

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.1998 d.77, effective January 5, 1998.
See: 29 N.J.R. 3704(a), 30 N.J.R. 566(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 4, District Zoning Regulations, expires on July 4, 2003. See: 34 N.J.R. 2539(a).

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).

Chapter 4 was replaced by new District Zoning Regulations as 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, District Zoning Regulations, 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, District Zoning Regulations, was readopted as R.1993 d.176, effective March 29, 1993. See: 24 N.J.R. 4503(a), 25 N.J.R. 1887(a).

Pursuant to Executive Order No. 66(1978), Chapter 4, District Zoning Regulations, was readopted as R.1998 d.77, effective January 5, 1998. See: Source and Effective Date.

Law Review and Journal Commentaries

A Complex Sport: Processing Land Use Applications Before the HMDC. James K. Pryor, 150 N.J.L.J. 49 (1997).

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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 New Jersey Meadowlands Commission of regulations repealing and superseding this Chapter.

Administrative change.
See: 33 N.J.R. 3454(a).

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 New Jersey Meadowlands 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.