

Cross-Acceptance Manual

**For the First Statutory Revision and Readoption of the State
Development and Redevelopment Plan**

June 25, 1997

New Jersey State Planning Commission
Jay G. Cranmer, Chairman
New Jersey Office of State Planning
Herbert Simmens, Director

For additional information or copies contact:

**New Jersey Office of State Planning
33 West State Street
PO Box 204
Trenton NJ, 08625-0039**

609-292-7156

**Project manager and principal author:
David Maski, Manager of Local Planning Assistance**

Cross-Acceptance Manual

For the First Statutory Revision and Readoption of the State Development and Redevelopment Plan

Table of Contents

Introduction.....1

Part 1 - The Cross-Acceptance Process.....3

1.1 Overview.....4

- A. Context
- B. The Three Phases of Cross-Acceptance
- C. Projected Time Frame

1.2 Participants and General Responsibilities.....10

- A. General Public
- B. Municipalities
- C. Counties
- D. Regional Agencies
- E. State Agencies
- F. Legislature
- G. State Planning Commission and the Office of State Planning

1.3 Cross-Acceptance Work Program.....14

- A. Notice of Participation or Waiver
- B. Submission of a Proposed Work Program to the Office of State Planning
- C. Recommended Public Participation Techniques

1.4 Cross-Acceptance Grant.....19

- A. Application Process
- B. Eligible Activities

Part 2 - The Cross-Acceptance Report.....21

2.1 Overview.....22

2.2 Required Elements.....22

- The degree to which municipal and county plans have incorporated the various provisions of the current State Plan and/or the proposed revisions in the Reexamination Report
- A detailed list of findings, recommendations, and objections concerning the State Plan or proposed revisions to the State Plan as represented in the Reexamination Report
- The potential for modifications to local and county plans that would contribute to a higher degree of consistency among local, county , and State plans

- The degree to which designated State Plan centers have carried out their respective planning and implementation agendas and any conditions placed on those centers by the State Planning Commission in the course of their original designation
- Negotiation Agenda

2.3 Recommended Elements.....25

- Mapping community development boundaries
- Identifying cores and nodes in Planning Area 1 and the developed portions of Planning Area 2
- Identifying growth management issues having multi-municipal or multi-county impact
- Identifying and developing indicators for regional, county, and local plans
- Applying the Office of State Planning growth simulation model — projecting growth and assessing infrastructure needs
- Presenting county, sub-regional and urban complex plans for endorsement by the State Planning Commission
- Comments and recommendations regarding State agency implementation of the State Plan
- Other topics of concern or interest raised by municipalities and counties

2.4 Individual Municipal Reports.....28

- A. When and Why to Submit One
- B. What to Include in the Report

2.5 Mapping Guidelines.....29

- A. Amending the Resource Planning and Management Map
- B. Technical Guidelines
- C. Data Sources

Appendix.....37

- A.1** List of Designated Centers for Monitoring
- A.2** Sample Notice of Participation
- A.3** Sample Notice of Waiver
- A.4** Sample Grant Agreement
- A.5** Sample Budget Form
- A.6** Map Amendment Document

Introduction

The adoption of the State Development and Redevelopment Plan on June 12, 1992, marked the close of a cross-acceptance process that began some 42 months earlier with the release of the Preliminary State Plan in January 1989. As we undertake the first statutory revision and readoption of the State Plan in 1997, it is time to assess and redesign the cross-acceptance process (as represented in the 1988 Cross-Acceptance Manual) based on those initial experiences with cross-acceptance and to better accommodate the *reexamination* of an existing State Plan.

The second round of cross-acceptance will be governed by the same provisions of the State Planning Act that defined the first cycle, but the points of departure for each are very different. As was the case in 1989, cross-acceptance in 1997-98 will begin with the release of a preliminary plan. Those preliminary plans are, however, two very different documents. The first preliminary plan was the third draft of a still-very-fluid document. Although it had been subjected to review and comment by public and private individuals and organizations, it had yet to be subjected to the rigorous comparisons and negotiations of the cross-acceptance process. Nor had it been adopted by the State Planning Commission – it was a draft that had been "approved" for cross-acceptance. The State Development and Redevelopment Plan would not, in fact, exist for another four years. The 1997 preliminary plan will not be a draft in the same sense as it was in 1989. By statute, it will still be the first "draft" in a three step process (preliminary, interim, final), but it will have as its core the cross-accepted and adopted State Plan.

It is important to remember that the preparation, approval and cross-acceptance of a preliminary plan and the subsequent approval of an interim plan in 1997-98 notwithstanding, the State Development and Redevelopment Plan adopted on June 12, 1992 will continue to constitute the official State Plan until such time as it is revised and readopted by the State Planning Commission at the conclusion of cross-acceptance some two years hence. To that end, the State Planning Commission and state, county and local governments in general, should continue their efforts to implement the State Plan as appropriate even during cross-acceptance. Therefore, the Commission will provide opportunities for additional center designations and plan endorsements during cross-acceptance, as outlined in this manual.

The purpose of this manual is to guide participants through the cross-acceptance process. In so doing the manual discusses the overall structure of cross-acceptance, the expected role of each participant, and provides specific instructions for the preparation of a cross-acceptance report. However, meaningful participation in cross-acceptance will require that in addition to this manual, participants also read the State Planning Rules (N.J.A.C. 17:32), the State Planning Act (N.J.S.A. 52:18A-196 et seq.) and the State Development and Redevelopment Plan. Participants should also keep track of and monitor local and county cross-acceptance meetings as well as those of the State Planning Commission. Up-to-date Commission schedules and cross-acceptance information can be obtained by contacting the Office of State Planning at **609-292-7156** or **1-800-522-0129** and by accessing the OSP home page on the Internet's World Wide Web at **www.state.nj.us/osp/**.

CROSS-ACCEPTANCE MANUAL

Part 1
The Cross-Acceptance Process

1.1 Overview

A. Context

The State Planning Act of 1985 (N.J.S.A. 52:18A-196 et seq.) declared that the State of New Jersey needs sound and integrated "Statewide planning" to:

"conserve its natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal..."

The Act created the State Planning Commission and the Office of State Planning in the Department of Treasury with the primary duty and responsibility of preparing a State Development and Redevelopment Plan that would respond to that mandate. The first State Development and Redevelopment Plan was adopted by the State Planning Commission on June 12, 1992. That plan is to be reviewed and revised on a three year cycle.

The vehicle for both preparing and revising the State Development and Redevelopment Plan is the **cross-acceptance process**, which is defined in the State Planning Act as:

"a process of comparison of planning policies among governmental levels with the purpose of attaining compatibility between local, county and State Plans. The process is designed to result in a written statement specifying areas of agreement or disagreement and areas requiring modification by parties to the cross-acceptance."*

The State Planning Commission promulgated the State Planning Rules (N.J.A.C. 17:32) to establish guidelines for conducting the cross-acceptance process. The rules consist of eight subchapters, which cover all aspects of the cross-acceptance process and establish certain post-plan adoption procedures as well.

- Subchapter 1, *General Provisions*, sets forth general information including the purpose, authority and applicability of the rules, the definitions for the chapter, public participation and technical assistance.
- Subchapter 2, *Preparation of Preliminary State Development and Redevelopment Plan*, establishes a process for the preparation and approval of a preliminary plan that will be the subject of cross-acceptance.
- Subchapter 3, *Procedures for Conducting the Comparison Phase of Cross-Acceptance*, establishes procedures for conducting the first phase of cross-

* The State Planning Act uses the terms "compatibility" and "consistency" interchangeably. For the purpose of clarity, the term "consistency" will be used throughout the remainder of this manual and is considered synonymous with "compatibility." This is also in keeping with subchapter 7 of the State Planning Rules, N.J.A.C. 17:32-7.1(d).

CROSS-ACCEPTANCE MANUAL

acceptance. This subchapter covers the designation of negotiating entities; requirements for cross-acceptance work programs; municipal participation; regional agency participation; public meetings; negotiating entity reports; and, municipal reports.

- Subchapter 4, *Procedures for Conducting the Negotiation Phase of Cross-Acceptance*, establishes procedures for conducting the second phase of cross-acceptance. This subchapter covers Commission, county, and municipal representation during negotiations; how negotiations will be conducted; and, requirements for an impact assessment of the Interim Plan.
- Subchapter 5, *Procedures for Conducting the Final Review Phase of Cross-Acceptance*, establishes procedures for conducting the third and final phase of cross-acceptance including required public hearings; opportunities for county and municipal review and comment. This subchapter also establishes a time frame for the adoption of the State Plan.
- Subchapter 6, *Letters of Clarification*, sets forth eligibility for requesting clarifications; subjects for clarification; and, procedures for making such a request. The subchapter also provides for a suspension or extension of time frames and stipulates the tenure of clarifications.
- Subchapter 7, *Voluntary Submission of Plans for Consistency Review*, establishes eligibility requirements for consistency reviews; public notification requirements; general procedures; and, circumstances for the suspension or extension of time frames.
- Subchapter 8, *Amendment of the Resource Planning and Management Map*, defines the official State Plan map and sets forth procedures for amending that map. The subchapter includes eligibility requirements; public notification requirements; and, circumstances for the suspension or extension of time frames.

The primary focus of cross-acceptance will be the **Preliminary State Development and Redevelopment Plan**, the **Interim State Development and Redevelopment Plan**, and the **Impact Assessment of the Interim State Development and Redevelopment Plan**. All three will be subject to review and comment during the course of cross-acceptance.

