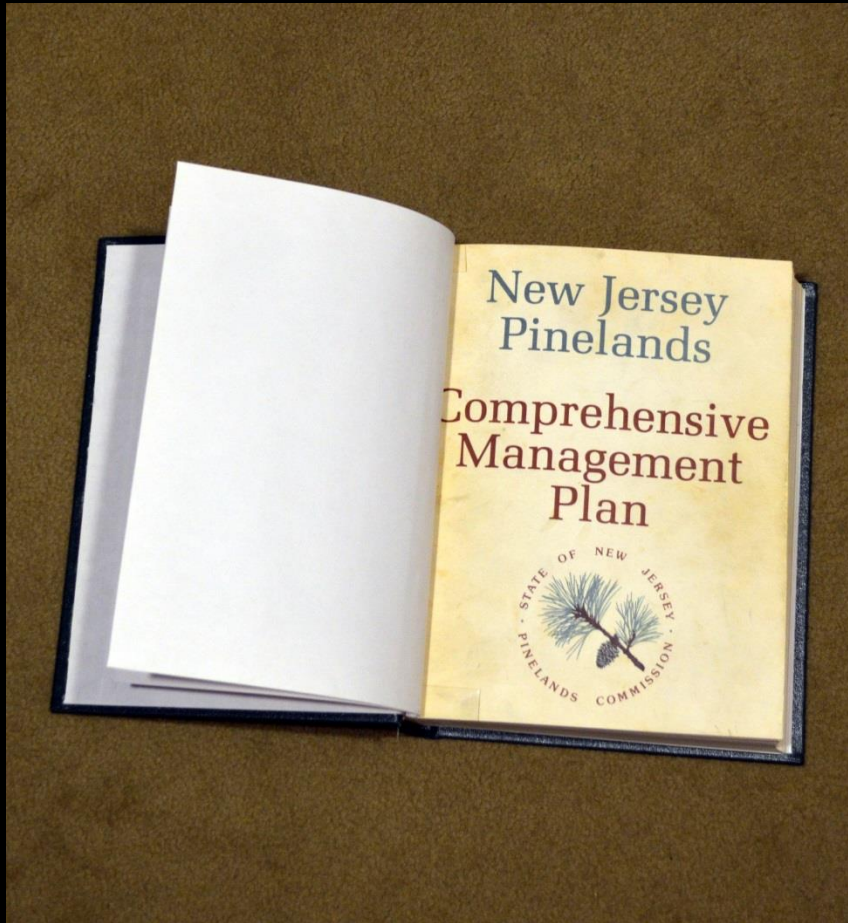


Conformance in the Pinelands Area



July 27, 2021

Conformance in the Pinelands



- The Pinelands Protection Act requires that all municipalities and counties with land in the Pinelands Area revise their master plan and land use ordinances to implement the objectives and standards of the Pinelands Comprehensive Management Plan.

Conformance in the Pinelands

As of October 2013, the Commission has certified the master plans and ordinances of all 53 Pinelands municipalities and all seven Pinelands counties as being in conformance with the CMP.



Conformance in the Pinelands

- The conformance process is ongoing, because the CMP requires Commission review and approval of all master plan and land use ordinance amendments before they take effect.



What materials are submitted?

Master plans

- Reexamination reports
- Land use elements
- Housing element and fair share plans
- Open space and recreation plans
- Public facilities plans
- Coastal resiliency plans

Master Plan Reexamination Report Addendum

Township of Manchester

Ocean County, New Jersey



February 25, 2016

Adopted by the Planning Board: _____, 2016

Prepared by:



David G. Roberts

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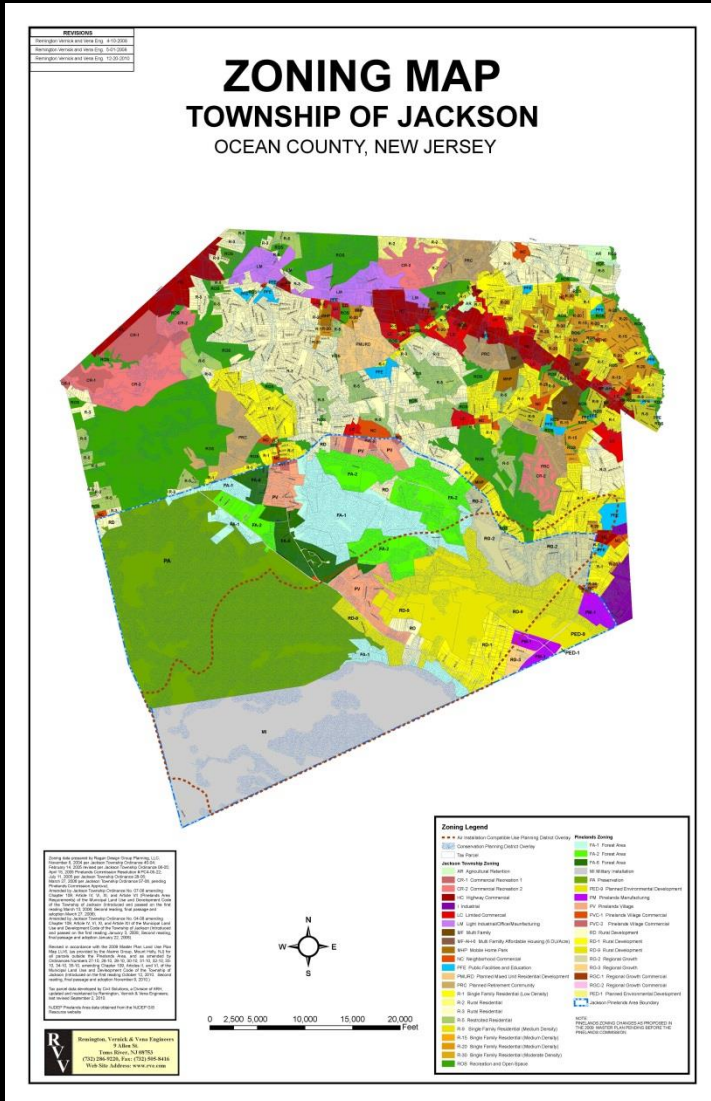


