

SENATE, No. 2677

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED MAY 19, 2022

Sponsored by:
Senator NELLIE POU
District 35 (Bergen and Passaic)

SYNOPSIS

Amends requirements for certain mixed use parking projects undertaken by municipal redevelopers under Economic Redevelopment and Growth Grant program.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning mixed use parking projects and amending and
2 supplementing P.L.2009, c.90.

3

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

6

7 1. Section 3 of P.L.2009, c.90 (C.52:27D-489c) is amended to
8 read as follows:

9 3. As used in sections 3 through 18 of P.L.2009, c.90
10 (C.52:27D-489c et al.):

11 "Applicant" means a developer proposing to enter into a
12 redevelopment incentive grant agreement.

13 "Ancillary infrastructure project" means structures or
14 improvements that are located within the incentive area but outside
15 the project area of a redevelopment project, including, but not
16 limited to, docks, bulkheads, parking garages, public electric
17 vehicle charging stations, freight rail spurs, roadway overpasses,
18 and train station platforms, provided a developer or municipal
19 redeveloper has demonstrated that the redevelopment project would
20 not be economically viable or promote the use of public
21 transportation without such improvements, as approved by the State
22 Treasurer.

23 "Authority" means the New Jersey Economic Development
24 Authority established under section 4 of P.L.1974, c.80 (C.34:1B-
25 4).

26 "Aviation district" means all areas within the boundaries of the
27 "Atlantic City International Airport," established pursuant to section
28 24 of P.L.1991, c.252 (C.27:25A-24), and the Federal Aviation
29 Administration William J. Hughes Technical Center and the area
30 within a one-mile radius of the outermost boundary of the "Atlantic
31 City International Airport" and the Federal Aviation Administration
32 William J. Hughes Technical Center.

33 "Deep poverty pocket" means a population census tract having a
34 poverty level of 20 percent or more, and which is located within the
35 incentive area and has been determined by the authority to be an
36 area appropriate for development and in need of economic
37 development incentive assistance.

38 "Developer" means any person who enters or proposes to enter
39 into a redevelopment incentive grant agreement pursuant to the
40 provisions of section 9 of P.L.2009, c.90 (C.52:27D-489i), or its
41 successors or assignees, including but not limited to a lender that
42 completes a redevelopment project, operates a redevelopment
43 project, or completes and operates a redevelopment project. A
44 developer also may be a municipal redeveloper as defined herein or
45 Rutgers, the State University of New Jersey.

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 "Director" means the Director of the Division of Taxation in the
2 Department of the Treasury.

3 "Disaster recovery project" means a redevelopment project
4 located on property that has been wholly or substantially damaged
5 or destroyed as a result of a federally-declared disaster, and which
6 is located within the incentive area and has been determined by the
7 authority to be in an area appropriate for development and in need
8 of economic development incentive assistance.

9 "Distressed municipality" means a municipality that is qualified
10 to receive assistance under P.L.1978, c.14 (C.52:27D-178 et seq.), a
11 municipality under the supervision of the Local Finance Board
12 pursuant to the provisions of the "Local Government Supervision
13 Act (1947)," P.L.1947, c.151 (C.52:27BB-1 et seq.), a municipality
14 identified by the Director of the Division of Local Government
15 Services in the Department of Community Affairs to be facing
16 serious fiscal distress, a SDA municipality, or a municipality in
17 which a major rail station is located.

18 "Electric vehicle charging station" means an electric component
19 assembly or cluster of component assemblies designed specifically
20 to charge batteries within electric vehicles by permitting the transfer
21 of electric energy to a battery or other storage device in an electric
22 vehicle.

23 "Eligibility period" means the period of time specified in a
24 redevelopment incentive grant agreement for the payment of
25 reimbursements to a developer, which period shall not exceed 20
26 years, with the term to be determined solely at the discretion of the
27 applicant.

28 "Eligible revenue" means the property tax increment and any
29 other incremental revenues set forth in section 11 of P.L.2009, c.90
30 (C.52:27D-489k), except in the case of a Garden State Growth
31 Zone, in which the property tax increment and any other
32 incremental revenues are calculated as those incremental revenues
33 that would have existed notwithstanding the provisions of the "New
34 Jersey Economic Opportunity Act of 2013," P.L.2013, c.161
35 (C.52:27D-489p et al.).

