



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
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Governor

THOMAS K. WRIGHT
Chairman

SHEILA Y. OLIVER
LT. GOVERNOR

DONNA A. RENDEIRO
Executive Director/Secretary

Resolution No. 2021-13
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Date: September 1, 2021

RESOLUTION

AUTHORIZING RULE LANGUAGE UPDATE AND UPDATED TIMELINE

WHEREAS, pursuant to the State Planning Act, N.J.S.A. 52:18A-196 to -208 (the Act), the State Planning Commission (the Commission) has prepared and adopted a State Development and Redevelopment Plan (the State Plan), which includes a State Plan Policy Map; and

WHEREAS, the Commission is empowered, pursuant to N.J.S.A. 52:18A-203, to adopt rules and regulations to carry out and implement its statutory responsibilities and purposes; and

WHEREAS, the rules and regulations of the Commission are codified at N.J.A.C. 5:85-1.1 to -8.10; and

WHEREAS, the Commission has not made substantial additions or revisions to its rules and regulations in several years; and

WHEREAS, since the Commission last engaged in substantive rulemaking, the Governor signed Executive Order 23 (Murphy) (April 20, 2018) along with other Administration priorities that require that state agencies place greater emphasis on Environmental Justice and Equity than is embodied in the current rules; and

WHEREAS, Executive Order 89 (Murphy) (October 29, 2019) requires that the Commission incorporate mandatory resiliency planning in the Commission's rules for Plan Endorsement; and

WHEREAS, significant changes in land use patterns and priorities have taken place throughout New Jersey since the Commission last engaged in substantive rulemaking; and

WHEREAS, advancements in technology provide for more efficient processes related to State Plan updates and associated policies and procedures; and

WHEREAS, the Commission approved Resolution #2021-10 authorizing a rule update timeline and process to codify the necessity and prudence of updating the State Planning Rules for all of the foregoing reasons; and

WHEREAS, the Plan Implementation Committee has reviewed to proposed Rule language and has voted to move the language proposal to the State Planning Commission on August 18th, 2021; and

WHEREAS, Exhibit A, attached hereto, is the approved language to be presented to the public during the rulemaking process, as codified in N.J.A.C. 5:815-1.1 to -8.10; and

WHEREAS, Exhibit B, attached hereto, is an updated outline of the Proposed Rule Amendment and the dates and topics based on the current anticipated schedule.

NOW THEREFORE, BE IT RESOLVED that the Commission approves the language, schedule and topics to be updated through formal rulemaking, as identified in Exhibits A and B; and

BE IT FURTHER RESOLVED that the Commission authorizes the Executive Director of the Office of Planning Advocacy to take all actions necessary to engage in formal rulemaking pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 to -31, and all other pertinent statutes and regulations.