1. Preliminary Plan – That document, and all maps, appendices, and other material included by reference, which is approved by the State Planning Commission to reflect proposed revisions to the current State Development and Redevelopment Plan. The Preliminary Plan is the primary focus of the *comparison phase* of cross-acceptance.

*For the purposes of the 1997-98 cross-acceptance process, the Preliminary Plan is incorporated in a document known as the **Reexamination Report and 1997 Preliminary Plan**. The Reexamination section consists of an assessment of changing trends and conditions since the State Plan was adopted in 1992. The Preliminary Plan section contains proposed revisions to the State Plan for*

consideration during cross-acceptance. The Preliminary Plan is presented as the full text of the 1992 State Plan with appropriate strikethroughs and underlines to indicate proposed deletions and additions respectively. (A "clean" version incorporating all proposed changes will also be available.) While comments on the Reexamination Report are welcome, only the Preliminary plan is subject to formal cross-acceptance.

2. Interim Plan – That document, and all maps appendices, and other material included by reference, which is approved by the State Planning Commission to reflect revisions to the Preliminary Plan. The Interim Plan is based in part on the results of the *negotiation phase* of cross-acceptance.
3. Impact Assessment of the Interim Plan – Pursuant to the State Planning Act, The State Planning Commission will have prepared an assessment of the impacts of the Interim Plan relative to the impacts that would likely occur without a State Plan. The results of the assessment may identify desirable changes to be incorporated into the final State Plan by the Commission.

B. The Three Phases of Cross-Acceptance

Cross-acceptance is conducted in three phases — **comparison, negotiation, and final review**. They were created by the State Planning Commission to give structure to the process. Each phase is meant to be a distinct activity with distinguishable tasks and outcomes.

I. Comparison

Phase I, the comparison phase, begins with the release of the Preliminary Plan by the State Planning Commission. The comparison phase will center around the counties/negotiating entities as they conduct a comparison of the State Plan with county and municipal plans, maps and regulations. This six month process will involve county officials, municipal officials and the general public in a dialogue that will result in a cross-acceptance report, prepared by the county/negotiating entity, in the format found in Part 2 of this manual. This report, which is forwarded to the Commission, will:

- Describe the level of consistency that has been attained by county and municipal plans and regulations with each other and with the State Plan since the adoption of the State Plan in 1992 and how that consistency can be enhanced;
- Document any changes, including map changes (planning areas as well as proposed centers), that the negotiating entity and its constituent municipalities may want to see in a revised State Plan; and
- Comment on revisions proposed by the Commission in the 1997 Preliminary Plan;

The report can also contain recommendations for proposed legislation or programs, or proposals for future studies. Finally, the cross-acceptance report will set the agenda for the negotiation phase. (Any municipality disagreeing with the negotiating entity's report may file its own report with the Commission.)

II. Negotiation

Following the submission of the cross-acceptance reports to the State Planning Commission, the Commission will specify a date for the commencement of the negotiation phase of cross-acceptance. These negotiations will be an attempt to resolve any disagreements or inconsistencies existing among the cross-acceptance parties. The Commission will provide each county or municipality that submitted a cross-acceptance report an opportunity to negotiate any issues that were raised in those reports. The negotiation sessions will be conducted on two levels. First, the Office of State Planning will meet with the authorized representatives of the county planning board to reach agreement on issues raised in county reports and municipal and public comments, and to identify unresolved issues requiring negotiation between the negotiating committees of the State Planning Commission and the county. Second, the Commission and the county will meet to discuss and confirm any agreements and to negotiate any unresolved issues identified at the first negotiation session.

All determinations made by the county planning board during the negotiation phase will be subject to the action of the county's governing body. Likewise, all determinations made by either the Office of State Planning or the Commission's negotiating committee, will be subject to the approval of the State Planning Commission. Any agreements reached during this phase to revise the State Plan will be reflected in an Interim State Plan prepared and approved by the Commission. That Interim State Plan will be the subject of the Impact Assessment described in section A, above. This will result in a period of approximately four months between the end of the negotiation phase and the beginning of the final review phase to allow time for the preparation of the Assessment. A complete list of agreements and disagreements will be published by the Commission in an official "Statement of Agreements and Disagreements."

III. Final Review

With the information and resolutions gathered during phases I and II, and from the results of the Impact Assessment, the State Planning Commission will begin the task of preparing the final State Development and Redevelopment Plan – phase III of the cross-acceptance process. The purpose of the final review phase is to allow review of and accept comment on: the Interim Plan (as may be amended by the Commission based on the findings of the Impact Assessment), Infrastructure Needs Assessment, Statement of Agreements and Disagreements and the Impact Assessment of the Interim Plan. These documents will be the subject of at least six public hearings. Based upon the findings of those hearings, and any written comments submitted to the Commission, the Commission will consider and adopt the State Plan no sooner than 30 days and no later than 60 days after the last of the public hearings.

C. Projected Time Frame

The first round of cross-acceptance took 42 months to complete, due, in part, to the newness of both the process and the State Plan. This should not be the case in 1997-98, as familiarity with the process and the Plan should be more widespread.

Projecting a reasonable time frame for cross-acceptance will depend on several factors. First, there are certain time constraints placed on the process by the State

CROSS-ACCEPTANCE MANUAL

Planning Act. The Act provides eight required deadlines and time frames which generate approximately 22 deadlines and time frames in the State Planning Rules. Second, the Act requires the preparation of six documents. Each requires time to prepare, review, revise, and publish. Third, the Act requires various public meetings and hearings with appropriate public notices. Fourth, and perhaps most important, the process must remain credible in terms of public access and participation.

Taking those factors into consideration, cross-acceptance could be conducted in approximately two years, as summarized below. This is considered the shortest practical time frame given the requirements and goals of the process.

Cross-Acceptance Schedule Summary	
<i>Preliminary Plan released</i>	<i>September 1997</i>
<i>Comparison Phase</i>	<i>September '97 to February '98</i>
<i>Negotiation Phase</i>	<i>March '98 to July '98</i>
<i>Interim Plan approved by SPC</i>	<i>July 1998</i>
<i>Impact Assessment conducted on Interim Plan</i>	<i>July '98 to October '98</i>
<i>Amended Interim Plan approved by SPC</i>	<i>November 1998</i>
<i>Final Review Phase</i>	<i>November '98 to April '99</i>
<i>Revised SDRP adopted by SPC</i>	<i>April 1999</i>

Figure 1 on the following page provides a detailed schedule for conducting cross-acceptance activities.

Figure 1
CROSS-ACCEPTANCE ACTIVITIES

Official Release of Preliminary Plan by SPC September 1997	I	Cross-Acceptance Report Submitted to OSP February 1998	II	IMPACT ASSESSMENT		Amended Interim Plan Approved by SPC November 1998	III			Revised SDRP Adopted by SPC April 1999	
	COMPARISON		NEGOTIATION	3 Months			FINAL REVIEW				
	6 Months*		5 Months	1 Month			1 1/2 Months*	1 Month	2 Months*		
	1. 21 joint (county/state) public informational meetings between day 45 and day 90* 2. Negotiating entities: A. Conduct consistency reviews of municipal and county plans with Preliminary Plan* B. Compile list of findings, recommendations, and objections*		1. OSP/LNC negotiation 2. SPC/LNC negotiation 3. OSP/SPC prepare: A. Interim Plan* B. Statement of Agreements and Disagreements* C. Infrastructure Needs Assessment*	Independent contractor conducts assessment of Interim Plan	Assessment Completed October 1998		Revise Interim Plan if warranted by Impact Assessment	45 day lag before first public hearing*	SPC gives 30 day notice of first public hearing*		First Public Hearing January 1999

* Required by State Planning Act

Negotiating Entity = County

LNC = Local Negotiating Committee consisting of county planning staff and at least two county planning board members

OSP = Office of State Planning

SPC = State Planning Commission

1.2 Participants and General Responsibilities

A. General Public

Cross-acceptance is intended to be an open and thorough dialogue that involves not only governments, but the public at large as well. The State Planning Commission considers an inclusionary approach to cross-acceptance critical to the success of the process. To that end, each negotiating entity must provide meaningful opportunities for public participation during cross-acceptance and include a plan for public participation in the work program submitted to the Office of State Planning pursuant to the State Planning Rules (see sections 1.3B and C of this manual). All applicable meetings and hearings during cross-acceptance must be carried out in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.

At a minimum, the public may participate in cross-acceptance through the following means:

1. Comments presented during the public comment period at the regular monthly meetings of the State Planning Commission and at any special public hearings conducted by the Commission;
2. Submission of written comments to the State Planning Commission at any time up to 30 days after the last public hearing on the final Plan;
3. Written or verbal communication with municipal and/or county officials involved in cross-acceptance;
4. Public comment at negotiation sessions conducted by the Commission;
5. Comments presented at meetings of the various committees of the State Planning Commission as they relate to the work of those committees; and
6. Participation in advisory committees.

More specifically there will be 21 public informational meetings regarding the Preliminary Plan (one in each county); a public hearing in each county before the finalization of its cross-acceptance report; and at least six public hearings on the Interim State Development and Redevelopment Plan.

The term "general public," as used here, is meant to be broadly interpreted. It applies not only to the individual citizen but to the many and varied for-profit and not-for-profit organizations throughout the State. These may include, but are not limited to, private businesses, trade groups, environmental associations, builders associations, housing advocates, professional organizations, utilities, planning organizations, and agricultural organizations.

