

**TOWNSHIP OF CLINTON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE #1190-2023

AN ORDINANCE OF THE TOWNSHIP OF CLINTON IN HUNTERDON COUNTY, NEW JERSEY AMENDING CHAPTER 165 (LAND USE REGULATIONS) OF THE “CODE OF THE TOWNSHIP OF CLINTON” TO CONSOLIDATE VARIOUS ZONING DISTRICTS ALONG THE ROUTE 31 CORRIDOR INTO A NEW HC HIGHWAY COMMERCIAL DISTRICT; CHANGE THE C-1 DISTRICT SURROUNDING THE ANNANDALE TRAIN STATION TO OB-2; CHANGE THE SOUTHERNMOST OB-1 DISTRICT TO RC; AND ESTABLISH NEW CONDITIONAL USE STANDARDS AND DEFINITIONS. `

WHEREAS, on March 6, 2023, the Clinton Township Planning Board (“Board”) adopted a new master plan reexamination report (as well as amendments to the Township Master Plan) entitled “2023 Period Reexamination of the Master Plan and Development Regulations & Amendments to the Land Use Plan and Housing Plan Elements of the Clinton Township Master Plan” (“Report” or “Reexam Report”); and

WHEREAS, the Report contains a number of recommendations for zoning changes that are intended to encourage economic development, expand the number of permitted uses in certain areas of the Township, promote land use compatibility, and reflect realistic development potential of various properties, as well as clarify the Township’s zoning regulations by adding definitions and conditional uses; and

WHEREAS, more specifically, the Report recommends the following:

- Establish a new HC Highway Commercial zoning district along Route 31 consolidating the C-1 and OB-1 zoning districts along with parcels from certain other zoning districts; this new designation would replace obsolete zoning designations for properties along the Route 31 corridor that are based on older land use objectives resulting in piecemeal zoning, as well as promote greater development flexibility along Route 31 by expanding the permitted uses for properties in this area of the municipality, together with use and bulk regulations to facilitate this goal (see Report pages 6-7);
- Rezone the exiting C-1 zoning district located immediately south of the Annandale train station to the OB-2 zoning district, in order to promote greater development flexibility than the current retail sales and service-oriented zoning (see Report pages 8 and 28);
- Rezone the southernmost OB-1 zoning district to the RC zoning district, in recognition of the environmental constraints impacting the parcels in question by incorporating them into the surrounding RC zoning district (see Report page 23);

- Create new definitions and conditional use standards for self-storage facilities and combined motor vehicle filling station and convenience store uses in appropriate locations (see Report page 30);
- Expand the existing conditional use standards for fast-food restaurants (see Report page 30);
- Amend definitions pertaining to restaurants and principal uses and create definitions for new permitted conditional uses (see Report pages 5 and 30);
- Further clarify the Township-wide prohibition of warehouse and distribution uses in recognition that the Township's roadway infrastructure cannot support such uses (see Report page 7);
- Remove all references to the ROM-2 zoning district within the Planned Development Overlay development option as such zoning overlay is not applicable to the ROM-2 zoning district (see Report page 31); and
- Amend the OB-2 zoning district to eliminate the lot area restriction for mixed-use development as such limitation no longer applies (see Report page 28);

and

WHEREAS, the Mayor and Council wish to implement the above-referenced recommendations as set forth by the Board in its Report, all in order to advance the public health, safety and general welfare;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Clinton, in Hunterdon County, New Jersey as follows:

SECTION 1. Preamble. The preamble to this ordinance is hereby incorporated as if restated in full.

SECTION 2. Boundaries of RC Rural Conservation District modified to incorporate parcel currently located in the OB-1 Office Building District on Route 31. The boundaries of the RC District are hereby modified by incorporating five parcels presently located in the southernmost portion of the OB-1 Office Building District on Route 31 and designated on the Clinton Township tax maps as Block 20 Lots 1, 2.01, 2.02 and 4, and Block 91.01 Lot 11, as more specifically shown on Exhibit A attached hereto.

SECTION 3. Boundaries of OB-2 Office Building District modified to incorporate parcels currently located in the C-1 Commercial District immediately south of the Annandale Train Station. The boundaries of the OB-2 Office Building District are hereby modified to incorporate the following properties located immediately south of the Annandale Train Station and designated on the Clinton

Township tax maps as Block 47 Lots 18 and 19, Block 49 Lot 25, and Block 300 Lots 4, 4.05 and 4.06, as more specifically shown on Exhibit B attached hereto.

SECTION 4. HC Highway Commercial District created. There is hereby created a new zoning district along the Route 31 corridor, which shall be known as the “HC Highway Commercial District.” The HC District shall comprise the following areas and properties, as more specifically shown on Exhibit C attached hereto:

- Properties located in the existing C-1 and OB-1 Districts located along Route 31, as shown on Exhibit C attached hereto.
- Block 2801 Lots 25, 26.01 and 26.02, which are presently located in the RC District.
- Block 27.01 Lots 9 and 10, which are presently located in the VR District.
- Block 82 Lots 2, 3.01 and 3.02, and Block 88 Lot 3, which are presently located in the ROM-1 District.

