



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
NEW JERSEY STATE PLANNING COMMISSION
101 SOUTH BROAD STREET
PO Box 204
TRENTON NJ 08625-0204

JON S. CORZINE
Governor

JOSEPH V. DORIA, JR.
Commissioner

BENJAMIN L. SPINELLI
*Executive Director
and Secretary*

April 29, 2009

Dear Interested Parties:

Re: Concurrent Proposal for State Planning Rule Amendments

The State Planning Commission has recently adopted new State Planning Rules in the April 20, 2009 New Jersey Register. In addition, it has simultaneously proposed amendments to these rules in a concurrent proposal.

If you would like a copy of the rule adoption and concurrent proposal consult the April 20, 2009 New Jersey Register, contact the Office of Smart Growth at: (609) 292-7156 or access the proposal at: <http://www.nj.gov/dca/divisions/osg/>.

The 60-day comment period ends June 19, 2009. Comments on the concurrent proposal may be submitted to:

Benjamin L. Spinelli, Secretary and Principal Executive Officer
State Planning Commission
c/o New Jersey Department of Community Affairs – Office of Smart Growth
P.O. Box 204
Trenton, New Jersey 08625-0204

Fax: (609) 292-3291

E-mail: osgmail@dca.state.nj.us

Please see the attached Statement of Substance for details. You may contact Joy Farber – Chief Counsel at: (609) 292-3170 if you have questions regarding this concurrent proposal.

Sincerely,

Benjamin L. Spinelli
Executive Director and Secretary



Statement of Substance of State Planning Rules on Plan Endorsement
Proposed Amendments N.J.A.C. 5:85-1 et seq.
Published in New Jersey Register April 20, 2009

The State Planning Commission has adopted the State Planning Rules to fulfill legislative mandates of its enabling legislation, the State Planning Act. N.J.A.C. 5:85-1 *et seq.* Plan endorsement is the Commission's comprehensive planning process. It has been developed to encourage municipal, county, regional and State agency plans to be coordinated and support each other to achieve the goals of the State Development and Redevelopment Plan (State Plan).

An update to the plan endorsement process was adopted in the April 20, 2009 New Jersey Register. The adopted new plan endorsement rules update the original process by including active participation of relevant State Agencies in a problem solving "customer service" atmosphere. In the new process, the State agencies conduct a review of existing planning documents and mapping. The comments are submitted to the Office of Smart Growth staff and are integrated into an informative "opportunities and constraints report" for petitioners. The report indicates planning issues that should be addressed in order to attain endorsement. In the new plan endorsement process, State agencies, including the Office of Smart Growth, provide valuable technical planning assistance to the petitioner. Significant community involvement is also part of this new process.

A concurrent proposal was also published in that register. The concurrent proposal includes the following rule amendments:

- Required Planning Documents. Specifically delineates a list of the planning documents that are expected to be prepared in order for a plan to be endorsed, provided the requirement is not waived. This language replaces exemplars.
- Interim Center Designation. Expressly states that an interim center may be designated by the State Planning Commission as part of a Memorandum of Understanding and Action Plan negotiated between petitioner and the Commission. The interim center designation lasts for two years provided the petitioner continues to satisfy requirements agreed to in the Action Plan. This language is new.
- Regional Petitioners. Distinguishes treatment of regional petitioners seeking State Plan Policy Map mapping changes from other regional petitioners.
- Pinelands Commission Growth Area Equivalence. Clarifies that Pinelands Commission designated growth areas are deemed equivalent to State Plan centers for the purpose of qualifying for State agency benefits of plan endorsement, provided the municipality's land use plan and implementing ordinances remain certified by the Pinelands Commission. This language replaces old terminology.

In addition, a number of technical amendments are being proposed relating to: N.J.A.C. 5:85-1.4 regarding definitions, N.J.A.C. 5:85-1.7 regarding notice requirements, and N.J.A.C. 5:85-7.11 regarding performing community visioning.

Comments on the *concurrent proposal* are being accepted through *June 19, 2009*.