

[First Reprint]

SENATE, No. 4037

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JANUARY 14, 2025

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

SYNOPSIS

Establishes "Enhanced Transit Village Program" to be administered by Office of Planning Advocacy in Department of State and DOT; appropriates \$25 million.

CURRENT VERSION OF TEXT

As reported by the Senate Community and Urban Affairs Committee on March 17, 2025, with amendments.



(Sponsorship Updated As Of: 3/17/2025)

1 AN ACT establishing an “Enhanced Transit Village Program in the
2 Office of Planning Advocacy ¹**[and]** ¹ supplementing Title 52
3 of the Revised Statutes ¹, and making an appropriation¹.
4

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

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Commissioner” means the Commissioner of the Department of
11 Transportation.

12 “Department” means the Department of Transportation
13 established pursuant to section 2 of P.L.1966, c.301 (C.27:1A-2) or
14 any successor agency.

15 “Director” means the Director of the Office of Planning
16 Advocacy.

17 “Distressed municipality” means a municipality with a municipal
18 revitalization index score of 50 or more as identified in the
19 Municipal Revitalization Index published by the Department of
20 Community Affairs.

21 “Enhanced Transit Village” means a bounded area encompassing
22 all parcels or portions of parcels designated by a transit village
23 municipality within not less than one-half mile of passenger rail,
24 motorbus, or ferry stations or terminals, or a compact, walkable,
25 pedestrian-oriented, mixed-use downtown serviced by a motorbus
26 regular route, which has been designated by the Office of Planning
27 Advocacy as an “enhanced transit village” pursuant to section 2 of
28 P.L. , c. (C.) (pending before the Legislature as this bill).

29 “Office” means the Office of Planning Advocacy in the
30 Department of State established pursuant to section 6 of P.L.1985,
31 c.398 (C.52:18A-201) or any successor agency.

32 “Place-making” means the concerted effort of transforming a
33 public place into a meaningful, attractive, vibrant and memorable
34 space that attracts residents and visitors for leisure, relaxation,
35 economic exchange, or civic celebration.

36 “Program” means the Enhanced Transit Village Program
37 established pursuant to section 2 of P.L. , c. (C.) (pending
38 before the Legislature as this bill).

39 “Transit village” means a municipality designated as a transit
40 village by the Department of Transportation through the multi-
41 agency Transit Village Task Force under the transit village
42 initiative developed by the department, and utilized to distribute
43 transit village grants in the annual State capital program and
44 technical assistance from the Transit Village Task Force.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCU committee amendments adopted March 17, 2025.

1 2. a. There is established in the Office of Planning Advocacy
2 in the Department of State, in coordination with the Transit Village
3 Task Force, as necessary, an “Enhanced Transit Village Program”
4 for the purpose of helping communities upgrade their core transit
5 hubs by incentivizing mixed-use development in close proximity to
6 public transportation service using land-use patterns based on smart
7 growth principles. The office shall administer the program with the
8 support and cooperation of the Department of Transportation.

9 b. The office shall be responsible for the administration of the
10 planning and land use components of the program, which shall
11 include, but not be limited to:

12 (1) administration of the review and selection of enhanced
13 transit villages from among transit village municipalities, in
14 conjunction with the inter-agency Transit Village Task Force, that
15 apply to participate in the program, pursuant to the provisions of
16 P.L. , c. (C.) (pending before the Legislature as this bill);

17 (2) providing assistance to transit village municipalities with the
18 planning and zoning assessments and changes necessary to become
19 an enhanced transit village. In the event that the governing body of
20 a transit village municipality determines to participate in the
21 program, the governing body shall apply to the program in a form
22 and manner, pursuant to subsection d. of section 3 of P.L. , c.
23 (C.) (pending before the Legislature as this bill), as determined
24 by the director;

25 (3) any planning assistance to the department to effectuate the
26 purposes of P.L. , c. (C.) (pending before the Legislature as
27 this bill); and

28 (4) approving the municipality’s enhanced transit village plan.

29 c. The department shall be responsible for administration of the
30 transportation infrastructure components of the program, which
31 shall include, but not be limited to:

32 (1) providing guidance to municipalities on managing
33 transportation infrastructure, facilitating enhanced density, and
34 promoting multimodalism;

35 (2) the administration of transportation infrastructure grants
36 under the program;

37 (3) developing applications, providing technical assistance, and
38 competing for federal grant funds, and prioritizing the allocation of
39 federal formula funds that are highly compatible with infrastructure
40 upgrades in the enhanced transit village plan;

41 (4) ensuring that a department program staff liaison is dedicated
42 to administering and coordinating the program;

43 (5) reviewing all roads within the enhanced transit village for
44 conformance with the Complete and Green Streets Policy guidelines
45 issued by the department and providing guidance and funding
46 support to bring roads into conformance;

47 (6) coordination of any necessary State road repairs and
48 improvements that support the enhanced transit village plan;

1 (7) planning support to the office to increase local street grid,
2 pedestrian, and bike route connectivity;

3 (8) prioritization of department Local Aid and Economic
4 Development funding for program projects; and

5 (9) providing any planning assistance to the office to effectuate
6 the purposes of P.L. , c. (C.) (pending before the
7 Legislature as this bill).

8

9 3. a. The office shall structure the program to provide
10 technical assistance and financial support to improve the place-
11 making quality of the enhanced transit village, increase the
12 walkability and bikeability of the area, to improve walking and
13 biking connections to transit, to reduce the dominance of
14 automobiles and auto-centric infrastructure in the area, to increase
15 the number, type, and range of housing opportunities, and to ensure
16 a mix of commercial and public uses that support residents and
17 commuters.

