

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 4096

STATE OF NEW JERSEY

DATED: JANUARY 6, 2022

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 4096.

This bill amends the “Coastal Area Facility Review Act” (CAFRA), P.L.1973, c.185 (C.13:19-1 et seq.), to change the types of development that require a CAFRA permit from the Department of Environmental Protection.

Current law divides the CAFRA area into zones based on proximity to the water, and requires permits for different types of development in each zone based on whether the development is residential, commercial, industrial or public. The law currently provides a separate threshold for development in a municipality that meets the criteria of a “qualifying municipality,” pursuant to section 1 of P.L.1978, c.14 (C.52:27D-178), or that is located within the boundaries of a city of the fourth class with a population of over 30,000 persons according to the latest federal decennial census. For these municipalities, a CAFRA permit is required for development beyond 500 feet of the mean high water line, or landward limit of a beach or dune, that would result in, either solely or in conjunction with a previous development: a residential development with 75 or more units; a commercial development with 150 or more parking spaces; or an industrial development or a public development.

This bill amends this permitting threshold to also apply to development proposed in a city of the fourth class that is ranked in the top two percent of the Department of Community Affairs’s 2020 Municipal Revitalization Index. Thus, development proposed in a municipality meeting this criteria would be subject to the same CAFRA permitting requirements as development proposed in a qualifying municipality or in a city of the fourth class with a population of over 30,000 persons.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.