36 "Garden State Growth Zone" or "growth zone" means the four
37 New Jersey cities with the lowest median family income based on
38 the 2009 American Community Survey from the US Census, (Table
39 708. Household, Family, and Per Capita Income and Individuals,
40 and Families Below Poverty Level by City: 2009); a municipality
41 which contains a Tourism District as established pursuant to section
42 5 of P.L.2011, c.18 (C.5:12-219) and regulated by the Casino
43 Reinvestment Development Authority; or an aviation district.

44 "Highlands development credit receiving area or redevelopment
45 area" means an area located within an incentive area and designated
46 by the Highlands Council for the receipt of Highlands Development
47 Credits under the Highlands Transfer Development Rights Program
48 authorized under section 13 of P.L.2004, c.120 (C.13:20-13).

1 "Incentive grant" means reimbursement of all or a portion of the
2 project financing gap of a redevelopment project through the State
3 or a local Economic Redevelopment and Growth Grant program
4 pursuant to section 4 or section 5 of P.L.2009, c.90 (C.52:27D-489d
5 or C.52:27D-489e).

6 "Infrastructure improvements in the public right-of-way" mean
7 public structures or improvements, including public electric vehicle
8 charging stations, located in the public right-of-way that are located
9 within a project area or that constitute an ancillary infrastructure
10 project, either of which are dedicated to or owned by a
11 governmental body or agency upon completion, or any required
12 payment in lieu of the structures, improvements or projects, or any
13 costs of remediation associated with the structures, improvements
14 or projects, and that are determined by the authority, in consultation
15 with applicable State agencies, to be consistent with and in
16 furtherance of State public infrastructure objectives and initiatives.

17 "Low-income housing" means housing affordable according to
18 federal Department of Housing and Urban Development or other
19 recognized standards for home ownership and rental costs and
20 occupied or reserved for occupancy by households with a gross
21 household income equal to 50 percent or less of the median gross
22 household income for households of the same size within the
23 housing region in which the housing is located.

24 "Major rail station" means a railroad station located within a
25 qualified incentive area which provides access to the public to a
26 minimum of six rail passenger service lines operated by the New
27 Jersey Transit Corporation.

28 "Mixed use parking project" means a redevelopment project, the
29 parking component of which shall constitute 51 percent or more of
30 any of the following:

- 31 a. the total square footage of the entire mixed use parking
32 project;
- 33 b. the estimated revenues of the entire mixed use parking
34 project; or
- 35 c. the total construction cost of the entire mixed use parking
36 project.

37 "Moderate-income housing" means housing affordable,
38 according to United States Department of Housing and Urban
39 Development or other recognized standards for home ownership
40 and rental costs, and occupied or reserved for occupancy by
41 households with a gross household income equal to more than 50
42 percent but less than 80 percent of the median gross household
43 income for households of the same size within the housing region in
44 which the housing is located.

45 "Municipal redeveloper" means an applicant for a redevelopment
46 incentive grant agreement, which applicant is:

1 a. a municipal government, a municipal parking authority, or a
2 redevelopment agency acting on behalf of a municipal government
3 as defined in section 3 of P.L.1992, c.79 (C.40A:12A-3); or

4 b. a developer of a mixed use parking project, provided that the
5 parking component of the mixed use parking project is operated and
6 maintained by a municipal parking authority for the term of any
7 financial assistance granted pursuant to P.L.2015, c.69.

8 "Municipal Revitalization Index" means the 2007 index by the
9 Office for Planning Advocacy within the Department of State
10 measuring or ranking municipal distress.

11 "Non-parking component" means that portion of a mixed use
12 parking project not used for parking, together with the portion of
13 the costs of the mixed use parking project, including but not limited
14 to the footings, foundations, site work, infrastructure, and soft costs
15 that are allocable to the non-parking use.

16 "Parking component" means that portion of a mixed use parking
17 project used for parking, together with the portion of the costs of
18 the mixed use parking project, including but not limited to the
19 footings, foundations, site work, infrastructure, and soft costs that
20 are allocable to the parking use. The parking component, which
21 may include enclosed pedestrian walkways or a skybridge, may be
22 in the same structure as all the non-parking components or may be
23 in a structure with some non-parking components with the
24 remaining non-parking components in an adjacent or nearby
25 structure that is no more than one third of a mile from the parking
26 components.

