

§ 190-12. AR Agricultural Residential District. [Amended 3-3-1978 by Ord. No. 1-1978; 5-30-1979 by Ord. No. 8-1979; 8-6-1982 by Ord. No. 16-1982]

- A. Purpose. The purpose of the AR District is to help preserve the agricultural character of Pemberton Township. Recognizing the high level of agricultural land use within this area, this district is designed to provide for continued agriculture in areas with soils of superior farmland value.
- B. Principal permitted uses on the land and in buildings.
- (1) Agriculture.
 - (2) Agricultural employee housing as an element of and accessory to an active agricultural operation.
 - (3) Detached dwelling units.
 - (4) Forestry.
 - (5) Agricultural and commercial establishments. **[Amended 4-6-1989 by Ord. No. 11-1989]**
 - (6) In the Pinelands Area, agricultural products processing facilities. Outside the Pinelands Area, only the processing of crop products, such as cranberries, blueberries, tomatoes, corn and the like, where the product is crop oriented and harvested on site, shall be permitted; specifically excluded from these uses and prohibited in the non-Pinelands portion of this district are olive processing plants; tanneries; wool pulling or scouring facilities; smoking, curing and/or canning of fish; slaughterhouses; commercial piggeries; processing and treating of animal skins and/or animal parts; and such other activities as a similar to those expressly prohibited herein. **[Amended 6-5-1997 by Ord. No. 15-1997; 8-20-1998 by Ord. No. 9-1998]**
 - (7) Roadside retail sales and service establishments.¹
 - (8) Public service infrastructure. Centralized wastewater treatment and collection facilities shall be permitted to service the Agricultural Residential District only in accordance with § 190-50H(2)(b). **[Amended 4-6-1989 by Ord. No. 11-1989; 2-5-1998 by Ord. No. 35-1997]²**
 - (9) Residential dwelling units on lots of 3.2 acres within the Pinelands Area, in accordance with § 190-50P. **[Amended 4-6-1989 by Ord. No. 11-1989]**
 - (10) Low-intensity recreational uses, provided that: **[Added 4-6-1989 by Ord. No. 11-1989]**
 - (a) The parcel proposed for low-intensity recreational use has an area of at least 50 acres.

1. Editor's Note: Subsection B(8), regarding churches and cemeteries, which immediately followed this subsection, was deleted 4-6-1989 by Ord. No. 11-1989. Former Subsection B(9) was renumbered B(8).

2. Editor's Note: Former Subsection B(10), regarding public schools, which immediately followed this subsection, was deleted 4-6-1989 by Ord. No. 11-1989. Subsection B(11) was renumbered as B(9).

- (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 15 linear feet of frontage per 1,000 feet of water body frontage.
 - (d) Clearing of vegetation, including ground cover and soil disturbance, does not exceed 5% of the parcel.
 - (e) No more than 1% of the parcel will be covered with impervious surfaces.
- (11) Residential dwelling units at a gross density of one unit per 40 acres, provided that: **[Added 4-6-1989 by Ord. No. 11-1989; amended 4-3-1997 by Ord. No. 1-1997]**
- (a) The units shall be clustered on one-acre lots.
 - (b) The remainder of the parcel, including all contiguous lands in common ownership, which is not assigned to individual residential lots shall be permanently dedicated for agricultural uses through recordation of a restriction on the deed to the parcel.
 - (c) The restriction on the deed to the parcel, including any rights to be redeemed for future residential development, shall be done in accordance with N.J.A.C. 7:50-5, Part IV, so as to sever any Pinelands development credits allocated to the parcel.
- (12) Residential dwelling units on lots of 1.0 acre in accordance with § 190-50Q. **[Added 9-16-1993 by Ord. No. 11-1993]**
- B1. Conditional uses. The following conditional uses are permitted in the AR Agricultural Residential District. **[Added 8-18-2021 by Ord. No. 29-2021]**
- (1) Class 1 cannabis cultivator shall comply with the following requirements as set forth in § 190-56I.
 - (2) Class 2 cannabis manufacturer shall comply with the following requirements as set forth in § 190-56I.
 - (3) Class 3 cannabis wholesaler shall comply with the following requirements as set forth in § 190-56I. The Pinelands Commission presently deems Class 3 cannabis wholesaler uses and the issuances of licenses for such facilities to be inconsistent with its Comprehensive Management Plan (CMP). The Township shall not allow a Class 3 cannabis wholesaler use or issue a license to a Class 3 cannabis wholesaler in the AR Zoning District under the Pinelands Commission jurisdiction until said use and the issuance of cannabis licenses for such use are deemed to be consistent with the CMP. **[Amended 5-18-2022 by Ord. No. 10-2022]**
 - (4) Class 4 cannabis distributor shall comply with the following requirements as set forth in § 190-56I. The Pinelands Commission presently deems Class 4 cannabis distributor uses and the issuances of licenses for such facilities to be inconsistent with its Comprehensive Management Plan (CMP). The Township shall not allow Class 4 cannabis distributor uses or issue a license to a Class 4 cannabis distributor in the AR Zoning District under the Pinelands Commission jurisdiction until said use and the

issuance of cannabis licenses for such use are deemed to be consistent with the CMP.
[Amended 5-18-2022 by Ord. No. 10-2022]

