



**State of New Jersey**  
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## **New Jersey Highlands Region**

### **General Information for Residents and Business Owners**

#### **Highlands Region**

- Total area: 859,358 acres (approximately 1,343 square miles).
- 88 municipalities (within 7 counties) have lands within the Highlands Region.
- Provides drinking water for over 5 million residents of New Jersey.
- Highlands Act (P.L. 2004, c.120), passed in 2004, divided region into Preservation Area and Planning Area.
- Highlands Regional Master Plan (RMP) adopted in 2008, provides guidance for implementation of Act. Conformance with RMP is mandatory in Preservation Area, voluntary in Planning Area.
- Approximately 415,000 acres in the Preservation Area; approximately 444,000 acres in the Planning Area.

#### **Primary Development Considerations**

- Development is more strictly regulated in the Preservation Area than in the Planning Area.
- Highlands Council shares jurisdiction for Highlands Region with New Jersey Department of Environmental Protection (NJDEP).
- Highlands Council *does not issue permits*; all permitting is through NJDEP.
- Highlands Council provides review of certain projects for consistency with goals and purposes of the Highlands Act and the RMP.
- In addition to all local, state and federal regulations, development in the Preservation Area is guided by the NJDEP Highlands Rules and the Highlands RMP; Development in conforming Planning Area municipalities is guided by the Highlands Council and the RMP.
- Please contact the Highlands Council to determine if a proposed project is in a conforming area of the Highlands Region.

## MYTH vs FACT

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**Myth:** The Highlands Act has stopped *all* development in the region.

**Fact:** The Highlands Act recognizes the importance of the regional economy and was designed to ensure protection of resources by focusing growth in areas that are already developed.

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**Myth:** I can't build on my own property.

**Fact:** Highlands Act Exemptions\* exist for single-family homes.

Exemption # 1: Allows the construction of a single-family dwelling for your own or immediate family member use on lot owned on date of Act (Aug 10, 2004).

Exemption # 2: Construction of a single-family dwelling on lot that existed on date of Act with some disturbance and impervious surface limitations.

Exemption # 4: Reconstruction within 125% of original footprint (with some limitations).

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**Myth:** I can't build a deck or a shed on my own property.

**Fact:** Exemption #5: Any improvement to a single-family dwelling in existence on the date of enactment of the Act, including but not limited to, an addition, garage, shed, driveway, porch, deck, patio, swimming pool or septic system.

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**Myth:** I can't expand my commercial business, even though the local zoning allows it.

**Fact:** Highlands Exemption #4: Reconstruction within 125% of original footprint (with some limitations).

**Many Highlands municipalities are now able to issue these exemptions.  
Ask your local zoning or construction official.**

**\*Please note:** Content above includes only brief summaries of specified Highlands Act Exemptions. Generally, Preservation Area exemptions are issued by NJDEP and Planning Area exemptions for conforming municipalities are issued by the Highlands Council; however, in some cases, municipal officials have been authorized to issue certain exemptions in both Areas. (See note above.) The complete list and full text of all exemptions can be found in the Highlands Act, on the Highlands Council website, or by contacting the Highlands Council. All local zoning, land use ordinances, state and federal regulations still apply.