

**CHAPTER 50  
PINELANDS COMPREHENSIVE  
MANAGEMENT PLAN**

**Authority**

N.J.S.A. 13:18A-1 et seq.

**Source and Effective Date**

R.1981 d.13, effective January 14, 1981.  
See: 12 N.J.R. 513(b), 13 N.J.R. 91(e).

**Chapter Historical Note**

Chapter 50, originally Pinelands Environmental Council, was repealed by R.1980 d.433, effective October 7, 1980. See: 12 N.J.R. 454(b), 12 N.J.R. 643(a). Chapter 50, Pinelands Comprehensive Management Plan, adopted as R.1981 d.13, superseded the interim rules at N.J.A.C. 7:1G, adopted by the Pinelands Commission as R.1980 d.370, effective September 23, 1980. See: 12 N.J.R. 309(a), 12 N.J.R. 575(c). See: Source and Effective Date. Chapter 50 was amended by R.1982 d.131, effective April 19, 1982; Emergency R.1985 d.399, effective July 15, 1985; R.1985 d.494, effective September 12, 1985, and R.1987 d.436, effective November 2, 1987. See: 13 N.J.R. 569(a), 14 N.J.R. 338(a); 17 N.J.R. 1918(a), 17 N.J.R. 2394(a); 18 N.J.R. 2239(a), 19 N.J.R. 2010(a). See, also, section annotations.

Public Notice: Pinelands Commission actions affected by Permit Extension Act, P.L. 1992, c.82. See: 24 N.J.R. 3560(c).

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**PART I—TITLE, AUTHORITY, PURPOSE,  
APPLICABILITY, FEES AND SEVERABILITY**

- 7:50-1.1 Title
- 7:50-1.2 Authority
- 7:50-1.3 General purpose and intent
- 7:50-1.4 Applicability
- 7:50-1.5 Effective date
- 7:50-1.6 Fees
- 7:50-1.7 Escrows
- 7:50-1.8 Severability
- 7:50-1.9 through 7:50-1.10 (Reserved)

**PART II—DUTIES AND POWERS OF THE COMMISSION**

- 7:50-1.11 Duties and powers
- 7:50-1.12 Meetings, hearings and procedures
- 7:50-1.13 through 7:50-1.20 (Reserved)

**PART III—DUTIES AND POWERS OF THE EXECUTIVE  
DIRECTOR**

- 7:50-1.21 Duties and powers

**SUBCHAPTER 2. INTERPRETATIONS AND DEFINITIONS**

**PART I—INTERPRETATION**

- 7:50-2.1 Provisions are minimum requirements
- 7:50-2.2 Construction
- 7:50-2.3 Word usage
- 7:50-2.4 through 7:50-2.10 (Reserved)

**PART II—DEFINITIONS**

- 7:50-2.11 Definitions

**SUBCHAPTER 3. CERTIFICATION OF COUNTY,  
MUNICIPAL AND FEDERAL INSTALLATION  
PLANS**

**PART I—PURPOSE**

- 7:50-3.1 Purpose
- 7:50-3.2 through 7:50-3.10 (Reserved)

**PART II—CERTIFICATION OF COUNTY PLANS**

- 7:50-3.11 Conformance of county master plans and regulations required
- 7:50-3.12 Submission of plan and regulations
- 7:50-3.13 Setting of hearing
- 7:50-3.14 Recommendation of Executive Director
- 7:50-3.15 Certification of county master plans and regulations
- 7:50-3.16 Responsibility of county upon conditional certification or disapproval
- 7:50-3.17 Effect of failure of county to obtain Commission approval of master plan and regulations
- 7:50-3.18 Effect on and responsibilities of county upon certification
- 7:50-3.19 Standards for certification of county master plans and ordinances
- 7:50-3.20 Submission and review of amendments to certified county master plans and ordinances

