TOWNSHIP OF EVESHAM
ORDINANCE NO. 38-12-2026

ORDINANCE OF THE TOWNSHIP OF EVESHAM AMENDING CHAPTER 160 ENTITLED ZONING, INCLUDING §160-17 BUFFER AND SCREEN STANDARDS, §160-19 CLUSTER/CONSERVATION DESIGN SUBDIVISION DEVELOPMENT, §160-33.1 RIGHT TO FARM; PERMITTED USE IN DESIGNATED ZONES, §160-36 SUBSTANDARD LOTS IN PINELANDS DISTRICT, §160-38 TRANSFERS OF DENSITY, §160-42 MUNICIPAL FACILITIES AND USES, §160-52 CRITICAL AREAS AND EASEMENTS; DEDUCTIONS, §160-53 DESIGNATION OF DISTRICTS, §160-55 FOREST AGRICULTURE (FA), PINELANDS AREA, AND §160-56 FOREST WOODLAND (FW), PINELANDS AREA, AND ADDING §160-55.1 FOREST AGRICULTURE 1/25 (FA-25), PINELANDS AREA AND ATTACHMENT 2A – TABLE 2A: FA-25 PERFORMANCE REGULATIONS; AND FURTHER ZONE CHANGES FROM RURAL DEVELOPMENT-1 (RD-1) DISTRICT TO FOREST AGRICULTURE 1/25 (FA-25) AND RURAL DEVELOPMENT 3 (RD-3) DISTRICT TO FOREST AGRICULTURE 1/25 (FA-25) PER EVESHAM TOWNSHIP MASTER PLAN REEXAMINATION REPORT AND LAND USE AMENDMENT DATED FEBRUARY 28, 2026, PUBLIC HEARING FEBRUARY 19, 2026.

WHEREAS, it has been determined that revisions and additions to the municipal zone ordinance are required; and

WHEREAS, the ordinance requires updating to incorporate regional and local master plan recommendations; and

WHEREAS, the New Jersey Pinelands Commission (Commission) is a regional planning and land management organization which occasionally amends the Comprehensive Management Plan (CMP) and the rulemaking process; and

WHEREAS, the 2006 Pinelands Sub-Regional (Pinelands Sub-Plan) was developed by Evesham township, Medford Township, the New Jersey Department of Environmental Protection, and the Commission, which included the study area and identified high resource values in the area encompassing the Black Run drainage basin; and

WHEREAS, in 2008 an Ecological Integrity Assessment (EIA) was undertaken which evaluated the ecological status of the entire ecosystem within the Pinelands Area. The EIA determined that there were 11 areas of regional significance. These areas are deemed worthy of protection due to high ecological integrity, and redesignated from growth to conservation management areas, such as the Pinelands Forest Area; and

WHEREAS, the studies confirmed that the largely undisturbed Black Run watershed is a priority to redesignate from Pinelands Rural Development to Pineland Forest Area; and

WHEREAS, the identified area contains approximately 2,440 acres and is located in proximity to existing Pinelands Forest Areas in Evesham Township. The majority of the lands within the identified area are composed of wetlands and the required wetlands buffer areas, creating obstacles for new development; and

WHEREAS, based upon a build out analysis provided by the Commission, the Forest Area change reduces the housing yield from 249 to 38 residential units; and

WHEREAS, Evesham's response to the CMP amendment is to amend the zoning ordinance and map to comply with the recommendations. The zoning ordinance creates a new Forest Area District, "Forest Agriculture 1/25, Pinelands Area" with a base density of 1 unit per 25 acres; and

WHEREAS, similar to other Forest Area Districts, existing single family detached dwellings and other identified uses are addressed and permitted without creating nonconformity; and

WHEREAS, the Forest Area expansion will protect critical habitat and natural resources consistent with the CMP, Pinelands Sub-Plan, and Ecological Integrity Assessment; and

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey that the following sections of the Township Code should be amended and added as follows:

SECTION I. Ordinance section § 160-17. Buffer and screen standards is supplemented by adding at E., after the words 'Forest Agriculture (FA)' and before the words 'and Forest Woodland (FW)' as follows:
Forest Agriculture 1/25 (FA-25),

SECTION II. Ordinance section § 160-17. Buffer and screen standards is supplemented by adding at E.(3), after the acronym 'FA' and before the acronym 'FW', as follows:
FA-25

SECTION III. Ordinance section § 160-19. Cluster/conservation design subdivision development is supplemented at D., after the acronym 'FA' and before the acronym 'FW', as follows:
FA-25**.**

SECTION IV. Ordinance section § 160-19. Cluster/conservation design subdivision development is supplemented by adding D.(1)(g), after (f), as follows:
(g) In the FA-25 District: one unit per 25 acres.