B. Municipalities

As the majority of land use and growth management decisions are made at the local level in New Jersey, municipal plans necessarily become a major focus of cross-acceptance. Through cross-acceptance, municipalities have an opportunity to influence three-way consistency among municipal, county and State plans, thus strengthening their own local initiatives. To participate in cross-acceptance, municipalities must ensure that the county (or other designated negotiating entity) and the Office of State Planning have a current copy of all master plans, land development regulations, and other information required for the comparison of plans and programs as specified for the county cross-acceptance report. Municipalities are also required to provide the negotiating entity for their county with a list of official cross-acceptance representatives who will serve as the municipality's liaison throughout the process. Each municipality also has the right to file a separate municipal cross-acceptance report with the State Planning Commission as outlined in Part 2 of this manual.

The cross-acceptance discussion at the municipal level should not be restricted to either the governing body or the planning board. In addition to the general public (as discussed above and in section 1.3C), municipalities should involve the full range of municipal agencies — for example, the board of education, utility authority, environmental commission, and local development corporation; and agencies responsible for planning, community and economic development, housing, parks and recreation, public works, social services, and public safety.

Although the Hackensack Meadowlands District and the New Jersey Pinelands are not covered by the State Plan's Resource Planning and Management Structure, portions of all 14 of the Meadowlands communities and 39 of the 53 Pinelands communities falls outside of those regional jurisdictions and are, therefore, covered by the State Plan. Those municipalities should also participate fully in cross-acceptance and make the appropriate comparisons and recommendations.

C. Counties

Counties play a pivotal role in cross-acceptance. Pursuant to the State Planning Act, "The Commission shall negotiate Plan cross-acceptance with each county planning board..." Those counties that choose to take up the role of *negotiating entity* (see section 1.3A), become, in effect, the direct link between its constituent municipalities and the State Planning Commission during cross-acceptance. County negotiating entities are responsible for involving municipalities and the general public to ensure an all inclusive dialogue.

Each participating county negotiating entity will undertake a six month review of its own development plans and regulations as well as those of the municipalities within its jurisdiction as they relate to the State Plan. The result of this review process will be a cross-acceptance report (see Part 2 of this manual), which will be submitted to the State Planning Commission. It will provide an analysis of the relative consistency or inconsistency existing among the State, county and municipal plans. Following the completion of the cross-acceptance report, the county will be responsible for negotiating issues regarding the State Plan with the State Planning Commission.

CROSS-ACCEPTANCE MANUAL

If a county chooses not to participate as the negotiating entity, the State Planning Commission will designate an alternate organization or agency to assume the responsibilities of negotiating entity for that county.

The cross-acceptance discussion at the county level also should not be restricted to either the governing body or the planning board. In addition to the general public (as discussed above and in section 1.3C), counties should involve the full range of county agencies — for example, the community college, utility authority, environmental commission, improvement authority, agricultural development board, and board of agriculture; and agencies responsible for planning, community and economic development, housing, parks and recreation, public works, social services, and public safety,

D. Regional Agencies

Growth and development decisions are increasingly regional in their impacts and often require a regional perspective for effective management. Thus, it is vital to the state planning process that regional and bi-state agencies be involved in the cross-acceptance discussion. The State Planning Commission has prepared a list of regional agencies (see below) that would be appropriate to include in the process. The Commission will ask each of those agencies to prepare a report outlining the degree to which its respective regional plan incorporates or conflicts with the Preliminary Plan; and to propose modifications to the Preliminary Plan or the regional plan. The Office of State Planning will provide each of those agencies with a list of all the public meetings regarding the State Plan to be held within its respective areas of jurisdiction.

Selected Regional Agencies

- Delaware and Raritan Canal Commission
- Delaware River and Bay Authority
- Delaware River Basin Commission
- Delaware River Port Authority
- Delaware Valley Regional Planning Commission
- Hackensack Meadowlands Development Commission
- North Jersey Transportation Planning Authority
- Palisades Interstate Park Commission
- Pinelands Commission
- Port Authority of New York and New Jersey
- South Jersey Transportation Planning Organization

E. State Agencies

For county and municipal governments, the State Planning Act established cross-acceptance as the vehicle for achieving consistency between the State Development and Redevelopment Plan and locals plans. There is no parallel process prescribed in the Act for establishing consistency with other State agency plans. Nonetheless, the Act's requirement to "coordinate planning activities and establish statewide planning objectives" is meaningful only if other State agency plans and actions affecting land use and development are consistent with the State Plan.

CROSS-ACCEPTANCE MANUAL

In November 1996, for the second consecutive year, Governor Whitman instructed all State agencies to examine their own plans and programs to assess coordination with the State Plan. Specifically, each agency must assess how its current functional plans, programs, investments, grants-in-aid, regulations, proposed legislative initiatives, and public information activities advance the State Plan. State agencies have also been instructed to provide the State Planning Commission with any recommendations or changes to the State Plan that would improve the utility of the Plan for that agency. All of this information will be available to interested parties and considered by the Commission as it reviews and revises the State Plan through cross-acceptance.

Those State agencies that are members of the Commission — Agriculture, Commerce, Community Affairs, Environmental Protection, Transportation, Treasury, and the Governor's Office of Policy and Planning — will be directly involved in cross-acceptance as voting members of the Commission and as members of negotiating committees. All State agencies were asked to comment on a draft Preliminary Plan prior to its approval by the Commission.

F. Legislature

The State Planning Commission recognizes the important roles that the members of the New Jersey Senate and General Assembly have in the state planning process. Each member of the New Jersey Legislature will receive the Preliminary, Interim and the adopted State Development and Redevelopment Plan. After the Commission approves the Preliminary Plan, at least one information meeting on the Plan will be scheduled with the Legislature. The Commission will also hold at least one meeting with the Legislature following the preparation of the Interim and final Plans. Throughout cross-acceptance, comments and suggestions offered by legislators will be considered by the Commission. The Commission encourages the Legislature to give due consideration to the Preliminary, Interim, and final Plans, and to the issues raised therein.

G. The State Planning Commission and the Office of State Planning

The State Planning Commission is responsible for the preparation and adoption of, and every three years thereafter, the revision of the State Development and Redevelopment Plan. The Office of State Planning, serving as staff to the Commission, assists the Commission in the preparation and production of the State Plan and its companion documents — the Statement of Agreements and Disagreements and the Infrastructure Needs Assessment — and administers the cross-acceptance process. The Commission is responsible for the negotiation of all cross-acceptance issues with counties and municipalities and has sole authority over the final content of the State Plan.

1.3 Cross-Acceptance Work Program

A. Notice of Participation or Waiver

In conjunction with the release of the Preliminary State Development and Redevelopment Plan by the State Planning Commission, the Office of State Planning will transmit to each county a request for either a **Notice of Participation** or a **Notice of Waiver**. A Notice of Participation is a duly adopted resolution of a county governing body authorizing participation of the county as the *negotiating entity* in the cross-acceptance process. A Notice of Waiver is a duly adopted resolution of the county governing body stating its intent to forfeit and waive its statutory authority to participate in cross-acceptance. Notices of participation or waiver must be transmitted by each county to the Office of State Planning no later than forty-five (45) days after release of the Preliminary Plan. This deadline does not preclude any county from approving and forwarding either notice to the Office of State Planning at its earliest possible convenience, even prior to the release of the Preliminary Plan. Sample notices are included in the appendix of this manual.

In the event that a county transmits a Notice of Waiver, or fails to transmit a Notice of Participation by the prescribed deadline, the State Planning Commission will designate an **alternate negotiating entity** for cross-acceptance for each such county. Any county that does not participate as the negotiating entity will not be eligible for a cross-acceptance grant as described in section 1.4.

As an alternative to individual participation in cross-acceptance, counties are encouraged to consider entering into intergovernmental agreements for consolidated or coordinated participation in cross-acceptance. If a county notifies the Office of State Planning of its willingness to enter into such an agreement with a neighboring county, regional planning agency or metropolitan planning organization, the Office will assist the county with the preparation of appropriate agreements and designation of a negotiating entity.

B. Submission of a Proposed Work Program

No later than 45 days after the date of release of the Preliminary State Development and Redevelopment Plan, the county, if it is the negotiating entity, is required to submit a proposed cross-acceptance work program to the Office of State Planning. This is required for monitoring the county's cross-acceptance grant (see section 1.4) and to ensure a coordinated cross-acceptance process and an efficient allocation of resources at the county and State level. The negotiating entity's cross-acceptance work program should cover all three phases of cross-acceptance, commencing on the date of release of the Preliminary State Development and Redevelopment Plan (Day 1) by the State Planning Commission. The proposed work program should be based on the projected schedule presented in Figure 2 and is subject to the approval of the Office of State Planning.

In the event that the negotiating entity is an entity other than the county, the negotiating entity is required to submit a proposed cross-acceptance work program to the Office of State Planning within 30 days of the date of its designation by the State

CROSS-ACCEPTANCE MANUAL

Planning Commission. All other tasks, work products and deadlines should be the same as those prescribed for the counties.

