

TOWNSHIP OF HARDYSTON

ORDINANCE 2022-05

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY
AMENDING CERTAIN PORTIONS OF CHAPTER 185, ZONING, OF THE REVISED GENERAL
ORDINANCES TO PERMIT FARMING AS A PRINCIPAL USE IN CERTAIN ZONES**

Purpose Statement: the purpose of this Ordinance is to amend the Township of Hardyston Zoning Ordinance to allow for farming as a principal use in specific residential and non-residential zones throughout the Township in support of the Right to Farm Act and to promote the rural and agricultural character of the Township.

BE IT ORDAINED by the Municipal Council of the Township of Hardyston, County of Sussex, State of New Jersey, as follows:

SECTION 1. Chapter 185, Zoning, Section 185-50, Agricultural uses, of the aforesaid Revised General Ordinances is hereby amended to read as follows:

§ 185-50. Agricultural uses.

Farms, including customary farm occupations and lands which qualify as farmlands, as defined herein shall be permitted as a principal use in all the zones, excluding the R-3, Single Family Lakeside Residential District, R-4, Medium Density Residential Districts and the R-5, Attached Single Family/Multi-family Residential District subject to the following regulations:

A. Minimum lot size - 5 Acres.

B. Buildings utilized for horticulture, nurseries, greenhouses and for the growing, raising, harvesting and sale of agricultural crops or for any other farm use shall be not less than 100 feet from any side or rear lot line, except that residential buildings may be constructed and located in conformity with the standards for residences within those districts in which they are located.

C. No pigs, poultry or fowl shall be permitted except where incidental to the major agricultural activity.

SECTION 3. All ordinances of the Township of Hardyston which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 5. This Ordinance may be renumbered for purposes of codification.

SECTION 6. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Hardyston, in the County of Sussex, New Jersey, held on March 23, 2022. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey on May 25, 2022 at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk