

Proposed CMP Amendments

Pinelands Commission

April 11, 2025

Proposed Amendments

- ▶ Application Fees
- ▶ Black Run Watershed Pinelands Management Area Redesignation
- ▶ Expiration of old Waivers, Certificates of Completeness and Certificates of Filing
- ▶ PDC Program clarifications and codifications
- ▶ Minor edits and updates

Application Fees

- ▶ Additional fees for applications to resolve violations
 - ▶ Normal application fee plus additional fee due to added staff time
 - ▶ Major development = \$1,000
 - ▶ Minor development = \$500
 - ▶ Normal fee caps (\$50,000/\$25,000/\$500) will not apply
- ▶ Additional fee for Waiver of Strict Compliance applications
 - ▶ \$250 (extraordinary hardship waivers only)
 - ▶ No additional fee for Limited Practical Use applications

Application Fees

- ▶ Letters of Interpretation – Wetlands/wetlands transition areas
 - ▶ Presence/absence = increase from \$250 to \$1,000
 - ▶ Location/extent verification = increase from \$250 to \$1,000 + \$100/acre
 - ▶ Normal fee caps of \$50,000/\$25,000 will apply
- ▶ All other non-PDC Letters of Interpretation
 - ▶ Increase fee from \$250 to \$500

Black Run Watershed- Management Area Redesignation

- ▶ Redesignate 2,440 acres in Evesham Township from a Pinelands Rural Development Area to a Pinelands Forest Area to provide increased protection to the Black Run Watershed and surrounding lands of highest ecological integrity
- ▶ Planning Background
 - ▶ Southern Medford-Evesham Resource Protection Plan
 - ▶ Ecological Integrity Assessment
- ▶ 1,450 acres (60%) permanently protected lands, publicly-owned lands or public right-of-way
- ▶ 1,390 acres (57%) Pinelands wetlands

Black Run Watershed- Management Area Redesignation

► Land Capability Map amendment

Existing Rural Development Area Residential Density	Proposed Forest Area Residential Density
RD-1: 1 unit per 6 acres	1 unit per 25 acres
RD-3: 1 unit per 3.2 acres	

► Theoretical residential zoning capacity reduced from 249 to 38 units

- The realistic development potential is likely smaller due to environmental constraints like wetlands.
- Clustering on 1 acre lots will continue to be required
- After adoption, required implementation by Evesham Township

Expiration of Old Waivers and Certificates of Filing

▶ Waivers of Strict Compliance

- ▶ One-year expiration period established for waivers issued prior to 1992

▶ Certificates of Filing, Certificates of Completeness and Certificates of Compliance

- ▶ Certificates issued prior to January 1, 2004 will be deemed expired
- ▶ Five-year expiration period established for Certificates issued after January 1, 2004, unless local approvals are in place

Pinelands Development Credit Program: Clarifications

- ▶ Clarify that RGA residential density assignments to municipalities are a minimum zoning obligation, with standards for increases and decreases provided in subsequent sections
- ▶ Simplify requirements for accommodation of PDC opportunities in municipal zoning plans by:
 - ▶ Deleting density range “guidelines”
 - ▶ Deleting vague standard to provide for “reasonable’ PDC use in single family detached housing developments
 - ▶ Clarifying that residential density bonuses require the use of PDCs
 - ▶ Clarifying that PDCs are required when municipalities grant residential density or lot area variances

Pinelands Development Credit Program: Codifications

- ▶ Expressly provide municipalities with the flexibility to:
 - ▶ Shift required opportunities for PDC use from residential to nonresidential development
 - ▶ Exempt certain housing types from PDC requirements, provided PDC use is guaranteed for other housing types and/or in other zoning districts
 - ▶ Increase residential zoning capacity, provided PDC use is required, infrastructure is available and there are no significant environmental limitations
- ▶ Continue to provide municipalities with the flexibility to decrease required residential zoning capacity by 10%
- ▶ Limit use of 30% reduction to those municipal zoning plans previously certified by the Commission

Clarifications & Corrections

- ▶ County Boards of Commissioners – to address statutory name change
- ▶ Clarify that PDC use is permitted for a variety of purposes and in management areas other than the RGA (e.g., waivers)
- ▶ Clarify that all PDC allocations are rounded to the closest increment of 0.25, including fractional allocations
- ▶ Clarify that PDC deed restrictions must specify the number of PDCs allocated to a parcel, not the number of PDCs sold

Rulemaking Process and Schedule

Commission
authorization
of rule
proposal

4/11/2025

Publication in
New Jersey
Register

6/16/2025

60-day public
comment
period and
hearing

6/16/25 - 8/15/25

Adoption
notice
considered by
P&I Committee

9/26/25