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MEMORANDUM TO: Members of the Plan Implementation Committee

FROM: Donna Rendeiro

RE: Recommendation: County/Regional Endorsement Guidelines

DATE: February 25, 2020

As you will recall, a primary goal of the Office is to update the Plan Endorsement Process with a goal toward simplification and ease of compliance without compromising good planning practices. One of the first steps toward that goal is create a process to recognize the valuable role a county or regional planning approach can bring to good planning in terms of a resource for local planners as well as playing a leading role in elements that lend themselves to regional planning such as resiliency planning, stormwater and wastewater capacity and transportation infrastructure.

Both the State Planning Act and the current rules encourage regional and county planning; however, there are no specific guidelines to effectuate an endorsement of such planning efforts. I am therefore asking for your consideration regarding the proposed new guidelines. Both Meghan Wren and I will present the documents for your review at the Plan Implementation Committee meeting on February 26th, and we will be prepared to discuss any concerns or questions you may have.

c: State Planning Commission Members

County/Regional Plan Endorsement Guidelines

25 February 2020 Rev 6

Background

There has been discussion about building OPA's capacity to endorse plans by entities other than municipalities, such as county, regional or multi-party political subdivisions. The concept of county and regional planning is anticipated and allowed in the rules but not detailed in the administrative guidance.

There have been at least 5 categories of regional planning discussed as potential applicants for voluntary Regional Plan Endorsement:

1. A single county looking for endorsement of a county plan – a county plan could have a separate track with a limited mapping component, leaving that aspect to the municipalities.
2. Multiple counties working together on a cooperative plan.
3. A county working with municipalities as partners.
4. Several municipalities working together without their county's involvement.
5. An entity other than a county working with multiple municipalities, such as Burlington Bridge Commission or Cumberland Development corporation.

Although Counties have limited local land use authority, County Master Plans provide an important framework for local planning and infrastructure decisions and for aligning and coordinating land use policies for all levels of government. There are many other ways Counties can provide guidance and technical assistance. Counties are also interested in retaining their center designation status and see County Plan Endorsement as a potential way to achieve this goal and/or help municipalities do so. Additionally, through county/regional plan endorsement, municipalities that choose to comply with a county/regional plan could benefit from elements of a county/regional plan that are relevant to them, such as resiliency, hazard mitigation or farmland preservation, that have been developed for the county with municipal detail. This utilization would reduce submission requirements and streamline Municipal PE. Finally, the County PE process could help spur interest and greater municipal participation in the State Planning process.

There is precedence in the endorsement of the Route 130 Corridor Plan and the Sussex County Plan, although these endorsements occurred prior to the current rules. Additionally, there were other attempts at regional planning that were not endorsed, such as the Western Cumberland Strategic Plan and the Monmouth County/Barnegat Bay efforts.

Definitions (from NJ AC 5:85-1.4):

“Regional” means an area encompassing land in more than one municipality, a county, or more than one county that is bound together by shared characteristics and regional systems.

“Regional agency” and “regional entity” means an agency which performs planning for land development, infrastructure or capital investment planning for a region.

Key Questions:

1. Should there be different procedures for a county versus any other regional or multi-party entity? (OPA thinking is trending toward 'yes' also HFMA and NJDA say yes).
2. If municipalities engage in a regional approach, will they also be endorsed as a municipality through this process? (Tentative answer =No) Or can a municipal process be abbreviated for having submitted and assessed elements within the regional process? (Tentative answer=Yes; if the municipality's plan is consistent with the county plan on regional elements, those elements would require a cursory review; the local zoning requirements would be fully reviewed as part of the municipal review – NJDA agrees).
3. What is the benefit to municipalities of regional plan endorsement if municipalities still have to follow the standard Plan Endorsements procedures on their own? (Reduced requirements/abbreviated review for municipal PE; recognition that some aspects of planning are better at the regional level).

