Chapter 115. Development Regulations

Article X. Establishment of Zoning District Regulations

§ 115-74. District classifications.

[Amended 3-10-1997 by Ord. No. 5-1997]
For purposes of this chapter, the following zoning district designations are established:

Pinelands Area

FA1	Forest Area
FA2	Forest Area
FA3	Forest Area
AP	Agricultural Production
APC	Agriculture Commerce
API	Agricultural Industrial [Added 5-12-1997 by Ord. No. 11-1997; amended 7-28-1997 by Ord. No. 18-1997]
RDR1	Rural Development Residence
RDR2	Rural Development Residence
RDR1C	Rural Development Residence/Commerce
RDR1I	Rural Development Residence/Industry
RDI	Rural Development Exclusive Industry
PVR1	Pinelands Village Residence
PVR2	Pinelands Village Residence
PVRC	Pinelands Village Residence/Commerce
PVI	Pinelands Village Exclusive Industry
PT	Pinelands Town-Commerce

Non-Pinelands Area

RA	Residence Agriculture
B1	Business
OC	Office Campus (Overlay) [Added 10-13-1998 by Ord. No. 18-1998]

§ 115-75. Permitted, conditional and prohibited uses.

[Amended 4-26-2021 by Ord. No. 97-2021]

A. Permitted and conditional uses are specified for the various zoning districts in §§ **115-75** through **115-93** below. Conditional uses are those which reference various subsections of Article **XII** and have special requirements associated with them.

B.   All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in Section 3 of P. L. 2021, c. 16,[1] but not the delivery of cannabis items and related supplies by a delivery service, are hereby prohibited within Buena Vista Township.[2]
[Amended 12-27-2022 by Ord. No. 123-2022; 10-23-2023 by Ord. No. 136-2023]

[1]   *Editor's Note: See N.J.S.A. 24:6I-31 et seq.*
[2]   *Editor's Note: Former Subsection C, regarding Class 6 cannabis delivery, added 12-27-2022 by Ord. No. 123-2022, which immediately followed, was repealed 10-23-2023 by Ord. No. 136-2023.*

§ 115-76. Zoning Map.

A.   Establishment. The Township of Buena Vista is hereby divided into zoning districts, the boundary lines of which are shown on the Buena Vista Township Official Zoning Map, dated January 3, 2018, which is hereby adopted by reference and made a part of this chapter. All the zoning districts located within the Pinelands Area of the Township are consistent with the standards of the Pinelands Comprehensive Management Plan. The Official Zoning Map is delineated on the Buena Vista Township Tax Map, copies of which will be available for inspection in the offices of the Zoning Officer and Township Clerk. A smaller scale Generalized Zoning Map showing approximate boundary line locations is available for purchase from the office of the Township Clerk.
[Amended 11-12-1993 by Ord. No. 266-1993; 3-31-2018 by Ord. No. 54-2018]

B.   Interpretation. Any question concerning the exact location of any zoning district boundary should be resolved by reference to the Buena Vista Township Official Zoning Map and the following:

(1) Zone boundary lines are intended to follow Tax Map lot or property lines as they exist at the time of adoption of this chapter, the center line of streets, rail rights-of-way or stream channels and other natural features, where possible. Where zoning boundaries do not follow such features, they shall be determined by specific dimensions or the graphic scale shown on the Official Zoning Map.

(2) Where zone boundary lines are not fixed by dimensions and where they do not scale more than 20 feet distant from a plat or Tax Map lot line, such lot lines shall be construed to be such boundary lines.

(3) Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in other circumstances not covered herein, the Board of Adjustment[1] shall interpret the district boundaries and forward such interpretations as approvals to the Pinelands Commission in accordance with § **115-26**.
[1]   *Editor's Note: Ord. No. 12-2002, adopted 12-23-2002, provided that the Planning Board shall hereafter, pursuant to N.J.S.A. 40:55D-25(3)(c), exercise all the powers of the Board of Adjustment.*

C.   Divided lots. Where a district boundary line divides one or more lots which are in single ownership at the time of passage of this chapter, the use regulations applicable to the less restrictive district shall extend over the portion of the lot in the more restrictive district a distance of not more than 50 feet beyond the district boundary line.

