



Jefferson Township Highlands Preservation Area Master Plan Element

Prepared by the State of New Jersey Highlands Water Protection and
Planning Council in Support of the Highlands Regional Master Plan

March 2014

DRAFT

Note to Preparer: Please note that prior to adoption: a) this cover page should be replaced in its entirety with one using the municipality's formatting and logo, as desired; b) the document should be finalized; and c) all instructional text should be removed.

HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

DRAFT MASTER PLAN SUPPLEMENT
TOWNSHIP OF JEFFERSON
MORRIS COUNTY, NEW JERSEY

PLANNING BOARD

Cliff Williams, Chairman
Robert Mitchko, Vice-Chairman
Mayor Russell Felter
Patrick Hartery
Councilwoman Debi Merz
Deputy Chief William Craig
Robert Deutsch
John Palko
Joseph Mikowski
Ron Smith
James Hine

The Planning Board presented, discussed, and accepted public comment on this draft Master Plan supplement at its duly-noticed public meeting of _____, 20__. Copies of the document were made available for review by the public at least 10 days prior to that meeting, and adequate notice of the meeting advising that the Preservation Area Element was on the agenda for discussion and public comment, was provided.

This document is based on a model Preservation Area Element prepared and provided to Highlands municipalities by the New Jersey Highlands Water Protection and Planning Council.

PREPARED BY:

Jill A. Hartmann, Twp. Planner

4088

Name, Title

Professional License No.

**TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT**

TABLE OF CONTENTS

INTRODUCTION	1
POLICIES, GOALS & OBJECTIVES	3
A. PRESERVATION AREA GOALS.....	3
B. RELATIONSHIP BETWEEN HIGHLANDS ACT & MLUL	4
LAND PRESERVATION AND LAND STEWARDSHIP PLAN.....	5
REDEVELOPMENT PLANNING.....	8
HOUSING PLAN.....	12
A. GOALS AND OBJECTIVES	12
SUSTAINABLE ECONOMIC DEVELOPMENT PLAN	14
RELATIONSHIP OF MASTER PLAN TO STATE/REGIONAL/LOCAL PLANS.....	15
EXHIBITS	17

**TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT**

INTRODUCTION

The Township of Jefferson is located in the New Jersey Highlands Region. It is one of 88 municipalities protected by and subject to the provisions of the Highlands Water Protection and Planning Act (“Highlands Act,” N.J.S.A. 13:20-1 et seq.). The Highlands Act was enacted by the State Legislature on August 10, 2004 for the purpose of protecting, enhancing, and restoring Highlands natural resources, in particular water resources, which provide drinking water to over 5 million New Jersey residents. The Highlands Act created the Highlands Water Protection and Planning Council (the “Highlands Council”) and charged it with crafting a comprehensive master plan for the Highlands Region. To complete that task, the Highlands Council engaged in a four-year planning process involving extensive scientific and technical analysis of the Region, along with an intensive program of public outreach and participation. The Highlands Council solicited the advice and input of all stakeholders and interested parties through a variety of means, including but not limited to: initiation of the “Partnership Program” for municipal and county government representatives; formation of 18 Technical Advisory Committees comprised of technical experts and practitioners in relevant fields such as land use planning, engineering, agriculture, real estate appraisal, transportation, and business; and development of the “Network,” a forum for information-sharing and outreach to the general public. In addition, the Highlands Council has held and continues to adhere to a regular schedule of open public meetings providing continuous opportunity for public comment, and has provided for on-going data sharing and access to information through its internet website.

The Highlands Regional Master Plan (RMP) was adopted by the Highlands Council on July 17, 2008, and became effective on September 8, 2008. As the product of a long-term, participatory, and region-wide planning effort, the RMP is representative of the collective response of the wider community to the Legislature’s call for a Highlands comprehensive master plan. The Township places value in the regional planning process that was undertaken to fully develop the RMP and acknowledges its role in furthering the vision that it represents.

The Highlands Region encompasses some 1,343 square miles in the northwest part of New Jersey. The Highlands Act designates about half of the seven-county Region as Preservation Area (415,000 acres) and the other half as Planning Area (444,000 acres). The Act requires that jurisdictions having lands in the Preservation Area conform to the Highlands RMP with respect to that area. The Township of Jefferson is located in the Preservation and Planning Area. The municipality affirmatively seeks to align its land use planning program with the provisions of the RMP with respect to that portion of the municipality located only within the Preservation Area (see Exhibit A, Township Preservation Area). For purposes of this document, these lands shall be formally designated the “Township Highlands Preservation Area,” with shortened references to the “Highlands Preservation Area,” or “Township Preservation Area” having the same meaning.

