



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
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JON S. CORZINE
Governor

CHARLES A. RICHMAN
Acting Commissioner

Resolution No. 2009-07
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Date: November 24th 2009

RESOLUTION

**APPROVING THE PETITION FOR INITIAL PLAN ENDORSEMENT
SUBMITTED BY THE CITY OF OCEAN
AND DESIGNATING A REGIONAL CENTER**

WHEREAS, the State Planning Commission (Commission), pursuant to its responsibilities under the State Planning Act, N.J.S.A. 52:18A-196 *et seq.*, has prepared and adopted a State Development and Redevelopment Plan (State Plan) which includes a State Plan Policy Map (Policy Map); and

WHEREAS, pursuant to its authority under N.J.S.A. 52:18A-203, the Commission has adopted State Planning Rules that establish procedures for filing of Petitions for Plan Endorsement with the Commission for the purpose of encouraging consistency of submitted plans with the goals and policies of the State Plan and Policy Map in order to foster sound and comprehensive planning and cooperation and coordination of planning activities between State agencies and county and local governments; and

WHEREAS, the City of Ocean submitted a Petition for Initial Plan Endorsement to the Commission pursuant to the provisions of the State Planning Rules, seeking approval of its Petition and endorsement of its plan, including:

- a comprehensive master plan with extensive supporting documents
- a request for designation of a Regional center
- a multifaceted approach to protecting environs. Ocean City is also regulated pursuant to DEP CAFRA regulations which imposes strict limits on impervious cover outside of designated centers, and
- a Fair Share Housing Plan

WHEREAS, the petition, including plans and supporting documents was received and comprehensively reviewed by the relevant State agencies; and

WHEREAS, the Staff and Executive Director of the Office of Smart Growth reviewed the petition filed by the City of Ocean, the comments received by the relevant State agencies and the public and determined that the petition meets the requirements for Initial Plan Endorsement and is consistent with the Coastal Area Facilities Review Act requirements to coordinate with the State Planning Commission (N.J.S.A. 13:9-1 *et seq.*) and the Coastal Zone Management Rules adopted to implement same; and

WHEREAS, a regional center boundary has been negotiated and agreed upon between the relevant State agencies and petitioner as shown in **Exhibit A** attached hereto; and

WHEREAS, the Staff and Executive Director of the Office of Smart Growth presented findings of the comprehensive review to the Plan Implementation Committee (PIC) on November 23, 2009, and determined that the City of Ocean plan appears consistent with the State Plan and Policy Map and recommended that the Commission approve the Petition; and

WHEREAS, the PIC reviewed and considered the Petition, concurred with the recommendation to approve the Petition, subject to implementation of the negotiated Planning Implementation Agreement (PIA), and moved the petition for consideration by the full Commission at its next regularly scheduled meeting; and

WHEREAS, the Executive Director has recommended that the Commission approve the Petition and grant initial endorsement of the plan submitted by the City of Ocean, contingent upon satisfaction of the negotiated PIA, attached hereto as **Exhibit B**; and

WHEREAS, the Commission has determined that the plan submitted by the City of Ocean is consistent with the State Plan and recommends the City of Ocean be granted initial plan endorsement;

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby affirms the Executive Director's determination on consistency with the State Plan and Policy Map and approves the petition for Initial Plan Endorsement, thus granting initial plan endorsement of the plan submitted by the City of Ocean; and

BE IT FURTHER RESOLVED, that the Commission hereby designates a Regional Center as shown in **Exhibit A**; and

BE IT FURTHER RESOLVED, that the endorsement of the City of Ocean, is contingent upon implementing the PIA, attached hereto as **Exhibit B**, which has been developed in conjunction with the Staff of the Office of Smart Growth and relevant State agencies that:

- memorializes the agreed upon planning implementation mechanisms,
- reflects a commitment, on the part of the City of Ocean to continue to implement its plan
- reflects a commitment, on the part of the relevant State agencies, to provide agreed upon benefits, and
- reflects a commitment, on the part of the City of Ocean and the relevant State Agencies, to work together to effectively implement the goals, strategies and policies of the State Plan; and

BE IT FURTHER RESOLVED, that in approving the petition and granting initial plan endorsement, it is understood that the endorsement may be revoked if the Commission determines that the City of Ocean has either made substantial changes to its endorsed plan or substantially violated the terms of its PIA so that the plan of the City of Ocean is no longer consistent with the State Plan; and

BE IT FURTHER RESOLVED, that this endorsement shall take effect upon the passage of this resolution; and

BE IT FURTHER RESOLVED, that the Chairman of the State Planning Commission and the Executive Director of the Office of Smart Growth are hereby authorized to execute such documents and to take such other actions as may be necessary or appropriate for the implementation of this resolution.

A handwritten signature in black ink, appearing to read "Donna Rendfro", written over a horizontal line.

Donna Rendfro, Secretary
NJ State Planning Commission