

**CHAPTER 4**

**DISTRICT ZONING REGULATIONS**

**Authority**

N.J.S.A. 13:17-1 et seq., specifically 13:17-6(i) and N.J.A.C. 19:4-6.27.

**Source and Effective Date**

R.1993 d.176, effective March 29, 1993.  
See: 24 N.J.R. 4503(a), 25 N.J.R. 1887(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 4, District Zoning Regulations, expires on March 29, 1998.

**Chapter Historical Note**

Chapter 4, District Zoning Regulations, was adopted as R.1970 d.46, effective May 1, 1970. See: 1 N.J.R. 17(b), 2 N.J.R. 8(b), 2 N.J.R. 52(a). The text of Chapter 4 was replaced by new District Zoning Regulations by R.1972 d.221, effective November 9, 1972. See: 4 N.J.R. 13(c), 4 N.J.R. 311(c). Pursuant to Executive Order No. 66(1978), Subchapter 6, General Provisions, expired on October 5, 1983, and was subsequently adopted as new rules by R.1983 d.507, effective November 7, 1983. See: 15 N.J.R. 1506(b), 15 N.J.R. 1873(b). Pursuant to Executive Order No. 66(1978), Chapter 4 was readopted as R.1988 d.281, effective May 26, 1988. See: 20 N.J.R. 743(a), 20 N.J.R. 1467(b). Public Notice: Routine program implementation. See: 25 N.J.R. 1010(a). Pursuant to Executive Order No. 66(1978), Chapter 4 was readopted as R.1993 d.176. See: Source and Effective Date. See, also, section annotations for specific rulemaking activity.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL INFORMATION**

- 19:4-1.1 Title of Chapter
- 19:4-1.2 Effective date of Chapter
- 19:4-1.3 Termination of Chapter
- 19:4-1.4 Purpose of Chapter

**SUBCHAPTER 2. CONSTRUCTION AND DEFINITIONS**

- 19:4-2.1 Construction
- 19:4-2.2 Definitions

**SUBCHAPTER 3. APPLICATION OF REGULATIONS**

- 19:4-3.1 Territorial application
- 19:4-3.2 Structures, uses, occupancies, and land
- 19:4-3.3 Zoning of public ways, waterways, railroad rights-of-way and renewal areas
- 19:4-3.4 Boundaries

**SUBCHAPTER 4. ZONE REGULATIONS**

- 19:4-4.1 Permitted uses
- 19:4-4.2 Special exceptions
- 19:4-4.3 Lot size requirements
- 19:4-4.4 Bulk regulation
- 19:4-4.5 Use limitations
- 19:4-4.6 Number of structures on a lot
- 19:4-4.7 Restrictions on allocation of required yards or open space
- 19:4-4.8 Obstructions in yards
- 19:4-4.9 Zoning lot of record
- 19:4-4.10 Office trailers
- 19:4-4.11 Wetlands