**PART III—DELEGATION TO COUNTY PLANNING  
BOARDS OF PRELIMINARY REVIEW OF MUNICIPAL  
PLANS AND ORDINANCES**

- 7:50-3.21 Application by county for delegation
- 7:50-3.22 Delegation by Commission
- 7:50-3.23 List of reviewing counties and notice to municipalities
- 7:50-3.24 Revocation of delegation and notice thereof
- 7:50-3.25 through 7:50-3.30 (Reserved)

**PART IV—CERTIFICATION OF MUNICIPAL PLANS**

- 7:50-3.31 Conformance of municipal master plan and land use ordinances required
- 7:50-3.32 Submission of plan and land use ordinances
- 7:50-3.33 Setting of hearing
- 7:50-3.34 Recommendation of Executive Director
- 7:50-3.35 Certification of municipal master plans and land use ordinances
- 7:50-3.36 Responsibility of municipality upon conditional certification or disapproval
- 7:50-3.37 Effect of municipality's failure to obtain Commission certification of master plan and land use ordinances
- 7:50-3.38 Effect on and responsibilities of municipality upon certification
- 7:50-3.39 Standards for certification of municipal master plans and land use ordinances
- 7:50-3.40 Submission to county planning board for preliminary review
- 7:50-3.41 Setting of hearing and procedures therefor
- 7:50-3.42 Recommendation of county board
- 7:50-3.43 Recommendation of Executive Director
- 7:50-3.44 Action by Commission
- 7:50-3.45 Submission and review of amendments to certified municipal master plans and land use ordinances
- 7:50-3.46 through 7:50-3.50 (Reserved)

**PART V—FEDERAL INSTALLATION PLANS**

- 7:50-3.51 Conformance of Federal installation master plans
- 7:50-3.52 Elements of Federal installation master plan
- 7:50-3.53 Preparation of the plan for review
- 7:50-3.54 Recommendation of Executive Director
- 7:50-3.55 Review of Federal installation master plans

7:50-3.56 Amendments to Federal installation plans  
 7:50-3.57 through 7:50-3.60 (Reserved)

**PART VI—MODIFICATION OR REVOCATION OF  
 CERTIFICATION OF COUNTY AND MUNICIPAL PLANS  
 AND ORDINANCES**

7:50-3.61 Initiation by Executive Director  
 7:50-3.62 Notice and hearing  
 7:50-3.63 Recommendation of Executive Director  
 7:50-3.64 Action by Commission  
 7:50-3.65 Effect of modification, suspension or revocation of Com-  
 mission certification  
 7:50-3.66 through 7:50-3.70 (Reserved)

**PART VII—ADOPTION OF RULES AND REGULATIONS  
 FOR UNCERTIFIED AREAS**

7:50-3.71 Commission adoption of rules and regulations for uncer-  
 tified areas  
 7:50-3.72 Preparation and review of rules and regulations  
 7:50-3.73 Public hearing  
 7:50-3.74 Adoption of rules and regulations

**PART VIII—ALTERNATIVE LOCAL PERMITTING  
 PROGRAMS**

7:50-3.81 Purpose of alternative local permitting programs  
 7:50-3.82 Description of alternative permitting programs  
 7:50-3.83 Certification standards  
 7:50-3.84 Assistance and monitoring  
 7:50-3.85 Failure to implement

**SUBCHAPTER 4. DEVELOPMENT REVIEW**

**INTRODUCTION**

**PART I—UNIFORM PROCEDURES**

7:50-4.1 Applicability  
 7:50-4.2 Pre-application conference; application requirements  
 7:50-4.3 Commission hearing procedures  
 7:50-4.4 Waiver of time limits  
 7:50-4.5 Emergency provision  
 7:50-4.6 through 7:50-4.10 (Reserved)