Largely as a result of application of the “Highlands Water Protection and Planning Act Rules” (N.J.AC 7:38-1 et seq.), the Preservation Area in the Township of Jefferson has limited

TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

potential for development, other than projects that would be exempt from the Highlands Act. Specifically, the Highlands Municipal Build-Out evaluation for the Preservation Area in Jefferson identified only 60 acres of developable land in the Preservation Area. The Build-Out Report for the Township anticipates potential development of just two (2) additional units in the Preservation Area, each served by on-site septic systems.

The Highlands Element sets forth the policies that shall guide future land use and development (to the extent applicable) within the Township Highlands Preservation Area. It provides the rationale and the framework for the adoption of land use requirements that are protective of Highlands resources and consistent with the Highlands RMP. In large part, these policies will be effectuated by adoption of a “Highlands Checklist Ordinance.” This ordinance will require that applicants seeking development approvals for projects within the Preservation Area either provide confirmation of a Highlands Act exemption (pursuant to N.J.S.A. 13:20-28), as demonstrated by issuance of a Highlands Applicability Determination from the NJDEP; or obtain evidence of RMP-compliance in the form of a Consistency Determination from the Highlands Council. The Township anticipates that all or nearly all proposals for development in this area will qualify for Highlands Act exemptions. Development not covered by such exemptions will, as applicable, be subject to the provisions of the Regional Master Plan, or the New Jersey Department of Environmental Protection (NJDEP) “Highlands Water Protection and Planning Act Rules” (N.J.AC 7:38-1 et seq), or both.

The Highlands Checklist Ordinance and any other regulatory requirement deemed necessary to effectuate these Highlands land use policies, shall apply to non-exempt land use activities in the Highlands Preservation Area. “Non-exempt” land use and development refers to uses, activities, and development projects not expressly listed as exemptions in the Highlands Act (N.J.S.A. 13:20-28). Land use activities, improvements, and development projects that are exempt from the Highlands Act shall remain subject to all other applicable provisions of the underlying municipal Master Plan, Zoning and Land Use Ordinances, and Development Regulations.

The Highlands Element amends or creates in limited form (where not already existing), the components needed to supplement the existing Jefferson Township Master Plan, as required for Plan Conformance and provided in the sections that follow. The Highlands Element is intended to apply in conjunction with the language of the existing Township Master Plan to the maximum extent feasible. In the event of conflicts between the two, the Highlands Element shall supersede, unless the existing municipal Master Plan provisions are more restrictive.

POLICIES, GOALS & OBJECTIVES

The Township Preservation Area encompasses most of the land area of the municipality (24,080 acres or 87.9%), with the small area remaining outside it (consisting of just 3,310 acres or 12.1% of the area) located in the southwest corner of the Township. The Township Preservation Area is illustrated in Exhibit A, Township Preservation Area.

The Township Highlands Environmental Resource Inventory (ERI) (prepared by the Highlands Council, and dated March 2014) provides detailed information concerning the physical features, natural resources and specific characteristics of the Township Preservation Area. The ERI includes all of the information available through the Highlands Regional Master Plan and supporting technical documents, which document the wide array of natural and cultural resources that characterize the New Jersey Highlands Region. The municipality recognizes the unique value of the Township Highlands Preservation Area and seeks to protect and enhance it, in keeping with the Highlands Act and the Highlands RMP. Accordingly, the overarching land use policy with respect to the Township Highlands Preservation Area is to place priority emphasis on the protection, enhancement and restoration of Highlands natural and cultural resources while ensuring that land use and development activities therein occur only in a manner and location that is consistent with the Highlands RMP.

In keeping with this policy, the following goals of the Highlands Act and Highlands RMP shall guide the land use and development of the Township Preservation Area:

A. PRESERVATION AREA GOALS

1. To protect, restore, and enhance the quality and quantity of surface and ground waters;
2. To preserve extensive and, to the maximum extent possible, contiguous areas of land in its natural state, thereby ensuring retention of the unique and significant natural, scenic, and other resources representative of the Township Preservation Area;
3. To protect the natural, scenic, and other resources of the Township Preservation Area, including but not limited to contiguous forests, wetlands, vegetated stream corridors, steep slopes, and critical habitat for fauna and flora;
4. To preserve farmland, historic sites, and other historic resources;
5. To preserve outdoor recreation opportunities on publicly owned land;
6. To promote conservation of water resources;
7. To promote Brownfield remediation and redevelopment, where applicable;
8. To promote compatible agricultural, horticultural, recreational, and cultural uses and opportunities within the framework of protecting the environment of the Township Preservation Area; and

TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

9. To prohibit or limit to the maximum extent possible construction or development which is incompatible with preservation of this unique area.

