

ASSEMBLY, No. 914

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

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SYNOPSIS

Establishes additional municipal review processes and procedures related to development of certain large warehouses; requires certain real property revaluations and reassessments.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the development of certain large warehouses,
2 including application processes and procedures and property
3 valuations, and supplementing P.L.1975, c.291 (C.40:55D-1 et
4 seq.), P.L.1948, c.92 (C.52:18A-1 et seq.), and chapter 4 of Title
5 54 of the Revised Statutes.

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

9
10 1. a. Notwithstanding any provision of law, rule, or regulation
11 to the contrary, before considering an application for development
12 of a large warehouse, a planning board shall complete a special
13 reexamination of the municipality's master plan and development
14 regulations and shall prepare and adopt, by resolution, a special
15 reexamination report for the purpose of incorporating the guidelines
16 adopted by the State Planning Commission's for the development of
17 large warehouses, adopted pursuant to section 2 of P.L. ,
18 c. (C.) (pending before the Legislature as this bill), unless
19 the master plan and development regulations were updated for this
20 purpose within the prior 12 months. A planning board that
21 completes a special reexamination pursuant to this subsection shall
22 consider the number and nature of variances that were granted in
23 the prior 12 months that are pertinent to the application for
24 development. A planning board shall deliver a special
25 reexamination report to the municipal governing body following
26 adoption.

27 b. A planning board required to adopt a special reexamination
28 report, pursuant to subsection a. of this section, shall deliver the
29 special reexamination report to the municipal governing body
30 within 90 days of the receipt of an application for development of a
31 large warehouse. Upon receipt of a special reexamination report
32 pursuant to this section, the municipal governing body may, within
33 90 days of the receipt of the special reexamination report, amend
34 the municipality's development regulations in accordance with the
35 special reexamination report, and such amendments shall be
36 applicable to the previously submitted application for development
37 of a large warehouse.

38 c. For an application for development of a large warehouse
39 subject to a special reexamination report, the 45-day period for
40 determining whether an application for development is complete
41 under section 5 of P.L.1984, c.20 (C.40:55D-10.3) shall not
42 commence until the 91st day following the governing body's receipt
43 of the special reexamination report.

44 d. For the purposes of this section:

45 "Large warehouse" means a large facility or site designed
46 predominantly for receiving and storing goods and materials before
47 they are sold, used, or redistributed, as defined by the State

1 Planning Commission pursuant to section 2 of P.L. , c. (C.)
2 (pending before the Legislature as this bill).

3
4 2. The State Planning Commission shall, in accordance with
5 the provisions of the "Administrative Procedure Act," P.L.1968,
6 c.410 (C.52:14B-1 et seq.), adopt guidelines for the development of
7 large warehouses no later than the first day of the eighth month next
8 following enactment of P.L. , c. (C.) (pending before the
9 Legislature as this bill). The guidelines shall establish a definition
10 to classify facilities and sites that are to be considered as large
11 warehouses in the State. The State Planning Commission may
12 thereafter, amend, adopt, or readopt changes to the guidelines.

13
14 3. If a municipality that has approved a large warehouse
15 development project pursuant to section 1 of P.L. , c. (C.)
16 (pending before the Legislature as this bill) has not performed a
17 municipal-wide revaluation or municipal-wide reassessment of all
18 real property in the municipality within the 60 months immediately
19 preceding the approval of the large warehouse development project,
20 the municipality shall perform a municipal-wide revaluation or
21 municipal-wide reassessment of real property within the
22 municipality not later the 24th month next following issuance of a
23 certificate of occupancy for the large warehouse.

24
25 4. This act shall take effect immediately.

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STATEMENT

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30 This bill establishes new review processes related to applications
31 for development of certain large warehouses, and requires certain
32 real property revaluations and reassessments after completion of the
33 large warehouse development.

34 The bill's requirements would apply to development applications
35 for a "large warehouse," which the bill defines as a large facility or
36 site that: meets guidelines promulgated by the State Planning
37 Commission (commission), and is designed predominantly for
38 receiving and storing goods and materials before they are sold,
39 used, or redistributed.

40 Under the bill, a municipality's planning board upon receiving a
41 development application for a large warehouse, and prior to
42 considering the application, is to complete a special reexamination
43 of the municipality's master plan and development regulations, and
44 prepare and adopt a special reexamination report (report) for the
45 purpose of incorporating the commission's guidelines, unless the
46 master plan and development regulations were updated for that
47 purpose within the prior 12 months. If a municipality's master plan
48 and development regulations were not updated within the prior 12

1 months, the planning board would consider the number and nature
2 of variances that were granted in the prior 12 months, pertinent to
3 the application for development.

4 A planning board is required to deliver the report to the
5 municipal governing body within 90 days of the receipt of an
6 application for development of a large warehouse, and upon receipt
7 of a report, the municipal governing body may amend the
8 municipality's development regulations in accordance with the
9 report, within 90 days of the receipt of the report. The bill further
10 specifies that such amendments are to be applicable to the
11 previously submitted application for development of a large
12 warehouse.

13 Under the bill, the 45-day period for determining whether an
14 application for development is complete, under section 5 of
15 P.L.1984, c.20 (C.40:55D-10.3), is not to commence, for an
16 application for development of a large warehouse that is subject to a
17 report, until the 91st day following the governing body's receipt of
18 a report.

19 The bill further provides that if a municipality that has approved
20 a large warehouse development project has not performed a
21 municipal-wide revaluation or municipal-wide reassessment of all
22 real property in the municipality within the 60 months immediately
23 preceding the approval of the large warehouse development project,
24 the municipality is to perform a municipal-wide revaluation or
25 municipal-wide reassessment of real property within the
26 municipality not later the 24th month following issuance of a
27 certificate of occupancy for the large warehouse.