

"Truck terminal" means an establishment primarily engaged in furnishing, hauling, or transfer services without long-term product or cargo storage and where trucks load and unload products or cargo for transshipment or reshipment. A truck terminal may also include accessory areas for the repair, service, maintenance, temporary storage, or parking of trucks.

"Usable roof area" means the total roof area of any building or buildings which is suitably improved for passive or active recreation.

"Use" means any purpose for which a structure or a tract of land may be designed, arranged, intended, maintained, or occupied; also, any activity, occupation, business or operation carried on, or intended to be carried on, in a structure or on a tract of land.

"Variance" means a permission to depart from the literal requirements of a zoning regulation if the conditions and standards of such use are complied with as specified in N.J.A.C. 19:4-4.142.

"Vehicular area" means the total lot area used for vehicular movement, transportation systems, parking and loading. Vehicular parking areas shall be defined as that area within vehicular overhang areas. Curbed, landscaped safety islands with a minimum dimension of five feet in any direction and a minimum of 50 square foot area shall not be considered vehicular area.

"Warehouse" means a building used primarily for the storage of goods, products, cargo, and materials with provision for truck loading and unloading facilities but not primarily engaged in hauling or transfer services. Warehousing may include truck storage, repairs, or servicing of trucks where such storage, repairs, or servicing is minor in nature and is accessory to the principal use and where such vehicles are owned or leased by the owner or tenant of the warehouse.

"Wetland" means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and that, under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas (*Federal Register*, Vol. 42, p. 37128). Under some circumstances, disturbed or previously filled areas may not completely meet the above criteria and may still be classified as wetland.

"Yard" means an area on a lot which is unoccupied and unobstructed from its lowest level to the sky, except for the permitted obstructions listed in N.J.A.C. 19:4-4.9.

"Yard: front" means a yard extending along the full length of a front lot line and back to a line paralleling the front lot line and intersecting the front of the building at its

farthest point from the front lot line. Each yard that abuts a front lot line shall be considered a front yard.

"Yard: rear" means a yard extending along the full length of the rear lot line and forward to a line drawn parallel with the rear lot line and intersecting the back of the building at its farthest point from the rear lot line.

"Yard: side" means a yard extending along a side lot line and to a line drawn parallel with the side lot line and intersecting the side of the building at its farthest point from the side lot line, but excluding any area encompassed within a front yard or rear yard.

"Zoning certificate (ZC)" means a document signed by the Chief Engineer, as required in these rules, as a condition precedent to the commencement of a use or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure, building, or site improvement, which acknowledges that such use, structure, or building complies with the provisions of the regulations or authorized variance therefrom.

"Zoning map" means the official zoning map of the Hackensack Meadowlands District.

Amended by R.1977 d.237, effective July 7, 1977.

See: 9 N.J.R. 148(b), 9 N.J.R. 394(a).

Amended by R.1988 d.281, effective June 20, 1988.

See: 20 N.J.R. 743(a), 20 N.J.R. 1467(b).

Substantially amended definitions.

Notice of Correction: Added definitions "Dwelling: high rise", "dwelling: low-rise", "dwelling: mid-rise" and "Neighborhood retail center" that were inadvertently left out of the adoption.

See: 20 N.J.R. 1954(a).

Amended by R.1990 d.186, effective April 2, 1990.

See: 21 N.J.R. 3441(a), 22 N.J.R. 1150(c).

Definitions of building height, level of service, neighborhood shopping center and satellite antenna added; definitions of floor area ratio and lot amended.

Amended by R.1994 d.16, effective January 3, 1994.

See: 25 N.J.R. 3949(a), 26 N.J.R. 252(a).

Amended by R.1994 d.543, effective November 7, 1994.

See: 26 N.J.R. 1970(a), 26 N.J.R. 4421(c).

Amended by R.1996 d.492, effective October 21, 1996.

See: 28 N.J.R. 3237(a), 28 N.J.R. 4594(a).

Amended by R.2000 d.453, effective November 6, 2000.

See: 32 N.J.R. 1702(a), 32 N.J.R. 4002(a).

Inserted definition of "L.C."

Administrative change.

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

Historical Note

Sections 1 and 2 of this Subchapter were originally cited as Article IV.

