



The CMP Local Conformance Process

July 26, 2022

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Planning Specialist**

Conformance in the Pinelands

The Pinelands Protection Act required municipalities and counties to revise their master plans and land use ordinances within a year of the adoption of the CMP (and any future amendment).

Local plans and ordinances must be consistent with the CMP.

The CMP allows flexibility and discretion in the preparation of local plans and ordinances so long as they do not conflict with the ultimate objectives and minimum requirements of the CMP.

New Jersey
Pinelands

Comprehensive
Management
Plan



Conformance in the Pinelands

As of 2013, the Commission has certified the master plans and ordinances of all 53 Pinelands municipalities and all 7 Pinelands counties.



An Ongoing Process

Typical triggers for local amendments:

- CMP amendments (e.g., Stormwater rules,....)
- State legislation (e.g., EV Charging, Cannabis, DEP Stormwater rules)
- On-going community planning process
 - Master Plan reexaminations (every 10 years)
 - Affordable housing obligations
 - Development proposals requiring zoning changes

Municipal Engagement

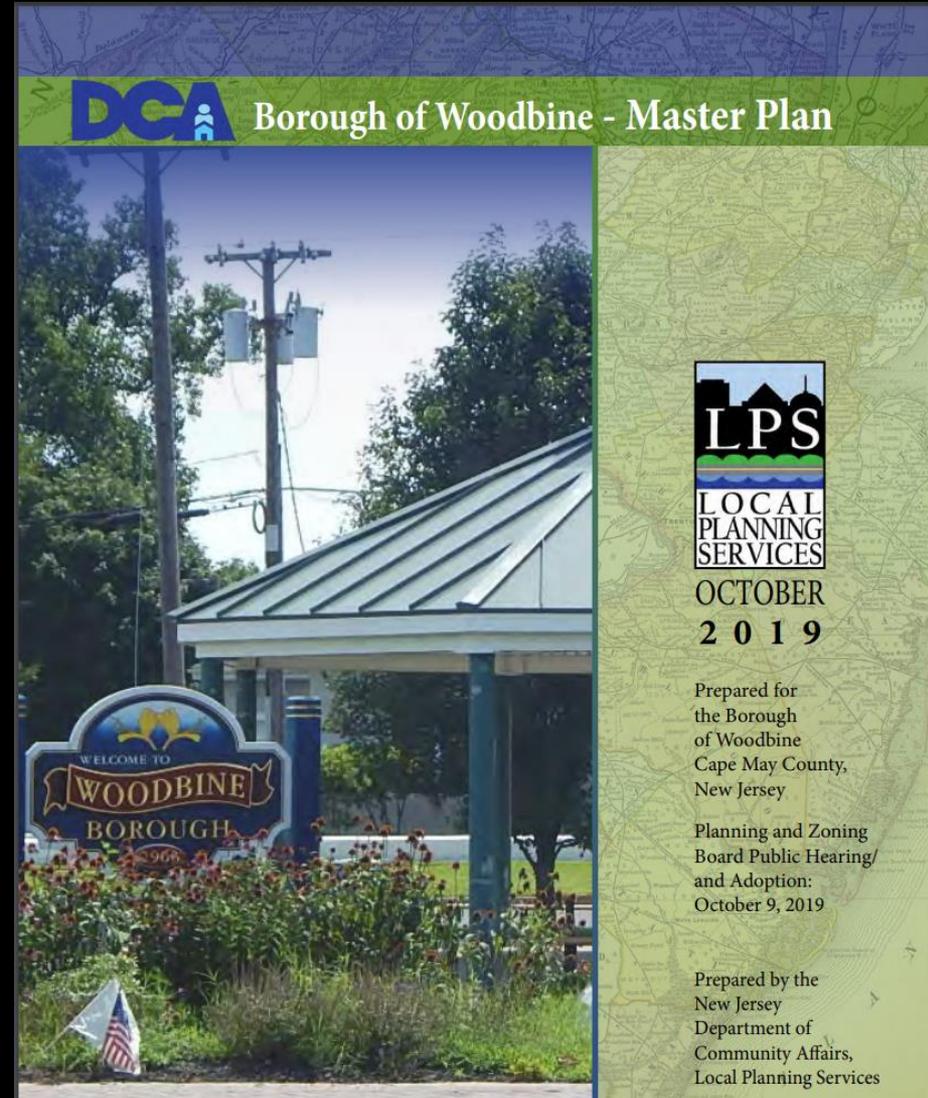
Who do we engage with:

- Mayor/Governing Body members
- Planning Board members
- Municipal staff (Muni Clerk, PB Sec's, Com. Dev Dir's, Admins)
- Consulting planners (Planning Board, Municipal, Redevelopment...)
- Attorneys (Municipal, Planning Board, Redevelopment, Affordable Housing...)

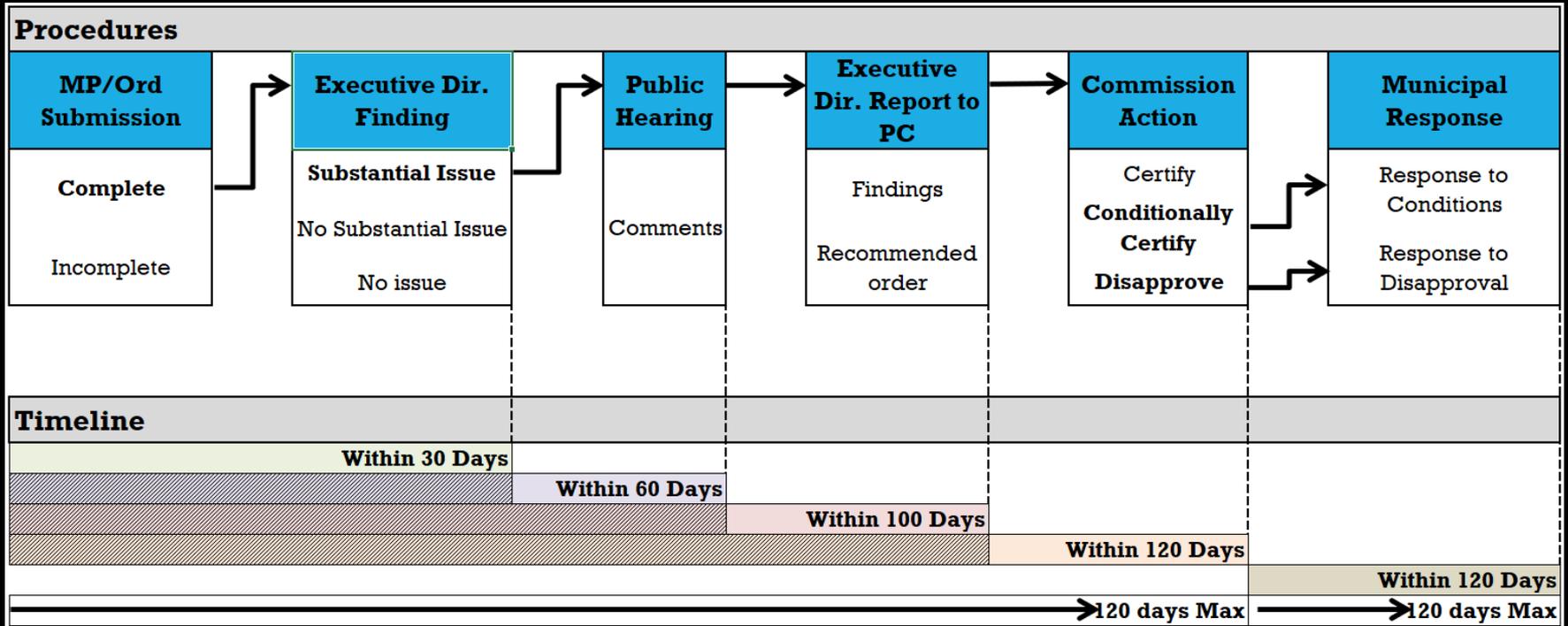
What Materials Are Reviewed?

