

**APPENDICES TO
CROSS-ACCEPTANCE ISSUES:
Preliminary Staff Analysis**

March 1990

**prepared by:
The New Jersey Office of State Planning**

The Preliminary
**State
Development**
AND
**Redevelopment
Plan**

PLAN DEVELOPMENT COMMITTEE
Meeting Summaries
Volume I

January 1990

**prepared by: The New Jersey Office of
State Planning**

The Preliminary
**State
Development**
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**Redevelopment
Plan**

Plan Development Committee
Meeting Summary
Forrestal Center Training Center
October 25, 1989

In Attendance: John Kitchen, Chairman; Candace Ashnun; Charles Richnan; Sam Garrison; Kenneth Kyte; Barbara Grier.

Staff: M. Bierbaum, Ass't Director; H. Coleman, Ass't Director; C. Newcomb, Ass't Director; D. Maski, B. Purdie, E. Cooper, R. Kull, M. Neuman, D. Hojsak, L. Nowicki, T. Dallessio.

The Chairman called the meeting to order at 10:15 A.M. A number of organizational questions were raised. It was agreed that meetings of the Committee would be held weekly between 10:00 A.M. and 1:00 P.M. The Committee would begin to go through the issues developed by Staff related to the Preliminary Plan. The Committee would encourage public transportation at these weekly working sessions .

A brief overview of the status of Cross-Acceptance in each county was presented by various staff members after a brief introduction by Assistant Director Bierbaum.

Assistant Director Newcomb outlined the role of the Plan Development Committee through the Negotiation Phase of Cross-Acceptance. He explained that the next few months constitutes a preparatory period prior to the actual negotiations. Clarification of the issues as presented by the Staff will facilitate the negotiations once they begin.

Nowicki provided a presentation of the Issue Format. She stressed the preliminary nature of the work thus far. It is anticipated that additional issues will be raised and changes to the issues thus far developed will be submitted as discussions continue among OSP, county and municipal staffs. Technical Advisory Committee input will also be processed. Commissioner Ashnun raised a concern that not enough opportunity was being provided for municipalities to comment. A recommendation was made that future workshops be considered that would include municipal planners and/or representatives.

Bill Purdie made a presentation on the format of the Staff Analysis of County Cross-Acceptance reports. Concerns were raised that there might be a large number of municipal reports in each county. What provisions were being made to handle these reports? Staff responded that in some counties, many of the municipalities would be submitting their own reports. However, in other counties, municipal concerns were for the most part technical in

nature, e.g., mapping issues. These would be addressed by staff and ultimately presented to the Plan Development Committee.

Commissioner designee Richman voiced concern that many municipalities were perceiving the Preliminary Plan and the Cross-Acceptance Process as simply an academic exercise. He stressed the need to make clear that future action will be taken based on the County Cross-Acceptance Reports. These Reports had to be taken seriously. He also expressed the concern that going through the list of issues was going to be time consuming, particularly since many of these issues had been discussed by the Committee more than a year ago.

The Committee then began substantive discussion of Urban Issue #1. The Issue focused on the definition of Tier 1. After brief discussion, the Plan Development Committee directed OSP staff to follow Action Step #7 in the Issues Paper, calling for a review of the CMB Distress Index List; and to report back to the Plan Development Committee in two weeks. It was later added that staff also consider Action Step #3 to make certain that the strategies, policies and guidelines for Tier #1 were relevant to all of the municipalities included in that Tier.

The Committee discussed Urban Issues #2 which addressed the relationship between Urban Centers and Corridor Centers. It was agreed that the Corridor Center concept required further clarification. While Corridor Centers were designed to act as an antidote to continued sprawl, it was feared that providing public funding to encourage such growth would siphon off scarce resources from older urban centers. Even in the absence of public funding, encouraging such new growth might prove to be a detriment to urban revitalization.

It was suggested that Corridor Centers would occur where the market was already strong. That market was not necessarily the same one as the one in older urban areas. Commissioner Ashmun suggested that the role of the State with respect to Corridor Centers should be a limited one, perhaps restricted to planning and permitting.

A question was raised as to whether urban centers might receive a higher priority with respect to Transportation Development Districts. These Districts would likely become part of a Corridor Center designation. Commissioner designee Kyte responded that DOT does not have the mechanisms in place to be able to structure funding in that way at this time. DOT would have to revise scheduled projects to be consistent with the infrastructure priorities currently included in the Preliminary Plan.

It was agreed that the discussion of Urban Issue 12 would continue at next week's meeting.

meeting was adjourned at 12:30 P.M.

Plan Development Committee
Meeting Summary 150 W.
State Street November
2, 1989

In Attendance: John Kitchen, Chairman; C. AsJmun; L. Sctatidt; K. Kyte; J. Cramer; J. Van Zandt; C. Richman.

Staff: M. Bierbaum, Ass't Director; H. Coleman, Ass't Director; C. Newcomb, Ass't Director; D.Maski; E. Cooper; R. Kull; T. Schick; L. Ncwicki; J. Hsu; H. Neuman.

The Chairman called the meeting to order at 10:10 A.M. Future meeting dates were discussed. It was agreed that the Plan Development Conroittee would meet on November 8th and 15th at the O.P.P. Conference Room at 150 W. State Street, Trenton. There would be no meeting on November 22, 1989 as it was the day before Thanksgiving. Wie November 29th meeting will be held at the Mary G. Roebling Building on West State Street in Trenton. Meetings will be scheduled shortly for Decerriber 6, 13, and 20. A site for those meetings will be announced in the near future.

Chairman made a brief statement to clarify the purpose of the next several meetings of the Plan Development Committee. That purpose was to review the issues that OSP Staff has identified to date in order to revisit and clarify as preparation for negotiations with counties and municipalities. Actual negotiations with counties and municipalities would not be starting until after the New Year. The Committee did not want to convey to counties, municipalities or the public-at-large that negotiations were starting in their absence.

L. Nowicki brought the meeting up to date by reviewing the discussion of the previous week. She indicated that Staff would be following the direction of the Committee with respect to Urban Issue #1 and making a presentation next week. With respect to Urban Issue #2, the Committee had recommended that it give highest State priority to the Urban Centers and not Corridor Centers. Tax incentives and State spending should not be used for Corridor Centers, but concentrated in Tier 1 or in Urban Centers. Corridor Centers were expected to be market-driven.

Chairman raised concerns about tax-sharing with respect to Corridor Centers. What might happen to tax revenues when such a Center fell within a number of municipal and/or county jurisdictions? It was hoped that design criteria could be developed that would make this concept attractive and facilitate the market to the further evolution of this concept. Questions were also raised about the size of Corridor Centers and the impact they would have on the current character of communities. It was agreed that these questions were part of the Regional Design System Issues discussion and would be revisited shortly when those issues were addressed. With

respect to this urban issue, the relationship between Urban Centers and Corridor Centers, the Committee was clear on giving a higher priority on the Urban Centers than Corridor Centers in terms of State funding and programming.

Urban Issue #3 was discussed. The Issue focuses on the limits of revenue raising capability by urban municipalities. It was reiterated that the Plan had to be realistic in terms of its budget impacts otherwise few would pay attention to it. Other Commissioners stressed that the Plan had to move beyond the status quo in recommending what ought to be done in the future. One Policy Statements and Action Steps under the Issue raised concerns related to the SLERP Commission. To what extent was the State Plan to be tied to the SLERP Commission proposals? The Committee agreed that the State Plan should not be tied too closely to the proposals. The Commission should not be in the position of binding State agency decisions to a Plan that they cannot reasonably implement.

The Chairman posed the question: Do we want to take a position on Tax Reform? It was agreed that the Implementation Committee could better address these details. The policy initiatives of the Plan should be addressed by the Plan Development Committee. Assistant Director Coleman suggested that the SLERP Proposals dealt with more than simply Tax Reform. It addressed other issues such as assigning responsibilities to the appropriate level of government as well as the distribution of existing revenues such as the Gross Receipts Tax.

The Committee directed Staff to look carefully at Action Steps #5, 6, 7, 8 and 9. In addition, an action step was to be inserted that reiterates the necessity of formulating a tax reform policy statement and identifying the barriers that exist to implementation of tax reform. It was not decided, at that time, to which Committee the action step was to be addressed.

The Committee was informed that D.E.P. is currently engaged in a "Municipal Sector Study" under instructions from the Federal E.P.A. That study will reveal important information for the State Plan in relation to this issue. In addition, the study will eventually be broadened to address D.E.P.'s impact on the private sector as well.

The Chair asked if members of the public had any comments related to this discussion. L. McGee of N.J. Future stated that there was cynicism about what the Preliminary Plan meant for urban areas in light of the lack of funding mechanisms and revenue sources. J. Stafford of the League of Municipalities stated that the entire funding issues was a source of major concern for local jurisdictions. If the Plan is going to involve cost increases for municipalities, they will not support the Plan. Secondly, J. Trafford pointed out that the SLERP proposals make recommendations with respect to equalizing the tax burden, but do not speak to infrastructure concerns. These are now a major issue from the municipal perspective. P. Buchsbaum of Hanooh, Weisman, Attorneys at Law, characterized the Tax

Reform Issue as a "Tmth-in-Planning" Issue. He felt that it was incumbent upon the Committee to Identify the barriers to Tax Reform and keep this issue before the public.

Suburban Issue #1 was discussed. This Issue was an "echo" of the previous issue. It addressed the limitations of the revenue raising capability of developed suburban municipalities. C. Ashmun suggested that what was actually being raised with this issue was "trend" and not plan concerns. These suburban jurisdictions do not know how to repair and maintain and if necessary replace existing infrastructure that is now 40 or more years old. They would be faced with this problem even in the absence of a State Plan. J. Crantner responded that the problem had to be addressed regardless. It ought to be a concern of the Planning process. The Issue is that previously these municipalities funded infrastructure maintenance and improvements by expanding the tax base. In the absence of additional vacant land, this revenue raising mode was no longer available. How will these municipalities address the increased costs they are likely to experience in this regard in the next few years in the absence of an expanding tax base?

K. Kyte pointed out that the issue was just discussed in an urban context. It is now being discussed in a suburban context. In a few weeks, the Committee will be discussing it in a rural context. There is a need for some consistency. Also, there is a need to set some priorities. The Committee cannot just simply suggest that the State will be able to assist all of these municipalities regardless of where they are in the State. Moreover, rural communities were likely to fall into the situation in which suburban municipalities now found themselves if corrective steps were not taken through the planning process.

Staff was directed to look at action steps #1, 3, 4, 5, 6, 7, 8 & 9, many of which dealt with the regionalization of services and could be reasonably combined.

The Chairman asked for comments from members of the public. J. Trafford of the League of Municipalities offered a word of caution. He doubted that efficiencies through the regionalization of services would be easy. In 1968, D.C.A. had published a handbook addressing such concerns. The County and Municipal Government Study Commission had also published a study, "Creative localism," on the same topic. Yet, these efforts have had little impact to date. The Chairman responded that the current situation was a bit different in light of the impact of the State Planning process and the nature of the problems that municipalities now faced. P. Buchshaum of Hannoch, Weissman, Attorneys at Law, reiterated the need to keep the tax issue alive.

The Committee discussed Suburban Issue #2. This issue focused on the definition of "Redevelopment" for suburban municipalities. "Redevelopment" for many municipalities raised fears about 1950's style urban renewal. For others, the prospect of having to provide affordable housing was a major concern, J. Cranmer asserted that municipalities need to learn that

redevelopment and high density need not be high-rise. C. Ashtnun suggested that the State Planning Commission has an obligation to create a vision that municipalities can understand in this regard. It was suggested that the Commission ought to be developing a handbook and perhaps a slide-show. M. Rifirfaaim pointed out that the issue involves something more than just design. Developers, municipalities, COAH each had concerns here and defined "redevelopment" differently. Municipalities feared the "builders' remedy." COAH feared that municipalities would seek to preserve their existing character through the exclusion of affordable housing. Developers feared that many municipalities were no longer interested in growth or redevelopment in any form.

Staff was directed to review a number of Action Steps, including #1, 4, 6, & 9. In addition, it was recommended that staff redefine the concept of redevelopment after reviewing the Municipal Land Use law and implementation possibilities. The language should incorporate neighborhood revitalization without displacement into the concept. Staff should also investigate funds and grants that are available for preservation efforts.

The Chairman asked for comments from members of the public. Concerns were raised that the Preliminary Plan was being used to delay the development process and thwart the COAH process by P. Buchsbaum of Ifennoch, Weissman, Attorneys at Law, and J. Harkins of the N.J. Builders Association.

The Chairman adjourned the meeting for lunch.

The meeting was reconvened briefly. It was agreed that next week's meeting would revisit Urban Issue #1 to explore concerns raised earlier about the definition of Tier 1 and the Municipal Distress Index List. The meeting would also begin to discuss the Rural Issues after considering Suburban Issue #3.

The meeting was adjourned at 1:10 P.M.

Plan Development Committee
Meeting Summary
150 W. State Street
November 8, 1989

In Attendance: C. Ashmun; K. Kyte; J. Cranmer; J. Van Zandt; C. Richman.

Staff: J. Epling, Director; M. Bierbaum, Ass't Director; H. Coleman, Ass't Director; C. Newcomb, Ass't Director; D. Maski; E. Cooper; L. Nowicki; J. Hsu; H. Newman; D. Margolin.

meeting was called to order at 9:10 A.M. by Vice-Chair Candace Ashmun, Ms. Ashman began the meeting by inquiring what method was chosen to determine the ranking of the cross-acceptance issues. Staff responded that it was a consensus of opinion among area planning managers and associates based upon the number of times an issue has been presented and the emphasis placed upon it by the municipal and county staffs. Ms. Ashmun asked that when issues are presented, specific tiers be referred to, in addition to the urban, suburban and rural categories.

In response to Committee recommendation, OSP staff member David Maski presented several alternative approaches for restructuring the present list of Tier One municipalities. Several committee members debated whether the identification of the Tier One municipalities should be based upon the CMB Municipal Distress List as currently applied. Ms. Ashman stated that Plan policies should focus on the need experienced by the municipalities rather than including the needs in the criteria. She revised description of the tier would focus on positive factors based upon a vision for cities. Economic conditions would be a sub-criterion that would be addressed in specific policies. Communities that fit the definition of need would be eligible for funding as described in the relevant Statewide strategies and policies.

line Committee suggested that the staff consider the reasons for each city's development, and to then compare these reasons to the strategies and policies of the Plan. Accessibility and the potential for population density should be analyzed and then funding decisions could be tied to specific location. Kenneth Kyte reiterated that urban centers should receive increased funding.

Martin Bierbaum reminded the members of the legislative mandate directing the SPC to revitalize areas of need. The CMS List was relied upon to identify the areas that are most distressed. Because an arbitrary cutoff point was used, perhaps the committee should review the list to ensure that those cities most in need were chosen for Tier One designation. Mr. Cranmer responded that locational and functional reasons should determine funding priorities in the future. An analysis should be conducted on the historic functions of each city to determine if they still apply and then base Plan policies on those reasons. If the reasons no longer apply, then the staff should devise policies pointing to the new direction that should be taken. It was recommended that staff study option #4 of Maski's paper, "Change Tier 1 intent and critical issues instead of tier criteria." Some of the concepts discussed are to be incorporated into the option.

Suburban issue #3, the possibility of forming sub-tiers, was discussed. It was pointed out that the tier system is a growth management tool. An educational effort should be made to communicate this purpose of the tier system. It was stated that if the conditions of a location vary significantly from the strategies of its designated tier, then action should be taken. Staff should ensure that strategies and policies of each tier address the issues raised by the counties and municipalities. If they do not adequately do so, then new statewide policies and strategies should be developed. An attempt should be made to determine the precise nature of the concern, and subsequently whether the language concerning growth should be clarified.

Staff was asked to focus on Policy Statement #4, the identification of locations that may require special attention. In addition, action step #1, strengthening the statewide strategies and policies, and action steps #2, #3, & #5, developing specific strategies for economic development for blighted areas within stable communities, creating specific strategies to target the identified problems within every tier, and writing criteria for Tier 2 that makes an exception for developed communities that lack public sewers, should be undertaken.

committee proceeded to discuss rural issue #1, the possibility of an equity loss, in depth. Committee person Van Zandt stated that the farming community wants the Plan to address the issue in a more comprehensive manner. Ms. Ashmun reminded the committee that it is not only the farmers who may be affected. It was recommended that action step #2, research on the windfall and wipeout possibilities, be conducted. Staff should consider the barriers to farming performed as an economic venture. Non-land farm issues, such as a farm pension plan, should be studied.

Plan should identify the conditions that would make farming viable in New Jersey. With assistance from the Agriculture Department, staff should devise strategies and policies that address those factors that create disadvantageous farming conditions. The positive aspects of farming in New Jersey, such as access to a large market, should be stressed. QSP's involvement in the technical aspects of saving farmland was mentioned. The Transfer of Development Rights program in Burlington County, for instance, can benefit the farming community, in general, and enlighten the SPC. The SPC must present the vision to help the farming community/ but the Legislature must create the programs and allocate the dollars to protect and nurture farming ventures.

Mr. Cranmer reiterated that the committee must dissect the issues of farming viability and residual value (windfall and wipeout). M. Bierbaum responded that staff would cull the strategies and policies from the Plan that deal with the agricultural community for the committee to consider in the coming sessions. The Committee asked that staff examine farming experiments, (e.g. Pinelands) and analyze the successful and unsuccessful aspects of the programs. The expenses of the farming communities over a 10-year period and the actions of government that can affect them should be identified. Staff was directed specifically to action steps #1 & 2, the need for mitigation programs and the windfall and wipeout research projects, as initial actions in addressing the issue.

Finally, the committee decided that rural issue #2, the integration between affordable housing allocations, tier lines and the regional design system, is a post-1993 issue. The action steps, as presented, were deemed to be good, but it was pointed out that they will be evolving throughout the cross-acceptance process. Some of the steps, in fact, will be further examined under implementation strategy.

The meeting was adjourned at 11:45 A.M.

Plan Development Committee
Meeting Summary
150 W. State Street
November 15, 1989

In Attendances C. Ashman; K. Kyte; J. Van Zandt; J. Cranmer; L. Schmidt.

Staff: M. Bierbaum, Ass't Director; C. Newcomb, Ass't Director; D. Maski; D. Margolin; H. Neuman; L. Nowicki; J. Hsu; E. Cooper; T. Schick; D. Hojsak.

The meeting was called to order at 9:15 A.M. by Commissioner Candace Ashmun for a continuation of the discussion of the cross-acceptance urban issues 44 through #7. Committee member J. Van Zandt began the meeting by questioning the origination and ranking of the identified issues to ensure their accuracy, importance, and the continuing opportunity for the general public to participate in issue formulation. Assistant Director Bierbaum responded that the identified issues cover broad policy or implementation matters raised statewide, and the purpose of the discussion was to generate Committee direction in addressing them.

Assistant Director Bierbaum summarized the County Cross-Acceptance Workshop held recently under the auspices of the Office of State Planning. The objectives of the workshop included a status update on the cross-acceptance process, feedback from the counties concerning the issue statement papers, presentation by OSP staff members on research conducted for the infrastructure needs assessment model, and an explanation by Rutgers faculty on current carrying capacity analyses. The primary issues that surfaced in the Statewide issue session focused upon implementation strategies, funding possibilities, coordination necessity, permit streamlining importance. Participants in the urban session stressed that a redefinition of Tier 1 may be necessary; urban centers and corridor centers both need attention; and a comprehensive strategy that includes both "concrete building policies and social welfare policies" needs to be formulated. The Rural Session emphasized the equity issue including discussion on who bears the responsibility for compensation. Ms. Ashmun voiced concern that although the Committee is receiving feedback from the counties concerning the issue statement papers, the municipalities have not widely participated in the discussion.

Urban Issue #4, that costs should be determined for the provision and maintenance of the infrastructure necessary to support the urban population, was discussed. Ms. Ashmun stated that some redirection of money will be recommended by focusing on existing funds. Assistant Director Bierbaum explained that municipalities and counties were asking for the Commission to "get a handle on the magnitude of the problem" and to provide one direction in solving the problem. Ms. Ashmun was concerned that too much emphasis was placed on the allocation of "new" money, however, many policies in the Plan, such as streamlining and the provision of compact infrastructure, can help alleviate the problem without massive amounts of additional funding.

Committee member K. Kyte reiterated that the Plan attempts to mend choices for available resources. Christy Van Home of New Jersey

Future suggested that the Commission does not have the authority to raise and appropriate new funding, hence, the responsibility for the issue may lay elsewhere. Committee member J. Cramer recommended that the focus should be placed on a primary issue, the cutting of red tape to save costs. Thus, frustration with the entire system would be lessened.

Discussion turned to the necessity of addressing the provision of the social infrastructure. The issue was recognized as significant, but it was generally agreed upon that other state agencies, such as the Departments of Human Services and Duration, are better able to address the issue. It was recommended that OSP staff continue to communicate with other departments about addressing the social infrastructure needs of the urban areas.

The discussion focused on the need to identify the issue of infrastructure funding as statewide and for all communities, rather than making it an urban concern. It was pointed out by Ms. Ashmun, however, that the Plan should not be mired in detail; much of the information concerning the infrastructure should be contained in back-up documents such as the Infrastructure Needs Assessment. It was recommended that staff continue to compile data and contact other departments for assistance.

During discussion of urban issue #5, the need to balance the redevelopment of urban areas with protection of the environment, Committee member L. Schmidt explained how the ECRA program aids urban redevelopment efforts. He suggested a proactive planning initiative, centered on the program, to help revitalize industrial areas.

Discussion also identified the need to identify small environmentally-sensitive areas in Tier 1 and to provide the direction for protection of these areas. It was generally agreed upon that it is unnecessary to map the very small Tier 7 areas within Tier 1 but it is important to address the issue in the Plan strategies and policies. A method of identification must be devised without resorting to mapping procedures.

Urban issue 16, the necessity for more effective urban design policies, centered on the need to coordinate state agencies, provide leadership, and recognize that the issue is a state planning responsibility. It was suggested by Ms. Ashman that the newly formed Technical Advisory Committee could help address the issue, the ability of the private sector to assist in this area was also recognized. The importance of action step #7, ensuring that the relevant state agencies are integrated and committed to the importance of physical settings for urban areas, was stressed.

Urban issue #7, the need to set priorities among infrastructure and redevelopment projects, was deemed to be a reiteration of issue #4. It was suggested that the two issue statement papers be merged.

Urban issue #8, the need for urban areas to attract a diversified residential population, focused upon: the importance of a good educational system, a reasonable tax structure, and attractive physical design. A design focusing on mixed use, with employment opportunities located close to residences, can mitigate the congestion, pollution, and lack of parking

spaces often associated with urban areas. Consequently, it was suggested that the action steps be broadened with an emphasis on education and mixed use.

The meeting was adjourned at 11:55 **A.M.**

Plan Development Committee
Meeting Sorcery
150 V. State Street
November 29, 1989

In Attendance: J. Kitchen; C. Ashman; J. Cramer; L. Schmidt; J. Van Xandt; C. Richman.

Staff j X. Biazbaum, Ass't Director; C. Newcomb, Ass't Director;
D, Maski; L. NcviOd; D. Margolin; J. Hsu; M. Neunan;
T. Dallessio; D. Hojsak; T, Schick.

Commissioner Qmrtne Ashmun called the meeting to order at 9*10 a.m. The meeting agenda consisted of a continuation of the discussion of the retraining cross-acceptance suburban issues; more specifically issues #4 -#10.

Assistant Director Martin Bierbautn suggested that in discussing these specific issues, the overriding question seemed to be whether suburban tiers were able or willing to absorb the projected growth which would be re-directed to them from tiers 6 and 7. (e.g., How will the suburban municipalities address growth and balance it with the other mandates of the FSDRP such as housing, transportation, the envirorrnsnt?)

Commissioner Ashman also requested the Committee to consider the question of tier definition and tier criteria with respect to the suburban tiers.

Staff introduced the discussion of suburban issue *4: "An adequate number of affordable housing units should be constructed in proximity to employment opportunities." Staff advised that the issue might be viewea" in terms of "supply side" suggestions, such as permit streamlining and design standards, and "demand side" suggestions, such as the provision of housing subsidies and mortgage subsidy programs.

Committee suggested that there were two relevant points to be examined within the context of this issue: code requirements and land costs. These, in fact, have added a substantial amount to the costs of providing new housing in New Jersey and have decreased the margin of profit for balding rental units. The Committee also expressed concern ret Volume III guidelines which deal with the necessity of providing sufficient lands in proximity to expected employment and growth. The issues of "vacant lands," redevelopment, and density Bonuses were also briefly discussed.

Pie Oonmittse and staff disrwwri the importance of the growth ^rwy«w vtafr\|f-ft analysis ocBKment of the cross^acceptance report with respect to this issue. Staff naorte to determine whether this section of the county comparison reports axe indeed adequate/sufficient. The county ~~response~~

Indicated that the current base data is from the 1980 census and out-of-date. Therefore, Borne counties are waiting until 1990 census data becomes available before completing the growth level analysis.

Staff indicated that some towns are looking at land availability /capacity. Commissioner Ashman suggested that tenants* sewage capacity is in place for the next ten years, this might be a useful indicator for municipalities to use re: land availability. MSW has completed a study of Land Availability which has indicated an imbalance in land use with respect to the ratio of jobs to housing. An Analysis of Build-out has also been completed.

Committee suggested that a land availability analysis and carrying capacity analysis should be completed, perhaps with the cooperation of MSM and the counties. The suggestion was offered that if the results indicated a substantial shortage of land for the year 2010, it would be necessary to re-examine current zoning. Municipalities need to zone land in enough quantity to allow for affordable housing. Staff reported that in some cases, municipalities are looking at county-wide land capacity, however most have not adequately focused on this issue. Another key issue to be considered would be the type of housing (i.e., low, moderate) to be provided.

Committee suggested the following additional action steps: D.C.A. should play an important role in developing a comprehensive affordable housing plan; research the issue of land costs (e.g., what portion of development cost does land make-up; conduct a zoning analysis; look at counties and municipalities to see what they are currently doing); research the issue of code costs (e.g., review them in order to determine whether they are reasonably crafted; determine whether the quantity of requirements are fair). The suggestion was made to eliminate 3-b, under the present action steps (i.e., the use of mass produced modular housing). The committee also proposed that the TftCs assist with this issue.

The KC Committee recommended that OSP staff carefully examine the relevant policies in the PSERP in order to see if they address all the essential issues (e.g., mixed-use, the provision of housing in balance with commercial activities, the provision of adequate housing for all income levels, etc.). Staff will also examine policies and strategies which relate to infrastructure and its relationship to housing supply and demand.

issue *5 * "Suburban municipal traffic congestion question whether the Plan will relieve or Intensify suburban traffic congestion" was discussed, Committee suggested that OSP clarify the fact that this indeed is what is currently happening and not what the Plan is proposing (i.e., the issue is how does the State cope with this trend without the Plan).

As with the above issue, the Committee suggested that OSP work with D.O.T. re: this issue. The Committee also proposed the following CSP should analyze the County-Municipal Partnership Act re: how it relates to

the Plan and take the appropriate legislative stand; staff should study what has worked in other parts of the country; staff should look carefully at the policies in the Plan to see if they deal adequately with these issues and whether they might need to be highlighted or re-worded. It was agreed that action steps #5 and 17 were important.

The discussion focused on whether the Plan will ensure the proper timing and phasing of growth. The sense of the Committee was that this issue already exists, however the Plan gives some semblance of it. It was agreed that action step 12 ("encourage municipalities to coordinate land use plans with facility plans") was the most important in solving the problem. Presently, this is not being done.

Committee proposed that staff look at "how a township reads the Plan." The sense was that it might be necessary to add some cross-referencing, in order that it may be read more carefully and comprehensively. Also, the Committee suggested that action step 15 ("review whether legislation may be necessary to allow municipal ordinances to link infrastructure expansions and upgrading with development approvals") needs to become clarified and then become the priority. The counties have the burden to lay out an infrastructure plan and to do an analysis of what currently exists. This, in turn, would lead to a capital improvement program (as in the Contillo Bill).

Suburban issue 17 - "There is a need for environmental protection policies in developed areas" was discussed. The sense of the Committee was that this involves a failure to read the statewide strategies carefully as well as a misunderstanding of what tier 7 means (i.e., there is confusion between statewide strategies and tier designations). In some cases, tier 7 policies are not, in fact, applicable to a 30 acre tract. However, there should be a way to identify it for "protection" (e.g., "park", "scenic corridor"). The Committee recommended that other policies might be added under Statewide which identify areas for protection or "special concern." There was the need for some language in the Plan such as a policy which states that these areas should appear in local master plans. Cross-referencing should also be added.

The suggestion was also made that the Plan should include "an official statement", that all areas, not just those delineated as tier 7, can be protected. Areas of special consideration could be recommended for local master plans. Local municipalities should incorporate protection in zoning and with respect to making it consistent with regulations. Calculations of use need to be made with criteria such as wetlands, taken into considerations.

In summary, the sense was the PSFP and the process of cross-acceptance has gotten the committees and staff to carefully consider these areas.

issue #8 - "In some cases, suburban and rural towns require different policies" was considered. The overall context is that the nature of development or development potential is different in areas surrounded by developing areas. The Committee suggested that the issue statement needs to be expanded to include the amount of available developable lands. The suggestion was also offered that an additional action step be added which examines the relevance of the density requirement with respect to the tier designation criteria. Re: action step #2 ("determine, on a case-by-case basis, the needs of specific tier 3 towns re: infill, redevelopment, fringe development, and the resultant demands on public facilities and services. Determine whether these projections are compatible/or will be supported by the areas which surround each town"), the ~~en^u>B&~~ of differences will be clarified as data points in during cross-acceptance.

Committee also highlighted the importance of action step #6 (the Impact Assessment Study data) and suggested that OSP study the tier criteria carefully (e.g., do they make sense * are growth implications considered). Staff might re-examine the FSERP in order to focus on tier 3/tier 4 designations. The sense was that this Issue should be re-visited in 6 months.

discussion then focused on suburban issue #9 - "Specific density policies for new suburban development are needed. * The Committee staff to study whether the current PSDRP policies are, in fact, leading to the achievement of mixed-use. Does the Plan successfully communicate the importance and the context of mixed-use to local planners?"

The Committee proposed that the SPACS assist with this issue especially with regard to the drafting of a handbook which would include density suggestions and ways to preserve open-space. The Committee also suggested that #4 under range of policy statements (the importance of the RDS and suburban tiers) be highlighted in order to encourage a more compact type of development.

The final issue to be discussed was #10 - "State funding for metropolitan tier 4s should be considered." In general, the sense was that the problem was with "tier classification." Municipalities do not want the stigma, however, they do want the funding. The Committee suggested that staff re-visit tier descriptions to make them more geographic (see under urban issue 41). Tier policies should deal with the need for funds and descriptions should concentrate more on geography.

In summary, the Committee stated the need to wait and see how tier classifications come back during cross-acceptance. Again, tier criteria need to be examined carefully in preparation for negotiation.

The meeting was adjourned at approximately 11:40. The next KC meeting will be held in the Mary Roebling Building, room 218,

Plan Development Committee
Meeting Summary
150 W. State Street
December 6, 1989

In Attendances C. Altitud; L. Schnidjt; J. Van fcaudtj; C. Richnanj; J. Gilbert; K. I^tej; B. Mathesius.

Staffs M. Blerbaurn, Ass't Director; C. Newcorb, Ass't Director; H. Ooleman, Ass't Director; M. Newman; J. Gotteegen; D. Margolin; L. Newicki; R. Kail; T. Schick; E. Cooper; B. Purdie; T. Pfillfrpsio? E.

Commissioner Candace Ashman called the meeting to order at 9:20. The staff response to the "New Jersey Department of Agriculture Statement to Plan Development Com-Lit tee" (11-15-89) was distributed. Discussion will follow at a future PDC meeting.

Commissioner Ashman expressed concern with respect to the general context or direction of the issue paper discussions. Most briefly, the overall goal of the Ccrrmission is to meet the State inandate as well as the charges of the State Planning Act, by developing a State Plan. Tte role of the PDC is to develop options or clarifications for policies which would meet this mandate. Implementation, therefore, should be considered after the policies have been carefully and fairly refined and written. CdTcdssioner Ashnun suggested that attendees bring copies of the PSDRP to the meetings in order to more accurately discuss the issues with reference to the policies as they are written and focus on how these strategies and policies might be re-worded, changed, deleted or supplemented.

3wo staff presentations followed: a discussion of the G.I.S. pilot project in Burlington County re; the TDK program; a draft research paper^ developed with members of the Department of Agriculture on the issue of property rights protection.

Burlington County project is being carried out jointly with D.V.R.P.C. Generally, it provides a system for napping, analyzing, evaluating and building a land data base relevant to the current T.D.R. project. Although this project has been defined by the special nsodr of Burlington County, it will be able to be adopted to other situations/projects.

3he research project with the Depaiuumil of Agriculture and CEP staff has been structured to meet the requests of the KC neting of 11/8/89. Papers will be drafted which will deal with the equity issue, the viability of agriculture in Mew Jersey, and the issue of land as pension for farmers.

CSP staff briefly disrnseM the paper en *Pn4jealy Rights Protection" in an attempt to broaden the context ox the fmayl by I^apprfaV. of the

issue of "equity". More specifically, the paper dealt with the question of windfalls and wipeouts in relation to other public policy considerations.

The PDC recognized the fact that the current policy as written in the VSDRP (Tier 6, policy 1.7) was perhaps too narrow and the policy needed to be broadened beyond tier 6 (e.g., to mitigate to the extent possible, the effects of windfall/wipeout which occur due to the effects of the Plan). The purpose of the Committee was to re-write the policy clearly and to expand it to include agriculture located in all tiers throughout the State.

The Committee also stated that the documentation or discussion of the various options being proposed by the Department of Agriculture for this issue would be included in the expanded implementation section of the Plan. The goal of this committee was to state the policies in order to meet the mandates of the State Planning Act and to address the issues as clearly as possible for the counties and municipalities.

The recommendation was also made to consider having statewide agriculture policies if appropriate and consistent with the mandate. Presently, these are included in the economic development statewide section of the Plan. The staff was asked to address this issue via the PSCR and the policies as currently written.

Rural issue #4 - The need to encourage a broader economic base in rural areas was discussed. The feeling was that there are policies currently in the VSDRP (see Tier 6, Regional Design System, and Statewide) which attempt to address this issue, however they need to be clarified.

Action steps 41 and 42 do, in fact, deal with this. It was suggested that action step #4 include the suggestion that staff draft an informational piece which would clarify specific policies in the Plan re: this issue. The appropriate policies should be synthesized and consolidated via a brochure which would present an issue and delineate the policies which fit the issue. The Committee needs to focus on more effectively articulating policies which would result in the intention of the Plan.

Staff presented rural issue 15 - The character of present and future development in tier 5 needs to be more clearly defined. The Committee advised that staff re-look at the tier description and intention. It was the intention of tier 5 to emphasize the efficient phasing of infrastructure and to allow for opportunities for future growth, in order to avoid the sprawl of 1 acre lots on septic systems. The goal was to organize growth so that beyond the year 2010, the State would be able to grow efficiently.

The Committee emphasized that the Regional Design System was critical in tier 5. Staff suggested that there was a great deal of confusion of the RDS in the field and that some municipalities were designating villages and hamlets. Staff also suggested that policies cannot be tiers 5, 6, and 7 be amalgamated for purposes of clarification. The Committee responded that the tier intents are too different, and the present technique of repetition

is more appropriate. Again, the objective was to write policies which point to action which, in turn, would be addressed at the implementation level.

Action steps 12 and #4 were seen as being most important. Action step 44 speaks to what should happen re: appropriate development, however, it needs to be more clearly articulated (e.g., perhaps indicating a disincentive re: sprawl development). A fifth action step needs to be added which indicates that the policies and their intent need to be re-read and perhaps re-worded.

Issue #6 • Clarification of K.J. Department of Agriculture Role was discussed. Staff responded that the dialogue is excellent and both staffs are presently working together on several projects. The Committee suggested that the Commissioners and members of the State Agriculture Development Board as well as members of the SADCs should participate in a joint informational meeting/dialogue.

Discussion then focused on rural issue 17 - Guidelines, procedures and design standards with respect to development need to be clarified. One implication seems to be a request for more detail, as well as a lack of understanding of the detail that is included. Staff explained that there is an understanding of the fundamentals in the field, however the details need to be clarified. Also, the issue of stable communities funding increasing infrastructure costs is of concern to counties and municipalities.

Committee members noted that although the Statewide strategies deal with this issue, perhaps the Plan is missing policies in the Tier sections which deal with becoming a stable community (e.g., budgeting issues, issues of financing). Staff and Committee discussed the option of suggesting parameters of growth that would preserve the integrity of tiers 6 and 7. Design controls might be related to the RDS guidelines re: villages and hamlets.

Committee concluded that a discussion of rural issue 49 - The treatment of farms outside of tier 6 should be clarified had been covered

With respect to #10 * The role of the State /Counties with respect to review of development in tier 7 needs to be clarified * the Committee ~~that the~~ su's-perception surrounding this issue needs to be

Staff explained that the agenda for the next KC meeting on 12/13/89 would consist of the Regional Design System issues. Future agendas would consist of summarizing what has transpired over the last 2 months and prioritizing the important action steps. The action steps will be examined in terms of the policy discussion and should be forwarded to the PSCFP. Staff also suggested that counties and municipalities be sent summaries of the PDC meetings and encouraged to attend.

The League of H^nlrirfrHtiM offered to cooperate and assist with distributing any rlvlfrr**! docanents which might be forthcoming.

Meeting was adjourned at 11:30

Plan Development Committee
Meeting Summary Forrester
Center December 20, 1989

In Attendance: C. RicJman; K. Kyte; J. Van Zandt; L. Schmidt; C. AsJmun; J. Kitchen.

Staff: M. Bierbaum, Ass't. Director; C. Newcomb, Ass't. Director; L. Nowicki; T. Dallessio; T. Schick; A. Doyle; R. Kull; H. Neuman; S. Karp; J. Gottsegen.

Chairman John Kitchen called the meeting to order at 10:00 A.M. It was announced that the next meeting of the Committee would be held on January 10 at the Department of Community Affairs Building in Trenton.

Assistant Director Bierbaum informed the Committee that 11 County Reports will be received by January 1; 6 more will be submitted to the OSP during January; and 6 will be received during February. Presentations summarizing analyses of the reports are scheduled for January and February PDC meetings. Municipalities and counties, as well as representatives from the League of Municipalities, are encouraged to participate. Letters will be sent shortly with the complete schedule. It is expected that county and municipal representatives will be able to inform the PDC whether Plan policies are beneficial for their communities. The objective is to encourage counties and municipalities to consider resolutions to the issues identified at the present time to determine if there is agreement or disagreement between the counties and municipalities and the Preliminary State Plan, and whether the strategies and policies are effective.

Although the time constraint is a limiting factor, the format of the presentation will include the main issues identified in each county by OSP staff and responses by the each county and any municipalities wishing to participate. It was stressed that these presentations, joint enterprises between OSP staff and the counties, are just one part of the evolution of addressing the issue. The process is based upon multiple reiterations of discussions. Initial meetings will focus on the "fit" between Statewide and Tier strategies and policies and county and municipal expectations.

Assistant Director Bierbaum pointed out that, although these issues have been raised before, more participants are included in the continuing discussions. In addition, direct participation by the counties and municipalities in the discussion of the issues alleviates misinformation.

It was announced that the Technical Advisory Committees (TAC) are scheduled to meet in January and February. The Peer Committee, however, will not meet until March due to scheduling conflicts of the representatives. The cross-acceptance issues that the PDC has been considering have been referenced to the appropriate committees. Staff will facilitate the TAC sessions conducting preliminary presentations of information gleaned from the issue discussions held so far.

OSP staff gave an update on the mapping analysis. Cartographers are currently assessing the method and quality of the mapping that has been submitted to the Commission. One of the primary mapping concerns is the distinction between technical and policy changes and the proper identification of each type. Although the information will be processed at quad scale, regional maps of the proposed changes will be made on a regional level for Commission review. Separate maps will detail suggested policy and technical changes with the rationale for each proposal. Some mapping issues need to be resolved, consequently another presentation will be made to the Committee by March. It was recommended that the technical changes be processed first because FDC discussion must proceed on accurate information. In addition, it was stressed that the existing and planned infrastructure is important for further analysis.

It was pointed out that Committee discussions with the counties will begin by January 10. Commissioners were assured that although the mapping analysis is not yet complete, a list of the proposed changes and an explanation of the nature of these changes will be prepared for the first 3 counties. The list and explanations can be used as a text summary. Assistant Director Bierbaum acknowledged that the difficult issues will combine technical and policy changes. Determining the merit of the changes will be complicated in those cases.

Commissioner Richman referred to the summary of the previous meeting (12/06/89). He emphasized that hamlets and villages were key issues discussed. New hamlets and villages in Tier 6, possible implementation strategies, and the preservation of the existing villages were important aspects of the discussion.

The issues on the Regional Design System (RDS) were then considered. Issue #1, implementation of the concept, acknowledged deficiencies in this section of the Preliminary Plan. Presently, the Plan presents the table outlining the concept then details intergovernmental coordination. It was suggested that the concept requires a strategy that summarizes the objective of the RDS. It was pointed out that the design and implementation of the concept has evolved with county input and that will be reflected in the Interim Plan.

Commissioners inquired whether any attempt has been made to select a model so that a physical representation of the objective would be available along with documentation of the implementation process. The Committee was informed that a Planning and Design Manual for hamlets and villages is currently being developed. It was also pointed out that the Implementation Committee will consider some of the issues concerning the RDS.

The discussion noted that the previous emphasis had been placed on the design of new Communities of Place, but the implementation problem centers on the immensity of the project over a lengthy 10 to 15-year period that would encompass several economic cycles. The risk for the development community was recognized. In addition, current municipal zoning ordinances do not allow for the creation of new villages.

The recommendation was made that a manual be developed that would detail the necessary zoning modifications that would be required. The

normal should acknowledge the necessity for public/private partnerships to accomplish the objective. The Commissioners noted that identification of possible areas for new villages can affect the packaging and implementation of new Communities of Place. Windfalls can occur and land costs may rise.

Commissioner Richman reiterated that a model was necessary to illustrate the concept implementation process, rather than the specific community design. A prototype should be structured to help determine the appropriate infrastructure timing, possible costs, the necessary regulations, recommended integration between open space and residential areas, and the provision of services. It was also pointed out that the interrelationship between transportation and DEP issues could be addressed through the RDS concept.

It was suggested that a more effective integration of the RDS, the Tier System and the Statewide Strategies is necessary. It was also pointed out that other places that have created villages have incorporated them into a regional economic development plan. A link to these newly developed areas and employment opportunities should be planned.

The discussion acknowledged that the RDS is being misinterpreted, possibly because it is being considered as a zoning plan. The Committee recommended that Action Steps #1 and 2, "target efforts on implementation techniques" and "suggest that state agencies address implementation", be referred to the Implementation Committee. It was suggested that staff consider Action Steps #3 and #4, including recommending separate policies for "new" versus "existing" communities and further study of public/private partnerships, development costs, techniques to accomplish the implementation of new communities, and marketplace realities. In addition, it was recommended that a strategy be written to explain the reasons for the Regional Design System and its relationship to the concept of Communities of Place. An "Intent" section, such as the one included under the Tier section of the Plan, should also be written. The 1(c) item, concerning the study of the application of Transfer of Development Rights, will be done as information from the counties is presented to the PDC.

One discussion of 1-A, "Some municipalities are unsure of the benefits of designating and delineating Communities of Place", revolved around the misconception that persists that new growth is recommended rather than the management of expected growth. It was suggested that perhaps the phrasing of the word "new" in applying the concept to villages should be deleted. It was emphasized that flexibility must be retained by municipalities to enable local governments to work effectively with the development community. Action step #2, "exploring the notion of community service areas in lieu of communities of place boundaries", was recommended for further staff consideration. Action step #3, the "study of policy options which explore new roles and relationships between the public and private sectors with respect to community building", was referred to the Implementation Committee.

Issue statement #2, "State funding/permitting is necessary for infrastructure in central places", was not discussed because the concerns were addressed under RDS #1. Issue #3, "need to maintain the character of small Communities of Place", reiterated that community character is defined

ty localities. Action steps #2, #3, and #4 were recommended. These included steps for studying planning and design guidelines and review processes to ensure preservation of community character; re-emphasizing strategies and policies in the PSERP that are concerned with the importance of the municipal role in managing local growth; and clarifying the role of counties and municipalities in designating villages and hamlets during cross-acceptance.

The discussion of issue #4, the need for "local planning and design guidelines and review processes which provide greater control and flexibility", recognized that this concern will be addressed by the counties municipalities during cross-acceptance. Issue #5, the recommendation that "Plan policies should address wastewater treatment and the provision of transit services to Communities of Place" was treated as an extension of issue #1.

The meeting was adjourned at 12:10 P.M.

Plan Development Committee
Meeting Summary
Department of Community Affairs
January 10, 1990

In Attendance: John Kitchen, Chairman; J. O'Neil; J. Van Xandt; C. Richman; L. Schmidt; K. Kytaj F. V. Sreen.

Staff: M. Bierbaum, Asst Director; C. Munnich, Asst Director; R. Kull; B. Cooper; M. Mswan; J. Hsu; J. Kocy; H. King; D. Fiojsak; L. Mcwicki; D. Margolin; T. Dallesio.

Chairman John Kitchen called the meeting to order at 9:05 a.m. A discussion concerning future meeting dates, length of sessions, and agendas followed. It was agreed that future meetings will be held every other week for full day sessions (except in cases where counties have previously been scheduled to appear before the Committee in preparation for negotiation). Meetings will begin at 8:30 a.m. Mercer County has been confined to appear before the Committee on January 24th, Salem on 1/31, Atlantic, Cape May and Ocean Counties on 2/7 and Bergen County and Middlesex on March 7th.

Discussion re: The Regional Design System Cross-Acceptance Issues continued with issue #4 - UCKL XUtkDG AID tESIGH GDHEUNES AM) REVIEW HfTTERSks TOIGB HCVUE CTEMER CCKBCL tET IfTCH CKH BE H33> TO BE ARTIC11LA3H). Staff explained that while the concept of the Regional Design System is gaining acceptance in the field, knowledge on the part of the counties as to how to carry it out is limited. Counties are looking for arritinnviT guidance from OSP/SPC especially with respect to initiating communities of place within the framework of existing legislation and incrementation techniques. Concerns exist, in part, because the Municipal Land Use Law does not explicitly enable the formation or extension of communities of place.

Chairman Kitchen discussed the procedure for amending the Municipal Land Use Law. Staff explained that overall, the Plan has enormous implications for the MLUL and suggested that the State Planning Commission might play a role in outlining/bringing about changes in the XAW. These could potentially be included in the legislative package that is currently being developed. The importance of linking local planning boards with design issues was maniged. Without establishing specific guidelines, the Plan might outline via types of actions/procedures from the guidelines and their review oLuoessa should address.

Action #5 was rtismwri briefly, the Committee questioned whether that first sentence (1) would amend the Plan text to clarify the fact that it is a

action step did reflect the reality of the issue, which was not whether or not to grow, but how to grow.

Ocmnittee suggested that OSP follow through with all of the tod action steps.

Regional Design issue IS - 1HE KAN POLICIES SgXED AEDffISS
JH>3ffi HCVI&UBi OP VUUCCT SERVICES TO GCMtMnSES CP IUCB-
was previously fUenwaed under issue #1 (eee suRury of PEC Meeting tor 12/20/89).

The discussion than focused on Regional Design issue *6 - TOE
HHJLKWOKTIOE FCFCCRWECCRO9IBSR DENSITIES SCDU)EE JUALZZB) ICRE
TfCRTnEBT.Y. Staff explained that the counties need a clearer image, via
illustrations and suggested ranges of densities . OSP has already been
asked to provide technical assistance in terms of reviewing preliminary
corridor center proposals from counties such as Mercer.

The Committee inquired whetter counties understand that norrlrinr
centers are envisioned as large cculation/anjloyment centers (e
populations of approxinetaly 20,000). It is necessary that counties
understand the full implications of infrastructure build-out. Staff
responded that counties are caning back with scaliar proposals, that have a
future potential to evolve into larger centers.

Staff explained that approximately \$250,000 are available to be granted
to counties for regional corridor center planning, although currently a
percentage of the money is frozen. Staff suggested that the Occmittee might
begin to review proposals for funding selection purposes.

In discussing the proposed action steps, the Ocmnittee supported the
idea of a Corridor Center Manual Handbook. The importance of Identifying
the factors that resulted in their development (i.e., "how they opt there")
was stressed. The Ccomittee also cautinrari against using only examples frern
Europe because of the difference in available tools and gcvrnnent
regulations (e.g. , land essentoly techniques). It would be essential to
•xplore and extract what is relevant to Mew Jersey.

The Oonnittee also rt<<TM<<MftH the following issues i the problem of •front
end costs;" the used for streamliing the approval process and the
prfclems inherent in a public/private partnership. It was •nphasixed that
the inportance of designating onarrldnnr centers would be that once 'a target'
was defined, infrastructure planning would be able to begin inediately and
in a acre rational way.

**She sense of the Ocnnittee was that because the concept of cnrrirtnr
centers was deM.mKlft, it was iicwfcnt qpon SPC/OSP to outline and assist in
the provision of the necessary institutional Mechanise*. All four
proposed action steps were ifprwed as written.**

The final Regional Design issue 17 - TOE HAH fflDOLD BPDCMg CQHSl
OF OntmmCIESCP CHORAL KACX, KSTHIIAJ.T WITH HEJVKKM.Ji. ID
KBDEVEUQMHO cnuub * was dit^y*** The Oconittee concluded that this
was indeed a chance to effect the process of xvitalisation and therefore to
address the overall nmrrtate* of the Plan. Ihsre is a need for guidelines to
support redevelopment efforts in downtown pi-esftnint.irn areas ss well as
targeted neighborhoods, fie aspect of retrofitting was also son important
one to be considered.

The Ooondttee reoranended that OSP follow through on all of the
jceuomnendfld action steps.

Assistant Director Riffrfrffiin pieeoutud an overview of a suwnary of the
reccnnendations from the Plan Development Corrrrdttee regarding the uzban,
suburban, and rural issue papers. He explained that this was, in fact, the
basis for an OSP work program, however because of its
comprehensive/extensive nature, staff was seeking guidance from the
Occmittee to set priorities . Staff would also more carefully review the
and report back to the Committee with a sense of its
perspective with respect to a feasible work agenda.

Overall, Dr. Bierbaum divided the reconinendations into the following
four categories; supplementary research reports, major research efforts,
[issues which require] policy clarification, and ftfVlltinnftl outreach public
infonration [efforts], (see attachment)

The Ccrmittee suggested that in order to form a position on sane of the
issues before negotiation, they would need assistance from staff with
respect to work suggested in the proposed action steps. This request
highlighted the need for feedback from the Committee re: prioritization of
reccarnendations . It was also suggested that staff draw on existing or on-
going bodies of research (e.g., re: the comprehensive land/housing study) .
Staff will also draw on the forthcoming assistance of the SPACs .

In summary, it was pointed out that overall, the purpose of the
products of the four categories described above was to enable the rentiers of
the Commission to be as well informed as possible, however the process of
cross-acceptance oust be continued. All the questions raised by the various
action steps will not be resolved immediately.

With regard to the upcoming KC seatings, staff explained that they
will be making a brief presentation before the representatives of the of the
county planning staffs in order to highlight the cross-acceptance report*.
The sessions will be preparatory for the mgntintim process and overall, the
purpose is one of rlnrfl ration. Also, the chairmn stressed the mea:-
lanee of noticing the appropriate dissenting umirlpftMtieff.

The next swating of the Plan Dsveloonent Oonmittse will be held act the
fbrrestal Center on January 24, 1990 at 8t30 a.st. and will be a full day

•ession. Staff will present a proposed work program at that time. Maaxor
County will also present their County Cross* Acceptance Report.

The meeting was adjourned at 12:25 a.m.

CROSS-ACCEPTANCE ISSUES:
Preliminary Staff Identification
September 29, 1989

The Prairie
State
Development
AND
Redevelopment
Plan

CroBS-teceptance Issues

The staff of the Policy and Planning Unit of the Office of State Planning identified all issues that the county and their municipalities have raised in the County Workshop sponsored by the O6P, the County Reports, and the Status Reports and Extension Bequests. The issues were grouped according to concerns from urban, suburban, and rural areas, as well as concerns relating to the regional design system and the process of cross-acceptance. In addition, issues that were clearly statewide in application were identified as such. A number of concerns did not fit into any of the aforementioned categories and were grouped together as "Other".

The issues have been prioritized according to planning staff's perception of county and municipal concerns. The intention is to more clearly define them in terms of substance. It is anticipated that additional concerns will be identified by the participants in the cross-acceptance process. Consequently, the current list of cross-acceptance issues and the priority standing of the issues is preliminary.

The format of the analysis of the issues will include an issue statement with reference to the appropriate provisions of the PSDRP; a description of each issue and its priority standing; recommendations from the field and OSP staff members and possible action steps that can be pursued by the Commission members and staff members. The report will be presented to the appropriate Committees for further discussion and refinement.

The issues that have been identified and prioritized are as follows:

TJEctan

- 1) Reconsideration of Tier 1 definition.
 - a) Use/validity of CUB Municipal Distress List.
 - 1) Is the current configuration of Tier 1 as 82 municipalities correct? Should the definition of Tier 1 be the same as "cities"?
 - 2) Some municipalities perceive Tier 1 designation as placing stigma on the community.
 - 3) Prioritization of the most needy urban centers within the Tier 1 designation should be considered.
- 2) Interrelationship and priority determination between urban centers versus Tier 1 versus corridors.
 - a) Prioritization of conflicting Plan strategies and policies.
 - b) Integration of regional design system and tier system.
- 3) Potential for revenues.

- a) Tax reform.
 - b) State funding commitment for urban redevelopment.
- 4) Determining infrastructure costs.
 - a) Cost of expansion versus cost of maintenance of existing infrastructure.
 - b) Possibility of infrastructure needs exceeding projected funding.
 - 5) Urban redevelopment versus environmental protection.
 - a) Identification of environmental areas in Tier 1.
 - b) Priority of urban revitalization in relation to the environment.
 - c) Cost of ECRA implementation.
 - d) Impact of high density urban concentration and attendant environmental, social welfare and public safety needs.
 - 6) More effective Tier 1 urban design policies.
 - a) Downtown Preservation guidelines.
 - b) Specific infill strategies.
 - c) Open space in urban areas.
 - 7) Setting priorities among infrastructure and redevelopment projects,
 - a) Difficulties in gathering up-to-date baseline data and making projections.
 - b) Conflict between master plans and zoning ordinances.
 - 8) Diversification of residential base.
 - a) Mix of residents for stable tax base versus concentration of poverty-stricken population.
 - b) Diverse housing opportunities to attract a variety of households.
- 1) The maintenance of infrastructure services under buildout conditions.
 - a) In developed communities, the limited amount of vacant developable land, coupled with heightened infrastructure and service demands, can result in fiscal pressures.
 - b) Service costs are rising in a no-growth or slightly declining tax base.
 - c) Municipalities feel pressure to add ratables to their tax bases.
 - 2) The uncertainty regarding redevelopment efforts.

- a) Increased density recommendations may not be acceptable to some Tier 2 communities, particularly in fully-developed communities.
 - b) Need for redevelopment and Infill strategies.
 - c) Design standards necessary to preserve community character.
 - d) Recommendation for Plan language to be changed so that the policies containing the phrase "range of housing" should include the words consistent with existing development.
- 3) The possibility of forming sub-tiers or additional categories.
- a) Addressing the problem of blighted areas in relatively stable communities.
 - b) Need for additional policies to protect Tier 7 areas in developed areas.
 - c) Diverse character of many municipalities requires further sub division to comprehensively deal with problems.
 - d) Tier 2 needs sub-tiers to identify areas that lack infrastructure and cannot support rapid increased growth.
 - e) The criterion of sewers for tier decisions can be unrealistic, especially in nearly-developed and fully-developed communities that rely on septic systems (e.g. Bergen County).
 - f) Designation by sub-tiers to prioritize infrastructure funding.
 - g) Use of sub-tiers to target neighborhoods or districts for improvements or special attention.
- 4) The need for affordable housing to ensure adequate housing stock in proximity to employment opportunities.
- a) Potential affordability issue in fully-developed as well as developing suburbs.
 - b) Uncertainty whether the amount of vacant developable land in Tiers 1-4 can support projected additional growth.
 - c) Difficulty in assuring a diversity in housing stock in fully-developed communities.
 - d) Lack of rental units.
- 5) Uncertainty whether the Plan will relieve or intensify suburban congestion.
- a) Additional stress on already over-burdened infrastructure may be exacerbated by expected growth.
 - b) Lack of resources to expand necessary transportation and sewer
 - c) Impact of increased growth on air and water quality.
- 6) Implementation of additional plans and associated development.
- a) Issue of growth management.
 - b) Proper timing and phasing of growth over the next two decades. Legislation may be necessary to allow municipal ordinances to detail the steps that must be taken before development would occur.
 - c) Need for the defining of appropriate service levels.

- d) Legislation for phasing may be necessary to ensure that Plan tier boundaries do not negatively affect the 208 water quality management process.
 - e) Qiyfitlnn whether sufficient land exists for snhYrtvmlzat.1 nn.
- 7) Policies for environmental protection in developing areas.
 - a) Areas especially in need are environmentally-sensitive areas, such as wetlands, in developing areas as well as Tier 7 areas surrounded by developing areas.
 - 8) Need for different policies for suburban and rural towns.
 - a) Policies regarding towns should differentiate between free standing Tier 3 towns and towns surrounded by Tiers 4 and 5.
 - b) Strategies plan for growth on the periphery of each town, but this may not be possible if a buffer zone is to be maintained around each town.
 - c) Carrying-capacity analyses indicate that, in some cases, further growth cannot be supported near Tier 3 towns.
 - d) Some Tier 3 towns located in proximity to Tier 4, although not anticipating significant increases in population or employment, are concerned about the traffic congestion and other problems caused by increases in growth in nearby areas.
 - e) Tier 3 towns surrounded by Tier 5 may not receive enough economic stimuli.
 - 9) Design policies for new suburban development.
 - a) Alternatives to existing sprawl pattern.
 - b) More effective land use policies are needed for growth areas.
 - c) Some municipalities desire the flexibility to plan for new villages in Tier 4.
 - 10) State funding for metropolitan Tier 4s.
 - a) Potential need for greater priority of funding for Tier 4 areas in highly urbanized counties.
 - b) These rapidly-growing areas are concerned about servicing rapid growth, especially providing essential municipal services such as transportation and sewers.

Rural

- 1) She need to address the equity concern.
 - a) Need for compensatory ~~placatis~~ ^{legislati} for farmers before Plan implementation.
 - b) The Plan over-stresses the ~~concept~~ of 3ERs and neglects PCRs, although it may be the more practical method of addressing the equity concern.
 - c) Consideration of Purchase of Fee Simple/Absolute (SEE).
 - d) Legislative package should be considered to address the equity issue.

- e) Need to *apply* equity programs outside of Tier 6.
- 2) Reconciliation of CQftH allocations, t.ifir lines and the Regional Design System concept.
 - a) The possibility exists that sane Tier 7 imnjrlpnlrlftfi will use that tier designation to thwart OOftH allocations by not identifying any Oonnonities of Place within their areas.
 - b) Possibility that CQftH allocations will be difficult to fit in municipalities with substantial amounts of envixonmentally-ensitlve end agricultural lands.
 - 3) Funding priorities for Tier 6 and Tier 7.
 - a) Sane rural municipalities fear that rural infrastructure may be neglected because scarce State funding will be allocated to the growth tiers.
 - b) Funding priorities should be considered for rural, infrastructure.
 - c) Coordination among State agencies to provide infrastructure in rural areas.
 - d) Need exists for baseline infrastructure funding for low-growth areas.
 - e) Need to provide adequate funds for roadway maintenance in Tier 7.
 - f) Identification of areas in Tier 6 for high priority state/local preservation funding.
 - 4) Encouragement of a broader economic base in rural areas.
 - a) Municipalities desire sane economic development in rural areas to broaden the tax base.
 - b) Sane municipalities favored light industrial and retail center development in rural areas.
 - c) Fear that employment opportunities will locate in out-of-state areas.
 - 5) Tier 5 as a "preserve" or "reserve".
 - a) Clarification of future development in Tier 5.
 - b) Reasonableness of trying to limit growth in the tier for 20 years should be considered.
 - c) Sane mpnlrl^litipifi desire a higher density-type of development, including economic activity; others favor a more limited amount of growth.
 - 6) The role of the N.J. Dept. of Agriculture in helping determine the viability of fanning in New Jersey.
 - a) Need for greater emphasis on stronger local right-to farm, clustering, and buffering ordinances.
 - b) Long-term economic and marketing plans for Tier 6 areas are necessary to assist the farming industry.

- 7) Girt del inpSf procedures, and design standards to determine the land's ability to accomodate development.
 - a) Specific ways to determine carrying-capacity including, but not limited., to the nitrate dilution model (percolation rates, for example) should be better explained.
 - b) ttie 95% open space/ 5% threshold is not easily understood,
 - c) Die 100 persons per square mile standard is misunderstood.
 - d) Model ordinances are necessary to guide rural areas.
- 8) Environmental policies for small areas that are Tier 7s.
 - a) The smallest possible size of a logical planning unit should be determined to preserve small enviromentally-sensitive areas.
- 9) The treatment of farms outside of Tier 6.
 - a) Farmland retention and equity programs should be considered in agricultural areas outside of Tier 6 designations.
 - b) Some municipalities are re-designating Tier 6 areas as Tier 5s to avoid limitations on development.
 - c) Better coordination is necessary between Tier 6 and SADC farmland projects which may not be in Tier 6.
- 10) State/county review of development in Tier 7.
 - a) Tier 7 should not supersede local zoning, but should be used only as a tool to designate areas that require closer scrutiny of development and capital facilities funding by all levels of government.
- 11) CAIRA agriculture mitigation policy can act as a disincentive to the designation of ADA'S and Tier 6.

Regional Design System

- 1) Implementation Tools
 - a) Incentives are necessary to encourage municipalities to designate Communities of Place.
 - b) Confusion as to whether designations of villages and hamlets will bring any positive effects to municipalities.
 - c) Concept should be better defined as a growth accumulation tool that will allow for the eventual provision of infrastructure.
 - d) villages and hamlets may be inconsistent with market forces which seem to favor two-acre lots in rural areas.
 - e) Some municipalities want to designate communities of place but are reluctant to delineate boundaries,
 - f) Fear that premature identification of growth areas will increase the price of the land and make it more difficult to acquire the necessary large areas.

g) Transfer of Development Rights programs should be integrated into the Communities of Place concept. h) Municipalities have to institute zoning changes that would allow the mixed use and higher densities necessary for communities of place. i) Need for the Transportation Development District (TED) legislation to support the RDS concept. j) RDS needs impact fees to be successful. k) RDS needs permit streamlining, l) RDS needs an adequate level of infrastructure funding, m) Some municipalities fear that "regulatory takings" will occur.

- 2) State funding/permitting is necessary for infrastructure in central places.
 - a) Growth accommodation tool used as an incentive for municipalities to designate communities of place,
 - b) Implementation of concentrated developments needs to be reconciled with DEP water and sewer permitting policies.
 - c) Concept would require central coordination because a number of developers would work together on each project.
 - d) Better coordination among State agencies is necessary to modify State regulation to allow large scale development.

- 3) It is necessary to preserve character in small communities of place.
 - a) Need to ensure that increased growth will not destroy existing community character.
 - b) Fear among municipalities that developers will claim that existing villages are growth areas even if current local zoning does not support that claim.
 - c) Concentrated growth is inconsistent with the rural character that exists in some of the communities.
 - d) Desire to preserve historic integrity in light of new enough to allow for various types of communities.

- 4) Design guidelines and models should be devised that are diverse enough to allow for various types of communities.
 - a) New design guidelines are necessary make the concepts of villages and hamlets practical.
 - b) land uses, densities and mixes advocated in Plan policies are inappropriate for some towns and villages.
 - c) Some municipalities prefer the "sprawl" type of development and resist compact growth patterns.
 - d) Density guidelines should be carefully considered.
 - e) Design standards and guidelines are particularly important for villages, to prevent them from being designed as conventional sub-divisions.
 - f) Mixed use requires specific zoning for implementation.

- 5) The Plan policies should address wastewater treatment and the provision of transit services to communities of place.
 - a) Implementation of concentrated developments will have to be reconciled with D.E.P. water and sewer permitting policies.
 - b) The relationship of RDS policies for capital facilities should be more integrated with the tier-based Statewide policies.
 - c) One question of public sewers versus septic system management should be considered for hamlets, villages and towns.
 - d) Changes in D.E.P. regulations may be necessary with respect to septic systems, community-based package plants, and co-permittee requirements.

- 6) Recommendations for corridor center densities should be analyzed.
 - a) Corridor Centers concept needs to be clearly delineated before suggested densities can be determined.
 - b) The State must subsidize the mass transit transportation systems that are crucial to the success of densely-populated corridor centers.

- 7) In addition to the cities, towns, villages, and hamlets described in the community of place concept, other types should be encouraged.
 - a) Other types of communities of place should be recommended including neighborhoods, town centers, waterfront development areas and highway corridors.
 - b) Redevelopment efforts, such as downtown preservation areas and specific neighborhoods, should be integrated into the RDS concept.

Process

- 1) The SERF should be made less complex than the PSERP.
 - a) Better integration is necessary between strategies, policies, and guidelines.
 - b) The SERF should focus on the implementation as well as the integration of strategies and policies.
 - c) State agencies' regulations and funding priorities should be consistent with the SERF.
 - d) Volume III guidelines are perceived as an attempt to increase State regulation.
 - e) A fear exists that the State Plan will be used as a statewide zoning map.

- 2) The Infrastructure Needs Assessment requirement is burdensome for many municipalities.
 - a) Technical assistance may be necessary for completion of the Infrastructure Needs Assessments.

- b) Sections of the assessments may be a duplication of other State agency efforts.
- 3) Completion of the Economic Assessment Study is perceived as vital to the implementation of the Plan.
 - a) Data from the Economic Impact Assessment should be incorporated into the Final Plan.
- 4) The need for greater staff and financial resources to do long-term planning are felt at both the state and local levels.
 - a) There is insufficient staff/financial resources for county and municipal participation in cross-acceptance.
 - b) Staff shortages are hindering completion of the cross-acceptance process.
 - c) Not enough money was allocated by the State to accomplish the job.
 - d) There is a need to identify funding sources for programs that are related to strategies and policies set forth in the Plan.
 - e) Municipalities need assurance that the SPC will provide the necessary technical and legal support to municipalities who proceed to implement the SERF.
- 5) The leadership role in negotiations is unclear.
 - a) It is not clear when the counties or the State should initiate action or discussion.
 - b) Roles for the municipalities and the counties during cross-acceptance are not clearly delineated.
 - c) Opportunities exist for county assumption of certain State planning and regulatory functions.
- 6) The timeline for negotiations should be more clearly explained.
 - a) Local growth management planning should precede negotiation with the State.
 - b) Regulation should not precede legislation and funding for suggested alternatives to regulation.
 - c) The implementation process should be clarified, especially use of State regulations.
 - d) The tier map submissions should be appropriately timed with respect to application issues.
 - e) The date of the beginning of the negotiation phase of cross-acceptance must be communicated to the counties with an explanation of how changes made in the State Plan will affect those counties that have not yet submitted reports.
- 7) Public participation in the cross-acceptance process needs to be encouraged and coordinated.
 - a) The direction of a strategy for public participation in the cross-acceptance process needs to be communicated to the counties/ relevant and other interested parties.

- b) The opportunities that exist for public participation in the current and future phases of the cross-acceptance process should be more clearly defined and communicated in a comprehensive public outreach program. c-
 - c) All interested parties should be kept updated on the progress of cross-acceptance.
- 8) The "technical Reference Documents released by the State Planning Commission through the Office of State Planning should be presented in a more timely manner.
- a) Realistic expected declines should be communicated to interested parties and adhered to by office staff as closely as possible.
 - b) During long-term projects, interim reports should be written to apprise interested parties, as well as staff, of the progress of the program.
- 9) Participation of CAFRA, the Pinelands Commission and the Hackensack Meadowlands Development Corporation in the cross-acceptance process must be more clearly delineated.
- a) Counties are interested in continuing the coastal planning coordination process, however the perception persists that the coast is exempt from State planning.
 - b) The coastal communities want State agency programs and permits, particularly those required by CAFRA, to be consistent with the strategies and policies of the State Plan.
 - c) The State Plan must recognize the seasonal stress placed on coastal areas, both islands and mainland, in respect to infrastructure, water supply and quality, and housing for full-time residents.
- 10) Local plans should be updated to include the latest available data.
- a) Local growth management planning should precede negotiation with the State.
 - b) Data compiled by State agencies should be transmitted to the counties and municipalities in a timely manner.

Statewide

- 1) Coordination of all relevant State agencies and departments should be a vital component of the implementation strategy for the SERF.
- a) The SPC, through the OSP, should ensure that duplication of efforts by the State, counties, and municipalities does not occur.
 - b) Suggestions should be made to all relevant agencies as to ways in which they can demonstrate their commitment to implementation of the SCRP.

- c) The role of the SPC should be carefully fashioned so as to avoid the structuring of yet another "State bureaucracy".
- 2) The Infrastructure Needs Assessment has been difficult for the counties to complete.
 - a) The counties request technical assistance from the OSP for completion of the Assessment.
- 3) Permit/project streamlining is an important incentive for continued growth.
 - a) There is a need for OSP to encourage the appropriate State departments to coordinate and implement permit streamlining/ especially in those areas where continued growth is encouraged.
 - b) Permit streamlining as proposed by NJDCA, is viewed as an intrusion into home rule.
- 4) State agencies and departments should recommend the use of models versus mandatory regulations for the municipalities to follow.
 - a) There is general opposition to the imposition of a uniform site plan and subdivision ordinance because it could infringe upon the home rule concept.
- 5) Technical and legal support is needed by the counties and municipalities that implement the SERF.
 - a) SPC should signal their support of the municipalities that agree with the strategies and policies of the Plan, especially in cases of court challenges.
 - b) Many municipalities lack the technical resources and the funds necessary to construct a legal defense for their actions.
 - c) It is questioned whether the State will assume liability for tier decisions that ultimately affect municipal land use and zoning.
- 6) County assumption of current State planning regulatory functions is a sound practice that fosters regional planning efforts.
 - a) Efforts that strengthen the counties' roles in regional planning, such as the Transplan legislation/ are consistent with the Plan's objective of achieving long-term, statewide planning.
 - b) The Plan should provide other opportunities for county assumption of planning and regulatory functions currently reserved as the State's prerogative.
- 7) It is unclear who will review developments that have a regional impact when the SDK? is implemented.
 - a) The regional review of large-scale developments may infringe upon the concept of home rule.

- 8) Municipalities question the use of the population and employment projections requested by the SPC.
 - a) Some municipalities are concerned how the projections will be used by the State and fear that the result will not be advantageous to the
 - b) The validity of the projections has been questioned.
 - c) The complexity of analyzing growth projections for meaningful use has been noted.

- 9) The concept of home rule and its acceptability to the SPC is an important issue to the municipalities.
 - a) Any perception that the concept of home rule is threatened results in hostility by the municipalities.
 - b) Although the need for regional growth management is acknowledged by most municipalities, it must incorporate home rule decision-making.

- 10) Consistency of local planning and zoning should be encouraged.
 - a) Municipal master plans are, at times, inconsistent with local zoning regulations.
 - b) This inconsistency complicates the municipal plans' conformance with the SERF.

- 11) If the State mandates a specific program or procedure, it should allocate the necessary funding for its implementation.
 - a) Municipalities are burdened by the State imposition of programs and procedural regulations.

- 12) Municipalities are concerned that the SERF may be construed as Statewide zoning.
 - a) The fear persists that the integration of the tier system, the regional design system and the Statewide strategies and policies will result in a State zoning map.

- 13) Implementation of the SERF'S strategies and policies should be coordinated with the necessary ancillary programs and funding.
 - a) Regulation should not precede legislation and funding for alternatives to regulation, thus includes, but is not limited to, the Transfer of Development Rights Program and any possible linkage fees programs.
 - b) There is a need to identify funding for any suggested programs.

- 14) The need for State certification or approval of local economic development and growth management plans has been questioned.
 - a) A number of municipalities have asserted that local economic and growth management plans should not need State certification.

- b) Consistency with the State Plan should be ensured in an alternative manner that does not infringe upon home rule.
- 15) The seasonal stress on the infrastructure capacity of coastal and northwestern recreation areas should be recognized and addressed in the State Plan.
- a) The need exists for special treatment of coastal areas, both islands and mainland, to recognize the summer tourist influx and its concomitant stress on the transportation infrastructure, water supply and quality, and cost of housing for the permanent residents.
 - b) The economic vitality of the recreational areas of the State depend upon the tourist trade and thus the infrastructure that can support that seasonal influx.
 - c) In both coastal areas and the northwestern section of the State, the water supply is precarious, waste disposal systems need expansions and upgrades, and the transportation network is often in need of repairs and upgrades.
- 16) During the cross-acceptance process, the counties have often had to rely upon out-dated master plans and data.
- a) local plans are short-range and are often irrelevant to 20-year-planning horizons.
 - b) Necessary relevant data is nonexistent in many cases.
 - c) The use of data that is outdated calls into question the validity of the State planning process which must rely on information transmitted from the municipalities through the counties.
- 17) The relationship of the PSERP to out-of-State plans should be explored.
- a) The state Plan should be compatible with the plans of neighboring states.
 - b) Helpful information on the strategies and implementation techniques formulated by other regions can serve as a guide for the SERP.
- 18) The issue of energy facilities in relation to redevelopment efforts should be addressed.
- a) The Plan should seek accommodation of district heating projects and possible location of transmission facilities in road/rail rights-of-way to encourage redevelopment efforts.

. Other Concerns

- Flood control policies **need to be** separated into tidal and nontidal

State regulation of local airports should be considered.

- a) local governments are making it difficult for small regional airports to function by zoning incompatible land uses for areas proximate to the airport facilities and runways.

The Plan should address the need for transportation system management such as traffic light synchronization.

- a) The Plan should encourage transportation planning elements in ; growth management plans, stressing the use of alternative systems, if possible.

The SCRP should encourage the expeditious cleanup of hazardous waste sites.

Planning for the coastal areas must address the issue of the disaster control evacuation plans.

- a) The 24-hour evacuation guideline is perceived to be a moratorium on development.
- b) Because of the density and number of the residents during the summer months and the limitations of the roads and bridges leading to the barrier islands, the current evacuation plans are often regarded as unworkable.

Summary:
Staff and County Planners Workshop
June 28, 1989

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INTRODUCTION

A full-day workshop, organized by the Office of State Planning (OSP), was held on June 28, 1989 at the Justice Complex in Trenton, New Jersey. The purpose of the gathering was to allow representatives from the 21 counties to focus on the cross-acceptance process, and in an interactive forum, to begin to identify issues, clarify any perceived discrepancies, discuss possible solutions, and learn from each county's experiences. The workshop was conceived as a continuation of the dialogue among all areas of the State that was generated by the release of the Preliminary State Development and Redevelopment Plan. A total of six workshops, in a series of two simultaneous sessions, were held throughout the day. They focused upon urban, suburban, rural, and regional design system issues, as well as the cross-acceptance and monitoring and evaluation processes. Two facilitators, Diane Brake from the MSM Regional Council and James McGuire from the Office of the Public Advocate, led the discussions.

James McGuire opened the plenary session by asking the county representatives to share their expectations of the workshop. Some of the questions raised and issues offered for discussion included the following:

- How will OSP review the county reports?
- How will the checklist, in particular, be assimilated?
- How will the necessary consensus be forged among all the various agencies, departments, and groups?
- Will CAFRA and the Pinelands Commissions have to review the maps as well as OSP?
- The need to discuss issues that have a direct impact on urban areas.
- The need to share the experiences of Tier 1 cities.
- The need to discuss greater public participation in cross-acceptance.
- Clarification of the number and timing of the public informational hearings. How will the public participate in the negotiation phase?
- More information on the economic impact analysis
- Questions answered on infill development and the possibility of insufficient land in light of growth projections.
- The impact of the Plan on coastal communities.
- The possibility of the elimination of some tiers.
- The clear delineation between the comparison and the negotiation phases of cross-acceptance.
- Specific descriptions of the regional design system with particular emphasis on the corridor center concept.
- General parameters that will guide the negotiation phase.
- More information on the formulation and use of the capital needs assessment.
- Implementation strategies and tools.
- Format of the county cross-acceptance reports.

After brief comments and reassurances that these concerns would be addressed in the specific workshops, a presentation on mapping was delivered to facilitate the collection and transmittal of data from the counties to the OSP. The presentation stressed accuracy in mapping (to ensure that the tier lines are drawn in accordance with the counties' intentions); comparability (within counties, between counties, and between the State and counties); and the documentation of changes (a differentiation must be made between policy changes and technical corrections). The types of information needed from the counties are: technical corrections, policy changes in the form of proposed changes to the tier delineations, factor map corrections, and identification of Communities of Place. Each of these categories of proposed changes and identifications should be prepared on separate overlays.

It was established that various types of maps would be needed during the processing of information. During the successive stages of cross- acceptance, a presentation map, after map (a new tier map incorporating proposed changes), delta maps (representation of proposed changes) and an overlay of the Communities of Place will be produced by the OSP.

Larry Schmidt, Chair of the State Advisory Mapping Committee, presented information on the National Aerial Photography Program. Conducted by the U.S. Geological Survey team, the program will ensure an over-flight over the entire United States in 1990. This program will document the changes that have occurred since the last over-flight in 1986. Schmidt recommended direct county participation in the program.

General questions concerning mapping issues were raised by the county representatives. They were informed that the Commission must discuss the changes that are still being proposed before making decisions. A course of action has not been decided yet for proposed changes that do not receive approval from the SPC. It was reiterated that the OSP needs all the information that the counties can provide, particularly in proposed 208 Amendments to Sewer Service Area Plans. All proposals must be clearly delineated and documented to allow the Commission to determine whether they are compatible with the Plan's objectives. It was emphasized, however, that the SPC mission did not encompass review of site-specific proposals. Specific mapping issues were addressed in the appropriate workshop sessions.

I. URBAN WORKSHOP

The Major Issues

- 1. How should Strategies and Policies be prioritized when they appear to conflict?***
- 2. What if Infrastructure expenses exceed projected Revenues? What are the Implications of this situation? How should this situation be conveyed in a public Cross-Acceptance Report?***
- 3. How were OMB criteria for the Municipal Distressed Index derived? Can they be altered if they produce anomalies?***
- 4. How can the Permit Streamlining Process be accomplished effectively with respect to Tier One in light of the serious environmental and economic development concerns?***
- 5. What will be the level of State Redevelopment Funding for Urban Areas? What will be the Funding levels for Strategies and Policies in general?***
- 6. How reliable are Population and Employment Projections for Urban Areas in light of recent redevelopment Activity? How will these Projections affect Growth Accommodation Strategies? Zoning Changes?***
- 7. What alternative methods may be used to compare the Preliminary Plan with municipal plans when municipal plans are out of date?***

The Discussion

Discussion in the Urban Issues Workshop concentrated on infrastructure costs, permit streamlining, state redevelopment funding, and the reliability of population and employment projections with respect to urban areas; the stigma attached to Tier 1; the importance of home rule; various methods for comparison between the Preliminary Plan and municipal plans; and the lack of resources to do long-range planning. Some of these issues were discussed more comprehensively than others. In many instances, further discussion is needed to devise solutions to the problems raised.

The discussion began with issues related to the calculation of the costs of urban and suburban infrastructure. The staggering burden of these costs could derail the planning process. It was pointed out that although the suburbs "don't pay their way" and their infrastructure expansions and upgrades are, in fact, subsidized by the State and federal governments, the reality of the situation should be explained in a public document in a manner that does not negatively affect the cross-acceptance process.

A number of participants agreed that policies need clarification and that funding sources, in particular, need to be identified. For example, Essex County is trying to redistribute population and jobs in its growth level analysis to mitigate the losses in funding for the urban centers. Any depopulation and movement of employment out of the cities complicates the lack of funding.

Somerset County raised the issue of the perceived stigma of a Tier 1 designation. Municipalities react negatively to being type-cast as a blighted area.

Another significant issue in Somerset is the perception that standards can change the meaning and/or the interpretation of Plan policies. In addition, planning issues are over-shadowed, at times, by the importance of the home rule concept. It was generally agreed that the State Planning Commission must find ways to reassure municipal governments so that the planning process can proceed without being hampered by or undermining the prerogatives of home rule.

Camden County is also trying to "sell" the Tier 1 concept to its municipalities. The County representative pointed out that 81% of the County is in Tier 1. The planning staff is trying to build a consensus on important issues during the comparison phase. They have identified the critical issues as property tax reform; permit streamlining; ECRA costs; infill strategies; and the use of OMB criteria.

One important issue raised which most of the counties have encountered is the lack of available information and the outdated nature of many of the current municipal plans. Union County identified with the frustration caused by a reliance on local plans. The Union representative recognized that local plans tend to be short-range and are often irrelevant to 20-year planning horizons. If they are available, they often contain little valuable data needed for long-range planning. In response to this problem, Bergen County asked its municipal representatives to complete a survey or straw poll on important issues such as transportation and workforce description before the scheduled cross-acceptance meetings. Because they perceived that in many instances municipal plans and enacted policies were inconsistent, they concentrated on local opinions first. Raising the issue of the infrastructure needs analysis during these discussions helped the municipalities focus on the "big picture" and allowed them to go beyond the issue of home rule.

Somerset County responded to the problem of outdated plans by requesting that municipalities include all current policies and practices in the checklists and during county/municipal discussions, rather than relying solely on the information in the local plans. Hudson County asked how a comparison can be made between plans. The Hudson representative agreed with Somerset County that municipal plans are outdated or nonexistent. For those reasons, data collection in Hudson can be, at times, a difficult exercise.

One county representative asserted that the municipalities were threatened by Volume ffl of the Preliminary State Development and Redevelopment Plan because they felt that that section undermined the concept of home rule. The county planner offered the opinion that the release of Volume IE initiated a discussion about standards and that this focus on details was detracting from a meaningful discussion of the broader planning issues. He felt that perhaps Volume ffl should not have been introduced in the comparison phase of cross-acceptance.

A number of counties stressed that the general public must have input in the final plan, and that the State Planning Commission (SPC) needs to more clearly outline the process for public participation. When disagreements arise over the designation of tiers, the counties are emphasizing that the negotiation stage will allow interested parties the opportunity for input into the process. They reiterated that the SPC must give assurances to interested parties that meaningful negotiation will occur. Workshop participants also identified a need for the PSDRP policies to be prioritized, but there

was confusion as to whom should determine the priorities. Middlesex County stated that planners have a duty to be factual and honest with bad news. The financial effects of unplanned growth must be communicated to local governments.

Hudson County was concerned about the completion and the use of the checklist that is required from all the municipalities during phase one of cross-acceptance. A number of town planners in that County-felt that the checklist format was too rigid, and municipal officials were wary of the State's use of the completed lists. Passaic County is currently preparing formal comments on the checklist format and use. They felt that comparisons between policies and standards was confusing. Consideration of the standards can change the interpretation of a policy. Passaic also reaffirmed that local governmental bodies had gaps in their information collection.

