

**Ordinance No. 2014-16**

**AN ORDINANCE TO AMEND CHAPTER XIII OF THE REVISED  
GENERAL ORDINANCES OF THE TOWNSHIP OF WANTAGE,  
BEING THE ZONING CHAPTER**

**BE IT ORDAINED** by the Township Committee of the Township of Wantage that Chapter XIII of the Revised General Ordinances of the Township of Wantage being the Zoning Chapter shall be and is amended to add a new section Wantage Economic Development Zone District as follows;

**WHEREAS**, the Township Committee and Land Use Board have concluded that a new approach to planning and zoning is required to manage future growth consistent with smart growth policies of the Master Plan, Sussex County Strategic Growth Plan and the New Jersey State Plan;

**Section 1: Section 13-3.1 Zoning Districts. For the purpose of this chapter  
Wantage Township is hereby divided into use districts as follows:**

Symbol	Name
PSC-B	Planned Small Community – Beemerville
PSC-C	Planned Small Community – Colesville
PSC-MC	Planned Small Community – McCoy's Corner
RE-5	Residential Environs Residential District – 5 acre
R-2	Residential Single-family – 15,000 square feet
M-R	Multiple Family Residential
RC	Residential Commercial
NC	Neighborhood Commercial
HC	Highway Commercial
PCD	Planned Commercial Development
SVD	Shopping Village Development
LI	Limited Industrial
I	Industrial
All	Airport Hazard
<b>WED</b>	<b>Wantage Economic Development</b>

**Section 2: Section 13-3.2a. Zoning Map-Boundaries is hereby modified as follows:**

"The boundaries of the Zone Districts described in section 13-3.1 are hereby established as shown on a map entitled 'Zoning Map of the Township of Wantage' last revised December 12, 2013, prepared by Harold B. Pellow & Associates of Augusta New Jersey and dated April 1995, which map accompanied and was declared to be part of this ordinance as amended from time to time by ordinance and now the attached August 14, 2014 revision to said map is herewith made a part of this section."

**Section 3: Section 13-9B Wantage Economic Development Zone (WED) is hereby added as follows:**

In accordance with the Municipal Land Use Law, the Wantage Economic Development Zone is intended to permit the construction of permitted uses provided that any preliminary and final site plan within the zone and any use of the property shall comply with the standards set forth in this subsection.

13-9B-1 *Purpose*. The purpose of the Wantage Economic Development Zone District is to encourage development and redevelopment of large tracts of land along Route 23 and County Route 565 in a planned setting. A planned development will prevent an adverse impact on the community and enhance the existing and future uses, and permit the free flow of traffic to meet the State Access Management Code. The intent of the WED Zone District is to complement the planned mixed-use/small community village centers in the corridors by encouraging employment generating uses for existing and future residents.

13.9-B-2 *Permitted Uses*. The following uses are permitted principal uses in the WED Zone District.

- a. Office building for business, professional, executive medical and administrative offices.
- b. Banks and banking offices.
- c. Commercial buildings for users such as supermarkets, sales and showroom facilities for hardware, furniture, floor coverings and carpeting, bath and tile stores, lighting fixture, business supply stores and other retail uses with a minimum leasable space of 2,000 SF; accessory indoor inventory storage shall be permitted.
- d. Restaurants including outdoor dining and takeout food services.
- e. Indoor theaters, indoor cinemas and indoor recreation centers.
- f. Hotels and conference centers which may include health clubs and spas; catering facilities and restaurants open to the public but ancillary to the principal permitted use; access to all guest rooms shall be via hallways from a main lobby.
- g. Agricultural uses on five (5) acres or more. Refer to subsection 13-5.1b.
- h. Scientific, research and development laboratories.
- i. Government uses
- j. Flex office and warehouse uses
- k. Light manufacturing

13.9-B-3 *Conditional Uses*. The following uses are permitted as conditional uses in the PCD Zone:

- a. Public utilities.
- b. Schools and institutions.

13.9-B-4 *Prohibited Uses*. The following uses are specifically prohibited in the WED Zone:

- a. Trucking terminals.

13.9-B-5 *Accessory Uses*. Those uses customarily incidental to the above.

13.9-B-6 *Specifically Discouraged Uses*. Any use which directly or indirectly utilizes hazardous materials as defined by the NJDEP Brownfield Program.

