

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 2542

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 10, 2020

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 2542, with committee amendments.

As amended, this bill would allow a municipality, by resolution, to suspend or temporarily modify specific provisions of a zoning ordinance, or grant temporary relief from the terms and conditions of a prior land approval, in order to facilitate the ability of a business to resume operation during the COVID-19 emergency. A resolution adopted under the bill could suspend or temporarily modify zoning ordinance provisions concerning the use or occupancy of a building, structure or land, but could not suspend or temporarily modify zoning ordinance provisions concerning the erection, construction, alteration, repair, remodeling, conversion, removal, or destruction of a building or structure. A resolution adopted under the bill must be consistent with requirements imposed, and authority granted, by an executive order issued by the Governor under the Governor's emergency executive powers.

The bill would also allow a municipality to establish a streamlined administrative procedure for the review of an application submitted by a business during the COVID-19 emergency, and to issue a business a "temporary zoning permit" to allow that business to operate in accordance with the terms of the resolution and the requirements imposed by the Governor's executive order.

This bill would allow a resolution to impose a reasonable fee for the review of an application and would require an administrative officer to review and approve or deny an application within 10 business days of receipt of the application.

The bill provides that a municipality may adopt a resolution modifying a previously adopted resolution in order to maintain consistency with requirements imposed, and authority granted, by subsequent executive orders. Under the bill, authorization for a business to use or occupy a building, structure, or land in accordance with suspensions or temporary modifications of zoning ordinance provisions would expire at the point in time of expiration of an underlying requirement imposed by an executive order, or up

to 60 days after the conclusion of the COVID-19 emergency, as may be permitted under the resolution adopted by the municipality.

COMMITTEE AMENDMENTS:

The committee amendments would require an administrative officer to review and approve or deny an application for zoning relief within 10 business days of receipt of the application instead of seven business days. The committee amendments also would allow a municipality to authorize zoning relief for up to 60 days after the conclusion of the COVID-19 emergency.