

**52:16A-120 et al.**  
**LEGISLATIVE HISTORY CHECKLIST**  
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**LAWS OF:** 2016                    **CHAPTER:** 21

**NJSA:** 52:16A-120 et al.                    (Facilitates coordination of land use planning between civilian and military interests to preserve viability of federal military installations within State.)

**BILL NO:** S1992                    (Substituted for A2518)

**SPONSOR(S)** Beach and others

**DATE INTRODUCED:** April 18, 2016

**COMMITTEE:**                    **ASSEMBLY:** ---

**SENATE:** Military and Veterans' Affairs

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**                    **ASSEMBLY:** June 16, 2016

**SENATE:** May 26, 2016

**DATE OF APPROVAL:** August 1, 2016

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (Introduced version of bill enacted)

**S1922**

**SPONSOR'S STATEMENT:** (Begins on page 17 of introduced bill)                    Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** No

**SENATE:** Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

**A2518**

**SPONSOR'S STATEMENT:** (Begins on page 17 of introduced bill)

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** Yes

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

"Christie signs legislation to boost land-use planning around NJ military bases," Burlington County Times, August 2, 2016  
"Governor Chris Christie Takes Action on Pending Legislation," Targeted News Service, August 2, 2016

RWH/JA

P.L.2016, CHAPTER 21, *approved August 1, 2016*  
Senate, No. 1992

1 AN ACT concerning land use planning nearby military installations,  
2 amending various parts of the statutory law, and supplementing  
3 Title 52 of the Revised Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

- 7  
8 1. Section 2 of P.L.1975, c.291 (C.40:55D-2) is amended to  
9 read as follows:
- 10 2. Purpose of the act. It is the intent and purpose of this act:
- 11 a. To encourage municipal action to guide the appropriate use  
12 or development of all lands in this State, in a manner which will  
13 promote the public health, safety, morals, and general welfare;
- 14 b. To secure safety from fire, flood, panic and other natural and  
15 man-made disasters;
- 16 c. To provide adequate light, air and open space;
- 17 d. To ensure that the development of individual municipalities  
18 does not conflict with the development and general welfare of  
19 neighboring municipalities, the county and the State as a whole;
- 20 e. To promote the establishment of appropriate population  
21 densities and concentrations that will contribute to the well-being of  
22 persons, neighborhoods, communities and regions and preservation  
23 of the environment;
- 24 f. To encourage the appropriate and efficient expenditure of  
25 public funds by the coordination of public development with land  
26 use policies;
- 27 g. To provide sufficient space in appropriate locations for a  
28 variety of agricultural, residential, recreational, commercial and  
29 industrial uses and open space, both public and private, according to  
30 their respective environmental requirements in order to meet the  
31 needs of all New Jersey citizens;
- 32 h. To encourage the location and design of transportation  
33 routes which will promote the free flow of traffic while  
34 discouraging location of such facilities and routes which result in  
35 congestion or blight;
- 36 i. To promote a desirable visual environment through creative  
37 development techniques and good civic design and arrangement;
- 38 j. To promote the conservation of historic sites and districts,  
39 open space, energy resources and valuable natural resources in the

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 State and to prevent urban sprawl and degradation of the  
2 environment through improper use of land;
- 3 k. To encourage planned unit developments which incorporate  
4 the best features of design and relate the type, design and layout of  
5 residential, commercial, industrial and recreational development to  
6 the particular site;
- 7 l. To encourage senior citizen community housing  
8 construction;
- 9 m. To encourage coordination of the various public and private  
10 procedures and activities shaping land development with a view of  
11 lessening the cost of such development and to the more efficient use  
12 of land;
- 13 n. To promote utilization of renewable energy resources;
- 14 o. To promote the maximum practicable recovery and recycling  
15 of recyclable materials from municipal solid waste through the use  
16 of planning practices designed to incorporate the State Recycling  
17 Plan goals and to complement municipal recycling programs; **[and]**
- 18 p. To enable municipalities the flexibility to offer alternatives  
19 to traditional development, through the use of equitable and  
20 effective planning tools including clustering, transferring  
21 development rights, and lot-size averaging in order to concentrate  
22 development in areas where growth can best be accommodated and  
23 maximized while preserving agricultural lands, open space, and  
24 historic sites; and
- 25 q. To ensure that the development of individual municipalities  
26 does not unnecessarily encroach upon military facilities or  
27 negatively impact the operation of military facilities, and to those  
28 ends, to encourage municipalities to collaborate with military  
29 facility commanders in planning and implementing appropriate land  
30 use controls, thereby improving the vitality of military facilities and  
31 protecting against their loss through the Base Realignment and  
32 Closure process or mission loss.
- 33 (cf: P.L.2013, c.106, s.1)
- 34

35 2. Section 3.2 of P.L.1975, c.291 (C.40:55D-5) is amended to  
36 read as follows:

37 3.2. "Maintenance guarantee" means any security which may be  
38 accepted by a municipality for the maintenance of any  
39 improvements required by this act, including but not limited to  
40 surety bonds, letters of credit under the circumstances specified in  
41 section 16 of P.L.1991, c.256 (C.40:55D-53.5), and cash.

42 "Major subdivision" means any subdivision not classified as a  
43 minor subdivision.

44 "Master plan" means a composite of one or more written or  
45 graphic proposals for the development of the municipality as set  
46 forth in and adopted pursuant to section 19 of P.L.1975,  
47 c.291 (C.40:55D-28).

1 "Mayor" means the chief executive of the municipality, whatever  
2 his official designation may be, except that in the case of  
3 municipalities governed by municipal council and municipal  
4 manager the term "mayor" shall not mean the "municipal manager"  
5 but shall mean the mayor of such municipality.

6 "Military facility" means any facility located within the State  
7 which is owned or operated by the federal government, and which is  
8 used for the purposes of providing logistical, technical, material,  
9 training, and any other support to any branch of the United States  
10 military.

11 "Military facility commander" means the chief official, base  
12 commander or person in charge at a military facility.

13 "Minor site plan" means a development plan of one or more lots  
14 which (1) proposes new development within the scope of  
15 development specifically permitted by ordinance as a minor site  
16 plan; (2) does not involve planned development, any new street or  
17 extension of any off-tract improvement which is to be prorated  
18 pursuant to section 30 of P.L.1975, c.291 (C.40:55D-42); and (3)  
19 contains the information reasonably required in order to make an  
20 informed determination as to whether the requirements established  
21 by ordinance for approval of a minor site plan have been met.

22 "Minor subdivision" means a subdivision of land for the creation  
23 of a number of lots specifically permitted by ordinance as a minor  
24 subdivision; provided that such subdivision does not involve (1) a  
25 planned development, (2) any new street or (3) the extension of any  
26 off-tract improvement, the cost of which is to be prorated pursuant  
27 to section 30 of P.L.1975, c.291 (C.40:55D-42).

28 "Municipality" means any city, borough, town, township or  
29 village.

30 "Municipal agency" means a municipal planning board or board  
31 of adjustment, or a governing body of a municipality when acting  
32 pursuant to this act and any agency which is created by or  
33 responsible to one or more municipalities when such agency is  
34 acting pursuant to this act.

35 "Municipal resident" means a person who is domiciled in the  
36 municipality.

37 "Nonconforming lot" means a lot, the area, dimension or location  
38 of which was lawful prior to the adoption, revision or amendment of  
39 a zoning ordinance, but fails to conform to the requirements of the  
40 zoning district in which it is located by reason of such adoption,  
41 revision or amendment.

42 "Nonconforming structure" means a structure the size, dimension  
43 or location of which was lawful prior to the adoption, revision or  
44 amendment of a zoning ordinance, but which fails to conform to the  
45 requirements of the zoning district in which it is located by reasons  
46 of such adoption, revision or amendment.

47 "Nonconforming use" means a use or activity which was lawful  
48 prior to the adoption, revision or amendment of a zoning ordinance,

1 but which fails to conform to the requirements of the zoning district  
2 in which it is located by reasons of such adoption, revision or  
3 amendment.

4 "Noncontiguous cluster" means noncontiguous areas to be  
5 developed as a single entity according to a plan containing an area,  
6 or a section or sections thereof, to be developed for residential  
7 purposes, nonresidential purposes, or a combination thereof, at a  
8 greater concentration of density or intensity of land use than  
9 authorized within the area, section, or sections, under conventional  
10 development, in exchange for the permanent preservation of another  
11 area, or a section or sections thereof, as common or public open  
12 space, or for historic or agricultural purposes, or a combination  
13 thereof.

14 "Office of Planning Advocacy" or "Office of Smart Growth"  
15 means the Office of State Planning established pursuant to section 6  
16 of P.L.1985, c.398 (C.52:18A-201) and transferred to the  
17 Department of State pursuant to Governor Christie's Reorganization  
18 Plan No. 002-2011, effective August 28, 2011.

19 "Official county map" means the map, with changes and  
20 additions thereto, adopted and established, from time to time, by  
21 resolution of the board of chosen freeholders of the county pursuant  
22 to R.S.40:27-5.

23 "Official map" means a map adopted by ordinance pursuant to  
24 article 5 of P.L.1975, c.291.

25 "Offsite" means located outside the lot lines of the lot in question  
26 but within the property, of which the lot is a part, which is the  
27 subject of a development application or the closest half of the street  
28 or right-of-way abutting the property of which the lot is a part.

29 "Off-tract" means not located on the property which is the  
30 subject of a development application nor on the closest half of the  
31 abutting street or right-of-way.

32 "Onsite" means located on the lot in question and excluding any  
33 abutting street or right-of-way.

34 "On-tract" means located on the property which is the subject of  
35 a development application or on the closest half of an abutting  
36 street or right-of-way.

37 "Open-space" means any parcel or area of land or water  
38 essentially unimproved and set aside, dedicated, designated or  
39 reserved for public or private use or enjoyment or for the use and  
40 enjoyment of owners and occupants of land adjoining or  
41 neighboring such open space; provided that such areas may be  
42 improved with only those buildings, structures, streets and offstreet  
43 parking and other improvements that are designed to be incidental  
44 to the natural openness of the land or support its use for recreation  
45 and conservation purposes.

46 (cf: P.L.2013, c.106, s.4)

1       3. Section 7.2 of P.L.1975, c.291 (C.40:55D-13) is amended to  
2 read as follows:

3       7.2. Notice concerning master plan. The planning board shall  
4 give:

5       (1) Public notice of a hearing on adoption, revision or  
6 amendment of the master plan; such notice shall be given by  
7 publication in the official newspaper of the municipality, if there be  
8 one, or in a newspaper of general circulation in the municipality at  
9 least 10 days prior to the date of the hearing;

10       (2) Notice by personal service or certified mail to the clerk of an  
11 adjoining municipality of all hearings on adoption, revision or  
12 amendment of a master plan involving property situated within 200  
13 feet of such adjoining municipality at least 10 days prior to the date  
14 of any such hearing;

15       (3) Notice by personal service or certified mail to the Office of  
16 Planning Advocacy and to the county planning board in which the  
17 municipality is situated, of (a) all hearings on the adoption, revision  
18 or amendment of the municipal master plan at least 10 days prior to  
19 the date of the hearing; such notice shall include a copy of any such  
20 proposed master plan, or any revision or amendment thereto; and  
21 (b) the adoption, revision or amendment of the master plan not more  
22 than 30 days after the date of such adoption, revision or  
23 amendment; such notice shall include a copy of the master plan or  
24 revision or amendment thereto;

25       (4) Notice by personal service or certified mail to the military  
26 facility commander of a military facility which has registered with  
27 the municipality pursuant to section 1 of P.L.2005, c.41 (C.40:55D-  
28 12.4) of (a) all hearings on the adoption, revision, or amendment of  
29 the municipal master plan at least 10 days prior to the date of the  
30 hearing; such notice shall include a copy of any such proposed  
31 master plan, or any revision or amendment thereto; and (b) the  
32 adoption, revision, or amendment of the master plan not more than  
33 30 days after the date of such adoption, revision, or amendment;  
34 such notice shall include a copy of the master plan or revision or  
35 amendment thereto.

36 (cf: P.L.1975, c.291, s.7.2)

37

38       4. Section 19 of P.L.1975, c.291 (C.40:55D-28) is amended to  
39 read as follows:

40       19. Preparation; contents; modification.

41       a. The planning board may prepare and, after public hearing,  
42 adopt or amend a master plan or component parts thereof, to guide  
43 the use of lands within the municipality in a manner which protects  
44 public health and safety and promotes the general welfare.

45       b. The master plan shall generally comprise a report or  
46 statement and land use and development proposals, with maps,  
47 diagrams and text, presenting, at least the following elements (1)

1 and (2) and, where appropriate, the following elements (3) through  
2 (16):

3 (1) A statement of objectives, principles, assumptions, policies  
4 and standards upon which the constituent proposals for the physical,  
5 economic and social development of the municipality are based;

6 (2) A land use plan element

7 (a) taking into account and stating its relationship to the  
8 statement provided for in paragraph (1) hereof, and other master  
9 plan elements provided for in paragraphs (3) through (14) hereof  
10 and natural conditions, including, but not necessarily limited to,  
11 topography, soil conditions, water supply, drainage, flood plain  
12 areas, marshes, and woodlands;

13 (b) showing the existing and proposed location, extent and  
14 intensity of development of land to be used in the future for varying  
15 types of residential, commercial, industrial, agricultural,  
16 recreational, open space, educational and other public and private  
17 purposes or combination of purposes including any provisions for  
18 cluster development; and stating the relationship thereof to the  
19 existing and any proposed zone plan and zoning ordinance; **[and]**

20 (c) showing the existing and proposed location of any airports  
21 and the boundaries of any airport safety zones delineated pursuant  
22 to the "Air Safety and Zoning Act of 1983," P.L.1983, c.260 (C.6:1-  
23 80 et al.); **[and]**

24 (d) including a statement of the standards of population density  
25 and development intensity recommended for the municipality; **and**

26 (e) showing the existing and proposed location of military  
27 facilities and incorporating strategies to minimize undue  
28 encroachment upon, and conflicts with, military facilities, including  
29 but not limited to: limiting heights of buildings and structures  
30 nearby flight paths or sight lines of aircraft; buffering residential  
31 areas from noise associated with a military facility; and allowing for  
32 the potential expansion of military facilities;

33 (3) A housing plan element pursuant to section 10 of P.L.1985,  
34 c.222 (C.52:27D-310), including, but not limited to, residential  
35 standards and proposals for the construction and improvement of  
36 housing;

37 (4) A circulation plan element showing the location and types of  
38 facilities for all modes of transportation required for the efficient  
39 movement of people and goods into, about, and through the  
40 municipality, taking into account the functional highway  
41 classification system of the Federal Highway Administration and  
42 the types, locations, conditions and availability of existing and  
43 proposed transportation facilities, including air, water, road and rail;

44 (5) A utility service plan element analyzing the need for and  
45 showing the future general location of water supply and distribution  
46 facilities, drainage and flood control facilities, sewerage and waste  
47 treatment, solid waste disposal and provision for other related  
48 utilities, and including any storm water management plan required



1 pursuant to the provisions of P.L.1981, c.32 (C.40:55D-93 et al.). If  
2 a municipality prepares a utility service plan element as a condition  
3 for adopting a development transfer ordinance pursuant to  
4 subsection c. of section 4 of P.L.2004, c.2 (C.40:55D-140), the plan  
5 element shall address the provision of utilities in the receiving zone  
6 as provided thereunder;

