

Building a Better New Jersey (Working Title)

The New Jersey State Development and Redevelopment Plan:

Preliminary Plan



**Draft for Review by the NJ State Planning Commission
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Introduction

The State Planning Act of 1985, N.J.S.A. 52:18A-196 et seq., empowered the State Planning Commission with the responsibility to prepare, revise, and readopt the New Jersey State Development and Redevelopment Plan (State Plan) every three years. The State Plan was adopted using the process of Cross-acceptance whereby planning policies are reviewed by government entities at all levels and the public to assess their consistency with each other and with the State Plan.

The State Plan was developed for the purpose of promoting cooperative planning among municipalities, counties, regional entities and the State, to change the way land use decisions have been made in our State over the past 30 years, and to promote sustainable economic growth in a way that doesn't develop all of our remaining open space. Thanks to years of work evaluating the goals, policies and strategies of the State Plan, we now have a clear framework for what the landscape of New Jersey should look like in 2020.

On March 1, 2001, the State Planning Commission adopted the official New Jersey State Plan. That day marked the end of the second round of Cross-acceptance, a thorough process that gave the State Plan a comprehensive and detailed review. Now as we launch Cross-acceptance III, some people may question why, after such a short time, we need to undertake this effort again. It doesn't seem like a lot of time has passed, but since 2001, land use governance in New Jersey has experienced some key changes. State agencies are undertaking a wide-sweeping effort to rethink how and where the state invests its money – on road and transit infrastructure, on open space and farmland preservation, on economic development, and on housing so that state agencies reinforce each other's efforts. At the heart of this is the connection between their programming and regulatory authorities to the State Plan. At the more local level, many municipalities are enjoying the benefits of cooperation and coordination through planning regionally for their joint futures. And in the private sector, developers are appreciating the economics of higher-density building around Transit Villages and other center-based communities.

And yet we still see the alarming effects of sprawl in New Jersey. New Jersey is the most densely populated state in the nation. New Jersey's farmland and remaining open space are rapidly disappearing in exchange for new homes and other developments. The forests and fields that in the past housed important species of plants and animals are now seas of pavement and big box stores.

The State has made progress in putting the State Plan into action by working in concert with local government to chart a new future for our cities, suburbs and rural areas. But we need to do more. This third round of Cross-acceptance gives us the opportunity to create an alternative to sprawl by focusing our efforts on implementing the goals, policies, and strategies that have been developed with careful thought over many years.

The theme of the Preliminary State Plan, “Building a Better New Jersey,” refers to the actions that we all need to take now in order to realize New Jersey’s Vision 2020, and this Preliminary State Plan sets the course. Rather than proposing to re-write the entire 2001 State Plan, this document is designed to identify the amendments proposed by the State Planning Commission. It is organized into four chapters as follows.

Section One updates the “Role of the State Plan” chapter of the 2001 State Plan. It retains much of the language from the State Plan, but reorganizes it to clearly spell out the purpose of the State Plan, its legislative history, the role of all levels of government in the state planning process, the role of the process of Plan Endorsement in implementing the State Plan, and the relationship of the State Plan to the Council on Affordable Housing.

Section Two addresses the Indicators and Targets of the State Plan. The Indicators and Targets are intended to serve as a tool to assess the State Plan and its implementation. To date, they have not been used effectively. The State Planning Commission, during Cross-acceptance, proposes to update the Indicators, and develop associated Targets, so that they are directly related to the goals of the State Plan, they are based on available data, and they are more focused on assessing the progress in implementing the State Plan.

Section Three proposes a reorganization structure for the State Plan for the purpose of clearing aligning the goals and strategies with the policies of the State Plan.

Section Four focuses on the policies of the State Plan, by providing updates to some, and introducing new policies, so that the State Plan reflects current state agency initiatives. These include environmental justice; the location of educational facilities and their relationship to the local community; the health benefits of smart growth; the promotion and preservation of the agriculture industry; the transport of goods; and the relationship between incompatible land uses.

Section Five updates the Glossary of the State Plan, so that the definitions in the State Plan include the concepts of Smart Growth and growth areas, and are consistent with changes to the State Planning Rules which were adopted by the State Planning Commission on February 18, 2004.

Sections Six and Seven are placeholders for pending issues. Section Six will provide updated population and employment projections across the state. Section Seven will address the recently released recommendations of the Highlands Task Force and their relationship to the State Planning Commission’s processes.

This document is organized so that the discussion of changes are shown in italics and the actual proposed changes to the text of the State Plan are shown in plain font.

Section One: Changes to “The Role of the State Plan” chapter

As a planning policy document, the State Plan provides a vision for the future of New Jersey. The State Planning Commission believes that the State Plan must also be a framework for action by explaining the role all levels of government must play in achieving this vision. To accomplish this, the State Planning Commission is proposing to focus the discussion on implementing the State Plan in the context of Plan Endorsement and the assessment tools of the Indicators and Targets.

This chapter uses most of the language from the “Role of the State Plan” chapter of 2001 State Plan chapter, but writes out sections in full where the proposed changes are extensive. Otherwise, edits are noted by page reference.

Overview

A number of states, including Connecticut, Delaware, Florida, Georgia, Hawaii, Maine, Maryland, New Hampshire, Oregon, Rhode Island, Vermont and Washington, have established a statewide, comprehensive growth-management framework. There is a heightened recognition that the rapid pace of unplanned and uncoordinated development is not purely a private matter, but a matter of great public importance, as such development threatens natural resources, strains infrastructure capacity and places additional fiscal burdens on limited government resources. Although local governments are empowered by the State to undertake land-use planning and management, municipalities and counties have limited tools with which to manage certain kind of land-use issues. Additionally, local land-use decisions are often fragmented, resulting in haphazard growth patterns, spillover effects across municipal and county boundaries and other consequences that require statewide coordination.

The State Plan is intended to serve as the underlying framework for both public and private sector investment in New Jersey’s future. It is designed to improve the quality of life and community value through coordinated design techniques that promote efficient land use patterns. The application of the State Plan to individual private interests will take place through the coordination and exercise of existing public powers at local, regional and state levels. This includes local government modification of master plans and land development regulations to reflect the provisions of the State Plan and achieve the purpose of the State Planning Act that local plans be “consistent with state plans and programs (N.J.S.A. 52:18A-196(f)).”

Accordingly, the intent of the State Planning Act is achieved through better coordination of existing lines of delegated authority and through existing implementation processes rather than through a more onerous new layer of bureaucracy.

The State Plan is a set of statewide recommendations to the people of New Jersey and their elected representatives, based on the mandates of the State Planning Act. The provisions of the State Plan and its supporting documentation constitute an agenda and framework for the State to achieve a 2020 Vision that includes both livable communities and natural landscapes.

Although called for by state legislation, the State Plan is far from a top down document. Created using an open democratic process, Cross-acceptance, it is also a set of recommendations from and by the people of New Jersey and their elected representatives. This process recognizes that responsibility for the future of the State of New Jersey is shared by the public and private sectors and at the municipal, county, regional and state levels. The statewide planning process needs to be collaborative, involving all components of the public and private sectors. The ultimate success of the State Plan depends on the participation and cooperation of the citizens of New Jersey.

The State Plan and the statewide planning of which it is a part, is a strategic plan for growth and prosperity. It is action-oriented, geared to adjusting to a complex and dynamic social environment. As the State Planning Act requires, this is a “living” document, which means that the provisions and means to attain those ends are continuously monitored and re-evaluated.

The State Plan is not a substitute for functional State agency plans or local master plans. The State Plan, in fact, would have little meaning or effect without such plans. The State Plan provides a context, a vision and a process within which these more specific plans can be developed and implemented to achieve commonly derived goals.

The State Planning Act:

Language for this section from pages 255 to 257 remains the same.

Implementing the State Plan: Plan Endorsement

Plan Endorsement is the tool developed by the State Planning Commission to provide the technical assistance and the coordination for municipalities, counties, regional and State agencies to meet the publicly supported goals of the State Planning Act (N.J.S.A. 52:18A-196 et seq). That act recognized that though land use decision making has been delegated to the local municipalities by the New Jersey Constitution and Legislature the municipalities are often not supported by coordinated state and county planning and public investments. Similarly, local plans of neighboring municipalities often conflict. The Legislature found that the public purpose of developing the New Jersey economy while protecting natural resources, providing adequate and diverse housing, and redeveloping cities required coordinated state action to control what is now known as sprawl. To that end the legislature appointed a State Planning Commission mandated to

create and implement a cooperatively developed state plan that would delineate areas for growth and redevelopment and areas for the protection of natural resources and farming. The plan is the State Development and Redevelopment Plan (State Plan), and the implementing tool is the Plan Endorsement Process described below.

Plan Endorsement is a voluntary review process that is designed to assist government agencies at all levels to develop and implement plans that will achieve the goals, policies and strategies of the State Plan. The process establishes a method by which government agencies at all levels may develop capital investment and planning decision-making mechanisms that are consistent with the State Plan and are therefore coordinated with each other. Technical assistance is provided throughout the endorsement process by the Office of Smart Growth and other State agencies. The end product of the review is intended to provide sufficient information so that the State Planning Commission, acknowledging the local context, can make a final determination as to the level of State Plan consistency achieved by the petitioner, and the petitioner's commitment to the implementation of the State Plan.

The Purpose of Plan Endorsement

The goals of Plan Endorsement are to:

1. Encourage municipal, county, regional and state agency plans to be coordinated and support each other to achieve the goals of the State Plan;
2. Encourage counties and municipalities to plan on a regional basis while recognizing the fundamental role of the municipal master plan and development regulations;
3. Consider the entire municipality, including Centers, Cores, Nodes and Environs, within the context of regional systems;
4. Provide an opportunity for all government entities and the public to discuss and resolve common planning issues;
5. Provide a framework to guide and support state investment programs and permitting assistance in the implementation of municipal, county and regional plans that meet statewide objectives; and
6. Learn new planning approaches and techniques from municipal, county and regional governments for dissemination throughout the state and possible incorporation into the State Plan.
7. To ensure that petitioners fully comply with the requirements of applicable State land use statutes and regulations in the Plan Endorsement process.

[NOTE: other references in the State Plan regarding the goals of Plan Endorsement will also be changed to include this seventh goal.]

The purpose of the Plan Endorsement process is to reach these goals by increasing the consistency among municipal, county, regional and State Agency plans with each other as well as with the State Plan and to facilitate the achievement of mutual goals.

The Benefits of Plan Endorsement

The State Planning Commission is committed to providing the resources and incentives necessary to enable municipalities, counties and regional entities to enter into and complete the Plan Endorsement process. State agencies are identifying program funding and regulatory provisions that will be available to municipalities and counties as they progress through the Plan Endorsement process. These benefits represent an unprecedented effort to fundamentally restructure the way that statewide priorities are established, by using the State Plan and Plan Endorsement process to link the State's regulatory and investment priorities with local goals and planning decisions.

Once the State Planning Commission has endorsed a plan as consistent with the State Plan, State agencies will be providing benefits to the county or municipality that will assist in implementing the endorsed plan. This assistance will include providing technical assistance, direct state capital investment, priority for state grants and loans, and substantive and procedural (permit streamlining) regulatory changes.

Monitoring, Evaluation and Assessments

The first subsection of this section, "Analyzing Alternative Growth Patterns," is a placeholder for the summaries of the Impact Assessment and Infrastructure Needs Assessment of the State Plan. These documents are required by the State Planning Act and provide a measure of success at implementing the State Plan.

The second subsection, "Indicators and Targets," provides the basis for on-going monitoring and evaluation of the State Plan. The State Planning Commission proposes to overhaul these indicators and targets and link them to the Impact Assessment. This effort will be discussed further in Chapter 2.

Participation at All Levels of Government

Role of State Agencies

This section, on page 278 of the 2001 State Plan, will remain the same.

Role of Counties

This section will use the language from page 280 of the 2001 State Plan under the heading "Counties" and will add a new paragraph at the end as follows:

In recognition of the enhanced role of counties in achieving regional planning objectives, the State Planning Commission is giving priority consideration to petitions for Plan Endorsement from counties, regional entities, and urban complexes.

Role of Municipalities

This section, on page 280-282 of the 2001 State Plan under the heading “Municipalities,” will remain the same.

Planning Regions Established by Statute

This section, on page 279 of the 2001 State Plan, under the same heading, will remain the same.

Relationship of the State Plan to the Council on Affordable Housing

The background provided under the “New Jersey Council on Affordable Housing” section of this chapter in the 2001 State Plan provides an informative overview of the shared history and goals of the Fair Housing Act and the State Planning Act. This document incorporates much of that language, along with an update on the progress of the Council on Affordable Housing (COAH).

The State Planning Commission and the New Jersey Council on Affordable Housing have a unique relationship. This relationship is derived from the common origin that both the New Jersey State Planning Act and the Fair Housing Act have in the state Legislature’s response to the New Jersey Supreme Court’s *Mount Laurel* decisions.

In 1975, in the case of *Southern Burlington County NAACP v. Township of Mt. Laurel* (Mt. Laurel I), the New Jersey Supreme Court ruled that developing municipalities have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate income housing. In its 1983 Mt. Laurel II decision, the Supreme Court reaffirmed and expanded the Mt. Laurel I doctrine and state that all municipalities share in the obligation. To assist municipalities in determining their fair share, the Supreme Court relied on the *State Development Guide Plan*, which, at that time, was the State’s blueprint for accommodating projected growth. The court noted that it was relying on the Guide Plan in the absence of a Legislative statement and invited the Legislature to make its own determination.

On July 2, 1985 the Legislature enacted the Fair Housing Act, creating the Council on Affordable Housing (COAH) as an administrative alternative to the courts. That same year, the Legislature also passed the State Planning Act. Both of those acts contain language evidencing the strong legal relationship of COAH to the State Planning Commission.

In the State Planning Act, the Legislature found that it was of “urgent importance that the State Development Guide Plan be replaced by a State Development and Redevelopment Plan designed for use as a tool for assessing suitable locations for infrastructure, housing economic growth and conservation.” (N.J.S.A. 52:18A-196c). The Legislature also

found that “an adequate response to judicial mandates respecting housing for low and moderate income persons requires sound planning to prevent sprawl and to promote suitable uses of land.” (N.J.S.A. 52:18A-196h). Thus, the State Planning Act gives recognition to the mandate of the Fair Housing Act and places that mandate within the State Planning Act’s legislative findings and declarations.

Since 1992, the Council on Affordable Housing and the State Planning Commission have had a Memorandum of Understanding in place that establishes an understanding of how the State Plan should be used by COAH in meeting its legislative requirements. In accordance with the Fair Housing Act, COAH utilizes the State Plan and the State Plan Policy Map when considering certification of municipal housing elements, fair share plans and requests for site specific relief that are directed to COAH from the courts.

As COAH embarks upon the third round, there will be continued cooperation between the two agencies in the form of information sharing, consistency reviews and an updated Memorandum of Understanding.

Update on COAH

As of January 31, 2004, 285 municipalities (approximately 50%) were under COAH’s jurisdiction. These affordable housing plans have produced:

- 28,715 units built or under construction
- 8,900 units zoned or approved
- 7,897 units transferred via Regional Contribution Agreements (RCAs)
- 11,605 units rehabilitated

An additional 75 municipalities were under court jurisdiction. COAH does not have complete information on affordable units for many of the court towns, except with regard to RCA units. As of January 31, 2004, the 360 municipalities under either COAH or court jurisdiction had transferred 8,699 RCA units for a total of \$171 million invested in receiving areas. Of these, 3,287 RCA rehabilitated units have been completed and 2,622 RCA new construction units have been completed.

Under COAH's proposed third round growth share methodology, a municipality's fair share obligation is estimated for the period 1999 to 2014. The municipal obligation to provide affordable housing consists of the number of existing, deficient units that are occupied by low and moderate income families; plus any remaining prior obligation for the period 1987 to 1999; plus a projected number of "growth share" units to be determined by applying a ratio of affordable housing need to total housing units built and to total jobs created as described in N.J.A.C. 5:94-1 et seq.

Section Two: Indicators and Targets

This chapter addresses the Indicators and Targets which will be incorporated into the “Role of the State Plan” chapter, as discussed in Section One of this document.

The State Planning Act requires the State Planning Commission to include “the appropriate monitoring variables and plan targets in the economic, environmental, infrastructure, community life and intergovernmental coordination areas to be evaluated on an on-going basis.” In response, the State Planning Commission developed a set of key indicators and targets for these five areas which are related to the goals of the State Plan.

The purpose of indicators for the State Plan is to provide feedback to the citizens of New Jersey, and to government officials, on how well the State Plan is being implemented and what progress is being made in achieving its intended outcomes as defined by the Statewide Goals. Indicators also provide a tool to measure the extent to which plans submitted for endorsement meet and contribute to achieving the goals, policies and strategies of the State Plan.

As part of Cross-acceptance, the State Planning Commission is reviewing current State Plan Indicators to ensure that they are clearly connected to available data sources and provide decision makers at every level of government with clear guidance as the process of implementing the State Plan moves forward.

The State Planning Commission seeks public participation in this process to ensure that the indicators selected are derived from the best data available and reflect the diverse opinions and knowledge of the citizens of New Jersey. This section contains proposed indicators that embody the Commission’s current thinking on what should be included in the Final State Development and Redevelopment Plan. It also contains “place holders,” which describe data and indicators that may not currently exist, but that the State Planning Commission believes are necessary and have the potential to be created prior to adoption of the Final Plan. It also lists “other potential new indicators” for consideration.

There are two main purposes for revising the indicators:

- Focus the indicators so they provide clear feedback and guidance to decision makers and the public on progress in implementing the State Plan and achieving its goals for New Jersey.
- Reorganize the indicators and targets within the structure of the State Plan’s Statewide Goals.

Indicator and Target Organization

The State Plan is a document and a program designed to improve the quality of life for New Jerseyans through the development of a land use governance system. Therefore, indicators designed to guide the process of implementing the State Plan should fall into two categories:

1. A small number of “headline” indicators that provide a simple and understandable overview of progress implementing the State Plan.
2. A larger number of indicators that report on progress achieving each of the State Plan’s Statewide Goals.

This chapter sets forth a new structure for the State Plan Indicators, according to the Headline and goal-based indicator designations discussed above, and specifies where these can be found in the current State Plan, where applicable. It also identifies those indicators that the State Planning Commission proposes to eliminate from the State Plan, so that the remaining list has a clear link to the State Plan, land use and development, and can be measured using existing data sources.

Headline Indicators

The purpose of Headline Indicators is to provide New Jersey citizens and state government managers a tool to assess, at a glance, the progress we are making in implementing the State Plan. The Key Indicators will act as a general guide on how well the State is doing in achieving the core objectives the State Plan and the degree to which the State Plan is being implemented on the ground. These indicators and targets will be selected based on the following criteria:

- Indicators are based on real world trends and outcomes, not government processes.
- Both indicators and targets communicate information that will be understood and resonate with the public on development patterns and the impacts of land use decisions.
- They report on trends that are clearly within the purview of, and impacted by, the State Plan and land use governance.

Suggested Headline Indicators

1. Percent of new development, population and employment that is located in the Metropolitan and Suburban Planning Areas or within Centers in the Fringe, Rural and Environmentally Sensitive Planning Areas.
2. The variety of transportation choices available to New Jersey residents as measured by the percent of commuters engaging in ridesharing, public transportation, bicycle, walking and working at home.
3. The amount of land permanently dedicated to open space and farmland preservation.

Statewide Goal-Oriented Indicators

The purpose of the Statewide Goal Indicators is to provide usable information on progress achieving the eight formal State Plan Statewide Goals. These indicators are organized under each of the eight Statewide Goals. The indicators will be selected based on the following criteria:

- They provide information on the issues identified within the goal text.
- There is a strong link between the goal, the indicator, and development patterns, land use governance, and implementation of the State Plan.
- They are as detailed as possible to provide feedback and guidance to decision makers, local and regional governments, and state agencies that are devising implementation strategies.

Goal 1: Revitalize the State's Cities and Towns

Proposed Indicators Related to Goal 1:

- A. Municipal Revitalization Index
- B. Percent of Brownfield Sites Redeveloped
- C. Percent of new Jobs Located in Urban Aid Municipalities
 - UCC designation changed to Urban Aid municipalities
- D. Percent of Building Permits Issued in Urban Coordinating Council Municipalities
 - Consider changing UCC designation to one based on the State Plan
- E. **Placeholder** - The differential in per capita municipal tax base between Urban Aid municipalities and the statewide average.
 - This is a proposed indicator that is not currently in the State Plan. However, as this data are an important indicator of the health of cities it is important to attempt to establish such an indicator.
- F. We will also consider as an alternative measure the differential between municipalities with a majority of land designated as Planning Area 1 and the statewide average.

Goal 2: Conserve the State's Natural Resources and Systems

Proposed Indicators Related to Goal 2:

- A. Conversion of Farmland for Development
- B. Agricultural Output
- C. Conversion of Land Per Person

Goal 3: Promote Beneficial Economic Growth, Development and Renewal for All Residents of New Jersey

Proposed Indicators Related to Goal 3:

- A. Meet Present and Prospective Needs for Public Infrastructure Systems
 - This indicator and its targets should be expanded to include public utility infrastructure
- A. Percent of Brownfield Sites (or numbers of acres) Redeveloped
- B. Agricultural Output
- C. Municipalities With Median Household Incomes of Less Than \$30,000 Per Year
 - Suggest changing the indicator to: number of municipalities that have average incomes less than a certain percent of the NJ median
- D. Number of Census Tracts With More Than 40% of the Population Living Under the Poverty Level

Other Potential New Indicators:

- Infrastructure Costs Per New Job or Unit of Economic Output
- Average Transportation Costs Per Capita and Per Job By Planning Area

Goal 4: Protect the Environment

This goal is similar to Goal 2, but differs in that Goal 2 deals with land use and conserving land whereas Goal 4 is dealing mostly with environmental regulation of industry and has very little to do with environmental impacts that come from land use regulation as impacted by the State Plan. Therefore, no indicators can be associated with this goal that satisfy indicator selection criteria 2.

Goal 5: Provide Public Services at Reasonable Cost

Proposed Indicators Related to Goal 5:

- A. Progress in Socio Economic Revitalization for the 68 Municipalities Eligible for Urban Coordinating Council Assistance
 - Consider using a designation related to the State Plan instead of the UCC
- B. The degree to which the rate of increase or decrease in Non-Single Occupancy Vehicle (SOV) targets, defined by State Planning Area and New Jersey Transit's Transit Score Area, is attained throughout the State.

- This new indicator provides for the development of a realistic, reasonable and attainable set of targets for counties and municipalities who are engaged in the Plan Endorsement process. Location-specific targets should be available by May 2004.
 - As a subset of this indicator, Increase in Transit Ridership (Adopted SDRP Indicator 17) will be retained. A comprehensive definition of Transit Ridership, as well as a determination of measurement methodology, will be developed.
 - Also related to this is the Number of Pedestrian Fatalities, Additional Indicator 16 in the State Plan.
- C. Vehicle Miles Traveled Per Capita and Per Household
- The rationale for including this indicator is that providing access to jobs, commerce and recreation is a major public expense. The degree to which access can be delivered in a manner other than automobiles is an indicator of efficient planning and delivery of the public service of access and mobility. The inclusion of the Vehicle Miles Traveled Per Household indicator is recommended based on future demographic shifts resulting from the aging of the “Baby Boom” generation.

Other Potential New Indicators:

- Per Capita and Per Job Utility Infrastructure Costs (Distribution System Costs)

Goal 6: Provide Housing at Reasonable Cost

Proposed Indicators Related to Goal 6:

- A. Percent of New Jersey Households Paying More Than 30% of Their Pre-Tax Income Towards Housing.
- Although we do not have a full description of the link between development patterns and housing, specifically detailing the impact between TREND and PLAN development patterns on housing costs, this indicator should be kept. It is an indirect indicator of how well the housing market is meeting the actual housing needs of NJ’s households, which is be influenced by the State Plan.

Other Potential New Indicators:

- Ratio of median home price to median income.
- Percent of new housing units that are out of reach to a household with median income

- Percent of new units that are multifamily.
- Percent of Municipalities with Zoning that Allows for Adequate Rental and Affordable Housing.
- Availability of Affordable Housing In Centers and by Planning Areas.

Goal 7: Preserve Historic and Cultural Areas

Proposed Indicators Related to Goal 7:

- A. The Amount of Land Permanently Dedicated to Open Space and Farmland Preservation
- B. Conversion of Farmland for Development

Other Potential New Indicators:

- Percent of New Jersey's (State, County, Local) Identified Recreational, Historic, and Cultural Sites and Institutions that are Protected or Addressed Within a Center or Endorsed Plan.
- The Percent of New Jersey Residents that Have Access to Major Cultural and Recreational Sites by Public Transit or a Short Walk or Bike.

Goal 8: Ensure Integrated Planning Statewide

Proposed Indicators Related to Goal 7:

- A. New Development, Population and Employment Located in the Metropolitan and Suburban Planning Areas or within Centers in the Fringe, Rural and Environmentally Sensitive Planning Areas
- B. The Degree to Which Local Plans and State Agency Plans are Consistent With the State Plan
 - Consider breaking into two indicators: State Agency and Local Plans
 - Local Plans should become percent of Municipalities, or percent of land area, with an Endorsed Plan
- C. Municipalities Participating in Comprehensive, Multi-jurisdictional Regional Planning Processes Consistent With the State Plan

Section Three: Changes to “Statewide Goals, Strategies and Policies Chapter

The State Planning Commission proposes to restructure the existing eight goals and strategies of the State Plan and to nest the 19 Policies, and their sub-policies, under these goals. The inter-relationship of the policies as they apply to the goals is shown in the outline. The State Planning Commission believes that this reorganization will make the document more concise and user-friendly without losing the substance of the State Plan.

- I. Consolidate all statements for each goal on “Vision of New Jersey in the Year 2020” into one vision statement at the beginning of the chapter.*
- II. Consolidate the background sections for each goal into one section called “Basis and Background for State Plan”.*
- III. Reorganize the Statewide goals, strategies and policies using the following structure:*

Goal 1: Promote Beneficial Economic Growth, Development and Renewal for All Residents of New Jersey

- Policies on Economic Development
- Policies on Equity and Environmental Justice¹

Goal 2: Ensure Sound and Integrated Planning and Implementation Statewide

- Policies on Comprehensive Planning
- Policies on Planning Regions Established by Statute

Goal 3: Conserve the State's Natural Resources

- Policies on Agriculture
- Policies on Coastal Resources
- Policies on Water Resources
- Policies on Special Resource Areas
- Policies on Open Lands and Natural Systems

Goal 4: Revitalize the State's cities and Towns

- Policies on Urban Revitalization
- Policies on Public Investment Priorities

Goal 5: Protect the Environment, Prevent and Clean Up Pollution

- Policies on Energy Resources
- Policies on Air Resources

¹ Environmental Justice is a new policy proposed in and Executive Order signed by Governor McGreevey on February 18, 2004.

- Policies on Waste Management, Recycling, & Brownfields

Goal 6: Provide Adequate Housing at a Reasonable Cost

- Policies on Housing
- Policies on Design

Goal 7: Provide Adequate Public Facilities and Services at a Reasonable Cost

- Policies on Transportation
- Policies on Infrastructure Investments

Goal 8: Preserve and Enhance the Historic, Cultural, and Scenic, Open space and Recreational Values

- Policies on Historic, Cultural and Scenic Resources

Section Four: State Plan Policy Changes

The chapter in the 2001 State Plan entitled “Statewide Goals, Strategies and Policies” identifies 8 goals and 19 policies to guide land use decision making in New Jersey. The State Planning Commission continues to support those goals, strategies and policies and proposes to update the section with some new or edited policies that reflect current initiatives at the State level.

Statewide Policy #1: Equity

It is the position of the State Planning Commission that a basic policy in implementation of the State Plan is to achieve the public interest goals of the State Planning Act while protecting and maintaining the equity of all citizens. The State Planning Commission understands that planning is unique to each municipality, county and region. Resources are limited and therefore the State Planning Commission believes that distribution of resources must coincide with the needs of our municipalities. The benefits and burdens of implementing the State Plan should be equitably distributed among all citizens of the state. Where implementation of the goals, policies and objectives of the State Plan affects the reasonable development expectations of property owners or may disproportionately affect under-represented citizens, agencies at all appropriate levels of government should employ program resources, including, for example, State funding, that mitigate such impacts to ensure that the benefits and burdens flowing from implementation of the State Plan are borne on an equitable basis.

In contributing to the development of the State Plan, many groups have expressed concerns about “equity.” Under Comprehensive State planning policy, New Jersey seeks to ensure a high quality of life for all its residents. Urban Centers are a cornerstone of New Jersey’s economic, human, social and cultural resources. Despite these assets, New Jersey’s history of urban disinvestment and inequitable resource allocation policies favoring new development in suburban and rural areas may have contributed to economic, social and environmental inequities seen throughout many cities across the State. The result has been underdeveloped cities with a lack of quality affordable housing, concentrations of poverty, environmental degradation and many residents in low income communities and communities of color being exposed to multiple sources of environmental hazards. Suburban residents believe they have lost equity as a result of overcrowded highways, loss of nearby open space, rising taxes, and other negative growth impacts. Rural residents, particularly farmland owners and other landowners, feel that their equity is eroded when the use or intensity of use of their land is constrained to the extent that it lowers the value of their property and, in particular, jeopardizes the economic viability of farming operations.

It is the position of the State Planning Commission that the State Plan should neither be used in a manner that places an inequitable burden on any one group of citizens nor

should it be used as a justification for public actions that have the effect of diminishing equity. The State Plan should be used in a manner so that resources are allocated to achieve equitable outcomes. The Commission urges all agencies, at all levels of government to review planning policy and regulations to ensure that the resulting benefits and burdens of those plans do not disproportionately effect communities, including under-represented citizens such as minorities and low-income residents and workers.

It is also the position of the Commission that the achievement, protection and maintenance of equity be a major objective in public policy decisions as public and private sector agencies at all levels adopt plans and policies aimed at becoming consistent with the State Plan.

The Commission will work to ensure the fair treatment and meaningful involvement of the public in environmental decision-making at the county, municipal, and state agency levels in accordance with Federal and State Environmental Justice policies.

The Commission urges individuals and groups that have concerns about equity to use all avenues to assure that their concerns are considered in governmental actions and to prevent inappropriate application, or abuse, of the State Plan. The State Plan is a statement of state policy formulated to guide planning and regulatory initiatives by governmental agencies at all levels of government. It is the results of those planning and regulatory initiatives, not the State Plan that should be utilized by both public and private entities in evaluating particular tracts or parcels of land. Both public and private sector agencies are cautioned that direct application of the State Plan to specific parcels of land may result in inequitable distribution of the benefits and burdens of public action.

Statewide Policy #2: Comprehensive Planning

Policy #3: Planning Education and Training

Provide for adequate planning education and training for professional and citizen planners serving at all levels of government, Board of Educations, school administrative officials and to students in primary and secondary schools

Under Subheading:

Policy #__ : Transitional Land Use

Promote land use decisions at the local level that provide for transitional or buffering land-uses between two or more incompatible uses such as those that protect environmental features or commercial and residential neighborhoods from the adverse impacts of industrial sites or high intensity land-uses.

Statewide Policy #4: Infrastructure Investments

New Subheading: Infrastructure Investments and Public Education

Promote the delivery of quality public education for all New Jersey school-age residents by renovating existing schools where cost effective and by strategically locating schools and utilizing existing schools in order to enhance community life and provide, through community involvement, community-based, multi-purpose facilities that are safe, healthy and conducive to learning.

School Facility Planning and Design

Policy #__ : School Facilities (from current #8)

Make the most effective use of existing school facilities, including for community use; cost effectively renovate existing facilities; plan and construct new facilities to serve as community centers; and locate new school facilities to serve as focal points for existing and new development. Integrate school facilities planning with neighborhood planning and community wide planning and development. Design and construct school facilities that incorporate “high performance” design features that accommodate and enhance the learning process.

Policy #__ : Historic and School Structure Re-use (new)

Promote adaptive reuse of historic structures and existing school facilities to provide community schools, where appropriate, in ways that respect architectural and historic community integrity.

Policy #__ : Public Use of Public Lands and Facilities (#14 under open space)

Provide for public recreational use of public lands and facilities, including schools.

Policy #__ : Safe Routes to Schools (new)

Promote safe routes to school projects that encourage and enable children to walk and cycle to school through a combined package of practical and educational measures that: improve road safety and reduce child casualties; improve children's health and development; and reduce traffic congestion and pollution through traffic calming

Policy #__ : Energy Efficient School Buildings (combination of energy resources #3 and 4)

All new school buildings should be energy efficient and existing buildings should be retrofitted and weatherized to reduce energy demand and operational costs. The design, location and orientation of school facilities, including lighting plans, should allow maximum use of passive solar energy and take advantage of

topography, vegetation and prevailing climatic conditions to reduce energy demands and needs.

Coordination of Planning Efforts

Policy #__ : Inter-jurisdictional and Regional Planning and Coordination (economic dev #1 and comprehensive planning policy #20)

Coordinate school project activities both horizontally on each level of government and vertically among the levels of government particularly between adjacent school districts and host communities, but also between public and private school systems especially in regard to those plans, regulations, programs and projects that potentially have “greater-than-local” impact to minimize adverse regional and local impacts.

Policy #__ : Integrated Plans, Regulations and Programs (comprehensive planning #5)

Ensure that regulations, as well as infrastructure investments and other related programs, are consistent with approved school facility plans, on an intra- and inter-governmental basis.

Equity

Policy #__ : Educational Facility Financing (moved from Urban Revitalization Policy #10)

Promote improvements in public education, while ensuring that responsibility is shared equitably by the State, its various jurisdictions and all citizens of the State, including investments to provide educational facilities that ensure a thorough and efficient education for all school-age children.

Statewide Policy #5: Economic Development

Policy #__ : Community-based Economic Development

Generate local capacity for economic development by promoting economic growth that maintains and enhances the entire community by locating job opportunities in places that do not require additional infrastructure and are accessible by public transportation.

Statewide Policy #6: Urban Revitalization

Under Subheading “Revitalization and the Environment:

Policy #__ : Urban Waterfront Redevelopment

Promote investment within the urban complex or centers that looks to redevelop deteriorated properties along waterfronts with the purpose of promoting mixed-

use. Provide access to and cleanup of water features. Establish design criteria that look at integrating the built environment with the restoration of the natural environment.

Statewide Policy #7: Housing

Under Subheading: Planning and Regulation

Policy #2: Age-restricted Housing (revised)

Planning for age-restricted housing should be grounded in local master plans that are balanced with housing for a range of ages and incomes and should be physically integrated into or connect to Centers or other areas with facilities and services. Encourage and support the development of senior housing so that elderly households can find housing that is affordable, that is in good condition, and that can accommodate their physical capabilities or assistance needs.

Statewide Policy #8: Transportation

Under Subheading: Transportation and Economic Development

Policy #23: Goods Movement (revised)

Enhance the movement of goods into, out of, through, and within New Jersey by strategically investing in a comprehensive multi-modal network that supports local, regional, interstate, and global commerce, including, where appropriate:

- Improving the access to and the connectivity between seaports, airports, railroads, highways, warehouse/distribution centers, and industrial properties.
- Encouraging the movement of goods by rail and inland waterway to and from the ports and elsewhere, while balancing the needs of other users.
- Dredging channels to provide shipping access.
- Enhancing the existing port facilities, and developing new port facilities through improved multi-modal landside access and coordinated land use practices.
- Encouraging goods movement related development such as warehouse/distribution centers, value added facilities, and other logistics supportive enterprises in the vicinity of strategic highway interchanges, corridors and junctions.
- Encouraging goods movement related development near access points that benefit existing intermodal transfer areas, and major regional and global gateways such as ports and air terminals.
- Utilizing and preserving Brownfield Redevelopment Sites for new goods movement related development.

- Providing exclusive rights-of-way congestion bypasses for local port and distribution activities and regional through movement of trucks.

Statewide Policy #15: Agriculture

New introductory paragraph: Secure and promote the future of New Jersey agriculture by implementing economic development strategies that support the industry, encourage programs and policies to sustain farm viability and incorporate innovative planning techniques that preserve farmland, accommodate growth and conserve our natural resources.

New Policy #3: Coordinated Planning

Strategically coordinate planning efforts at all levels of government to promote agriculture retention programs and policies, including farmland preservation efforts, with emphasis on proactive land use initiatives, updating data for farmland preservation activities, and better coordination of farmland preservation efforts with open space, recreation, and historic preservation investments.

Edited title for Policy #23: Agri-tourism and Eco-tourism

Statewide Policy #19: Design

New Policy #__ : Public Health Benefits of Smart Growth Design

Planning that reduces reliance upon the automobile by providing opportunities for people to walk or bicycle to community destinations, such as neighborhoods, shops, work places, school, parks, and transit stations, as a part of their daily routines, should be encouraged.

In recent years, researchers, foundations, and practitioners within the health care industry have become increasingly aware of close linkages between community design, land use patterns, and public health. Land use patterns characterized by fragmented and segregated land uses, low-intensity residential settlements, widespread strip commercial development along roadways, and lack of connectivity within and between neighborhoods, or “sprawl”, are creating deleterious impacts on public health. More and more, smart growth development practices are becoming recognized as a viable alternative solution to the threats on public health.

Section Five: New Definitions

The State Planning Commission proposes to update the Glossary section of the State Plan to include an official definition of Smart Growth and Growth Areas, as well as to make the section consistent with the definitions section of the State Planning Rules.

- I. The State Planning Commission proposes to add the definitions below in order to provide the State Plan with a clear definition of Smart Growth*

Smart Growth means well-planned, well-managed growth that adds new homes and creates new jobs, while preserving open space, farmland, and environmental resources. Smart Growth supports livable neighborhoods with a variety of housing types, price ranges and multi-modal forms of transportation. Smart Growth is an approach to land-use planning that targets the State's resources and funding in ways that enhance the quality of life for residents in New Jersey. Of equal importance to Smart Growth is conservation and preservation of areas of unique character such as the Highlands, Pinelands, Meadowlands, the New Jersey Coast and other environmentally sensitive lands both within and outside of growth areas. Smart Growth principles include mixed-use development, walkable town centers and neighborhoods, mass transit accessibility, sustainable economic and social development, and preserved green space

Smart Growth Area means Planning Areas 1 and 2, designated centers, and areas designated for growth in a plan that has been endorsed by the State Planning Commission. The purpose of designating smart growth areas outside of Planning Areas 1 and 2 is to create compact development forms that absorb growth that would otherwise occur in the Environs. Smart growth areas should be integrated into a regional network of communities with appropriate transportation linkages. Smart growth areas may include areas for agricultural growth and industry.

Areas for Agricultural Industry Growth means those areas designed to preserve agriculture or its support industries and are reflective of a municipal and county Farmland Preservation Plan element of the Master Plan.

Urban Coordinating Council (UCC). Delete this definition and replace it with:

Urban Aid Municipality means a municipality that qualifies for state aid pursuant to N.J.S.A. 52:27D-178 et seq.

- II. The changes to the definitions below, or the addition of new definitions, are the result of changes to the State Planning Rules, N.J.A.C. [citation], which were adopted by the State Planning Commission on February 18, 2004.*

Center means an efficient and compact form of development having one or

more mixed-use cores and residential neighborhoods and green spaces. Center designations are based on the area, population, density, and employment of the center being considered and features of the surrounding areas. Centers range in scale in the following order: Urban, Regional, Town, Village, and Hamlet. Descriptions and criteria for designating each type of center are located in the New Jersey State Development and Redevelopment Plan.

Center Boundary means the line between a center and its environs. The boundary is defined by physical features, such as rivers, roads, or changes in the pattern of development or by open space, environmentally sensitive features, or farmland.

Consistency or **consistent** means that the State Planning Commission determines that a municipal, county or regional plan, or plan amendment, submitted for plan endorsement or a map amendment submitted for approval is the same as or has the same effect as the provisions in the State Development and Redevelopment Plan. In determining consistency the State Planning Commission will consider the ability of the submitted plan to achieve the targets and indicators contained in the State Plan that are applicable to the petitioner; the extent to which the activities listed to be undertaken in each planning area to achieve consistency with the State Plan goals and implement Statewide policies have been or will be done; the consistency of the plan with applicable statutory and regulatory provisions; and whether the plan is based on current information and data. Consistency will be evaluated based on all the provisions of the State Development and Redevelopment Plan with particular emphasis on the following provisions:

1. The Statewide goals, policies and strategies;
2. The policies that apply to all planning areas;
3. The intentions for each relevant planning area;
4. The policy objectives for each relevant planning area;
5. If any change to a planning area boundary is proposed, the delineation criteria, intent and policy objectives for each planning area impacted by any boundary change;
6. The delineation criteria and intent for Critical Environmental Sites and Historic and Cultural Sites;
7. If there is a designated center or a center is proposed for designation, the policies for centers, including the center design policies, and environs; and

8. If a center is proposed for designation or a change to the boundary of a designated center is proposed, the criteria for designating the type of center that is proposed to be designated or modified.

Critical environmental site (CES) means an area generally less than a square mile, which includes one or more environmentally sensitive features located either outside of a planning area classified as environmentally sensitive by the State Development and Redevelopment Plan or within designated centers located within such planning areas.

Cross-Acceptance Manual means a document adopted by the State Planning Commission for the purpose of guiding negotiating entities through the cross-acceptance process. The manual shall contain, at a minimum, a sample work program, a draft schedule, a sample negotiation agenda, and an outline for the Cross-Acceptance Report.

Cross-acceptance or **Cross-acceptance Process** means a process of comparing planning policies among government levels with the purpose of obtaining consistency between municipal, county, regional, and State plans and the State Development and Redevelopment Plan.

Cross-Acceptance Report means a written statement submitted by the negotiating entity to the State Planning Commission describing the findings, recommendations, objections, and other information as set forth in the Cross-Acceptance Manual. The Cross-Acceptance Report can also be submitted by a municipality pursuant to N.J.A.C. 5:85-3.6 or by a regional entity or State agency pursuant to N.J.A.C. 5:85-3.7.

Designated Center means a center that has been officially recognized as such by the State Planning Commission. Center designations only may occur as part of the plan endorsement process.

Draft Final State Development and Redevelopment Plan means a draft of the Final State Development and Redevelopment Plan that has been released for public comment by the State Planning Commission following the Cross-acceptance process. The draft Final State Development and Redevelopment Plan is the same document as the Interim State Development and Redevelopment Plan that is also referenced in the State Planning Act.

Endorsed Plan means a municipal, county or regional plan which has been approved by the State Planning Commission for initial or advanced plan endorsement as a result of finding it consistent with the State Development and Redevelopment Plan, pursuant to N.J.A.C. 5:85-7.

Environmentally Sensitive Features means natural attributes or characteristics whose function as part of a natural system or landscape is considered integral or important. For

example, a coastal dune and beach system is an environmentally sensitive feature as is an area of critical habitat or a stream corridor. Environmentally sensitive features of Statewide or regional significance may also be part of the criteria for identification of a Special Resource Area.

Environs means parts of the municipality or municipalities outside the center boundaries.

Final State Development and Redevelopment Plan means the plan that the State Planning Commission adopts after releasing and receiving comments on the draft Final State Development and Redevelopment Plan which upon adoption becomes the official State Development and Redevelopment Plan that sets forth Statewide planning policies and serves as the official blueprint for development and redevelopment in New Jersey.

Goal means a desired state of affairs to which planned effort is directed. The goals of the State Development and Redevelopment Plan are general statements of values derived from the State Planning Act of 1986 and public comments.

Hackensack Meadowlands Commission. See New Jersey Meadowlands Commission.

New Jersey Meadowlands Commission means a state agency created by the Hackensack Meadowlands Reclamation and Development Act (*N.J.S.A.* 13:17-1, et. seq., L. 1968, c. 404) to oversee the growth and development of 21,000 acres of Hackensack River meadows in 14 municipalities in the region, to protect the delicate balance of nature, and to continue to use the meadows to meet the region's solid waste needs.

Historic and Cultural Site (HCS) means a site of generally less than a square mile, which includes features or characteristics that have inherent cultural, historic or aesthetic significance of local, regional or Statewide importance. Such features include, but are not limited to, historic sites and districts, greenways and trails, dedicated open space, pre-historic and archaeological sites, scenic vistas and corridors, natural landscapes of exceptional aesthetic or cultural value.

Identified Center. *Delete this definition. References to it within the State Plan also will be deleted when the Draft Final Plan is issued in 2005.*

Impact Assessment means the assessment of the economic, environmental, infrastructure, community life and intergovernmental coordination of the draft Final State Development and Redevelopment Plan required by the State Planning Act and the State Planning Rules.

Infrastructure Needs Assessment means the assessment of present and prospective conditions, needs and costs with regard to State, county, and municipal capital facilities, including water, sewerage, transportation, solid waste, drainage, flood protection, shore protection and related capital facilities that is required to be part of the State

Development and Redevelopment Plan by the State Planning Act and State Planning Rules.

Interim State Development and Redevelopment Plan. See Draft Final Plan.

Negotiating entity means a county, or where a county has declined to participate in the cross-acceptance process, some other entity designated by the State Planning Commission to compare and negotiate the Preliminary State Development and Redevelopment Plan.

Negotiation means the public dialogue between negotiating entities and the State Planning Commission to arrive at a Statement of Agreement and Disagreements.

Negotiation session means a session during which the duly authorized representatives of the State Planning Commission and a negotiating entity and any municipality that has submitted a Cross-Acceptance Report, engage in a dialogue with the purpose of attaining the highest degree of agreement on identified issues. *This definition is a new addition to the State Plan.*

New Jersey State Development and Redevelopment Plan or State Plan means the plan prepared and adopted, pursuant to the State Planning Act, that sets forth Statewide planning policies and serves as the official blueprint for development and redevelopment in New Jersey.

Office of State Planning. See Office of Smart Growth.

Office of Smart Growth means the Office in the Department of Community Affairs that staffs the State Planning Commission and provides planning and technical assistance as requested. The Office of Smart Growth serves the same functions as the Office of State Planning (N.J.S.A. 52:18A-201). The Office of Smart Growth web site is www.njsmartgrowth.com.

Plan Endorsement Guidelines means a document issued by the State Planning Commission for the purpose of guiding petitioners through the plan endorsement process.

Plan endorsement or plan endorsement process or endorsement means the process undertaken by a municipality, county or regional agency, counties and municipalities or any grouping thereof, to petition the State Planning Commission for a determination of consistency of the submitted plan with the State Development and Redevelopment Plan.

Planning Area means an area of greater than one square mile that shares a common set of conditions, such as population density, infrastructure systems, level of development, or

environmental sensitivity. The State Development and Redevelopment Plan sets forth planning policies that guide growth in the context of those conditions.

Policy means a general rule for action focused on a specific issue, derived from more general goals and strategies. Some policies can be implemented directly through institutional procedures or regulations, others require the establishment of more specific and extensive plans or programs.

Preliminary State Development and Redevelopment Plan or **Preliminary Plan** means the document, including maps, appendices, and other material included by reference approved by the State Planning Commission as the basis for comparing and negotiating with the negotiating entities and the State Planning Commission.

Proposed Center. *Delete this term from the Glossary. References to it within the State Plan also will be deleted when the Draft Final Plan is issued in 2005.*

State Plan Policy Map means the geographic application of the State Development and Redevelopment Plan goals, strategies, and policies. The State Plan Policy Map serves as the official map of the State Development and Redevelopment Plan and includes at a minimum planning areas, including changes made in the plan endorsement process, endorsed plans, designated centers, cores, and nodes as well as other areas including critical environmental sites, historic and cultural sites, parks and natural areas, and military installations.

Strategy means a general course of action, which links more general goals of the State Development and Redevelopment Plan with more specific policies.

Transit Score Area means an area identified, through Transit Score analysis, as having potential suitability for different types of transit service. Transit Score is an index that shows the relative potential for different types of transit service in an area. The index was developed by New Jersey Transit and will be used to assist in setting targets for non-SOV work trip shares.

Section Six: Population and Employment Projections for 2020

This section is a placeholder for an updated set of population and employment projections, based on the 2000 Census and data from the New Jersey Department of Labor, and New Jersey's Metropolitan Planning Organizations, North Jersey Transportation Planning Authority, South Jersey Transportation Planning Organization, and Delaware Valley Regional Planning Commission.

Section Seven: Relationship between the State Planning Commission and the Highlands Council

The Highlands Task Force submitted their recommendations to Governor McGreevey on March 12, 2004. Coordination among the State Planning Commission, the Office of the Governor and the Legislature is underway currently on clarifying the role of the Highlands Council in this round of Cross-acceptance.