SECTION V. Ordinance section § 160-19. Cluster/conservation design subdivision development is supplemented by adding D.(2)(c), at the fourth column of the table , after the acronym 'FA' and before the acronym 'FW', as follows:
FA-25**.**

SECTION VI. Ordinance section § 160-33.1. Right to farm; permitted use in designated zones is supplemented by adding at A., after the words 'Forest Agriculture (FA)' and before the words 'and Forest Woodland (FW)' as follows:
Forest Agriculture 1/25 (FA-25),

SECTION VII. Ordinance section § 160-36. Substandard lots in Pinelands District. is supplemented by adding at A., after the words 'Forest Agriculture (FA)' and before the words 'and Forest Woodland (FW)' as follows:
Forest Agriculture 1/25 (FA-25),

SECTION VIII. Ordinance section § 160-36. Substandard lots in Pinelands District. is supplemented by adding at B., after the words 'Forest Agriculture (FA)' and before the words 'and Forest Woodland (FW)' as follows:
Forest Agriculture 1/25 (FA-25),

SECTION IX. Ordinance section § 160-38. Transfers of density is supplemented at A., after the acronym 'FA' and before the acronym 'FW', as follows:
FA-25**,**

SECTION X. Ordinance section § 160-38. Transfers of density is amended at A(1)., after the acronym 'FA Zone' and before the words 'and at least 12 acres', as follows:
, at least 25 acres if development is proposed in the FA-25 Zone,

SECTION XI. Ordinance section § 160-42. Municipal facilities and uses is supplemented by adding at A., after the words 'Forest Agriculture (FA)' and before the words 'and Forest Woodland (FW)' as follows:
Forest Agriculture 1/25 (FA-25),

SECTION XII. Ordinance section § 160-42. Municipal facilities and uses is supplemented by adding at A., after the citation '§160-55' and before the word 'and §160-56' as follows:
§160-55.1,

SECTION XIII. Ordinance section § 160-52. Critical areas and easements; deductions, is supplemented by adding, after the acronym 'FA' and before the acronym 'FW' as follows:
FA-25,

SECTION XIV. Ordinance section § 160-53. Designation of districts, is supplemented by adding, at A in the Table , as follows:
FA-25 [in column 1] & Forest Agriculture 1/25 District [in column 2],

SECTION XV. Ordinance section § 160-55. Forest Agriculture (FA), Pinelands Area, is supplemented by adding, at B(4)(a) after the acronym 'FA' and before the acronym 'FW' as follows:
FA-25,

SECTION XVI. Ordinance section § 160-55. Forest Agriculture (FA), Pinelands Area, is supplemented by adding, at C(2)(a) after the acronym 'FA' and before the acronym 'FW' as follows:
FA-25,

SECTION XVII. Add ordinance section § 160-55.1. Forest Agriculture 1/25 (FA-25), Pinelands Area, as follows:

§ 160-55.1 Forest Agriculture 1/25 (FA-25), Pinelands Area.

A. Purpose. To preserve the character and environmental quality of areas which are relatively undeveloped and have a substantial degree of woodlands, agricultural and horticultural lands, wetlands, and/or aquifer recharge capacity.

B. Principal permitted uses. Only the following shall be permitted:

(1) Agriculture, including silviculture and horticulture.

(2) Low-intensity recreational uses, provided that:

(a) The parcel proposed for low-intensity recreational use has an area of at least 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 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; and

(e) No more than 1% of the parcel will be covered by impervious surfaces.

(3) Single-family detached dwellings, provided that clustering of the permitted dwellings shall be required in accordance with § 160-19D whenever two or more units are proposed as part of a residential development.

(4) Cemeteries, provided that:

(a) The use does not require or will not generate subsidiary or satellite development in the FA, FA-25, or FW Zones.

(b) The applicant has demonstrated that adequate public service infrastructure will be available to service the use.

(c) The use is primarily designed to serve the needs of the FA-25 Zone.

(5) Forestry.

(6) Public service infrastructure intended to primarily service the needs of the Pinelands Area, including water towers and other infrastructure consistent with the definition in Section 160-5. Sewer treatment and collection facilities shall be permitted to service the FA-25 Zone only in accordance with N.J.A.C. 7:50-6.84(a)2.

(7) Group homes.

C. Conditional uses (subject to Chapter 161).

(1) Home occupation.

(2) Houses of worship, provided that:

(a) The use does not require or will not generate subsidiary or satellite development in the FA, FA-25, or FW Zones.