C. Accessory uses permitted.

- (1) Farm accessory uses, provided that temporary housing facilities for farm workers actually working on the farm are occupied only on a seasonal basis, do not include mobile homes, tents or trailers and meet all state, county and Township rules and regulations, and provided further that if a building containing such dwelling quarters is located so that it can be subdivided and sold separately from the main building, its lot shall conform to all provisions for a principal building.
- (2) Private residential swimming pools (see § 190-46 for standards).
- (3) Residential storage sheds in accordance with the Schedule of Bulk, Area and Yard Requirements for sheds by zoning district and the Schedule of Bulk, Area and Yard Requirements for sheds on existing nonconforming lots. **[Amended 12-20-2001 by Ord. No. 18-2001; 3-16-2022 by Ord. No. 8-2022]**
- (4) Travel trailers and campers to be parked or stored only and located in rear and side yards only. Their dimensions shall not be counted in determining total building coverage and they shall not be used for temporary or permanent living quarters while situated on the lot.
- (5) Off-street parking and private garages (see § 190-38).
- (6) Fences and walls (see § 190-34).
- (7) Home occupations of a medical doctor, attorney, dentist, architect, engineer, real estate agent, insurance broker or similar professional use.
- (8) Residential agriculture.
- (9) Decks (as defined and permitted in § 190-5). **[Added 12-20-2001 by Ord. No. 18-2001]**
- (10) Arbors, gazebos and pergolas (as defined and permitted in § 190-5). **[Added 3-16-2022 by Ord. No. 8-2022]**
- (11) Carports (as defined and permitted in § 190-5). **[Added 3-16-2022 by Ord. No. 8-2022]**
- (12) Temporary accessory uses (as defined in § 190-5 and regulated in § 190-30H). **[Added 3-16-2022 by Ord. No. 8-2022]**

D. Maximum building height. No building shall exceed 30 feet in height and 2.5 stories, except that churches, schools and barns shall not exceed 55 feet, and except further as allowed in § 190-54.

E. Area and yard requirements.³

- (1) Notwithstanding the minimum lot areas set forth in the Schedule of Area and Yard

3. Editor's Note: A Schedule of Area and Yard Requirements for the AR Agricultural Residential District is included at the end of this chapter.

Requirements, no such minimum lot area for a nonresidential use within the AR Zone shall be less than that needed to meet the water quality standards of § 190-50H(2)(d), whether or not the lot may be served by a centralized sewer treatment or collection system. **[Added 4-6-1989 by Ord. No. 11-1989]**

- (2) Existing residential lots that are in the AR District that are 6.0 acres or larger shall conform to the standards established in the AR Zone District. Existing lots between 3.0 acres and 5.99 acres shall conform to the standards established in the noncluster provisions of the R-3 Zoning District. Existing lots between 1.0 acre and 2.99 acres shall conform to the standards established in the R-1 Zoning District. Existing lots less than 1.0 acre shall conform to the nonsewer provisions of the R-80 and R-96 Districts. **[Added 12-16-2009 by Ord. No. 29-2009]**

F. Floor area minimums.

Lot Size	Detached Dwellings Without Garages		Detached Dwellings With Garages	
	Gross Floor Area (square feet)	First-Floor Area (square feet)	Gross Floor Area (square feet)	Overall Floor Area, Including Garage (square feet)
Up to 11,000 square feet	1,250	750	1,100	1,400
Over 11,000 square feet	1,450	850	1,000	1,600

- G. Cluster single-family developments. In the AR District, when two or more lots are proposed during any three-year period, mandatory clustering is required. Based on the overall density of six acres per unit, residential lots shall be reduced to one acre and should be located to avoid areas of prime farmland, to the greatest extent practicable. In any case, no more than one six-acre lot may be created during any three-year period. **[Amended 5-6-1983 by Ord. No. 7-1983]**

H. Minimum off-street parking.

- (1) Two spaces per dwelling unit.
- (2) Churches shall provide one space per every five permanent seats. (One seat shall be considered 22 inches in calculating the capacity of pews or benches.)
- (3) Schools shall provide one space per employee for grades kindergarten through tenth grades, 2 1/2 spaces per employee for grades eleven and twelve and in all cases sufficient space for school bus loading and unloading.
- (4) School administrative facilities shall provide one space for each 600 square feet of gross floor area or fraction thereof.
- (5) Public utility buildings and uses shall provide one space for each two employees stationed at the use, but in no case less than two spaces in total.
- (6) Home occupations shall provide a minimum of one space per 200 square feet of gross floor area or fraction thereof devoted to the home occupation.
- (7) Agricultural and roadside retail sales facilities shall provide one space for each 100 square feet of gross sales area.

- (8) See § 190-38 for additional standards.
- I. Minimum off-street loading. All nonresidential uses shall show properly dimensioned loading space(s) on the site plans as appropriate for the proposed use and separate from off-street parking areas.
- J. Signs.
 - (1) Street number designations, postal boxes, on-site directional and parking signs, warning signs and signs posting property as "private property," "no hunting" or similar signs are permitted but are not to be considered in calculating sign area.
 - (2) Churches: one freestanding sign not exceeding 12 square feet, plus one attached sign not exceeding 25 square feet.
 - (3) Public utilities: one freestanding sign not exceeding 12 square feet.
 - (4) Schools and school administrative buildings: one sign not exceeding 25 square feet.
 - (5) Home occupations: one sign not exceeding four square feet either attached to the structure or freestanding.
 - (6) One temporary, nonlighted sign advertising the sale or lease of a property or structure.
 - (7) See § 190-41 for additional standards.