

SENATE, No. 3356

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED DECEMBER 1, 2022

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires planning board reexamination report to set forth recommendations for the siting of warehouses consistent with State Plan and with warehouse siting guidance policy adopted by State Planning Commission.

CURRENT VERSION OF TEXT

As introduced.



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1 AN ACT concerning the development of certain warehouses and
2 amending P.L.1975, c.291.

3

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

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

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

23 The reexamination report shall state:

24 a. The major problems and objectives relating to land
25 development in the municipality at the time of the adoption of the
26 last reexamination report.

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

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

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

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

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

3 f. The recommendations of the planning board concerning
4 locations appropriate for the development of public electric vehicle
5 infrastructure, including but not limited to, commercial districts,
6 areas proximate to public transportation and transit facilities and
7 transportation corridors, and public rest stops; and recommended
8 changes, if any, in the local development regulations necessary or
9 appropriate for the development of public electric vehicle
10 infrastructure.

11 g. The recommendations of the planning board concerning
12 locations appropriate for the development of warehouses shall be
13 consistent and compatible with the State Development and
14 Redevelopment Plan adopted pursuant to the "State Planning Act,"
15 sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 et al.), and
16 with the most recent warehouse siting guidance policy adopted by
17 the State Planning Commission.

18 (cf: P.L.2019, c.267, s.2)

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20 2. This act shall take effect on the first day of the third month
21 next following enactment and shall be applicable to planning board
22 resolutions adopting a reexamination report on and after that date.

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25 STATEMENT

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27 The development of industrial-scale warehousing for goods
28 storage and distribution has undergone rapid change in recent years,
29 which has caused the State Planning Commission to adopt
30 Distribution Warehousing and Goods Movement Guidelines for the
31 purpose of providing municipalities with guidance to follow in the
32 siting of warehouses. Previous warehouse types used to be a less
33 conspicuous land use, often limited to industrial parks in peripheral
34 areas. Distribution warehouses that are being developed currently
35 are significantly larger than previous warehouse types, and their
36 development has often imposed detrimental externalities on
37 adjacent municipalities and residential neighborhoods. While
38 recognizing that the development of distribution warehouses is of
39 Statewide economic importance, the State will benefit from greater
40 consistency and coordination in the decision-making that leads to
41 warehouse development approvals.

42 Under current law, every planning board that has adopted a
43 master plan is required to reexamine its master plan at least every
44 10 years. This bill would require each planning board's
45 reexamination report to set forth the planning board's
46 recommendations concerning locations appropriate for the
47 development of warehouses, and would require the

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1 recommendations to be consistent and compatible with the State
2 Development and Redevelopment Plan, and with the most recent
3 warehouse siting guidance policy adopted by the State Planning
4 Commission.