

**TOWNSHIP OF ANDOVER  
SUSSEX COUNTY, NEW JERSEY**

**ORDINANCE NO. 2024-06**

**AN ORDINANCE ADOPTING AN AMENDMENT TO CHAPTER 190 OF THE ZONING CODE OF THE TOWNSHIP OF ANDOVER TO ESTABLISH THE ROUTE 206 ECD ZONE.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Act"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment or areas in need of rehabilitation, as such terms are defined in the Act; and

**WHEREAS**, on September 2, 2021, the Township of Andover (the "Township"), designated property identified as an area covering 812 acres and 43 tax lots in the Township along US Route 206 and Stickles Pond Road, with specific tax lot and blocks identified in Attachment A, Chapter 190 as an area in need of redevelopment in accordance with the Act (the "Redevelopment Area"); and

**WHEREAS**, the Township Committee referred the development of a redevelopment plan for the Redevelopment Area to the Township's Land Use Board, which developed and reviewed a redevelopment plan entitled, "Route 206 Redevelopment Plan," prepared by J Caldwell & Associates, LLC, dated March 2022; and

**WHEREAS**, the Township Committee adopted the Route 206 Redevelopment Plan via Ordinance 2022-13 on June 2, 2022 along with subsequent amendments in November 2022 and June 2023; and

**WHEREAS**, in April 2023, the Township Land Use Board adopted a Master Plan Reexamination Report, which among other things, recommended the Route 206 Redevelopment Plan be incorporated into the Master Plan and ordinances; and

**WHEREAS**, the Township Committee finds that it is in the public interest to adopt as a Zoning District, in addition to the Redevelopment Plan, a Zoning District to be called the Route 206 Economic Development Zone or 206 ECD Zone which implements the Route 206 Redevelopment Plan with a synonymous zone in the Zoning Ordinance; and

**WHEREAS**, the 206 ECD Zone will generally mirror the Route 206 Redevelopment Zone for all parcels in the Route 206 Redevelopment Zone along with Block 134, Lot 28; and

**WHEREAS**, the Route 206 Redevelopment Plan supersedes the proposed Route 206 Economic Development Zone in locations where the Redevelopment Zone was approved by DCA and in those locations the Route 206 Redevelopment Plan shall continue to apply; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey, as follows:

**SECTION 2.** All parcels in Attachment A shall be rezoned as Route 206 Economic Development Zone or 206 ECD Zone. Where the Route 206 Redevelopment Plan supersedes this section, Route 206 Redevelopment Plan shall apply.

**SECTION 3.** The following sections shall be added to Chapter 190:

Section 190-33 Zoning Districts

206 ECD Zone            Route 206 Economic Development Zone

Section 190-45.2 Route 206 Economic Development Zone (ECD Zone)

A. Permitted Uses

- (1) Mixed-uses, multiple principal uses and multiple principal structures are permitted. The following uses are permitted in the Route 206 ECD Zone.
  - a. Banks and fiduciary institutions
  - b. Cannabis Marketplace Class 5 Retailer (Exclusively Permitted on Area 1 Properties South of Fredon Springdale Road/County Route 618 and All Area 2 Properties – see maps on pages 11 and 12)
  - c. Commercial recreation
  - d. Fast-food establishments
  - e. Flex-space buildings
  - f. Greenhouses and nurseries
  - g. Health clubs and spas
  - h. Hotels and motels
  - i. Licensed Child-Care Centers
  - j. Medical offices
  - k. Professional, business and administrative offices
  - l. Public parks, playgrounds, conservation areas and municipal/public facilities
  - m. Research laboratories
  - n. Restaurants and banquet facilities
  - o. Retail sales and services
  - p. Sports facilities
  - q. Farm stands
  - r. Single-family detached dwellings in existence on September 2, 2021 in accordance with the R-1 requirements
  - s. Shopping centers
  - t. Studios for the instruction of the arts, dancing, music, language or photography
  - u. Wholesale establishments, warehouses and storehouses except those set forth in Section 190-54, which are conditional uses.
  - v. Site preparation, soil movement, cut and fill in conjunction with an approved site plan for a permitted principal use following completion of site preparation.

B. Permitted Accessory Uses and Structures

- (1) Permitted accessory uses and structures which are customarily incidental to permitted principal uses.

C. Conditional Uses:

- (1) Agriculture, farm, or horticulture uses (§ 190-42)
- (2) Animal hospitals and kennels (§ 190-49)
- (3) Automobile repair services (§ 190-55)
- (4) Country clubs, swim clubs and outdoor recreational facilities (§ 190-50)
- (5) Cannabis Marketplaces Classes 1 – 4 (§ 190-120)
- (6) Gasoline service stations (§ 190-52)
- (7) Light manufacturing, fabricating and assembly plants subject to Article X Performance Standards
- (8) Private housing for equine animals (§ 190-36)
- (9) Public and Private Schools (§190-47)
- (10) Riding academies and stables (§ 190-53)
- (11) Wholesale establishments, warehouses and storehouses subject to Article X Performance Standards and for any § 190-54 as applicable Wholesaling, warehousing and storing of certain materials set forth in §190-54.