B. RELATIONSHIP BETWEEN HIGHLANDS ACT & MLUL

The Municipal Land Use Law gives authority to New Jersey municipalities to govern land use and development within their borders. The Highlands Act augments that authority to allow municipalities the power to enforce the goals, policies, objectives, and programs of the Highlands Regional Master Plan. The Highlands Act and the RMP together provide the regional perspective from which local decisions and actions will emanate.

As a result of the passage of the Highlands Act, the future of land use planning has significantly changed for both municipalities and counties in the Highlands Region. The New Jersey Supreme Court, in upholding the constitutionality of the Highlands Act in OFP, LLC v. State, 197 N.J. 418 (2008), affirmed the Appellate Division's decision, which emphasized the broad scope of the Highlands Act to protect the natural and agricultural resources of the Highlands through a coordinated system of regional land use controls. The Highlands Act creates a system in which a regional plan is designed to be implemented primarily through local government units. The net effect is that the statutory authority of local government units in the Highlands Region, inclusive of that provided under the Municipal Land Use Law (MLUL), is not preempted by the Highlands Act, but rather is supplemented through the passage of the Highlands Act and the adoption of the Highlands Regional Master Plan. The Highlands Act provides, through the conformance of municipal master plans and ordinances with the Highlands RMP, authorities for municipal regulation that are in addition to those of the MLUL.

Accordingly, the criteria for approval of development applications under the ordinances that ultimately effectuate this Preservation Area Element will incorporate aspects of both the Municipal Land Use Law and the Highlands Act. To the extent that MLUL criteria for approval of variances, waivers, exceptions and/or any other relevant aspect are altered or supplemented by provisions indicated in the Highlands Element, authority for such modifications derives from passage of the Highlands Act.

The Highlands Council will coordinate with NJDEP during Highlands permit review for any major Highlands development including the review of waivers on a case-by-case basis: 1) if determined to be necessary in order to protect public health and safety; 2) for redevelopment in accordance with a Highlands Redevelopment Area Designation (see Redevelopment Planning Section); or 3) in order to avoid the taking of property without just compensation.

LAND PRESERVATION AND LAND STEWARDSHIP PLAN

The existing Master Plan has an Open Space and Recreation Plan Element providing information on existing and proposed open space preservation and recreational opportunities in the community. This Plan supplements the existing Element, as applicable to the Preservation Area, to include the additional information and Highlands Council goals and objectives listed below.

A mapped inventory of Preserved Lands in the Township Preservation Area appears at Exhibit B, "Preserved Lands" (duplicated from the ERI). This Plan in addition incorporates (from the ERI) Exhibit C, "Highlands Conservation Priority Areas," and Exhibit D, "Highlands Special Environmental Zone." This Plan recognizes and incorporates the definitions, derivations and delineations used to develop these maps, as provided in the ERI.

Preserved Lands in the Township Preservation Area include lands under ownership by the municipality, the county, the state, the federal government and non-profit land trusts. In addition, Preserved Lands includes dedicated easements (such as Conservation Easements) to the extent these are currently known and identified (i.e., by deed description) for mapping purposes. (The Planning Board recognizes and will address the need for a more complete inventory of all such easements after Basic Plan Conformance has been attained, with the assistance of the Highlands Council.) In total, the maps indicate 15,963 acres of Preserved Lands. Approximately 1% is currently used for active recreational purposes, and 99% is set aside for other preservation purposes, including passive recreational uses.

Highlands Conservation Priority Area lands are those designated a high priority for preservation due to exceptional water and ecological resource value. The priority order derives from the Highlands Council Resource Assessment methodology, which identifies and ranks Preservation Area lands based on a combination of indicators, including but not limited to: watershed conditions, Highlands Open Waters, riparian areas, prime ground water recharge areas, forests, critical habitat and steep slopes. Lands within the Highlands Special Environmental Zone are those having the highest priority ranking for preservation based on the Highlands Council Resource Assessment and for which development is expressly prohibited. Preservation of these lands is vital to: a) protecting Preservation Area water resources and environmentally sensitive lands; b) protecting water supply reservoirs and other critical water features; c) creating large contiguous areas of environmentally sensitive lands; d) creating habitat corridors; and e) connecting existing preserved open space.