7 (6) A community facilities plan element showing the existing  
8 and proposed location and type of educational or cultural facilities,  
9 historic sites, libraries, hospitals, firehouses, police stations and  
10 other related facilities, including their relation to the surrounding  
11 areas;

12 (7) A recreation plan element showing a comprehensive system  
13 of areas and public sites for recreation;

14 (8) A conservation plan element providing for the preservation,  
15 conservation, and utilization of natural resources, including, to the  
16 extent appropriate, energy, open space, water supply, forests, soil,  
17 marshes, wetlands, harbors, rivers and other waters, fisheries,  
18 endangered or threatened species wildlife and other resources, and  
19 which systemically analyzes the impact of each other component  
20 and element of the master plan on the present and future  
21 preservation, conservation and utilization of those resources;

22 (9) An economic plan element considering all aspects of  
23 economic development and sustained economic vitality, including  
24 (a) a comparison of the types of employment expected to be  
25 provided by the economic development to be promoted with the  
26 characteristics of the labor pool resident in the municipality and  
27 nearby areas and (b) an analysis of the stability and diversity of the  
28 economic development to be promoted;

29 (10) An historic preservation plan element: (a) indicating the  
30 location and significance of historic sites and historic districts; (b)  
31 identifying the standards used to assess worthiness for historic site  
32 or district identification; and (c) analyzing the impact of each  
33 component and element of the master plan on the preservation of  
34 historic sites and districts;

35 (11) Appendices or separate reports containing the technical  
36 foundation for the master plan and its constituent elements;

37 (12) A recycling plan element which incorporates the State  
38 Recycling Plan goals, including provisions for the collection,  
39 disposition and recycling of recyclable materials designated in the  
40 municipal recycling ordinance, and for the collection, disposition  
41 and recycling of recyclable materials within any development  
42 proposal for the construction of 50 or more units of single-family  
43 residential housing or 25 or more units of multi-family residential  
44 housing and any commercial or industrial development proposal for  
45 the utilization of 1,000 square feet or more of land;

46 (13) A farmland preservation plan element, which shall include:  
47 an inventory of farm properties and a map illustrating significant  
48 areas of agricultural land; a statement showing that municipal

1 ordinances support and promote agriculture as a business; and a  
2 plan for preserving as much farmland as possible in the short term  
3 by leveraging moneys made available by P.L.1999, c.152 (C.13:8C-  
4 1 et al.) through a variety of mechanisms including, but not limited  
5 to, utilizing option agreements, installment purchases, and  
6 encouraging donations of permanent development easements;

7 (14) A development transfer plan element which sets forth the  
8 public purposes, the locations of sending and receiving zones and  
9 the technical details of a development transfer program based on the  
10 provisions of section 5 of P.L.2004, c.2 (C.40:55D-141);

11 (15) An educational facilities plan element which incorporates  
12 the purposes and goals of the "long-range facilities plan" required to  
13 be submitted to the Commissioner of Education by a school district  
14 pursuant to section 4 of P.L.2000, c.72 (C.18A:7G-4);

15 (16) A green buildings and environmental sustainability plan  
16 element, which shall provide for, encourage, and promote the  
17 efficient use of natural resources and the installation and usage of  
18 renewable energy systems; consider the impact of buildings on the  
19 local, regional and global environment; allow ecosystems to  
20 function naturally; conserve and reuse water; treat storm water on-  
21 site; and optimize climatic conditions through site orientation and  
22 design.

23 c. The master plan and its plan elements may be divided into  
24 subplans and subplan elements projected according to periods of  
25 time or staging sequences.

26 d. The master plan shall include a specific policy statement  
27 indicating the relationship of the proposed development of the  
28 municipality, as developed in the master plan to (1) the master plans  
29 of contiguous municipalities, (2) the master plan of the county in  
30 which the municipality is located, (3) the State Development and  
31 Redevelopment Plan adopted pursuant to the "State Planning Act,"  
32 sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 et seq.)  
33 and (4) the district solid waste management plan required pursuant  
34 to the provisions of the "Solid Waste Management Act," P.L.1970,  
35 c.39 (C.13:1E-1 et seq.) of the county in which the municipality is  
36 located.

37 In the case of a municipality situated within the Highlands  
38 Region, as defined in section 3 of P.L.2004, c.120 (C.13:20-3), the  
39 master plan shall include a specific policy statement indicating the  
40 relationship of the proposed development of the municipality, as  
41 developed in the master plan, to the Highlands regional master plan  
42 adopted pursuant to section 8 of P.L.2004, c.120 (C.13:20-8).

43 (cf: P.L.2013, c.106, s.6)

44

45 5. Section 2 of P.L.1995, c.249 (C.40:55D-62.1) is amended to  
46 read as follows:

47 2. Notice of a hearing on an amendment to the zoning  
48 ordinance proposing a change to the classification or boundaries of

1 a zoning district, exclusive of classification or boundary changes  
2 recommended in a periodic general reexamination of the master  
3 plan by the planning board pursuant to section 76 of P.L.1975,  
4 c.291 (C.40:55D-89), shall be given at least 10 days prior to the  
5 hearing by the municipal clerk to the owners of all real property as  
6 shown on the current tax duplicates, located, in the case of a  
7 classification change, within the district and within the State within  
8 200 feet in all directions of the boundaries of the district, and  
9 located, in the case of a boundary change, in the State within 200  
10 feet in all directions of the proposed new boundaries of the district  
11 which is the subject of the hearing.

12 In addition, **【such】** the municipal clerk shall provide notice  
13 **【shall be provided】** of a hearing on an amendment to the zoning  
14 ordinance proposing a change to the classification or boundaries of  
15 a zoning district, exclusive of classification or boundary changes  
16 recommended in a periodic general reexamination of the master  
17 plan, to the Office of Planning Advocacy, and to any military  
18 facility commander who has registered with the municipality  
19 pursuant to section 1 of P.L.2005, c.41 (C.40:55D-12.4), **【if the**  
20 **military facility is situated within the district or within 3,000 feet of**  
21 **all directions of the boundaries of the district or located, in the case**  
22 **of a boundary change, in the State within 3,000 feet in all directions**  
23 **of the proposed new boundaries of the district which is the subject**  
24 **of the hearing】** at least 10 days prior to the hearing, by personal  
25 service or certified mail.

26 A notice pursuant to this section shall state the date, time and  
27 place of the hearing, the nature of the matter to be considered and  
28 an identification of the affected zoning districts and proposed  
29 boundary changes, if any, by street names, common names or other  
30 identifiable landmarks, and by reference to lot and block numbers  
31 as shown on the current tax duplicate in the municipal tax assessor's  
32 office.

33 Notice shall be given to a property owner by: (1) serving a copy  
34 thereof on the property owner as shown on the said current tax  
35 duplicate, or his agent in charge of the property, or (2) mailing a  
36 copy thereof by certified mail and regular mail to the property  
37 owner at his address as shown on the said current tax duplicate. **【In**  
38 **the case of a change involving a military facility situated within or**  
39 **in proximity to the district as provided herein, notice shall be given**  
40 **by serving a copy thereof on the military facility commander who**  
41 **has registered with the municipality pursuant to section 1 of**  
42 **P.L.2005, c.41 (C.40:55D-12.4) or mailing a copy by certified mail**  
43 **to the military facility commander at the address shown on the**  
44 **registration form.】**

45 Notice to a partnership owner may be made by service upon any  
46 partner. Notice to a corporate owner may be made by service upon  
47 its president, a vice president, secretary or other person authorized  
48 by appointment or by law to accept service on behalf of the

1 corporation. Notice to a condominium association, horizontal  
2 property regime, community trust or homeowners' association,  
3 because of its ownership of common elements or areas located  
4 within 200 feet of the boundaries of the district which is the subject  
5 of the hearing, may be made in the same manner as to a corporation,  
6 in addition to notice to unit owners, co-owners, or homeowners on  
7 account of such common elements or areas.

8 The municipal clerk shall execute affidavits of proof of service  
9 of the notices required by this section, and shall keep the affidavits  
10 on file along with the proof of publication of the notice of the  
11 required public hearing on the proposed zoning ordinance change.  
12 Costs of the notice provision shall be the responsibility of the  
13 proponent of the amendment.

14 (cf: P.L.2005, c.41, s.4)

15

16 6. Section 76 of P.L.1975, c.291 (C.40:55D-89) is amended to  
17 read as follows:

18 76. Periodic examination. The governing body shall, at least  
19 every 10 years, provide for a general reexamination of its master  
20 plan and development regulations by the planning board, which  
21 shall prepare and adopt by resolution a report on the findings of  
22 such reexamination, a copy of which report and resolution shall be  
23 sent to the Office of Planning Advocacy and the county planning  
24 board. A notice that the report and resolution have been prepared  
25 shall be sent to any military facility commander who has registered  
26 with the municipality pursuant to section 1 of P.L.2005,  
27 c.41 (C.40:55D-12.4) and to the municipal clerk of each adjoining  
28 municipality, who may **],** on behalf of the governing body of the  
29 municipality, **]** request a copy of the report and resolution on behalf  
30 of the military facility or municipality. A reexamination shall be  
31 completed at least once every 10 years from the previous  
32 reexamination.

33 The reexamination report shall state:

34 a. The major problems and objectives relating to land  
35 development in the municipality at the time of the adoption of the  
36 last reexamination report.

37 b. The extent to which such problems and objectives have been  
38 reduced or have increased subsequent to such date.

39 c. The extent to which there have been significant changes in  
40 the assumptions, policies, and objectives forming the basis for the  
41 master plan or development regulations as last revised, with  
42 particular regard to the density and distribution of population and  
43 land uses, housing conditions, circulation, conservation of natural  
44 resources, energy conservation, collection, disposition, and  
45 recycling of designated recyclable materials, and changes in State,  
46 county and municipal policies and objectives.

47 d. The specific changes recommended for the master plan or  
48 development regulations, if any, including underlying objectives,

1 policies and standards, or whether a new plan or regulations should  
2 be prepared.

3 e. The recommendations of the planning board concerning the  
4 incorporation of redevelopment plans adopted pursuant to the  
5 "Local Redevelopment and Housing Law," P.L.1992,  
6 c.79 (C.40A:12A-1 et al.) into the land use plan element of the  
7 municipal master plan, and recommended changes, if any, in the  
8 local development regulations necessary to effectuate the  
9 redevelopment plans of the municipality.  
10 (cf: P.L.2011, c.65, s.1)

11  
12 7. Section 1 of P.L.1985, c.398 (C.52:18A-196) is amended to  
13 read as follows:

14 1. The Legislature finds and declares that:

15 a. New Jersey, the nation's most densely populated State,  
16 requires sound and integrated Statewide planning and the  
17 coordination of Statewide planning with local and regional planning  
18 in order to conserve its natural resources, revitalize its urban  
19 centers, protect the quality of its environment, preserve the vitality  
20 of federal military facilities, and provide needed housing and  
21 adequate public services at a reasonable cost while promoting  
22 beneficial economic growth, development and renewal;

23 b. Significant economies, efficiencies and savings in the  
24 development process would be realized by private sector enterprise  
25 and by public sector development agencies if the several levels of  
26 government would cooperate in the preparation of and adherence to  
27 sound and integrated plans;

28 c. It is of urgent importance that the State Development Guide  
29 Plan be replaced by a State Development and Redevelopment Plan  
30 designed for use as a tool for assessing suitable locations for  
31 infrastructure, housing, economic growth and conservation;

32 d. It is in the public interest to encourage development,  
33 redevelopment and economic growth in locations that are well  
34 situated with respect to present or anticipated public services and  
35 facilities, giving appropriate priority to the redevelopment, repair,  
36 rehabilitation or replacement of existing facilities, and to discourage  
37 development where it may; impair or destroy natural resources or  
38 environmental qualities that are vital to the health and well-being of  
39 the present and future citizens of this State, or impair the viability  
40 of federal military facilities;

41 e. A cooperative planning process that involves the full  
42 participation of State, regional, county and local governments as  
43 well as representatives of federal military facilities and of other  
44 public and private sector interests will enhance prudent and rational  
45 development, redevelopment and conservation policies and the  
46 formulation of sound and consistent regional plans and planning  
47 criteria;

1 f. Since the overwhelming majority of New Jersey land use  
2 planning and development review occurs at the local level, it is  
3 important to provide local governments in this State with the  
4 technical resources and guidance necessary to assist them in  
5 developing land use plans and procedures which are based on sound  
6 planning information and practice, to assist local governments  
7 participating in a Department of Defense Joint Land Use Study, and  
8 to facilitate the development of local plans and Joint Land Use  
9 Studies which are consistent with State and regional plans and  
10 programs and the needs of nearby military facilities;

11 g. An increasing concentration of the poor and minorities in  
12 older urban areas jeopardizes the future well-being of this State, and  
13 a sound and comprehensive planning process will facilitate the  
14 provision of equal social and economic opportunity so that all of  
15 New Jersey's citizens can benefit from growth, development and  
16 redevelopment;

17 h. An adequate response to judicial mandates respecting  
18 housing for low- and moderate-income persons requires sound  
19 planning to prevent sprawl and to promote suitable use of land;

20 **[and]**

21 i. Reductions in personnel and mission activities at military  
22 facilities have a direct, detrimental effect on this State. The  
23 Department of Defense considers the encroachment of civilian  
24 development upon a military facility when determining the future  
25 viability of the facility. Collaborative planning between military  
26 facility commanders and State, regional, county, and municipal  
27 officials can help protect an installation's military mission, as well  
28 as the public health, safety, quality of life, and economic stability of  
29 the civilian community; and

30 j. These purposes can be best achieved through the  
31 establishment of a State planning commission consisting of  
32 representatives from the executive and legislative branches of State  
33 government, local government, the general public and the planning  
34 community.

35 (cf: P.L.2004, c.120, s.63)

36

37 8. Section 4 of P.L.1985, c.398 (C.52:18A-199) is amended to  
38 read as follows:

39 4. The commission shall:

40 a. Prepare and adopt within 36 months after the enactment of  
41 P.L.1985, c.398 (C.52:18A-196 et al.), and revise and readopt at  
42 least every three years thereafter, the State Development and  
43 Redevelopment Plan, which shall provide a coordinated, integrated  
44 and comprehensive plan for the growth, development, renewal and  
45 conservation of the State and its regions and which shall identify  
46 areas for growth, agriculture, open space conservation and other  
47 appropriate designations;

- 1       b. Prepare and adopt as part of the plan a long-term  
2 Infrastructure Needs Assessment, which shall provide information  
3 on present and prospective conditions, needs and costs with regard  
4 to State, county and municipal capital facilities, including water,  
5 sewerage, transportation, solid waste, drainage, flood protection,  
6 shore protection and related capital facilities;
- 7       c. Develop and promote procedures to facilitate cooperation  
8 and coordination among federal agencies, State agencies, regional  
9 entities, and local governments with regard to the development of  
10 plans, programs and policies which affect land use, environmental,  
11 capital and economic development issues;
- 12       d. Provide technical assistance to local governments and  
13 regional entities in order to encourage the use of the most effective  
14 and efficient planning and development review data, tools and  
15 procedures;
- 16       e. Periodically review federal, State, regional, and local  
17 government planning procedures and relationships and recommend  
18 to the Governor and the Legislature administrative or legislative  
19 action to promote a more efficient and effective planning process;
- 20       f. Review any bill introduced in either house of the Legislature  
21 which appropriates funds for a capital project and may study the  
22 necessity, desirability and relative priority of the appropriation by  
23 reference to the State Development and Redevelopment Plan, and  
24 may make recommendations to the Legislature and to the Governor  
25 concerning the bill; **【and】**
- 26       g. Encourage military facility commanders and representatives  
27 of counties, municipalities, and of State and regional entities to  
28 maintain open lines of communication and to engage in long-term,  
29 strategic planning, including but not limited to Joint Land Use  
30 Studies, and to facilitate joint planning efforts; and
- 31       h. Take all actions necessary and proper to carry out the  
32 provisions of P.L.1985, c.398 (C.52:18A-196 et al.).  
33 (cf: P.L.2004, c.120, s.64)  
34
- 35       9. Section 6 of P.L.1985, c.398 (C.52:18A-201) is amended to  
36 read as follows:
- 37       6. a. There is established in the Department of the Treasury the  
38 Office of State Planning, which was renamed as the “Office of  
39 Planning Advocacy,” and transferred to the Department of State  
40 pursuant to Governor Christie’s Reorganization Plan No. 002-2011,  
41 effective August 28, 2011. The director of the office shall be  
42 appointed by and serve at the pleasure of the Governor. The  
43 director shall supervise and direct the activities of the office and  
44 shall serve as the secretary and principal executive officer of the  
45 State Planning Commission.
- 46       b. The Office of **【State Planning】** Planning Advocacy shall  
47 assist the commission in the performance of its duties and shall:

1 (1) Publish an annual report on the status of the State  
2 Development and Redevelopment Plan which shall describe the  
3 progress towards achieving the goals of the plan, the degree of  
4 consistency achieved among municipal, county, regional, and State  
5 plans, and plans of military facilities, the capital needs of the State,  
6 and progress towards providing housing where such need is  
7 indicated;

8 (2) Provide planning service to other agencies or  
9 instrumentalities of State government, review the plans prepared by  
10 them, and coordinate planning to avoid or mitigate conflicts  
11 between plans;

12 (3) Provide advice and assistance to regional, county and local  
13 planning units;

14 (4) Review and comment on the plans of interstate agencies  
15 where the plans affect this State;

16 (5) Compile quantitative current estimates and Statewide  
17 forecasts for population, employment, housing and land needs for  
18 development and redevelopment; and

19 (6) Prepare and submit to the State Planning Commission, as an  
20 aid in the preparation of the State Development and Redevelopment  
21 Plan, alternate growth and development strategies which are likely  
22 to produce favorable economic, environmental and social results.

23 c. The director shall ensure that the responsibilities and duties  
24 of the commission are fulfilled, and shall represent the commission  
25 and promote its activities before government agencies, public and  
26 private interest groups and the general public, and shall undertake  
27 or direct such other activities as the commission shall direct or as  
28 may be necessary to carry out the purposes of P.L.1985,  
29 c.398 (C.52:18A-196 et al.).

30 d. With the consent of the commission, the director shall assign  
31 to the commission from the staff of the office at least two full-time  
32 planners, a full-time liaison to local and county governments and  
33 regional entities, and such other staff, clerical, stenographic and  
34 expert assistance as the director shall deem necessary for the  
35 fulfillment of the commission's responsibilities and duties.

36 e. The Office of Planning Advocacy shall assist the Military  
37 and Defense Economic Ombudsman in the performance of his  
38 duties and the director shall assign to the Military and Defense  
39 Economic Ombudsman, from the staff of the office, at least one  
40 full-time planner, a full-time liaison to local governments and  
41 regional and State entities, and such other staff, clerical,  
42 stenographic, and expert assistance as the director shall deem  
43 necessary for the fulfillment of the ombudsman's responsibilities  
44 and duties.

45 (cf: P.L.2004, c.120, s.66)

46  
47 10. Section 5 of P.L.2005, c.41 (C.52:18A-201.1) is amended to  
48 read as follows:



1 5. a. As used in this section:

2 “Military and Defense Economic Ombudsman” means the  
3 Military and Defense Economic Ombudsman in the Department of  
4 State established pursuant to section 2 of P.L. \_\_\_\_\_,  
5 c. (C. ) (pending before the Legislature as Assembly Bill No. of  
6 2015).

7 "military facility" means any facility located within the State  
8 which is owned or operated by the federal government, and which is  
9 used for the purposes of providing logistical, technical, material,  
10 training, and any other support to any branch of the United States  
11 military; and

12 "military facility commander" means the chief official, base  
13 commander or person in charge at a military facility.

14 b. (1) Whenever any State department, office, agency,  
15 authority, or commission proposes a plan that would impact the use  
16 of land within 3,000 feet in all directions of any military facility, it  
17 shall notify the Director of the Office of [State Planning in the  
18 Department of Community Affairs] Planning Advocacy prior to  
19 finalizing its plan. The director shall contact the Military and  
20 Defense Economic Ombudsman and the appropriate military facility  
21 commander in order to solicit comments addressing any land use  
22 compatibility issues which may be of concern to the military and  
23 shall forward those comments to the appropriate State department,  
24 office, agency, authority, or commission. The State department,  
25 office, agency, authority, or commission shall not finalize its plan  
26 until it has reviewed any comments submitted by the military  
27 facility commander on its proposed plan.

28 (2) Whenever the Office of Planning Advocacy receives a notice  
29 under the “Municipal Land Use Law,” P.L.1975, c.291 (C.40:55D-1  
30 et seq.) that would impact the use of land within 3,000 feet of any  
31 military facility, the director shall notify the Military and Defense  
32 Economic Ombudsman.

33 c. The Adjutant General of the Department of Military and  
34 Veterans' Affairs shall, within 30 days of the effective date of  
35 P.L.2005, c.41 (C.40:55D-12.4 et al.), forward a list of military  
36 facilities to the Director of the Office of State Planning. The  
37 director shall circulate the list to each State department, office,  
38 agency, authority or commission.

39 d. The Director of the Office of State Planning, upon receiving  
40 the list of military facilities from the Adjutant General, shall  
41 forthwith notify those municipalities and State departments, offices,  
42 agencies, authorities and commissions of the requirements of this  
43 section.

44 (cf: P.L.2005, c.41, s.5)

45  
46 11. (New section) a. The Military and Defense Economic  
47 Ombudsman shall develop and maintain relationships with  
48 commanders of military installations located within the State and

1 with the Office of Economic Adjustment in the Department of  
2 Defense for the purpose of reducing potential land use conflicts  
3 between military installations, the State, and regional, county and  
4 local planning units.

5 b. The Military and Defense Economic Ombudsman shall  
6 encourage military installation commanders and representatives of  
7 counties, municipalities, and of State and regional entities to  
8 maintain open lines of communication, engage in long-term,  
9 strategic planning, including but not limited to Joint Land Use  
10 Studies, and facilitate joint planning efforts.

11

12 12. This act shall take effect immediately but sections 9 through  
13 11 shall remain inoperative until the date of enactment of P.L. ,

14 c. (pending before the Legislature as Assembly Bill No. 4723 of  
15 2015).

16

17

18

STATEMENT

19

20 This bill implements recommendations set forth in the New  
21 Jersey Military Installation Growth and Development Task Force  
22 Report concerning land use planning in order to minimize civilian  
23 encroachment upon military installations, protect against the closure  
24 of military installations and mission loss, and encourage the  
25 development of compatible uses of land nearby military  
26 installations. The bill adds language to that effect to the stated  
27 purposes of the Municipal Land Use Law (MLUL) and the State  
28 Planning Act.

29 The bill bolsters notice provisions contained in the MLUL and  
30 the State Planning Act to enhance the exchange of information  
31 between military installations and local governments, the Military  
32 and Defense Economic Ombudsman in the Department of State, and  
33 the Office of Planning Advocacy in the Department of State. The  
34 bill contains a provision requiring the land use plan element of  
35 municipal master plans to show existing and proposed locations of  
36 military facilities and to incorporate strategies to minimize undue  
37 encroachment upon military installations and conflicts between  
38 civilian land uses and military land uses.

39 The bill would require the Military and Defense Economic  
40 Ombudsman in the Department of State to encourage military  
41 installation commanders and representatives of counties,  
42 municipalities, and of State and regional entities to maintain open  
43 lines of communication and to engage in long-term, strategic  
44 planning, including but not limited to Joint Land Use Studies, and  
45 to facilitate joint planning efforts. The bill directs the ombudsman  
46 to develop and maintain relationships with commanders of military  
47 installations located within the State and with the Office of  
48 Economic Adjustment in the Department of Defense for the purpose

**S1992**

17

1 of reducing potential land use conflicts between military  
2 installations, the State, and regional, county and local planning  
3 units.

4

5

6

7

8 Facilitates coordination of land use planning between civilian  
9 and military interests to preserve viability of federal military  
10 installations within State.

# SENATE, No. 1992

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED APRIL 18, 2016

**Sponsored by:**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**Senator DIANE B. ALLEN**

**District 7 (Burlington)**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblywoman CLEOPATRA G. TUCKER**

**District 28 (Essex)**

**Assemblyman BOB ANDRZEJCZAK**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblyman R. BRUCE LAND**

**District 1 (Atlantic, Cape May and Cumberland)**

**Co-Sponsored by:**

**Senators Sarlo, Addiego, Cruz-Perez, Assemblywomen Lampitt and Mosquera**

**SYNOPSIS**

Facilitates coordination of land use planning between civilian and military interests to preserve viability of federal military installations within State.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/17/2016)**

S1992 BEACH, ALLEN

2

1 AN ACT concerning land use planning nearby military installations,  
2 amending various parts of the statutory law, and supplementing  
3 Title 52 of the Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7

8 1. Section 2 of P.L.1975, c.291 (C.40:55D-2) is amended to  
9 read as follows:

10 2. Purpose of the act. It is the intent and purpose of this act:

11 a. To encourage municipal action to guide the appropriate use  
12 or development of all lands in this State, in a manner which will  
13 promote the public health, safety, morals, and general welfare;

14 b. To secure safety from fire, flood, panic and other natural and  
15 man-made disasters;

16 c. To provide adequate light, air and open space;

17 d. To ensure that the development of individual municipalities  
18 does not conflict with the development and general welfare of  
19 neighboring municipalities, the county and the State as a whole;

20 e. To promote the establishment of appropriate population  
21 densities and concentrations that will contribute to the well-being of  
22 persons, neighborhoods, communities and regions and preservation  
23 of the environment;

24 f. To encourage the appropriate and efficient expenditure of  
25 public funds by the coordination of public development with land  
26 use policies;

27 g. To provide sufficient space in appropriate locations for a  
28 variety of agricultural, residential, recreational, commercial and  
29 industrial uses and open space, both public and private, according to  
30 their respective environmental requirements in order to meet the  
31 needs of all New Jersey citizens;

32 h. To encourage the location and design of transportation  
33 routes which will promote the free flow of traffic while  
34 discouraging location of such facilities and routes which result in  
35 congestion or blight;

36 i. To promote a desirable visual environment through creative  
37 development techniques and good civic design and arrangement;

38 j. To promote the conservation of historic sites and districts,  
39 open space, energy resources and valuable natural resources in the  
40 State and to prevent urban sprawl and degradation of the  
41 environment through improper use of land;

42 k. To encourage planned unit developments which incorporate  
43 the best features of design and relate the type, design and layout of  
44 residential, commercial, industrial and recreational development to  
45 the particular site;

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

S1992 BEACH, ALLEN

3

- 1 l. To encourage senior citizen community housing  
2 construction;
- 3 m. To encourage coordination of the various public and private  
4 procedures and activities shaping land development with a view of  
5 lessening the cost of such development and to the more efficient use  
6 of land;
- 7 n. To promote utilization of renewable energy resources;
- 8 o. To promote the maximum practicable recovery and recycling  
9 of recyclable materials from municipal solid waste through the use  
10 of planning practices designed to incorporate the State Recycling  
11 Plan goals and to complement municipal recycling programs; **[and]**
- 12 p. To enable municipalities the flexibility to offer alternatives  
13 to traditional development, through the use of equitable and  
14 effective planning tools including clustering, transferring  
15 development rights, and lot-size averaging in order to concentrate  
16 development in areas where growth can best be accommodated and  
17 maximized while preserving agricultural lands, open space, and  
18 historic sites; and
- 19 q. To ensure that the development of individual municipalities  
20 does not unnecessarily encroach upon military facilities or  
21 negatively impact the operation of military facilities, and to those  
22 ends, to encourage municipalities to collaborate with military  
23 facility commanders in planning and implementing appropriate land  
24 use controls, thereby improving the vitality of military facilities and  
25 protecting against their loss through the Base Realignment and  
26 Closure process or mission loss.  
27 (cf: P.L.2013, c.106, s.1)

28  
29 2. Section 3.2 of P.L.1975, c.291 (C.40:55D-5) is amended to  
30 read as follows:

31 3.2. "Maintenance guarantee" means any security which may be  
32 accepted by a municipality for the maintenance of any  
33 improvements required by this act, including but not limited to  
34 surety bonds, letters of credit under the circumstances specified in  
35 section 16 of P.L.1991, c.256 (C.40:55D-53.5), and cash.

36 "Major subdivision" means any subdivision not classified as a  
37 minor subdivision.

38 "Master plan" means a composite of one or more written or  
39 graphic proposals for the development of the municipality as set  
40 forth in and adopted pursuant to section 19 of P.L.1975,  
41 c.291 (C.40:55D-28).

42 "Mayor" means the chief executive of the municipality, whatever  
43 his official designation may be, except that in the case of  
44 municipalities governed by municipal council and municipal  
45 manager the term "mayor" shall not mean the "municipal manager"  
46 but shall mean the mayor of such municipality.

47 "Military facility" means any facility located within the State  
48 which is owned or operated by the federal government, and which is

**S1992 BEACH, ALLEN**

1 used for the purposes of providing logistical, technical, material,  
2 training, and any other support to any branch of the United States  
3 military.

4 "Military facility commander" means the chief official, base  
5 commander or person in charge at a military facility.

6 "Minor site plan" means a development plan of one or more lots  
7 which (1) proposes new development within the scope of  
8 development specifically permitted by ordinance as a minor site  
9 plan; (2) does not involve planned development, any new street or  
10 extension of any off-tract improvement which is to be prorated  
11 pursuant to section 30 of P.L.1975, c.291 (C.40:55D-42); and (3)  
12 contains the information reasonably required in order to make an  
13 informed determination as to whether the requirements established  
14 by ordinance for approval of a minor site plan have been met.

15 "Minor subdivision" means a subdivision of land for the creation  
16 of a number of lots specifically permitted by ordinance as a minor  
17 subdivision; provided that such subdivision does not involve (1) a  
18 planned development, (2) any new street or (3) the extension of any  
19 off-tract improvement, the cost of which is to be prorated pursuant  
20 to section 30 of P.L.1975, c.291 (C.40:55D-42).

21 "Municipality" means any city, borough, town, township or  
22 village.

23 "Municipal agency" means a municipal planning board or board  
24 of adjustment, or a governing body of a municipality when acting  
25 pursuant to this act and any agency which is created by or  
26 responsible to one or more municipalities when such agency is  
27 acting pursuant to this act.

28 "Municipal resident" means a person who is domiciled in the  
29 municipality.

30 "Nonconforming lot" means a lot, the area, dimension or location  
31 of which was lawful prior to the adoption, revision or amendment of  
32 a zoning ordinance, but fails to conform to the requirements of the  
33 zoning district in which it is located by reason of such adoption,  
34 revision or amendment.

35 "Nonconforming structure" means a structure the size, dimension  
36 or location of which was lawful prior to the adoption, revision or  
37 amendment of a zoning ordinance, but which fails to conform to the  
38 requirements of the zoning district in which it is located by reasons  
39 of such adoption, revision or amendment.

40 "Nonconforming use" means a use or activity which was lawful  
41 prior to the adoption, revision or amendment of a zoning ordinance,  
42 but which fails to conform to the requirements of the zoning district  
43 in which it is located by reasons of such adoption, revision or  
44 amendment.

45 "Noncontiguous cluster" means noncontiguous areas to be  
46 developed as a single entity according to a plan containing an area,  
47 or a section or sections thereof, to be developed for residential  
48 purposes, nonresidential purposes, or a combination thereof, at a

1 greater concentration of density or intensity of land use than  
2 authorized within the area, section, or sections, under conventional  
3 development, in exchange for the permanent preservation of another  
4 area, or a section or sections thereof, as common or public open  
5 space, or for historic or agricultural purposes, or a combination  
6 thereof.

7 "Office of Planning Advocacy" or "Office of Smart Growth"  
8 means the Office of State Planning established pursuant to section 6  
9 of P.L.1985, c.398 (C.52:18A-201) and transferred to the  
10 Department of State pursuant to Governor Christie's Reorganization  
11 Plan No. 002-2011, effective August 28, 2011.

12 "Official county map" means the map, with changes and  
13 additions thereto, adopted and established, from time to time, by  
14 resolution of the board of chosen freeholders of the county pursuant  
15 to R.S.40:27-5.

16 "Official map" means a map adopted by ordinance pursuant to  
17 article 5 of P.L.1975, c.291.

18 "Offsite" means located outside the lot lines of the lot in question  
19 but within the property, of which the lot is a part, which is the  
20 subject of a development application or the closest half of the street  
21 or right-of-way abutting the property of which the lot is a part.

22 "Off-tract" means not located on the property which is the  
23 subject of a development application nor on the closest half of the  
24 abutting street or right-of-way.

25 "Onsite" means located on the lot in question and excluding any  
26 abutting street or right-of-way.

27 "On-tract" means located on the property which is the subject of  
28 a development application or on the closest half of an abutting  
29 street or right-of-way.

30 "Open-space" means any parcel or area of land or water  
31 essentially unimproved and set aside, dedicated, designated or  
32 reserved for public or private use or enjoyment or for the use and  
33 enjoyment of owners and occupants of land adjoining or  
34 neighboring such open space; provided that such areas may be  
35 improved with only those buildings, structures, streets and offstreet  
36 parking and other improvements that are designed to be incidental  
37 to the natural openness of the land or support its use for recreation  
38 and conservation purposes.

39 (cf: P.L.2013, c.106, s.4)

40

41 3. Section 7.2 of P.L.1975, c.291 (C.40:55D-13) is amended to  
42 read as follows:

43 7.2. Notice concerning master plan. The planning board shall  
44 give:

45 (1) Public notice of a hearing on adoption, revision or  
46 amendment of the master plan; such notice shall be given by  
47 publication in the official newspaper of the municipality, if there be



1 one, or in a newspaper of general circulation in the municipality at  
2 least 10 days prior to the date of the hearing;

3 (2) Notice by personal service or certified mail to the clerk of an  
4 adjoining municipality of all hearings on adoption, revision or  
5 amendment of a master plan involving property situated within 200  
6 feet of such adjoining municipality at least 10 days prior to the date  
7 of any such hearing;

8 (3) Notice by personal service or certified mail to the Office of  
9 Planning Advocacy and to the county planning board in which the  
10 municipality is situated, of (a) all hearings on the adoption, revision  
11 or amendment of the municipal master plan at least 10 days prior to  
12 the date of the hearing; such notice shall include a copy of any such  
13 proposed master plan, or any revision or amendment thereto; and  
14 (b) the adoption, revision or amendment of the master plan not more  
15 than 30 days after the date of such adoption, revision or  
16 amendment; such notice shall include a copy of the master plan or  
17 revision or amendment thereto;

18 (4) Notice by personal service or certified mail to the military  
19 facility commander of a military facility which has registered with  
20 the municipality pursuant to section 1 of P.L.2005, c.41 (C.40:55D-  
21 12.4) of (a) all hearings on the adoption, revision, or amendment of  
22 the municipal master plan at least 10 days prior to the date of the  
23 hearing; such notice shall include a copy of any such proposed  
24 master plan, or any revision or amendment thereto; and (b) the  
25 adoption, revision, or amendment of the master plan not more than  
26 30 days after the date of such adoption, revision, or amendment;  
27 such notice shall include a copy of the master plan or revision or  
28 amendment thereto.

29 (cf: P.L.1975, c.291, s.7.2)

30

31 4. Section 19 of P.L.1975, c.291 (C.40:55D-28) is amended to  
32 read as follows:

33 19. Preparation; contents; modification.

34 a. The planning board may prepare and, after public hearing,  
35 adopt or amend a master plan or component parts thereof, to guide  
36 the use of lands within the municipality in a manner which protects  
37 public health and safety and promotes the general welfare.

38 b. The master plan shall generally comprise a report or  
39 statement and land use and development proposals, with maps,  
40 diagrams and text, presenting, at least the following elements (1)  
41 and (2) and, where appropriate, the following elements (3) through  
42 (16):

43 (1) A statement of objectives, principles, assumptions, policies  
44 and standards upon which the constituent proposals for the physical,  
45 economic and social development of the municipality are based;

46 (2) A land use plan element

47 (a) taking into account and stating its relationship to the  
48 statement provided for in paragraph (1) hereof, and other master

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7

1 plan elements provided for in paragraphs (3) through (14) hereof  
2 and natural conditions, including, but not necessarily limited to,  
3 topography, soil conditions, water supply, drainage, flood plain  
4 areas, marshes, and woodlands;

5 (b) showing the existing and proposed location, extent and  
6 intensity of development of land to be used in the future for varying  
7 types of residential, commercial, industrial, agricultural,  
8 recreational, open space, educational and other public and private  
9 purposes or combination of purposes including any provisions for  
10 cluster development; and stating the relationship thereof to the  
11 existing and any proposed zone plan and zoning ordinance; **[and]**

12 (c) showing the existing and proposed location of any airports  
13 and the boundaries of any airport safety zones delineated pursuant  
14 to the "Air Safety and Zoning Act of 1983," P.L.1983, c.260 (C.6:1-  
15 80 et al.); **[and]**

16 (d) including a statement of the standards of population density  
17 and development intensity recommended for the municipality; and

18 (e) showing the existing and proposed location of military  
19 facilities and incorporating strategies to minimize undue  
20 encroachment upon, and conflicts with, military facilities, including  
21 but not limited to: limiting heights of buildings and structures  
22 nearby flight paths or sight lines of aircraft; buffering residential  
23 areas from noise associated with a military facility; and allowing for  
24 the potential expansion of military facilities;

25 (3) A housing plan element pursuant to section 10 of P.L.1985,  
26 c.222 (C.52:27D-310), including, but not limited to, residential  
27 standards and proposals for the construction and improvement of  
28 housing;

29 (4) A circulation plan element showing the location and types of  
30 facilities for all modes of transportation required for the efficient  
31 movement of people and goods into, about, and through the  
32 municipality, taking into account the functional highway  
33 classification system of the Federal Highway Administration and  
34 the types, locations, conditions and availability of existing and  
35 proposed transportation facilities, including air, water, road and rail;

36 (5) A utility service plan element analyzing the need for and  
37 showing the future general location of water supply and distribution  
38 facilities, drainage and flood control facilities, sewerage and waste  
39 treatment, solid waste disposal and provision for other related  
40 utilities, and including any storm water management plan required  
41 pursuant to the provisions of P.L.1981, c.32 (C.40:55D-93 et al.). If  
42 a municipality prepares a utility service plan element as a condition  
43 for adopting a development transfer ordinance pursuant to  
44 subsection c. of section 4 of P.L.2004, c.2 (C.40:55D-140), the plan  
45 element shall address the provision of utilities in the receiving zone  
46 as provided thereunder;

47 (6) A community facilities plan element showing the existing  
48 and proposed location and type of educational or cultural facilities,

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1 historic sites, libraries, hospitals, firehouses, police stations and  
2 other related facilities, including their relation to the surrounding  
3 areas;

4 (7) A recreation plan element showing a comprehensive system  
5 of areas and public sites for recreation;

6 (8) A conservation plan element providing for the preservation,  
7 conservation, and utilization of natural resources, including, to the  
8 extent appropriate, energy, open space, water supply, forests, soil,  
9 marshes, wetlands, harbors, rivers and other waters, fisheries,  
10 endangered or threatened species wildlife and other resources, and  
11 which systemically analyzes the impact of each other component  
12 and element of the master plan on the present and future  
13 preservation, conservation and utilization of those resources;

14 (9) An economic plan element considering all aspects of  
15 economic development and sustained economic vitality, including  
16 (a) a comparison of the types of employment expected to be  
17 provided by the economic development to be promoted with the  
18 characteristics of the labor pool resident in the municipality and  
19 nearby areas and (b) an analysis of the stability and diversity of the  
20 economic development to be promoted;

21 (10) An historic preservation plan element: (a) indicating the  
22 location and significance of historic sites and historic districts; (b)  
23 identifying the standards used to assess worthiness for historic site  
24 or district identification; and (c) analyzing the impact of each  
25 component and element of the master plan on the preservation of  
26 historic sites and districts;

27 (11) Appendices or separate reports containing the technical  
28 foundation for the master plan and its constituent elements;

29 (12) A recycling plan element which incorporates the State  
30 Recycling Plan goals, including provisions for the collection,  
31 disposition and recycling of recyclable materials designated in the  
32 municipal recycling ordinance, and for the collection, disposition  
33 and recycling of recyclable materials within any development  
34 proposal for the construction of 50 or more units of single-family  
35 residential housing or 25 or more units of multi-family residential  
36 housing and any commercial or industrial development proposal for  
37 the utilization of 1,000 square feet or more of land;

38 (13) A farmland preservation plan element, which shall include:  
39 an inventory of farm properties and a map illustrating significant  
40 areas of agricultural land; a statement showing that municipal  
41 ordinances support and promote agriculture as a business; and a  
42 plan for preserving as much farmland as possible in the short term  
43 by leveraging moneys made available by P.L.1999, c.152 (C.13:8C-  
44 1 et al.) through a variety of mechanisms including, but not limited  
45 to, utilizing option agreements, installment purchases, and  
46 encouraging donations of permanent development easements;

47 (14) A development transfer plan element which sets forth the  
48 public purposes, the locations of sending and receiving zones and

1 the technical details of a development transfer program based on the  
2 provisions of section 5 of P.L.2004, c.2 (C.40:55D-141);

3 (15) An educational facilities plan element which incorporates  
4 the purposes and goals of the "long-range facilities plan" required to  
5 be submitted to the Commissioner of Education by a school district  
6 pursuant to section 4 of P.L.2000, c.72 (C.18A:7G-4);

7 (16) A green buildings and environmental sustainability plan  
8 element, which shall provide for, encourage, and promote the  
9 efficient use of natural resources and the installation and usage of  
10 renewable energy systems; consider the impact of buildings on the  
11 local, regional and global environment; allow ecosystems to  
12 function naturally; conserve and reuse water; treat storm water on-  
13 site; and optimize climatic conditions through site orientation and  
14 design.

15 c. The master plan and its plan elements may be divided into  
16 subplans and subplan elements projected according to periods of  
17 time or staging sequences.

18 d. The master plan shall include a specific policy statement  
19 indicating the relationship of the proposed development of the  
20 municipality, as developed in the master plan to (1) the master plans  
21 of contiguous municipalities, (2) the master plan of the county in  
22 which the municipality is located, (3) the State Development and  
23 Redevelopment Plan adopted pursuant to the "State Planning Act,"  
24 sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 et seq.)  
25 and (4) the district solid waste management plan required pursuant  
26 to the provisions of the "Solid Waste Management Act," P.L.1970,  
27 c.39 (C.13:1E-1 et seq.) of the county in which the municipality is  
28 located.

29 In the case of a municipality situated within the Highlands  
30 Region, as defined in section 3 of P.L.2004, c.120 (C.13:20-3), the  
31 master plan shall include a specific policy statement indicating the  
32 relationship of the proposed development of the municipality, as  
33 developed in the master plan, to the Highlands regional master plan  
34 adopted pursuant to section 8 of P.L.2004, c.120 (C.13:20-8).

35 (cf: P.L.2013, c.106, s.6)

36

37 5. Section 2 of P.L.1995, c.249 (C.40:55D-62.1) is amended to  
38 read as follows:

39 2. Notice of a hearing on an amendment to the zoning  
40 ordinance proposing a change to the classification or boundaries of  
41 a zoning district, exclusive of classification or boundary changes  
42 recommended in a periodic general reexamination of the master  
43 plan by the planning board pursuant to section 76 of P.L.1975,  
44 c.291 (C.40:55D-89), shall be given at least 10 days prior to the  
45 hearing by the municipal clerk to the owners of all real property as  
46 shown on the current tax duplicates, located, in the case of a  
47 classification change, within the district and within the State within  
48 200 feet in all directions of the boundaries of the district, and

1 located, in the case of a boundary change, in the State within 200  
2 feet in all directions of the proposed new boundaries of the district  
3 which is the subject of the hearing.

4 In addition, **【such】** the municipal clerk shall provide notice  
5 **【shall be provided】** of a hearing on an amendment to the zoning  
6 ordinance proposing a change to the classification or boundaries of  
7 a zoning district, exclusive of classification or boundary changes  
8 recommended in a periodic general reexamination of the master  
9 plan, to the Office of Planning Advocacy, and to any military  
10 facility commander who has registered with the municipality  
11 pursuant to section 1 of P.L.2005, c.41 (C.40:55D-12.4), **【if the**  
12 **military facility is situated within the district or within 3,000 feet of**  
13 **all directions of the boundaries of the district or located, in the case**  
14 **of a boundary change, in the State within 3,000 feet in all directions**  
15 **of the proposed new boundaries of the district which is the subject**  
16 **of the hearing】** at least 10 days prior to the hearing, by personal  
17 service or certified mail.

18 A notice pursuant to this section shall state the date, time and  
19 place of the hearing, the nature of the matter to be considered and  
20 an identification of the affected zoning districts and proposed  
21 boundary changes, if any, by street names, common names or other  
22 identifiable landmarks, and by reference to lot and block numbers  
23 as shown on the current tax duplicate in the municipal tax assessor's  
24 office.

25 Notice shall be given to a property owner by: (1) serving a copy  
26 thereof on the property owner as shown on the said current tax  
27 duplicate, or his agent in charge of the property, or (2) mailing a  
28 copy thereof by certified mail and regular mail to the property  
29 owner at his address as shown on the said current tax duplicate. **【In**  
30 **the case of a change involving a military facility situated within or**  
31 **in proximity to the district as provided herein, notice shall be given**  
32 **by serving a copy thereof on the military facility commander who**  
33 **has registered with the municipality pursuant to section 1 of**  
34 **P.L.2005, c.41 (C.40:55D-12.4) or mailing a copy by certified mail**  
35 **to the military facility commander at the address shown on the**  
36 **registration form.】**

37 Notice to a partnership owner may be made by service upon any  
38 partner. Notice to a corporate owner may be made by service upon  
39 its president, a vice president, secretary or other person authorized  
40 by appointment or by law to accept service on behalf of the  
41 corporation. Notice to a condominium association, horizontal  
42 property regime, community trust or homeowners' association,  
43 because of its ownership of common elements or areas located  
44 within 200 feet of the boundaries of the district which is the subject  
45 of the hearing, may be made in the same manner as to a corporation,  
46 in addition to notice to unit owners, co-owners, or homeowners on  
47 account of such common elements or areas.