- 19:4-4.12 Marshland preservation zone; purposes
- 19:4-4.13 Marshland preservation zone; permitted uses
- 19:4-4.14 Marshland preservation zone; special exceptions
- 19:4-4.15 Marshland preservation zone; use limitations
- 19:4-4.16 Marshland preservation zone; environmental performance standards
- 19:4-4.17 Marshland preservation zone; design of structures and other improvements
- 19:4-4.18 Park and recreation zone; purposes
- 19:4-4.18A Planned park zone 1; purposes
- 19:4-4.19 Park and recreation zone; permitted uses
- 19:4-4.19A Planned park zone 1; permitted uses
- 19:4-4.20 Park and recreation zone; special exception
- 19:4-4.20A Planned park zone 1; special exceptions
- 19:4-4.21 Park and recreation zone; use limitation
- 19:4-4.21A Planned park zone 1; use limitations
- 19:4-4.22 Park and recreation zone; environmental performance standards
- 19:4-4.22A Planned park zone 1; lot area requirements
- 19:4-4.23 Park and recreation zone; design of structures and other improvements
- 19:4-4.23A Planned park zone 1; bulk regulations
- 19:4-4.24 Park and recreation zone; wetlands buffer strip
- 19:4-4.24A Planned park zone 1; environmental performance standards
- 19:4-4.25 Low density residential zone; purposes
- 19:4-4.25A Planned park zone 1; design of structures and other improvements
- 19:4-4.26 Low density residential zone; type of development
- 19:4-4.26A Planned park zone 1; buffer strip requirements
- 19:4-4.27 Low density residential zone; permitted uses
- 19:4-4.27A Planned park zone 1; procedure
- 19:4-4.28 Low density residential zone; special exceptions
- 19:4-4.29 Low density residential zone; lot area and density requirements
- 19:4-4.30 Low density residential zone; bulk regulations
- 19:4-4.31 Low density residential zone; design of structures and other improvements
- 19:4-4.32 Low density residential zone; environmental performance standards and buffer requirements
- 19:4-4.33 Waterfront recreation zone; purpose
- 19:4-4.34 Waterfront recreation zone; type of development
- 19:4-4.35 Waterfront recreation zone; required marina and other permitted uses
- 19:4-4.36 Waterfront recreation zone; special exceptions
- 19:4-4.37 Waterfront recreation zone; use limitations
- 19:4-4.38 Waterfront recreation zone; lot area requirements
- 19:4-4.39 Waterfront recreation zone; bulk regulations
- 19:4-4.40 Waterfront recreation zone; buffer requirements
- 19:4-4.41 Waterfront recreation zone; environmental performance standards
- 19:4-4.42 Waterfront recreation zone; design of structures and other improvements
- 19:4-4.42A Neighborhood commercial zone; purposes
- 19:4-4.42B Neighborhood commercial zone; permitted uses
- 19:4-4.42C Neighborhood commercial zone; special exceptions
- 19:4-4.42D Neighborhood commercial zone; use limitations
- 19:4-4.42E Neighborhood commercial zone; accessory uses
- 19:4-4.42F Neighborhood commercial zone; area and bulk regulations
- 19:4-4.42G Neighborhood commercial zone; special exception uses
- 19:4-4.42H Neighborhood commercial zone; environmental performance standards
- 19:4-4.43 Highway commercial zone; purpose
- 19:4-4.44 Highway commercial zone; type of development
- 19:4-4.45 Highway commercial zone; permitted uses
- 19:4-4.46 Highway commercial zone; special exceptions
- 19:4-4.47 Highway commercial zone; use limitations
- 19:4-4.48 Highway commercial zone; lot area requirements
- 19:4-4.49 Highway commercial zone; bulk and density regulations
- 19:4-4.50 Highway commercial zone; buffer requirements

