

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE NO. 2020:13**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
PARSIPPANY TROY-HILLS, MORRIS COUNTY, NEW JERSEY TO PETITION THE  
HIGHLANDS COUNCIL FOR PLAN CONFORMANCE FOR THE PLANNING AREA**

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Parsippany-Troy Hills, in Morris County, State of New Jersey as follows:

**Section 1 Purpose**

The Township of Parsippany-Troy Hills is located fully within that portion of the New Jersey Highlands Region defined by the Highlands Act, as the “Planning Area” (see definitions, below). This Ordinance is enacted pursuant to Section 15.a. of the Highlands Water Protection and Planning Act (Highlands Act, N.J.S.A. 13:20-1 et seq.), which provides that a municipality may choose to conform its master plan, development regulations, and other regulations to the provisions of the Highlands Regional Master Plan, with respect to lands located within the Planning Area, and by Ordinance, petition the New Jersey Highlands Water Protection and Planning Council (Highlands Council) for Plan Conformance approval of such planning and regulatory documents.

By adoption of this Ordinance, the Governing Body of the Township of Parsippany-Troy Hills establishes that the municipality shall conform its master plan, development regulations, and all other regulations applicable to the use and development of land within the Planning Area of the municipality, to achieve consistency with the goals, requirements, and provisions of the Highlands Regional Master Plan.

**Section 2 Basis and Background**

The Highlands Act finds and declares that protection of the Highlands Region is an issue of State level importance because of its vital link to the future of the State’s drinking water supplies and other significant natural resources. The Highlands Act creates a coordinated land use planning system requiring the Highlands Council to prepare and adopt a Regional Master Plan that serves to protect, restore and enhance the significant resources of the Highlands Region.

Pursuant to Section 15.a. of the Highlands Act, for a municipality located wholly in the Planning Area or for any portion of a municipality lying within the Planning Area, the municipality may submit at any time a revised master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, that conforms with the Regional Master Plan. Plan Conformance by a municipality is strictly voluntary for lands in the Planning Area.

Consequently, the Township of Parsippany-Troy Hills may at any time voluntarily revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning

### **Section 3 Applicability**

This Ordinance applies to the development and use of land located in the Planning Area of Parsippany-Troy Hills, as defined by Section 7 of the Highlands Act.

### **Section 4 Definitions**

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

**Highlands Council** – means the New Jersey Highlands Water Protection and Planning Council.

**Highlands Act** – means the Highlands Water Protection and Planning Act, P.L. 2004, c.120, as amended, codified in part at N.J.S.A. 13:20-1 et seq.

**Highlands Region** means all that area within the boundaries of the municipalities listed in subsection a. of section 7 of the Highlands Act.

**Planning Area** - means lands within the Highlands Region not within the Preservation Area (N.J.S.A. 13:20-7).

**Plan Conformance** – means the process by which a municipality revises the master plan, development regulations and other regulations related to the development and use of land to conform them with the goals, requirements, and provisions of the Regional Master Plan in accordance with the Highlands Plan Conformance Guidelines.

**Preservation Area** – means that portion of the Highlands Region so designated by subsection b. of section 7 of the Highlands Act.

**Regional Master Plan**– means the Highlands regional master plan or any revision thereof adopted by the Highlands Council pursuant to N.J.S.A. 13:20-8.

### **Section 5 Petition for Plan Conformance**

Parsippany-Troy Hills hereby Petitions the Highlands Council of its intention to revise its master plan, development regulations and other regulations, as applicable to the development and use of lands in the Planning area, as may be necessary to conform them to the goals, requirements and provisions of the Regional Master Plan.

### **Section 6 Reserved Right of Withdrawal for Planning Area**

At any time, the Township of Parsippany-Troy Hills may withdraw its Petition for Plan Conformance for the Planning Area. In such event, any approvals, rejections or conditions of the revised municipal master plan, development regulations or other regulations that pertain to the Planning Area, recommended by the Highlands Council during the Plan Conformance process,

will not be binding upon the Township of Parsippany-Troy Hills and the Township may choose not to obtain conformance with the Regional Master Plan for the lands lying within the Planning Area. Withdrawal from the Plan Conformance process, should it occur, shall require repeal of this Ordinance and shall be followed by formal notification to the Highlands Council, sent within ten (10) days of adoption by certified mail and including a certified copy of such repealing ordinance.

### **Section 7 Planning Grants and Technical Assistance**

Upon application of Parsippany-Troy Hills, the Highlands Council has made, or will make, grant funding and other financial and technical assistance available to Parsippany-Troy Hills for the reasonable costs associated with the revision of the master plan, development regulations or other regulations, which revisions are designed to bring those plans and regulations into conformance with the Regional Master Plan. The Highlands Council shall provide grant funds for all mandatory aspects of Plan Conformance in accordance with the Plan Conformance Grant Program and may also provide grant funds for the discretionary aspects of Plan Conformance as determined by the Highlands Council. As Plan Conformance for lands in the Planning Area is strictly voluntary, the Township of Parsippany-Troy Hills retains the right to withdraw the Petition relating to lands lying in the Planning Area from the Plan Conformance process at any time.

### **Section 8 Effective Date**

This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.