13.9-B-7 *Required Standards*. All development in the WED Zone District shall meet the following minimum standards:

- a. A WED development parcel shall have a minimum of at least twenty (20) acres with access to Rt. 23 or a county road via a common access road with connections to adjacent properties in the zone district. To the maximum extent possible, there shall be no direct vehicular access to individual businesses from Route 23 or a county road. Existing undersized lots at the time of the ordinance adoption shall comply with I or LI Zone District standard whichever apply.
- b. The WED development shall have a unified architectural and design scheme which shall be subject to the review and approval of the Land Use Board at the time of preliminary site plan approval. The approved unified architectural and design scheme shall be complied with by the applicant and any future developers within the planned development. There shall be no changes to the architectural and design scheme without a formal amendment to the planned commercial development by the applicant and approval of the amendment by the Land Use Board of the Township of Wantage. The unified architectural and design scheme shall include a unified architectural appearance on all facades of the buildings, and shall provide for a common signage theme for all use on the property.
- c. Signs. Signage in the WED development shall be limited to one (1) facade sign per use and a maximum of thirty six (36) square feet per use on the facade. There shall be no more than one (1) freestanding sign identifying the WED development visible from Route 23 or a county road. Said freestanding sign may be located on a pylon or foundation and shall be no greater than forty eight (48) square feet on each side and shall be no higher than sixteen (16) feet in height. The freestanding sign shall not be a directory sign listing the tenants. One (1) directory sign internal to the development may be submitted and approved. The directory sign may be up to thirty-two (32) square feet on each side.

- d. Minimum lot size for any one (1) building shall be two (2) acres, except that the minimum lot size for Hotels shall be five (5) acres.
- e. In the WED District more than one (1) principal use may be permitted on the same lot.
- f. The uses within the WED shall provide for parking in accordance with the parking schedule.
- g. Maximum Impervious Coverage. Sixty-five (65%) percent.
- h. Landscape Plan. Any development shall provide a landscape plan at the time of preliminary site plan approval setting forth landscape buffers between adjacent properties and within and between parking lots. The landscape islands within the parking lots shall be located at least every forty (40) parking spaces. The landscape plan shall provide for the initial planting of shade trees with a minimum caliper of three (3) inches and at least one (1) tree every thirty (30) feet of a landscape area within the parking area or on the perimeter of the parking area and on all property boundaries. Landscape buffers shall be coordinated between uses to screen parking lots, utility and loading areas
- i. Common Access between Parking Lots. Any WED development shall provide for the common ingress to and egress from parking lots and for common access between parking lots even if owned by separate property owners within the development. A deed of common driveway and parking' easements shall be submitted with any planned commercial development and shall be subject to the review and approval of the Land Use Board Attorney and Township Engineer. The common driveways shall be intended to limit the driveways to the access road and to prevent any need for driveways to Route 23 or a county road.
- j. Prior to the commencement of any site work, the applicant shall enter into a developer's agreement with the Township Committee of the Township of Wantage as authorized by the Municipal Land Use Law establishing certain minimum conditions relating to water, septic or sewer, fire protection, ingress and egress to ensure access for individual lots, timing and rate of development and construction of private and public improvements, performance guarantees for any common access ways and/or public improvements, maintenance guarantees for any common access ways or public improvements, and such other time period or statutory protection period applicable to the development, and such other standards and provisions as shall be deemed appropriate by the Governing Body of the Township of Wantage.

- k. Pedestrian Walkways between Buildings. All commercial buildings within a WED development shall provide for safe vehicular and pedestrian ingress to and egress from parking lots and drives and building areas. In addition, a pedestrian plan shall be submitted with the application at the time of preliminary site plan application providing for pedestrian access from parking spaces devoted to particular uses to the buildings to which the parking spaces are devoted. The architectural scheme for the WED development shall provide for internal pedestrian circulation within buildings and between uses within buildings and for connection between buildings and parcels. Such connections may include covered walkways and/or internal pedestrian walkways.
- l. Evaluation Standards and Criteria. In order to foster the attractiveness of a site designated as a WED, Wantage Economic Development and the surrounding neighborhoods and thereby preserve property values, and in order to provide an efficient road and utility network, ensure the movement of traffic, implement comprehensive planning and better serve the public health, safety and general welfare, the following standards and criteria shall be utilized by the Land Use Board in reviewing all site plans and subdivision plats relating to a WED development application. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation.
  - 1. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal. Except for existing undersized lots, all WED development shall provide a minimum front yard of one hundred (100) feet from Route 23 or a county road, which shall be a landscaped area.
  - 2. Proposed buildings shall be related harmoniously to the terrain and to other buildings in the vicinity that have a visual relationship to the proposed buildings.
  - 3. The distance between buildings shall be sufficient to provide adequate light and air.
  - 4. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.
  - 5. Special attention shall be given to property site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system to maximum extent practical. All storm water shall be retained on site and may be recycled.