1 The municipal clerk shall execute affidavits of proof of service  
2 of the notices required by this section, and shall keep the affidavits  
3 on file along with the proof of publication of the notice of the  
4 required public hearing on the proposed zoning ordinance change.  
5 Costs of the notice provision shall be the responsibility of the  
6 proponent of the amendment.  
7 (cf: P.L.2005, c.41, s.4)

8  
9 6. Section 76 of P.L.1975, c.291 (C.40:55D-89) is amended to  
10 read as follows:

11 76. Periodic examination. The governing body shall, at least  
12 every 10 years, provide for a general reexamination of its master  
13 plan and development regulations by the planning board, which  
14 shall prepare and adopt by resolution a report on the findings of  
15 such reexamination, a copy of which report and resolution shall be  
16 sent to the Office of Planning Advocacy and the county planning  
17 board. A notice that the report and resolution have been prepared  
18 shall be sent to any military facility commander who has registered  
19 with the municipality pursuant to section 1 of P.L.2005,  
20 c.41 (C.40:55D-12.4) and to the municipal clerk of each adjoining  
21 municipality, who may **],** on behalf of the governing body of the  
22 municipality, **]** request a copy of the report and resolution on behalf  
23 of the military facility or municipality. A reexamination shall be  
24 completed at least once every 10 years from the previous  
25 reexamination.

26 The reexamination report shall state:

27 a. The major problems and objectives relating to land  
28 development in the municipality at the time of the adoption of the  
29 last reexamination report.

30 b. The extent to which such problems and objectives have been  
31 reduced or have increased subsequent to such date.

32 c. The extent to which there have been significant changes in  
33 the assumptions, policies, and objectives forming the basis for the  
34 master plan or development regulations as last revised, with  
35 particular regard to the density and distribution of population and  
36 land uses, housing conditions, circulation, conservation of natural  
37 resources, energy conservation, collection, disposition, and  
38 recycling of designated recyclable materials, and changes in State,  
39 county and municipal policies and objectives.

40 d. The specific changes recommended for the master plan or  
41 development regulations, if any, including underlying objectives,  
42 policies and standards, or whether a new plan or regulations should  
43 be prepared.

44 e. The recommendations of the planning board concerning the  
45 incorporation of redevelopment plans adopted pursuant to the  
46 "Local Redevelopment and Housing Law," P.L.1992,  
47 c.79 (C.40A:12A-1 et al.) into the land use plan element of the  
48 municipal master plan, and recommended changes, if any, in the

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1 local development regulations necessary to effectuate the  
2 redevelopment plans of the municipality.

3 (cf: P.L.2011, c.65, s.1)

4

5 7. Section 1 of P.L.1985, c.398 (C.52:18A-196) is amended to  
6 read as follows:

7 1. The Legislature finds and declares that:

8 a. New Jersey, the nation's most densely populated State,  
9 requires sound and integrated Statewide planning and the  
10 coordination of Statewide planning with local and regional planning  
11 in order to conserve its natural resources, revitalize its urban  
12 centers, protect the quality of its environment, preserve the vitality  
13 of federal military facilities, and provide needed housing and  
14 adequate public services at a reasonable cost while promoting  
15 beneficial economic growth, development and renewal;

16 b. Significant economies, efficiencies and savings in the  
17 development process would be realized by private sector enterprise  
18 and by public sector development agencies if the several levels of  
19 government would cooperate in the preparation of and adherence to  
20 sound and integrated plans;

21 c. It is of urgent importance that the State Development Guide  
22 Plan be replaced by a State Development and Redevelopment Plan  
23 designed for use as a tool for assessing suitable locations for  
24 infrastructure, housing, economic growth and conservation;

25 d. It is in the public interest to encourage development,  
26 redevelopment and economic growth in locations that are well  
27 situated with respect to present or anticipated public services and  
28 facilities, giving appropriate priority to the redevelopment, repair,  
29 rehabilitation or replacement of existing facilities, and to discourage  
30 development where it may: impair or destroy natural resources or  
31 environmental qualities that are vital to the health and well-being of  
32 the present and future citizens of this State, or impair the viability  
33 of federal military facilities;

34 e. A cooperative planning process that involves the full  
35 participation of State, regional, county and local governments as  
36 well as representatives of federal military facilities and of other  
37 public and private sector interests will enhance prudent and rational  
38 development, redevelopment and conservation policies and the  
39 formulation of sound and consistent regional plans and planning  
40 criteria;

41 f. Since the overwhelming majority of New Jersey land use  
42 planning and development review occurs at the local level, it is  
43 important to provide local governments in this State with the  
44 technical resources and guidance necessary to assist them in  
45 developing land use plans and procedures which are based on sound  
46 planning information and practice, to assist local governments  
47 participating in a Department of Defense Joint Land Use Study, and  
48 to facilitate the development of local plans and Joint Land Use

1 Studies which are consistent with State and regional plans and  
2 programs and the needs of nearby military facilities;

3 g. An increasing concentration of the poor and minorities in  
4 older urban areas jeopardizes the future well-being of this State, and  
5 a sound and comprehensive planning process will facilitate the  
6 provision of equal social and economic opportunity so that all of  
7 New Jersey's citizens can benefit from growth, development and  
8 redevelopment;

9 h. An adequate response to judicial mandates respecting  
10 housing for low- and moderate-income persons requires sound  
11 planning to prevent sprawl and to promote suitable use of land;

12 **[and]**

13 i. Reductions in personnel and mission activities at military  
14 facilities have a direct, detrimental effect on this State. The  
15 Department of Defense considers the encroachment of civilian  
16 development upon a military facility when determining the future  
17 viability of the facility. Collaborative planning between military  
18 facility commanders and State, regional, county, and municipal  
19 officials can help protect an installation's military mission, as well  
20 as the public health, safety, quality of life, and economic stability of  
21 the civilian community; and

22 j. These purposes can be best achieved through the  
23 establishment of a State planning commission consisting of  
24 representatives from the executive and legislative branches of State  
25 government, local government, the general public and the planning  
26 community.

27 (cf: P.L.2004, c.120, s.63)

28

29 8. Section 4 of P.L.1985, c.398 (C.52:18A-199) is amended to  
30 read as follows:

31 4. The commission shall:

32 a. Prepare and adopt within 36 months after the enactment of  
33 P.L.1985, c.398 (C.52:18A-196 et al.), and revise and readopt at  
34 least every three years thereafter, the State Development and  
35 Redevelopment Plan, which shall provide a coordinated, integrated  
36 and comprehensive plan for the growth, development, renewal and  
37 conservation of the State and its regions and which shall identify  
38 areas for growth, agriculture, open space conservation and other  
39 appropriate designations;

40 b. Prepare and adopt as part of the plan a long-term  
41 Infrastructure Needs Assessment, which shall provide information  
42 on present and prospective conditions, needs and costs with regard  
43 to State, county and municipal capital facilities, including water,  
44 sewerage, transportation, solid waste, drainage, flood protection,  
45 shore protection and related capital facilities;

46 c. Develop and promote procedures to facilitate cooperation  
47 and coordination among federal agencies, State agencies, regional  
48 entities, and local governments with regard to the development of



- 1 plans, programs and policies which affect land use, environmental,  
2 capital and economic development issues;
- 3 d. Provide technical assistance to local governments and  
4 regional entities in order to encourage the use of the most effective  
5 and efficient planning and development review data, tools and  
6 procedures;
- 7 e. Periodically review federal, State, regional, and local  
8 government planning procedures and relationships and recommend  
9 to the Governor and the Legislature administrative or legislative  
10 action to promote a more efficient and effective planning process;
- 11 f. Review any bill introduced in either house of the Legislature  
12 which appropriates funds for a capital project and may study the  
13 necessity, desirability and relative priority of the appropriation by  
14 reference to the State Development and Redevelopment Plan, and  
15 may make recommendations to the Legislature and to the Governor  
16 concerning the bill; **[and]**
- 17 g. Encourage military facility commanders and representatives  
18 of counties, municipalities, and of State and regional entities to  
19 maintain open lines of communication and to engage in long-term,  
20 strategic planning, including but not limited to Joint Land Use  
21 Studies, and to facilitate joint planning efforts; and
- 22 h. Take all actions necessary and proper to carry out the  
23 provisions of P.L.1985, c.398 (C.52:18A-196 et al.).  
24 (cf: P.L.2004, c.120, s.64)  
25
- 26 9. Section 6 of P.L.1985, c.398 (C.52:18A-201) is amended to  
27 read as follows:
- 28 6. a. There is established in the Department of the Treasury the  
29 Office of State Planning, which was renamed as the “Office of  
30 Planning Advocacy,” and transferred to the Department of State  
31 pursuant to Governor Christie’s Reorganization Plan No. 002-2011,  
32 effective August 28, 2011. The director of the office shall be  
33 appointed by and serve at the pleasure of the Governor. The  
34 director shall supervise and direct the activities of the office and  
35 shall serve as the secretary and principal executive officer of the  
36 State Planning Commission.
- 37 b. The Office of **[State Planning]** Planning Advocacy shall  
38 assist the commission in the performance of its duties and shall:
- 39 (1) Publish an annual report on the status of the State  
40 Development and Redevelopment Plan which shall describe the  
41 progress towards achieving the goals of the plan, the degree of  
42 consistency achieved among municipal, county, regional, and State  
43 plans, and plans of military facilities, the capital needs of the State,  
44 and progress towards providing housing where such need is  
45 indicated;
- 46 (2) Provide planning service to other agencies or  
47 instrumentalities of State government, review the plans prepared by

1 them, and coordinate planning to avoid or mitigate conflicts  
2 between plans;

3 (3) Provide advice and assistance to regional, county and local  
4 planning units;

5 (4) Review and comment on the plans of interstate agencies  
6 where the plans affect this State;

7 (5) Compile quantitative current estimates and Statewide  
8 forecasts for population, employment, housing and land needs for  
9 development and redevelopment; and

10 (6) Prepare and submit to the State Planning Commission, as an  
11 aid in the preparation of the State Development and Redevelopment  
12 Plan, alternate growth and development strategies which are likely  
13 to produce favorable economic, environmental and social results.

14 c. The director shall ensure that the responsibilities and duties  
15 of the commission are fulfilled, and shall represent the commission  
16 and promote its activities before government agencies, public and  
17 private interest groups and the general public, and shall undertake  
18 or direct such other activities as the commission shall direct or as  
19 may be necessary to carry out the purposes of P.L.1985,  
20 c.398 (C.52:18A-196 et al.).

21 d. With the consent of the commission, the director shall assign  
22 to the commission from the staff of the office at least two full-time  
23 planners, a full-time liaison to local and county governments and  
24 regional entities, and such other staff, clerical, stenographic and  
25 expert assistance as the director shall deem necessary for the  
26 fulfillment of the commission's responsibilities and duties.

27 e. The Office of Planning Advocacy shall assist the Military  
28 and Defense Economic Ombudsman in the performance of his  
29 duties and the director shall assign to the Military and Defense  
30 Economic Ombudsman, from the staff of the office, at least one  
31 full-time planner, a full-time liaison to local governments and  
32 regional and State entities, and such other staff, clerical,  
33 stenographic, and expert assistance as the director shall deem  
34 necessary for the fulfillment of the ombudsman's responsibilities  
35 and duties.

36 (cf: P.L.2004, c.120, s.66)

37

38 10. Section 5 of P.L.2005, c.41 (C.52:18A-201.1) is amended to  
39 read as follows:

40 5. a. As used in this section:

41 "Military and Defense Economic Ombudsman" means the  
42 Military and Defense Economic Ombudsman in the Department of  
43 State established pursuant to section 2 of P.L. \_\_\_\_\_,  
44 c. (C. ) (pending before the Legislature as Assembly Bill No. of  
45 2015).

46 "military facility" means any facility located within the State  
47 which is owned or operated by the federal government, and which is  
48 used for the purposes of providing logistical, technical, material,

1 training, and any other support to any branch of the United States  
2 military; and

3 "military facility commander" means the chief official, base  
4 commander or person in charge at a military facility.

5 b. (1) Whenever any State department, office, agency,  
6 authority, or commission proposes a plan that would impact the use  
7 of land within 3,000 feet in all directions of any military facility, it  
8 shall notify the Director of the Office of **State Planning in the**  
9 **Department of Community Affairs】 Planning Advocacy** prior to  
10 finalizing its plan. The director shall contact the Military and  
11 Defense Economic Ombudsman and the appropriate military facility  
12 commander in order to solicit comments addressing any land use  
13 compatibility issues which may be of concern to the military and  
14 shall forward those comments to the appropriate State department,  
15 office, agency, authority, or commission. The State department,  
16 office, agency, authority, or commission shall not finalize its plan  
17 until it has reviewed any comments submitted by the military  
18 facility commander on its proposed plan.

19 (2) Whenever the Office of Planning Advocacy receives a notice  
20 under the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1  
21 et seq.) that would impact the use of land within 3,000 feet of any  
22 military facility, the director shall notify the Military and Defense  
23 Economic Ombudsman.

24 c. The Adjutant General of the Department of Military and  
25 Veterans' Affairs shall, within 30 days of the effective date of  
26 P.L.2005, c.41 (C.40:55D-12.4 et al.), forward a list of military  
27 facilities to the Director of the Office of State Planning. The  
28 director shall circulate the list to each State department, office,  
29 agency, authority or commission.

30 d. The Director of the Office of State Planning, upon receiving  
31 the list of military facilities from the Adjutant General, shall  
32 forthwith notify those municipalities and State departments, offices,  
33 agencies, authorities and commissions of the requirements of this  
34 section.

35 (cf: P.L.2005, c.41, s.5)

36

37 11. (New section) a. The Military and Defense Economic  
38 Ombudsman shall develop and maintain relationships with  
39 commanders of military installations located within the State and  
40 with the Office of Economic Adjustment in the Department of  
41 Defense for the purpose of reducing potential land use conflicts  
42 between military installations, the State, and regional, county and  
43 local planning units.

44 b. The Military and Defense Economic Ombudsman shall  
45 encourage military installation commanders and representatives of  
46 counties, municipalities, and of State and regional entities to  
47 maintain open lines of communication, engage in long-term,

1 strategic planning, including but not limited to Joint Land Use  
2 Studies, and facilitate joint planning efforts.

3

4 12. This act shall take effect immediately but sections 9 through  
5 11 shall remain inoperative until the date of enactment of P.L. ,  
6 c. (pending before the Legislature as Assembly Bill No. 4723 of  
7 2015).

8

9

10 STATEMENT

11

12 This bill implements recommendations set forth in the New  
13 Jersey Military Installation Growth and Development Task Force  
14 Report concerning land use planning in order to minimize civilian  
15 encroachment upon military installations, protect against the closure  
16 of military installations and mission loss, and encourage the  
17 development of compatible uses of land nearby military  
18 installations. The bill adds language to that effect to the stated  
19 purposes of the Municipal Land Use Law (MLUL) and the State  
20 Planning Act.

21 The bill bolsters notice provisions contained in the MLUL and  
22 the State Planning Act to enhance the exchange of information  
23 between military installations and local governments, the Military  
24 and Defense Economic Ombudsman in the Department of State, and  
25 the Office of Planning Advocacy in the Department of State. The  
26 bill contains a provision requiring the land use plan element of  
27 municipal master plans to show existing and proposed locations of  
28 military facilities and to incorporate strategies to minimize undue  
29 encroachment upon military installations and conflicts between  
30 civilian land uses and military land uses.

31 The bill would require the Military and Defense Economic  
32 Ombudsman in the Department of State to encourage military  
33 installation commanders and representatives of counties,  
34 municipalities, and of State and regional entities to maintain open  
35 lines of communication and to engage in long-term, strategic  
36 planning, including but not limited to Joint Land Use Studies, and  
37 to facilitate joint planning efforts. The bill directs the ombudsman  
38 to develop and maintain relationships with commanders of military  
39 installations located within the State and with the Office of  
40 Economic Adjustment in the Department of Defense for the purpose  
41 of reducing potential land use conflicts between military  
42 installations, the State, and regional, county and local planning  
43 units.

SENATE MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO

**SENATE, No. 1992**

**STATE OF NEW JERSEY**

DATED: MAY 5, 2016

The Senate Military and Veterans Affairs Committee reports favorably Senate Bill No. 1992.

This bill implements recommendations set forth in the New Jersey Military Installation Growth and Development Task Force Report concerning land use planning in order to minimize civilian encroachment upon military installations, protect against the closure of military installations and mission loss, and encourage the development of compatible uses of land nearby military installations. The bill adds language to that effect to the stated purposes of the Municipal Land Use Law (MLUL) and the State Planning Act.

The bill bolsters notice provisions contained in the MLUL and the State Planning Act to enhance the exchange of information between military installations and local governments, the Military and Defense Economic Ombudsman in the Department of State, and the Office of Planning Advocacy in the Department of State. The bill contains a provision requiring the land use plan element of municipal master plans to show existing and proposed locations of military facilities and to incorporate strategies to minimize undue encroachment upon military installations and conflicts between civilian land uses and military land uses.

The bill would require the Military and Defense Economic Ombudsman in the Department of State to encourage military installation commanders and representatives of counties, municipalities, and of State and regional entities to maintain open lines of communication and to engage in long-term, strategic planning, including but not limited to Joint Land Use Studies, and to facilitate joint planning efforts. The bill directs the ombudsman to develop and maintain relationships with commanders of military installations located within the State and with the Office of Economic Adjustment in the Department of Defense for the purpose of reducing potential land use conflicts between military installations, the State, and regional, county and local planning units.

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 1992**  
**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

DATED: JUNE 7, 2016

**SUMMARY**

- Synopsis:** Facilitates coordination of land use planning between civilian military interests to preserve viability of federal military installations within State.
- Type of Impact:** Indeterminate increase in municipal costs.
- Agencies Affected:** Office of Planning Advocacy (State), Military and Defense Economic Ombudsman (State), and municipalities

**Office of Legislative Services Estimate**

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
<b>Municipal Cost</b>	Indeterminate Increase – See comments below		

- The enactment of Senate Bill No. 1992 will result in an indeterminate increase in municipal costs associated with the preparation of municipal master plans and new notice requirements established by the bill.
- Any increase in costs may be offset by administrative fees charged by municipal planning and zoning boards. These fees must be reasonable and established by ordinance.
- There are no State costs associated with implementation of the bill because separate legislation establishing a Military and Defense Economic Ombudsman has not been enacted into law.

**BILL DESCRIPTION**

Senate Bill No. 1992 of 2016 implements recommendations set forth in the New Jersey Military Installation Growth and Development Task Force Report concerning land use planning in order to minimize civilian encroachment upon military installations, protect against the closure of military installations and mission loss, and encourage the development of compatible uses of land nearby military installations. The bill adds language to that effect to the stated purposes of the “Municipal Land Use Law,” (MLUL) P.L.1975, c.291 (C.40:55D-1 et seq.) and the “State Planning Act,” P.L.1985, c.398 (C.52:18A-196 et seq.).



The bill bolsters notice provisions contained in the MLUL and the State Planning Act to enhance the exchange of information among military installations and local governments, the Military and Defense Economic Ombudsman in the Department of State, and the Office of Planning Advocacy in the Department of State. The bill contains a provision requiring the land use plan element of municipal master plans to show existing and proposed locations of military facilities and to incorporate strategies to minimize undue encroachment upon military installations and conflicts between civilian land uses and military land uses.

The bill would require the Military and Defense Economic Ombudsman in the Department of State to encourage military installation commanders and representatives of counties, municipalities, and State and regional entities to maintain open lines of communication and to engage in long-term strategic planning, including but not limited to Joint Land Use Studies, and to facilitate joint planning efforts. The bill directs the ombudsman to develop and maintain relationships with the commanders of military installations located within the State and with the Office of Economic Adjustment in the Department of Defense for the purpose of reducing potential land use conflicts between military installations, the State, and regional, county, and local planning units.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services estimates that the enactment of Senate Bill No. 1992 will result in an indeterminate increase in municipal costs. Municipalities will incur additional costs associated with the preparation of the municipal master plan and new notice requirements established by the bill. For example, the bill requires the municipal clerk to provide notice of a hearing on certain amendments to the zoning ordinance to the Office of Planning Advocacy in the Department of State. Municipalities are permitted to charge fees to support administrative costs associated with the MLUL. These fee revenues may offset any additional costs resulting from implementation of the bill.

Although the bill requires the Office of Planning Advocacy to provide staff and assistance to the Military and Defense Economic Ombudsman, the OLS notes that legislation creating that position has not been enacted into law. Accordingly, there are no State costs associated with the enactment of this legislation.

*Section: Local Government*

*Analyst: Scott A. Brodsky  
Senior Fiscal Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# ASSEMBLY, No. 2518

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 4, 2016

**Sponsored by:**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblywoman CLEOPATRA G. TUCKER**

**District 28 (Essex)**

**Assemblyman BOB ANDRZEJCZAK**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblyman R. BRUCE LAND**

**District 1 (Atlantic, Cape May and Cumberland)**

**Co-Sponsored by:**

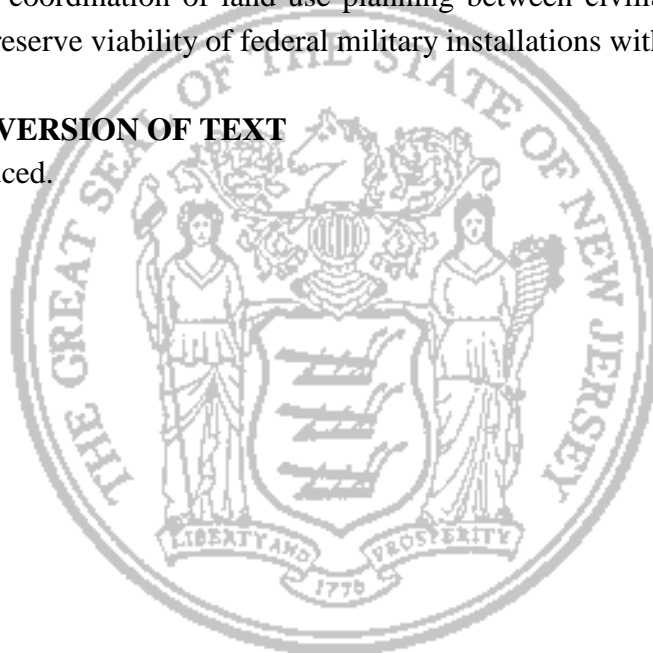
**Assemblywomen Lampitt and Mosquera**

**SYNOPSIS**

Facilitates coordination of land use planning between civilian and military interests to preserve viability of federal military installations within State.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/17/2016)**



1 AN ACT concerning land use planning nearby military installations,  
2 amending various parts of the statutory law and supplementing  
3 title 52 of the Revised Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

- 7  
8 1. Section 2 of P.L.1975, c.291 (C.40:55D-2) is amended to  
9 read as follows:
- 10 2. Purpose of the act. It is the intent and purpose of this act:
- 11 a. To encourage municipal action to guide the appropriate use  
12 or development of all lands in this State, in a manner which will  
13 promote the public health, safety, morals, and general welfare;
- 14 b. To secure safety from fire, flood, panic and other natural and  
15 man-made disasters;
- 16 c. To provide adequate light, air and open space;
- 17 d. To ensure that the development of individual municipalities  
18 does not conflict with the development and general welfare of  
19 neighboring municipalities, the county and the State as a whole;
- 20 e. To promote the establishment of appropriate population  
21 densities and concentrations that will contribute to the well-being of  
22 persons, neighborhoods, communities and regions and preservation  
23 of the environment;
- 24 f. To encourage the appropriate and efficient expenditure of  
25 public funds by the coordination of public development with land  
26 use policies;
- 27 g. To provide sufficient space in appropriate locations for a  
28 variety of agricultural, residential, recreational, commercial and  
29 industrial uses and open space, both public and private, according to  
30 their respective environmental requirements in order to meet the  
31 needs of all New Jersey citizens;
- 32 h. To encourage the location and design of transportation  
33 routes which will promote the free flow of traffic while  
34 discouraging location of such facilities and routes which result in  
35 congestion or blight;
- 36 i. To promote a desirable visual environment through creative  
37 development techniques and good civic design and arrangement;
- 38 j. To promote the conservation of historic sites and districts,  
39 open space, energy resources and valuable natural resources in the  
40 State and to prevent urban sprawl and degradation of the  
41 environment through improper use of land;
- 42 k. To encourage planned unit developments which incorporate  
43 the best features of design and relate the type, design and layout of  
44 residential, commercial, industrial and recreational development to  
45 the particular site;

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 l. To encourage senior citizen community housing  
2 construction;
- 3 m. To encourage coordination of the various public and private  
4 procedures and activities shaping land development with a view of  
5 lessening the cost of such development and to the more efficient use  
6 of land;
- 7 n. To promote utilization of renewable energy resources;
- 8 o. To promote the maximum practicable recovery and recycling  
9 of recyclable materials from municipal solid waste through the use  
10 of planning practices designed to incorporate the State Recycling  
11 Plan goals and to complement municipal recycling programs; **[and]**
- 12 p. To enable municipalities the flexibility to offer alternatives  
13 to traditional development, through the use of equitable and  
14 effective planning tools including clustering, transferring  
15 development rights, and lot-size averaging in order to concentrate  
16 development in areas where growth can best be accommodated and  
17 maximized while preserving agricultural lands, open space, and  
18 historic sites; and
- 19 q. To ensure that the development of individual municipalities  
20 does not unnecessarily encroach upon military facilities or  
21 negatively impact the operation of military facilities, and to those  
22 ends, to encourage municipalities to collaborate with military  
23 facility commanders in planning and implementing appropriate land  
24 use controls, thereby improving the vitality of military facilities and  
25 protecting against their loss through the Base Realignment and  
26 Closure process or mission loss.  
27 (cf: P.L.2013, c.106, s.1)

28  
29 2. Section 3.2 of P.L.1975, c.291 (C.40:55D-5) is amended to  
30 read as follows:

31 3.2. "Maintenance guarantee" means any security which may be  
32 accepted by a municipality for the maintenance of any  
33 improvements required by this act, including but not limited to  
34 surety bonds, letters of credit under the circumstances specified in  
35 section 16 of P.L.1991, c.256 (C.40:55D-53.5), and cash.

36 "Major subdivision" means any subdivision not classified as a  
37 minor subdivision.

38 "Master plan" means a composite of one or more written or  
39 graphic proposals for the development of the municipality as set  
40 forth in and adopted pursuant to section 19 of P.L.1975, c.291  
41 (C.40:55D-28).

42 "Mayor" means the chief executive of the municipality, whatever  
43 his official designation may be, except that in the case of  
44 municipalities governed by municipal council and municipal  
45 manager the term "mayor" shall not mean the "municipal manager"  
46 but shall mean the mayor of such municipality.

47 "Military facility" means any facility located within the State  
48 which is owned or operated by the federal government, and which is

1 used for the purposes of providing logistical, technical, material,  
2 training, and any other support to any branch of the United States  
3 military.

4 "Military facility commander" means the chief official, base  
5 commander or person in charge at a military facility.

6 "Minor site plan" means a development plan of one or more lots  
7 which (1) proposes new development within the scope of  
8 development specifically permitted by ordinance as a minor site  
9 plan; (2) does not involve planned development, any new street or  
10 extension of any off-tract improvement which is to be prorated  
11 pursuant to section 30 of P.L.1975, c.291 (C.40:55D-42); and (3)  
12 contains the information reasonably required in order to make an  
13 informed determination as to whether the requirements established  
14 by ordinance for approval of a minor site plan have been met.

15 "Minor subdivision" means a subdivision of land for the creation  
16 of a number of lots specifically permitted by ordinance as a minor  
17 subdivision; provided that such subdivision does not involve (1) a  
18 planned development, (2) any new street or (3) the extension of any  
19 off-tract improvement, the cost of which is to be prorated pursuant  
20 to section 30 of P.L.1975, c.291 (C.40:55D-42).

21 "Municipality" means any city, borough, town, township or  
22 village.

23 "Municipal agency" means a municipal planning board or board  
24 of adjustment, or a governing body of a municipality when acting  
25 pursuant to this act and any agency which is created by or  
26 responsible to one or more municipalities when such agency is  
27 acting pursuant to this act.

28 "Municipal resident" means a person who is domiciled in the  
29 municipality.

30 "Nonconforming lot" means a lot, the area, dimension or location  
31 of which was lawful prior to the adoption, revision or amendment of  
32 a zoning ordinance, but fails to conform to the requirements of the  
33 zoning district in which it is located by reason of such adoption,  
34 revision or amendment.

35 "Nonconforming structure" means a structure the size, dimension  
36 or location of which was lawful prior to the adoption, revision or  
37 amendment of a zoning ordinance, but which fails to conform to the  
38 requirements of the zoning district in which it is located by reasons  
39 of such adoption, revision or amendment.

40 "Nonconforming use" means a use or activity which was lawful  
41 prior to the adoption, revision or amendment of a zoning ordinance,  
42 but which fails to conform to the requirements of the zoning district  
43 in which it is located by reasons of such adoption, revision or  
44 amendment.

45 "Noncontiguous cluster" means noncontiguous areas to be  
46 developed as a single entity according to a plan containing an area,  
47 or a section or sections thereof, to be developed for residential  
48 purposes, nonresidential purposes, or a combination thereof, at a

1 greater concentration of density or intensity of land use than  
2 authorized within the area, section, or sections, under conventional  
3 development, in exchange for the permanent preservation of another  
4 area, or a section or sections thereof, as common or public open  
5 space, or for historic or agricultural purposes, or a combination  
6 thereof.

7 "Office for Planning Advocacy" or "Office of Smart Growth"  
8 means the Office of State Planning established pursuant to section 6  
9 of P.L.1985, c.398 (C.52:18A-201) and transferred to the  
10 Department of State pursuant to Governor Christie's Reorganization  
11 Plan No. 002-2011, effective August 28, 2011.

12 "Official county map" means the map, with changes and  
13 additions thereto, adopted and established, from time to time, by  
14 resolution of the board of chosen freeholders of the county pursuant  
15 to R.S.40:27-5.

16 "Official map" means a map adopted by ordinance pursuant to  
17 article 5 of P.L.1975, c.291.

18 "Offsite" means located outside the lot lines of the lot in question  
19 but within the property, of which the lot is a part, which is the  
20 subject of a development application or the closest half of the street  
21 or right-of-way abutting the property of which the lot is a part.

22 "Off-tract" means not located on the property which is the  
23 subject of a development application nor on the closest half of the  
24 abutting street or right-of-way.

25 "Onsite" means located on the lot in question and excluding any  
26 abutting street or right-of-way.

27 "On-tract" means located on the property which is the subject of  
28 a development application or on the closest half of an abutting  
29 street or right-of-way.

30 "Open-space" means any parcel or area of land or water  
31 essentially unimproved and set aside, dedicated, designated or  
32 reserved for public or private use or enjoyment or for the use and  
33 enjoyment of owners and occupants of land adjoining or  
34 neighboring such open space; provided that such areas may be  
35 improved with only those buildings, structures, streets and offstreet  
36 parking and other improvements that are designed to be incidental  
37 to the natural openness of the land or support its use for recreation  
38 and conservation purposes.

39 (cf: P.L.2013, c.106, s.4)

40

41 3. Section 7.2 of P.L.1975, c.291 (C.40:55D-13) is amended to  
42 read as follows:

43 7.2. Notice concerning master plan. The planning board shall  
44 give:

45 (1) Public notice of a hearing on adoption, revision or  
46 amendment of the master plan; such notice shall be given by  
47 publication in the official newspaper of the municipality, if there be

1 one, or in a newspaper of general circulation in the municipality at  
2 least 10 days prior to the date of the hearing;

3 (2) Notice by personal service or certified mail to the clerk of an  
4 adjoining municipality of all hearings on adoption, revision or  
5 amendment of a master plan involving property situated within 200  
6 feet of such adjoining municipality at least 10 days prior to the date  
7 of any such hearing;

8 (3) Notice by personal service or certified mail to the Office for  
9 Planning Advocacy and to the county planning board in which the  
10 municipality is situated, of (a) all hearings on the adoption, revision  
11 or amendment of the municipal master plan at least 10 days prior to  
12 the date of the hearing; such notice shall include a copy of any such  
13 proposed master plan, or any revision or amendment thereto; and  
14 (b) the adoption, revision or amendment of the master plan not more  
15 than 30 days after the date of such adoption, revision or  
16 amendment; such notice shall include a copy of the master plan or  
17 revision or amendment thereto;

18 (4) Notice by personal service or certified mail to the military  
19 facility commander of a military facility which has registered with  
20 the municipality pursuant to section 1 of P.L.2005, c.41 (C.40:55D-  
21 12.4) of (a) all hearings on the adoption, revision, or amendment of  
22 the municipal master plan at least 10 days prior to the date of the  
23 hearing; such notice shall include a copy of any such proposed  
24 master plan, or any revision or amendment thereto; and (b) the  
25 adoption, revision, or amendment of the master plan not more than  
26 30 days after the date of such adoption, revision, or amendment;  
27 such notice shall include a copy of the master plan or revision or  
28 amendment thereto.

29 (cf: P.L.1975, c.291, s.7.2)

30

31 4. Section 19 of P.L.1975, c.291 (C.40:55D-28) is amended to  
32 read as follows:

33 19. Preparation; contents; modification.

34 a. The planning board may prepare and, after public hearing,  
35 adopt or amend a master plan or component parts thereof, to guide  
36 the use of lands within the municipality in a manner which protects  
37 public health and safety and promotes the general welfare.

38 b. The master plan shall generally comprise a report or  
39 statement and land use and development proposals, with maps,  
40 diagrams and text, presenting, at least the following elements (1)  
41 and (2) and, where appropriate, the following elements (3) through  
42 (16):

43 (1) A statement of objectives, principles, assumptions, policies  
44 and standards upon which the constituent proposals for the physical,  
45 economic and social development of the municipality are based;

46 (2) A land use plan element

47 (a) taking into account and stating its relationship to the  
48 statement provided for in paragraph (1) hereof, and other master

1 plan elements provided for in paragraphs (3) through (14) hereof  
2 and natural conditions, including, but not necessarily limited to,  
3 topography, soil conditions, water supply, drainage, flood plain  
4 areas, marshes, and woodlands;

5 (b) showing the existing and proposed location, extent and  
6 intensity of development of land to be used in the future for varying  
7 types of residential, commercial, industrial, agricultural,  
8 recreational, open space, educational and other public and private  
9 purposes or combination of purposes including any provisions for  
10 cluster development; and stating the relationship thereof to the  
11 existing and any proposed zone plan and zoning ordinance; **[and]**

12 (c) showing the existing and proposed location of any airports  
13 and the boundaries of any airport safety zones delineated pursuant  
14 to the "Air Safety and Zoning Act of 1983," P.L.1983, c.260 (C.6:1-  
15 80 et al.); **[and]**

16 (d) including a statement of the standards of population density  
17 and development intensity recommended for the municipality; and

18 (e) showing the existing and proposed location of military  
19 facilities and incorporating strategies to minimize undue  
20 encroachment upon, and conflicts with, military facilities, including  
21 but not limited to: limiting heights of buildings and structures  
22 nearby flight paths or sight lines of aircraft; buffering residential  
23 areas from noise associated with a military facility; and allowing for  
24 the potential expansion of military facilities;

25 (3) A housing plan element pursuant to section 10 of P.L.1985,  
26 c.222 (C.52:27D-310), including, but not limited to, residential  
27 standards and proposals for the construction and improvement of  
28 housing;

29 (4) A circulation plan element showing the location and types of  
30 facilities for all modes of transportation required for the efficient  
31 movement of people and goods into, about, and through the  
32 municipality, taking into account the functional highway  
33 classification system of the Federal Highway Administration and  
34 the types, locations, conditions and availability of existing and  
35 proposed transportation facilities, including air, water, road and rail;

36 (5) A utility service plan element analyzing the need for and  
37 showing the future general location of water supply and distribution  
38 facilities, drainage and flood control facilities, sewerage and waste  
39 treatment, solid waste disposal and provision for other related  
40 utilities, and including any storm water management plan required  
41 pursuant to the provisions of P.L.1981, c.32 (C.40:55D-93 et al.). If  
42 a municipality prepares a utility service plan element as a condition  
43 for adopting a development transfer ordinance pursuant to  
44 subsection c. of section 4 of P.L.2004, c.2 (C.40:55D-140), the plan  
45 element shall address the provision of utilities in the receiving zone  
46 as provided thereunder;

47 (6) A community facilities plan element showing the existing  
48 and proposed location and type of educational or cultural facilities,

1 historic sites, libraries, hospitals, firehouses, police stations and  
2 other related facilities, including their relation to the surrounding  
3 areas;

4 (7) A recreation plan element showing a comprehensive system  
5 of areas and public sites for recreation;

6 (8) A conservation plan element providing for the preservation,  
7 conservation, and utilization of natural resources, including, to the  
8 extent appropriate, energy, open space, water supply, forests, soil,  
9 marshes, wetlands, harbors, rivers and other waters, fisheries,  
10 endangered or threatened species wildlife and other resources, and  
11 which systemically analyzes the impact of each other component  
12 and element of the master plan on the present and future  
13 preservation, conservation and utilization of those resources;

14 (9) An economic plan element considering all aspects of  
15 economic development and sustained economic vitality, including  
16 (a) a comparison of the types of employment expected to be  
17 provided by the economic development to be promoted with the  
18 characteristics of the labor pool resident in the municipality and  
19 nearby areas and (b) an analysis of the stability and diversity of the  
20 economic development to be promoted;

21 (10) An historic preservation plan element: (a) indicating the  
22 location and significance of historic sites and historic districts; (b)  
23 identifying the standards used to assess worthiness for historic site  
24 or district identification; and (c) analyzing the impact of each  
25 component and element of the master plan on the preservation of  
26 historic sites and districts;

27 (11) Appendices or separate reports containing the technical  
28 foundation for the master plan and its constituent elements;

29 (12) A recycling plan element which incorporates the State  
30 Recycling Plan goals, including provisions for the collection,  
31 disposition and recycling of recyclable materials designated in the  
32 municipal recycling ordinance, and for the collection, disposition  
33 and recycling of recyclable materials within any development  
34 proposal for the construction of 50 or more units of single-family  
35 residential housing or 25 or more units of multi-family residential  
36 housing and any commercial or industrial development proposal for  
37 the utilization of 1,000 square feet or more of land;

38 (13) A farmland preservation plan element, which shall include:  
39 an inventory of farm properties and a map illustrating significant  
40 areas of agricultural land; a statement showing that municipal  
41 ordinances support and promote agriculture as a business; and a  
42 plan for preserving as much farmland as possible in the short term  
43 by leveraging moneys made available by P.L.1999, c.152 (C.13:8C-  
44 1 et al.) through a variety of mechanisms including, but not limited  
45 to, utilizing option agreements, installment purchases, and  
46 encouraging donations of permanent development easements;

47 (14) A development transfer plan element which sets forth the  
48 public purposes, the locations of sending and receiving zones and

1 the technical details of a development transfer program based on the  
2 provisions of section 5 of P.L.2004, c.2 (C.40:55D-141);

3 (15) An educational facilities plan element which incorporates  
4 the purposes and goals of the "long-range facilities plan" required to  
5 be submitted to the Commissioner of Education by a school district  
6 pursuant to section 4 of P.L.2000, c.72 (C.18A:7G-4);

7 (16) A green buildings and environmental sustainability plan  
8 element, which shall provide for, encourage, and promote the  
9 efficient use of natural resources and the installation and usage of  
10 renewable energy systems; consider the impact of buildings on the  
11 local, regional and global environment; allow ecosystems to  
12 function naturally; conserve and reuse water; treat storm water on-  
13 site; and optimize climatic conditions through site orientation and  
14 design.

15 c. The master plan and its plan elements may be divided into  
16 subplans and subplan elements projected according to periods of  
17 time or staging sequences.

18 d. The master plan shall include a specific policy statement  
19 indicating the relationship of the proposed development of the  
20 municipality, as developed in the master plan to (1) the master plans  
21 of contiguous municipalities, (2) the master plan of the county in  
22 which the municipality is located, (3) the State Development and  
23 Redevelopment Plan adopted pursuant to the "State Planning Act,"  
24 sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 et seq.)  
25 and (4) the district solid waste management plan required pursuant  
26 to the provisions of the "Solid Waste Management Act," P.L.1970,  
27 c.39 (C.13:1E-1 et seq.) of the county in which the municipality is  
28 located.

29 In the case of a municipality situated within the Highlands  
30 Region, as defined in section 3 of P.L.2004, c.120 (C.13:20-3), the  
31 master plan shall include a specific policy statement indicating the  
32 relationship of the proposed development of the municipality, as  
33 developed in the master plan, to the Highlands regional master plan  
34 adopted pursuant to section 8 of P.L.2004, c.120 (C.13:20-8).

35 (cf: P.L.2013, c.106, s.6)

36

37 5. Section 2 of P.L.1995, c.249 (C.40:55D-62.1) is amended to  
38 read as follows:

39 2. Notice of a hearing on an amendment to the zoning  
40 ordinance proposing a change to the classification or boundaries of  
41 a zoning district, exclusive of classification or boundary changes  
42 recommended in a periodic general reexamination of the master  
43 plan by the planning board pursuant to section 76 of P.L.1975,  
44 c.291 (C.40:55D-89), shall be given at least 10 days prior to the  
45 hearing by the municipal clerk to the owners of all real property as  
46 shown on the current tax duplicates, located, in the case of a  
47 classification change, within the district and within the State within  
48 200 feet in all directions of the boundaries of the district, and



1 located, in the case of a boundary change, in the State within 200  
2 feet in all directions of the proposed new boundaries of the district  
3 which is the subject of the hearing.

4 In addition, **【such】** the municipal clerk shall provide notice  
5 **【shall be provided】** of a hearing on an amendment to the zoning  
6 ordinance proposing a change to the classification or boundaries of  
7 a zoning district, exclusive of classification or boundary changes  
8 recommended in a periodic general reexamination of the master  
9 plan, to the Office for Planning Advocacy, and to any military  
10 facility commander who has registered with the municipality  
11 pursuant to section 1 of P.L.2005, c.41 (C.40:55D-12.4), **【if the**  
12 **military facility is situated within the district or within 3,000 feet of**  
13 **all directions of the boundaries of the district or located, in the case**  
14 **of a boundary change, in the State within 3,000 feet in all directions**  
15 **of the proposed new boundaries of the district which is the subject**  
16 **of the hearing】** at least 10 days prior to the hearing, by personal  
17 service or certified mail.

18 A notice pursuant to this section shall state the date, time and  
19 place of the hearing, the nature of the matter to be considered and  
20 an identification of the affected zoning districts and proposed  
21 boundary changes, if any, by street names, common names or other  
22 identifiable landmarks, and by reference to lot and block numbers  
23 as shown on the current tax duplicate in the municipal tax assessor's  
24 office.

25 Notice shall be given to a property owner by: (1) serving a copy  
26 thereof on the property owner as shown on the said current tax  
27 duplicate, or his agent in charge of the property, or (2) mailing a  
28 copy thereof by certified mail and regular mail to the property  
29 owner at his address as shown on the said current tax duplicate. **【In**  
30 **the case of a change involving a military facility situated within or**  
31 **in proximity to the district as provided herein, notice shall be given**  
32 **by serving a copy thereof on the military facility commander who**  
33 **has registered with the municipality pursuant to section 1 of**  
34 **P.L.2005, c.41 (C.40:55D-12.4) or mailing a copy by certified mail**  
35 **to the military facility commander at the address shown on the**  
36 **registration form.】**

37 Notice to a partnership owner may be made by service upon any  
38 partner. Notice to a corporate owner may be made by service upon  
39 its president, a vice president, secretary or other person authorized  
40 by appointment or by law to accept service on behalf of the  
41 corporation. Notice to a condominium association, horizontal  
42 property regime, community trust or homeowners' association,  
43 because of its ownership of common elements or areas located  
44 within 200 feet of the boundaries of the district which is the subject  
45 of the hearing, may be made in the same manner as to a corporation,  
46 in addition to notice to unit owners, co-owners, or homeowners on  
47 account of such common elements or areas.

1 The municipal clerk shall execute affidavits of proof of service  
2 of the notices required by this section, and shall keep the affidavits  
3 on file along with the proof of publication of the notice of the  
4 required public hearing on the proposed zoning ordinance change.  
5 Costs of the notice provision shall be the responsibility of the  
6 proponent of the amendment.  
7 (cf: P.L.2005, c.41, s.4)

8  
9 6. Section 76 of P.L.1975, c.291 (C.40:55D-89) is amended to  
10 read as follows:

11 76. Periodic examination. The governing body shall, at least  
12 every 10 years, provide for a general reexamination of its master  
13 plan and development regulations by the planning board, which  
14 shall prepare and adopt by resolution a report on the findings of  
15 such reexamination, a copy of which report and resolution shall be  
16 sent to the Office for Planning Advocacy and the county planning  
17 board. A notice that the report and resolution have been prepared  
18 shall be sent to any military facility commander who has registered  
19 with the municipality pursuant to section 1 of P.L.2005, c.41  
20 (C.40:55D-12.4) and to the municipal clerk of each adjoining  
21 municipality, who may **],** on behalf of the governing body of the  
22 municipality, **]** request a copy of the report and resolution on behalf  
23 of the military facility or municipality. A reexamination shall be  
24 completed at least once every 10 years from the previous  
25 reexamination.

26 The reexamination report shall state:

27 a. The major problems and objectives relating to land  
28 development in the municipality at the time of the adoption of the  
29 last reexamination report.

30 b. The extent to which such problems and objectives have been  
31 reduced or have increased subsequent to such date.

