

Ordinance #2026-07

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND
STATE OF NEW JERSEY ADOPTING CERTAIN AMENDMENTS TO THE
REDEVELOPMENT PLAN IDENTIFIED AS THE ROUTE 94 REDEVELOPMENT
PLAN FOR BLOCK 16 LOT 8.01 & BLOCK 14 LOT 24.01**

WHEREAS, the Mayor and Council of the Township of Hardyston, by Ordinance #2024-09 adopted on August 28, 2024, adopted the Route 94 Redevelopment Plan for Block 16 Lot 8.01 & Block 14 Lot 24.01;

WHEREAS, said Redevelopment Plan complied with the requirements of all applicable State and Federal statutes and regulations promulgated thereunder;

WHEREAS, it has become necessary to amend the redevelopment plan further;

WHEREAS, the Joint Land Use Board of the Township of Hardyston has submitted to the Mayor and Township Council its recommendations regarding the amendments to the Redevelopment Plan for the Area and the Mayor and Township Council duly considered the Joint Land Use Board's recommendations concerning same;

WHEREAS, the Township Council of the Township of Hardyston, as the Redevelopment Entity under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., has reviewed and considered the recommended amendments to the Redevelopment Plan from the Joint Land Use Board;

WHEREAS, the Township Council of the Township of Hardyston, as the Redevelopment Entity under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., has reviewed the certain proposed amendments to the Redevelopment Plan, approved by the Hardyston Township Joint Land Use Board, and wish to adopt these amendments as referenced in Exhibit "A" to this Ordinance, attached hereto and made a part hereof this Ordinance; and

WHEREAS, the Township Council of the Township of Hardyston has determined that approving the proposed amendments to the Redevelopment Plan will be in the best interest of the residents of the Township of Hardyston; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Hardyston, County of Sussex and State of New Jersey that:

Section 1. That the proposed amendments to the Redevelopment Plan, as referenced in Exhibit "A" to this Ordinance, attached hereto and made a part hereof this Ordinance, hereby are adopted as amendments to Ordinance #2024-09 and any and all subsequent revisions to this Ordinance; and

Section 2. It is hereby found and determined that the Amended Redevelopment Plan conforms to the Master Plan of the Township of Hardyston;

Section 3. It is hereby found and determined that the Amended Redevelopment Plan gives due consideration of the provision of appropriate allowable uses of the areas as is desirable for mixed use residential development, with special consideration for the health, safety and welfare of the residents of the area and the Township of Hardyston;

Section 4. It is hereby found and determined that the amendments to the Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the redevelopment of the area;

Section 5. In order to facilitate the implementation of the Redevelopment Plan and the amendments thereto, it is hereby found and determined that this action must be taken by this Township Council to amend this Section of the Redevelopment Plan in order to facilitate the rehabilitation and redevelopment of the property;

Section 6. Development activity pursuant to the Redevelopment Plan and its amendments shall only be related to the area and any analysis of surrounding area contained in the Redevelopment Plan and its amendments shall not be construed to mean that the Township of Hardyston intends to develop such surrounding areas.

Section 7. The Redevelopment Plan for the area and its amendments, having been duly reviewed and considered, is hereby approved, and the Township Clerk is hereby directed to file a copy of the Redevelopment Plan with the minutes of this meeting.

Section 8. All Ordinances contrary to the provisions of this section of the Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 9. This Ordinance shall take effect upon final passage and publication in accordance with law.

NOTICE

PLEASE TAKE NOTICE that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Hardyston Township Council held at the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey, on February 25, 2026. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on March 11, 2026, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

Jane Bakalarczyk, RMC, Municipal Clerk

**Amendment to Route 94 Redevelopment Plan
for Block 16 Lot 8.01 & Block 14 Lot 24.01**

**Hardyston Township
Sussex County, New Jersey**

**Prepared by
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(Addition of text in bold; deletion noted in strikethrough)

Section 1. Amend Paragraph 1 of Property Description & Location to read as follows:

PROPERTY DESCRIPTION & LOCATION

The Redevelopment Area is located in the north-central portion of the Township adjacent to the Hamburg Borough municipal border along Route 94 and consists of two undeveloped properties: Block 14, Lot 24.01 (**referred to hereinafter as “Village Center North”**) and Block 16, Lot 8.01 (**referred to hereinafter as “Village Center South”**). The properties are not contiguous, but are adjacent to each other, separated by rights-of-way. Block 16, Lot 8.01 has frontage along the southern side of Route 94. Block 14, Lot 24.01 is located on the northern side of Route 94, across from Block 16, Lot 8.01.

Section 2. Amend Paragraph 2 of Objectives of the Plan to read as follows:

OBJECTIVES OF THE PLAN

The purpose of the Route 94 Redevelopment Plan is to amend the Village Center Ordinance in order to provide additional flexibility for the proposed development of the sites while maintaining the overall original vision for the Village Center. The market has changed quite dramatically since the ordinance was first adopted in 2007. Rather than create a retail-oriented Village Center area, the Plan is to create a resort-oriented commercial services and recreation-oriented Village Center. Thus, the focus on non-residential development in the center would be on activities both indoor and outdoor to enhance the character of the area. The Plan is to allow for more recreation-oriented uses as has been the case in the Crystal Springs development over the past several years. **The Plan allows for designation of different redevelopers for the**

redevelopment of Village Center South and Village Center North properties (which redevelopers, in the event of such designation, are referred to collectively as “redeveloper” in this Plan).

Section 3. Amend Section 185-119 Tract Standards, Subsection D, Requirements, Sub-Area 3.

(3) Maximum residential units: In no instance shall there be more than 1,056 units, which includes any on-site affordable units. The maximum number of residential units in the village center and the adjacent Commercial Recreation Zone shall not exceed a total of 2,738 units. Beds/units in assisted living facilities, nursing homes and hospice care shall count as units for the purposes of this section.

Village Center South: In no instance shall there be more than 634 units, which includes any on-site affordable units, located in Village Center South.

Village Center North: In no instance shall there be more than 422 units, which includes any on-site affordable units, located in Village Center North.

Section 4. Amend Section 185-119 Tract Standards, Subsection D, Requirements, Sub-Area 11, Minimum Affordable Housing.

Sec 185-119 D (11)

(11) Minimum affordable housing:

(a) ~~The Village Center South will provide 143 rental units.~~ The redeveloper of Village Center South will provide for affordable rental units and/or for-sale units totaling twenty-percent (20%), or such amount as required at such time by applicable New Jersey state law, of the total market-rate units in accordance with Uniform Housing Affordability Controls phasing requirements and requirements of the Township’s Affordable Housing Ordinance established by Chapter 185, Article XXI, Subsection 90.1 and determined based solely on the actual development within Village Center South.

The redeveloper of Village Center North will provide for affordable rental units and/or for-sale units totaling twenty-percent (20%), or such amount as required at such time by applicable New Jersey state law, of the total market rate residential unit in accordance with Uniform Housing Affordability Controls phasing requirements and requirements of the Township’s Affordable Housing Ordinance established by Chapter 185, Article XXI, Subsection 90.1 and determined based solely on the actual development within Village Center North. All proposed affordable

units shall be constructed according to Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.). In addition, 13% of the total units shall be very-low income.

~~(b) The affordable housing obligation shall be provided pursuant to an affordable housing developer's agreement with the Township Council. Affordable units may be located throughout the development. The Commercial Recreation (CR) Zone is also hereby amended to confirm that § 185-90.1 of the Township Code does not apply in the CR District, excluding the Village Center South and Grand Cascades Lodge, and developer fees shall be paid for all development in the CR District outside of the Village Center South.~~

~~(b)~~(e) If assisted living facilities are constructed pursuant to the long-term care residence option, then creditworthy assisted living beds/units may be credited against the required affordable rental units, of which no more than 1/3 of the total number of affordable units shall be age-restricted. Assisted living facilities may have up to 10% of the total units as affordable.

Section 5. Amend Section 185-20, Permitted Uses.

§ 185-120 Permitted uses.