Master plans

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



Local Conformance Process

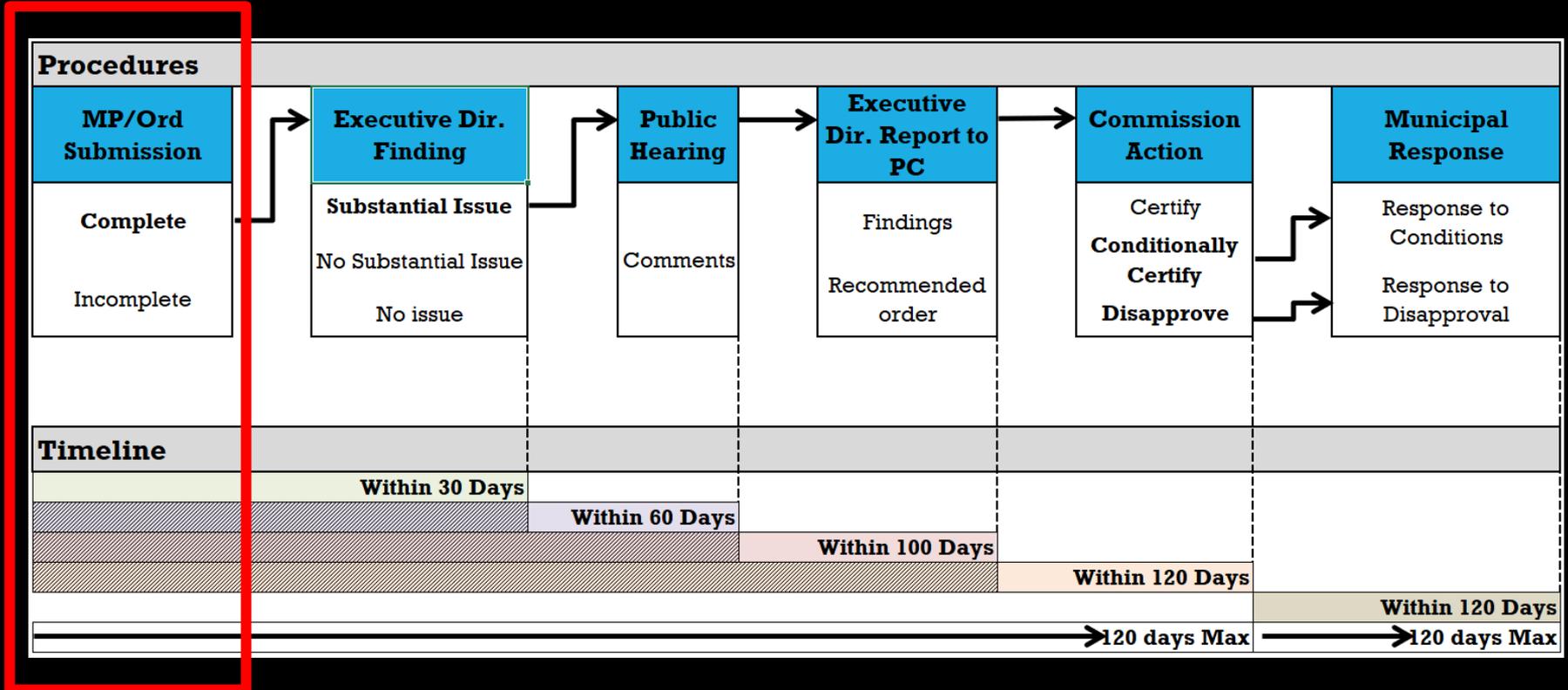


Before the Formal Review Process

We strongly encourage municipalities to engage with the Commission as early in the planning process as possible.

- Prior to introduction
- Prior to adoption/public hearing

Local Conformance Process



Municipal master plans and amendments may not be accepted for formal review and certification by the Commission without adopted implementing ordinances, no such ordinances are necessary. We issue an **“Incomplete Letter”**

Website Posting

Governor Phil Murphy • Lt. Governor Sheila Oliver

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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