The following goals and objectives will guide the future identification, prioritization, dedication, and stewardship of Preserved Lands in the Township Preservation Area:

1. *[If municipal prioritization criteria have not been established:]* To apply Highlands Council prioritization criteria in making determinations regarding non-agricultural Land Preservation (whether by fee simple or easement dedication), which are ordered as follows:

TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

- a. Lands within the Highlands Special Environmental Zone;
 - b. Lands within Highlands Conservation Priority Areas; and
 - c. Lands within Highlands Resource Areas generally, including but not limited to forested portions of Forest Resource Areas, Critical Habitat Areas, and Riparian Areas, particularly any portion of a Resource Area designated as “High Integrity” or “High Resource Value.”
2. *[If municipal prioritization criteria have been established:]* To recognize and consider Highlands Council prioritization criteria in addition to existing Township criteria, in making determinations regarding non-agricultural Land Preservation (whether by fee simple or easement dedication). Preservation Area priorities are ordered as follows:
- a. Lands within the Highlands Special Environmental Zone;
 - b. Lands within Highlands Conservation Priority Areas; and
 - c. Lands within Highlands Resource Areas generally, including but not limited to forested portions of Forest Resource Areas, Critical Habitat Areas, and Riparian Areas, particularly any portion of a Resource Area designated as “High Integrity” or “High Resource Value.”
3. To maintain a current Recreation and Open Space Inventory (ROSI) where required by the NJDEP Green Acres Program.
4. To seek ways to establish and fund local land acquisition for preservation and stewardship programs or to expand existing open space and stewardship programs.
5. To identify lands subject to stewardship programs within this Land Preservation and Land Stewardship Plan and to provide that information to the Highlands Council.
6. To require that conservation or land stewardship easements imposed during the course of development applications be enforceable by the Highlands Council and at least one of the following entities, as qualified and amenable in accordance with the particular circumstances: the Township, the County Agriculture Development Board, the SADC, Green Acres, or a non-profit land trust organized pursuant to § 501 (c)(3) of the federal tax code and engaged in the protection of land for the purpose of providing long-term stewardship of land resources.
7. To establish a stewardship and monitoring program for preserved lands owned by or dedicated to the Township. This objective may be accomplished with the assistance of a non-profit land trust organized pursuant to § 501 (c)(3) of the federal tax code and engaged in the protection of land for the purpose of providing long-term stewardship of land resources.
8. With the assistance of the Highlands Council, to develop and implement a Forest Management Plan or Forest Stewardship Plan consistent with the standards of the NJ Forest Stewardship Program for application to municipally-owned forest lands.

TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

9. To ensure periodic monitoring of easement restrictions protecting Critical Habitat Areas, associated species and ecological communities from any changes in land use or management practices that would impair these resources.
10. To implement Riparian Area restoration practices on Preserved Lands that give priority to ecological and watershed protection measures.
11. To identify and preserve opportunities for outdoor recreation, including a variety of active and passive recreation options, in such locations and in such manner as to ensure environmental resource protections, while addressing the needs of the local population for physical activity, social interaction, connection with nature and the natural environment, and enjoyment of the outdoors.

REDEVELOPMENT PLANNING

The Planning Board will examine the potential for redevelopment opportunities within the Preservation Area. The term “redevelopment” is used herein to refer to reconstruction or re-use of previously developed and underutilized properties (which include Preservation Area sites having 70% or more area in impervious surface), and to the rehabilitation and re-use of “brownfield” sites (identified as such by NJDEP). Unless specifically stated otherwise, neither the term “redevelopment,” nor the phrase “in need of redevelopment” is used herein to invoke the definitions, processes, powers or any other facet of the provisions of the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.).