18 b. For residential lots located within an enhanced transit
19 village, the program shall establish an as-of-right residential
20 building option with at least two densities depending on the
21 distance from the central transit point, established for the enhanced
22 transit village:

23 (1) within one-quarter mile of the central transit point, not less
24 than 50 units per acre; and

25 (2) beyond one-quarter mile of the central transit to the outer
26 boundary of the enhanced transit village, not less than 25 units per
27 acre.

28 The office shall have the discretion to set density levels outside
29 of these parameters from location to location based on the existing
30 development patterns of the enhanced transit village, in a way that
31 gradually increases residential density in a context-sensitive manner
32 that the local infrastructure is capable of absorbing.

33 c. The office shall develop an application process that a transit
34 village's municipal governing body shall use to apply to the
35 program that shall include, but not be limited to, the following
36 requirements:

37 (1) the submission of a resolution by the municipal governing
38 body stipulating its willingness to meet the requirements of the
39 program;

40 (2) the documentation of the municipality's visioning process,
41 with stakeholder engagement, for the enhanced transit village;

42 (3) proof the municipality has articulated in its master plan and
43 its zoning provisions to meet the requirements of the program;

44 (4) documentation of a map indicating the central transit point
45 and the boundaries of the proposed enhanced transit village
46 providing that the boundaries fall no farther than a mile radius from
47 the necessary transit facility or route;

- 1 (5) the provision of a current zoning map identifying all zones
2 in the enhanced transit village along with the applicable zoning
3 codes and land development ordinances;
 - 4 (6) proof of the adoption of a transit-oriented development plan
5 or zoning ordinance that meets smart growth requirements pursuant
6 to subsection d. of this section, which shall include, but not be
7 limited to, the following:
 - 8 (a) a residential component, including affordable housing; and
 - 9 (b) a compact, mixed-use, pedestrian-friendly, transit-supportive
10 site and architectural design component;
 - 11 (7) the specific locations of the anticipated transit-oriented
12 development sites;
 - 13 (8) identification of, and commitment to, bicycle and pedestrian
14 improvements;
 - 15 (9) identification of, and commitment to, place-making efforts;
16 and
 - 17 (10) a commitment to annually provide to the office
18 performance metrics and progress concerning the program, all of
19 which will be submitted to the office for review.
- 20 d. The smart growth requirements a municipality shall meet in
21 applying to the program, pursuant to paragraph (6) of subsection c.
22 of this section, shall include, but not be limited to the provision
23 that:
- 24 (1) 30 percent of residential housing units to be constructed
25 within the enhanced transit village shall be affordable housing, with
26 10 percent low-income housing units, 10 percent moderate-income
27 housing units, and 10 percent middle-income housing, unless the
28 municipality is a distressed municipality, in which case the office
29 may adjust this requirement while ensuring minimal displacement
30 of existing residents;
 - 31 (2) the development of active ground floor spaces, such as retail,
32 service, or similar commercial facilities along the frontage of any
33 street of strong commercial character within the enhanced transit
34 village, as is feasible;
 - 35 (3) all streets and pedestrian pathways through the enhanced
36 transit village shall be fully accessible to the general public and that
37 all developments in the enhanced transit village shall be connected
38 to the surrounding street network in order to promote pedestrian
39 circulation within the enhanced transit village to and from locations
40 outside of the village;
 - 41 (4) all residential units shall satisfy energy efficiency standards
42 under the New Jersey Home Performance with Energy Star program
43 or the code promulgated pursuant to the “State Uniform
44 Construction Code Act,” P.L.1975, c.217 (C.52:27D-119 et seq.),
45 whichever provides for greater energy efficiency; and
 - 46 (5) no more than 25 percent of residential housing units to be
47 constructed in an enhanced transit village are to be restricted for
48 occupancy on the basis of the age of an occupant.

1 4. The office may seek the assistance and avail itself of the
2 services or employees of any State, county, or municipal
3 department, board bureau, commission, or agency as the office may
4 require and as may be available for the office's purposes, including
5 the Transit Village Task Force.

6
7 5. An enhanced transit village project shall be given priority to
8 receive any funds used to implement the affordable housing goals of
9 the State, including federal funds, for the purpose of meeting the 30
10 percent affordable housing mandate of the program, as provided in
11 paragraph (1) of subsection d. of section 3 of P.L. , c. (C.)
12 (pending before the Legislature as this bill).

13
14 ¹6. The costs of the planning and implementation of the
15 transportation infrastructure aspects of the program shall be funded
16 by monies from the "Transportation Trust Fund Account"
17 established by section 20 of P.L.1984, c.73 (C.27:1B-20), which
18 shall be in an initial earmarked amount of \$50,000,000 to fund the
19 first three years of the program, and shall be adjusted by the
20 department as appropriate annually thereafter. ¹

21
22 ¹7. 6.¹ The Office of Planning Advocacy in the Department
23 of State, in consultation with the Department of Transportation,
24 shall promulgate and adopt rules and regulations, pursuant to the
25 provisions of the "Administrative Procedure Act," P.L.1968, c.410
26 (C.52:14B-1 et seq.), to effectuate the purposes of this act.

27
28 ¹7. There is appropriated from the General Fund to the Office of
29 Planning Advocacy in Department of State the sum of \$25,000,000
30 to fund the costs of the planning and implementation of the
31 transportation infrastructure aspects of the program established
32 pursuant to section 2 of P.L. , c. (C.) (pending before the
33 Legislature as this bill).¹

34
35 8. This act shall take effect on the first day of the sixth month
36 following enactment, except that the commissioner and director
37 may take any anticipatory administrative action in advance as shall
38 be necessary for the implementation of this act.