SECTION 5. Establish new HC Highway Commercial District and associated zoning regulations. Part 7, “Zoning Regulations” in Chapter 165, “Land Use Regulations” of the Code of the Township of Clinton (“Township Code”) is hereby amended and supplemented with a new Article XXVIII entitled “HC Highway Commercial District,” as set forth in Exhibit D attached hereto.

SECTION 6. List of zoning districts in Township Code amended. Section 165-85, “Establishment of districts” of the Township Code is hereby amended and supplemented by adding thereto the HC Highway Commercial District established hereinabove, as set forth below (additions are underlined thus; deletions are in brackets [thus]):

§ 165-85. Establishment of Districts.

For the purpose of this Chapter, the Township of Clinton is hereby subdivided into 24 zone districts known as:

RC	Rural Conservation District
RR-4	Rural Residential 4 District
RR-4S	Rural Residential District 4S
SR	Suburban Residential District
VR	Village Residential District
AH-1	Affordable Housing District
AH-2	Affordable Housing District
AH-3	Affordable Housing District
AH-4	Affordable Housing District

AH-5	Affordable Housing District
AH-6	Affordable Housing District
AH-8	Affordable Housing District
AH-9	Affordable Housing District
AH-10	Affordable Housing District
C-1	Commercial District
C-ROM	Commercial – Research, Office and Manufacturing District
HC	<u>Highway Commercial District</u>
OB-1	Office Building District
OB-2	Office Building District
ROM-1	Research, Office and Manufacturing District
ROM-2	Research, Office and Manufacturing District
ROM-3	Research, Office and Manufacturing District
PUD	Planned Unit Development Overlay
PDO	Planned Development Overlay

SECTION 7. Definitions amended and supplemented. Section 165-4, “Definitions” of the Township Code is hereby amended and supplemented by adding thereto new definitions of “combined motor vehicle filling station and convenience store,” “restaurant,” and “restaurant, take-out,” and modifying the existing definitions of “principal use,” “restaurant, fast-food,” and “self-service storage facility,” as set forth below (new text is underlined thus; deleted text is in brackets [thus]):

COMBINED MOTOR VEHICLE FILLING STATION AND CONVENIENCE STORE

A premises upon which is conducted both a business involving the retail sale and direct delivery to motor vehicles of motor fuel and a building of not less than 5,000 square feet occupied by a retail establishment selling primarily food products, beverages, newspapers and magazines, candy, household items and limited amount of freshly prepared foods such as sandwiches and salads for sale to the general public for on or off-site consumption.

PRINCIPAL USE

The primary or predominant use of the premises, more than one of which are permitted on a single lot or lots in non-residential zones.

RESTAURANT

An establishment where food and drink are primarily prepared, served via table service and consumed within the principal building, which may also include mobile and take-out sales.

RESTAURANT, FAST-FOOD

[A business in which food and drink is served inside the building to patrons from counters for consumption either inside or outside the building, but not including facilities for serving food and drink to

patrons in automobiles except as drive-through facilities.] Restaurants whose emphasis is on convenience and speed of service, that are generally part of a restaurant chain or franchise, and that provide a limited, standardized menu of quickly or pre-prepared food and beverages prepared for immediate consumption for sale over the counter, at kiosks, by mobile order pick-up and at a drive-thru window for consumption within the building or off the premises.

RESTAURANT, TAKE-OUT

An establishment where food and/or beverages are sold at a counter, window, kiosk, mobile pick-up area or similar in a form ready for primarily off-site consumption, which may include indoor seating and does not include a drive-thru facility.

SELF-[SERVICE]STORAGE FACILITY

[A structure containing separate, individual, or private storage spaces of varying sizes leased or rented on individual leases for varying periods of time. Such a use and/or facility is not permitted in any zoning district in Clinton Township.] A building or group of buildings in single ownership containing separate interior spaces or compartments for dead storage of goods, wares and equipment and leased or rented on an individual basis.

SECTION 8. Warehouses, distribution centers or facilities, and motor vehicle filling stations, auto service facilities and similar auto-related uses added to the list of generally prohibited uses. Section 165-93 of Code, entitled “Prohibited uses,” is hereby amended and supplemented as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ 165-93 Prohibited uses.

- A. Where a use is not specifically permitted in a zone district, it is prohibited.
- B. In addition, the following uses are expressly prohibited in all zone districts:
 - (1) The operation of any and all classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in this chapter and in Section 3 of P. L. 2021, c. 16, but not the delivery of cannabis items and related supplies within the Township by a cannabis delivery service located outside the Township.

- (2) Warehouses, except accessory storage for principal permitted uses shall be permitted.
- (3) Distribution centers or facilities.
- (4) Motor vehicle filling stations, auto service facilities and similar auto-related uses.

SECTION 9. Section 165-164 of the Township Code pertaining to warehouses and distribution centers or facilities in the C-ROM District deleted. Section 165-164, “Prohibited Uses” of the Township Code is hereby deleted.

SECTION 10. Conditional use requirements for fast food restaurants amended and new conditional uses established. Article XVIII in Part 7 of Chapter 165 of the Township Code, entitled “Conditional Uses,” is hereby amended and supplemented by modifying the conditional use requirements for fast-food restaurants and adding “combined motor vehicle filling stations and convenience stores” and “self-storage facilities” as new permitted conditional uses, as set forth below (new text is underlined thus; deleted text is in brackets [thus]):

[165-124 and 165-125 no changes]

§ 165-126 Fast-food restaurants.

