

TOWNSHIP OF PEMBERTON
ORDINANCE NO. 13-2026

ORDINANCE OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 190 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF PEMBERTON ENTITLED, "ZONING" SO AS TO PROHIBIT THE CONSTRUCTION AND OPERATION OF DATA CENTERS WITHIN THE TOWNSHIP OF PEMBERTON

WHEREAS, the Township Council of the Township of Pemberton previously adopted Ordinance No. 10-2026 entitled, "An Ordinance of the Township of Pemberton, County of Burlington, State of New Jersey, Amending and Supplementing Chapter 190 of the Township Code of the Township of Pemberton entitled, 'Zoning' so as to Prohibit the Construction and Operation of Data Centers within the Township of Pemberton"; and

WHEREAS, the Ordinance expressly prohibited Data Centers in the GCLI General Commercial/Light Industrial; GCLI-1 General Commercial/Light Industrial-1; GCLI-3 General Commercial/Light Industrial-3; and OP/LI Office Professional/Light Industrial Districts; and

WHEREAS, a review of the Ordinance by the New Jersey Pinelands Commission revealed that the GCLI-2 Zone was not included in the list of zones where Data Centers are expressly prohibited because of the way the Zone is currently codified in the Township E-Code which includes cross-references between the GCLI-1 and GCLI-2 Zones which were previously removed through Ordinance No. 19-2025 which was certified by the Commission on October 22, 2025; and

WHEREAS, it is the intent of the Township Council to include the GCLI-2 Zone in the districts where Data Centers are expressly prohibited; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council, Township of Pemberton, County of Burlington, State of New Jersey as follows:

SECTION 1.

Subsection 190-5(B) of Chapter 190 of the Township Code of the Township of Pemberton entitled, "Definitions of Township-wide application" is hereby amended and supplemented to add the following definition:

DATA CENTERS- a facility primarily used for the storage, management, processing, and/or transmission of digital data including related office areas through the use of support equipment such as servers, networks, and other similar computer-based components.

SECTION 2.

Article IV of Chapter 190 of the Township Code of the Township of Pemberton entitled "District Regulations" is hereby amended and supplemented to revise subsections 190-24.2(B)(10) and (11) of Section 190-24.2 entitled, "GCLI-2 General Commercial/Light Industrial-2 District" to read as follows:

(10) Standard warehouses where all storage is contained in completely enclosed buildings on parcels not to exceed five acres, not including Data Centers which shall be explicitly prohibited.

(11) Light industrial uses on parcels not to exceed five acres, including manufacturing operations of a type in which can carry on processes within completely enclosed buildings, including the manufacture, assembly or treatment of products from previously prepared materials where the molecular structure of materials remains unchanged, not including Data Centers which shall be explicitly prohibited.

SECTION 3.

Article IV of Chapter 190 of the Township Code of the Township of Pemberton entitled "District Regulations" is hereby amended and supplemented to revise subsection 190-24.2(C) of Section 190-24.2 entitled "GCLI-2 General Commercial/Light Industrial-2 District" to include new paragraph (7) under "Conditional Uses" to read as follows:

(7) Data Centers are expressly prohibited as a conditional use.

SECTION 4.

Article IV of Chapter 190 of the Township Code of the Township of Pemberton entitled "District Regulations" is hereby amended and supplemented to revise subsection 190-24.2(D) of Section 190-24.2 entitled "GCLI-2 General Commercial/Light Industrial-2 District" to include new paragraph (6) under "Accessory uses permitted" to read as follows:

(6) Data Centers are expressly prohibited as an accessory use.

IT IS FURTHER ORDAINED THAT, if any part of this Ordinance shall be declared to be invalid or inoperative, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

IT IS FURTHER ORDAINED THAT all ordinances or portions of ordinances inconsistent herewith are hereby repealed to the extent of their inconsistency only.

IT IS FURTHER ORDAINED THAT the Township Council intends that all general provisions, terms, phrases, and expressions contained in this Ordinance be liberally construed in order that the Township Council's true intent and meaning may be fully implemented.

IT IS FURTHER ORDAINED THAT this Ordinance shall take effect upon passage, approval, and publication, as required by law.

PEMBERTON TOWNSHIP COUNCIL

TOWNSHIP OF PEMBERTON
ORDINANCE NO. 13-2026

NOTICE OF PUBLIC HEARING

**ORDINANCE OF THE TOWNSHIP OF PEMBERTON, COUNTY OF
BURLINGTON, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING
CHAPTER 190 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF PEMBERTON
ENTITLED, "ZONING" SO AS TO PROHIBIT THE CONSTRUCTION AND
OPERATION OF DATA CENTERS WITHIN THE TOWNSHIP OF PEMBERTON**

The foregoing Ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on April 1, 2026 and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on April 15, 2026 at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, Pemberton, New Jersey, at 6:00 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

ATTEST:



AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

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NOTICE OF FINAL PASSAGE

Notice is hereby given that Ordinance No. 13-2026 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on April 15, 2026. Said Ordinance shall take effect in accordance with law.

ATTEST:



AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

ACKNOWLEDGEMENT OF APPROVAL BY MAYOR



MATTHEW BIANCHINI

DATE: April 16, 2026

ATTEST:



AMY P. COSNOSKI, RMC, TOWNSHIP CLERK