

55-42. PF - PRESERVED FOREST PINELANDS.  
[Amended 4-3-89 by Ord. No. 1989-8; 6-5-89 by Ord. No. 1989-14; 6-19-89 by Ord. No. 1989-19; 8-20-90 by Ord. No. 1990-26; 4-5-93 by Ord. No. 1993-8; 9-7-93 by Ord. No. 1993-33 § 8; 12-16-96 by Ord. No. 1996-60 §§ 11-16; 6-2-97 by Ord. No. 1997-14 § 2; 8-4-97 by Ord. No. 1997-16 § 2]

A. *Permitted Uses.*

- (1) Detached single-family dwellings on three and two-tenths (3.2) acre lots or one (1.0) acre lots, in accordance with § 55-64.
- (2) [Amended 9-6-11 by Ord. No. 2011-14] Detached single-family dwellings on lots of at least one (1.0) acre in size existing as of January 14, 1981, provided that:
  - (a) The owner of the lot to be developed acquires sufficient vacant contiguous or noncontiguous land which, when combined with the acreage of the lot proposed for development, equals at least seventeen (17) acres;
  - (b) All lands acquired pursuant to paragraph (a) above, which may or may not be developable, are located in the PF Zone;
  - (c) All noncontiguous lands acquired pursuant to paragraph (a) above shall be permanently protected through recordation of a deed of restriction. Such deed of restriction shall permit the parcel to be managed for low-intensity recreation, ecological management and forestry, provided that no more than five percent (5%) of the land may be cleared, no more than one percent (1%) of the land may be covered with impervious surfaces and any such uses or activities are approved and conducted in accordance with the

requirements of Chapter 55. Such restriction shall be in favor of the parcel to be developed and the Township or another public agency or nonprofit conservation organization. In all cases, such restriction shall be expressly enforceable by the Pinelands Commission. The deed restriction shall be in a form to be approved by the Township Solicitor and the Pinelands Commission;

- (d) Tax assessments for the acquired noncontiguous lands shall be combined and assigned to the land to be developed; and
  - (e) The lot proposed for development otherwise meets the minimum standards of Article XIX of this chapter.
- (3) Detached single-family dwellings on minimum seventeen (17) acre lots, provided that clustering of the permitted dwellings shall be required in accordance with §55-42E whenever two (2) or more units are proposed as part of a residential development. **[Amended 9-6-11 by Ord. No. 2011-14]**
- (4) Crop and tree farming and horticulture of native Pinelands plants; nurseries.
- (5) Raising and keeping of a farm animal for domestic use on a lot having not less than one (1) acre.
- Additional farm animals shall not exceed one (1) per every one (1) additional acre. There shall be no storage of manure within one hundred (100) feet of any adjoining property line.
- (6) Commercial farms for the raising, building and keeping of livestock and poultry for gain on a lot having not less than five (5) acres, provided further that no building housing such animals and no

storage of manure shall be permitted within two hundred (200) feet of any adjoining lot line.

- (7) Farming operations, as defined in this chapter, except the keeping or raising of swine shall not be allowed except as part of a general farming operation, and the number of swine be allowed on any farm. No building or enclosure for swine shall be closer than two hundred (200) feet to any property line. No building for the shelter of fowl or other farm livestock shall be closer than fifty (50) feet to any property line or street line, except that where a property line forms the boundary of a residential zone, the setback shall be increased to one hundred (100) feet.
- (8) Forestry activities, subject to the provisions of § 55-292.
- (9) Riding stables.

B. *Accessory and Temporary Uses.*

- (1) Buildings and other structures customarily accessory to permitted residential and agricultural uses, including detached private garages, barns, sheds, and the like. Storage sheds, provided that they do not exceed a total area of one hundred eighty (180) square feet.
- (2) Private residential tennis courts and swimming pools, provided that such pools are enclosed by safety fences of not less than four (4) feet in height.

- (3) Off-street parking and loading space as provided for in §§ 55-173 to 55-175.
  - (4) Temporary on-site construction trailers for which permits may be issued for periods up to one (1) year, subject to renewal.
  - (5) Signs as provided for in §§ 55-182 and 55-299D.
  - (6) Display dwellings used for sales purposes in residential subdivision or projects, provided that such uses shall be terminated when the last lot is sold or unit occupied.
  - (7) Agricultural commercial establishments for the sale of farm products grown or raised on the premises by the owner or operator of the farm. There shall be a limit of one (1) establishment per farm. Such stands shall be set back a minimum of sixty (60) feet from the street line and shall be a maximum of five thousand (5,000) square feet in size.
- C. *Conditional Uses.* The following uses shall be permitted in the PF Zone subject to issuance of a conditional use permit in conformance with the provisions of this chapter:
- (1) Kennel on lots of at least five (5) acres in area, and subject to other provisions of § 55-170.
  - (2) Public service infrastructure intended to primarily serve the needs of the Pinelands. Centralized waste water treatment and collection facilities shall be permitted to service the Forest Area District only in accordance with N.J.A.C. 7:50-6.84(a)2.
  - (3) **[Deleted 3-20-95 by Ord. No. 1995-15 § 2; 8-5-96 by Ord. No. 1996-27 § 2]**
  - (4) **[Deleted 3-20-95 by Ord. No. 1995-15 § 2; 8-5-96 by Ord. No. 1996-27 § 2]**