- 19:4-4.51 Highway commercial zone; environmental performance standards
- 19:4-4.52 Highway commercial zone; design of structures and other improvements
- 19:4-4.53 Service-highway commercial zone; purposes
- 19:4-4.54 Service-highway commercial zone; type of development
- 19:4-4.55 Service-highway commercial zone; permitted uses
- 19:4-4.56 Service-highway commercial zone; special exceptions
- 19:4-4.57 Service-highway commercial zone; use limitations
- 19:4-4.58 Service-highway commercial zone; lot area requirements
- 19:4-4.59 Service-highway commercial zone; bulk requirements
- 19:4-4.60 Service-highway commercial zone; buffer requirements
- 19:4-4.61 Service-highway commercial zone; environmental performance standards
- 19:4-4.62 Service-highway commercial zone; design of structures and other improvements
- 19:4-4.63 Research park zone; purposes
- 19:4-4.64 Research park zone; type of development
- 19:4-4.65 Research park zone; permitted uses
- 19:4-4.66 Research park zone; special exceptions
- 19:4-4.67 Research park zone; use limitations
- 19:4-4.68 Research park zone; lot area requirements
- 19:4-4.69 Research park zone; bulk regulations
- 19:4-4.70 Research park zone; environmental performance standards
- 19:4-4.71 Research park zone; design of structures and buffer requirements
- 19:4-4.72 Research distribution park zone; purposes
- 19:4-4.73 Research distribution park zone; type of development
- 19:4-4.74 Research distribution park zone; permitted uses
- 19:4-4.75 Research distribution park zone; special exceptions
- 19:4-4.76 Research distribution park zone; use limitations
- 19:4-4.77 Research distribution park zone; lot area requirements
- 19:4-4.78 Research distribution park zone; bulk regulations
- 19:4-4.79 Research distribution park zone; environmental performance standards
- 19:4-4.80 Research distribution park zone; design of structures and other improvements
- 19:4-4.81 Research distribution park zone; buffer strip
- 19:4-4.82 Light industrial and distribution zone A; purposes
- 19:4-4.83 Light industrial and distribution zone A; type of development
- 19:4-4.84 Light industrial and distribution zone A; permitted uses
- 19:4-4.85 Light industrial and distribution zone A; special exceptions
- 19:4-4.86 Light industrial and distribution zone A; use limitations
- 19:4-4.87 Light industrial and distribution zone A; lot area requirements
- 19:4-4.88 Light industrial and distribution zone A; bulk regulations
- 19:4-4.89 Light industrial and distribution zone A; buffer requirements
- 19:4-4.90 Light industrial and distribution zone A; environmental performance standards
- 19:4-4.91 Light industrial and distribution zone A; design of structures and other improvements
- 19:4-4.92 Light industrial and distribution zone B; purposes
- 19:4-4.93 Light industrial and distribution zone B; type of development
- 19:4-4.94 Light industrial and distribution zone B; permitted uses
- 19:4-4.95 Light industrial and distribution zone B; special exceptions
- 19:4-4.96 Light industrial and distribution zone B; use limitations
- 19:4-4.97 Light industrial and distribution zone B; lot area requirements
- 19:4-4.98 Light industrial and distribution zone B; bulk regulations
- 19:4-4.99 Light industrial and distribution zone B; buffer requirements
- 19:4-4.100 Light industrial and distribution zone B; environmental performance standards
- 19:4-4.101 Light industrial and distribution zone B; design of structures and other improvements
- 19:4-4.102 Heavy industrial zone; purposes
- 19:4-4.103 Heavy industrial zone; type of development
- 19:4-4.104 Heavy industrial zone; permitted uses
- 19:4-4.105 Heavy industrial zone; special exceptions
- 19:4-4.106 Heavy industrial zone; lot area requirements
- 19:4-4.107 Heavy industrial zone; bulk regulations
- 19:4-4.108 Heavy industrial zone; buffer requirements
- 19:4-4.109 Heavy industrial zone; environmental performance standards
- 19:4-4.110 Heavy industrial zone; design of structures and other improvements
- 19:4-4.111 Airport facilities zone; purposes
- 19:4-4.112 Airport facilities zone; type of development
- 19:4-4.113 Airport facilities zone; permitted uses
- 19:4-4.114 Airport facilities zone; special exceptions
- 19:4-4.115 Airport facilities zone; use limitation
- 19:4-4.116 Airport facilities zone; lot area requirements
- 19:4-4.117 Airport facilities zone; bulk regulations
- 19:4-4.118 Airport facilities zone; environmental performance standards
- 19:4-4.119 Airport facilities zone; design standards
- 19:4-4.120 Airport facilities zone; buffer requirements
- 19:4-4.121 Sports complex zone; purposes
- 19:4-4.122 Sports complex zone; land exemptions
- 19:4-4.123 Sports complex zone; land not exempt
- 19:4-4.124 Public utilities zone; purposes
- 19:4-4.125 Public utilities zone; type of development
- 19:4-4.126 Public utilities zone; permitted uses
- 19:4-4.127 Public utilities zone; special exceptions
- 19:4-4.128 Public utilities zone; lot area requirements
- 19:4-4.129 Public utilities zone; bulk regulations
- 19:4-4.130 Public utilities zone; buffer requirements
- 19:4-4.131 Public utilities zone; environmental performance standards
- 19:4-4.132 Public utilities zone; design of structures and other improvements
- 19:4-4.133 Zoning certificates
- 19:4-4.134 Application for zoning certificate
- 19:4-4.135 Review and approval of application for a zoning certificate
- 19:4-4.136 Period of validity
- 19:4-4.137 Commencement of occupancy
- 19:4-4.138 Application for occupancy certificate
- 19:4-4.139 Issuance of occupancy certificate
- 19:4-4.140 Landscaping and maintenance of open space
- 19:4-4.140A Property maintenance
- 19:4-4.141 Special exceptions
- 19:4-4.142 Variances
- 19:4-4.143 Commission review of special exception and variance approvals
- 19:4-4.144 Planned unit development
- 19:4-4.145 Accessory uses
- 19:4-4.146 Commercial park zone; purposes
- 19:4-4.147 Commercial park zone; type of development
- 19:4-4.148 Commercial park zone; permitted uses
- 19:4-4.149 Commercial park zone; special exceptions
- 19:4-4.150 Commercial park zone; use limitations
- 19:4-4.151 Commercial park zone; lot area requirements
- 19:4-4.152 Commercial park zone; bulk regulations
- 19:4-4.153 Commercial park zone; buffer requirements
- 19:4-4.154 Commercial park zone; environmental performance standards
- 19:4-4.155 Commercial park zone; design of structures and other improvements
- 19:4-4.156 Commercial park zone; waterfront development