Requirements for fast-food facilities shall be as follows:

- A. The [minimum lot area and] yard requirements of the zone in which the use is located shall be met.
- B. [The lot shall be at least 1,000 feet, measured in a straight line, from the nearest property line of another fast-food restaurant which is located on either the same or opposite side of the street. Said lot shall also be at least 1,000 feet from any residential zone which is located on either the same or opposite side of the street. These limitations shall not apply where the restaurant is located on the opposite side of a street or highway divided by a median or barrier from another fast-food restaurant or residential zone.]
- C. Minimum lot area: 1 acre.
- D. Fast-food restaurants shall have frontage and primary access on a divided State highway.
- E. Fast-food restaurants shall be located at least 1,000 feet, measured in a straight line, from the nearest lot line of another property

developed with a fast-food restaurant located on the same or opposite side of the highway. These limitations shall not apply where the restaurant is located on the opposite side of a highway divided by a median or barrier from another fast-food restaurant. The purpose of this requirement is to minimize the number of curb cuts on highways and the visual clutter generated from signage and lighting typically associated with fast-food restaurant chains and franchises.

- F. Applicants for fast-food restaurants with drive-thru facilities shall demonstrate that adequate queuing can be accommodated on-site while providing safe and efficient parking and circulation at peak business hours.

[165-128 no change]

§ 165-128.1. Combined motor vehicle filling station and convenience store.

Requirements for combined motor vehicle filling station and convenience store use shall be as follows:

- A. Minimum lot area: 2 acres when connected to public sewer;
4 acres when served by on-site septic system.
- B. Combined motor vehicle filling station and convenience store uses shall have frontage and site access on Route 31 and be located at a signalized intersection.
- C. The convenience store area may contain not more than 16 seats for on-site food consumption, which shall not create an additional parking requirement.
- D. Minimum convenience store floor area: 5,000 square feet.
- E. Maximum number of pumps and fuel dispensers (nozzles): 16 dispensers/8 pumps.
- F. Maximum fuel canopy height: 25 feet.
- G. Standalone motor vehicle filling stations and fuel service stations are not permitted as a single principal use.
- H. Motor vehicle repair and maintenance services are prohibited.

- I. Incompatible uses on the same lot or site such as daycare facilities are prohibited.

§ 165-128.2 Self-storage facilities

Requirements for self-storage facilities shall be as follows:

- A. Minimum lot area: 3 acres.
- B. Maximum floor area ratio (FAR): 45%.
- C. Hours of operation: 6:00 a.m. to 10:00 p.m.
- D. Principal buildings shall be designed to resemble office buildings that are compatible with the Township's established rural character. All building facades shall be treated with similar quality design and materials as the front façade facing the public street(s). Expansive blank walls are prohibited.
- E. Flat roofed principal buildings are permitted.
- F. Loading bays, garage doors and similar features intended to facilitate moving and loading into and out of the facility shall face the rear of the property when there is one principal building. When there is more than one principal building, loading bays, garage doors and similar shall face the interior (face the other building(s)) of the lot to minimize visibility from public roadways and surrounding uses.
- G. Outdoor storage is prohibited including, but not limited to, materials, containers, equipment, vehicles, trailers, boats, equipment and similar. This shall not be interpreted to prohibit the parking of rental moving vehicles managed on-site as otherwise permitted herein.
- H. The storage of hazardous substances, any live plants and animals is prohibited.
- I. A rental moving vehicle operation may be conducted on the property limited to a maximum of 4 such single axle vehicles, including box trucks, vans or pickup trucks, at a given time. Rental moving vehicles rented from the site may be parked in other areas of the site in accordance with the applicable requirements of Chapter 165. Such parking areas shall be suitably screened from public roadways and surrounding uses at the discretion of the reviewing Board or Township personnel.

- J. Private businesses operating out of self-storage units or spaces are prohibited including, but not limited to, drop-shipping operations.
- K. Permitted accessory uses include a manager's office for both the self-storage unit and truck rental operations and retail space with moving supplies and equipment. A detached accessory building not more than 1,000 square feet in area and one-story in height designated for administration of the self-storage facility, retail sales of packing and shipping supplies and administration of the truck rental use, may be located in the front yard area of the property subject to the applicable principal building setbacks of the zone.

SECTION 11. Self-storage facilities added as a permitted conditional use in the C-ROM District. Section 165-163 of the Township Code pertaining to conditional uses in the C-ROM Commercial – Research, Office and Manufacturing District is hereby amended and supplemented as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ 165-163 Conditional uses

The following conditional uses, as regulated in Article XVIII, are permitted:

- A. Churches and similar places of worship of recognized religious groups, which may include attendant parish homes, convents, religious education buildings, cemeteries and mausoleums.
- B. Public and private schools teaching academic subjects.
- C. Fast-food [service] restaurants.
- D. Self-storage facilities.

SECTION 12. List of permitted principal uses in the OB-2 District modified. Section 165-174 of the Township Code pertaining to permitted principal uses in the OB-2 Office Building District is hereby amended and supplemented as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ 165-174 Permitted principal uses.

The following are principal permitted uses:

- A. Any principal use as permitted and regulated in the VR Residential Zone.

- B. Office buildings intended for business, executive, professional and administrative purposes.
- C. Personal service shops, such as beauty parlors, barbershops, tailoring, dressmaking, shoe repair, photography and similar services wherein retail sale of merchandise other than that made specifically for a customer is prohibited, except for items of a purely accessory nature to the service provided.
- D. Municipal buildings and uses.
- E. Child-care centers.
- F. Restaurants, excluding drive-up service.
- G. Bed-and-breakfasts.
- H. Retail uses that do not exceed 5,000 square feet of floor area and that do not offer merchandise that is for, or related to, motor vehicles.
- [I. On a lot with an area of 10 acres or more that is planned and developed as a unified complex:
 - (1) Apartment dwellings located above (second floor) permitted nonresidential principal uses in the same building.
 - (2) More than one principal building containing more than one principal permitted use (supersedes prohibition at § 165-96, Principal buildings).]
- [J]. Medical offices.

SECTION 13. Off-street parking requirements for take-out restaurants and self-storage facilities established and language describing off-street parking requirements for restaurants other than fast-food or take-out restaurants modified. The list off-street parking requirements set forth in section 165-71A(10)(a) of the Township Code is hereby amended and supplemented by modifying the provisions related to restaurants and drinking establishments and by adding requirements for self-storage facilities, as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ 165-71. Site plans.

[A(1) through (9) no changes.]

- (10) Off-street parking requirements.

- (a) For all new buildings or uses or additions to existing buildings or uses in all zone districts, there shall be provided the number of parking spaces required by the specific use, as prescribed in the following schedule:

Required Parking Spaces Use	Number of Spaces
<u>Restaurants and drinking establishments</u> [eating and drinking place]	1 for each 50 square feet of floor area, <u>except as set forth below for fast-food restaurants and take-out restaurants</u>
<u>Restaurant,</u> [F] <u>fast-food</u>	1 for each 3 seats, whether inside or outside the building, plus 1 for each 75 square feet of floor area; where no seating is provided 1, for each 50 square feet of floor area
<u>Restaurant, take-out</u>	<u>1 for each 200 square feet of floor area</u>
<u>Self-storage facilities</u>	<u>8 spaces</u>

SECTION 14. Design standards for nonresidential development in the Route 78 Campus Character District amended. Subsection 165-75C(3), “Route 78 Campus District” in section 165-75 of the Township Code, entitled “Design standards for nonresidential development,” is hereby amended and supplemented as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ 165-75. Design standards for nonresidential development

[A and B no changes]

C. Description of the Campus Character Districts. *[no changes]*

[(1) and (2) no changes]

(3) Route 78 Campus District. This area of the Township is dominated by large lots, some of which have developed with large-scale uses. While these lots front onto and are visible from Route 78 they do not take access from Route 78, but rather from local roads. These areas are typically zoned ROM-1 and ROM-2 for research, office and manufacturing [, or ROC for research, office and commercial]. The design goal for this district is to maintain a strong screened buffer from

Route 78 and local roads. With dense screening it is possible to maintain the rural character of the area.

[remainder of section no changes]

SECTION 15. List of prohibited uses in Planned Unit Developments modified. Section 165-196 of the Township Code pertaining to permitted uses in Planning Unit Developments is hereby amended and supplemented as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ 165-196.D. Retail stores and shops, but not including any use prohibited in [§ 165-156A] § 165-179.1. (NOTE: These uses are permitted only in a PUD with a minimum area of 200 acres.)

SECTION 16. Provisions regarding Planned Development Overlays modified. The following sections and subsections in Article XXXIII of the Township Code, entitled “Planned Development Overlay,” are hereby amended and supplemented as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ 165-198A. Provide for a mixed-use district consisting of office, research, retail, hotel/conference, and related uses [in the ROM-1 and ROM-2 Districts] developed in a coherent manner in accordance with an approved general development plan;

§ 165-200A. The PDO option is available in portions of the ROM-1 District [and ROM-2 District] as indicated on the Zoning Map.

[§ 165-201L. In the ROM-2 portion of the PDO, the following uses shall also be permitted:

- (1) Processes of assembly, manufacturing, fabrication, packaging, treatment or conversion of products conducted entirely within the confines of a building, confined to the making of finished products or parts thereof from component parts and semi-finished products and not involving reduction, conversion, or manufacturing of primary raw materials except for pharmaceuticals.
- (2) Warehousing.
- (3) Wholesale distribution centers.]

§ 165-205A. Minimum tract area. The PDO option requires a minimum tract of 500 acres (“PDO tract”)[in the ROM-1 District and a minimum tract of 200 acres in the ROM-2 District].

§ 165-205C(2). [In the ROM-1 portion of the PDO, buildings] Buildings which exceed 45 feet in height shall be situated below the existing three-hundred-eighty-foot elevation on the tract boundary. The Planning Board may allow deviations from the standard relating to tract elevation, provided that all of the following conditions are satisfied:

[§ 165-205C(3). In the ROM-2 portion of the PDO, buildings which exceed 45 feet in height shall be situated below the existing four-hundred-twenty-five-foot elevation on the tract, and shall be no closer than 200 feet to any tract boundary. The Planning Board may allow deviations from the standard relating to tract elevation, provided that all of the following conditions are satisfied:

- (a) The proposed building is screened from adjoining residential districts by the existing topography or existing wooded areas on the tract; and
- (b) The proposed building is located at least 500 feet from the tract boundary; and
- (c) The proposed location minimizes the visual intrusion on scenic corridors identified on the conservation plan.]

