

STATE PLANNING COMMISSION/OFFICE OF PLANNING ADVOCACY 2022 ACCOMPLISHMENTS

State Planning Commission members remained constant at 13 of the 17 authorized seats. Two public member seats and two seats representing county and municipal interests remain open.

During 2021, staffing at the Office of Planning Advocacy remained relatively constant, with an Executive Director, four Planners, one GIS/Mapping Specialist, and one Administrative Assistant. Two open positions (one planner and one project manager) are currently posted.

In mid to late 2022, New Jersey saw the beginning of the return to normalcy after the COVID crisis, early in 2022, local, county and state governments were beginning to think about how to navigate a new normal. Of primary concern was how to balance remote meetings with in-person meetings, as well as remote versus in-office presence. Beginning with the 2023 budget in July of 2022, State operations began a hybrid in-office schedule test for the fiscal year. Staff currently is working from home two days a week and in the Office for three. Productivity remains high and this hybrid model works well for the Office of Planning Advocacy.

We continue to work with a dated State Development and Redevelopment Plan (SDRP). Limited funding was provided in the 2023 state budget to begin to prepare for the update. Most forward-facing efforts are currently being planned with the hope of full funding in the next fiscal year. While the goals stated in the 2001 SDRP are still valid today, several current Administration priorities were not addressed in detail in that Plan, including, among other things, climate change and equity.

The 2022 goals, as stated in the 2021 year-end report, are as follows:

- Continue the effort to endorse communities
- Interagency Coordination
- Develop and Update State Planning Commission Policies
- Update the State Planning Rules
- Coordination with other Planning Partners

Continue the Effort to Endorse Communities

In 2022, the State Planning Commission endorsed 13 municipalities, bringing the total endorsed communities to 15 (or 16%) of the 94 municipalities that were granted extensions. The Office continues to work with an additional 34 municipalities (or 36%) toward endorsement. Of the 34 municipalities actively working toward endorsement, 15 are in the final stages of the Plan Endorsement Process, and 19 are actively engaged in preparing their Municipal Self-Assessment. Twenty-four municipalities (or 26%) have decided not to pursue endorsement and the intentions of 21 municipalities (or 22%) remain unknown.

The 13 municipalities endorsed by the Commission in 2022 were Allentown (Monmouth County), Upper Township (Cape May County), Galloway Township (Atlantic County), Riverton, Cinnaminson, Palmyra, Delran, Riverside (Burlington County), Stafford Township (Ocean County), Brick (Ocean County), Beverly (Burlington County), Commercial Township (Cumberland County), and Willingboro (Burlington County).

The Office is working with an additional five municipalities that either have expired since the extension or will be expiring on renewing their endorsement and one municipality that is new to the process

With the recognition that COVID restrictions and limitations were easing in 2022, the State Planning Commission approved Resolution #2022-05 on June 1, 2022, authorizing center expiration dates in two tranches. The Centers and/or endorsements of the first group of 21 municipalities expired on July 1, 2022. Those municipalities were those who had sent written confirmation to the Office that they did not intend to pursue endorsement. The second tranche will expire on March 31, 2023. This group of 73 municipalities is largely those the Office is currently working with toward endorsement. In approving this resolution, the State Planning Commission recognized that through the various permit extensions and the COVID-related extensions, sufficient time had elapsed to provide sufficient time for municipalities who worked in good faith toward endorsement.

The following chart indicates progress since January 2020.

2021 PE Activity	January 2020	December 2021	December 2022	Difference from January 2020	Difference from December 2021
Endorsed	0	2	15	15	13
Later in Process	4	46	34	30	-12
Early in Process	27	12	8	-19	-4
Unknown	49	13	13	-36	0
Not Pursuing	15	21	24	9	3
Total	95	94	94	-1	0

**Note that the expiring centers have been reduced by 1. It was determined that one municipality was listed in error.

Five biennial reviews were completed (Toms River, Lakewood, Long Branch, Millstone, and Vernon). One required further municipal response and that response is still open. Biennial reviews for four municipalities are outstanding and two of those have expired endorsements.

