

PUBLIC HEARING DECEMBER 14, 2017

TOWNSHIP OF CHESTERFIELD

ORDINANCE NO. 2017-17

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWNSHIP OF CHESTERFIELD, AND AMENDING AND SUPPLEMENTING PORTIONS OF CHAPTER 130 (“LAND DEVELOPMENT”) OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD, IN ACCORDANCE THEREWITH

WHEREAS, the Township of Chesterfield strives to adopt and implement land use regulations that advance the goals and objectives of the Township as set forth in the Master Plan, in a clear and consistent fashion; and

WHEREAS, during a public meeting held on August 15, 2017, the Chesterfield Township Planning Board passed Resolution 2017-15 adopting the 2017 Master Plan Reexamination Report and Master Plan Amendment (“2017 Report”) in accordance with N.J.S.A. 40:55D-28 and N.J.S.A. 40:55D-89; and

WHEREAS, the 2017 Master Plan Reexamination was undertaken to consider specific land use-related concerns that have arisen since the last Master Plan Reexamination; and

WHEREAS, the Township Committee has reviewed the 2017 Report and wishes to take action to enact certain recommendations made therein seeking to address and resolve split zoning on single parcels, facilitate reasonable commercial development within portions of the Township, and amend certain zones within the Township to more accurately reflect current land uses, while balancing said amendments against retaining AG-zoned parcels in active farm production.

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

ARTICLE I.

The parcels listed on the attached “Exhibit A,” incorporated into this Ordinance by reference, shall be and are hereby rezoned as indicated, per the recommendation by the Planning Board, which memorialized said recommendations and the 2017 Reexamination Report and Master Plan Amendment via Resolution 2017-15. Based on the Township’s Zoning Study, such rezoning will better reflect current zoning patterns and uses, and will correct zoning designations that were found to be problematic to landowners, marketability, or redevelopment of sites.

ARTICLE II.

Upon final adoption of this Ordinance, the Township Engineer is directed to amend the Chesterfield Township Zoning Map to rezone all properties as indicated in the attached “Exhibit A,” incorporated into this Ordinance by reference.

ARTICLE III.

The Code of the Township of Chesterfield shall be and the same is hereby supplemented at Chapter 130, “Land Development,” Article II “Definitions,” to add the definition of “Commercial Farm” between existing terms “Collocation” and “Commercial Solar Energy Facilities,” in order to adopt the definition used by the New Jersey State Agriculture Development Committee, as follows [newly added material is indicated by underlined text; deletions are indicated with ~~striketrough~~]:

COMMERCIAL FARM

A commercial farm shall be (1) a farm management unit of no less than five acres producing agricultural or horticultural products worth \$2,500 or more annually, and satisfying the eligibility criteria for differential property taxation pursuant to the "Farmland Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), (2) a farm management unit less than five acres, producing agricultural or horticultural products worth \$50,000 or more annually and otherwise satisfying the eligibility criteria for differential property taxation pursuant to the "Farmland Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), or (3) a farm management unit that is a beekeeping operation producing honey or other agricultural or horticultural apiary-related products, or providing crop pollination services, worth \$10,000 or more annually.

ARTICLE IV.

The Code of the Township of Chesterfield shall be and the same is hereby amended at Chapter 130, “Land Development,” Article VII “C - Commercial District,” as follows [newly added material is indicated by underlined text; deletions are indicated with ~~striketrough~~]:

§130-28 Permitted Principal uses.

Permitted principal uses shall be as follows:

- A. Bar, tavern and restaurant.
- B. Grocery and general store.
- C. Antique sales.
- D. Beauty and barber shop.
- E. Bank and office.
- F. Convenience store and food market with gasoline dispensing facilities.
- G. Liquor stores and the sale of packaged alcoholic beverages.
- H. For existing Lots 6.01 and 6.02 within Block 1102, upon which residential structures are situated, the uses and standards applicable to the R-1 Zone shall apply in addition to those set forth herein.

ARTICLE V.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Ordinances or provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

- 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.

- A. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law, and the filing of same with the Burlington County Planning Board in accordance with N.J.S.A. 40:55D-16.

CHESTERFIELD TOWNSHIP COMMITTEE

Introduced: November 9, 2017

Adopted:

4849-2382-0628, v. 1