

ASSEMBLY, No. 4410

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 16, 2024

Sponsored by:

Assemblyman GREGORY E. MYHRE

District 9 (Ocean)

Assemblyman BRIAN E. RUMPF

District 9 (Ocean)

Co-Sponsored by:

**Assemblymen Simonsen, McGuckin, Guardian, Azzariti Jr., McClellan,
Bergen, Kanitra, Sauickie, Auth and Assemblywoman Dunn**

SYNOPSIS

Requires green building standards and impact studies for carbon, traffic, storm water, and schools for certain affordable housing development.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT requiring specific green building standards and
2 certification and impact studies for carbon, traffic, storm water,
3 and schools for certain affordable housing development and
4 supplementing P.L.1985, c.222 (C.52:27D-301 et al.).
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

9 1. A newly-built development intended to be an inclusionary
10 development, as defined in subsection f. of section 4 of P.L.1985,
11 c.222 (C.52:27D-304), consisting of 10 or more units or four or
12 more stories, shall only be constructed if it is designed, constructed,
13 and certified to, at minimum, Leadership in Energy and
14 Environmental Design (LEED) silver standards, or an equivalent
15 green building rating system standard as adopted by the United
16 States Green Building Council, the Green Globes Program adopted
17 by the Green Building Initiative, or a comparable nationally
18 recognized, accepted, and appropriate sustainable development
19 rating system. The provisions of this section shall not apply to a
20 development for which a complete application for development is
21 submitted prior to the effective date of P.L. , c. (C.)
22 (pending before the Legislature as this bill).
23

24 2. Prior to submitting an application for development for any
25 newly-built inclusionary development, as defined in subsection f. of
26 section 4 of P.L.1985, c.222 (C.52:27D-304), consisting of 10 units
27 or more, the developer shall submit a report of the findings of the
28 following studies to the approving authority of the municipality in
29 which the development is to be located: (1) a traffic impact study;
30 (2) a school impact study; and (3) a storm water impact study. For
31 any newly-built inclusionary development, the construction of
32 which would require more than one acre of land to be cleared, the
33 developer, prior to submitting an application for development, shall
34 submit a report of the findings of a carbon impact study to the
35 approving authority of the municipality in which the development is
36 to be located.
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38 3. The Commissioner of Community Affairs, in accordance with
39 the "Administrative Procedures Act," P.L.1968, c.140 (C.52:14B-1
40 et seq.), and in consultation with the Department of Environmental
41 Protection and the Department of Education, shall adopt rules and
42 regulations to effectuate the provisions of P.L. , c. (C.)
43 (pending before the Legislature as this bill) on or before the first
44 day of the eighth month next following enactment.
45

46 4. This act shall take effect on or before the first day of the
47 thirteenth month next following enactment, but the Department of
48 Community Affairs and municipalities are authorized to take any

1 anticipatory actions necessary to prepare for the implementation of
2 the provisions of this act.

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STATEMENT

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7 This bill requires newly-built affordable housing inclusionary
8 developments of 10 units or more to report the results of a traffic
9 impact study, school impact study, and storm water impact study to
10 the municipality in which the development is to be located. A
11 newly-built inclusionary development requiring the clearing of
12 more than one acre of land would also be required to report the
13 results of a carbon impact study.

14 The bill also requires newly-built inclusionary developments to
15 be designed, constructed, and certified to at least LEED silver
16 standards, or equivalent green building system standards, if the
17 development consists of 10 or more units or four or more floors.

18 The bill directs the Commissioner of Community Affairs to
19 adopt rules and regulations by the first day of the eighth month
20 following enactment.

21 This bill takes effect on the first day of the thirteenth month next
22 following enactment, and would not apply to developments for
23 which an application for development is submitted prior to that
24 date.