At a minimum, the cross-acceptance work program should include the following:

1. A time schedule for the completion of tasks and work products;
2. A list of the recommended elements (see section 2.3) anticipated to be included in the cross-acceptance report;
3. A description of the format and a preliminary schedule of municipal meetings;
4. A public information program for providing an open, informed, and participatory cross-acceptance process. Indicate at a minimum the types of groups targeted (public and private), schedule of meetings, and use of various information outlets (see section C, below, for additional guidance);
5. An outline of available staff or consultant resources to be committed to the cross-acceptance process. Include the percentage of each individual's time and a short description of the individual's or firm's expertise;
6. A Preliminary Expenditure Budget (see budget form in appendix A.5 and discussion of cross-acceptance grant in section 1.4).
7. A request for technical assistance. If applicable, list those areas where it is felt that technical assistance will be required from the Office of State Planning. Be specific as to the type and amount of assistance requested; and,
8. A list of the official cross-acceptance representatives designated by each municipality within the county. The official representative(s) should have a strong working knowledge of municipal plans, ordinances and policies especially as they relate to such areas as planning, zoning, administration, housing, capital improvements, parks and recreation and the environment.

Although the work program is not due at the Office of State Planning until 45 days after the release of the Preliminary Plan, counties should begin considering how they will format their local cross-acceptance process as soon as possible. Completing this administrative function early will free more time during cross-acceptance for the actual comparison of plans.

**Figure 2
Sample Cross-Acceptance Work Schedule**

Task/Work Product	Time Frame
Comparison Phase	Six months
1. Notice of Participation or Waiver	Due at OSP no later than day 45
2. Proposed work program and grant application	Due at OSP no later than day 45 (If alternate negotiating entity, no later than 30 days after its designation by the SPC)
3. Inventory appropriate data - <i>Collection and analysis of municipal and county plans, regulations, maps and special studies.</i>	No product required (this task should start prior to cross-acceptance)
4. County-wide public information meeting - <i>A meeting co-hosted by the county/negotiating entity and SPC to present the Preliminary Plan to the municipalities and the general public.</i>	Between day 45 and day 90 (Schedule will be prepared by OSP and transmitted to the negotiating entity no later than day 15)
5. Convene municipal and public outreach meetings	Throughout the process (schedule should be submitted to OSP with proposed work program)
6. Draft cross-acceptance report - <i>Distribute to OSP, the county (if not the negotiating entity), regional agencies and municipalities; make available to public; remind municipalities of their right to file dissenting report; hold at least one public hearing on the draft report.</i>	No later than day 150
7. Final cross-acceptance report - <i>Authorized for transmittal to the SPC by resolution of the county governing body/negotiating entity at a public hearing; same distribution as draft report.</i>	No later than day 180 (six months after the release of the Preliminary Plan)
Negotiation Phase	Approximately five months
8. Establish local negotiating committee (LNC)- <i>The county planning board, or a committee of board and staff members established by planning board resolution, consisting of at least two board members.</i>	Following submission of final cross-acceptance report to OSP
9. Pre-negotiation consultations - <i>Negotiating entity staff and OSP.</i>	To be determined by OSP
10. LNC negotiation session with OSP	Following pre-negotiation consultations
11. LNC negotiation session with SPC	Following LNC/OSP negotiation session
12. Review municipal dissenting reports and participate in municipal negotiation sessions	As needed
During Preparation of Impact Assessment	Approximately four months
13. Review Interim Plan, Interim Statement of Agreements and Disagreements, and Interim Infrastructure Needs Assessment	Upon approval and distribution of documents by SPC
Final Review Phase	Approximately five months
14. Review and comment on Impact Assessment of Interim Plan	Upon distribution by SPC
15. Comment on Interim Plan, Interim Statement of Agreements and Disagreements, and Interim Infrastructure Needs Assessment	As needed
16. Attend one of at least six SPC public hearings	No sooner than 45 days after release of amended Interim Plan

C. Recommended Public Participation Techniques

Every negotiating entity's work program must include a public participation element. Each negotiating entity should fashion a program that best suits its specific needs and capabilities using some or all of the techniques listed in Figure 3. This is not meant to be an exhaustive list and the State Planning Commission would be interested in hearing about other innovative ways for making this process as inclusive as possible. It is also understood that not every one of these techniques will be appropriate in every county.

Each public participation program will be evaluated based on the degree to which it meets the dual objectives of:

1. Providing as much information as possible, in a timely manner, to as broad a range of individuals, interest groups, and civic groups as possible; and
2. Providing adequate opportunities for active participation and feedback.

The negotiating entity's efforts can capitalize on, but should not be dependent on the public participation efforts of the Commission itself. For example, Commission sponsored public hearings will not be considered meeting local public participation responsibilities. A summary of all public comments received by the negotiating entity and the negotiating entity's response to those comments must be included in the cross-acceptance report.

**Figure 3
Public Participation Tool Box**

<p><u>Disseminating Information</u></p> <ul style="list-style-type: none"> ⇨ Establish a mailing list of interested parties ✓ ⇨ Place display ads and press releases in local and regional newspapers ✓ ⇨ Start a cross-acceptance newsletter and/or utilize existing government and private newsletters ✓ ⇨ Create and distribute brochures, flyers, videos and posters (some may be provided by OSP) ✓ ⇨ Provide copies of all documents and notices to local and regional libraries ✓ ⇨ Utilize local radio and television stations ✓ ⇨ Distribute information through the local schools ✓ ⇨ Establish an Internet web site or provide information to the Office of State Planning for inclusion on the OSP web site ✓ ⇨ Establish a telephone hot line for regularly updated, 24 hour, pre-recorded cross-acceptance information ✓ ⇨ Provide summaries of all meetings held with municipal cross-acceptance representatives ✓ 	
<p><u>Participation Opportunities</u></p> <ul style="list-style-type: none"> ⇨ Hold a countywide cross-acceptance kickoff conference ✓ ⇨ Hold a series of well publicized meetings at accessible locations and times throughout the county ✓ ⇨ Provide a central name and address for the receipt of written comments ✓ ⇨ Provide an E-mail address or URL for receiving comments ✓ ⇨ Establish a broad based advisory committee ✓ ⇨ Establish issue oriented advisory groups or task forces ✓ ⇨ Conduct citizen surveys by mail ✓ ⇨ Hold a public hearing on both the draft and final cross-acceptance reports ✓ 	
<p><u>Potential Target Groups and Organizations</u></p> <ul style="list-style-type: none"> ⇨ Individual citizens ✓ ⇨ Community colleges ✓ ⇨ Elementary and secondary schools ✓ ⇨ Development interests ✓ ⇨ Public and private utilities ✓ ⇨ Agricultural interests ✓ ⇨ Chambers of commerce ✓ ⇨ Local boards of education ✓ ⇨ Private regional planning organizations ✓ ⇨ Trade groups ✓ ⇨ Professional associations ✓ ⇨ Environmental interests ✓ ⇨ Affordable housing interests ✓ ⇨ Community development corporations ✓ ⇨ Neighborhood associations ✓ 	
	<p>Some examples: NJ Chapter of the American Planning Association, NJ Planning Officials, NJ Farm Bureau, Association of NJ Environmental Commissions, NJ Builders Association, Regional Plan Association, MSM Regional Council, NJ Society of Municipal Engineers, NJ Municipal Management Association, NJ League of Municipalities, NJ Future, League of Women Voters, NJ Business and Industry Association, Housing NJ, The Affordable Housing Network, NJ Chamber of Commerce, Highlands Coalition, New Communities Corporation.</p>

1.4 Cross-Acceptance Grant

A. Application Process

Each county that submits a Notice of Participation to the Office of State Planning is eligible for a \$40,000 cross-acceptance grant. To apply for a cross-acceptance grant, a participating county must submit a Notice of Participation and proposed work program to the Office of State Planning as outlined in section 1.3. Upon OSP approval of those documents, a grant agreement will be sent to the county. The grant agreement must be signed by the appropriate county official and returned to the Office of State Planning along with an appropriate local budget resolution.

Upon receipt of the fully executed grant agreement by the Office of State Planning, \$10,000 will be released to the county. A second reimbursement of \$20,000 will be available upon the Office of State Planning's receipt and approval of the county's cross-acceptance report. The remainder of the grant will be released at the completion of all eligible activities listed in the county's preliminary expenditures budget and the submission by the county of an actual expenditures budget (see appendix A.5). The county accountant must examine this grant as part of the annual county audit to assure that the funds were used in the amount and for the purposes set forth in the budget. Audits must be in compliance with the single audit policy as outlined in the New Jersey State Treasury Circular No. 97-08 OMB.

B. Eligible Activities

The grant is to be utilized for expenditures directly related to conducting any cross-acceptance activities called for in the State Planning Rules (N.J.A.C. 17:32). Expenditures may include such items as staff salaries (pro-rated to the actual time spent on cross-acceptance), consultant fees (when contracted specifically for cross-acceptance activities), reproduction costs, audio-visual material, and postage. Certain computer hardware and software costs may be eligible on a case-by-case basis and only when a direct connection to cross-acceptance is demonstrated. All anticipated expenditures must be included in the preliminary expenditures budget. Amendments to that budget will require written Office of State Planning approval and will be reflected in the final actual expenditures report.

Some activities conducted prior to and in preparation for cross-acceptance may also be eligible but on a limited basis. Reimbursement for those activities would still be subject to the county's submission and subsequent Office of State Planning approval of the documentation listed in section A above. The OSP should be consulted before a county commits to any such pre-cross-acceptance activities. If a county anticipates a large number of pre-cross-acceptance expenditures it should consider submitting its Notice of Participation and cross-acceptance work program to the OSP prior to the start of cross-acceptance.