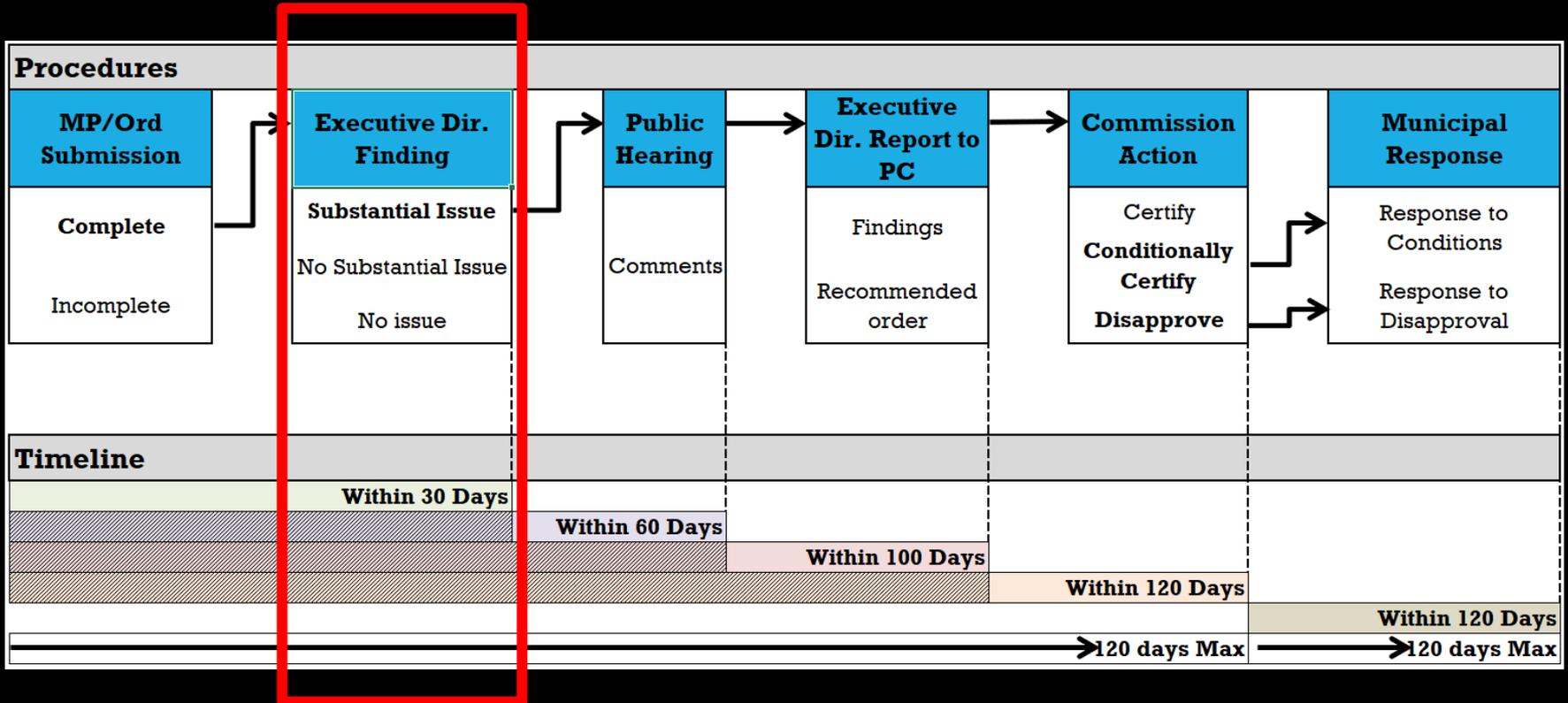
Adopted on 3/26/2018

Amends Ch. 115: performance and maintenance guaranties

2018 Master Plan Revisions

Received on 2/22/2018

Local Conformance Process



Initial Staff Review

No Issue

- Applicable outside the Pinelands Area only:
 - Zoning changes
 - Development Standards
- Application fees
- Escrow requirements
- Ordinance codification
- Dog licenses

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

Substantial Issue

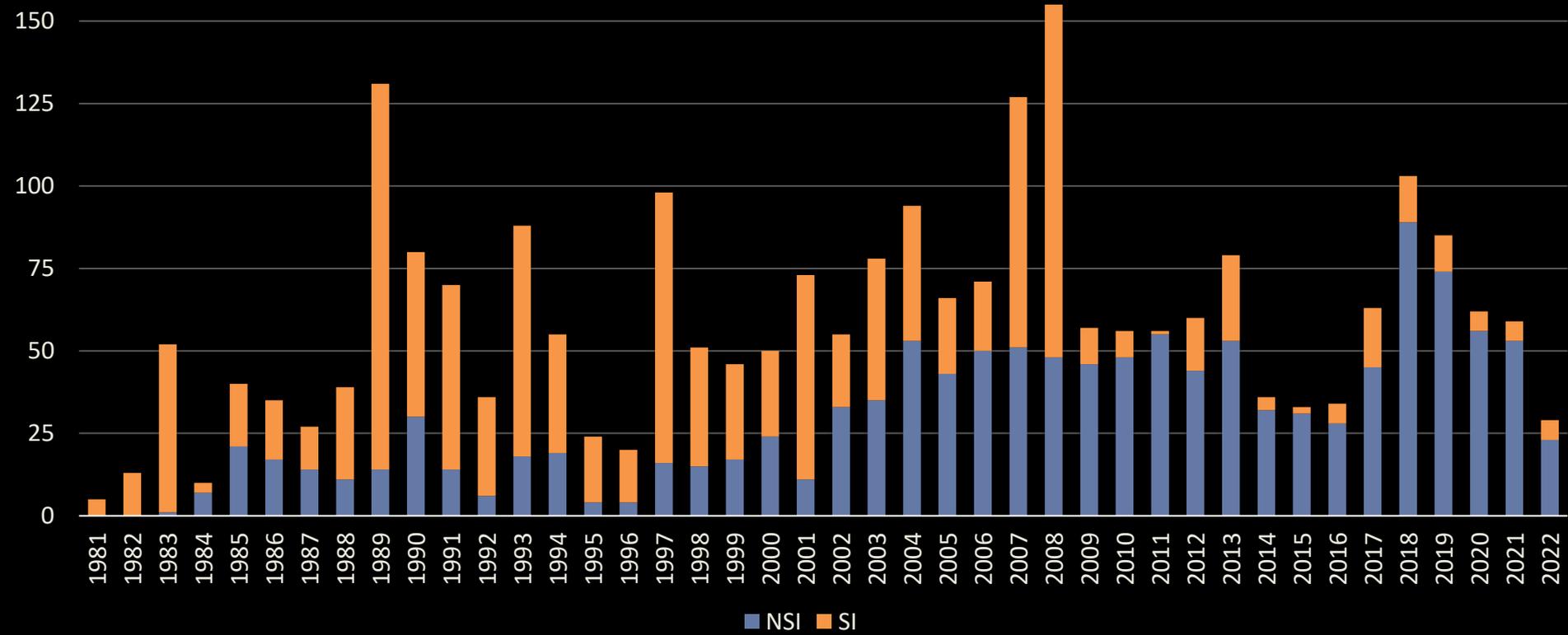
- Zoning changes requiring changes to Pinelands management area boundaries
- Standards more restrictive than the CMP
- Creative approaches/interpretations of CMP standards
- Locally controversial amendments related to the CMP
- Amendments inconsistent with the CMP