Daniel N. Bloch

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What materials are submitted?



Ordinances

- Zoning maps
- Redevelopment plans
- Permitted uses
- Bulk standards
- Design Standards
- Signage
- Fees
- Permitting procedures

Website Posting

Governor Phil Murphy • Lt. Governor Sheila Oliver

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PINELANDS COMMISSION



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HOME / PLANNING / COUNTY AND MUNICIPAL ORDINANCES AND MASTER PLANS RECEIVED

County and Municipal Ordinances and Master Plans Received

County and Municipal Master Plans and Ordinances

The following is a list of master plans and ordinances submitted to the Commission by Pinelands counties and municipalities within the last six months. The submitted documents are in various stages of the Commission's review process. Please contact the planning staff at planning@njpines.state.nj.us for details about any particular master plan or ordinance on the list.

Barnegat Township

2018-12

Received on 3/23/2018

Adopted on

Amends Ch 55: Application Fees, Escrows, Guarantees, Inspections and On/Off-Tract Improvements

Berlin Borough

2017-15

Received on 12/26/2017

Adopted on 12/14/2017

Amends Ch. 335: implements provisions of 2017 Housing Element and Fair Share Plan and Land Use Element; adds definitions and permitted uses in PC-1 and PC-2 Zones; rezones lands outside the Pinelands Area

Buena Vista Township

53-2018

Received on 4/2/2018

Adopted on 3/26/2018

Amends Ch. 115: performance and maintenance guaranties

2018 Master Plan Revisions

Received on 2/22/2018

Received on 2/22/2018
2018 Master Plan Revisions

The Conformance Process

7:50-3.45: The ED shall determine if an amendment raises a **substantial issue** with respect to the conformance of a municipality's master plan and land use ordinances with the CMP.

- If a **substantial issue** is raised, the amendment must be formally reviewed and approved by the full Commission.
- If **no substantial issue** is raised, the ED notifies the municipality that the amendment may take effect.

2019-2020 Conformance Activity

- In 2019-2020, the Commission received and reviewed 202 ordinance and master plan amendments from 43 Pinelands municipalities.
- Only 21 adopted master plans and ordinances raised substantial issues and required formal Commission approval.
- The remainder were processed by the staff.

Ordinance Classifications

Substantial Issue:

- Changes in Pinelands management area boundaries
- Standards more restrictive than the CMP
- Creative approaches/interpretations of CMP standards
- Locally controversial amendments related to the CMP
- Amendments inconsistent with the CMP

Substantial Issue Process

- Adopted master plan or ordinance received
- Update Commission's website
- Send finding letter – 30 days
- Schedule and hold public hearing – 60 days
- Prepare report and recommendation – 100 days
- P&I Committee discussion and recommendation
- Formal Commission action – 120 days
 - Certification
 - Conditional certification – 120 days for municipal response
 - Disapproval – 120 days for municipal response
- Notify municipality
- Update zoning system and GIS maps

Barneгат Ordinance 2014-23

Adds mixed use development as a permitted use in the Neighborhood Commercial Zone

- **Adopted ordinance received 10/27/2014**
- **Substantial issue finding letter sent 10/29/2014**
- **Public hearing held 11/19/2014**
- **P&I Committee recommendation for certification 1/30/2015**
- **Pinelands Commission certification 2/13/2015**

Barnegat Crossing



Ordinance Classifications

No Substantial Issue:

- Responses to CMP amendments
- Rezoning within a Pinelands management area
- Changes in permitted uses, densities and lot area requirements that are consistent with the CMP
- Revised bulk standards
- Application checklists
- Affordable housing development fees
- Parking, lighting, sidewalk, curb and other design standards
- Planning Board/Zoning Board functions and procedures

No Substantial Issue Process

- Adopted master plan or ordinance received
- Update Commission's website with description of ordinance and date of receipt
- Send finding letter – 30 days
- Prepare memorandum and list ordinance on next Commission meeting agenda
- Update zoning system and GIS maps

Ordinance Classifications

No Issue:

- Application fees
- Escrow requirements
- Rezoning outside the Pinelands Area
- Ordinance codification
- Dog licenses

No Issue Process

- Adopted master plan or ordinance received
- Update Commission's website with description of ordinance and date of receipt
- Send finding letter – 30 days

The Conformance Process

7:50-3.32: The ED shall not accept a municipal master plan for formal review and certification without an adopted implementing ordinance, unless no such ordinance is necessary.

- If an adopted master plan or reexamination report recommends zoning or other significant ordinance changes affecting the Pinelands Area, the ED notifies the municipality that the master plan is **incomplete** and cannot be approved until the necessary ordinances have been adopted and submitted to the Commission.