Develop and Update State Planning Commission Policies

A major effort undertaken by the Office was the development of the State Planning Commission's first policy statement. The policy addresses warehouse siting which has become a flashpoint for New Jersey. After significant research and public comment, the State Planning Commission adopted Resolution #2022-13 approved the Commission's first policy statement on warehouse siting guidance. The guidance was

widely distributed and met with much positive feedback, with many calling for the guidance to become mandatory. However, that action is not within the Commission's authority. Seven presentations were made to various groups. Those groups include the DVRPC Goods Movement Task Force, the Middlesex County Office of Planning, several Burlington County municipalities (Bordentown Township, Florence, Chesterfield, and Mansfield), the Delaware River Greenway Partnership, the NJTPA's Freight Initiatives Committee, the Somerset County Planning Partners, and the Central Jersey Transportation Forum. A webinar hosted by the NJ League of Municipalities is in the planning stage for January 15, with the possibility of offering AICP credit. Additional webinars hosted by the NJ League of Conservation Voters and the NJ Society of Municipal Engineers are also being considered.

A mailing was sent to members of the legislature on September 28 that included a hard copy as well as a link to the guidance for their information and use, along with an offer for OPA to provide technical assistance as requested. The Executive Director spoke with the Senate and Assembly Majority Offices on the guidance. We received a suggestion that we send a mailing to business administrators in New Jersey and that is currently being discussed. There was significant press coverage on the topic.

Interagency Coordination

The Office entered into a partnership with Rutgers University Climate Resource Center and their Climate Corps. The Climate Corps is made up of interdisciplinary graduate students to assist municipalities in developing their vulnerability assessments. The program was well received and the municipalities who benefited from the program were Atlantic Highlands, Stafford, and the four Wildwoods (North Wildwood, City of Wildwood, Wildwood Crest, and West Wildwood).

The Office worked with our State agency partners on the New Jersey Resilience Accelerator program facilitated by FEMA. The project team consists of our state agency partners and FEMA and includes input from an advisory group of interested stakeholders. The program brings together resources to assist invited municipalities in the completion of their vulnerability studies, develop realistic resilience plans, and assist in coordinating state and federal assistance. The program consists of one "partnership" meeting (where the communities get to know each other and receive an understanding of what is expected of them and what they can expect from the resilience team), and two workshops where the communities identify their vulnerabilities and develop a resilience plan. After the formal program, each state agency is assigned a municipality to follow up to ensure any future questions or implementation issues are addressed.

There are two cohorts in this program. The first focused on riverine communities and included Lambertville, Belvidere, Bound Brook, Denville, Millburn, Manville, and Millstone, five of whom completed the program. Participating municipalities and state agencies attended a "Funding Resilience Panel" presented by Federal agencies. This is an example of continuing to work with the municipalities. Additionally, Somerset County followed up and hosted a 3-hour workshop called Regional Stormwater Management Roundtable for Somerset County municipalities. Those conversations around a regional stormwater program continue. The second cohort focuses on coastal communities and includes Commercial, Maurice River, Ocean City, Little Egg Harbor, and Pennsville. This cohort held its partnership meeting in 2022; the first workshop is scheduled for January 2023.

In order to leverage this program with that of the program that we have with the Rutgers Climate Corps, three of the municipalities in the second cohort have been offered assistance to complete their

vulnerability assessment with Rutgers students. Those three municipalities are Pennsville, Commercial, and Maurice River. The remaining two (Ocean City and Little Egg Harbor) will be supported by FEMA for their vulnerability study.

Likely one of the best outcomes was an opening up of communications among neighboring municipalities to look at the issue of resilience on a regional basis.

The Office participated in discussions with the Business Action Center to determine how the planners in the office can assist the business advocates in promoting small businesses at the local level. This occurred in two ways. The Office participated in the BAC's quarterly meetings with the county economic development officials to discuss the warehouse guidance and we participated in a brainstorming session with the business advocates to explore ways to better align our activities related to where it is appropriate to site businesses that request that service from the business advocates. That discussion proved very helpful, as the lines of communication between the offices are quite active.

The Office continues to be involved in NJ's Interagency Council on Climate Resilience, and DEP's Interagency Council on Environmental Justice, and the Executive Director is both the Secretary of State's designate and the representative for the State Planning Commission on these Councils. The Office had representation on the Climate Change Governance Subcommittee.

In addition, the Office chairs the Funding Workgroup of the Interagency Council on Climate Resilience. This workgroup has met several times in 2022 to determine consistent criteria regarding how climate change funding can be prioritized throughout State government. The goal of the workgroup is as follows:

“Develop a list of core climate criteria that ensures that decisions for state grants, loans, and other funding mechanisms, as well as capital planning, project selection, and design, are aligned and consistent.”