CROSS-ACCEPTANCE MANUAL

Part 2
The Cross-Acceptance Report

2.1 Overview

As noted in Part 1 of this manual, each county that participates as a negotiating entity, and any alternate negotiating entities, will be preparing a cross-acceptance report for submission to the State Planning Commission. The State Planning Act defines the cross-acceptance report as:

"a formal report of findings, recommendations and objections concerning the [preliminary] plan, including a description of the degree of consistency and any remaining inconsistency between the preliminary plan and county and municipal plans."

This definition is broken down into distinguishable tasks in the sections below, but the cross-acceptance report can be summarized as a report on the level of consistency that has been attained by counties and municipalities with the State Plan since 1992, and how that consistency can be further enhanced, together with comments on and proposed revisions to the State Plan. The cross-acceptance report consists of two types of elements both of which are described below — those that are *required* by the State Planning Act and State Planning Rules to provide the basic information necessary for a meaningful comparison of plans, productive negotiations, and an informed State Plan; and those that are *recommended* by the State Planning Commission to provide counties and municipalities the flexibility to venture beyond the "reporting" aspects of cross-acceptance and to raise and address issues of concern that may not currently be addressed by the State Plan.

The cross-acceptance report is to be submitted to the State Planning Commission at the end of the comparison phase of cross-acceptance, six months after the official start of cross-acceptance. The transmittal of the cross-acceptance report to the Commission must be authorized by the governing body of the county, or the designated negotiating entity, at a public hearing. The cross-acceptance report must also be filed with the municipal planning boards in the county and with the planning boards of adjoining counties.

2.2 Required Elements

The degree to which municipal and county plans have incorporated the various provisions of the current State Plan

The negotiating entity, in concert with the municipalities in its jurisdiction, should review county and local plans to make this determination. Each municipal review should be presented separately followed by an overall summary of the general utilization of the State Plan in that county. Although the primary focus is on plans, the negotiating entity may also need to review local land development regulations in order to make a more informed determination. The report should provide a list of the documents reviewed for each municipality. Whenever possible, specific instances of State Plan policies being incorporated into local or county plans should be cited. In general, however, negotiating

CROSS-ACCEPTANCE MANUAL

entities can utilize the State Plan's key concepts (found in the Introduction of the Preliminary Plan), planning area policy objectives, and the Resource Planning and Management Map as a guide for plan comparison.

*Within the context of the **planning areas** found within the municipality or county, to what degree does the municipal or county plan address or include applicable **policy objectives** and the following **key concepts** of the State Plan:*

1. *Planning that is comprehensive, citizen based, collaborative, coordinated and based on capacity analysis;*
2. *Planning that is undertaken at a variety of scales and focuses on physical or functional features that do not always correspond to political jurisdictions such as transportation corridors, watersheds, airsheds, bioregions and economic regions;*
3. *Planning that is closely coordinated with and supported by investment, program and regulatory actions;*
4. *Planning that creates, harnesses and builds on markets and pricing mechanisms while accounting for full costs, such as transfer of development rights, emissions trading, transportation congestion and peak period pricing;*
5. *Planning, investment and regulatory policies that prevent pollution, congestion, and excess land consumption;*
6. *The maintenance and revitalization of existing communities;*
7. *Development and redevelopment, be it residential, commercial, industrial or institutional, that is planned, designed and constructed to contribute to the creation of diverse, compact human scale communities, i.e., communities of place;*
8. *Mapping of Community Development Boundaries to identify areas for development and redevelopment and environs protection in suburban and rural New Jersey;*
9. *The identification of cores and nodes as places for more intensive redevelopment in metropolitan New Jersey;*
10. *Physical design, public investment and government policy that supports citizen choice through access to information, services, jobs, housing, and community life;*
11. *The protection, restoration and integration of natural resources and systems.*

A detailed list of findings, recommendations, and objections concerning the State Plan or proposed revisions to the State Plan as represented in the 1997 Preliminary Plan

The negotiating entity, taking into account the input of municipalities and the general public, should provide a detailed discussion of any issues related to the current State Plan (which includes the Resource Planning and Management Map) or prompted by the revisions to the State Plan proposed in the 1997 Preliminary Plan. This element

will, in large part, serve as a basis for the negotiation agenda discussed below and should provide the same level of detail.

The potential for modifications to local and county plans that would contribute to a higher degree of consistency among local, county, and State plans

The State Planning Act requires that cross-acceptance "result in a written statement specifying...areas requiring modification by parties to the cross-acceptance." The desired result of cross-acceptance, then, is to actually move plans throughout the State toward a higher degree of consistency. This can only be accomplished through a collaborative partnership that will agree to changes not only at the State level but also at the county and local level. The cross-acceptance report should provide the framework for those changes by indicating where those modifications need to be made, and to the extent possible, by providing a time frame for municipal and county action on those modifications.

The degree to which designated State Plan centers have carried out their respective planning and implementation agendas and any conditions placed on those centers by the State Planning Commission in the course of their original designation

This applies to all Regional Centers, Towns, Villages and Hamlets designated by the State Planning Commission since 1992. The list of centers that have been designated to the date of this manual is provided in the appendix. Updates will be provided as needed. The negotiating entity will also be provided with all applicable implementation agendas and conditions for designation.

Negotiation Agenda

The cross-acceptance report is the culmination of the comparison phase of cross-acceptance. In order to ensure a smooth transition into the negotiation phase, the cross-acceptance report should contain a proposed negotiation agenda that will form the basis of the negotiation sessions between the negotiating entity and the State Planning Commission. The agenda should be clear and concise as to the issues being presented, propose alternatives with each issue, and to the extent possible, provide direct citations of pertinent State Plan provisions. Proposed amendments to the Resource Planning and Management Map must be submitted in accordance with the mapping guidelines found in section 2.5.

Generalized disagreements with the goals or objectives of the State Plan will be difficult to resolve. The potential for a mutually satisfactory resolution is greatly enhanced, however, when specific examples of State Plan policies or criteria that are inconsistent with local initiatives can be presented in the agenda. The negotiation agenda may cite issues pertaining to either the current State Plan or the proposed revisions found in the 1997 Preliminary Plan.

Sample Negotiation Agenda Format

(1) Issue

Clearly state the issue and —

- the local, county, or statewide ramifications of implementing that particular provision of the State Plan or a proposal found in the 1997 Preliminary Plan; or,
- the ramifications of not addressing the issue in the State Plan.

(2) State Plan Citation

Cite the pertinent goal, policy, criterion, section, page number, etc. in either the State Plan or the 1997 Preliminary Plan.

(3) Alternative

Propose a reasonable alternative that may be equally effective in meeting the goals of the State Planning Act, or if there is no preferred alternative, why deletion of the State Plan provision would be beneficial. If the issue involves something that is not currently addressed in the State Plan, propose a viable way of adding it to the Plan.

2.3 Recommended Elements

□ Mapping community development boundaries

Negotiating entities, in collaboration with their municipalities, are being asked to go beyond simply *identifying* potential locations for centers (the dot on the map) as they did in the first round of cross-acceptance, and to actually map the boundaries of those centers (particularly in Planning Areas 3 - 5 and undeveloped portions of Planning Area 2) throughout the county. This will provide the State Planning Commission with a more accurate picture of the extent of centers mapping in any one county and will also provide some indication of the regional relationship among centers. Mapped boundaries will also enable better use of the Office of State Planning growth simulation model discussed below.

During the negotiation phase of cross-acceptance, the Commission will review and consider for designation any center petitions included in either a negotiating entity or municipal cross-acceptance report. This gives the county or municipality the option of either proposing centers in their cross-acceptance reports for future consideration by the Commission, or actually petitioning for designation during cross-acceptance. In the case of proposed centers, the county or municipality must demonstrate how the proposed center meets the designation criteria for that type of center. In the case of an actual petition for designation, the county or municipality must supply additional information demonstrating how the center would also meet the policy objectives of the applicable planning area and provide a planning and implementation agenda for the center as well. In both instances, the cross-acceptance report must delineate a community development boundary for each center and present the center as part of a regional system with equal attention paid to the intervening environs of the centers. Additional information on center designation can be found in the Preliminary Plan, in

OSP Document #99 "The Centers Designation Process," and the OSP brochure "Designating Centers." See section 2.5 of this manual for specific mapping guidelines.

☐ Identifying cores and nodes in Planning Area 1 and developed portions of Planning Area 2

This is a new approach being considered by the State Planning Commission to complement centers in Planning Area 1 and the developed portions of Planning Area 2 (see the 1997 Preliminary Plan for more detail). Negotiating entities should identify the general location of a regional system of focal points (which may include traditional centers, cores, and nodes) that are linked, or proposed to be linked, by a series of infrastructure systems including transportation services and greenways. Taken as a whole, these focal points will provide efficient access to many of the same services and facilities found in a traditional center, and, in fact, may be anchored by an Urban or Regional Center. Eventual official recognition of these regional systems by the State Planning Commission would be dependent on the submission of a regional strategic plan for Commission endorsement at some point during or after cross-acceptance.

☐ Identifying growth management issues having multi-municipal or multi-county impact

This element allows counties and municipalities to broaden the scope of their discussions to encompass the true areas of impact. Any growth management, development or redevelopment issue affecting more than one municipality or county can be discussed here. Recommendations should be offered regarding the State Plan's role in addressing these issues. Whenever possible, maps should be provided outlining the geographic area of concern.

☐ Identifying and developing indicators for regional, county, and local plans

More and more, agencies at every level of government are using indicators as an objective way to measure their progress in meeting established goals (such as those in a county or municipal master plan) or program objectives (e.g., rate of graduation from high school or local retail sales). The 1997 Preliminary Plan contains a proposed program of indicators to gauge whether the State is making progress in meeting the goals of the State Plan. New Jersey counties, municipalities and regional agencies are encouraged to develop indicators to evaluate their own progress in meeting master plan or other goals.