NI/NSI Finding:
Letter from the Commission is the last step

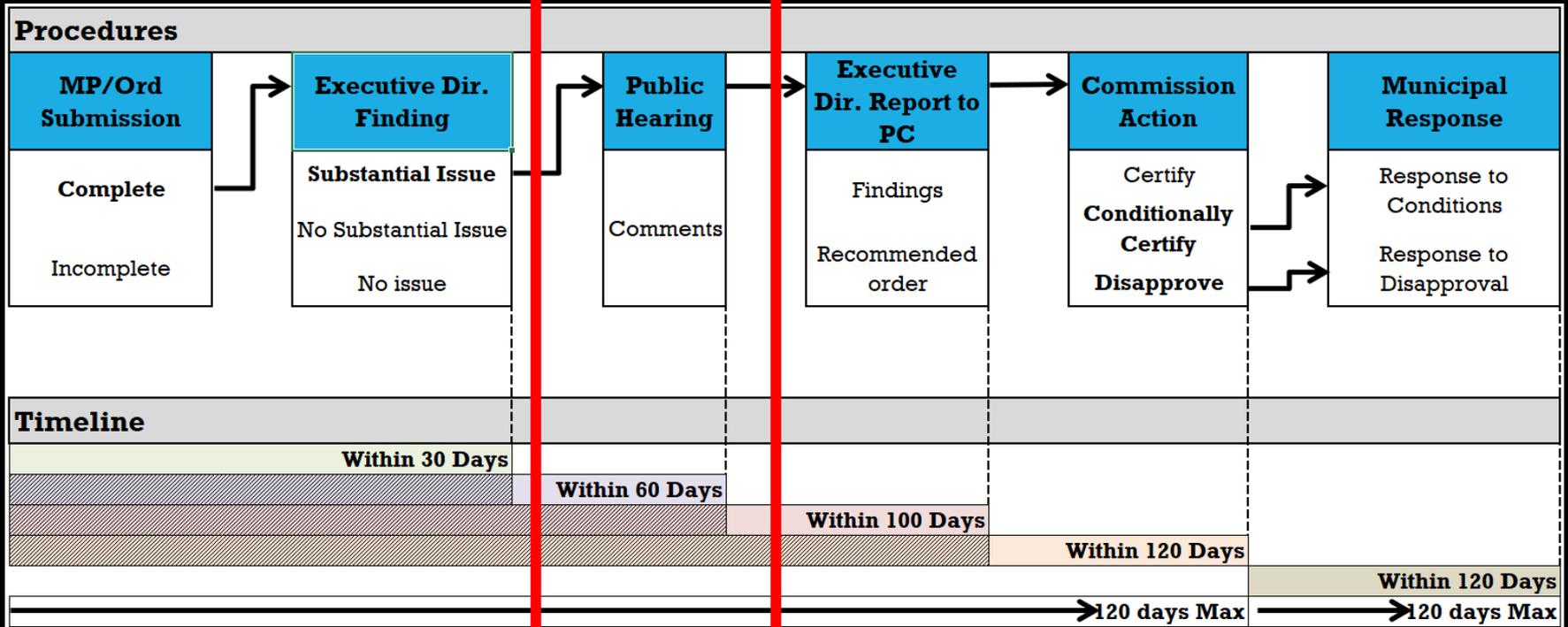
SI Finding:
Continue on to next steps

NSI/SI Findings

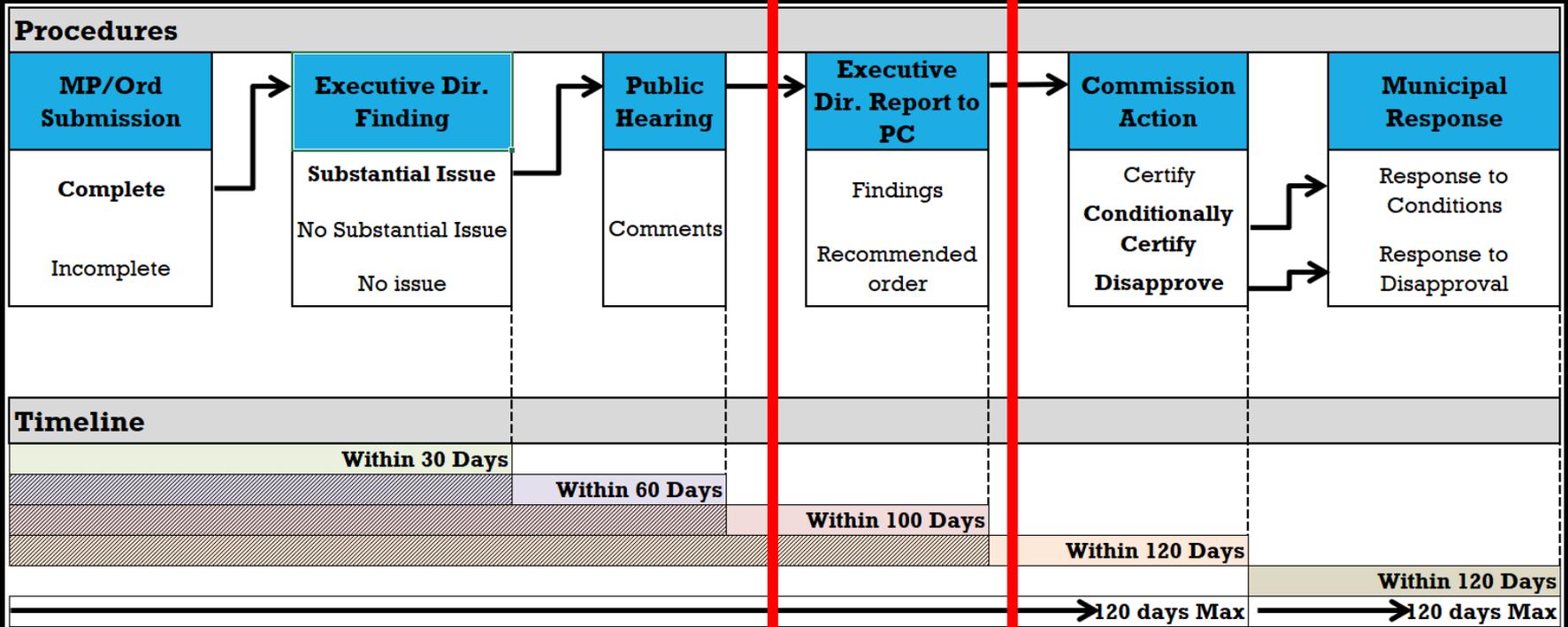
January 1981- June 2022



Local Conformance Process



Local Conformance Process



ED Report/P&I Committee

The ED is required to submit a report to the Commissioners setting forth findings and a recommendation on whether to certify the submission as being in conformance with the CMP.

Staff presents ED Report to the CMP Policy and Implementation (P&I) Committee prior to full Commission. The P&I Committee makes a recommendation to the full Commission.

The CMP P&I Committee meets on the last Friday of the month.



PHILIP D. MURPHY
Governor
SHEILA Y. OLIVER
Lt. Governor

State of New Jersey
THE PINELANDS COMMISSION
PO Box 359
New Lisbon, NJ 08064
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www.nj.gov/pinelands



LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

REPORT ON ORDINANCE 2021-10, AMENDING CHAPTER XVII (ZONING) OF THE CODE OF TABERNACLE TOWNSHIP

February 25, 2022

Tabernacle Township
163 Carranza Road
Tabernacle, NJ 08088

FINDINGS OF FACT

I. Background

The Township of Tabernacle is located in the central portion of the Pinelands Area in Burlington County. Pinelands municipalities abutting Tabernacle Township include the Townships of Medford, Shamong, Southampton, Washington and Woodland, all of which are located in Burlington County.

On September 6, 1985, the Pinelands Commission fully certified the Master Plan and Land Development Ordinances of Tabernacle Township.

On December 6, 2021, Tabernacle Township adopted Ordinance 2021-10, amending Chapter XVII (Zoning) of the Township's Code by rezoning nine lots from the Infill Commercial District to the Infill Residential District and one lot from the Infill Commercial District to the Preservation Area District. The ordinance also establishes solar energy facilities as a permitted use in the Preservation Area District and adopts related use standards. The Pinelands Commission received an adopted copy of Ordinance 2021-10 on December 28, 2021.

