

Regional Plan Endorsement Process

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NJ Office of Planning Advocacy
Planning Implementation Committee 3/15/2023

Authorized by STATE PLANNING RULES N.J.A.C. 5:85

SUBCHAPTER 7 PLAN ENDORSEMENT

5:85-7.1 Introduction

(a) The State Planning Act includes the legislative finding that significant economies, efficiencies and savings in the development process would be realized by private sector enterprise and by public sector development agencies if the several levels of government would cooperate in preparing and adhering to sound and integrated plans. The Legislature further observed that a State Development and Redevelopment Plan needed to be designed for use as a tool for assessing suitable locations for infrastructure, housing, economic growth and conservation. The Legislature emphasized the importance of providing local governments in this State with the technical resources and guidance necessary to assist them in developing land use plans and procedures which are based on sound planning information and practice, and to facilitate the development of local plans which are consistent with State and regional plans and programs. To achieve the desired sound planning, the State Planning Act mandates that the Office of State Planning (predecessor to the Office of Smart Growth) provide advice and assistance to regional, county and local planning units.

(b) The State Planning Act specifically authorizes and requires the Office of State Planning to provide planning service to other agencies or instrumentalities of State government, to review the plans prepared by them, and to coordinate planning so as to avoid or mitigate conflicts between plans.

(c) The State Planning Act also requires the Office of State Planning to develop and promote procedures to facilitate cooperation and coordination among State agencies, regional entities, and local governments with regard to the development of plans, programs and policies, which affect land use, environmental, capital and economic development issues.

(d) The goals, policies, targets and indicators of the State Plan have been designed to address the concerns of the need to maintain beneficial growth, improve environmental quality, insure cost-effective delivery of infrastructure and other public services, improve governmental coordination, preserve the quality of community life and redevelop the State's major urban areas. Implementation of the State Plan is expected to achieve a balance among these concerns and to maximize the well-being for the State and its residents.

(e) This Plan Endorsement subchapter delineates the process developed by the Office of Smart Growth (successor to Office of State Planning) to increase the degree of consistency among municipal, county, regional and State agency plans and the State Plan and to facilitate implementation of these plans.

5:85-7.2 Purpose and scope

(a) The purpose of this subchapter is to delineate procedural and substantive requirements of plan endorsement, including minimum submission requirements petitioner must meet in order to achieve plan endorsement and qualify for associated benefits; responsibilities of relevant State agencies in participating in plan endorsement; and responsibilities of the Office of Smart Growth in administering the plan endorsement process. The Office of Smart Growth shall prepare Guidelines for petitioners seeking to pursue plan endorsement. The Guidelines shall be posted on the Office of Smart Growth website at: <http://www.nj.smartgrowth.com> and shall be periodically updated.

(b) This subchapter applies to municipalities, counties, regional planning entities and other relevant planning entities seeking plan endorsement.

(c) The State Planning Commission may approve a petition for plan endorsement submitted by a petitioner based upon recommend consultation with relevant regional, State and Federal public comment.

(d) State agencies shall provide State agency endorsement as described in the document entitled posted on the Office of Smart Growth website. Additional State agency benefits, as appropriate document as they become available.

(e) State agencies shall make available planning assistance, agreed upon by the petitioner plan endorsement process, once the Office of Smart Growth Eligibility.

5:85-7.3 Applicability

(a) Plans to which this subchapter applies and that may be considered for plan endorsement are:

1. Municipal master plans and supporting plan implementation mechanisms submitted by the municipal governing body pursuant to this subchapter;
2. County master plans and supporting plan implementation mechanisms, submitted by the county governing body pursuant to this subchapter. Municipalities within counties that have been granted plan endorsement shall only qualify for State agency benefits associated with plan endorsement upon receiving plan endorsement of said municipality;

The SPC Approved County/Regional Plan Endorsement Guidelines March 2020



PHILIP D. MURPHY
Governor

SHEILA V. OLIVER
Lt. Governor

Resolution No. 2020-05
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Date: March 4, 2020
Patron: Thomas Wright

RESOLUTION

AUTHORIZING GUIDELINES FOR COUNTY/REGIONAL PLAN ENDORSEMENT

WHEREAS, pursuant to the State Planning Act, N.J.S.A. 52:18A-199 et seq. (the Act), duties of the State Planning Commission (the Commission) include the development and promotion of procedures to facilitate cooperation and coordination among State agencies, regional entities and local governments with regard to development of plans, programs and policies which affect land use, environmental, capital and economic development issues; and,

WHEREAS, pursuant to N.J.A.C. 5:85-7.3(a) Plan Endorsement applies to municipal, county, regional, Special Resource Areas, and neighborhood plans; and,

WHEREAS, the current Plan Endorsement Guidelines have not been updated since 2010 and do not address unique aspects of county and regional endorsement; and,

WHEREAS, the Office of Planning Advocacy, with input from State agency partners, presented proposed guidelines for county/regional plan endorsement to the Plan Implementation Committee at a public meeting duly advertised on February 26, 2020; and,

WHEREAS, after consideration and discussion, and after input from the public, staff further updated the proposed guidelines.

