2022  
ADOPTION DATE: DENIED

AN ORDINANCE AMENDING CHAPTER 35 (LAND USE AND DEVELOPMENT),  
ARTICLE 5 (ZONING DISTRICTS REGULATIONS) OF THE REVISED GENERAL CODE  
OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW  
JERSEY

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

## I

Chapter 35, Land Use and Development, Article 5 Zoning District Regulations, Section 5-3.1 Zoning Map Adopted is hereby amended to include Block 35 Lots 16.01, 17, 19.01, and 19.04 in the RC Recreation Camp Zone and to read as follows:

### 5-3.1 Zoning Map Adopted

The boundaries of all Zoning Districts set forth in this Chapter are shown on a map entitled "Zoning Map, Millstone Township," adopted May 21, 2003, which map is attached hereto and is made a part of this Chapter. (Ord. No. 96-15; Ord. No. 96-16; Ord. No. 96-17; Ord. No. 97-09; Ord. No. 97-11; Ord. No. 97-17; Ord. No. 99-16; Ord. No. 99-26; Ord. No. 00-04; Ord. No. 03-24 §II)

## II

Chapter 35, Land Use and Development, Article 5 Zoning District Regulations, Section 5-14 RC, RECREATION CAMP is hereby amended to read as follows:

### 5-14 RC, RECREATION CAMP

#### 5-14.1 Permitted Principal Uses

- a. Buildings and recreational areas and facilities, including clubhouses; picnic grounds; playgrounds; swimming pools; tennis, basketball and handball courts; and other similar recreational areas and uses related to day camp facilities. The uses proposed for recreation camp use shall be presented to the review agency and certification made that the site and all facilities will be utilized for day camp, family oriented social and community recreation uses and that the operator shall comply with all Township and State regulations for day camp and other private or non-profit facilities. Recreation uses shall not

include overnight facilities and shall not be within 125 feet of Stage Coach Road. (Ord. No. 96-15, Ord. No. 97-17)

- b. Farming and farm buildings. (Ord. No. 97-17)
- c. Retail trade establishments, as this term is used in this Ordinance shall be the only permitted uses within the 125' setback of Stage Coach Road, pursuant to the provisions of this section. No use expressly permitted under the recreation camp permitted uses shall be permitted within said 125' setback.

Nothing herein shall restrict or limit the extension of retail trade establishments beyond the 125' setback provided that under no circumstances shall the same be located at a depth greater than 300' from the right-of-way.

#### 5-14.2 Permitted Accessory Uses

The following accessory uses are permitted:

- a. Sheds that are utilized for the purposes of storing equipment for on-site use, subject to the height and size requirements of the Accessory Buildings and Structures section of this Chapter and the setback requirements found in the Schedule of Area, Yard and Building Requirements.

#### 5-14.3[2] Schedule of Area, yard and Building Requirements

The following restrictions shall apply to all uses in the Zone unless specified otherwise herein:

- a. All restrictions as set forth in the Schedule of Area, Yard and Building Requirements of this Chapter, and as specifically detailed below:

Minimum Lot Area	5 acres
Minimum Lot Width/Frontage	250 feet
Minimum Front Yard Setback	100 feet
<u>Minimum Setback Stage Coach Road (Recreational Camp Uses)</u>	<u>125 feet</u>
<u>Minimum Setback from Right of Way (Retail Trade Establishment Uses)</u>	<u>25 feet</u>
Minimum Side Yard Setback	25 feet
Minimum Combined Side Yard Setback	75 feet
Minimum Accessory Building Side Yard Setback	50 feet
Minimum Accessory Building Rear Yard Setback	50 feet
Minimum Rear Yard Setback	50 feet
Maximum Height	[30] <u>35</u> feet; 1 story
Maximum Percent Lot Coverage	[40] <u>30</u> percent

5-14.4 Other Provisions and Requirements

- a. Retail trade establishments, including retail sales, service and office uses, all permitted under the NC Neighborhood Commercial Zone shall be the only uses permitted within 125' of the right-of-way of Stage Coach Road. Same shall be permitted, subject to the following terms and conditions:
  1. Retail trade establishments shall be located within a minimum depth of 25 feet and a maximum depth of 300 feet, measured from the right-of-way line.
  2. Retail trade establishments may be developed in conjunction with and in support of the recreational camp uses found in paragraph 5-14.1.a. above.
  3. Retail trade establishments are permitted to be subdivided out from the recreational camp uses or may be on the same tax lot. Should a subdivision occur, a lot that is proposed to contain only retail trade uses may have a minimum lot area of 20,000 square feet and be developed at an impervious lot coverage of 70 percent and a building coverage of 30 percent.
  4. Retail trade establishments shall be setback from the public right-of-way a minimum of 25 feet.
  5. Retail trade establishments may share a parking area with the recreational camp uses. In the event of a subdivision that separates the retail uses from the recreational camp uses, off-site parking within the recreational camp lot(s) shall be permitted for the retail uses. Off-street parking shall be provided pursuant to Article 7.
  6. Parking areas shall be setback a minimum of 25 feet from the public right-of-way.
  7. Retail trade establishments may include areas designated as outdoor seating and/or dining areas. Outdoor seating and dining areas may be located in the front yard setback, provided that they are a minimum of 15 feet from the edge of the public right-of way.
  8. Retail trade establishments may be attached/connected to recreation camp facilities by a shared wall. The recreation camp facility shall be a minimum of 125 feet from the public right-of-way; the retail trade establishment may be located up to 25 feet from the public right-of-way.

IX

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

X

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.

XI

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

EXPLANATORY STATEMENT: This Ordinance revision provides for amendments to the Official Zoning Map and the RC Recreation Camp zoning district to expand the boundaries of the RC zoning district and allow for the continuation of retail uses along the Stage Coach Road frontage.

ON 04/06/2022 C/DAVIS MADE A MOTION TO ADOPT; SECOND BY C/MCLAUGHLIN. THE MOTION FAILED BY THE TOWNSHIP COMMITTEE WITH THE FOLLOWING ROLL CALL VOTE:

ROLL CALL:

AYES: None

NAYS: C/McLaughlin, DM/Morris, C/Zabrosky, C/Davis, M/Ferro

ABSTAIN: None

ABSENT: None