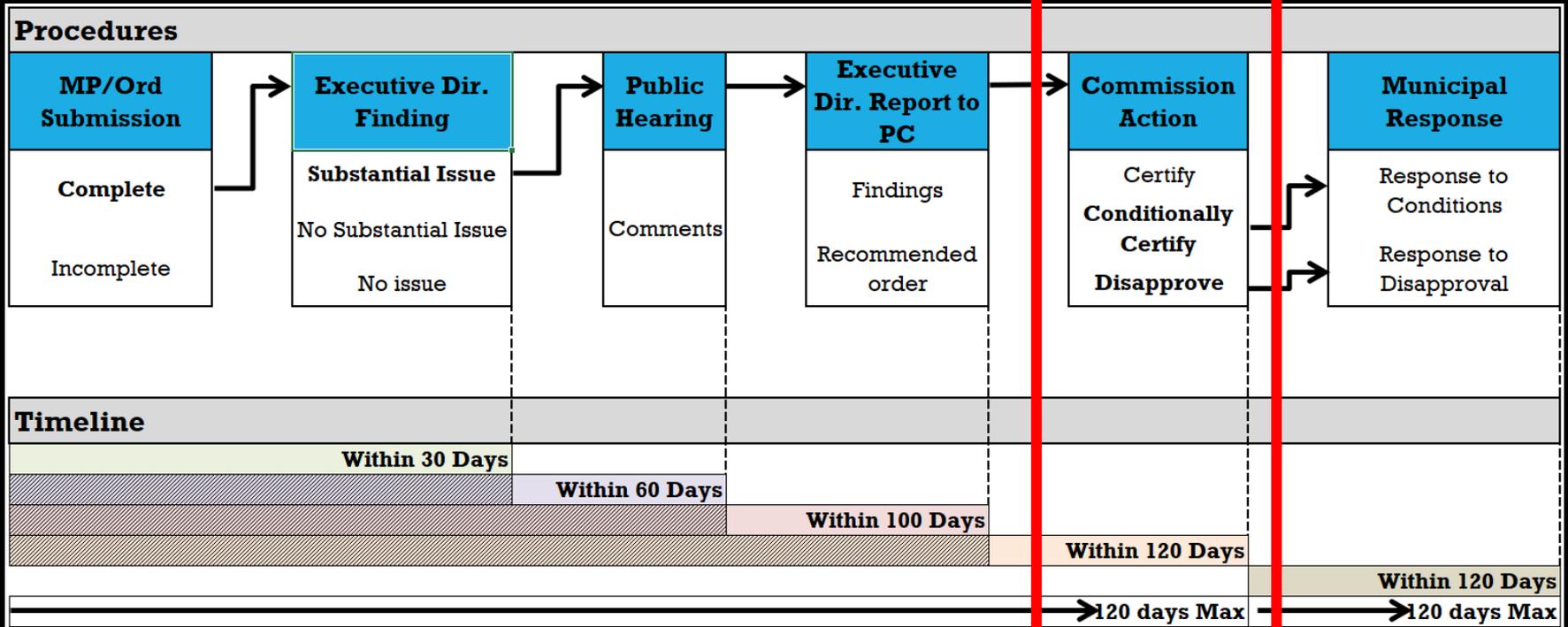
By letter dated December 30, 2021, the Acting Executive Director notified the Township that Ordinance 2021-10 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following ordinance has been submitted to the Pinelands Commission for certification:

- * Ordinance 2021-10, amending Chapter XVII (Zoning) of the Code of Tabernacle Township, introduced on October 25, 2021, and adopted on December 6, 2021.

Local Conformance Process



Commission Decision

The full Commission reviews and votes on whether to:

- Certify
- Certify with conditions
- Deny

Decision is memorialized by resolution.

Commission meets on the 2nd Friday of the month.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22-_____

TITLE: Issuing an Order to Certify Ordinance 2021-10, Amending Chapter XVII (Zoning) of the Code of Tabernacle Township

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, on September 6, 1985, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Tabernacle Township; and

WHEREAS, Resolution #PC4-85-51 of the Pinelands Commission specified that any amendment to Tabernacle Township's certified Master Plan and Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-85-51 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and

WHEREAS, on December 6, 2021, Tabernacle Township adopted Ordinance 2021-10, amending Chapter XVII (Zoning) of the Township's Code by rezoning nine lots from the Infill Commercial District to the Infill Residential District and one lot from the Infill Commercial District to the Preservation Area District; and

WHEREAS, Ordinance 2021-10 also establishes solar energy facilities as a permitted use in the Preservation Area District and adopts affiliated use standards; and

WHEREAS, the Pinelands Commission received an adopted copy of Ordinance 2021-10 on December 28, 2021; and

WHEREAS, by letter dated December 30, 2021, the Acting Executive Director notified the Township that Ordinance 2021-10 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on Ordinance 2021-10 was duly advertised, noticed and remotely held on February 9, 2022 at 9:30 a.m. with live broadcast on the Pinelands Commission's public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, the Acting Executive Director has found that Ordinance 2021-10 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Acting Executive Director has submitted a report to the Commission recommending issuance of an order to certify that Ordinance 2021-10, amending Chapter XVII (Zoning) of the Code of Tabernacle Township, is in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Commission's CMP Policy and Implementation Committee has reviewed the Acting Executive Director's report and has recommended that Ordinance 2021-10 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance 2021-10 and has reviewed the Acting Executive Director's report; and

WHEREAS, the Pinelands Commission accepts the recommendation of the Acting Executive Director; and

Commission Decision

The full Commission reviews and votes on whether to:

- Certify
- Certify with conditions
- Deny

Decision is memorialized by resolution.

Commission meets on the 2nd Friday of the month.