§ 165-205E(1). [In the ROM-1 District, the] The PDO shall include open space to the extent of at least 20% of the PDO tract. [The ROM-2 District shall include open space to the extent of at least 20% of the PDO tract. The open space shall include wooded areas, stream corridors, and wetlands.]

§ 165-206A. The minimum lot size shall be 10 acres, provided that the average lot size is 40 acres [in the ROM-1 portion of the PDO and 20 acres in the ROM-2 portion of the PDO]. Lots devoted exclusively to public utility uses shall not be counted in the lot averaging scheme.

SECTION 17. Application and escrow fees for signs in certain commercial districts modified. Section 165-13H(7)(c) of the Township Code pertaining to application and escrow fees is hereby amended and supplemented as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ 165-13 Application and escrow fees

[A – G no changes]

H. Zoning permits

[(1) through (6) no changes]

(7) Signs

[(a) and (b) no changes]

- (c) Any sign within the C-1, HC, C-ROM, OB-1, OB-2, ROM-1, ROM-2, or ROM-3 zones: \$50.

[remainder of section no changes]

SECTION 18. Schedule of land use application and escrow fees amended. Section A290-11 of Chapter A290 of the Township Code, entitled “Land Use application and escrow fees,” is hereby amended and supplemented as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ **A290-11.L.(7)(c)** Any sign within the C-1, HC, C-ROM, OB-1, OB-2, ROM-1, ROM-2, or ROM-2 zones: \$50.

SECTION 19. References to “HC” or “HC highway commercial” added to miscellaneous sections of the Township Code. References to “HC” or “HC highway commercial” (as appropriate) shall be added to the following sections of the Township Code:

- § 165-71.A.(7)
- § 165-75.C(2)
- § 165-75.D(1)
- § 165-77.K.(7)(a)[1]
- § 165-77.K.(7)(c)[1]
- § 165-112
- § 165-113.D(1)(f), note *
- § 165-161
- § 165-185.B.

SECTION 20. Zoning map updated. The map entitled “Zoning Map, Clinton Township, Hunterdon County, NJ,” shall be updated and supplemented consistent with the provisions of this ordinance.

SECTION 21. Schedule of Zoning Requirements updated. The Schedule of Zoning Requirements referenced in section 165-86 of the Township Code and provided as Attachment 3 to Chapter 165 of said Code, last revised October 13, 2021 is hereby amended and supplemented by adding thereto the applicable requirements for the HC District created by this ordinance.

SECTION 22. Reference in Township Code to zoning map and schedule of zoning requirements updated. Section 165-86 of the Township Code, entitled “Zoning Map and Schedule of

Zoning Requirements,” is hereby amended and supplemented to read as follows (additions are underlined thus; deletions are in brackets [thus]):

§ 165-86. Zoning Map and Schedule of Zoning Requirements.

The map entitled, “Zoning Map, Clinton Township, Hunterdon County, N.J.,” dated [August 1, 2018] October 3, 2023, and the Schedule of Zoning Requirements, revised through [September 12, 2018] October 3, 2023 (Chapter 165, Attachment 3), which accompany and are referenced in this Part 7 are hereby declared to be part hereof.

SECTION 23. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby repealed as to such inconsistencies only.

SECTION 24. Severability. If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 25. Referral to Planning Board. Pursuant to the Municipal Land Use Law, *N.J.S.A.* 40:55D-64, the Clerk shall cause a copy of this ordinance to be referred to the Clinton Township Planning Board for review prior to its adoption.

SECTION 26. Effective Date. This ordinance shall take effect 20 days after its final passage by council and the filing of same with the Hunterdon County Planning Board, all in accordance with law.