#### SUBCHAPTER 5. SPECIALLY PLANNED AREA REGULATIONS

- 19:4-5.1 Statement of purpose
- 19:4-5.2 The parkside residential specially planned areas: PR-1, PR-2 and PR-3
- 19:4-5.3 The island residential specially planned areas: IR-1, IR-2 and IR-3

- 19:4-5.3A Planned development center specially planned areas: PDC-1
- 19:4-5.4 The Berry's Creek Center: BCC
- 19:4-5.5 The transportation center specially planned areas: TC-1, TC-2, and TC-3
- 19:4-5.6 The special use specially planned areas: SU-1, SU-2 and SU-3
- 19:4-5.7 Procedure
- 19:4-5.8 General plan
- 19:4-5.9 Development plan
- 19:4-5.10 Implementation plan
- 19:4-5.11 Technical documents; consequences of failure to commence development
- 19:4-5.12 Commencement of construction and completion of development
- 19:4-5.13 Public improvements; relations to subdivision regulations
- 19:4-5.14 Maintenance of common open space and open areas
- 19:4-5.15 Staging
- 19:4-5.16 Applicant; management group; resolution of differences between applicants
- 19:4-5.17 Variation of requirements by Development Board

#### SUBCHAPTER 6. GENERAL PROVISIONS

- 19:4-6.1 Performance standards; noise
- 19:4-6.2 Definitions regarding noise regulations
- 19:4-6.3 Performance standards; vibrations
- 19:4-6.4 Definitions regarding vibration regulations
- 19:4-6.5 Airborne emissions
- 19:4-6.6 Definitions regarding airborne emissions
- 19:4-6.7 Performance standards; hazardous materials, liquids and chemicals
- 19:4-6.8 Definitions regarding hazardous materials
- 19:4-6.9 Performance standards; glare
- 19:4-6.10 Definitions regarding glare
- 19:4-6.11 Performance standards; radioactive materials
- 19:4-6.12 Definitions regarding radioactive materials
- 19:4-6.13 Exemption; radioactive materials
- 19:4-6.14 Performance standards; water
- 19:4-6.15 Definitions regarding water quality
- 19:4-6.16 Wetlands buffer strip; water quality and enhancement of wetlands
- 19:4-6.17 Fees and escrow deposits to insure compliance with certain requirements
- 19:4-6.18 Design of structures; provision and design of other improvements, including parking and loading facilities, landscape improvements, lighting, fencing, signs, satellite antennas, public parks and recycling areas
- 19:4-6.19 Appointment and operation of Environmental Design Committee
- 19:4-6.20 Landmark preservation
- 19:4-6.21 Additional procedural rules
- 19:4-6.22 Public hearing
- 19:4-6.23 Nonconformities
- 19:4-6.24 Fees, penalties and enforcement
- 19:4-6.25 Appeals
- 19:4-6.26 Commission review of Development Board actions
- 19:4-6.27 Amendments
- 19:4-6.28 Official zoning map
- 19:4-6.29 Petitions for zoning amendment to Official Zoning Map (rezoning)
- 19:4-6.30 Petitions for amendment to District Zoning Regulations

#### SUBCHAPTER 7. WETLANDS PROCEDURES AND GUIDELINES

- 19:4-7.1 General provisions; scope
- 19:4-7.2 Guidelines
- 19:4-7.3 Marshland preservation zone
- 19:4-7.4 Public park zones
- 19:4-7.5 Specially planned areas
- 19:4-7.6 Island residential specially planned areas
- 19:4-7.7 Parkside residential
- 19:4-7.8 Berry's Creek Center
- 19:4-7.9 Transportation center

- 19:4-7.10 Special use areas
- 19:4-7.11 Development zones
- 19:4-7.12 Inventory and analysis
- 19:4-7.13 Implementation and inspection procedures
- 19:4-7.14 Waterway buffer strips
- 19:4-7.15 Protection of existing watercourses within the District
- 19:4-7.16 Specially planned areas; instruction
- 19:4-7.17 Zones; instructions
- 19:4-7.18 Water quality; scope
- 19:4-7.19 Water quality; guidelines
- 19:4-7.20 Liquid and solid waste disposal

### SUBCHAPTER 1. GENERAL INFORMATION

#### 19:4-1.1 Title of Chapter

This Chapter shall be known and may be referred to as the Zoning Regulations of the Hackensack Meadowlands District.