The goal of this workgroup has proven to be a difficult task and discussions will likely continue into 2023. State agencies that manage federal funding programs must adhere to requirements set by the Federal Government in their programs, so on the federal side, limited change is possible. Changes to State funding are limited by the rules set up for each program that are difficult to change as well.

The Executive Director participates in the Department of Human Services' Age Friendly Advisory Council, which is the result of Executive Order 227. Driven by a World Health Organization effort to develop a global network of Age-Friendly Communities, the Council is tasked with developing a blueprint of best practices for advancing age-friendly practices across the state that, among other items, including housing, social and transportation focuses.

The Executive Director is the representative of the State Planning Commission and the Secretary on DEP's Environmental Justice Council. As anticipated, most environmental justice efforts are within the Commission's purview and have been included in Plan Endorsement requirements.

Coordination with other Planning Partners

The Office is participating as part of the Collaborative Stakeholder Advisory Panel (CSAP) in a Rutgers-led research effort funded by the National Science Foundation. Called the Megalopolitan Coast

Transformation Hub (MACH), the effort is a collaborative effort among numerous academic partners throughout the New Jersey, Pennsylvania, and New York areas to improve climate risk management critical to societal well-being. Funding over five years is expected to total approximately \$20 million. This is a major regional effort that includes climate and sea level scientists, civil engineers, urban planners, economists, emergency management specialists, environmental anthropologists and decision analysis experts, social scientists, and humanists, among others. Research partners include Wharton, New York State University at Albany, Dartmouth, Princeton, Penn State, Montclair State, Tulane University, Clark University, Carleton College, Columbia University, University of Central Florida, Jacques Cousteau Natural Estuarine Research Reserve, and the Science for Climate Action Network.

Staff is participating in the Regional Compatible Use Study for Joint Base Mc-Guire-Dix-Lakehurst. Sponsored by Ocean County Commissioners and including Burlington County and surrounding municipalities, this effort will update the Compatible Land Use Study completed in 2009. The goal of the study is to ensure that land use practices at the joint base are done in collaboration with surrounding municipalities and to protect and preserve the Joint Base. The Base spans over 40,000 acres and is responsible for over 40,000 jobs (the second largest in the state after the State). This project, once a bit further along is something that will be presented to the Commission as this is a great example of regional planning.

The Office continues to participate in numerous state, regional, and local planning organizations and initiatives. Some of these organizations include Together North Jersey, Central Jersey Transportation Planning Forum, Somerset County Regional Center Partnership, Federal and State Brownfield Interagency Working Group, NJDOT's Transit Village Task Force, South Jersey Transportation Planning Organization, Delaware Valley Regional Plan Commission, North Jersey Transportation Planning Organization, Highlands Council, NJ Coastal Coalition, NJ Delaware Bayshore Council, Sustainable Jersey Land Use Planning & Transportation Advisory Committee, Jersey Waterworks Green Infrastructure Committee and Equity mapping Project, and NJ County Planners Association. The Office is involved in a joint FEMA/OPA/OEM/DEP coordination effort to ensure that resiliency planning and training are coordinated to ensure municipalities receive coordinated messaging and funding.

Update the State Planning Rules

In 2021, the State Planning Commission approved Resolution #2021-13, which authorized the submission of new Rules, as codified in N.J.A.C. 5:815-1.1 to -8.10. The purpose of the Rule update is to modernize and update the Rules, to incorporate Administration policies to incorporate climate change considerations, and to make improvements to existing processes. These updates will address the following goals:

- To ensure consistency with the PE Guideline updates approved by the SPC in 2020.
- To simplify the Cross-Acceptance process by increasing the use of technology, among other opportunities, to streamline the process to the extent permitted under the State Planning Act.
- To create a new Plan Endorsement Renewal process that will streamline the PE renewal process as an incentive to municipalities to renew endorsement.
- To create a new regional plan endorsement process that will incorporate updated and approved guidelines by the SPC in 2020.

- To update the map amendment process by amending existing language to give neighboring municipalities a greater opportunity to comment and have their concerns considered prior to consideration by the PIC/SPC.
- To incorporate Climate Resiliency Planning/GHG requirements into the Plan Endorsement process, per Executive Order 89.
- To incorporate Environmental Justice and Social Equity into the Plan Endorsement process, per Executive Order 23.
- To review and evaluate existing language for opportunities to enhance incentives.
- To better define Smart Growth Areas and add that definition as an official term to the Definition section of the rules to assist State Agencies with a more consistent definition.
- To evaluate opportunities to increase the flexibility regarding the Impact Assessment Study & Long-term Infrastructure Needs Assessment to the extent permitted under the State Planning Act.
- To evaluate opportunities to reduce unnecessary and burdensome Plan Endorsement document requirements.