Rather, Preservation Area redevelopment planning refers to the identification of previously developed areas that: a) are suitable for re-use and/or reconstruction, or reversion to “greenfields,” such as parklands, conservation areas, or open space; and/or b) may be eligible for designation by the Highlands Council as Highlands Redevelopment Areas. Highlands Redevelopment Areas are typically characterized by ready access to or potential for water and wastewater utility infrastructure (and available or potential capacities); existing transportation infrastructure and/or services with links to viable transportation networks; proximity to supporting community facilities and services; and suitability for increased development intensity in keeping with smart growth planning principles. Where brownfields are involved, NJDEP identification of the brownfield site is a necessary step prior to Highlands Council designation of a Highlands Redevelopment Area. Such applications must be submitted to NJDEP for a Highlands Preservation Area Approval (HPAA) with Redevelopment Waiver.

It is the intent of this Plan to encourage redevelopment where appropriate within the Preservation Area, to ensure optimal and efficient use of land. By maximizing the use of previously developed areas and areas in need of environmental clean-up or other improvements, the municipality may provide for desirable new development (or new green spaces), while protecting lands that contain sensitive environmental features and important Highlands resources. This approach is intended to guide development toward the most suitable locations in the municipality, to encourage environmental clean-up where needed, and to maximize the use of existing infrastructure to meet future needs.

Redevelopment projects and activities that conform to density/intensity allowances and meet all other requirements of the applicable land use ordinances (specifically including those developed for the Preservation Area and the Highlands Preservation Area Rules at N.J.A.C. 7:38), do not require Highlands Redevelopment Area designation and may proceed as of right in accordance with all municipal procedural requirements. Any municipally-sponsored redevelopment project proposed pursuant to N.J.S.A. 40A:12A, while perhaps also requiring Highlands Council Redevelopment Area designation, must be advanced in accordance with all applicable statutory requirements, including preparation and adoption by the Governing Body of a Redevelopment Plan. The Planning Board, in making any

TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

Preservation Area determination of “area in need of redevelopment” pursuant to N.J.S.A. 40A:12A, will incorporate the considerations listed below for Highlands Redevelopment Area designations in evaluating the applicable criteria under N.J.S.A. 40A:12A-5.

1. Definitions.

- a. A “brownfield” site consists of a commercial or industrial site that is currently vacant or underutilized and on which there has been or is suspected to have been, a contaminant discharge.
- b. A “grayfield” site consists of a site supported by existing infrastructure that contains an industrial or commercial facility (not excluding one having a residential component) exhibiting signs of abandonment or underutilization, but without evidence or expectation of contamination.
- c. A “redevelopment project” or “redevelopment activity” refers to the re-use, reconstruction, or conversion to alternate use, of a brownfield site, a grayfield site, or a previously developed site that is currently vacant or underutilized in the Preservation Area. Redevelopment projects and activities may include but are not limited to: removal, reconstruction, or adaptive reuse of existing buildings and other structures; construction of new buildings and other structures; and conversion/restoration of a site or portions of a site for open space, recreation or conservation purposes of any kind.
- d. A “Highlands Redevelopment Area” consists of a property or group of properties designated as such by the Highlands Council, and which includes one or more of the following: a) a brownfield site; b) a grayfield site; and c) any previously developed site in the Preservation Area. A Highlands Redevelopment Area may include the intervening or surrounding lands which are significantly affected by or are necessary to support such sites, and will be subject to a Highlands Council-approved redevelopment plan setting forth the full scope and details of the proposed redevelopment project(s) and/or activities.

2. Redevelopment Projects and Activities.

- a. Redevelopment projects and activities that comply with all applicable land use ordinances (specifically including those developed for the Preservation Area) are encouraged in all Areas, Zones and Subzones of the Preservation Area. Such projects and activities are also subject to all applicable county, state, and federal regulatory requirements.
- b. Redevelopment projects and activities involving conversion to greenfields are particularly encouraged in environmentally constrained areas, where compliance with Preservation Area ordinance provisions for new development may not be feasible.

TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

3. In consideration of the foregoing, the Board recommends that the following specific sites, consisting of brownfields, grayfields, and/or other previously developed vacant or underutilized properties, be considered for potential redevelopment projects and/or activities in accordance with all applicable ordinances and regulatory requirements: [Provide listing by block and lot, Preservation Area Zone and Subzone, and brief description of each.]
 - a.
 - b.
 - c.