D. Prohibited Uses

- (1) Consumption of cannabis on the premises of any Cannabis Marketplace Class 5 Retailer located in the Route 206 ECD Zone.
- (2) "Cannabis consumption areas," as defined by N.J.S.A. 24:6I-33, shall be prohibited throughout the Route 206 ECD Zone.

E. Area and Bulk Requirements

The following bulk standards apply to the 206 ECD Zone:

<b>Principal Building Setbacks</b>	
<b>Minimum Lot Width</b>	100 feet
<b>Minimum Front Yard Setback</b>	20 feet
<b>Minimum Side Yard Setback</b>	10 feet
<b>Minimum Rear Yard Setback</b>	20
<b>Maximum Building Height</b>	3 Stories/50 feet
<b>Maximum Impervious Coverage</b>	75%
<b>Maximum Building Coverage</b>	50%
<b>Accessory Building Setbacks</b>	
<b>Minimum Front Yard</b>	20 feet
<b>Minimum Side Yard</b>	5 feet
<b>Minimum Rear Yard</b>	10 feet

**SECTION 4.** All ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 5.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 6.** This Ordinance may be renumbered for codification purposes.

**SECTION 7.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

**CERTIFICATION**

I, Patricia L. Bussow, Municipal Clerk of the Township of Andover, in the County of Sussex in the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Original Ordinance duly passed and adopted by a majority of the full membership of the Andover Township Committee at its meeting held July 18, 2024.

  
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Patricia L. Bussow, RMC  
Administrator/Municipal Clerk

ATTACHMENT A

Route 206 Economic Development Zone Parcels

PARCELS WITHIN ROUTE 206 Economic Development Zone

BLOCK	LOT	PROPERTY ADDRESS	ACREAGE
134	16.02	483 RT 206	2.31
134	17.02	519 RT 206	1.53
134	17.06	515 RT 206	1.09
134	17.08	521,523 TO 531 RT 206 S	1.13
134	17.12	505 RT 206 N	2.85
134	22	641 RT 206 S	25.6
134	25.01	661 RT 206 S	1.37
134	25.02	665 RT 206	50.26
134	26	667 RT 206	1.47
134	33	STICKLES POND RD	67
151	2	473 RT 206	0.46
151	3	471 RT 206	0.35
151	16	453 & 451 RT 206	4.28
151	18	314 STICKLES POND RD	2.22
151	19	310 STICKLES POND RD	8.88
151	20	290 STICKLES POND RD	4.88
151	21	248 STICKLES POND RD	86.84
151	22	RT 206	331.81
151	22.02	293 RT 206	9.01
153	21	454 RT 206 SO	2.75
153	25	420 RT 206 SO	2.48
153	26	412 RT 206 SO	16.46
153	27	408 RT 206	9.57
153	32	380 RT 206	3.75
153	35	RT 206	21.01
154	47	468, 468A, 470 RT 206 SO	1.4
155	5.01	474-476 RT 206 SO	4.5
158	1	698 RT 206 SO	0.92
158	2	692 RT 206 SO	0.69
158	3	690 RT 206 SO	0.5
158	6	662 RT 206 SO	10.51
158	10	RT 206	26.71
158	14.01	708 RT 206	8.31
158	14.02	706 RT 206 SO	12.05
159	1.03	719 & 717 RT 206	2.25
159	2	727 RT 206	5.45

BLOCK	LOT	PROPERTY ADDRESS	ACREAGE
159	4	733 RT 206	8.53
159	7	723 RT 206	1.19
161	5	726 RT 206	9.39
161	5.01	720 RT 206 SO	4.46
161	5.02	714 RT 206	5.54
161	6	710 RT 206	1.43
1	5.03	OFF RT 206	47.34
134	28	695 RT 206	0.46

## NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on May 16, 2024. A public hearing regarding same will be held at a hybrid meeting scheduled for June 20, 2024, beginning at 7:00PM, to be held both in person and virtually via Zoom, which details for accessing the meeting are as follows:

### Zoom Meeting


<https://us02web.zoom.us/j/85385763939?pwd=Y0xXTzRKSGorZmVpWVpYbmttSVJ6QT09>

Webinar ID: 853 8576 3939

Passcode: 814400

Phone: +1 929 205 6099

All persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same. Copies of said Ordinance will be made available at the Clerk's office in the Township of Andover Municipal Building to the members of the general public who shall request the same.

  
Patricia L. Bussow, RMC  
Administrator/Municipal Clerk

**TOWNSHIP OF ANDOVER  
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

**ORDINANCE #2024-06**

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OF THE TOWNSHIP OF ANDOVER TO ESTABLISH THE ROUTE 206 ECD ZONE.**

**NOTICE OF FINAL ADOPTION**

PUBLIC NOTICE is hereby given that the foregoing Ordinance was adopted at a public hearing held at a Hybrid Meeting of the Township Committee of the Township of Andover on July 18, 2024. Said Hybrid Meeting was held virtually via Zoom and in person at the Municipal Building, 134 Newton Sparta Road, Newton, NJ 07860, at which time all persons were given the opportunity to be heard concerning same. This Ordinance shall take effect immediately upon publication, as required by law.

*Patricia L. Bussow*

Patricia L. Bussow, RMC  
Administrator/Municipal Clerk