- (5) Pinelands resource-related industrial or manufacturing uses, excluding resource extraction and uses that rely on sand or gravel as raw products, provided that: **[Amended 7-16-01 by Ord. No. 2001-29]**
- (a) The parcel proposed for development has an area of at least five (5) acres;
  - (b) The principal raw material for the proposed use is found or produced in the Pinelands; and
  - (c) The use does not require or will not generate subsidiary or satellite development in the PF Zone.
- (6) Agricultural commercial establishments excluding supermarkets, restaurants, and convenience stores, but including garden centers provided that:
- (a) The principal goods or products available for sale were produced in the Pinelands; and
  - (b) The sales area of the establishment does not exceed five thousand (5,000) square feet.
- (7) Roadside retail sales and service establishments, provided that:
- (a) The parcel proposed for development has roadway frontage of at least fifty (50) feet;
  - (b) No portion of any structure proposed for development will be more than three hundred (300) feet, measured along a line parallel to the roadway, from the closest part of a roadside retail sales and service establishment structure that was in existence on February 7, 1979; and

- (c) The proposed use will not unduly burden public services, including but not limited to water, sewer, and roads.
- (8) Institutional uses, limited to municipal offices, fire and rescue stations, public schools and colleges, day nurseries, libraries and museums, hospitals, medical clinics, convalescent homes, places of worship including parish and educational buildings and cemeteries providing that:
- (a) The use does not require or will not generate subsidiary or satellite development in the PF Zone.
  - (b) The applicant has demonstrated that adequate public service infrastructures will be available to serve the use; and
  - (c) The use is primarily designed to serve the needs of the PF Zone in which the use is to be located.
- (9) Low-intensity recreational uses, including but not limited to camping provided that:
- (a) The parcel proposed for low-intensity recreational use has an area of at least fifty (50) acres.
  - (b) The recreational use does not involve the use of motorized vehicles except for necessary transportation.
  - (c) Access to bodies of water is limited to no more than fifteen (15) linear feet of frontage per one thousand (1,000) feet of water body frontage.
  - (d) The parcel will contain not more than six (6) campsites per acre, provided that the campsites shall not be clustered at a net density exceeding ten (10) campsites per acre.

- (e) Clearing of vegetation, including ground cover and soil disturbance, does not exceed five percent (5%) of the parcel.
  - (f) No more than one percent (1%) of the parcel will be covered by impervious surfaces. **[Amended 9-6-11 by Ord. No. 2011-14]**
- (10) Expansion of intensive recreational uses, provided that:
- (a) The intensive recreational use was in existence on February 7, 1979 and the capacity of the use will not exceed two (2) times the capacity of the use on February 7, 1979;
  - (b) The use is necessary to achieve recreational use of a particular element of the existing Pinelands environment; and
  - (c) The use is environmentally and aesthetically compatible with the character of the Pinelands Forest Area and the characteristics of the particular basin in which the use is to be located, taking into consideration the proportion of cleared and developed land, ambient water quality, ecologically sensitive areas and unique resources, and will not unduly burden public services.
- (11) Recreational vehicle campgrounds, provided that:
- (a) Gross density shall not exceed one (1) campsite per acre.
  - (b) Net density shall not exceed ten (10) campsites per acre.
  - (c) Minimum size of the lot or parcel is twenty-five (25) acres.

- (12) **[Added 9-6-11 by Ord. No. 2011-14]** Single-family detached dwellings which are not clustered in accordance with §55-42E may be permitted as a conditional use, provided that:
- (a) The Planning Board finds that:
    - [1] Clustering of the proposed dwellings would be inconsistent with the minimum environmental standards set forth at N.J.A.C. 7:50-6; or
    - [2] Clustering of the proposed dwellings would disrupt the contiguity of the forest ecosystem to a greater degree than non-clustered development.
  - (b) Minimum lot size requirement: seventeen (17) acres.

