**SAMPLE RESOLUTION**

**(*NAME OF MUNICIPALITY*)**

**SUBMISSION OF PETITION FOR PLAN CONFORMANCE**

**TO THE HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**

**FOR LAND IN THE PRESERVATION AREA AND IN THE PLANNING AREA**

**WHEREAS,** the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 *et seq.*, finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State’s drinking water supplies and other significant natural resources; and

**WHEREAS**, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region; and

**WHEREAS**,the Highlands Act requires that within nine to 15 months after the effective date of the Regional Master Plan, or September 8, 2008, each municipality located wholly or partially in the Preservation Area shall submit revisions to the municipal master plan, development regulations and other regulations, as applicable to the development and use of land in the Preservation Area, as may be necessary to conform them with the goals, requirements and provisions of the Regional Master Plan (Plan Conformance); and

**WHEREAS**,Section 13:20-15.a, of the Highlands Act states that for the portion of a municipality lying within the Planning Area, the municipality may, by ordinance, petition the Highlands Council of its intention to revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them with the goals, requirements and provisions of the Regional Master Plan, and:

**WHEREAS**, *(Name of Municipality)* is located in the Highlands Region with lands lying within the both the Preservation Area and Planning Area, as defined by section 7 of the Highlands Act; and

**WHEREAS**, the Highlands Council in July of 2019 adopted Plan Conformance Procedures outlining the process and procedures for petitioning the Highlands Council for Plan Conformance; and

**WHEREAS**, the Highlands Council shall make grant funds available for all mandatory aspects of Plan Conformance in accordance with the Plan Conformance Grant Program, and shall also make available grant funds for the discretionary aspects of Plan Conformance as determined by the Highlands Council; and

**WHEREAS**, since Plan Conformance by the municipality is strictly voluntary for lands in the Planning Area, (*Name of Municipality*) may at any time voluntarily revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them with the Regional Master Plan; and

**WHEREAS**, should (*Name of Municipality*) formally withdraw from the Plan Conformance process, grant funding awarded to (*Name of Municipality*) up to the date of withdrawal that has been appropriately utilized in accordance with the Plan Conformance Grant Program and applicable grant agreement shall not be reimbursable to the Highlands Council.

**NOW, THEREFORE BE IT RESOLVED,** that the (*Governing Body* *of**Name of Municipality)* hereby submits this Petition for Plan Conformance to the Highlands Council, as it relates to the development and use of land for the entire municipality, in accordance with the Highlands Act, the Regional Master Plan, and the Highlands Plan Conformance Guidelines; and

**BE IT FURTHER RESOLVED,** should *(Name of Municipality)* choose to conform its master plan, development regulations, and other regulations, as they relate to the development and use of land in the Planning Area, with the Highlands Regional Master Plan in accordance with the Highlands Council’s decision regarding a Petition for Plan Conformance, *(Name of Municipality)* shall enact an ordinance setting forth such intention, as required by the Highlands Act and as a condition of conformance.

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_