

Mayor O'Neil offered the following Resolution and moved on its adoption:

R-06-98
RESOLUTION ADOPTING ORDINANCE NO. O-06-03

WHEREAS, on March 15, 2006 the governing body of the Borough of Highlands introduced Ordinance No. O-06-03 amending and supplementing Chapter 21 of the Revised Ordinances of the Borough of Highlands, (Zoning and Land Use Regulations), including a proposed Zoning Map, the purpose of which was to implement substantially the recommendations of the 2004 Highlands Borough Master Plan, adopted by the Highlands Borough Planning Board in November, 2004; and

WHEREAS, pursuant to *NJSA 40:55D-26*, Ordinance No. O-06-03 was referred to the Highlands Borough Planning Board for review for consistency with said Borough Master Plan; and

WHEREAS, the Planning Board issued a report dated, 2/9/2006, making an affirmative finding of fact that the proposed zoning ordinance amendment was in fact consistent with the 2004 Borough Master Plan, and further making recommendations for changes to certain fees, as set forth in a supplemental report dated, 3/11/2006.

WHEREAS, the Borough Council of the Borough of Highlands is of the opinion that although the MXD zone boundary has been modified that set forth in the 2004 Master Plan, that this deviation is minor and still consistent with the purpose and intent of the Master Plan, as interpreted by the Planning Board during the Section 26 Master Plan consistency review; for the following reasons:

1. The lots adjacent to Locust Street contain existing homes which would be rendered non conforming if included in the MXD zone, and are not likely to be developed individually accordance with MXD standards.
2. The inclusion of an irregularly shaped, land-locked parcel on the easterly boundary of the proposed MXD zone maximizes the use of available vacant properties which were otherwise not included in the MXD zone as described in the 2004 Master Plan.
3. The clarification of permitted multi-family uses to include the similar residential condominium and townhouse uses is reasonable.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands, that Ordinance No. O-06-03 be and hereby is adopted by a majority of its voting membership, for the aforesaid reasons.

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BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution shall be forwarded to the Highlands Planning Board, and all other interested parties upon request.

Seconded by Mr. Nolan and **NOT adopted** on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mayor O'Neil

NAYES: Mr. Caizza, Mr. Urbanski

ABSENT: None

ABSTAIN: None

DATE: June 07, 2006

NINA LIGHT FLANNERY, Borough Clerk

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Highlands on this ____ day of _____, 2006

BOROUGH CLERK/DEPUTY CLERK