D. *Lot and Building Requirements.*

- (1) Minimum lot size:
  - (a) For lots with detached single-family dwellings which meet the requirements of §55-64A: three and two-tenths (3.2) acres. For lots with detached single-family dwellings which meet the requirements of §55-42A(2), §55-64B or §55-300B: one (1) acre. **[Amended 9-6-11 by Ord. No. 2011-14]**
  - (b) For lots with other detached single-family dwellings: seventeen (17.0) acres, provided that clustering on one (1) acre lots shall be required in accordance with §55-42E whenever two (2) or more units are proposed as part of a residential development. **[Amended 9-6-11 by Ord. No. 2011-14]**
  - (c) For all other uses: five (5.0) acres, unless otherwise specified in this section, or as necessary to meet the standards of the



Pinelands Comprehensive Management Plan as contained in this chapter.

- (d) Notwithstanding the minimum lot areas set forth above, no such minimum lot area for a nonresidential use within the PF Zone shall be less than that needed to meet the water quality standards of § 55-291B(4), whether or not the lot may be served by a centralization sewer treatment or collection system.
  - (2) Minimum lot width: two hundred (200) feet.
  - (3) Minimum yard requirements:
    - (a) Front yard: two hundred (200) feet, unless otherwise specified, except that if compliance with this minimum is constrained by physical or environmental considerations, involves a farm operation, or development within one thousand (1,000) feet has front yards less than two hundred (200) feet, a setback of not less than seventy-five (75) feet may be permitted.
    - (b) Side yard: fifty (50) feet for principal buildings, ten (10) feet for accessory buildings.
    - (c) Rear yard: seventy-five (75) feet for principal buildings, ten (10) feet for accessory buildings.
  - (4) Maximum lot coverage: twenty percent (20%).
  - (5) Maximum building height: two and five-tenths (2.5) stories or thirty-five (35) feet.
- E. *Clustered Development.* [Amended 9-6-11 by Ord. No. 2011-14] Residential dwellings permitted under paragraph A(3) of this section shall be clustered in accordance with the following requirements:
- (1) Permitted density: one (1) unit per seventeen (17) acres.

- (2) The number of residential lots permitted within the cluster shall be calculated on the basis of the size of the parcel of land and the density permitted in paragraph (1) above, with a bonus applied as follows:
  - (a) For parcels under 50 acres in size: 0 bonus units.
  - (b) For parcels between 50 and 99.99 acres in size: 20% bonus.
  - (c) For parcels between 100 and 149.99 acres: 25% bonus.
  - (d) For parcels of 150 acres or more in size: 30% bonus.
- (3) The residential cluster shall be located on the parcel such that the development area:
  - (a) Is located proximate to existing roads;
  - (b) Is located proximate to existing developed sites on adjacent or nearby parcels;
  - (c) Is or will be appropriately buffered from adjoining or nearby nonresidential land uses; and
  - (d) Conforms with the minimum environmental standards of N.J.A.C. 7:50-6.
- (4) Development within the residential cluster shall be designed as follows:
  - (a) Residential lots shall be one (1) acre in size but may be larger if dictated by unusual site conditions. In no case shall the average size of residential lots within a cluster exceed 1.1 acres;
  - (b) The minimum requirements specified in Appendix B: Schedule of Area, Yard and

Building Requirements West of the Parkway for the Pinelands Village (PV) Zone shall apply;

- (c) Individual on-site septic waste water treatment systems which are intended to reduce the level nitrate/nitrogen in the waste that comply with the standards of §55-291B(4) may serve the lots within the cluster development area. Community on-site waste water treatment systems serving two (2) or more residential dwelling units which meet the standards of §§55-291B(5) or (7) shall also be permitted;
  - (d) The residential cluster development area shall include such land and facilities as are necessary to support the development, including wastewater facilities, stormwater management facilities and recreation amenities; and
  - (e) Permitted recreation amenities may include playgrounds, tot lots, swimming pools, tennis courts and other such recreational facilities, which are solely for use by the residents of the cluster development. Recreational amenities shall not be limited to the foregoing so that the applicant may propose additional facilities. All such facilities shall be accessory to the residential cluster development. No advertising or commercial enterprise shall be permitted. In no case may such amenities occupy more than one-half (1/2) acre of land or the equivalent of one (1) acre of land for every twenty-five (25) residential lots, whichever is greater.
- (5) The balance of the parcel located outside of the residential cluster development shall be owned and

managed by a duly constituted homeowners' association, a nonprofit conservation organization, Barnegat Township or incorporated as part of one of the lots within the cluster development area.

- (a) All such land shall be permanently protected through recordation of a deed of conservation restriction. Such restriction shall be in favor Barnegat Township or another public agency or nonprofit conservation organization. In all cases, such restriction shall be expressly enforceable by the Pinelands Commission; and
- (b) The deed of restriction shall permit the parcel to be managed for low-intensity recreation, ecological management and forestry, provided that no more than five percent (5%) of the land may be cleared, no more than one percent (1%) of the land may be covered with impervious surfaces and any such uses or activities are approved and conducted in accordance with the requirements of Chapter 55.