D.   Vacation of streets or other public ways. Where a vacated right-of-way was bounded on either side by different zoning districts, the former center line of such right-of-way shall determine the extent of each district. The zoning districts adjoining such public way shall be extended to the center line to include the right-of-way thus vacated.

§ 115-77. Schedule of District Requirements.

[Amended 11-12-1993 by Ord. No. 266-1993; 3-10-1997 by Ord. No. 5-1997]
Minimum required lot area (in acres); minimum required lot width, depth and yards (in feet); and maximum lot coverage (in percent) are shown in the following schedule. Unless specifically authorized

elsewhere in this chapter, no building or structure shall exceed 35 feet in height.

District	Area[1] (acres)	Lot Width (feet)	Lot Depth (feet)	Side Yard (feet)	Front Yard[2] (feet)	Rear Yard (feet)	Coverage[5] (percent)
Pinelands Area[2]							
FA1	30.0	300	300	75	200	100	3
FA2	30.0	300	300	75	200	100	3
FA3	20.0	300	300	75	200	100	5
AP	40.0	300	300	75	200	100	3
APC	2.5	135	150	20	75	25	10
API[3]	5.0	200	200	50	75	25	35
RDR1	3.2	150	150	30	200	25	10
RDR1C	3.2	150	150	30	200	25	10
RDR1I	3.2	150	150	30	200	25	10
RDR2	5.0	150	150	30	200	25	10
RDI	10.0	200	200	50	75	25	10
PVR1	2.5	135	150	20	50	25	10
PVR2	5.0	150	200	20	50	25	10
PVRC	2.5	135	150	20	50	25	10
PVI	10.0	200	200	50	50	25	10
PT[4]	2.5	135	150	20	75	25	70
Non-Pinelands Area							
RA	2.0	150	150	30	50	25	10
B1	2.0	150	150	20	75	25	20
OC (overlay)	3.0	200	200	30	75	30	65

NOTES:

[1] Notwithstanding the minimum lot areas set forth above for districts in the Pinelands Area, different minimum lot area requirements are specified in §§ **115-75** through **115-92** below for combined parcel homesteads in the Forest and Rural Development Districts, for farm-related housing in Agricultural Production Districts and for culturally related and substandard lot housing in several Pinelands Districts. Developments of two or more residential units in the FA-1, FA-2, FA-3, RDR1, RDR2, RDR1C and RDR1I Districts must be clustered on one-acre lots in accordance with § **115-62**. Except in the PV and PT Districts, nonresidential uses may require larger lot areas to meet the water quality standards of § **115-53**, whether or not the lot may be served by a centralized sewage treatment system.
[Amended 4-26-1993 by Ord. No. 253-1993; 11-28-2011 by Ord. No. 14-2011]

[2] May be less in specific cases as permitted by § **115-54B**.

[3] API District
[Added 5-12-1997 by Ord. No. 11-1997; amended 7-28-1997 by Ord. No. 18-1997]

[4] PT District
[Amended 5-27-1997 by Ord. No. 12-1997]

[5] May increase to 50% for temporary greenhouses proposed to be used at a qualified farm as defined in § **115-6**. See § **115-103.1**.
[Added 10-13-1998 by Ord. No. 18-1998; amended 4-23-2023 by Ord. No. 129-2023]

§ 115-78. FA1 (Forest Area) District.

A. Within an FA1 District, no lot, land, building or structure shall be developed, erected, altered or used unless such action complies with the schedule in § **115-77** above and with all standards and regulations set forth in this chapter.
[Amended 5-13-1991 by Ord. No. 227-1991]

B. Permitted, conditional and accessory uses shall be as follows:

(1) Detached single-family dwellings as per § **115-77**, provided that clustering of the permitted single-family detached dwellings in accordance with § **115-62** shall be required whenever two or more units are proposed as part of a residential development.
[Amended 11-28-2011 by Ord. No. 14-2011]

(2) Agriculture as per §§ **115-52** and **115-103**; intensive fowl or livestock farm as per § **115-121**.