NOTE 1: There was general agreement that a municipality would need to be 'all in' or 'all out' – no bifurcation of municipalities for partial inclusion in a regional plan. (What does this mean for Bayshore region and other themed concepts? *Municipalities in Highlands. Pinelands and NJ Sports & Exposition Authority (Meadowlands) Regions would follow existing statutes and need to submit documents for the areas of their municipalities outside of the special area.*)

NOTE 2: Municipalities within the region who are interested in Plan Endorsement should concurrently (or separately) follow the guidance for the Municipal Plan Endorsement, likely municipal endorsement should come after county endorsement to take advantage of an abbreviated PE process based on their consistency with the County endorsed plan.

NOTE 3: County Plan Endorsement should not require local changes to municipal master plans or zoning (unless the municipality is seeking PE and needs to address consistency with the state & county plan.) If the County has entered the PE process but municipalities have not, County PE should not be held up if municipal plans are not yet consistent with the state or county plans.

NOTE 4: Hazard Mitigation Plans and/or resiliency sections of a county master plan could meet the climate change and resiliency criteria of the County PE if they address the state's resiliency criteria.

NOTE 5: Consideration should be given to identifying a streamlined approach for updating the SPPM for an entire county as part of the County PE Process. For example, it should be possible for the Somerset County Investment Framework to serve as the basis of a countywide update of the SPPM by engaging in the County PE Process.

County/Regional Plan Endorsement Guidelines

OPA proposes the following voluntary County/Regional Plan Endorsement (PE) procedure:

First: County, lead municipality or regional planning entity must be identified as the lead entity through an authorization letter from the County or municipal official, conditioned on final approval by the municipality(s.)

Second: Authorized lead submits letter on behalf of municipalities and/or counties requesting endorsement and scheduling of a Prepetition Meeting. Attach Prepetition Meeting Materials:

- Regional /County Plan
- Supporting documents as developed (TBD)
- Any maps depicting plan policies
- (Additional checklist items?)

(Liz added “Goals for regional planning efforts that produce outcomes and information that benefit municipalities” – I think this is included in the self assessment table of contents below...)

Also, “Mechanism or agreement on implementation of outcomes at the municipal level” (also included below and maybe premature for the prepetition meeting...)

Third: Hold Prepetition Meeting - Must have an elected County official participate if a county is applying and, if applicable, letters of representation from each participating municipality’s elected leader if a regional planning entity is taking the lead.

Fourth: Plan Endorsement Regional Advisory Committee - (Representatives from each engaged municipality.) **Members of the public?**

Fifth: County/Regional Self-Assessment Outline:

- Introduction
- Existing Conditions/Opportunities & Challenges – include:
 1. Purpose of regional plan (theme/boundaries/organizing principle) and,
 2. Goals/objectives (must be able to articulate why and desired outcomes that benefit municipalities)
 3. Key Characteristics (County or Region overview)
- Demonstrate public/regional support for the concept
- Status of County/Regional Strategic Plan and Other Relevant Planning Activities
- County-wide/regional scale recent & upcoming development projects
- Authorization Letter or MOU committing entities to work together & to implement outcomes.
- State Programs, Grants and Capital Projects within the region
- Sustainability/Resiliency Statement (including climate vulnerability and resiliency status/summary for the county/ region.
- (HFMA requested this list include Fair Share Settlement/Approved affordable housing plan – but it’s not required and is incorporated in other sections – it could scare petitioners away...)
- Consistency with State, County & Local Plans
 - Goals, Policies and Indicators
 - Center Criteria and Policies (if applicable)
 - Planning Area Policy Objectives
- Conclusion

Sixth: State Opportunities, Constraints & Consistency Review (combined)

Seventh: Regional Visioning

Eighth: Combined Action Plan and Draft PIA including a MOU - reviewed by the PIC

Ninth: State Planning Commission Endorsement

Tenth: Monitoring and Benefits (Streamlined monitoring process.)

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