

ORDINANCE NO. 2023-26

**AN ORDINANCE OF THE TOWNSHIP OF STAFFORD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING PORTIONS OF CHAPTER 211 "ZONING",
SECTIONS §§ 211-9; 211-11; AND 211-32.**

WHEREAS, the Division of Plant Industry of the New Jersey Department of Agriculture has asked all municipalities to rescind any local ordinances that impact beekeeping, which are preempted by N.J.S.A. 40:48-1.5.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Stafford, County of Ocean, State of New Jersey, that certain sections of the Township Code shall be modified as follows (additions to text indicated by underlined text; deletions to text indicated by ~~strikeout~~):

SECTION 1. Chapter 211, Section § 211-9(G)(2) is amended and shall read as follows:

(a) Uses. No development shall be permitted in a wetland or wetlands transition area except for the following uses: (1) Horticulture of native Pinelands species; (2) Berry agriculture; ~~(3) Beekeeping~~ (4) (3); Forestry; (4) Fish and wildlife activities and wetlands management in accordance with N.J.A.C. 7:50-6.10. ...

SECTION 2. Chapter 211, Section § 211-11(A) is amended and shall read as follows:

Permitted uses shall be as follows:

- (1) Residential dwellings on lots of 3.2 acres, in accordance with § 211-9C(2), or on lots of one acre, in accordance with § 211-9C(4);
- (2) Agricultural employee housing as an element of and accessory to an active agricultural operation;
- (3) Berry agriculture and horticulture of native plants and other agricultural activities compatible with the existing soil and water conditions that support traditional Pinelands berry agriculture;
- (4) Forestry;

~~(5) Beekeeping;~~

~~(6) (5) Fish and wildlife management and wetlands management. ...~~

(11) Allocation of Pinelands development credits.

(h) No conveyance, sale or transfer of Pinelands development credits shall occur until the municipality with jurisdiction over the parcel of land from which the Pinelands development credits were obtained, the agency or organization to which the restriction is in favor and the Pinelands Commission have been provided with evidence of recordation of a restriction on the deed to the land from which the development credits were obtained. Such deed restriction shall specify the number of Pinelands development credits sold and that the property in Preservation Area Zone may only be used in perpetuity for the following uses: berry agriculture; horticulture of native Pinelands plants; forestry; ~~beekeeping~~; fish and wildlife management; ...

SECTION 3. Chapter 211, Section § 211-32(A) shall be amended as follows:

A. Permitted uses shall be as follows:

(1) Single-family residential dwellings.[1]

(2) Berry agriculture and horticulture of native plants.

(3) Fish and wildlife management.

(4) Forestry.

~~(5) Beekeeping.~~

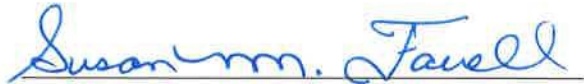
~~(6) (5) Cluster residential development. ...~~

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Stafford, in the County of Ocean, State of New Jersey, held on **July 25, 2023**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **22nd** day of **August, 2023**, at 7:00 P.M., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 260 East Bay Avenue, Manahawkin, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

A handwritten signature in blue ink that reads "Susan M. Farrell". The signature is written in a cursive style and is positioned above the printed name and title.

**SUSAN FARRELL, RMC
TOWNSHIP CLERK
TOWNSHIP OF STAFFORD**

Introduction: July 25, 2023

Motion to Introduce: <i>Henken</i>	Second: <i>Esposito</i>	Roll Call:	Esposito	<i>yes</i>
			Henken	<i>yes</i>
			Krier	<i>absent</i>
			Otte	<i>yes</i>
			Mower	<i>yes</i>
			Steadman	<i>yes</i>
			Myhre	<i>yes</i>

Adoption: August 22, 2023

Motion to Adopt: <i>Otte</i>	Second: <i>Steadman</i>	Roll Call:	Esposito	<i>absent</i>
			Henken	<i>absent</i>
			Krier	<i>yes</i>
			Otte	<i>yes</i>
			Mower	<i>yes</i>
			Steadman	<i>yes</i>
			Myhre	<i>yes</i>

CERTIFICATION

I, **SUSAN M. FARRELL**, Municipal Clerk of the Township of Stafford, do hereby certify that the foregoing Ordinance was duly adopted on second reading and public comment by the Stafford Township Governing Body at their meeting held on the 22nd day of August, 2023.

Susan M. Farrell

Susan M. Farrell, RMC
Municipal Clerk, Stafford Township
Ordinance No. 2023-26