[Repeal Section 185, Attachment 11: Permitted Uses]

A. The following uses shall be permitted in the Mixed-Used Village Center zone located **in Village Center South**:

- (1) Retail sales and services (exclusive of auto-related uses);
- (2) Restaurants and eating establishments (including curbside pickup and outdoor dining);
- (3) Banks and financial institutions;
- (4) Theatres;
- (5) Health clubs, spas, saunas, wellness centers;
- (6) Urgent-care centers and surgical centers (nonretail uses);
- (7) Offices;
- (8) Indoor recreational uses and clubhouses (exclusive of adult entertainment uses);
- (9) Pubs, taverns, bars, brew pubs, breweries, distilleries, wineries including retail sales and tasting;
- (10) Art schools and cooking schools;

- (11) Hotels;
- (12) Resort recreation activities both indoor and outdoor including, but not limited to axe throwing, zip lines, indoor and outdoor pools and water parks, pickle ball, paddle tennis and tennis, mini-golf, and arcades; and
- (13) Recording studios.
- (14) Long-term resident care
- (15) ~~Townhouses.~~ **Resort Oriented Housing to include; single-family detached dwellings, single-family detached dwellings with zero-lot-lines, single-family attached (duplex) dwellings with zero-lot-lines, townhouse dwelling units, multilevel housing units, multistory, common entrance condominium buildings, and age-restricted housing;**
- (16) Multi-family; including multi-story, common-entrance ~~condominium~~ or apartment buildings
- (17) Short-term rentals ~~south of Route 94~~ in the Mixed-Use Village **Center South** Zone.
- (18) Public and quasi- public uses such as museums or civic space;
- (19) Hotel condominiums only if operated in connection with a full-service hotel developed in the village center;
- (20) Low and moderate affordable housing, affordable units may be located on the ground level provided they do not front on Main Street;
- (21) Meeting rooms and conference facilities;
- (22) Golf villa units;
- (23) Mixed-use with nonresidential uses on the ground level and residential uses above.

B. The following uses shall be permitted in the Village Center North:

- (1) Resort Oriented Housing to include; single-family detached dwellings, single-family detached dwellings with zero-lot-lines, single-family attached (duplex) dwellings with zero-lot-lines, townhouse dwelling units, multilevel housing units, multistory, common entrance condominium buildings, and age-restricted housing;**
- (2) Multi-family; including multi-story, common-entrance apartment buildings.**

Section 6. Amend Section 185-21, Additional standards and accessory uses.

§ 185-121 Additional standards and accessory uses.

[Repeal Section 185, Attachment 12: Additional Standards and Accessory Uses]

A. The following accessory uses shall be permitted in the Mixed-Use Village Center zone **located in Village Center South:**

- (1) Parking;
- (2) Signage;
- (3) Outdoor dining;
- (4) Public spaces/plazas/open space;
- (5) Merry-go-rounds;
- (6) Miniature trains;
- (7) Glockenspiels;
- (8) Amphitheaters;
- (9) Holiday markets, festivals and events;
- (10) Farmers markets and petting zoos;
- (11) Outdoor recreation classes, i.e., Goat Yoga;
- (12) Hiking paths, activity trails; Bandstands, gazebos, outdoor pavilions; and
- (13) Other accessory uses and structures customary and incidental to the principal permitted uses.

B. The following accessory uses shall be permitted in Village Center North:

- (1) Parking;**
- (2) Signage;**
- (3) Public spaces/plazas/open space;**
- (4) Hiking paths, activity trails, bandstands, gazebos, outdoor pavilions; and**
- (5) Other accessory uses and structures customary and incidental to the principal permitted uses.**

Section 7. Amend Administrative and Procedural Requirements, Redevelopment Entity to read as follows:

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

REDEVELOPMENT ENTITY

The Governing Body of Hardyston Township shall serve as the Redevelopment Entity to implement this Redevelopment Plan. The Redevelopment Entity must designate or conditionally designate a redeveloper prior to the submission of an application to the Planning Board for any approval based on the standards of this Redevelopment Plan to the Planning Board. **The Redevelopment Entity may designate different redevelopers for Village Center South and Village Center North..**