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that

1. An Order is hereby issued to certify that Ordinance 2021-10, amending Chapter XVII (Zoning) of the Code of Tabernacle Township, is in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to the Township's certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

Record of Commission Votes

	AYE	NAY	NP	AR*		AYE	NAY	NP	AR*		AYE	NAY	NP	AR*
Avery					Jannarone					Meade				
Christy					Lettman					Pikolycky				
Hirschbotham					Lloyd					Quinn				
Holroyd					Lohbauer					Matos				
Irick					McCurry									

*A - Absent / E - Excused

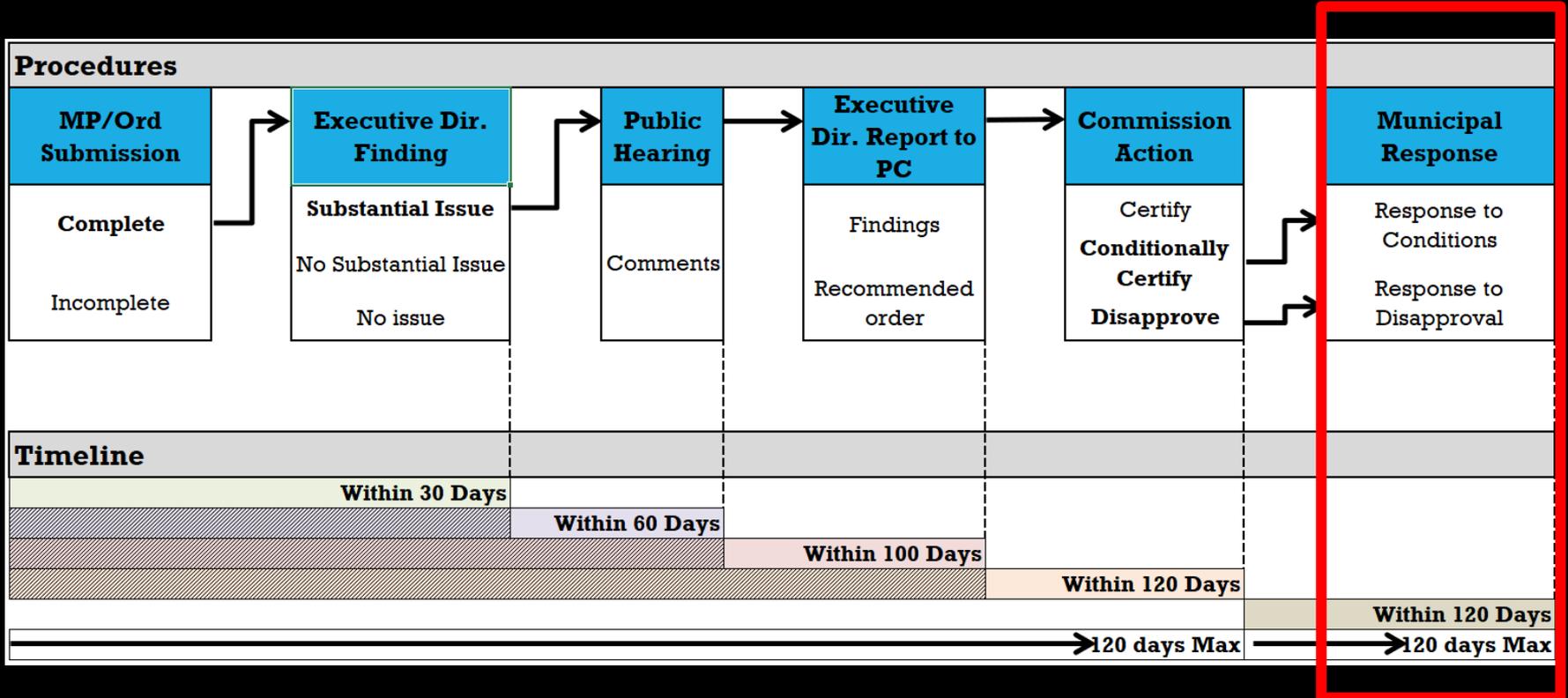
Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Acting Executive Director

Laura E. Matos
Chair

Local Conformance Process



Quickest Timeline For Formal Review

Ordinance/Master Plan Submission Deadline	P&I Meeting	PC Meeting
	Last Friday of the Month	Second Friday of the Month
10/13/2021	11/19/2021	1/14/2022
12/22/2021	1/28/2022	2/11/2022
1/19/2022	2/25/2022	3/11/2022
2/16/2022	3/25/2022	4/8/2022
3/23/2022	4/29/2022	5/13/2022
4/20/2022	5/27/2022	6/10/2022
5/18/2022	6/24/2022	7/8/2022
6/22/2022	7/29/2022	8/12/2022
7/20/2022	8/26/2022	9/9/2022
8/24/2022	9/30/2022	10/14/2022
9/21/2022	10/28/2022	11/11/2022
10/24/2022	11/30/2022	12/9/2022