Lindsay Heller, Acting Township Clerk

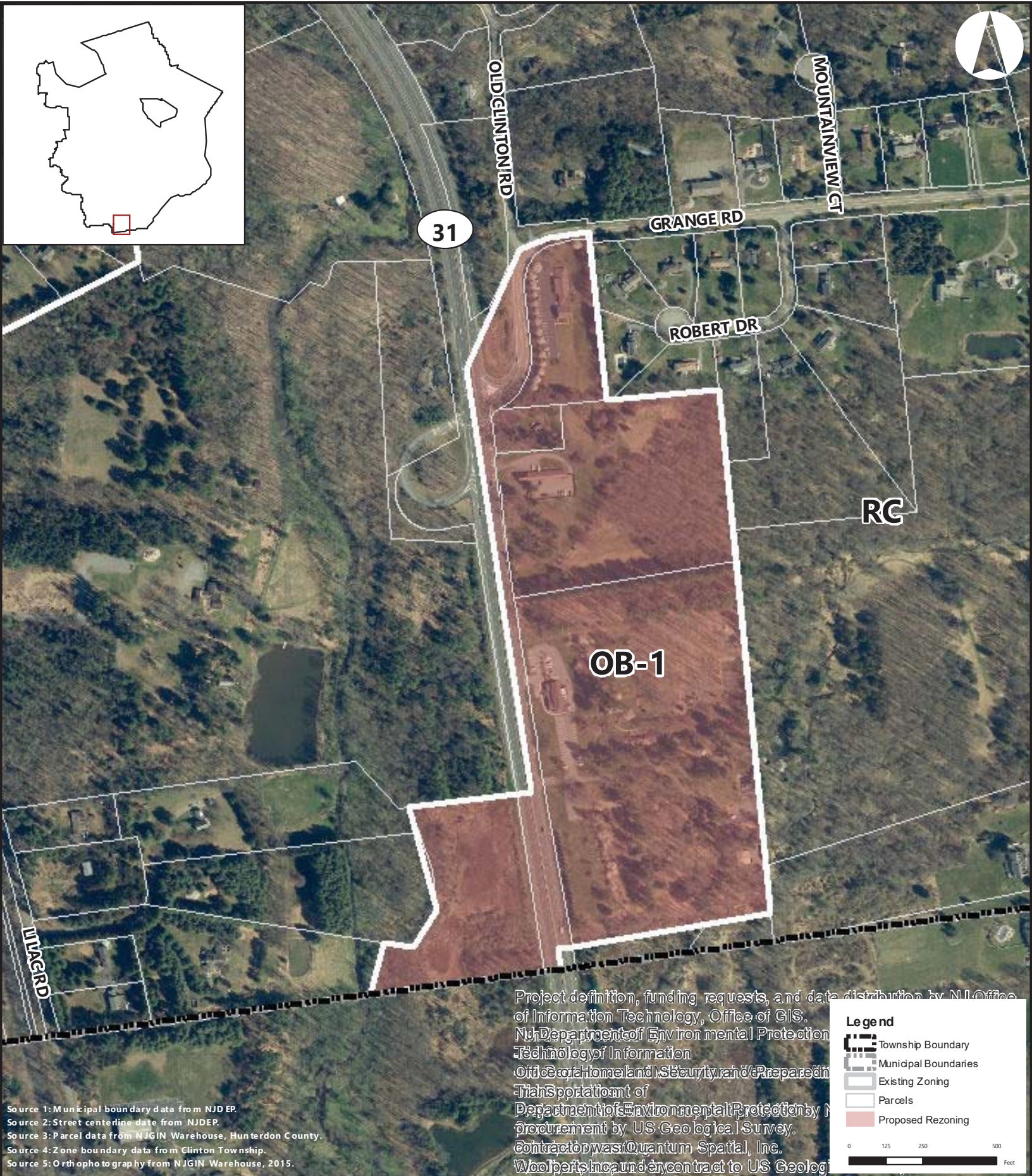
Hon. Brian Mullay, Mayor

Introduced: _____, 2023

Adopted: _____, 2023

Roll Call	Motion	Second	Aye	Nay	Abstain	Recused	Absent
Brian Mullay, Mayor							
Marc Strauss, Council President							
Bill Glaser, Councilman							
Tom Kochanowski, Councilman							
Amy Switlyk, Councilwoman							