27 "Project area" means land or lands located within the incentive
28 area under common ownership or control including through a
29 redevelopment agreement with a municipality, or as otherwise
30 established by a municipality or a redevelopment agreement
31 executed by a State entity to implement a redevelopment project.

32 "Project cost" means the costs incurred in connection with the
33 redevelopment project by the developer until the issuance of a
34 permanent certificate of occupancy, or until such other time
35 specified by the authority, for a specific investment or
36 improvement, including the costs relating to receiving Highlands
37 Development Credits under the Highlands Transfer Development
38 Rights Program authorized pursuant to section 13 of P.L.2004,
39 c.120 (C.13:20-13), lands, buildings, improvements, real or
40 personal property, or any interest therein, including leases
41 discounted to present value, including lands under water, riparian
42 rights, space rights and air rights acquired, owned, developed or
43 redeveloped, constructed, reconstructed, rehabilitated or improved,
44 any environmental remediation costs, plus costs not directly related
45 to construction, of an amount not to exceed 20 percent of the total
46 costs, capitalized interest paid to third parties, and the cost of
47 infrastructure improvements, including ancillary infrastructure
48 projects, and, for projects located in a Garden State Growth Zone

1 only, the cost of infrastructure improvements including any
2 ancillary infrastructure project and the amount by which total
3 project cost exceeds the cost of an alternative location for the
4 redevelopment project, but excluding any particular costs for which
5 the project has received federal, State, or local funding. For mixed
6 use parking projects only, project costs shall include any particular
7 costs for which the project has received federal, State, or local
8 funding.

9 "Project financing gap" means:

10 a. the part of the total project cost, including return on
11 investment, that remains to be financed after all other sources of
12 capital have been accounted for, including, but not limited to,
13 developer-contributed capital, which shall not be less than 20
14 percent of the total project cost, which may include the value of any
15 existing land and improvements in the project area owned or
16 controlled by the developer, and the cost of infrastructure
17 improvements in the public right-of-way, subject to review by the
18 State Treasurer, and investor or financial entity capital or loans for
19 which the developer, after making all good faith efforts to raise
20 additional capital, certifies that additional capital cannot be raised
21 from other sources on a non-recourse basis; and

22 b. the amount by which total project cost exceeds the cost of an
23 alternative location for the out-of-State redevelopment project.

24 "Project revenue" means all rents, fees, sales, and payments
25 generated by a project, less taxes or other government payments.

26 "Property tax increment" means the amount obtained by:

27 a. multiplying the general tax rate levied each year by the
28 taxable value of all the property assessed within a project area in
29 the same year, excluding any special assessments; and

30 b. multiplying that product by a fraction having a numerator
31 equal to the taxable value of all the property assessed within the
32 project area, minus the property tax increment base, and having a
33 denominator equal to the taxable value of all property assessed
34 within the project area.

35 For the purpose of this definition, "property tax increment base"
36 means the aggregate taxable value of all property assessed which is
37 located within the redevelopment project area as of October 1st of
38 the year preceding the year in which the redevelopment incentive
39 grant agreement is authorized.

40 "Public electric vehicle charging station" means an electric
41 vehicle charging station located at a publicly available parking
42 space.

43 "Public hydrogen fueling station" means publicly available
44 equipment to store and dispense hydrogen fuel to vehicles
45 according to industry codes and standards.

46 "Publicly available parking space" means a parking space that is
47 available to, and accessible by, the public and may include on-street
48 parking spaces and parking spaces in surface lots or parking

1 garages, but shall not include: a parking space that is part of, or
2 associated with, a private residence; or a parking space that is
3 reserved for the exclusive use of an individual driver or vehicle or
4 for a group of drivers or vehicles, such as employees, tenants,
5 visitors, residents of a common interest development, or residents
6 of an adjacent building.

7 "Qualified incubator facility" means a commercial building
8 located within an incentive area: which contains 100,000 or more
9 square feet of office, laboratory, or industrial space; which is
10 located near, and presents opportunities for collaboration with, a
11 research institution, teaching hospital, college, or university; and
12 within which, at least 75 percent of the gross leasable area is
13 restricted for use by one or more technology startup companies
14 during the commitment period.

