

and that review of the project by the municipality shall utilize NJMC standards;

ii. The municipal project has been reviewed by the municipal planning board, which has certified to the NJMC that the project is in compliance with all applicable NJMC zoning regulations;

iii. A complete copy of the plans for the municipal project, and a certification of the planning board, have been sent to the NJMC for review, and the NJMC has not notified the municipality within 45 days of the receipt thereof of any objection to the project; and

iv. At the completion of the construction of the project, the municipal zoning officer has certified to the NJMC that the project has been constructed in accordance with approved plans; and

6. Site improvements on property resulting from land acquisition by a public entity for a public project, provided that such site improvements shall consist only of the improvements required to restore functional use of the property, as determined by the NJMC.

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).

Amended by R.2002 d.128, effective May 6, 2002.

See: 33 N.J.R. 2631(a), 34 N.J.R. 1733(a).

Added (b)3.

Amended by R.2009 d.40, effective January 20, 2009.

See: 40 N.J.R. 4696(a), 41 N.J.R. 624(b).

In (a)4, deleted "and" from the end; in (a)5iv, substituted "; and" for a period at the end; and added (a)6.

19:4-3.3 Official zoning map

The boundaries of the zones are established as shown on a map entitled "Hackensack Meadowlands District Official Zoning Map," as it may be amended, which is incorporated herein by reference and is hereby made a part of these regulations, and may be referred to as the "Official Zoning Map."

OFFICE OF ADMINISTRATIVE LAW NOTE: The Official Zoning Map is not reproduced herein, but may be reviewed at the following locations:

New Jersey Meadowlands Commission
One DeKorte Park Plaza
Lyndhurst, New Jersey 07071

Office of Administrative Law
Quakerbridge Plaza, Building 9
Quakerbridge Road
Trenton, New Jersey 08625

Amended by R.2005 d.295, effective September 6, 2005.

See: 37 N.J.R. 752(c), 37 N.J.R. 3455(a).

Amended by R.2008 d.10, effective January 7, 2008.

See: 39 N.J.R. 2338(a), 40 N.J.R. 195(a).

Amended by R.2008 d.128, effective May 19, 2008.

See: 40 N.J.R. 105(a), 40 N.J.R. 2565(b).

Amended by R.2009 d.80, effective March 2, 2009.

See: 40 N.J.R. 5566(a), 41 N.J.R. 1101(a).

Amended by R.2009 d.81, effective March 2, 2009.

See: 40 N.J.R. 5568(a), 41 N.J.R. 1101(b).

19:4-3.4 Designation of zones

(a) The District shall be divided into the following areas, the location of which shall be determined by reference to the Official Zoning Map, with all notations and attached boundary descriptions, if any, kept in the Offices of the NJMC and hereby adopted as a part of these regulations:

1. Zones:

- i. Environmental Conservation;
- ii. Parks and Recreation;
- iii. Waterfront Recreation;
- iv. Low Density Residential;
- v. Planned Residential;
- vi. Neighborhood Commercial;
- vii. Commercial Park;
- viii. Regional Commercial;
- ix. Highway Commercial;
- x. Aviation Facilities;
- xi. Light Industrial A;
- xii. Light Industrial B;
- xiii. Intermodal A;
- xiv. Intermodal B;
- xv. Heavy Industrial;
- xvi. Public Utilities;
- xvii. Sports and Exposition; and
- xviii. Transportation Center; and

2. Redevelopment Areas.

19:4-3.5 Interpretation of boundaries

(a) In the event uncertainty exists with respect to the intended boundaries of zones as shown on the zoning map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, roads, or alleys, shall be construed to follow such center lines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following boundary lines of constituent municipalities shall be construed as following such boundary lines.
4. Boundaries indicated as following railroad lines shall be construed to be the midpoint of the railroad ROW, unless otherwise indicated.

