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Governor Christie Signs Legislation to Reform Land-Use Development Regulations

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Trenton, NJ - Governor Chris Christie today signed legislation to simplify and make more predictable regulations governing land-use development applications at the municipal level, encouraging development and lowering costs for New Jersey businesses and job creators.

S-82, commonly referred to as "time of application" or "time of decision" legislation, provides that a land-use development application will be governed by the municipal development regulations in effect at the time of the application. Exceptions are provided for those rules related to health and public safety.

The legislation does not guarantee approval of a land-use application, but instead allows for the application process to move forward without the unnecessary hurdle of constantly changing requirements while the application is pending.

"New Jersey's businesses and entrepreneurs - the job creators of our state - invest considerable amounts of financial and human resources in navigating a vast landscape of rules and regulations at the state and local level," said Governor Christie. "Prior to the signing of this legislation, the system allowed for those rules to be changed in the middle of the process, even after an application has been submitted. This legislation makes common sense changes to improve the application process and move New Jersey in the right direction of providing a friendlier environment for job creation, while keeping safeguards for public health and safety in place."

Currently, regulations do not "lock-in" until preliminary approval is granted for an application, allowing municipalities to change the requirement of an application after its initial submission, resulting in a business that is investing in New Jersey having to start the costly, time-intensive application process over, or abandoning the project altogether.

Executive Order 2, signed in January by Governor Christie, mandated the adoption of "time of decision" rules for State agencies, while providing exceptions in cases where public health or safety are impacted or other special cases specifically addressed in State law. S-82 applies the "time of decision" rule to municipal land use approvals as well.

The legislation's primary sponsors were: Senator Rice, Senator Van Drew; Assemblyman Green, Assemblywoman McHose and Assemblywoman Vandervalk.

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