

TOWNSHIP OF CHESTERFIELD

ORDINANCE NO. 2017-10

AN ORDINANCE TO AMEND CHAPTER 130 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD, AND SPECIFICALLY ARTICLE IV GOVERNING REGULATIONS IN THE “AG” AGRICULTURAL DISTRICT

WHEREAS, the Township Planning Board has recently prepared its Draft Chesterfield Township Master Plan Re-Examination and Master Plan Amendment Report, and has conducted a public hearing on said Report; and

WHEREAS, said Master Plan Re-Examination Report and Master Plan Amendment underscores the recognition of the importance of the agricultural history of the Township of Chesterfield, and the importance of maintaining the integrity of the agricultural industry and the agricultural zoning of this Township, and the importance of farmland preservation, both formally and informally, to the character of this community; and

WHEREAS, the Township Committee deems it appropriate to revisit Chapter 130-11 of the Code of the Township of Chesterfield regarding the “Purpose” behind the agricultural zones and districts of the Township, and to elucidate further upon the purpose and background of these zoning districts.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington and State of New Jersey as follows:

ARTICLE I. AMENDED SECTION. Section 130-11 of the Code of the Township of Chesterfield, entitled "Purpose" is hereby amended to now read as follows:

Section 130-11. Background, History and Purpose.

- A. Background and History. The Township of Chesterfield has a rich history as a rural farming community dating back to 1677 when the land was first settled by Quaker immigrants from England. Today, Chesterfield retains the charm and character of a colonial-era small town with deep ties to agriculture. Chesterfield takes pride in its history and works diligently to preserve its reputation as an agrarian farming community.

To that end, as of the start of 2017, Chesterfield has permanently preserved more than 7,000 acres of farmland, representing more than half of the Township's total land area. This preservation was accomplished by utilizing State and County programs, and implementing a comprehensive municipal Transfer of Development Rights ("TDR") Program that directed future growth to a designated "Receiving Area." The goal of Chesterfield's municipal Master Plan is to cluster new development into a well-designed community center while allowing the surrounding lands to remain dedicated to agriculture and natural open space. By allowing landowners in planned preservation areas to sell Development Rights to Developers who can use them in the Planned Village Center, new growth pays for the protection of Chesterfield's historically-significant farmland and open space.

Farming, agricultural use of the land, and preserving open space is integral to Chesterfield's character and identity, and these activities play a significant role in its Master Plan.

- B. Purpose. The Agricultural District represents the bulk of the Township's land area consistent with present agricultural operations and the Township's designation in various regional plans as an area for agricultural preservations. The permitted uses are intended to encourage the continuation of the industry of agriculture and to discourage growth and infrastructure which threatens or diminishes the Township's reputation as a farming community. As such, new residential, commercial and industrial development is minimized. The attempt is to provide a balance between a landowner's right to sell a parcel of land for an occasional home and providing reasonable control to avoid excess development that would intrude upon efficient agricultural operations. Lost farmland is irreplaceable. Thus, an acre of farmland, once removed from agricultural purposes and uses, is gone forever, and cannot generally be replaced with farmland acreage elsewhere in this community.

§130-12 Permitted principal uses.

Permitted uses on the land and in buildings shall be as follows:

- A. Agricultural Operations and Farms.
- B. Single-Family Dwellings.
- C. Public Parks and Playgrounds.

**§130-13 Permitted accessory uses.
NO CHANGES**

**§130-14 Conditional uses.
NO CHANGES**

**§130-15 Area, yard and bulk requirements.
NO CHANGES**

ARTICLE II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

CHESTERFIELD TOWNSHIP COMMITTEE

Introduced: July 13, 2017

Adopted: