

Initial Plan Endorsement Consistency Requirements for County and Regional Petitions

Introduction

This document compliments the Plan Endorsement Guidelines and provides a framework on how the Office of Smart Growth (OSG) and the state agencies evaluate county and regional petitions for consistency with the State Development and Redevelopment Plan (State Plan) and base recommendations for Initial Plan Endorsement to the State Planning Commission (SPC).

The Petition for Initial Plan Endorsement must address the requirements of the Plan Endorsement Guidelines and the State Planning Rules. In addition, the petition should provide requisite information or refer to where the information can be found among submitted existing planning documents.

The purpose of Plan Endorsement is to implement the goals, policies and strategies of the State Plan. As New Jersey is a home-rule state, this implementation requires that planning and regulation be done at the local level. State agencies in turn provide priority benefits for local planning that demonstrates consistency with the State Plan. The state agencies recognize that while a county and/or regional petition may be consistent with state policies, the county or region may not be able to demonstrate same regarding local plans and regulations, and they do not have authority to make changes that affect local planning.

Essentially, once a regional plan is endorsed as consistent with the State Plan, a municipal plan will be evaluated for consistency with the endorsed regional plan. The regional plan may be used as a resource and provide guidance to local communities. The regional plan may even be quite detailed regarding natural resources or agriculture, which may expedite the process for municipalities within the region that seek Plan Endorsement. Therefore, the greatest benefit for county and regional petitions is that they will provide the framework for municipalities within the region to seek Plan Endorsement. But it will ultimately be through municipal Plan Endorsement that local-level consistency and implementation can be achieved.

The regional petition should therefore focus on consistency with the State Plan and other state efforts as well as internal consistency among the regional plans and policies. These consistency measures apply to all facets of planning (land use, transportation, housing, natural resources, growth projections, etc.) on a regional level.

Consistency Requirements

General Note: Any references to external documents made within a petition report or any narrative statement must be specific with page references and/or direct quotations.

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Statement of Community Vision and Public Participation

- This section may include the full Community Vision or refer to other documents. If the referenced document is not a stand-alone Community Vision, then the petition must provide a cohesive statement supported by specific references. The petition must explain any substantive differences in vision between referenced documents.
- OSG will provide sample vision statements as examples to follow. The vision statement should look to the long-term future (e.g. a 20-year horizon) of the county or region with regard to major planning issues such as land use, housing, economic development, infrastructure and services, and environmental protection. OSG will provide technical assistance, upon request of the petitioning county or region, in articulating a regional vision.
- This section should include a description of public participation that has occurred in visioning, master planning, and other planning activities, including the preparation of the Plan Endorsement petition. It should contain specific references to meeting notices, minutes and/or summary reports.

Regional/County Master Plan or Strategic Plan

- A master plan, strategic plan, growth management plan or its equivalent should address land use planning issues in depth and be adopted by the county planning board. Where more than one of these documents exist (e.g. a county master plan and a county strategic plan), the petitioner should submit all such documents and explain any discrepancies between them.
- Land Use – Consistency for land use, the petition should demonstrate how the plan:
 - considers information from the NRI so that land uses are compatible with natural resources and environmental features;
 - shows that land use patterns are (or will be) consistent with the policy objectives and delineation criteria for Planning Areas as outlined in the State Plan;
 - incorporates information and/or concepts from relevant state or regional efforts (e.g. regional water supply study, corridor study) as much as is possible depending on the progress of those efforts and their connections to land use; and
 - is up-to-date, whether the plan was created recently or if it is an older plan, having gone through a public review, and is determined to be current with any necessary revisions.
- Other Elements
 - The petition must include other elements of a master plan or equivalent if they exist.
 - The petition should include a narrative statement that describes the relevance and status of the included elements.
 - Key elements for regional petitions include transportation, conservation, open space & recreation, housing, economic development, and agriculture/farmland (as applicable).

Community Facilities Plan

- A community facilities map must be submitted identifying the location of facilities and services and a statement of capacity where applicable.

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- A Community Facilities Plan will need to be created or updated through the PIA if the petition proposes that significant growth will generate demand for facilities not addressed in an existing plan.

Adopted Capital Improvement Program (CIP)

- The petition must include a CIP or an equivalent (e.g. needs assessment) if it exists.
- A CIP will need to be created and/or updated through the PIA if the petition proposes significant growth that will generate demand for services and facilities not addressed in an existing CIP.
- In the narrative of the petition report, the petition should note relevant sections of the CIP that focus on regional infrastructure or services that are directly related to growth and development or resource management and protection.

Statement of Planning Coordination

- OSG and the state agencies review petitions for both external and internal consistency. External consistency primarily signifies the consistency of regional/county plans with the State Plan goals, policies and mapping criteria, and that these plans support the State in achieving the State Plan indicators and targets. In addition, external consistency includes consideration of Cross-acceptance Reports and other relevant documents. The petition must also be internally consistent, in that the petitioner's planning documents and any relevant regulations are consistent with one another.
- The Community Vision and the master plan or strategic plan should be consistent with the goals, policies and strategies of the State Plan.
- The petition and the PIA should indicate what efforts the county or region will undertake to encourage consistency among local plans with the State Plan and regional plans.

Population, Household and Employment Data

- For the region and included municipalities, the petition should provide data and projections for the year 2005, the current year (if available), 2015, 2025, and either the 20-year projection or 2030. Generally, projections should be provided for a 20-year horizon.
- If projections are at variance from Metropolitan Planning Organization (MPO) data, the petition should explain why this is so. For example, varying projections may be justified according to the existence or lack of sufficient capacity; recent federal, state or county investments that support growth and preservation; an appropriately dense mixed-use development design; socioeconomic or development trends; availability of land; and/or other factors.

Statement of Proposed Changes to Policy Map

- Proposed map changes must conform to OSG's technical mapping criteria, and must be justified per Appendix 6.2 of the Plan Endorsement Guidelines. This includes justification based on policy objectives and delineation criteria described in the State Plan. The petition must explain any inconsistencies with the criteria.
- Centers may only be designated through municipal Plan Endorsement. However, OSG and state agencies will review areas proposed for growth to provide preliminary findings that will be the starting point for discussions when municipal petitions are submitted.

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- OSG and state agencies will consider Planning Area changes but may defer to municipal petitions any proposed changes that entail significant alteration of future land use and growth patterns.

Natural Resource Inventory (NRI)

- The NRI should be a stand-alone document that provides text and visual information about the natural resource characteristics and environmental features specific to a county or region. OSG and the Department of Environmental Protection (DEP) will provide examples of an NRI. DEP will provide technical assistance as necessary to assist the petitioner with creating a suitable NRI.

Farmland Preservation and Agriculture Retention Plans

- These documents must be submitted if they exist.
- Where agriculture has a significant presence within a county, the petition must include a status report that outlines the initiatives that encourage the retention and viability of the local agricultural industry. The petition should also include a detailed discussion of any County Open Space & Farmland Preservation program along with a roster of preserved farmland showing the amount of current active farmland, the number of preserved farms, the municipalities wherein those farms are located and the acreage preserved.
- Where relevant, these plans may be created and/or updated through the PIA.

Planning and Implementation Agreement (PIA)

- The PIA must be date-specific.
- Where a PIA is front-loaded to address some of the above issues, OSG will recommend to the SPC that the first review be moved up to one year after endorsement.
- The petitioner should be vigilant in ensuring that the PIA timelines are manageable. A repeated pattern of significant delay in achieving PIA tasks, especially if state agencies have kept to their timelines, may result in a recommendation for revocation of endorsement during the biennial review process.
- PIA items for the benefit of individual municipalities will be recommended for municipal rather than regional Plan Endorsement. However, there may be exceptions to this if the petition provides evidence that such items support the regional integration of planning, which the county and municipalities are actively working toward, including one or more of the following:
 - land use regulations, e.g. regional Transfer of Development Rights (TDR)
 - expenditures (provision of public facilities and services) and revenues (taxes, fees, other), e.g. tax sharing, shared services
 - protection of environmental resources (e.g. watersheds, waterways)
 - protection and promotion of agriculture/farmland
 - economic development: including workforce training, location of any industrial/manufacturing/warehousing zones

Build-out and Capacity Analysis

- This analysis should be a key input in the master/strategic/growth management plan with detailed explanation of the methodology utilized.

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- The analysis should address water, wastewater, transportation and environmental resources.
- Where the county or regional plan generally identifies areas for growth or environs protection, the analysis should be consistent or support this planning.

Regional-Local Discrepancies

Discrepancies recognized by Regional Petition

- In its role as a resource for future municipal petitions, the regional petition should highlight and discuss any discrepancies that have been identified so far. The failure to identify and/or reconcile such differences may create hurdles for municipal petitions. Examples of such discrepancies may include:
 - Planning vision, goals and objectives
 - Substantive planning issues: land use, transportation, housing, natural resource protection, open space & recreation, etc.
 - Regional and local (e.g. COAH) projections
 - Build-out/capacity analysis data (if municipalities have conducted their own analysis)
- The petition should discuss how the regional agency will work with municipalities to resolve existing discrepancies.

Discrepancies between Regional and Local Petitions

- In cases where municipal plans have received endorsement prior to the regional plan, the regional plan will be required to:
 - incorporate the provisions of the endorsed municipal plans; OR
 - provide justification for any discrepancies with an explanation of how the petition remains consistent with the State Plan.
- Where a municipal plan follows an endorsed regional plan, the municipal plan should provide justification for any discrepancies with the endorsed county/regional plan and explain how the petition remains consistent with the State Plan.