Comments are being incorporated and once a final proposal is ready, the revised document will be presented to the Commission for final sign-off to begin the formal rule updating process.

Update guidelines, where applicable

Once updated Rules are adopted (see below), the Guidelines will be updated to reflect those Rules

Determine value-added efforts that OPA can offer municipalities and identify incentive opportunities for municipalities

The Office provides technical assistance to municipalities on an as-needed basis, where our resources can accommodate the requests. Additional approved staff currently in recruitment will help in that regard. The Office has been asked to participate in numerous technical advisory committees, including Somerset County's Circulation Element Technical Advisory Committee, the Highland Resilience Project Advisory Committee, the Morris Canal Working Group, and Middlesex County Freight Initiatives Committee. The Office participated in a virtual launch of the new Transit Friendly Planning Guide and the Executive Director participated as a consultant in the consultant hour after the launch.

Ocean County and Somerset County asked the Office to present the Resilience Guidance document that was developed in 2021 to their CRS Users Group (Ocean) and their planning partners (Somerset). We had previously presented to Morris County CRS Users Group. An Area Planner presented the Resilience Guidance Document to ANJEC (Association of New Jersey Environmental Commissions) members at a January virtual training session on January 27. This session was the fourth presentation of the document; it went very well and we are receiving many phone calls and emails for additional support and information.

The value-added efforts should also include financial incentives from our State Agency partners. Toward that end, the Office and the SPC continued to advocate for more robust financial incentives for municipalities that practice good land use policies. We have begun to, but need to more broadly, change the narrative from Center based incentives to Plan Endorsed based incentives. While some progress has been made, the success is limited and needs to be more broad-based. The Office has prepared a

recommended list of incentives that should be considered. Funds for planning efforts should be made available; however, understanding budget constraints, a relatively small amount of funding can go a long way toward this end. Items identified also include technical assistance, additional points for competitive state grants, possible set-asides of existing funding programs, and permitting assistance are all areas that likely will encourage municipalities to participate in good land use planning.

OPA staff continues to respond to requests to speak at training sessions, conferences, and planning events, as well as acting as guest lecturers and advisors for programs at state colleges and universities when asked to do so.

Other Activities of Interest

Daniel's Law is now in effect. The NJ Office of GIS has redacted owner names from all hosted parcels and tax list database downloads, map services, and applications. OPA will be replacing parcels on our online maps. We will keep the information for in-house use only.

The Executive Director participated in a call with the State of Louisiana regarding a framework for the development of a state planning office in Louisiana. We were asked to participate since our office stood out in their research of good examples of state planning.

STATE PLANNING COMMISSION/OFFICE OF PLANNING ADVOCACY 2023 GOALS

The goals for the Office of Planning Advocacy and the State Planning Commission are largely a continuation and expansion of the 2022 goals. Of course, of primary interest is updating the State Development and Redevelopment Plan. With approval to do so, many of these efforts below can be institutionalized and modernized to meet the needs of today's environmental and economic concerns. A coordinated effort in this regard is critical to the success of the State.

It is important to recognize the far-reaching impacts that the State Development and Redevelopment Plan has on every aspect of living in New Jersey. There are obvious land use connections to open space and farmland preservation, resilience planning, environmental protection, economic sustainability, and infrastructure needs. However, these connections must also speak to the transportation network, public health, equity, social impacts, and quality of life. Almost every decision that a local or county governing body has to make on a daily basis has a land use implication.

Continue the Effort to Endorse Communities

The Office is working with 69 communities in various stages of the endorsement process, with some more active than others. With the impending expiration of 57 of those communities, it is anticipated that approximately 40 will remain active and in the process. While the Office will continue to work with each municipality, the focus on regional planning efforts will be accelerated. Regional endorsements in Burlington and Somerset Counties are underway and should be completed in the first half of 2023. Regional planning efforts such as resilience planning and warehouse siting will continue.