In addition to commenting on the proposed State Plan indicators, the cross-acceptance report should provide as much information as is available on indicator programs now in place or planned at the local or county level. Ideally, some regional, county and local indicators should be fully comparable so that they can be aggregated into larger groups while allowing for the unique circumstances of each locale. The August 1996 OSPlanning Memo, "Land Use and Planning Indicators," provides some basic information about indicators and a list of data sources.

□ Applying the Office of State Planning growth simulation model — projecting growth and assessing infrastructure needs

To the extent the State Plan is effective in guiding infrastructure investments and land development patterns, it is important that the Plan reflects a consensus on expectations for growth. The OSP Growth Simulation Model is available for negotiating entities to develop and test alternative countywide growth scenarios. Using this computerized planning tool and user-selected assumptions, detailed demographic growth allocations, infrastructure needs and economic impacts can be rapidly calculated for each scenario. Negotiating entities can compare several scenarios to develop a preferred set of growth strategies interactively with their municipalities and OSP that can serve as a basis for cross-acceptance discussions with the State Planning Commission. Further information regarding this model is available in the March 1996 OSPlanning Memo, "Using the OSP Growth Simulation Model."

Regional (either sub-county or multi-county) or countywide growth objectives should be developed with consideration to both existing conditions and long-range (20 year) trends. The New Jersey Department of Labor publishes projections of population and employment which may be considered along with projections from other public agencies and private organizations in preparing at least an initial set of regional growth forecasts. The chosen growth scenario should be reflected in maps, projections, impact assessments and other findings in the cross-acceptance report. Any alternative scenarios evaluated should also be documented in the report.

The growth accommodation process at the county level might involve defining, testing and comparing several alternative growth scenarios in a cycle such as:

- 1. define regional/county growth objectives;*
- 2. translate growth objectives into planning areas;*
- 3. translate growth objectives within each planning area into centers and/or cores, and environs;*
- 4. determine impacts of growth scenario; and*
- 5. compare impacts with alternative scenarios.*

Although negotiating entities can exercise flexibility when constructing various growth scenarios, they should give particular consideration to the growth guidance policies found in the Statewide Policies for Resource Planning and Management of the 1997 Preliminary Plan.

Negotiating entities and municipalities may use models and methodologies other than the OSP model to project population and employment growth and infrastructure needs. Those that do should carefully document their sources and procedures.

□ Presenting county, sub-regional and urban complex plans for endorsement by the State Planning Commission

Some counties have embarked on regional planning efforts that may be completed just prior to or during cross-acceptance. So as not to impede the momentum of these planning efforts, the State Planning Commission will provide an opportunity during cross-acceptance (for counties, regional agencies, and municipal planning consortiums), to have these plans endorsed by the Commission.

Any such plans should be appended to the cross-acceptance report. The cross-acceptance report should summarize the regional plan and describe how the regional plan is compatible with the State Plan. The commission will review and consider these plans for endorsement following the comparison phase of cross-acceptance.

☐ Comments and recommendations regarding State agency implementation of the State Plan

This is an opportunity for counties and municipalities to comment on the performance of State agencies related to implementation of the State Plan. The cross-acceptance report can cite and comment on any applicable agency plan or program and make recommendations as to possible revisions to those plans and programs that would enhance State Plan implementation at all levels of government.

☐ Other topics of concern or interest raised by municipalities and counties

This is an opportunity to raise any issues that may not fit neatly under any of the other elements discussed in this manual.

2.4 Individual Municipal Reports

A. When and Why to Submit One

In the event that a municipality is not satisfied, in whole or in part, with the cross-acceptance report filed by the negotiating entity, the municipality has the right to file a separate *municipal* cross-acceptance report and negotiate directly with the State Planning Commission. The municipal report must be filed not later than 45 days after the negotiating entity's report is filed with the Commission. If a municipality has failed to participate in the cross-acceptance process, either by not assigning municipal representatives or not providing the necessary plans and documents to the negotiating entity, the municipality will be deemed to have concurred with the final negotiating entity report and to have waived its right under the State Planning Act to file a separate report.

The municipal report must be authorized for transmittal to the State Planning Commission by the local governing body at a public hearing. The municipal report must also be filed with the appropriate county or negotiating entity and the planning boards of adjoining municipalities at the same time it is filed with the Commission.

B. What to Include in the Report

At a minimum, the municipal cross-acceptance report must:

1. Provide a full discussion of why the municipality is taking issue with the negotiating entity's report (this may include items that were included in the negotiating entity's report or that the negotiating entity failed to address);
2. Cite the specific section(s) of the negotiating entity report with which the municipality is taking issue;
3. Cite specific sources of information used to support the municipality's position;

4. Outline the municipality's involvement during the comparison phase of cross-acceptance and any discussions held with the negotiating entity regarding the issues in question;
5. Provide suitable maps and graphics where appropriate;
6. Provide a summary of any public comments received by the municipality regarding the municipal and/or county report and the municipality's response to those comments; and,
7. Provide a proposed negotiation agenda as outlined in section 2.1B of this manual.

Municipalities may also submit center designation petitions and plans for Commission endorsement as part of their cross-acceptance report.

2.5 Mapping Guidelines

A. Amending the Resource Planning and Management Map

The official map of the State Development and Redevelopment Plan is entitled the "Resource Planning and Management Map" (RPMM) and is composed of a series of maps corresponding to the 1:24,000 scale U.S.G.S. 7.5 inch topographic quadrangle maps comprising the geographic area of the State of New Jersey. Each quadrangle map includes at a minimum: planning areas, designated centers, community development boundaries, and critical environmental/historic sites.

In most cases, the RPMM reflects the intergovernmental consensus arrived at during the first cross-acceptance process. While the cross-acceptance process provided sufficient data, coordination and dialogue to prepare the initial RPMM, new research, conditions and events may now suggest appropriate changes to the RPMM. The 1997-98 cross-acceptance process can be utilized to accommodate such newly discovered or newly important conditions, situations or knowledge as well as to update the RPMM to reflect progress made by municipalities and counties in their own planning.

Map changes may also stem from proposed State Plan policy changes found in the 1997 Preliminary Plan.

The Preliminary Plan will **not** be accompanied by a new or amended set of Resource Planning and Management Maps, i.e., "quad maps." Map amendments that were approved by the Commission since 1992 pursuant to subchapter 8 of the State Planning Rules have been incorporated on the appropriate quad maps and are available at the Office of State Planning. For the most part, proposed changes to the current RPMM will be initiated and documented during cross-acceptance by counties, municipalities and other interested parties, through the cross-acceptance reports. Map changes agreed to during the negotiation phase of cross-acceptance will be reflected in new maps that will accompany the Interim State Plan.

Proposed amendments to the RPMM may include any or all of the following:

1. Changes to planning area boundaries;
2. New, deleted or re-drawn centers;
3. New or deleted critical environmental/historic sites; or
4. A new category — the identification of cores and nodes in Planning Area 1 and the developed portions of Planning Area 2.

The descriptive attributes and criteria for planning areas, centers, critical environmental/historic sites, cores, and nodes can be found in the State Plan and the 1997 Preliminary Plan.

B. Technical Guidelines

The procedures for proposing map amendments during the 1997-98 cross-acceptance process are similar to those used in the first round of cross-acceptance. If the negotiating entity wishes to propose a map change, it is asked to completely redraw each affected quad map as it thinks it should be. This includes tracing boundaries that remain the same. Each map should be drawn so that it registers with the neat lines on the corresponding U.S.G.S. topoquad. (U.S.G.S. Topoquads are available at the N.J. DEP map store.) All maps should be drafted on matte drafting film using a straight edge. The Office of State Planning requires hard copies of all requested map amendments at 1:24,000 scale but will accept digital map files as well if they are compatible with our system. The OSP uses E.S.R.I. Arc/Info for maintaining our digital map files. Contact Steven Karp at the Office of State Planning, 609-292-3160, or Karp_s@tre.state.nj.us. for details concerning submission of digital map files.

All proposed map changes must be accompanied by supporting documentation which should be cross-referenced to a Map Amendment Document (see the sample on the following pages). All redrawn maps and Map Amendment Documents must be appended to the negotiating entity's or municipality's cross-acceptance report.

The procedure for mapping proposed changes is as follows —

1. Each map should be labeled as to its U.S.G.S. quadrangle name in the lower right corner. The OSP quadrangle reference number should appear under the name. The name of the county, and the date of the proposal should be placed in the lower left corner.
2. All maps should edge match with adjacent maps. Lines should meet closely, and adjoining polygons should have the same area designation.
3. (A) Label all **planning areas** with the appropriate planning area number as listed below in red opaque ink using a #1 technical pen or with a sharp red pencil. Planning area numbers should be placed in a centralized location within the area. A large or unusually shaped area may be labeled more than once. Also label

CROSS-ACCEPTANCE MANUAL

amended planning areas with a number in a circle which refers to the reason or reasons listed for the amendment in the Map Amendment Document.

Metropolitan Planning Area - **1**

Suburban Planning Area - **2**

Fringe Planning Area - **3**

Rural Planning Area - **4**

Rural Environmentally Sensitive Planning Area - **4B**

Environmentally Sensitive Planning Area - **5**

(B) **Center boundaries** should be delineated with a dashed line using a #1 technical pen with black opaque ink or with a sharp black pencil. The appropriate center abbreviation (listed below) should be placed within the center boundary along with the corresponding Map Amendment Document reference number in a circle.