(b) The applicant has demonstrated that adequate public service infrastructure will be available to service the use.

(c) The use is primarily designed to serve the needs of the FA-25 Zone.

(3) Single-family detached dwellings which are not clustered in accordance with § 160-19D.

D. Accessory uses.

(1) Private residential swimming pools.

(2) Sheds.

(3) Tennis courts and similar recreational facilities incidental to the primary uses on detached single-family residential lots only.

(4) Off-street parking for motor vehicles and private garages.

(5) Fences and walls up to four feet in height in front yards and six feet in height in rear yards except that tennis courts may have fencing up to 15 feet in height.

(6) Signs subject to this chapter.

(7) Farm buildings and uses, including storage buildings, barns, stables, and agricultural commercial establishments for the purpose of display and sale of farm products raised on the premises, of which not less than 60% shall be grown on premises.

(8) Temporary construction and sales trailers.

(9) Home occupations, in accordance with § 160-41.

E. FA-25 performance regulations.

(1) The area and dimensional regulations as set forth in Table 2, FA-25 Performance Regulations, located at the end of this chapter, shall apply.

(2) The following dimensional requirements for accessory uses and structures shall apply:

(a) No accessory use or structure shall be permitted in the front yard setback.

(b) The side and rear setback shall be 50 feet from all property lines, except for sheds, less than 150 square feet in area, which may located no closer than five feet from a property line.

(3) Notwithstanding the minimum lot areas set forth above, no such minimum lot area for a nonresidential use in the Forest Agricultural District shall be less than that needed to meet the water quality standards of § 160-50B(3), whether or not the lot may be served by a centralized sewer treatment or collection system.

SECTION XVIII. Ordinance section § 160-56. Forest Woodland (FW), Pinelands Area, is supplemented by adding, at B(4)(a) after the acronym 'FA' and before the acronym 'FW' as follows:
FA-25,

SECTION XIX. Ordinance section § 160-56. Forest Woodland (FW), Pinelands Area, is supplemented by adding, at C(1)(a) after the acronym 'FA' and before the acronym 'FW' as follows:
FA-25,

SECTION XX. Add the following to the Attachments in front of Article I
Add the following Table:

160 Attachment 2A

Township of Evesham

Table 2: FA-25 Performance Regulations [Amended INSERT by Ord. No. INSERT]

Permitted Uses	Minimum Lot Area (acres)	Minimum Lot Width at Setback (feet)	Maximum Clearing Limit Ratio	Minimum Yards (feet)			Maximum Impervious Coverage
				Front	Side	Rear	
Agriculture	6	100	0.8	25	25	25	0.02
Low-intensity recreation[1]	20	NA	NA	NA	NA	NA	NA
Single-family detached, without public water and sewer	25	500	0.02	100	100	100	0.02
Single-family detached with clustering in accordance with § 160-19D	1	150	0.25	50	25	25	0.20
Single-family detached[2]	3.2	200	0.15	100	75	75	0.06
Single-family detached[3]	1.0	150	0.25	60	25	40	0.20
Cemeteries	20	400	0.50	50	50	50	0.50
Minimum open space ratio for cluster: 0.40							
Maximum density: 0.04 units/acre (1 unit/25acres)							
Minimum usable yard area for each yard: 20%							
Maximum building height: 35 feet							

NOTES:

[1] In accordance with § 160-55.1B(2).

[2] Only in accordance with § 160-45, Cultural housing provisions.

[3] Only in accordance with § 160-38A, Transfer of density in FA-25 areas, and § 160-45, Cultural housing provisions.

SECTION XXI. See Attached Exhibit A1 (block and lot list for rezoning) and A2 Zoning Map:

SECTION XXII. REPEALER

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION XXIII. INVALIDITY

If any section, paragraph, subdivision, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision and the remainders of this ordinance shall be deemed valid and effective.

SECTION XXIV. EFFECTIVE DATE

This Ordinance shall take effect 20 days after its proper publication after final passage as required by law.

NOTICE

Public notice is hereby given that the foregoing ordinance was introduced and passed on first reading at the Township Council meeting of the Township of Evesham held on November 10, 2026.

Further notice is given that said ordinance will be considered for final passage and adoption, after a public hearing thereon at a meeting of the Township Council to be held in the Court Room located at 984 Tuckerton Road, Marlton, New Jersey, on December 9, 2026 at 7:00 p.m. During the week prior to and up to and including the date of said meeting, copies of said ordinance will be made available at the Township Clerk's Office for members of the general public to request the same.

Rebecca Andrews, Township Clerk