NOW THEREFORE BE IT RESOLVED that the Commission approves the proposed County/Regional Plan Endorsement Guidelines, to be posted on the Office of Planning Advocacy's website to be utilized effective immediately; and

NOW THEREFORE BE IT RESOLVED that the Commission approves the proposed County/Regional Plan Endorsement Guidelines, to be posted on the Office of Planning Advocacy's website to be utilized effective immediately; and

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BE IT FURTHER RESOLVED, that the members of the Commission and the Executive Director and staff of the Office for Planning Advocacy are hereby authorized and directed to take such other actions as may be necessary or appropriate to effectuate the implementation of this resolution.

I hereby certify that this resolution was
duly adopted by the State Planning Commission
At its meeting on March 4, 2020

A handwritten signature in black ink, appearing to read "Donna Rendeiro".

Donna Rendeiro, Secretary
State Planning Commission

Date: March 4, 2020

3. Regional plans for any regional planning entity regarding a regional planning theme not associated with an intention to amend the State Plan Policy Map;

4. Regional plans for two or more municipalities sharing a common regional planning theme relating to an intention to amend the State Plan Policy Map, provided that each affected municipality individually petition for plan endorsement. Municipalities within regions that submit regional plans shall only qualify for State agency benefits associated with plan endorsement upon receiving plan endorsement of said municipality. Regional and municipal plan endorsement may be pursued concurrently;

5. Special resource area plans as defined in the State Development and Redevelopment Plan submitted by the relevant regional planning entity;

6. Neighborhood plans in municipalities designated as Urban Centers by the State Planning Commission, submitted by the municipal governing body, provided that endorsement of any neighborhood plan is part of an identified overall strategy for eventual endorsement of the master plan and supporting plan elements for the entire municipality; and

7. Plans that previously received Initial Plan Endorsement from the Commission.

(b) Plans submitted in connection with a petition for initial plan endorsement that have been deemed complete by the Office of Smart Growth prior to April 20, 2009 shall, upon petitioner's request, be considered for initial plan endorsement under the prior State Planning Rules governing plan endorsement.

5 categories of regional plans eligible for Regional Plan Endorsement (per March 2020 Guidance)

1. A single county looking for endorsement of a county plan.
2. A county working with municipalities as partners*
 - a. 'Limited Partners' - Municipal partners pursuing their Plan Endorsement independently, intending to be regionally endorsed after all are endorsed.
 - b. 'Full Partners' - County & municipalities pursuing Plan Endorsement on a county and municipal level concurrently.
3. Several municipalities working together without their county
4. Multiple counties working together on a cooperative plan.
5. An entity other than a county working with multiple municipalities.

* With the exception of Highlands, Pinelands and Sports & Exposition Authority regions, a municipality must be 'all in' or 'all out' of Plan Endorsement.

Current Regional Plan Endorsement Efforts

To date, there is one regional effort nearing readiness for Regional Plan Endorsement. Eleven Burlington County municipalities will likely attain their individual Plan Endorsements in the coming months. They and others had been given the guidance that they should work first on the individual municipality's endorsement and then be collectively endorsed as a region.

This final step of Regional Endorsement for the county and endorsed municipalities has yet to be tested. The following captures the proposed path for the county looking for Regional Endorsement after the participating municipalities have been endorsed (**Option 2** below). Also presented below for discussion (**Option 1**) is the alternate path that might be followed in the rest of regional planning circumstances mentioned in the 2020 guidance.

First Pathway to Regional Plan Endorsement

Option 1

County or Regional Plan Endorsed pursued first then, potentially, municipalities follow *(In this scenario, the Regional Plan Endorsement is for a county plan (or other regional planning entity's plan). Participating municipalities would only be considered endorsed to the extent that they are included in a county or regional plan but not as an individual municipality.*

Individual Plan Endorsement could be achieved after they go through the Endorsement process themselves to attain consistency for their municipal planning, though it should be a foreshortened process since regional endorsement likely addresses many of their planning issues required for consistency.)

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Regional PE Steps mimic Municipal PE

First: County, lead municipality or regional planning entity must be identified as the lead entity through an authorization letter from the County and/or municipal official(s).

