

NJ Office of Planning Advocacy
Proposed amendments to the State Planning Rules, N.J.A.C. 5:85

Proposed Rulemaking timeline:

1. SPC hearing to vote on State Rulemaking changes: June 7, 2023
2. Obtain resolution from SPC to authorize submission of notice: June 7, 2023
3. Publish Notice of Proposal in NJ Registry: July 17, 2023, starting the 60-day public notice period
4. 60 comment period ends: September 15
5. OPA and Deputy Attorney General will prepare adoption document and respond to public comments and send to DOJ and Governors' office: October 15
6. Final State Rulemaking changes presented to SPC: November 13
7. Notice of adoption deadline: December 2023

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Comments received:

NJ TRANSIT - Michael Swan: Recommended adding language to encourage greater digital engagement of the public, including use social media for the Community Visioning process, other public events, hearings, posting of notices, and encouraging that at least one workshop and one public hearing be held online to enhance and modernize more equitable participation.

NJIB - David Zimmer: Recommended minor additions around the infrastructure needs assessment definition and its inclusion to the report (Section 7.9.2) - to include broadband.

NJDOT - Andrew Swords and Susan Weber: Recommended simplifying and streamlining both the Cross Acceptance process, and the Impact Assessment Studies and Long-term Infrastructure Needs Assessment requirements where feasible. Note: many requirements in the rules relate to what is specifically required in the State Planning Act.

Also shared that there is confusion relating to the definition/perception of what constitutes Smart Growth Areas and the need to define and/or update working interagency definition as suggested in the rulemaking outline.