6. All permanent utility lines, pipes and conduits shall be located below ground, and all other installations and appurtenances shall be adequately screened.
7. The size, location, design, color, texture, lighting and materials of all temporary and permanent signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.
8. Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.
9. Adequate provision shall be made for a sewage disposal system which shall be of sufficient size, capacity and design to collect and dispose of all sewage from all present and proposed buildings in the WED development and which shall be otherwise constructed and maintained in conformity with all applicable State, County and municipal regulations and requirements.
10. Adequate provision shall be made for a storm drainage and surface water detention system which shall be of sufficient size, capacity and design to collect, carry off and dispose of all predictable surface water runoff within the development and which shall be otherwise constructed and maintained in conformity with all applicable State, County and municipal regulations and requirements.
11. Adequate provision shall be made for a water system which shall be of sufficient size, capacity and design to supply potable water and fire protection to each of the buildings within the WED development and which shall be otherwise constructed and maintained in conformity with all applicable State, County and municipal regulations and requirements.
12. Adequate provision shall be made for the collection and disposal and, where possible, recycling of garbage, trash and solid waste generated by the WED development, and such system shall be maintained in conformity with all applicable State, County and municipal regulations and requirements.
13. Adequate provision shall be made for a system of interior roads sufficient to accommodate predictable vehicular traffic within the WED development and to ensure safe and efficient vehicular access, including access of fire-fighting equipment to and from each of the buildings within the development.

14. In the event that the development is to be constructed in sections over a period of years, then the provisions for the sewage and garbage disposal, storm drainage and water supply and for interior roads, specified in paragraphs 9, 10, 11, 12 and 13 above, need to be adequate only in respect to the sections of development which have previously received final approval and the section of development for which final approval is being sought. The developer shall supply to the Land Use Board information disclosing such adequacy and obtain the Land Use Board's approval thereof.
15. There shall be a minimum front yard setback of fifty (50) feet for buildings and twenty-five (25) feet for any parking area. Except as otherwise provided in this section, there shall be no minimum width or frontage, no requirement as to front, side or rear yards, and no requirement concerning the location of accessory buildings or structures for any land use in the WED, planned development. However, no plan for a WED development shall be approved unless the lot widths, depths and frontages, building setbacks, percentages of lot coverage, front, side and rear yards and locations of accessory buildings or structures provided for in the site plan and subdivision plan are consist with the public health, safety and general welfare.
16. The height of any principal building within a WED, planned development shall not exceed forty (40) feet, except that hotels, and conference centers may have four (4) stories and a height of a maximum of forty five (45) feet.
17. No building or structure, other than a fence or garden wall less than seven (7) feet in height, or a sign, shall be located within a distance of fifty (50) feet of any exterior boundary line of the site designated for a 'WED planned development, and no such building or structure other than those excepted above shall be located within a distance of fifty (50) feet of any State or county road.
18. Community Design Standards. In addition to the above standards and requirements the applicant shall comply with Ordinance section 13-13A.

**Section 4.** Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

**Section 5.** All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**Section 6.** The Municipal Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this ordinance to the County Planning Board and to all other entities thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this ordinance, after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

**Section 7.** This ordinance shall take effect after publication and passage according to law.

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William DeBoer, Mayor

ATTEST:

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James R. Doherty, Administrator/Clerk

### **NOTICE**

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Township Committee of the Township of Wantage, on September 25, 2014, and will be considered for final passage after public hearing at a regular meeting of the Township Committee of the Township of Wantage to be held on October 23, 2014, at 7:00 p.m. in the Municipal Building, 888 Route 23 South, Wantage, New Jersey.

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James R. Doherty  
Administrator/Clerk