(3) Forestry as per § **115-51**.[1]

> [1] *Editor's Note: Former Subsection **B(3)**, which subsection listed Pinelands development credits as per § **115-47B**, was repealed 5-13-1991 by Ord. No. 227-1991, which ordinance also provided for the renumbering of former Subsection B(4) through (21) as Subsection B(3) through (20), respectively.*

(4) Wetlands management and fish and wildlife management.
[Amended 11-28-2011 by Ord. No. 14-2011]

(5) Pinelands resource-related industry as per § **115-131** and the continuation of existing resource extraction operations as per §§ **115-61** and **115-116**.
[Amended 7-28-1997 by Ord. No. 17-1997]

(6) Low-intensity recreation uses, including hunting clubs, as per §§ **115-56** and **115-129**.

(7) Expansion of intensive recreation uses as per § **115-132**.

(8) Detached single-family dwellings as per §§ **115-115**, **115-126** and **115-144**.
[Amended 11-28-2011 by Ord. No. 14-2011]

(9) Campgrounds as per § **115-113**.

(10) Institutional uses as per § **115-130**.

(11) Accessory trailers as per § **115-102.1**.
[Amended 10-22-2018 by Ord. No. 63-2018]

(12) Public service infrastructure as per § **115-125**.

(13) Agriculture employee housing as an element of, and accessory to, an active agricultural operation as defined in § **115-6**.

(14) Off-street parking and loading as per §§ **115-100** and **115-101**.

(15) Home occupations as per § **115-118**.

(16) Swimming pools as per § **115-107**.

(17) Signs as per § **115-105**.

(18) Domestic farm animals as per § **115-109**.

(19) Farm produce markets as per § **115-112**.

(20) Accessory uses, as per § **115-110.1**, customarily incidental to any permitted principal use, including yard sales as per § **115-108**.
[Amended 11-24-2008 by Ord. No. 14-2008; 10-22-2018 by Ord. No. 63-2018]

(21) In those FA1 Districts located north of Harding Highway (Route 40), combined parcel homesteads as per § **115-119**.
[Added 4-26-1993 by Ord. No. 253-1993]

(22) Greenhouses, as per § **115-103.1**.
[Added 11-24-2008 by Ord. No. 14-2008; amended 10-22-2018 by Ord. No. 63-2018]

§ 115-79. FA2 (Forest Area) Districts.

A.   Within an FA2 District, no lot, land, building or structure shall be developed, erected, altered or used unless such action complies with the schedule in § **115-77** above and with all standards and regulations set forth in this chapter.

B.   Permitted, conditional and accessory uses shall be as follows:

(1) Any use listed in § **115-75** above for FA1 Districts as permitted therein.

(2) Combined parcel homesteads as per § **115-119**.

(3) Accessory uses, as per § **115-110.1**.
[Added 11-24-2008 by Ord. No. 14-2008; amended 10-22-2018 by Ord. No. 63-2018]

(4) Greenhouses, as per § **115-103.1**.
[Added 11-24-2008 by Ord. No. 14-2008; amended 10-22-2018 by Ord. No. 63-2018]

§ 115-80. FA3 (Forest Area) Districts.

[Added 3-10-1997 by Ord. No. 5-1997]

A.   Within any FA3 District, no lot, land, building or structure shall be developed, erected, altered or used unless such action complies with the schedule in § **115-77** above and with all standards and regulations set forth in this chapter.

B.   Permitted, conditional and accessory uses shall be as follows:

(1) Any use listed in § **115-75** above for FA1 Districts as permitted therein.

(2) Combined parcel homesteads as per § **115-119**.

(3) Accessory uses, as per § 115-101.1.
[Added 11-24-2008 by Ord. No. 14-2008; amended 10-22-2018 by Ord. No. 63-2018]

(4) Greenhouses, as per § **115-103.1**.
[Added 11-24-2008 by Ord. No. 14-2008; amended 10-22-2018 by Ord. No. 63-2018]

§ 115-81. AP (Agricultural Production) Districts.

[Amended 5-13-1991 by Ord. No. 227-1991]

A.   Within any AP District, no premises, lot, land, building or structure shall be developed, erected, altered or used unless such action complies with the schedule in § **115-77** above and all standards and regulations set forth in this chapter.

B.   Permitted, conditional and accessory uses shall be as follows:

(1) Agriculture as per §§ **115-52** and **115-103**; intensive fowl or livestock farm as per § **115-121**.

(2) Forestry as per § **115-51**.