

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON
ORDINANCE 2017-14**

AN ORDINANCE AMENDING CHAPTER 15 AND CHAPTER 16 OF THE TOWNSHIP OF NORTH HANOVER CODE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY FOR CLUSTERING WITH A PLANNED UNIT RESIDENTIAL DEVELOPMENT (PURD) IN R-A ZONING DISTRICT

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of North Hanover, County of Burlington, State of New Jersey that Chapter 15 and Chapter 16 of the Revised General Ordinances of the Township of North Hanover is hereby amended and supplemented by amending Section 16-060 and Section 15-061 to read as follows [added portions are bolded and underlined; deleted portions have strikethrough]:

Section 1. §16-060 Definitions

Planned Unit residential Development – An area with a minimum contiguous or non-contiguous acreage of 100 ~~25~~ acres to be developed as a single entity according to a plan containing one (1) or more residential clusters, which may include appropriate commercial, or quasi-public uses all primarily for the benefit of the residential development.

Section 2. Amendments to §16.081

§16.081.2 Bulk Standards for Lot Yield Plans for Planned Unit Residential Developments

E. Existing residences, homesteads, and non-migrant agricultural employee housing, as well as one acre for any rural microenterprise, ~~that are proposed to remain in a planned unit residential development~~ shall be subtracted from the lot yield of the preserved parcel or parcels. ~~For example, if one existing farmhouse and one homestead are proposed to remain on one or more parcels in a PURD, the total lot yield of the parcels in the PURD will be reduced by two. No reduction in lot yields will be made for dwelling units to be razed. Existing dwelling units that will be razed on contiguous or non-contiguous parcels shall be added to the overall residential lot yield.~~ (underline added, crossed-out deleted)

§16.081.3 Principal Permitted Uses in a Planned Unit Residential Development.

1. Clustered Parcel
 - a. Detached single-family dwellings
2. Preserved Farmland Parcel
 - a. ~~Agricultural uses and farms as defined in §16-060.~~
 - b. ~~Farms and detached single family dwellings.~~
 - c. ~~Homesteads as defined in §16.060.~~
 - a. Agricultural uses and farms with no associated residential uses, as provided in an approved agricultural restriction.
 - b. Agricultural uses and farms with associated residential uses, as provided in an approved agricultural restriction.
 - c. Open space and passive recreational uses, as provided in an approved conservation restriction.

§16.081.4. Accessory Uses Permitted.

1. Clustered Parcel
 - a. Off-street parking (see §16-230).

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- b. Home occupations, as defined in § 16-060.
- c. Other customary accessory buildings and structures such as pools, sheds, garages, etc.
- d. Fences and walls
- e. Signs

2. Preserved Farmland Parcel

- ~~a. Farm stands and related off-street parking associated with farms.~~

~~Travel and camper trailers shall be parked or stored only. They may not be occupied at any time, except in accordance with the provisions of §4-040.~~

- a. Accessory uses, including Agricultural employee housing, as provided in an approved conservation restriction or agricultural restriction.

~~16-081.5 Conditional Uses~~

~~Notwithstanding the provisions of §16-250.4 only the following conditional uses are permitted in planned unit residential developments.~~

~~A. Preserved Farmland Parcel~~

- ~~1. Bed and Breakfast~~
- ~~2. Farm Equipment sales, new and used farm equipment, sales and dealers and farm supply~~
- ~~3. Kennel~~
- ~~4. Veterinary offices and animal hospitals~~
- ~~5. Agricultural employee housing~~

~~B. Clustered Parcel~~

~~None~~

§16.081.5. Conditional Uses (underlined added)

A. Clustered parcel:

- 1. None

B. Preserved parcel:

- 1. Rural microenterprises meeting the applicable qualifications, standards, conditions, and restrictions set forth in N.J.S.A. 4:1C-32.1, as provided in an approved agricultural restriction. The Joint Land Use Board may approve applications to renew and to continue expiring rural microenterprises for a maximum total duration of 20 years, in accordance with that section. (See §16-250.6, where applicable, for specific standards.)