**PART II—DEVELOPMENT IN AREAS WITHOUT  
 CERTIFIED LOCAL PLANS**

7:50-4.11 Purpose  
 7:50-4.12 Applicability  
 7:50-4.13 Compliance with this part required for development in  
 uncertified areas  
 7:50-4.14 Application for development approval in uncertified  
 municipalities  
 7:50-4.15 Action by Executive Director on application  
 7:50-4.16 Standards for uncertified areas  
 7:50-4.17 Certificate of Completeness required for determination  
 of completeness and action  
 7:50-4.18 Report requirements of local permitting agency with  
 respect to applications for development  
 7:50-4.19 Commission review following preliminary approval  
 7:50-4.20 Decision on review  
 7:50-4.21 Notice of changes made subsequent to local preliminary  
 approval  
 7:50-4.22 Commission review following final local approval  
 7:50-4.23 Public hearing  
 7:50-4.24 Decision on review  
 7:50-4.25 Commission review following local denial  
 7:50-4.26 Decision on review  
 7:50-4.27 Effect of Pinelands Development Approval  
 7:50-4.28 through 7:50-4.30 (Reserved)

**PART III—REVIEW OF LOCAL PERMITS IN CERTIFIED  
 MUNICIPALITIES**

7:50-4.31 Purpose  
 7:50-4.32 Applicability  
 7:50-4.33 Applicant to submit copies of local applications to  
 Commission  
 7:50-4.34 Certificate of Filing; required for determination of com-  
 pleteness  
 7:50-4.35 Report requirements of local permitting agency with re-  
 spect to applications for development  
 7:50-4.36 Commission staff participation in local review process  
 7:50-4.37 Commission review following preliminary approval  
 7:50-4.38 Decision on review  
 7:50-4.39 Notice of changes made subsequent to local preliminary  
 approval  
 7:50-4.40 Commission review following final local approval  
 7:50-4.41 Public hearing  
 7:50-4.42 Decision on review  
 7:50-4.43 through 7:50-4.50 (Reserved)

**PART IV—PUBLIC DEVELOPMENT**

7:50-4.51 Purpose  
 7:50-4.52 General requirements  
 7:50-4.53 Pre-application conference and submission requirements  
 7:50-4.54 Review of submission by Executive Director  
 7:50-4.55 Rights of appeal  
 7:50-4.56 Action by Commission  
 7:50-4.57 Standards for public development  
 7:50-4.58 Limits on public agency actions  
 7:50-4.59 through 7:50-4.60 (Reserved)

**PART V—WAIVER OF STRICT COMPLIANCE WITH  
 PROVISIONS OF THE COMPREHENSIVE MANAGEMENT  
 PLAN**

7:50-4.61 Purpose  
 7:50-4.62 General standards  
 7:50-4.63 Standards for establishing extraordinary hardship  
 7:50-4.64 Standards for establishing compelling public need  
 7:50-4.65 Substantial impairment and consistency  
 7:50-4.66 Application  
 7:50-4.67 Action by Executive Director on application  
 7:50-4.68 Rights of appeal  
 7:50-4.69 Action by Commission  
 7:50-4.70 Effect of grant of waiver; expiration; recordation; ef-  
 fective date

**PART VI—LETTERS OF INTERPRETATION**

7:50-4.71 Purpose  
 7:50-4.72 Authority  
 7:50-4.73 Request for interpretation  
 7:50-4.74 Interpretation by Executive Director  
 7:50-4.75 Limitations on issuance of use interpretations  
 7:50-4.76 Effect of and limitation on favorable interpretation  
 7:50-4.77 Binding effect of interpretations  
 7:50-4.78 Monthly report  
 7:50-4.79 Appeal  
 7:50-4.80 (Reserved)

**PART VII—COORDINATED PERMITTING WITH STATE  
 AGENCIES**

7:50-4.81 General requirements; applicant to submit application to  
 Executive Director  
 7:50-4.82 Determination of Commission interests; Commission  
 staff participation in State review process  
 7:50-4.83 Notice from State agencies with respect to applications  
 for development  
 7:50-4.84 Referral of matters to state agency  
 7:50-4.85 Referral of matters to Commission by state agency  
 7:50-4.86 through 7:50-4.90 (Reserved)