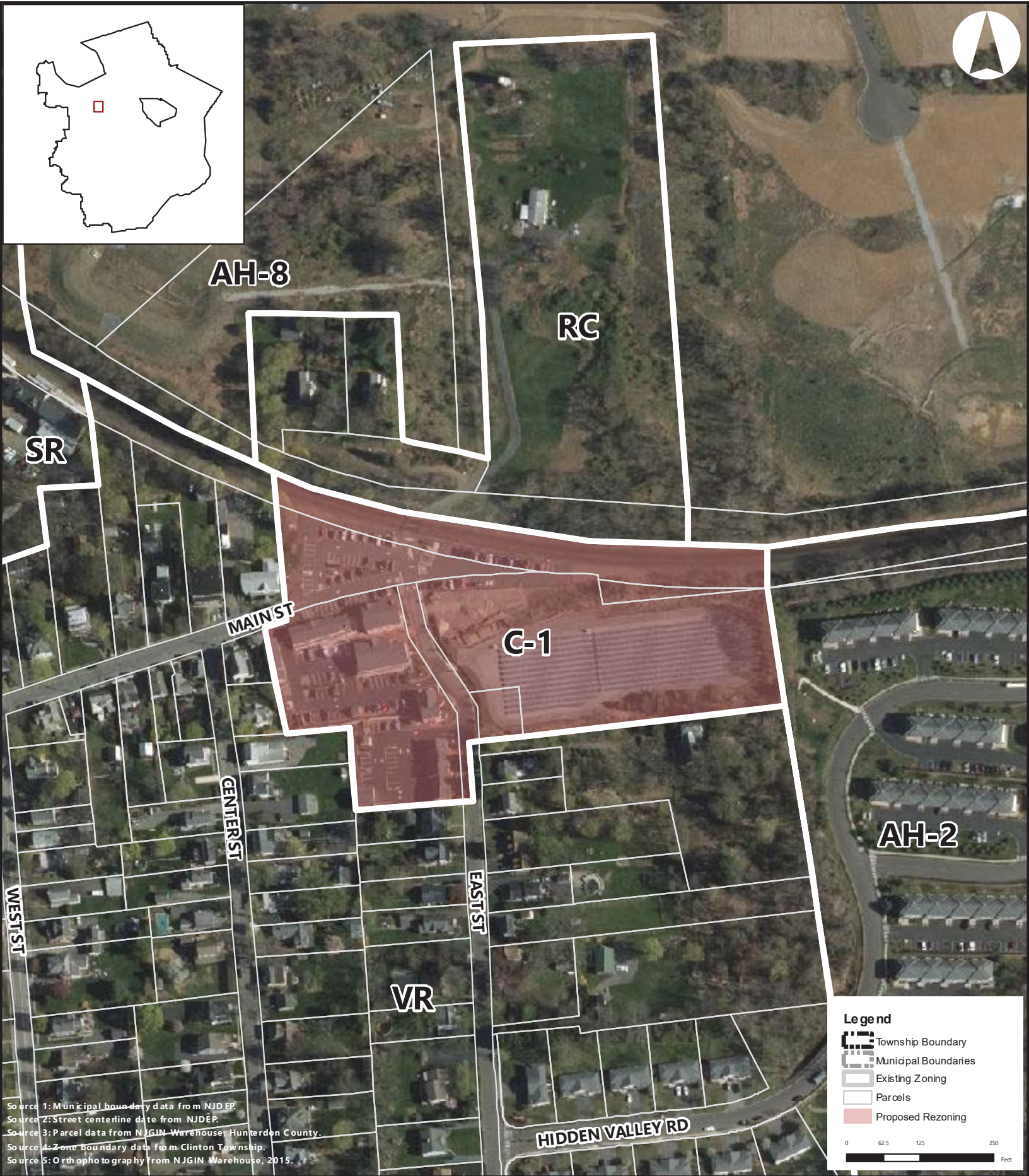
EXHIBIT A



Project definition, funding requests, and data distribution by NJ Office of Information Technology, Office of GIS.
 NJ Department of Environmental Protection
 Office of Information Technology
 Office of Homeland Security and Preparedness
 Transportation of
 Department of Environmental Protection by N
 procurement by US Geological Survey.
 contractor was Quantum Spatial, Inc.
 Woolpert Inc under contract to US Geologi

Source 1: Municipal boundary data from NJ DEP.
 Source 2: Street centerline data from NJ DEP.
 Source 3: Parcel data from NJGIN Warehouse, Hunterdon County.
 Source 4: Zone boundary data from Clinton Township.
 Source 5: Orthophotography from NJGIN Warehouse, 2015.

EXHIBIT B



Source 1: Municipal boundary data from NJDEP.
Source 2: Street centerline data from NJDEP.
Source 3: Parcel data from NJGIN Warehouse, Hunterdon County.
Source 4: Zone boundary data from Clinton Township.
Source 5: Orthophoto graphy from NJGIN Warehouse, 2015.