4. **Highlands Redevelopment Areas.** In assessing the potential for Highlands Redevelopment Area designations, the Planning Board incorporates the following relevant considerations:
 - a. Highlands Redevelopment Area designation in the Preservation Area is confined to: a) sites having 70% or greater impervious coverage, and/or b) sites designated as “Highlands brownfields” in accordance with NJDEP Preservation Area Rules (at N.J.A.C. 7:38-6.6). In addition to Highlands Council approval, a waiver is required from the NJDEP in conjunction with a Highlands Preservation Area Approval (HPAA).
 - b. Highlands Redevelopment Area designation will only be considered where lands are particularly suited to the proposed redevelopment plan, by virtue of a preponderance of existing characteristics such as, but not limited to: appropriate community location; availability of water and wastewater utility infrastructure and capacity; access to transit and/or other suitable transportation systems and networks; suitability for increased land use intensity or conversion to greenfields, as applicable; extensive coverage by impervious surfaces; proximity to community facilities and services; potential to embody and/or further smart growth principles; opportunity to protect resources; and potential to contribute to a sustainable local and/or regional economy.
 - c. Any redevelopment project or activity permitted under the auspices of Highlands Redevelopment Area redevelopment plan must be designed and developed in accordance with smart growth and Low Impact Development principles.
 - d. Identification of opportunities for redevelopment projects and activities that are potentially suitable for Highlands Redevelopment Area designation in the Preservation Area should be assisted by the Highlands Council Redevelopment and Infill Analysis Tool. This review should also include any sites in the

TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

“Highlands Contaminated Sites Inventory.” These are illustrated in the Highlands ERI and may also be identified via Highlands Council resources, including its website. Information on Highlands Contaminated Site Inventories is available in the Highlands Council *Regional Land Use Conditions and Smart Design Guidelines Technical Report*.

- e. In consideration of the foregoing, the potential Highlands Redevelopment Areas identified by the Planning Board to date, include the following: [Provide block and lot references, brief descriptions, and reference to documents, maps, Highlands Council application materials, as applicable.]
 - i.
 - ii.
 - iii.

HOUSING PLAN

The overriding policy of the Housing Plan is to ensure provision of a variety of housing opportunities sufficient to address the needs of the community, including the need for affordable housing, while at the same time respecting the density limits of the Highlands Element Land Use Plan, the resource constraints applicable to the Highlands Area, and the numerous other policies, goals and objectives set forth by the Township Master Plan. The Housing Plan furthers MLUL purposes of zoning (at N.J.S.A. 40:55D-2, specifically 2a., 2e., 2g., 2l.) and fulfills the requirements of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) which in keeping with New Jersey Supreme Court doctrine, as expressed in the “Mount Laurel” decisions, recognizes that every municipality in a “growth area” has a constitutional obligation to provide, through its land use regulations, a realistic opportunity for provision of a fair share of its region’s present and prospective needs for housing for low- and moderate-income families.

A. GOALS AND OBJECTIVES

In furtherance of Township efforts to ensure sound planning, this Plan incorporates the following goals and objectives with respect to future housing in the Highlands Preservation Area:

1. To the extent feasible, the zone plan will guide anticipated new residential development into compact, center-based projects.
2. To provide a realistic opportunity for the provision of the municipal share of the region’s present and prospective needs for housing for low- and moderate-income families.
3. To the maximum extent feasible, affordable housing units shall be incorporated into any new residential construction that occurs within the Highlands Area including any mixed use, redevelopment, and/or adaptive reuse projects.
4. To preserve and monitor existing stocks of affordable housing.
5. To reduce long term housing costs through:
 - a. The implementation of green building and energy efficient technology in the rehabilitation, redevelopment and development of housing. Recent innovations in building practices and development regulations reflect significant energy efficiency measures, and therefore cost reductions, through building materials, energy efficient appliances, water conservation measures, innovative and alternative technologies that support conservation practices, and common sense practices such as recycling and re-use.
 - b. The promotion of the use of sustainable site design, efficient water management, energy efficient technologies, green building materials and equipment, and retrofitting for efficiencies.

TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

- c. Maximizing the efficient use of existing infrastructure, through such means as redevelopment, infill and adaptive reuse.
6. To use a smart growth approach to achieving housing needs:
- a. Use land more efficiently to engender economically vibrant communities, complete with jobs, houses, shopping, recreation, entertainment and multiple modes of transportation.
 - b. Support a diverse mix of housing that offers a wide range of choice in terms of value, type and location. In addition, seek quality housing design that provides adequate light, air, and open space.
 - c. Target housing to areas with existing higher densities and without environmental constraints, within walking distance of schools, employment, services, transit and community facilities with sufficient capacity to support them.