Central to continuing to promote endorsement is an analysis regarding how to address the known reasons that municipalities either drop out during the process or do not engage at all. There are three main reasons for non-participation. The first two are a lack of resources and the lack of associated benefits to communities. These two issues can be addressed with the same set of solutions. The requirements of the Municipal Land Use Law are basic and the requirements of Plan Endorsement require more investment in order to achieve comprehensive land use planning. Planning grants (funding) and the enhanced availability of technical assistance will greatly increase the likelihood of a municipality participating in the process. The Office will continue to advocate for funding options that can address these obstacles.

The third main reason for non-participation is that either local land use policies lack consistency with State policies because local community character and vision are inconsistent with State goals or there is a lack of updated information on the impact of development. The Office intends to reconstitute the research function that was previously housed in this office. With better, more current information, the Office can provide educational programs and resources for local officials to become better informed.

Develop and Update State Planning Commission Policies

Following the model used for the warehouse siting guidance, the Office will continue to provide guidance on several topics related to good land use practices so that municipalities have a "go-to" resource when

faced with difficult land use decisions. Important to this goal is the follow-up to published guidance. The Office will continue working on warehouse guidance follow-up items, such as model ordinances and mapping projects. Ensuring resources are available to municipalities and counties such as model ordinances and mapping guidance is key to ensuring a complete focus on technical assistance.

In addition to providing follow-up to the warehouse guidance, some immediate policy topics will include:

- Equitable provision of affordable housing
- Promoting economic sustainability through land use practices
- Reconciling resilience project priorities among state agencies
- Age-friendly policies

Continue Interagency Coordination

A statutory requirement of the State Planning Commission is the coordination of State agency partners. This is particularly important when it comes to incentivizing good land use practices. The Office will continue to work with our State agency partners to ensure that the State is not incentivizing land use practices that are contrary to a safe and sustainable future while still maintaining the balance of the State goals that the State Planning Act requires.

There are several areas where incentives can be helpful to local government officials. Of course, there are funding resources that can be made available to assist in comprehensive planning either at the local or the county level. Secondly, access to technical assistance and educational opportunities can be expanded. Third, a critical component of this goal is to continue to coordinate State agency participation to resolve local concerns that require State action by facilitating access to state agency decision-makers. In this way, the lines of communication to discuss obstacles to approvals and to find ways of achieving local and state goals can be optimized.

In addition to the incentive and funding discussion, working with our State agency partners, the Office will rework the endorsement process to customize requirements based on the capacity, size, and development pressure of municipalities. Endorsement requirements, for example, should be different for a fully built-out community with limited growth potential than a community that is experiencing development pressure. At the same time, the focus of planning and technical assistance in Overburdened Communities needs to better reflect local needs addressing environmental justice and equity concerns. The Office will develop a quantitative evaluation tool, along with associated requirements to make the endorsement process more customized and relevant to the existing community and its vision for the future.

Update State Planning Rules and Guidelines

The current State Planning Rules are dated and need modernization. Draft updated rules are under development and will likely be approved to go through the formal rule-making process in the first half of 2023. The guidelines, while updated three years ago, require further updating once the rules are updated to provide a more streamlined approach to endorsement.

Coordinate with Other Planning Partners

Public input is critical. State Agency coordination is critical. Many subject matter experts and resources are available through our government and non-government partner organizations. These important stakeholders can provide resources and information not otherwise available. All of our efforts will be coordinated with our planning partners to ensure wide-ranging input for policies. The Office will continue to respond to speaking requests, panel participation, working groups, and interagency efforts. Staff will be available to guest lecture at universities and schools and provide resources to those organizations looking to learn.

Continue to Advance Technical Assistance and Capacity to Counties and Municipalities

It is recognized that many municipalities and counties have limited resources and capacity to perform the requirements necessary for good land use practices. As the Office works to customize the endorsement process for municipalities based on capacity, size, and development pressure, the technical assistance can be customized as well. Those that need more assistance will get more but the Office will continue to collaborate with those that have the necessary resources, as needed. The Office will work on a quantitative methodology to determine how to identify and evaluate criteria, and then implement this assistance. Of course, planning grants would be extremely helpful in this effort and the Office will continue to advocate for such funding.

Additionally, the re-establishment of a research function in the Office is critical to providing data about the State, its demographics, its economic sustainability, and its available land mass to inform the development and conservation potential of this densest state in the nation.

An updated website is critical to this effort. The resources on the Office's current website are dated and are in desperate need of updating. Model ordinances, reference materials, templates, and guidance will be updated to provide a "one-stop shop" to those municipalities and counties looking for information.