#### Historical Note

Originally cited as Article I.

#### 19:4-1.2 Effective date of Chapter

This Chapter shall take effect upon adoption, being the date of final passage and publication as required by law, and shall continue in full force and effect to the date of termination.

#### 19:4-1.3 Termination of Chapter

This Chapter shall expire, terminate and be of no further force or effect upon the adoption by the Hackensack Meadowlands Development Commission of regulations repealing and superseding this Chapter.

#### Historical Note

Sections 2 and 3 were originally cited as Article II.

#### 19:4-1.4 Purpose of Chapter

(a) This Chapter is designed to serve the following purposes:

1. To provide for the orderly and comprehensive development of the Hackensack Meadowlands District;
2. To provide space for industrial, commercial, residential, recreational, and other uses;
3. To provide that such uses are suitably sited and placed in order to secure safety from fire, provide adequate light and air, prevent the overcrowding of land and undue concentration of population, prevent traffic congestion, and, in general, relate buildings and uses to each other so that aesthetic and use values are maximized;
4. To provide for community appearance;
5. To provide for improvements of the land adequate to serve the uses to be developed on that land;

6. To protect the Hackensack Meadowlands District from air and water pollution;
7. To preserve an ecological balance between natural and open areas and development; and
8. To provide for a comprehensive treatment of the ecological factors constituting the delicate environmental balance of the Meadowlands.

**Chapter Historical Note**

Section 4 was originally cited as Article III.

## SUBCHAPTER 2. CONSTRUCTION AND DEFINITIONS

### 19:4-2.1 Construction

(a) In the construction and interpretation of these regulations, the following provisions and rules shall be applied, except when the context clearly requires otherwise:

1. Words used in the present tense shall include the future.
2. Words in the singular number include the plural number, and words in the plural number include the singular number.
3. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for".
4. The word "shall" is mandatory.
5. The word "may" is permissive.
6. The word "person" includes individuals, firms, corporations, associations, governmental bodies and agencies and all other legal entities.
7. The word "Commission" means the Hackensack Meadowlands Development Commission.
8. The words "constituent municipality" means a municipality with lands in the Hackensack Meadowlands District.
9. Unless otherwise specified, all distances shall be measured horizontally.

(b) Any word or phrase which is defined in this section, or elsewhere in these regulations, shall have the meaning as so defined whenever the word or phrase is used in these regulations, unless such definition is expressly limited in its meaning or scope.

(c) In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.

(d) Where the conditions or regulations imposed by any provisions of these regulations upon the use of land or structures are either more restrictive or less restrictive than comparable conditions or regulations imposed by any other provisions of these regulations, the conditions or regulations which are more restrictive shall govern.

(e) These regulations shall not be deemed to supersede, modify, amend or otherwise invalidate the zoning regulations of any constituent municipality, except to the extent provided by sections 10(b) and 15(b) of chapter 404 of the Laws of 1968.

(f) These regulations are not intended to abrogate, annul or otherwise interfere with any existing easement, covenant or any other private agreement or legal relationship; provided, however, that where these regulations are more restrictive or impose higher standards or requirements than such easements, covenants or other private agreements or legal relationships, these regulations shall govern.

(g) No person shall hereinafter create any easement, covenant or any other private agreement or legal relationship which is in conflict with these regulations.

(h) Nothing contained in these regulations shall be deemed to be a consent, license or permit to use any property or to locate, construct or maintain any structure or facility or to carry on any trade, industry, occupation or activity.

(i) It is hereby declared to be the intention of the commission that the several provisions of these regulations are separable, in accordance with the following rules.

(j) If any court of competent jurisdiction shall adjudge any provision of these regulations to be invalid, such judgment shall not affect any other provisions of these regulations.

(k) If any court of competent jurisdiction shall adjudge invalid the application of any provisions of these regulations to a particular property or structure, such judgment shall not affect the application of said provisions to any other property or structure.

### 19:4-2.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"A.F." means airport facilities.

"B.C.C." means Berry's Creek Center.

"H.C." means highway commercial.

"H.I." means heavy industrial.