SUBCHAPTER 3. APPLICATION OF REGULATIONS

19:4-3.1 Territorial application

(a) The provisions of these regulations shall have application to the Hackensack Meadowlands District, as defined in

Chapter 404 of the Laws of 1968, and amendments or supplements thereto.

(b) The Hackensack Meadowlands District shall be divided into the following districts, the location of which shall be determined by reference to the Official Zoning Map, with all notations and boundary descriptions if any, kept in the Office of the Chief Engineer and hereby adopted as a part of these regulations:

1. Zones:
 - i. Marshland Preservation Zone;
 - ii. Public Park and Recreation Zone;
 - iii. Low Density Residential Zone;
 - iv. Waterfront Recreation Zone;
 - v. Highway Commercial Zone;
 - vi. Service-Highway Commercial Zone;
 - vii. Research Park Zone;
 - viii. Research Distribution Park Zone;
 - ix. Light Industrial and Distribution Zone A;
 - x. Light Industrial and Distribution Zone B;
 - xi. Heavy Industrial Zone;
 - xii. Airport Facilities Zone;
 - xiii. Sports Complex Zone;
 - xiv. Public Utilities Zone;
 - xv. Planned Park and Recreation 1 Zone;
 - xvi. Commercial Park Zone;
 - xvii. Neighborhood Commercial Zone;
 - xviii. Limited Commercial Zone.
2. Specially planned areas:
 - i. Parkside Residential 1 (PR 1);
 - ii. Parkside Residential 2 (PR 2);
 - iii. Parkside Residential 3 (PR 3);
 - iv. Island Residential 1 (IR 1);
 - v. Island Residential 2 (IR 2);
 - vi. Island Residential 3 (IR 3);
 - vii. Planned Development Center 1 (PDC 1);
 - viii. Berry's Creek Center (BCC);
 - ix. Transportation Center 1 (TC 1);
 - x. Transportation Center 2 (TC 2);
 - xi. Transportation Center 3 (TC 3);
 - xii. Special Use 1 (SU 1)—Education and Cultural Center;

xiii. Special Use 2 (SU 2);

xiv. Special Use 3 (SU 3).

Amended by R.1988 d.281, effective June 20, 1988.

See: 20 N.J.R. 743(a), 20 N.J.R. 1467(b).

Added (b)1 xv. through xvi.

Amended by R.1994 d.543, effective November 7, 1994.

See: 26 N.J.R. 1970(a), 26 N.J.R. 4421(c).

Amended by R.1996 d.492, effective October 21, 1996.

See: 28 N.J.R. 3237(a), 28 N.J.R. 4594(a).

In (b) added Neighborhood Commercial Zone.

Amended by R.2000 d.453, effective November 6, 2000.

See: 32 N.J.R. 1702(a), 32 N.J.R. 4002(a).

In (b)1, inserted xviii.

Historical Note

This section was originally cited as Article 5-101.

19:4-3.2 Structures, uses, occupancies, and land

(a) All structures and the moving, reconstruction, addition to, remodeling and change in occupancy (except for residential dwelling units) or use of such structures and the improvement of all land shall comply with the applicable regulations of N.J.A.C. 19:4-4 or 5, whichever shall apply, and N.J.A.C. 19:4-6.

(b) The following, except as otherwise provided, shall be exempt from the regulations listed in (a) above:

1. Whenever the governing body of a constituent municipality has enacted zoning ordinances and any other codes or standards which are consistent with, or which will effectuate the purposes of, the Commission's Master Plan, that municipality may make final land use decisions within the municipality with respect to applications made concerning individual/detached one, two or three family residences in the low density residential zone. These decisions shall include, but not be limited to, variances, certificates of occupancy, plan review, building permits, subdivisions and site approvals. Whenever a municipality shall make a zoning and/or land use decision pursuant to this subsection, a copy of the decision, the application and any other pertinent information shall be forwarded to the Commission within 10 working days of the final action.

2. Maintenance and repair work on railroad track signals, bridges, and similar facilities and equipment located in a railroad right-of-way.

Amended by R.1982 d.163, effective June 7, 1982.

See: 14 N.J.R. 231(b), 14 N.J.R. 581(b).

(b): "the regulations listed in (a) above" was "these regulations";

(b)1: deleted text and replaced with new text.

Amended by R.1994 d.543, effective November 7, 1994.

See: 26 N.J.R. 1970(a), 26 N.J.R. 4421(c).

Historical Note

This section was originally cited as Article 5-102.