ER - Existing Regional Center

PR - Planned Regional Center

TN - Existing Town

PT - Planned Town

EV - Existing Village

PV - Planned Village

EH - Existing Hamlet

PH - Planned Hamlet

(C) **Critical Environmental / Historic Sites** should be delineated in green opaque ink with a #1 technical pen or a sharp green pencil. Label all critical environmental and historic sites "CE/HS" with a cross-reference number in a circle adjacent to the "CE/HS" designation, that cross-references the documentation in the Map Amendment Document.

(D) Indicate the location of **cores and nodes** in Planning Area 1 and the developed portions of Planning Area 2 by using a dot and the accompanying designation "C/N" and a number corresponding to the Map Amendment Document, e.g., C/N #1. Use a #1 technical pen with black opaque ink or a sharp black pencil.

4. Fill out a Map Amendment Document for each proposed amendment. State in detail the reason for new, eliminated or amended planning areas, centers, CE/HS, cores and nodes. Provide data sources where applicable.

Sample Map Amendment Document

***This sample corresponds to the sample map on the following page.
Negotiating entity can reproduce blank form in Appendix A.6.***

NJOSP MAP AMENDMENT DOCUMENT

Page 2 of 5 Date: 11/1/97

County Name: Garden County
OSP Quadrangle Number: 85
U.S.G.S. Quad. Name: Karpsburg NJ

Use this form to document requests for map amendments during cross-acceptance. Use a separate form for each quad. This form may be photocopied or you may create your own form containing the same information.

AMENDMENTS:

Amendment # 3 Planning Area Center CE/HS C/N

Reason for change: Existing retail and commercial node identified in county and subregional plan; See cross-acceptance report for regional context and details on function and linkages to other nodes and centers.

Source: 1994 Garden County Master Plan, 1995 Northern Valley Regional Strategic Plan.

Amendment # 4 Planning Area Center CE/HS C/N

Reason for change: Change portion of Planning Area 2 to Planning Area 3; the area in question has been deleted from the wastewater management plan.

Source: 1993 Garden County Wastewater Management Plan

Amendment # 5 Planning Area Center CE/HS C/N

Reason for change: Rosewater historic district placed on National and State Registers January 1, 1996.

Source: Planville Historic Commission, NJDEP Office of NJ Heritage.

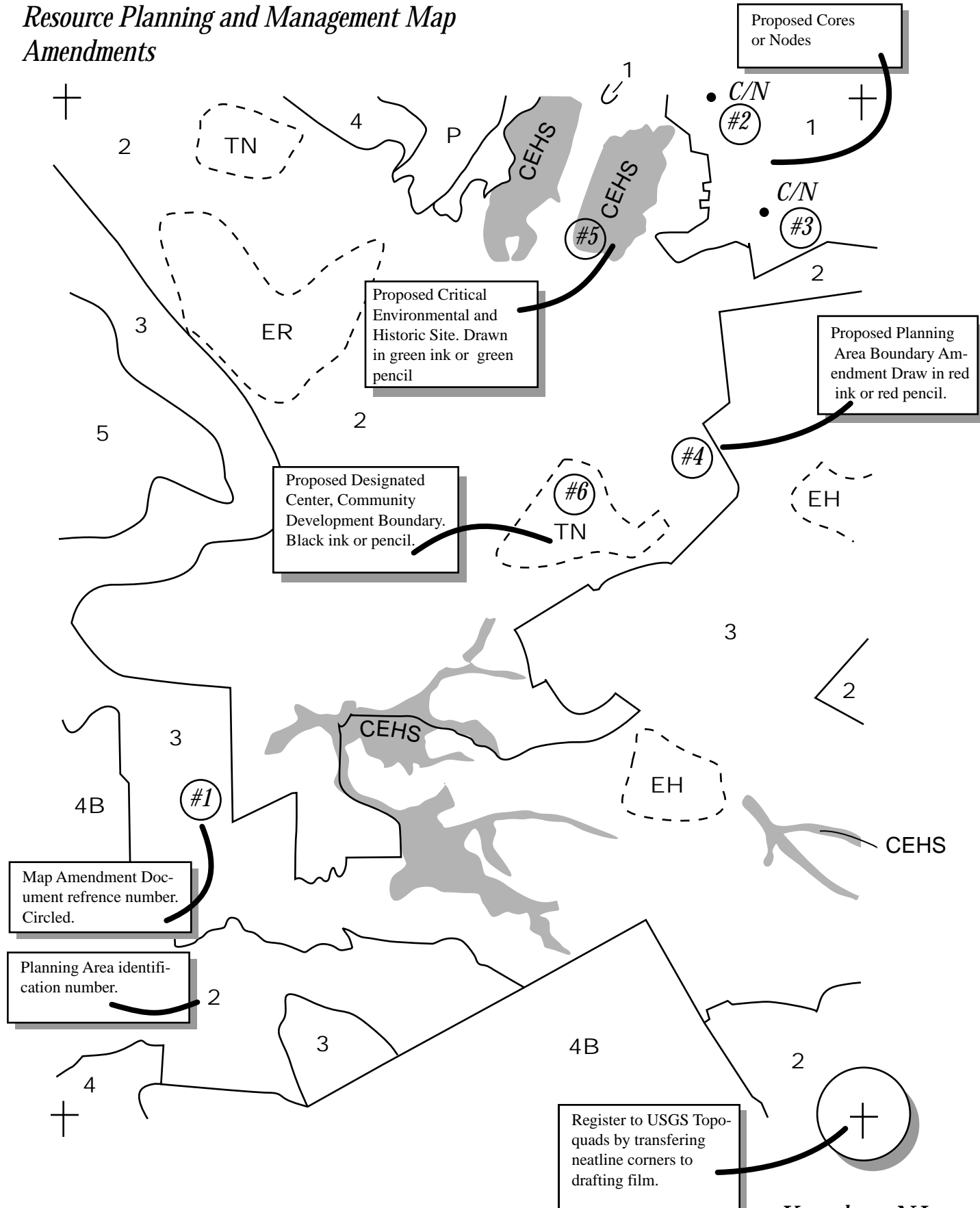
Amendment # 6 Planning Area Center CE/HS C/N

Reason for change: Proposed Town Center meets SDRP criteria and implements Planning Area 2 policy objectives; See cross-acceptance report for background information.

Source: Planville 1995 Master Plan, Garden County Growth Management Plan

SAMPLE MAP CHANGES

Resource Planning and Management Map Amendments



C. Data Sources

The following sources may be helpful in mapping planning areas, centers, CE/HS, cores and nodes:

- Chronoflex orthophotos and digital orthophotos of the state are available in 1:24,000 & 1:12,000 scales from Markhurd 1-800-627-4873. Contact Marvin Miller. These photos are also available for use within the Office of State Planning.
- U.S.G.S. Topoquads are available from N.J. DEP map sales, 609-777-1038/1039.
- Sewer Collection Area maps are available from OSP in digital or hard copy form.
- High Quality Waters maps are available from OSP in digital or hard copy form. These maps are composed of the drainage basins of trout maintenance and trout production stream segments and Category 1 stream segments.
- N.J. DEP Surface Water Quality Standard (N.J.A.C. 7:9-4), specifically the Surface Water Classifications for the Waters of the State of New Jersey. The surface water classification maps are available for inspection at N.J. DEP.
- Potable Waters drainage basin maps are available from OSP in digital or hard copy form. These maps delineate all watersheds that contain potable water aquifers.
- Census data and maps are available from many sources including the U.S. Bureau of the Census, OSP, N.J. DEP, libraries, and county offices.
- N.J. DEP Integrated Terrain Unit mapping (ITU). Digital data showing land cover/land use, soils, flood-prone areas, geology, lakes, streams, freshwater wetlands, Federal and State open space, known contaminated sites, reservoirs, solid waste landfills, and more. These are digital files available on CD-ROM in Arc/Info export form at N.J. DEP map sales, 609-777-1038/1039.
- U.S.D.A. Soil Conservation Service National Cooperative Soil Survey has published soil maps and Important Farmlands maps. County planning boards, soil conservation districts, and OSP have this information.
- The Federal Emergency Management Agency's National Flood Insurance Program has published maps of some municipalities showing flood zone classifications.
- Local property tax records.
- Historic areas have been identified on the N.J. Historic Districts and Scenic Areas Map available at the Office of State Planning. Information for this map was derived from a publication produced by the N.J. DEP, Office of NJ. Heritage and the U.S.G.S. Topographic Maps.
- The New Jersey Register of Historic Places is the official list of New Jersey's cultural resources.

CROSS-ACCEPTANCE MANUAL

- The N.J. DEP Office of New Jersey Heritage has an inventory of data and maps containing the locations of cultural resources and historic districts and places in the State.
- The N.J. DEP, Office of New Jersey Heritage may be able to provide technical assistance to local governments for the identification, evaluation, review and nomination of appropriate sites for the State and/or National Register.
- Topographic quadrangle maps and official tax maps that show waterways can be used to identify streams and other waters. "Evaluation and Recommendations Concerning Buffer Zones Around Public Water Supply Reservoirs," a report available from the N.J. DEP, contains recommended buffer zone applications.

