

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

ORDINANCE NO. 2015-04

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND
STATE OF NEW JERSEY TO AMEND THE TOWNSHIP CODE BY AMENDING
CHAPTER 190 "ZONING," ARTICLE V "USE AND BULK REGULATIONS," SECTION
190-38, "MOUNT LAUREL ZONE" TO CLARIFY PERMITTED USES WITHIN THE
MOUNT LAUREL ZONE**

WHEREAS, certain property in the Township of Andover is located in the Mount Laurel Zone; and

WHEREAS, the current Zoning Code has been interpreted to mean that the only commercial use permitted on property located within the Mount Laurel Zone is that consisting of mixed uses of commercial and low- and moderate-income housing; and

WHEREAS, the Zoning Officer has evaluated the property located in these zones and determined that permitting stand alone commercial use within the Mount Laurel Zone would be beneficial to the Township; and

WHEREAS, the financial benefit to the Township in permitting such standalone commercial uses within the Mount Laurel Zone is potentially very large; and

WHEREAS, the Township Committee has determined that amending the current Zoning Code to permit standalone commercial uses in the Mount Laurel Zone is in the best interest of the Township.

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 1. Chapter 190 "Zoning," Article V "Use and Bulk Regulations," Section 190-38 "Mount Laurel Zone," of the Code of the Township of Andover, is hereby amended and supplemented to read as follows:

§190-38 Mount Laurel Zone.

B. Commercial uses.

(1) Any commercial use permitted in the HC Zone shall be permitted in the ML Zone under the same bulk requirements as permitted in the HC Zone.

(2) Nothing in this section shall preclude a stand alone commercial use within the ML Zone as long as such use complies with the bulk requirements of the HC Zone and does not occupy more than the minimum tract size noted below in Subsection **C(1)**.

(3) An applicant may construct a mixed-use development consisting of commercial uses and low- and moderate-income housing provided that a limit of 6,600 square feet of commercial space per acre for the part of the site used for commercial purposes shall apply.

(4) Commercial uses in the ML Zone shall be located within 500 feet of Route 206.

(5) Any mixed-use development in the ML Zone pursuant to Subsection **B(3)** above shall conform to the requirements set forth in Article **XIII**, Affordable Housing.

The other subsections of §190-38 remain unchanged.

SECTION 2. 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 3. 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 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

SECTION 5. This Ordinance may be renumbered for codification purposes.

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

ATTEST:

, Clerk

By: _____
Michael Lensak, Mayor

Introduced: February 09, 2015
Adopted: March 09, 2015
Certified: [March 19, 2015](#)

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NOTICE OF PENDING ORDINANCE

PLEASE TAKE NOTICE that the above entitled Ordinance was introduced at a regular meeting of the Township of Andover, County of Sussex and State of New Jersey, held on February 09, 2015 and will be considered for final passage after public hearing at a regular meeting of the Township Committee to be held on March 09, 2015 at 7:30PM in the Municipal Building, 134 Newton-Sparta Road, Andover Township NJ.

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NOTICE OF FINAL ADOPTION

NOTICE is hereby given that the above entitled ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 23rd day of February 2015. The same came up for final adoption at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 09th day of March 2015, and, after all persons present were given an opportunity to be heard concerning same, it was finally passed and adopted and will be in full force in the Township according to law.

Vita Thompson, R.M.C.
Clerk/Administrator

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