5. Boundaries indicated as following shore or bank lines shall be construed to follow such shore or bank lines, and in the event of change in the shore or bank line shall be construed as moving with the actual line; boundaries indicated as approximately following the center lines of streams, rivers, creeks or other bodies of water shall be construed to follow such center lines.

6. Boundaries indicated as parallel to or extensions of features indicated on the zoning map shall be so construed.

7. Where the boundaries do not coincide with any of the features enumerated above, or where the exact location of any boundary line is unclear or is in dispute, the boundary shall be determined by the use of the scale shown on the zoning map, or by interpretation in accordance with N.J.A.C. 19:4-4.12.

19:4-3.6 Zoning of public ways, waterways, and railroad rights-of-way

(a) All streets, roads, highways, public ways, and railroad ROWs, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon the same.

(b) Where the center line of a street, road, highway, public way, waterway or railroad ROW serves as a zone boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

(c) All waterways comprising the Hackensack River and its tributaries shall be deemed to be in the Environmental Conservation zone, except in cases where a grant, lease or other conveyance of riparian rights is made to an adjoining property owner by the State of New Jersey.

19:4-3.7 Coastal zone management

The NJMC Master Plan is an element of the State of New Jersey's Coastal Zone Management Program for the Hackensack Meadowlands District, as specified in N.J.A.C. 7:7E-3.45(b).

19:4-3.8 Affordable housing

Residential development in the District, developed in accordance with Council on Affordable Housing (COAH) guidelines, may be utilized by a constituent municipality toward fulfilling its COAH obligation. The NJMC will accept petitions for rezonings from municipalities seeking to rezone land in the District to meet their COAH obligations. Such petitions shall be processed in accordance with N.J.A.C. 19:3. Applications for variances to allow density increases to meet COAH obligations shall also be considered and processed in accordance with N.J.A.C. 19:4-4.14.

Repealed by R.2007 d.57, effective February 5, 2007.
See: 38 N.J.R. 3762(a), 39 N.J.R. 548(a).
Section was "Affordable Housing".

New Rule, R.2009 d.40, effective January 20, 2009.
See: 40 N.J.R. 4696(a), 41 N.J.R. 624(b).
Section was "Reserved".

19:4-3.9 Redevelopment areas

Applicable use and bulk requirements for an area within the District designated as a redevelopment area in accordance with N.J.A.C. 19:3-5, shall be established on a case-by-case basis and, once adopted by the Commission, shall supersede the applicable regulations in this subchapter.

19:4-3.10 Land containing sanitary landfill

(a) No construction of any improvement shall take place in or upon a sanitary landfill without written approval from the NJMC.

(b) Such approval shall be contingent upon demonstration that any residual post-construction settlement shall not affect the structural integrity or appearance of the development.

(c) Such approval shall be contingent upon demonstration that corrosion producing properties, combustible gases and fire hazards of constituent materials and/or state of decomposition have been adequately considered in the design.

19:4-3.11 Permitted uses

No structure or addition thereto shall hereafter be built, moved, or remodeled, and no structure or land shall hereafter be used, occupied, reoccupied, designed, or improved for use or occupancy except for a use that is permitted within the zone in which the structure or land is located.

19:4-3.12 Special exceptions

(a) No use of a structure or land that is designated as a special exception in any zone shall be established after February 17, 2004, and no existing special exception use shall be changed after February 17, 2004 to another special exception use, in such zone unless a special exception approval has been granted in accordance with the provisions of N.J.A.C. 19:4-4.13.

(b) Any special exception use, shall, once approved, be considered a permitted use under these regulations, until abandoned. However, no special exception use shall be enlarged or increased in intensity unless special exception approval is granted for such enlargement or increase in intensity.

19:4-3.13 Prohibited uses

All uses not specifically permitted by the applicable regulations are prohibited.

19:4-3.14 Temporary uses and structures

(a) Temporary uses and structures may be permitted under circumstances that will serve to protect the public health,