Second: Authorized lead submits resolution along with resolutions from participating municipalities and/or counties petitioning for regional endorsement and the scheduling of a Prepetition Meeting. Attach planning materials *to the extent that they exist*:

- Regional/County Plan
 - Supporting documents as developed
 - Comprehensive Plan
 - Hazard Mitigation Plan
 - Wastewater Management Plan
 - Open Space and Recreation Plan
 - Transportation Plan/Study
 - Regional TIP
 - Farmland Preservation Plan
 - Economic Development Plan
 - Resiliency Plan/Strategy
 - Climate Action Plan
- Any maps depicting regional planning policies

Third: Hold Prepetition Meeting - Must have an elected County official participate if a county is applying and, if applicable, authorizing resolutions from each participating municipality's elected leader if a regional planning entity is taking the lead.

Fourth: Plan Endorsement Regional Advisory Committee - Appointed by the County Commissioners as per the Rules with Representatives from each engaged county and/or municipality and members of the public of participating localities.)

From the Rules :

2. For a county petitioner, the advisory committee shall be appointed by the board of chosen freeholders at a public meeting for which adequate notice has been provided and the appointment shall take effect by approval of a resolution of the board of chosen freeholders. The advisory committee shall consist of between five and 10 people including at least one representative of the board of chosen freeholders; at least one member of the county planning board, at least one member of another countywide board, commission or committee, and at least two representatives of the public who reside within the jurisdiction of the petitioner and are not elected or appointed to any public position within said jurisdiction.

Self Assessment Report for Regional Entity

Fifth: County/Regional Self-Assessment Report Outline

- Introduction
- Existing Conditions - Include:
 1. Purpose of regional plan (theme/boundaries/organizing principle) and,
 2. Goals/objectives (must be able to articulate why and desired outcomes)
 3. Key Characteristics (County/Region overview with municipal detail if municipalities pursuing for PE)
Demonstrate public/regional support for the concept
- Status of County/Regional Strategic Plan and Other Relevant Planning Activities
- County-wide/regional scale recent & upcoming development projects
- Authorizing Resolution or MOU committing entities to work together and implement outcomes.
- State Programs, Grants and Capital Projects within the region
- Sustainability/Resiliency Statement (Vulnerability and resiliency status/summary for the county/ region - this may be addressed in hazard mitigation, master, climate action, resiliency or other plans and summarized here.)
- Consistency with State, County & Local Plans
 - Goals, Policies and Indicators
 - Center Criteria and Policies (if applicable)
 - Planning Area Policy Objectives
- Mapping (shape files)
- State Agency Actions
- State Agency Assistance/Expected benefits
- Conclusion

County follows same basic steps for Regional Plan Endorsement as Municipality does for PE

Sixth: State Opportunities & Constraints Report

Seventh: Regional Visioning

Eighth: Consistency Review

Ninth: Action Plan Implementation (as needed)

Tenth: Draft PIA including adopting resolution by County Commissioners - reviewed by the PIC

Eleventh: State Planning Commission Endorsement

Twelfth: Monitoring and Benefits (Streamlined monitoring process.)

Second Pathway to Regional Plan Endorsement

Option 2

Municipalities achieve individual Plan Endorsement followed by Regional Plan Endorsement for a regional plan that encompasses them by a county or other regional planning entity.

(In this scenario, the intention for Regional Endorsement as the final outcome should be stated in the initial petition though it could be decided and achieved after the fact.)

The first nine steps follow municipal Plan Endorsement procedures but the county or lead agency can prepare the MSA for the municipalities, host visioning, liaise with OPA and support in any way they can to ensure success of the individual municipalities. Once the participating municipalities have been endorsed, the additional Regional Plan Endorsement is achieved by picking up at Step 10 and proceeding from there.

Regional PIA developed to support regional planning in disciplines that would benefit from this approach.

Tenth: OPA drafts PIA* and secures an adopting resolution from the regional entity and the participating municipalities - reviewed by the PIC - focusing on actions regional issues including but not limited to:

- Resilience,
- Habitat Protection,
- Farmland Preservation,
- Economic Development,
- Open Space & Recreation,
- Hazard Mitigation,
- Emergency Planning,
- Stormwater,
- Watershed Planning etc

**If the endorsement is a renewal, the previous PIA should be reviewed for actions that may still have relevance.*

Final Steps Same as All Plan Endorsement Options

Eleventh: State Planning Commission Endorsement

Twelfth: Monitoring and Benefits (Streamlined monitoring process.)

Big Question - What are the Benefits of Regional Plan Endorsement?

Clearly this can make it easier for municipalities to ultimately be individually endorsed.

Many issues benefit from a regional approach (resiliency, transportation, warehouse siting etc

Are there additional tangible benefits that the SPC and partner agencies can identify to encourage Regional Plan Endorsement?

Other Thoughts, Questions, Discussion?