32 c. The extent to which there have been significant changes in  
33 the assumptions, policies, and objectives forming the basis for the  
34 master plan or development regulations as last revised, with  
35 particular regard to the density and distribution of population and  
36 land uses, housing conditions, circulation, conservation of natural  
37 resources, energy conservation, collection, disposition, and  
38 recycling of designated recyclable materials, and changes in State,  
39 county and municipal policies and objectives.

40 d. The specific changes recommended for the master plan or  
41 development regulations, if any, including underlying objectives,  
42 policies and standards, or whether a new plan or regulations should  
43 be prepared.

44 e. The recommendations of the planning board concerning the  
45 incorporation of redevelopment plans adopted pursuant to the  
46 "Local Redevelopment and Housing Law," P.L.1992, c.79  
47 (C.40A:12A-1 et al.) into the land use plan element of the municipal  
48 master plan, and recommended changes, if any, in the local

1 development regulations necessary to effectuate the redevelopment  
2 plans of the municipality.

3 (cf: P.L.2011, c.65, s.1)

4

5 7. Section 1 of P.L.1985, c.398 (C.52:18A-196) is amended to  
6 read as follows:

7 1. The Legislature finds and declares that:

8 a. New Jersey, the nation's most densely populated State,  
9 requires sound and integrated Statewide planning and the  
10 coordination of Statewide planning with local and regional planning  
11 in order to conserve its natural resources, revitalize its urban  
12 centers, protect the quality of its environment, preserve the vitality  
13 of federal military facilities, and provide needed housing and  
14 adequate public services at a reasonable cost while promoting  
15 beneficial economic growth, development and renewal;

16 b. Significant economies, efficiencies and savings in the  
17 development process would be realized by private sector enterprise  
18 and by public sector development agencies if the several levels of  
19 government would cooperate in the preparation of and adherence to  
20 sound and integrated plans;

21 c. It is of urgent importance that the State Development Guide  
22 Plan be replaced by a State Development and Redevelopment Plan  
23 designed for use as a tool for assessing suitable locations for  
24 infrastructure, housing, economic growth and conservation;

25 d. It is in the public interest to encourage development,  
26 redevelopment and economic growth in locations that are well  
27 situated with respect to present or anticipated public services and  
28 facilities, giving appropriate priority to the redevelopment, repair,  
29 rehabilitation or replacement of existing facilities, and to discourage  
30 development where it may: impair or destroy natural resources or  
31 environmental qualities that are vital to the health and well-being of  
32 the present and future citizens of this State, or impair the viability  
33 of federal military facilities;

34 e. A cooperative planning process that involves the full  
35 participation of State, regional, county and local governments as  
36 well as representatives of federal military facilities and of other  
37 public and private sector interests will enhance prudent and rational  
38 development, redevelopment and conservation policies and the  
39 formulation of sound and consistent regional plans and planning  
40 criteria;

41 f. Since the overwhelming majority of New Jersey land use  
42 planning and development review occurs at the local level, it is  
43 important to provide local governments in this State with the  
44 technical resources and guidance necessary to assist them in  
45 developing land use plans and procedures which are based on sound  
46 planning information and practice, to assist local governments  
47 participating in a Department of Defense Joint Land Use Study, and  
48 to facilitate the development of local plans and Joint Land Use

1 Studies which are consistent with State and regional plans and  
2 programs and the needs of nearby military facilities;

3 g. An increasing concentration of the poor and minorities in  
4 older urban areas jeopardizes the future well-being of this State, and  
5 a sound and comprehensive planning process will facilitate the  
6 provision of equal social and economic opportunity so that all of  
7 New Jersey's citizens can benefit from growth, development and  
8 redevelopment;

9 h. An adequate response to judicial mandates respecting  
10 housing for low- and moderate-income persons requires sound  
11 planning to prevent sprawl and to promote suitable use of land;

12 **[and]**

13 i. Reductions in personnel and mission activities at military  
14 facilities have a direct, detrimental effect on this State. The  
15 Department of Defense considers the encroachment of civilian  
16 development upon a military facility when determining the future  
17 viability of the facility. Collaborative planning between military  
18 facility commanders and State, regional, county, and municipal  
19 officials can help protect an installation's military mission, as well  
20 as the public health, safety, quality of life, and economic stability of  
21 the civilian community; and

22 j. These purposes can be best achieved through the  
23 establishment of a State planning commission consisting of  
24 representatives from the executive and legislative branches of State  
25 government, local government, the general public and the planning  
26 community.

27 (cf: P.L.2004, c.120, s.63)

28

29 8. Section 4 of P.L.1985, c.398 (C.52:18A-199) is amended to  
30 read as follows:

31 4. The commission shall:

32 a. Prepare and adopt within 36 months after the enactment of  
33 P.L.1985, c.398 (C.52:18A-196 et al.), and revise and readopt at  
34 least every three years thereafter, the State Development and  
35 Redevelopment Plan, which shall provide a coordinated, integrated  
36 and comprehensive plan for the growth, development, renewal and  
37 conservation of the State and its regions and which shall identify  
38 areas for growth, agriculture, open space conservation and other  
39 appropriate designations;

40 b. Prepare and adopt as part of the plan a long-term  
41 Infrastructure Needs Assessment, which shall provide information  
42 on present and prospective conditions, needs and costs with regard  
43 to State, county and municipal capital facilities, including water,  
44 sewerage, transportation, solid waste, drainage, flood protection,  
45 shore protection and related capital facilities;

46 c. Develop and promote procedures to facilitate cooperation  
47 and coordination among federal agencies, State agencies, regional  
48 entities, and local governments with regard to the development of

- 1 plans, programs and policies which affect land use, environmental,  
2 capital and economic development issues;
- 3 d. Provide technical assistance to local governments and  
4 regional entities in order to encourage the use of the most effective  
5 and efficient planning and development review data, tools and  
6 procedures;
- 7 e. Periodically review federal, State, regional, and local  
8 government planning procedures and relationships and recommend  
9 to the Governor and the Legislature administrative or legislative  
10 action to promote a more efficient and effective planning process;
- 11 f. Review any bill introduced in either house of the Legislature  
12 which appropriates funds for a capital project and may study the  
13 necessity, desirability and relative priority of the appropriation by  
14 reference to the State Development and Redevelopment Plan, and  
15 may make recommendations to the Legislature and to the Governor  
16 concerning the bill; **[and]**
- 17 g. Encourage military facility commanders and representatives  
18 of counties, municipalities, and of State and regional entities to  
19 maintain open lines of communication and to engage in long-term,  
20 strategic planning, including but not limited to Joint Land Use  
21 Studies, and to facilitate joint planning efforts; and
- 22 h. Take all actions necessary and proper to carry out the  
23 provisions of P.L.1985, c.398 (C.52:18A-196 et al.).  
24 (cf: P.L.2004, c.120, s.64)  
25
- 26 9. Section 6 of P.L.1985, c.398 (C.52:18A-201) is amended to  
27 read as follows:
- 28 6. a. There is established in the Department of the Treasury the  
29 Office of State Planning, which was renamed as the “Office for  
30 Planning Advocacy,” and transferred to the Department of State  
31 pursuant to Governor Christie’s Reorganization Plan No. 002-2011,  
32 effective August 28, 2011. The director of the office shall be  
33 appointed by and serve at the pleasure of the Governor. The  
34 director shall supervise and direct the activities of the office and  
35 shall serve as the secretary and principal executive officer of the  
36 State Planning Commission.
- 37 b. The Office **[of State Planning]** for Planning Advocacy shall  
38 assist the commission in the performance of its duties and shall:
- 39 (1) Publish an annual report on the status of the State  
40 Development and Redevelopment Plan which shall describe the  
41 progress towards achieving the goals of the plan, the degree of  
42 consistency achieved among municipal, county, regional, and State  
43 plans, and plans of military facilities, the capital needs of the State,  
44 and progress towards providing housing where such need is  
45 indicated;
- 46 (2) Provide planning service to other agencies or  
47 instrumentalities of State government, review the plans prepared by

1 them, and coordinate planning to avoid or mitigate conflicts  
2 between plans;

3 (3) Provide advice and assistance to regional, county and local  
4 planning units;

5 (4) Review and comment on the plans of interstate agencies  
6 where the plans affect this State;

7 (5) Compile quantitative current estimates and Statewide  
8 forecasts for population, employment, housing and land needs for  
9 development and redevelopment; and

10 (6) Prepare and submit to the State Planning Commission, as an  
11 aid in the preparation of the State Development and Redevelopment  
12 Plan, alternate growth and development strategies which are likely  
13 to produce favorable economic, environmental and social results.

14 c. The director shall ensure that the responsibilities and duties  
15 of the commission are fulfilled, and shall represent the commission  
16 and promote its activities before government agencies, public and  
17 private interest groups and the general public, and shall undertake  
18 or direct such other activities as the commission shall direct or as  
19 may be necessary to carry out the purposes of P.L.1985, c.398  
20 (C.52:18A-196 et al.).

21 d. With the consent of the commission, the director shall assign  
22 to the commission from the staff of the office at least two full-time  
23 planners, a full-time liaison to local and county governments and  
24 regional entities, and such other staff, clerical, stenographic and  
25 expert assistance as the director shall deem necessary for the  
26 fulfillment of the commission's responsibilities and duties.

27 e. The Office for Planning Advocacy shall assist the Military  
28 and Defense Economic Ombudsman in the performance of his  
29 duties and the director shall assign to the Military and Defense  
30 Economic Ombudsman staff as the director shall deem necessary  
31 for the fulfillment of the ombudsman's responsibilities and duties,  
32 so long as those additional assignments do not interfere with the  
33 performance of the existing duties of the Office for Planning  
34 Advocacy and the State Planning Commission.

35 (cf: P.L.2004, c.120, s.66)

36

37 10. Section 5 of P.L.2005, c.41 (C.52:18A-201.1) is amended to  
38 read as follows:

39 5. a. As used in this section:

40 "Military and Defense Economic Ombudsman" means the  
41 Military and Defense Economic Ombudsman in the Department of  
42 State established pursuant to section 2 of P.L. \_\_\_\_\_, c. \_\_\_\_\_ (C. \_\_\_\_\_)  
43 (pending before the Legislature as Assembly Bill No. \_\_\_\_\_ of 2016).

44 "military facility" means any facility located within the State  
45 which is owned or operated by the federal government, and which is  
46 used for the purposes of providing logistical, technical, material,  
47 training, and any other support to any branch of the United States  
48 military; and

1 "military facility commander" means the chief official, base  
2 commander or person in charge at a military facility.

3 b. (1) Whenever any State department, office, agency,  
4 authority, or commission proposes a plan that would impact the use  
5 of land within 3,000 feet in all directions of any military facility, it  
6 shall notify the Director of the Office [of State Planning in the  
7 Department of Community Affairs] for Planning Advocacy prior to  
8 finalizing its plan. The director shall contact the Military and  
9 Defense Economic Ombudsman and the appropriate military facility  
10 commander in order to solicit comments addressing any land use  
11 compatibility issues which may be of concern to the military and  
12 shall forward those comments to the appropriate State department,  
13 office, agency, authority, or commission. The State department,  
14 office, agency, authority, or commission shall not finalize its plan  
15 until it has reviewed any comments submitted by the military  
16 facility commander on its proposed plan.

17 (2) Whenever the Office for Planning Advocacy receives a  
18 notice under the "Municipal Land Use Law," P.L.1975, c.291  
19 (C.40:55D-1 et seq.) that would impact the use of land within 3,000  
20 feet of any military facility, the director shall notify the Military  
21 and Defense Economic Ombudsman.

22 c. The Adjutant General of the Department of Military and  
23 Veterans' Affairs shall, within 30 days of the effective date of  
24 P.L.2005, c.41 (C.40:55D-12.4 et al.), forward a list of military  
25 facilities to the Director of the Office of State Planning. The  
26 director shall circulate the list to each State department, office,  
27 agency, authority or commission.

28 d. The Director of the Office of State Planning, upon receiving  
29 the list of military facilities from the Adjutant General, shall  
30 forthwith notify those municipalities and State departments, offices,  
31 agencies, authorities and commissions of the requirements of this  
32 section.

33 (cf: P.L.2005, c.41, s.5)

34  
35 11. (New section) a. The Military and Defense Economic  
36 Ombudsman shall develop and maintain relationships with  
37 commanders of military installations located within the State and  
38 with the Office of Economic Adjustment in the Department of  
39 Defense for the purpose of reducing potential land use conflicts  
40 between military installations, the State, and regional, county and  
41 local planning units.

42 b. The Military and Defense Economic Ombudsman shall  
43 encourage military installation commanders and representatives of  
44 counties, municipalities, and of State and regional entities to  
45 maintain open lines of communication, engage in long-term,  
46 strategic planning, including but not limited to Joint Land Use  
47 Studies, and facilitate joint planning efforts.





ASSEMBLY MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO  
ASSEMBLY, No. 2518

**STATE OF NEW JERSEY**

DATED: MARCH 3, 2016

The Assembly Military and Veterans' Affairs Committee reports favorably Assembly, No. 2518.

This bill implements recommendations set forth in the New Jersey Military Installation Growth and Development Task Force Report concerning land use planning in order to minimize civilian encroachment upon military installations, protect against the closure of military installations and mission loss, and encourage the development of compatible uses of land nearby military installations. The bill adds language to that effect to the stated purposes of the Municipal Land Use Law (MLUL) and the State Planning Act.

The bill bolsters notice provisions contained in the MLUL and the State Planning Act to enhance the exchange of information between military installations and local governments, the Military and Defense Economic Ombudsman in the Department of State, and the Office for Planning Advocacy in the Department of State. The bill contains a provision requiring the land use plan element of municipal master plans to show existing and proposed locations of military facilities and to incorporate strategies to minimize undue encroachment upon military installations and conflicts between civilian land uses and military land uses.

The bill requires the Military and Defense Economic Ombudsman in the Department of State to encourage military installation commanders and representatives of counties, municipalities, and of State and regional entities to maintain open lines of communication and to engage in long-term, strategic planning, including but not limited to Joint Land Use Studies, and to facilitate joint planning efforts. The bill directs the ombudsman to develop and maintain relationships with commanders of military installations located within the State and with the Office of Economic Adjustment in the Department of Defense for the purpose of reducing potential land use conflicts between military installations, the State, and regional, county and local planning units.

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## Governor Chris Christie Takes Action On Pending Legislation

Monday, August 1, 2016

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**Trenton, NJ** – Governor Chris Christie announced action that has been taken on the following legislation:

### BILLS SIGNED:

**S-557/A-1613 (O'Toole, Ruiz/Rumana, Lagana, Russo, Gibling, Danielsen, Mukherji, Sumter, McKnight)** – "Madison Holleran Suicide Prevention Act"; requires institutions of higher education to have individuals who focus on reducing student suicides and attempted suicides available 24 hours a day

**S-855/A-2088 (Stack, Beach/Mukherji, Tucker, Zwicker, Lampitt, McKnight, Downey)** – Requires Commissioner of DCA to promulgate rules and regulations providing for veterans' affordable housing assistance preference

**S-1164/A-1835 (Madden/Conaway, Pinkin, Mukherji, Vainieri Huttle)** – Exempts intraoperative monitoring services rendered during certain neurosurgical, neurological, and neuro-radiological surgical procedures from physician self-referral restrictions

**S-1992/A-2518 (Beach, Allen/DeAngelo, Tucker, Andrzejczak, Conaway, Land)** – Facilitates coordination of land use planning between civilian and military interests to preserve viability of federal military installations within State

###

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