



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

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DONNA A. RENDEIRO
Executive Director/Secretary

Resolution No. 2021-10
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Date: May 5, 2021

R E S O L U T I O N

AUTHORIZING A RULE UPDATE TIMELINE AND PROCESS

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) 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) 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 finds it necessary and prudent to update the State Planning Rules for all of the foregoing reasons; and

WHEREAS, Exhibit A, attached hereto, is an outline of the Proposed Rule Amendment and the dates and topics are subject to change.

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

BE IT FURTHER RESOLVED that specific language of the Rule update be brought back to the Commission for approval, prior to formal submission of that language; and

BE IT FURTHER RESOLVED that additional topics to be addressed in the Rule update be brought back to the Commission for approval prior to publication of the new or updated rules in a Rule Proposal and submission to the Office of Administrative Law; and

BE IT FURTHER RESOLVED that, in all other aspects, 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.