

ORDINANCE 2025-1

AN ORDINANCE AMENDING THE "CHERRY HILL TOWNSHIP ORDINANCE" TO EXPAND SECTION 422 "AGRICULTURAL-HORTICULTURAL COMMERCIAL (AHC) OVERLAY ZONE" TO INCLUDE ADDITIONAL PARCELS AND UPDATE THE ZONING MAP

WHEREAS, consistent with the provisions of the Municipal Land Use Law, including N.J.S.A. 40:55D-26 and 40:55D-64, prior to the hearing on the adoption of any amendment to the Zoning Ordinance, Cherry Hill Township Council ("Township Council") has referred to the Cherry Hill Township Planning Board ("Planning Board") a proposed amendment to the Cherry Hill Township Zoning Ordinance for review, comment and recommendation; and

WHEREAS, the Township Council has previously adopted, after recommendation from the Planning Board, the Master Plan, and the revisions thereto, which includes a Land Use Plan Element, Housing Plan Element, and a Sustainability Plan Element; and

WHEREAS, the Agricultural-Horticultural Commercial (AHC) Overlay Zone ("Overlay Zone") was adopted by Township Council in 2024 to help preserve the remaining farmland in the Township and support those facilities by permitting commercial activities related to agricultural production, such as farmers markets or horticultural centers; and

WHEREAS, the New Jersey Municipal Land Use Law ("MLUL") lists as an "intent and purpose" of the act, "to provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;" and

WHEREAS, Agricultural Development Areas (ADAs) are areas identified by County Agricultural Development Boards (CADBs) which are currently or potentially used for agriculture and are within a zone that permits agriculture; and

WHEREAS, it is a prerequisite for parcels to be zoned for agriculture uses and designated as an ADA to be eligible for farmland preservation and to receive certain benefits and incentives, such as the State Agricultural Development Committee (SADC) Planning Incentive Grant; and

WHEREAS, the New Jersey State Development and Redevelopment Plan ("State Plan") emphasizes the importance of agriculture in a number of ways and is one of the State Plan's Statewide Policy Categories, in order to "promote and preserve the agricultural industry and retain farmland by coordinating planning and innovative land conservation techniques to protect agricultural viability while accommodating beneficial development and economic growth necessary to enhance agricultural vitality". "Enhancing Agriculture" is additionally listed as Policy 18 under the Economic Development Statewide Policy Category; and

WHEREAS, the predominant land use of Cherry Hill Township through the middle of the twentieth century was farming and agriculture; and

WHEREAS, accelerating in the years after World War II, almost all of the agricultural properties in Cherry Hill were developed, either as residential subdivisions with newly dedicated rights-of-way or commercial and other nonresidential uses along existing corridors; and

WHEREAS, Cherry Hill Township has few remaining parcels that are actively farmed or available for agricultural and/or horticultural uses; and

WHEREAS, Cherry Hill Township finds it necessary to expand the Agricultural-Horticultural Commercial (AHC) Overlay Zone and amend the Cherry Hill Township Zoning Map to include additional parcels to encourage the use and preserve of active farming within the Township.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of Cherry Hill Township, County of Camden, State of New Jersey, that the Cherry Hill Zoning Map shall be hereby amended as follows:

SECTION 1. The Cherry Hill Township Zoning Map shall be amended to add the Agricultural-Horticultural Commercial (AHC) Overlay Zone onto the following parcels:

Block	Lot	Address
510.02	1	Springdale Road, (Springhouse Farm)
438.01	2	1638 Springdale Road, (Springdale Farm)
438.01	3	1662 Springdale Road
510.01	4	200 Evans Lane, (Apostolic Faith)
510.02	3	200 Evans Lane, (Apostolic Faith)
408.01	2	351 Kresson Road, (McNaughton's Nursery)
408.01	3	351 Kresson Road, (McNaughton's Nursery)

SECTION 2. 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 of the ordinance shall be deemed valid and effective.

SECTION 3 All ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

SECTION 4. This ordinance shall take effect twenty (20) days after passage and publication, as required by law.

INTRODUCED: FEBRUARY 10, 2025

ADOPTED: MARCH 10, 2025


MAYOR, DAVID FLEISHER


COUNCIL PRESIDENT

ATTEST:


PATTI CHACKER, RMC
TOWNSHIP CLERK