15 "Qualified residential project" means a redevelopment project
16 that is predominantly residential and includes multi-family
17 residential units for purchase or lease, or dormitory units for
18 purchase or lease, having a total project cost of at least
19 \$17,500,000, if the project is located in any municipality with a
20 population greater than 200,000 according to the latest federal
21 decennial census, or having a total project cost of at least
22 \$10,000,000 if the project is located in any municipality with a
23 population less than 200,000 according to the latest federal
24 decennial census, or is a disaster recovery project, or having a total
25 project cost of \$5,000,000 if the project is in a Garden State Growth
26 Zone.

27 "Qualifying economic redevelopment and growth grant incentive
28 area" or "incentive area" means:

- 29 a. an aviation district;
30 b. a port district;
31 c. a distressed municipality; or
32 d. an area (1) designated pursuant to the "State Planning Act,"
33 P.L.1985, c.398 (C.52:18A-196 et seq.), as:

- 34 (a) Planning Area 1 (Metropolitan);
35 (b) Planning Area 2 (Suburban); or
36 (c) Planning Area 3 (Fringe Planning Area);
37 (2) located within a smart growth area and planning area
38 designated in a master plan adopted by the New Jersey
39 Meadowlands Commission pursuant to subsection (i) of section 6 of
40 P.L.1968, c.404 (C.13:17-6) or subject to a redevelopment plan
41 adopted by the New Jersey Meadowlands Commission pursuant to
42 section 20 of P.L.1968, c.404 (C.13:17-21);

- 43 (3) located within any land owned by the New Jersey Sports and
44 Exposition Authority, established pursuant to P.L.1971, c.137
45 (C.5:10-1 et seq.), within the boundaries of the Hackensack
46 Meadowlands District as delineated in section 4 of P.L.1968, c.404
47 (C.13:17-4);

- 1 (4) located within a regional growth area, rural development
2 area zoned for industrial use as of the effective date of P.L.2016,
3 c.75, town, village, or a military and federal installation area
4 designated in the comprehensive management plan prepared and
5 adopted by the Pinelands Commission pursuant to the "Pinelands
6 Protection Act," P.L.1979, c.111 (C.13:18A-1 et seq.);
- 7 (5) located within the planning area of the Highlands Region as
8 defined in section 3 of P.L.2004, c.120 (C.13:20-3) or in a
9 highlands development credit receiving area or redevelopment area;
- 10 (6) located within a Garden State Growth Zone;
- 11 (7) located within land approved for closure under any federal
12 Base Closure and Realignment Commission action; or
- 13 (8) located only within the following portions of the areas
14 designated pursuant to the "State Planning Act," P.L.1985, c.398
15 (C.52:18A-196 et al.), as Planning Area 4A (Rural Planning Area),
16 Planning Area 4B (Rural/Environmentally Sensitive) or Planning
17 Area 5 (Environmentally Sensitive) if Planning Area 4A (Rural
18 Planning Area), Planning Area 4B (Rural/Environmentally
19 Sensitive) or Planning Area 5 (Environmentally Sensitive) is
20 located within:
- 21 (a) a designated center under the State Development and
22 Redevelopment Plan;
- 23 (b) a designated growth center in an endorsed plan until the
24 State Planning Commission revises and readopts New Jersey's State
25 Strategic Plan and adopts regulations to revise this definition as it
26 pertains to Statewide planning areas;
- 27 (c) any area determined to be in need of redevelopment pursuant
28 to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and
29 C.40A:12A-6) or in need of rehabilitation pursuant to section 14 of
30 P.L.1992, c.79 (C.40A:12A-14);
- 31 (d) any area on which a structure exists or previously existed
32 including any desired expansion of the footprint of the existing or
33 previously existing structure provided the expansion otherwise
34 complies with all applicable federal, State, county, and local
35 permits and approvals;
- 36 (e) the planning area of the Highlands Region as defined in
37 section 3 of P.L.2004, c.120 (C.13:20-3) or a highlands
38 development credit receiving area or redevelopment area; or
- 39 (f) any area on which an existing tourism destination project is
40 located.
- 41 "Qualifying economic redevelopment and growth grant incentive
42 area" or "incentive area" shall not include any property located
43 within the preservation area of the Highlands Region as defined in
44 the "Highlands Water Protection and Planning Act," P.L.2004,
45 c.120 (C.13:20-1 et al.).
- 46 "Redevelopment incentive grant agreement" means an agreement
47 between:

