

CHAPTER 7**DISTRICT TRANSPORTATION PLAN RULES****Authority**

N.J.S.A. 13:17-1 et seq., specifically 13:17-6(i),
and 13:17-99 et seq.

Source and Effective Date

R.2009 d.11, effective January 5, 2009.
See: 40 N.J.R. 3971(a), 41 N.J.R. 288(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 7, District Transportation Plan Rules, expires on January 5, 2016. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 7, Sanitary Landfill Regulations for the Hackensack Meadowlands District, was adopted as R.1971 d.136, effective August 11, 1971. See: 3 N.J.R. 140(a), 3 N.J.R. 185(b).

Chapter 7, Sanitary Landfill Regulations for the Hackensack Meadowlands District, was repealed by R.2004 d.76, effective February 17, 2004. See: 35 N.J.R. 4458(a), 36 N.J.R. 1033(a).

Chapter 7, District Transportation Plan Rules, was adopted as new rules by R.2009 d.11, effective January 5, 2009. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS**SUBCHAPTER 1. TITLE**

19:7-1.1 Title

SUBCHAPTER 2. PURPOSE

19:7-2.1 Purpose

SUBCHAPTER 3. DEFINITIONS

19:7-3.1 Definitions

SUBCHAPTER 4. MEADOWLANDS DISTRICT TRANSPORTATION PLAN

19:7-4.1 Meadowlands District Transportation Plan

SUBCHAPTER 5. TRANSPORTATION DEVELOPMENT FEE ASSESSMENT

19:7-5.1 Transportation development fee formula
19:7-5.2 Transportation Development Fee Formula reductions
19:7-5.3 Transportation development fee credits
19:7-5.4 Time of transportation development fee assessment
19:7-5.5 Exemptions from transportation development fee
19:7-5.6 Transportation development fee refunds and property transfers
19:7-5.7 Transportation development fee appeals

SUBCHAPTER 6. TRANSPORTATION PLANNING DISTRICT FUND

19:7-6.1 Transportation Planning District Fund

SUBCHAPTER 7. ENFORCEMENT

19:7-7.1 Penalties and enforcement
19:7-7.2 Severability

SUBCHAPTER 1. TITLE**19:7-1.1 Title**

This chapter shall be known and may be referred to as the District Transportation Plan Rules for the Hackensack Meadowlands District (District).

SUBCHAPTER 2. PURPOSE**19:7-2.1 Purpose**

This chapter establishes the general provisions for the assessment and collection of development fees pursuant to N.J.S.A. 13:17-100 through 105.

Administrative correction.
See: 41 N.J.R. 2143(a).

SUBCHAPTER 3. DEFINITIONS**19:7-3.1 Definitions**

The following words and terms, as used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Cash-out parking” means a program for providing payment to employees who agree to surrender the use of an on-site parking space.

“District Transportation Plan” or “Meadowlands District Transportation Plan” or “Plan” means the Plan adopted pursuant to N.J.S.A. 13:17-99.

“Elements” or “Plan elements” means projects and/or implementation of programs within the Plan, or phased portions thereof.

“Existing development” means the land uses located on a site prior to the implementation of any proposed development.

“Infill development” means development that is surrounded by non-vacant sites on a minimum of three sides.

“Internal capture rate” means the percentage reduction of trips applicable to the trip generation estimates for individual land uses within a multiuse site.

“Land use category” means the land use classification and description provided in the Institute of Transportation Engineers (ITE) Trip Generation: An ITE Informational Report, 8th Edition, incorporated herein by reference, as amended and supplemented, a copy of which can be obtained

from the Institute of Transportation Engineers, 525 School Street, S.W., Suite 410, Washington, DC 20024.

“NJMC” means the New Jersey Meadowlands Commission.

“Non-vacant lot” means land that is developed and contains permanent buildings.

“Original structure” means the structure which exists on a site prior to the changes proposed in an application for development.

“Peak hour of adjacent street traffic” means the hour during which the combination of the trips generated by a site and the volume of the traffic passing the site on adjacent streets is the highest.

“Peak hour of generator” means the hour during which the highest volume of traffic enters and exits the site.

“Preferential parking” means a program for providing specific parking spaces for carpools, vanpools, and/or carsharing vehicles.

“Primary land use” means the land use category included in the ITE Trip Generation: An ITE Informational Report.

“Project costs” means expenses incurred in the planning, design, engineering, and construction of any transportation project, and shall include debt service.

“Secondary land use” means an additional land use specified within the description of the primary land use included in the ITE Trip Generation: An ITE Informational Report.

“Transit oriented development” means development that is located within defined walking distances of a train station or bus stop.

“Transportation Planning District” or “District” means the Hackensack Meadowlands District as defined in N.J.S.A. 13:17-13.

“Unbundle parking” means a program where the cost of a parking space is separated from the rent or purchase price of residential unit.

“Vacant lot” means land that has not been previously developed and does not contain any permanent buildings.

“Vehicle mile of travel” or “VMT” means a unit to measure miles traveled by an individual vehicle.

Administrative correction.
See: 41 N.J.R. 2143(a).

SUBCHAPTER 4. MEADOWLANDS DISTRICT TRANSPORTATION PLAN

19:7-4.1 Meadowlands District Transportation Plan

(a) The Meadowlands District Transportation Plan shall be incorporated herein by reference, as amended and supplemented, copies of which can be obtained from the New Jersey Meadowlands Commission, One DeKorte Park Plaza, Lyndhurst, NJ 07071.

(b) The Plan shall be updated and readopted by the NJMC within five years of the date of the previous Plan adoption.

(c) The Plan shall also be updated, amended, and/or supplemented and subsequently readopted as follows:

1. If the development projections, periodically calculated by the NJMC, differ from the Plan development projections beyond the following values:

i. The addition or subtraction in total Plan development projections exceeding 3,000 net trips; or

ii. The addition or subtraction of an individual development exceeding 1,500 net trips.

(d) The Plan may be updated and readopted at any other time that the NJMC deems it to be necessary.

SUBCHAPTER 5. TRANSPORTATION DEVELOPMENT FEE ASSESSMENT

19:7-5.1 Transportation development fee formula

(a) The Transportation Development Fee Formula, listed in Figure 5-1 below, shall be used for computing the transportation development fee for each land use within a proposed development.

Figure 5-1

Transportation Development Fee Formula

$$\text{Fee} = (\text{ITE Trip Generation Rate}) \times (\text{VMT Factor}) \times (\text{VMT Rate})$$

where:

ITE = Institute of Transportation Engineers

VMT = Vehicle Miles of Travel

(b) The terms above shall have the following meanings:

1. “Trip Generation Rate” means the determination of the number of trips produced by and attracted to each land use.