EXHIBIT C

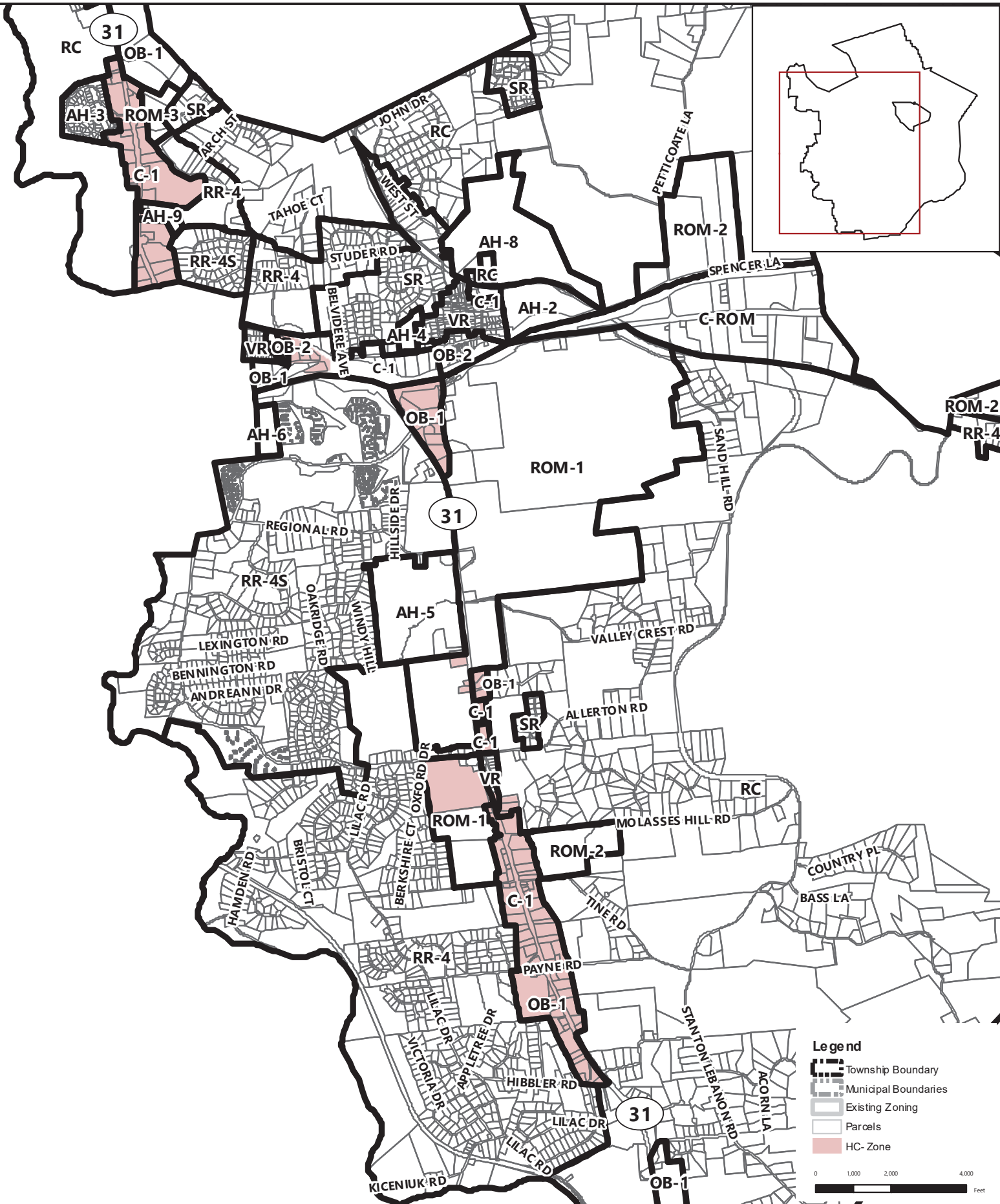


EXHIBIT D

ARTICLE XXVIII

Highway Commercial District

§ 165-178. Purpose.

The purpose of this Article is to establish regulations and standards controlling development in areas along the State Route 31 corridor situated in the HC Highway Commercial District. The HC District has been designed to consolidate the previous C-1 and OB-1 zone designations of this area of the Township thereby promoting the principal permitted uses enumerated herein throughout the corridor. Warehouse and distribution uses are expressly prohibited in the HC district as such uses have been determined to be incompatible with the intent of the HC Zone and cannot be adequately supported by the Township's roadway infrastructure.

§ 165-179.1 Permitted principal uses.

The following uses are principal permitted uses:

- A. Retail sales establishments, similar to meat markets, seafood markets, bakeries, specialty food stores and delicatessens, convenience stores, supermarkets, art galleries and frame shops, antique stores, jewelry stores, drug stores, home furnishing stores, sporting good stores, card and gift shops, hobby shops, toy stores, book and magazine stores with associated activities, record and tape stores, video stores, camera stores, pet shops, art supply stores, clothing stores, consignment shops, shoe stores, hardware and plumbing supply stores, garden stores, package liquor stores, office supply stores, fabric stores, paint and wall covering stores, electronic equipment and electronic supply stores, appliance equipment stores and florists.
- B. Retail service establishments, limited similar to barber and beauty shops, tailoring and dressmaking shops, dry cleaning and laundering operations, appliance repair shops, shoe repair shops, optical services and optical clinics, printing and copying shops, mail service, dance instructors, health and physical activities, photography studios, interior decorators, pet grooming, home improvement business and upholsterers.
- C. Banks and financial institutions.
- D. Offices for business, executive, professional and administrative purposes.
- E. Restaurants, cafes and taverns in which patrons, seated at tables or counters, are served food and drink by waiters or waitresses for consumption on the premises.
- F. Funeral homes.
- G. Vocational schools and studios for the instruction of the arts, dancing, music, languages, photography and similar activities.

- H. Municipal buildings and uses.
- I. Child-care centers.
- J. Medical offices.
- K. Bowling alleys, tennis buildings and buildings intended for other indoor sports activities and amusements.
- L. Clubs, lodges and fraternal, civic and charitable organizations.
- M. Animal hospitals and clinics.
- N. Commercial greenhouses and nurseries.
- O. Ambulatory care facilities.
- P. Nursing homes.
- Q. Assisted living residences.
- R. Residential health care facilities.
- S. Breweries, brewpubs, wineries, distilleries and similar type uses.
- T. Central telephone exchanges
- U. Computer and data-processing centers

*None of the uses permitted in this section shall include any sexually oriented entertainment business.

§ 165-179.2. Permitted accessory uses.

The following are permitted accessory uses:

- A. Off-street parking in accordance with §165-71A(10).
- B. Outdoor and indoor electric vehicle (EV) charging stations and equipment.
- C. Signs in accordance with the Clinton Township Sign Ordinance, §165-109.
- D. Temporary permits as regulated in §165-101.

- E. Outdoor growing and display of nursery stock in connection with commercial greenhouses or plant nurseries.
- F. Other accessory uses customarily incidental to the principal permitted uses in this section.
- G. Dish antennas.

§ 165-179.3 Conditional Uses.

The following conditional uses, as regulated in Article XVIII, are permitted:

- A. Churches and similar places of worship of recognized religious groups, which may include attendant parish homes, convents, religious education buildings, cemeteries and mausoleums.
- B. Public and private schools teaching academic subjects.
- C. Fast-food service restaurants.
- D. Self-storage facilities.
- E. Combined motor vehicle filling station and convenience store.

§ 165-180. Zoning Requirements.

Except as otherwise provided in this Part 7, the requirements and limitations contained in the Schedule of Requirements referred to in § 165-86 shall be complied with.

§ 165-181. Performance standards.

The requirements of § 165-186 shall be complied with.