§16-091.7 Area, Yard and Bulk Requirements for Uses on Preserved Parcels (underlined added)

The total area of all preserved parcels shall be no less than 50% of the total area of all proposed clustered and preserved parcels combined and meet the following requirements:

A. Agricultural uses and farms with no associated residential uses:

- 1. Minimum lot area:

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- a. Lot area: five (5) acres.
 - b. Lot frontage along lot line: 200 feet.
 - c. Lot width along front yard setback: 200 feet.
 - d. Lot depth: 400 feet.
2. Minimum setbacks for farm buildings and structures: See §16-080.3C.
- B. Agricultural uses and farms with associated residential uses:
1. Minimum lot area:
 - a. Lot area: six (6) acres.
 - b. Lot frontage along lot line: 200 feet.
 - c. Lot width along front yard setback: 200 feet.
 - d. Lot depth: 400 feet.
 2. Minimum principal building setbacks:
 - a. Front yard setback: 100 feet.
 - b. Rear yard setback: 100 feet
 - c. Each side yard: 15 feet
 3. Minimum accessory building setbacks:
 - a. Front yard setback: 100 Feet.
 - b. Rear yard setback: 75 feet
 - c. Each side yard: 50 feet
 4. Minimum setbacks for farm buildings and structures: See §16-080.3C.
 5. Maximum total building coverage: 20%.
 6. Agricultural employee housing (See §16-250.6.R.)
- C. Rural microenterprises. (See §16-250.7, where applicable, for minimum lot frontage, yard setbacks, parking setbacks, maximum building height, and minimum buffer to residential use requirements.)
- D. Open space and passive recreation uses:
1. None

Section 3. §15-061.7 Standards for Preserved Farmland Parcels

C.2 Land identified for preservation as agricultural land shall be conveyed or dedicated by an agricultural restriction. The agricultural restriction shall be as set forth in a template prepared by the State Agriculture Development Committee for this purpose or obtain approval of the

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agricultural restriction from the State Agriculture Development Committee. In the case of future conveyance of the agricultural restriction, the Burlington County Agricultural Development Board shall determine whether the proposed future holder of the deed of easement is qualified to administer and enforce the terms of the agricultural restriction.

1. Agricultural land subject to an approved agricultural restriction shall be provided the right to farm benefits under the "Right to Farm Act," P.L.1983, c.31 (C.4:1C-1 et al.) and other benefits that may be provided pursuant to the "Agriculture Retention and Development Act," P.L.1983, c.32 (C.4:1C-11 et seq.).

Section 4. INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. PARTIAL INVALIDITY

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

Section 6. COPIES OF ORDINANCE

At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

Section 7. NOTICE

The Township 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 others entitled thereto pursuant to the provisions of N.J.S. 40:55D-15. Upon adoption of this Ordinance, after public hearing thereon, the Township Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S. 40:55D-16 and with the Township Tax Assessor.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke		X	X			
Committeeman Doyle			X			

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Committeeman Kocubinski			X			
Committeeman O'Donnell	X		X			
Mayor DeLorenzo			X			

NOTICE

This Ordinance published herewith was introduced and passed upon first reading at the regular meeting of the Township Committee of the Township of North Hanover held on September 21, 2017. It will be further considered for final passage after a public hearing to be held on October 19, 2017 at the Municipal Building, 41 Schoolhouse Road, Jacobstown, NJ at 7:00 p.m. or as soon thereafter as the matter may be heard, at which time and place any persons desire to be heard upon the same will be given an opportunity to be heard. Copies are available free of charge at the Municipal Clerk's Office prior to the public hearing.

Mary Picariello, RMC/CMR/CTC
Township Clerk

NOTICE

The ordinance read by title upon second reading herewith has been adopted at the meeting of the Mayor and Township Committee of North Hanover Township, held on November 2, 2017 and the 20 day period of limitation within which a suit, action or validity of such ordinance can be commenced, has begun to run from the date of the publication of this notice.

Mary Picariello, RMC/CMR/CTC
Township Clerk

Vote to Adopt Ordinance 2017-14:

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COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Deputy Mayor DeBaecke		X	X			
Committeeman Doyle			X			
Committeeman Kocubinski	X		X			
Committeeman O'Donnell			X			
Mayor DeLorenzo			X			