SUSTAINABLE ECONOMIC DEVELOPMENT PLAN

A sustainable economy is important to the well-being of the Township and the wider economic region of which it is a part. With assistance from the Highlands Council, it is the intent of the Planning Board to examine this issue and to prepare an economic development plan for future adoption, which will set forth strategies for strengthening the local economy and/or the municipal contribution toward the wider economy to which it belongs.

The goals and objectives of the Sustainable Economic Development Plan in addition include, but are not limited to:

1. To develop appropriate strategies to improve the local tax base and create jobs and economic opportunities, while remaining consistent with the other policies and objectives of the Preservation Area Element.
2. To ensure opportunities for home office, entrepreneurial and other small business activities, as appropriate.
3. To identify appropriate opportunities for development and/or redevelopment, including possible brownfield redevelopment that may further the goal of economic sustainability.
4. To encourage development of small business incubator programs, particularly those focused on advancing specific goals and objectives of the Preservation Area Element, such as initiatives in compact design, native species landscaping, Low Impact Development, energy efficiency and resource conservation.
5. To coordinate with the Highlands Council and other applicable state and/or county agencies to develop or participate in eco-, agri-, and/or heritage tourism programs, as appropriate.

RELATIONSHIP OF MASTER PLAN TO STATE/REGIONAL/LOCAL PLANS

By adoption of this Preservation Area Element, the Township Master Plan is brought into alignment with the Highlands Regional Master Plan (RMP). The Preservation Area Element incorporates all of the policies, goals, and objectives of the Highlands RMP that are relevant to the use and development of land in the Township Preservation Area. The Preservation Area Element calls for the development and adoption of various land use regulations and specific environmental management plans, which together will effectuate its vision and in so doing, advance the intents and purposes of the Highlands RMP.

The Highlands Act provides that any portion of a municipality located in the Preservation Area is exempt from the State Planning Commission (SPC) Plan Endorsement process. It provides further that once the RMP has attained Plan Endorsement from the SPC for the Planning Area, Highlands Council approval of Plan Conformance with respect to lands in the Planning Area shall be deemed the equivalent of Plan Endorsement.

By aligning the municipal Master Plan with the Highlands RMP, its consistency with the State Development and Redevelopment Plan (SDRP) is achieved. A map depicting the municipality's SDRP Planning Areas appears at Exhibit E. The Preservation Area Element furthers SDRP policies, goals, and objectives in many ways, not least of which are the following:

1. Seeking to protect, preserve, restore, and enhance the natural resources of the Preservation Area;
2. Encouraging the use of smart growth principles in locations of the Area deemed appropriate for development and/or redevelopment;
3. Protecting historic, cultural and aesthetic resources;
4. Encouraging a sustainable local economy;
5. Protecting agricultural resources, supporting local agricultural businesses, and promoting sustainable agricultural practices;
6. Preserving open space and providing for an array of active and passive recreational opportunities; and
7. Ensuring a viable and well-integrated transportation network that incorporates and encourages multi-modal options and efficiency of land use.

The Preservation Area Element modifies the relationship of the Township development plan to those of the county and contiguous municipalities insofar as it affects the intents for land use and development within the Township Preservation Area. Given that the Preservation Area Element introduces a substantial number of new constraints to development based on environmental resources and carrying capacities, it is anticipated that the future impacts from development of the Preservation Area will be reduced from previous trends. A complete understanding will not exist however, until further analysis is undertaken to determine the full impacts of conformance with the RMP on the municipal

TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

Land Use Plan and regional development trends. An important component of that analysis will be in regard to watershed-based planning. To the extent that the Township shares a HUC14 subwatershed with other municipal and/or county entities, a cooperative planning effort involving all parties will be vital to ensuring sound use and management of the available water resources. It will also be important to understand which, if any, of the adjoining municipalities and/or the county conform to the Highlands RMP and for what portions of their land areas. The land uses, the permitted densities and intensities of development, and the locations and extent of anticipated growth in neighboring Preservation Area communities that are also pursuing conformance with the RMP are all subject to change. Until information is available concerning such decision-making, a comparison between these master plans will not be meaningful. Further discussion of these aspects will therefore be provided in the next amendment to the Master Plan.

TOWNSHIP OF JEFFERSON
DRAFT HIGHLANDS PRESERVATION AREA MASTER PLAN ELEMENT

EXHIBITS

- A.** Township Preservation Area
- B.** Preserved Lands
- C.** Highlands Conservation Priority Areas
- D.** Special Environmental Zone
- E.** State Planning Areas