1 a. the State and the New Jersey Economic Development
2 Authority and a developer; or

3 b. a municipality and a developer, or a municipal ordinance
4 authorizing a project to be undertaken by a municipal redeveloper,
5 under which, in exchange for the proceeds of an incentive grant, the
6 developer agrees to perform any work or undertaking necessary for
7 a redevelopment project, including the clearance, development or
8 redevelopment, construction, or rehabilitation of any structure or
9 improvement of commercial, industrial, residential, or public
10 structures or improvements within a qualifying economic
11 redevelopment and growth grant incentive area or a transit village.

12 "Redevelopment project" means a specific construction project
13 or improvement, including lands, buildings, improvements, real and
14 personal property or any interest therein, including lands under
15 water, riparian rights, space rights and air rights, acquired, owned,
16 leased, developed or redeveloped, constructed, reconstructed,
17 rehabilitated or improved, undertaken by a developer, owner or
18 tenant, or both, within a project area and any ancillary infrastructure
19 project including infrastructure improvements in the public right-of-
20 way, as set forth in an application to be made to the authority. The
21 use of the term "redevelopment project" in sections 3 through 18 of
22 P.L.2009, c.90 (C.52:27D-489c et al.) shall not be limited to only
23 redevelopment projects located in areas determined to be in need of
24 redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79
25 (C.40A:12A-5 and C.40A:12A-6) but shall also include, but not be
26 limited to, any work or undertaking in accordance with the
27 "Redevelopment Area Bond Financing Law," sections 1 through 10
28 of P.L.2001, c.310 (C.40A:12A-64 et seq.) or other applicable law,
29 pursuant to a redevelopment plan adopted by a State entity, or as
30 described in the resolution adopted by a public entity created by
31 State law with the power to adopt a redevelopment plan or
32 otherwise determine the location, type and character of a
33 redevelopment project or part of a redevelopment project on land
34 owned or controlled by it or within its jurisdiction, including but
35 not limited to, the New Jersey Meadowlands Commission
36 established pursuant to P.L.1968, c.404 (C.13:17-1 et seq.), the
37 New Jersey Sports and Exposition Authority established pursuant to
38 P.L.1971 c.137 (C.5:10-1 et seq.) and the Fort Monmouth
39 Economic Revitalization Authority created pursuant to P.L.2010,
40 c.51 (C.52:27I-18 et seq.). A redevelopment project may include
41 the development of zero-emission vehicle fueling and charging
42 infrastructure.

43 "Redevelopment utility" means a self-liquidating fund created by
44 a municipality pursuant to section 12 of P.L.2009, c.90 (C.52:27D-
45 489l) to account for revenues collected and incentive grants paid
46 pursuant to section 11 of P.L.2009, c.90 (C.52:27D-489k), or other
47 revenues dedicated to a redevelopment project.

1 "Revenue increment base" means the amounts of all eligible
2 revenues from sources within the redevelopment project area in the
3 calendar year proceeding the year in which the redevelopment
4 incentive grant agreement is executed, as certified by the State
5 Treasurer for State revenues, and the chief financial officer of the
6 municipality for municipal revenues.

7 "SDA district" means an SDA district as defined in section 3 of
8 P.L.2000, c.72 (C.18A:7G-3).

9 "SDA municipality" means a municipality in which an SDA
10 district is situated.

11 "Technology startup company" means a for profit business that
12 has been in operation fewer than five years and is developing or
13 possesses a proprietary technology or business method of a high-
14 technology or life science-related product, process, or service which
15 the business intends to move to commercialization.

16 "Tourism destination project" means a redevelopment project
17 that will be among the most visited privately owned or operated
18 tourism or recreation sites in the State, and which is located within
19 the incentive area and has been determined by the authority to be in
20 an area appropriate for development and in need of economic
21 development incentive assistance.

22 "Transit project" means a redevelopment project located within a
23 1/2-mile radius, or one-mile radius for projects located in a Garden
24 State Growth Zone, surrounding the mid-point of a New Jersey
25 Transit Corporation, Port Authority Transit Corporation, or Port
26 Authority Trans-Hudson Corporation rail, bus, or ferry station
27 platform area, including all light rail stations.

28 "Transit village" means a community with a bus, train, light rail,
29 or ferry station that has developed a plan to achieve its economic
30 development and revitalization goals and has been designated by
31 the New Jersey Department of Transportation as a transit village.

32 "University infrastructure" means any of the following located
33 on the campus of Rutgers, the State University of New Jersey:

34 a. buildings and structures, such as academic buildings,
35 recreation centers, indoor athletic facilities, public works garages,
36 and water and sewer treatment and pumping facilities;

37 b. open space with improvements, such as athletic fields and
38 other outdoor athletic facilities, planned commons, and parks; and

39 c. transportation facilities, such as bus shelters and parking
40 facilities.

41 "Urban transit hub" means an urban transit hub, as defined in
42 section 10 of P.L.2007, c.346 (C.34:1B-208), that is located within
43 an eligible municipality, as defined in section 10 of P.L.2007, c.346
44 (C.34:1B-208), or all light rail stations and property located within
45 a one-mile radius of the mid-point of the platform area of such a
46 rail, bus, or ferry station if the property is in a qualified
47 municipality under the "Municipal Rehabilitation and Economic
48 Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et al.).

1 "Vacant commercial building" means any commercial building
2 or complex of commercial buildings having over 400,000 square
3 feet of office, laboratory, or industrial space that is more than 70
4 percent unoccupied at the time of application to the authority or is
5 negatively impacted by the approval of a "qualified business
6 facility," as defined pursuant to section 2 of P.L.2007, c.346
7 (C.34:1B-208), or any vacant commercial building in a Garden
8 State Growth Zone having over 35,000 square feet of office,
9 laboratory, or industrial space, or over 200,000 square feet of
10 office, laboratory, or industrial space in Atlantic, Burlington,
11 Camden, Cape May, Cumberland, Gloucester, Ocean, or Salem
12 counties available for occupancy for a period of over one year.

13 "Vacant health facility project" means a redevelopment project
14 where a health facility, as defined by section 2 of P.L.1971, c.136
15 (C.26:2H-2), currently exists and is considered vacant. A health
16 facility shall be considered vacant if at least 70 percent of that
17 facility has not been open to the public or utilized to serve any
18 patients at the time of application to the authority.

19 "Zero-emission vehicle" means a vehicle certified as a zero
20 emission vehicle pursuant to the California Air Resources Board
21 zero emission vehicle standards for the applicable model year,
22 including but not limited to, battery electric-powered vehicles and
23 hydrogen fuel cell vehicles.

24 "Zero-emission vehicle fueling and charging infrastructure"
25 means infrastructure to charge or fuel zero-emission vehicles,
26 including but not limited to, public electric vehicle charging
27 stations and public hydrogen fueling stations.

28 (cf: P.L.2021, c.168, s.6)

29

30 2. (New section) Notwithstanding any provision of the "New
31 Jersey Economic Stimulus Act of 2009," P.L.2009, c.90 (C.52:27D-
32 489a et al.) to the contrary, the following provisions shall apply to
33 any mixed use parking project to be undertaken by a municipal
34 redeveloper after the effective date of P.L. , c. (C.)
35 (pending before the Legislature as this bill), for which a
36 redevelopment incentive grant is awarded:

37 a. A municipal redeveloper shall submit a temporary certificate
38 of occupancy for any proposed mixed use parking project no later
39 than June 30, 2026.

40 b. (1) Except as provided in paragraph (2) of this subsection, a
41 redevelopment incentive grant award shall be equal to 100 percent
42 of the total project costs allocated to the parking component of the
43 project and 40 percent of the total project costs allocated to the non-
44 parking component of a proposed mixed use parking project.

45 (2) A redevelopment incentive grant award shall be equal to 100
46 percent of the total project costs allocated to the parking component
47 of the project and 80 percent of the total project costs allocated to

1 the non-parking component of the mixed use parking project if the
2 mixed use parking project is:

3 (a) constructed upon all or a portion of a project site that was
4 previously the subject of an award of tax credits pursuant to the
5 “Urban Transit Hub Tax Credit Act,” P.L.2007, c. 346 (C.34:1B-
6 207 et seq.) or the “New Jersey Economic Stimulus Act of 2009,”
7 P.L.2009, c. 90 (C.52:27D-489a et al.), but the tax credits were not
8 issued; or

9 (b) constructed to be utilized by a visitor center or youth center
10 within or adjacent to a national historic park.

11 c. A municipal redeveloper shall not be required to
12 demonstrate a project financing gap to the authority and shall not be
13 required to provide an equity contribution with respect to the
14 parking component of the mixed use parking project.

15 d. The terms of any approval, granted by the authority, for a
16 proposed mixed use parking project undertaken by a municipal
17 redeveloper, which has not yet commenced construction activities,
18 shall automatically be modified to reflect the terms established
19 pursuant to P.L. , c. (C.) (pending before the Legislature as
20 this bill), without necessitating any further action by the authority.
21 All dates of required action by municipal redeveloper contained in
22 an approval, granted by the authority, shall be automatically
23 extended by the thirty-month period corresponding to the temporary
24 certificate of occupancy submission date established by subsection
25 a. of this section.

26 For the purposes of this subsection, demolition and site work
27 shall not constitute the commencement of construction activities.

28 e. All proposed mixed use parking projects shall comply with
29 Leadership in Energy and Environmental Design (LEED) standards,
30 to the extent that the United States Green Building Council shall
31 have promulgated standards for the project type proposed.

32

33 3. This act shall take effect immediately.

34

35

36

STATEMENT

37

38 This bill modifies the requirements for certain proposed mixed
39 use parking projects undertaken by municipal redevelopers under
40 the Economic Redevelopment and Growth Grant program.

41 The bill amends the definition of “project cost” under existing
42 law to include any particular costs for which the project has
43 received federal, State, or local funding and creates new
44 requirements to apply to any proposed mixed use parking project,
45 for which a redevelopment incentive grant is awarded, that is to be
46 undertaken by a municipal redeveloper after the effective date bill.

1 Under the bill, a municipal redeveloper is required to submit a
2 temporary certificate of occupancy for any proposed mixed use
3 parking project no later than June 30, 2026.

4 The bill provides for redevelopment incentive grant awards of
5 equal to 100 percent of the total project costs for the parking
6 component and 40 percent of the total project costs for the non-
7 parking component of a mixed use parking project. However
8 redevelopment incentive grant awards are to be equal to 100 percent
9 of the total project costs for the parking component and 80 percent
10 for the non-parking component, if the mixed use parking project is:
11 1) constructed upon all or a portion of a project site that was
12 previously awarded tax credits pursuant to the “Urban Transit Hub
13 Tax Credit Act” or the “New Jersey Economic Stimulus Act of
14 2009,” but those tax credits were not issued; or 2) constructed to be
15 utilized by a visitor center or youth center within or adjacent to a
16 national historic park.

17 The bill does not require municipal redevelopers to demonstrate
18 a project financing gap to the New Jersey Economic Development
19 Authority (authority) or provide an equity contribution with respect
20 to the parking component.

21 The terms of any approval, granted by the authority, for a
22 proposed mixed use parking project undertaken by a municipal
23 redeveloper, which has not yet commenced construction activities,
24 are to automatically be modified to reflect the terms established by
25 this bill, without necessitating any further action by the authority.
26 All dates of required action by the municipal redeveloper contained
27 in an approval are to be automatically extended by the thirty-month
28 period corresponding to the temporary certificate of occupancy
29 submission date established by the bill. For the purposes of the bill,
30 demolition and site work does not constitute the commencement of
31 construction activities.

32 Finally, the bill provides that all proposed mixed use parking
33 projects are to comply with Leadership in Energy and
34 Environmental Design (LEED) standards, to the extent that the
35 United States Green Building Council has promulgated standards
36 for the project type proposed.

37 It is the sponsor’s intent to facilitate the construction of
38 structured parking where undertaken or operated by a public body,
39 as the construction of such structured parking is necessary to
40 facilitate the effective redevelopment of densely populated areas,
41 yet in many instances the cost of such construction has become
42 prohibitive.