CROSS-ACCEPTANCE MANUAL

Appendix

A.1 List of Designated Centers for Monitoring

N.J. STATE PLANNING COMMISSION
Designated Regional Centers, Towns, Villages and Hamlets
As of May 1, 1997

Chronological Listing

Regional Centers (RC), Towns (T), Villages (V), Hamlets (H)

1. Hopewell Borough, Mercer (V); 9/24/93
2. Newton, Sussex (RC); 9/24/93
3. Woodstown, Salem (T); 10/29/93
4. Ridgefield, Bergen (T); 5/20/94
5. Millville-Vineland, Cumberland (RC); 5/20/94
6. Dover, Morris (RC); 12/2/94
7. Mendham Borough, Morris (V); 2/24/95
8. Hopatcong, Sussex (T); 4/28/95
9. Princeton Borough & Township, Mercer (RC); 9/29/95
10. Morristown, Morris (RC); 12/1/95
11. Long Branch, Monmouth (RC); 5/1/96
12. Bridgewater-Raritan-Somerville, Somerset (RC); 5/29/96
13. Red Bank, Monmouth (RC); 5/29/96
14. Cranbury, Middlesex (V); 6/26/96
15. New Egypt (Plumsted), Ocean (T); 7/24/96
16. Andover Borough, Sussex (T); 12/4/96
17. Metuchen, Middlesex (T); 3/26/97
18. Hightstown, Mercer (T); 3/26/97
19. Cape May Point, Cape May (V); 4/23/97

Summary

	Regional Centers	Towns	Villages	Hamlets
1	Newton	Woodstown	Hopewell Borough (M)	
2	Millville-Vineland	Ridgefield	Mendham Borough	
3	Dover (M)	Hopatcong	Cranbury	
4	Princeton B & T	New Egypt (Plumsted)	Cape May Point	
5	Morristown	Andover Borough		
6	Long Branch	Metuchen		
7	Bridgew-Raritan-Somerv	Hightstown		
8	Red Bank			
9				
10				

A.2 Sample Notice of Participation

SAMPLE RESOLUTION

RESOLUTION AUTHORIZING PARTICIPATION
OF _____ COUNTY
IN THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN
CROSS-ACCEPTANCE PROCESS

WHEREAS, the State Planning Act of 1985 (N.J.S.A. 52:18A-196 et. seq.) created a State Planning Commission and an Office of State Planning for the purpose of establishing a cooperative planning process that involves the full participation of state, county and local governments; and,

WHEREAS, the State Planning Act states that New Jersey needs integrated and coordinated planning in order to conserve its natural resources, to revitalize its urban centers, to provide affordable housing and adequate public facilities at a reasonable cost, to promote equal social and economic opportunity for New Jersey's citizens, and to prevent sprawl and promote the suitable use of land; and,

WHEREAS, the primary duty and responsibility of the State Planning Commission under the State Planning Act is the preparation of a "State Development and Redevelopment Plan;" and,

WHEREAS, the State Planning Act also provides that the State's counties are to have an essential role in the development of the State Development and Redevelopment Plan through their participation in the cross-acceptance process to be conducted under the Act; and,

WHEREAS, the cross-acceptance process is the primary vehicle under the Act for promoting vertical coordination and integration of state, county and local plans by affording county and municipal governments a full and open opportunity to be involved in reconciling inconsistencies between state and local policies; and,

WHEREAS, the Board of Chosen Freeholders of _____ County has concluded that it is appropriate, necessary and in the County's interest to fully participate in the development of the State Development and Redevelopment Plan through the full and active participation of the County government, including in particular its Planning Board and its Department of Planning, in the cross-acceptance process,

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of County of _____ as follows:

1. That the _____ County Planning Board is hereby authorized and directed to carry out the cross-acceptance process pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et. seq. and the State Planning Rules, N.J.A.C. 17:32 and any other rules promulgated by the State Planning Commission for this purpose:

CROSS-ACCEPTANCE MANUAL

2. That the _____ County Planning Board shall prepare a proposed work program and schedule for negotiating municipal and county cross-acceptance and shall submit said work program and schedule to the New Jersey Office of State Planning by _____;

3. That the _____ County Department of Planning shall provide staff assistance to the County Planning Board in order to prepare a cross-acceptance report and successfully complete the cross-acceptance process;

4. That all other _____ County Departments and Agencies shall cooperate with the County Planning Board and provide information and furnish such documents as may be required; and,

5. That the _____ County (Chief Executive Officer) is hereby authorized to file application and execute a contract agreement with the State Planning Commission for any financial assistance which may become available for the administration of the cross-acceptance process.

A.3 Sample Notice of Waiver

SAMPLE RESOLUTION

**RESOLUTION WAIVING PARTICIPATION IN
THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN
CROSS-ACCEPTANCE PROCESS**

WHEREAS, the State Planning Act of 1985 (N.J.S.A. 52:18A-196 et seq.) created a State Planning Commission and an Office of State Planning for the purpose of establishing a cooperative planning process that involves the full participation of state, county and local governments; and,

WHEREAS, the State Planning Act states that New Jersey needs integrated and coordinated planning in order to conserve its natural resources, to revitalize its urban centers, to provide affordable housing and adequate public facilities at a reasonable cost, to promote equal social and economic opportunity for New Jersey citizen's, and to prevent sprawl and promote the suitable use of land; and,

WHEREAS, the primary duty and responsibility of the State Planning Commission is the preparation of a "State Development and Redevelopment Plan;" and,

WHEREAS, the primary vehicle for promoting vertical coordination and integration of state, county and local plans is a "cross-acceptance" process which affords county and municipal governments a full and open opportunity to be involved in reconciling inconsistencies between state and local policies; and,

WHEREAS, (State reason(s) for waiving participation)

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of _____ as follows:

1. That the County of _____ does hereby forfeit and waive its statutory authority to participate in the "cross-acceptance" process as it relates to the State Development and Redevelopment Plan; and,

2. That the County of _____ recognizes that in lieu of _____ County's participation in the "cross-acceptance" process, the State Planning Commission will designate an appropriate entity to carry out "cross-acceptance" for _____ County.

A.4 Sample Grant Agreement

Date

Appropriate County Official
_____ County
County Administration Building
1 Main Street
Garden City, New Jersey 00000

Re: Grant Agreement

Dear _____:

On behalf of Governor Christine Todd Whitman, I am pleased to confirm the availability of a \$40,000 State grant to your county for undertaking cross-acceptance activities authorized in the State Planning Act of 1985 (N.J.S.A.52:18A-196 et. seq.).

This grant shall be utilized for expenditures directly related to conducting cross-acceptance activities pursuant to the State Planning Act (N.J.S.A. 52:18A.52:18A-196 et. seq.) and the State Planning Rules (N.J.A.C. 17:32).

Please sign the original of this letter agreement, retaining a copy for your files, and return the original along with an appropriate budget resolution from your governing body, to the State of New Jersey, Office of State Planning, 33 West State Street, PO Box 204, Trenton, New Jersey 08625.

Upon receipt of the fully executed grant agreement by the Office of State Planning, \$10,000 will be released to the county. A second reimbursement of \$20,000 will be available upon the Office of State Planning's receipt and approval of the county's cross-acceptance report. The remainder of the grant will be released at the completion of all eligible activities listed in the county's preliminary expenditures budget and the submission by the county of an actual expenditures report (this final payment may coincide with the county's submission of the cross-acceptance report).

Upon completion of the grant period, your county accountant must examine this grant as part of the annual county audit to assure the funds were properly used in the amount, and for the purpose, set forth in the budget. Audits of this grant must be in compliance with the single audit policy as outlined in the N.J. State Treasury Circular No. 97-08 OMB.

We look forward to working with your county and appreciate your participation in the cross-acceptance process.

Sincerely yours,

Grantee Signature
Title: _____
Date: _____

Herbert Simmens
Director, Office of State Planning

A.5 Sample Budget Form

STATE OF NEW JERSEY
OFFICE OF STATE PLANNING
33 WEST STATE STREET
PO BOX 204
TRENTON, NEW JERSEY 08625

**CROSS-ACCEPTANCE GRANT
PRELIMINARY OR ACTUAL EXPENDITURE BUDGET**
(State Aid Only)

GRANT PERIOD: From _____
To _____

Salaries and Wages	\$ _____
Fringe Benefits	\$ _____
Equipment	\$ _____
Training	\$ _____
Consultants	\$ _____
Other Expenses	\$ _____
Total Expenditures	\$ _____ (projected or actual)

Provide a detailed description of each line item on a separate sheet. All expenditures must be reflected in the county's cross-acceptance work program.

County: _____

Signature: _____

Address: _____

County Chief Financial Officer

Date Signed: _____

County Contact Person:

Vendor ID# _____

Name: _____

Title: _____

Phone Number: _____

A.6

NJOSP MAP AMENDMENT DOCUMENT

Page ___ of ___ Date: _____

County Name _____

OSP Quadrangle Number _____

U.S.G.S. Quad. Name _____

Use this form to document requests for map amendments during cross-acceptance. Use a separate form for each quad. This form may be photocopied or you may create your own form containing the same information.

AMENDMENTS:

Amendment # _____ Planning Area Center CE/HS C/N

Reason for change: _____

Source: _____

Amendment # _____ Planning Area Center CE/HS C/N

Reason for change: _____

Source: _____

Amendment # _____ Planning Area Center CE/HS C/N

Reason for change: _____

Source: _____

Amendment # _____ Planning Area Center CE/HS C/N

Reason for change: _____

Source: _____

CROSS-ACCEPTANCE MANUAL