Atlantic County brought to the workshop's attention the fact that some urban centers lack the resources for meaningful participation in the cross-acceptance process. The county representative stated that Atlantic City, for instance, has little interest in participating in cross- acceptance. The city is struggling for daily survival and lacks time or resources to plan for the future.

Cumberland County, although it does not contain any Tier 1 municipalities, encompasses a number of Tier 3 towns that are experiencing typical urban problems. Cumberland is focusing on its urban areas and attempting to encourage growth there, while simultaneously managing growth in its rural lands. Currently, the County is planning for the Route 55 connection and its potential impacts on growth in that area.

A number of counties stressed that some developed municipalities do not want redevelopment. In response to this dilemma, Middlesex County is recommending use of an overlay that designates these towns for "downtown preservation". Bergen County stated that town meetings highlighted the inconsistencies in local anti-growth feelings. Many of Bergen's towns have land available and zoned for growth, but do not have a consensus on the issue by residents of the areas.

One of Monmouth County's primary concerns is that Plan policies for Tier 7 are not tailored for environmentally-sensitive areas within or surrounded by urban areas. They perceive that current policies tend to be oriented towards rural "environmentally-sensitive areas. Monmouth pointed out that the policies should also , consider those Tier T^reas encompassed by urban development.

The facilitator from the Office of the Public Advocate broached the question of how the counties are progressing with the growth capacity analysis. Bergen County responded that they had asked towns for a basic land capability analysis and also requested that the municipalities identify development and redevelopment areas. County planners believe that they received the best available information from that approach, rather than relying upon a census/data format.

Cumberland County, however, used a census approach for the growth analysis with an emphasis on data such as birth/death rates and cohort survival numbers. They factored in major development proposals during the study.

The session ended with a general agreement that the Plan needed to strengthen its urban issues and policies. Workshop participants recommended the organization of a statewide urban group to meet and discuss urban needs and the development of the SDRP. They recognized the need to overcome nonparticipation by cities and the

necessity to draw them into the process to develop a meaningful State Plan. The OSP is currently identifying the major issues in the cross-acceptance reports and this could help facilitate a discussion among the cities.

Middlesex County stated that OSP and the SPC should take the initiative to organize urban workshops rather than depending upon other groups, because OSP must explain, interpret and defend the Plan. The group concurred with this position.

An OSP representative pointed out that the SPC must overcome the doubts that the State can provide the funds for the implementation of the policies recommended for urban areas. The counties and cities must help to fashion creative implementation measures as well as to assist in the development of an urban political constituency to advocate Plan implementation. The counties concurred that even if the Plan is never completed or implemented, the cross-acceptance process has made counties and municipalities sit down and talk to each other. For that reason alone, the process has been beneficial to all participants.

H. SUBURBAN WORKSHOP

The Major Issues

- 1. How should blighted areas within Tier Two municipalities be addressed?***
- 2. Will Tier 2 Communities be willing to absorb more growth as apparently anticipated by the Preliminary Plan?***
- 3. Do not Tier 3 municipalities require different policies when surrounded by Tier 4 or Tier 5 municipalities?***
- 4. How accurate and adequate are Population and Employment Projections with respect to these Suburban Areas?***
- 5. Can Suburban Tiers be further subdivided to better account for their diverse character?***
- 6. How should unsewered, nearly fully developed, suburban areas be classified?***

The Discussion

This workshop focused on the diversity of New Jersey suburbs and the difficulties arising from attempting to address their concerns through the tier designations. Some issues such as the expectation for future growth accommodation were common to all the suburban tiers. Other issues, such as the designation of subtiers, were specific to one tier. A discussion by the county planners and O.S.P. staff related to these issues for each of the four types of information expected in the Cross-Acceptance Reports (checklists, mapping, infrastructure needs, and growth levels).

Tier 2

Some Tier 2 communities, although residentially and economically stable, have small pockets of blighted areas. These small areas have much in common with Tier 1 municipalities, but because they exist in Tier 2, they will be lower on State spending priority lists. Tier 2 municipalities want to ensure funding for those areas of their communities.

Other Tier 2 municipalities have infrastructure problems but do not want to be designated as Tier 1 because of the perceived stigma attached to that tier. These communities want to be included on State priority lists for necessary infrastructure improvements without the major redevelopment expected in Tier 1. One possible solution discussed, the course of action adopted by Essex County, was the designation of a Tier 2A to prioritize infrastructure funding. County planners questioned whether tiers can be subdivided for special areas, to target neighborhoods for improvements or infrastructure for special attention.

A number of the Tier 2 municipalities expressed misgivings about the Plan's intent for Tier 2 to absorb future growth. These municipalities have experienced rapid development in a relatively short period of time, and now fear being forced to accept more growth than they desire.

Some county planners perceived a concern about infill development in many of the municipalities. Municipal officials feel a need to control redevelopment to preserve

the existing character of their communities. State Plan policies for housing recommend a full range of construction. Some municipalities question whether this would allow high-rises and other types of structures that are inconsistent with current community character. A recommendation for a "range of housing" should include the words consistent with existing development.

Tier 3

County planners indicated that some of the Tier 3 municipalities are concerned about the impact of development on the fringes of their existing communities. Plan strategies assume that there is room for growth on the periphery of each town, but this may not be the case if a buffer zone is to be maintained around each town. Also, in some cases, carrying-capacity analyses indicate that further growth cannot be supported in those areas.

Tier 3 towns located in proximity to Tier 4 are wondering what impact the growth in that tier will have on their towns. They fear they may experience some of the deleterious effects of rapid growth, such as "traffic congestion, without a significant increase in population or employment in their towns. On the other hand, some towns fear that perhaps Tier 3 towns that are surrounded by Tier 5 will not receive enough economic stimuli. Plan policies do not encourage industrial development in Tier 3. Most towns concur with that judgment because of a lack of available land and the conflict between industrial development and community character. Because industry cannot be located in Tiers 5, 6, and 7, the tiers that often surround Tier 3 towns, municipal officials worry that industrial development, and thus jobs, will be located far from their centers.

Some officials from Tier 3 municipalities recognize that their towns include some lands that are ripe for development, but these municipalities do not desire further growth. They believe that some areas in Tier 3 should be protected for in-town open space.

Tier 4

Municipalities with areas in Tier 4 are concerned about absorbing too much growth, but fear that the act of zoning for lower density in Tier 4 is inconsistent with the State Plan. As a solution for handling growth in Tier 4, a suggestion was offered advocating that legislation be recommended to ensure the proper timing and phasing of growth. The growth allowable under the legislation would be dependent upon planned sewer service areas. The implementation of increased growth would occur over the next two decades. Municipal ordinances would detail the steps that must be taken before development would be allowed to occur.

Another concern held by officials from municipalities with Tier 4 designations is the requirement that they compile a jobs-to-housing ratio. Many have not completed this task because it is dependent upon population projections and other studies that are not currently available. A number of municipalities are using population projections generated by their respective counties. Department of Labor population and employment projections are not relied upon by the counties or municipalities. Guidance is necessary to help counties, especially with employment projections.

Mercer County is using the ratio of 1.5 jobs per household to determine the employment projections.

Municipalities with Tier 4 areas are concerned about servicing rapid growth, especially providing essential municipal services such as transportation and sewers. Currently, many communities practice crisis management due to lack of funds and personnel. Municipalities, in particular, are ill-equipped to perform an infrastructure needs assessment and will require county guidance to accomplish that requirement.

Historically, Tier 4 areas have grown the fastest, but they exhibit the greatest amount of resistance to continued growth. This perception is especially accurate concerning the newest residents of these areas. At the very least, if Tier 4 is expected to grow substantially, then they believe that these areas should be high on the State's priority list for funding. They perceive that they may be in contention with Tier 1 areas for scarce State resources.

Some Tier 4 areas have expressed a need to plan for focal points within their communities. Somerset County, in reacting to its municipalities, is concerned that the Plan does not permit planned villages in Tier 4. On the other hand, they believe that corridor centers are too large and thus inappropriate for this tier. Middlesex County is designating town centers in Tier 4 although they are uncertain as to the Commission's reception of this concept.

A number of the County representatives concurred that there may be a potential COAH issue in Tier 4. There is a fear among municipal officials concerning future housing obligations. They expressed concerns on the calculations by COAH.

Tier 5

The county representatives attending the workshop agreed that sewer service area designations make a clear delineation between Tiers 4 and 5. Thus, the release of the Preliminary State Plan created a rush to do 208 Amendments to existing Sewer Plans to ensure development within Tier 5 municipalities. Other concerns also exist. For instance, Bergen County has fully-developed communities that are unsewered but have been designated as Tier 5. As a solution to this inconsistency between reality and tier intent, they are considering a Tier 2A designation for those areas. Another concern was how to get a 208 Amendment approved by DEP in an area designated as Tier 5. That implementation question could not be answered at that time.

According to some counties, a redefinition of Tier 5 may be necessary. They feel that it is not reasonable to limit growth in the tier for 20 years. Other counties felt that the meaning of Tier 5 should be studied. They recognize that a wide range of choices concerning development are available for this tier. Some desire a higher density-type development, including economic activity; others favor a more limited amount of growth.

A number of important issues were raised with respect to the suburban tiers as a whole. The concept of sub-tiers should be studied by the appropriate sub-committee members. Workshop participants recognized that Tiers 4 and 5 delineations, in particular, must be considered within the context of the Regional Design System. In addition, county representatives emphasized that the concept of community character was important to most established communities. It is especially essential to Tier 3

municipalities where infill development was actively encouraged.

One of the most prominent issues raised was the fear of insufficient funding for the suburban tiers. Although their needs are not as highly visible as the Tier 1 municipalities, they feel that they are being called upon to absorb most of the expected growth, but are denied the necessary resources that it entails. While some communities are unreceptive to increased growth, others just want to ensure adequate resource allocations to meet the anticipated needs. Additionally, most of the municipalities need help in formulating population and employment projections for the required analysis. They recognize that the projections must include current and future trends to determine a preferred number, but most require technical assistance in that area.

III. Rural Workshop

The Major Issues

- 1. How will State Plan Tier and Community of Place Designations and COAH allocations be reconciled?**
- 2. How will the State Planning Commission respond when municipalities and counties substitute Tier 5 designations for Tiers 6 and 7?**
- 3. What accommodations will the State Planning Commission permit when certain Tier designations, particularly for Tier 7, are at times too small to serve as a logical planning area?**
- 4. What assurances can be made that State Departments will adequately coordinate their activities to manage development in rural areas in conjunction with the provision of necessary infrastructure?**
- 5. What should Counties do when local zoning does not conform with municipal master plans?**

The Discussion

The Rural Issues workshop began with a discussion of mapping concerns. County representatives were questioning the detail to which tiers should be mapped. A definition of the proper scale for tiers was requested, (i.e. How small should Tier 7 be? How large should scenic valleys be?) For example, staff from Somerset County commented that the Plan requests that large, logical planning units be mapped. Yet, they are not clear as to the proper scale for mapping these units when municipalities want to delineate very small areas.

Some county representatives suggested that in some municipalities Tier 7 designations were being sought to thwart COAH allocations. Other concerns were as follows: how to reconcile tiers, Community of Place designations and COAH allocations; will tier redesignation requests be accepted by the Commission; will State agencies establish coordinated efforts to provide infrastructure in rural areas; how will the necessary extensive revisions of the maps be done during negotiations; how to establish better coordination between Tier 6 and SADC farmland projects; should green acre areas be mapped or footnoted; how should private and quasi-public conservation lands be delineated; how should deed restricted land be mapped; and is it possible for CAFRA lands to use elevations rather than roads? Another question raised dealt with the issue of master plans and the fact that they are, for the most part, general. Problems arise when local zoning does not conform with municipal master plans. Also, when counties get site specific with tier maps, the Plan echoes "zoning" and therefore becomes difficult to accept.

The discussion then focused on capacity analysis concerns and infrastructure needs. The consensus was reached that a capacity analysis needs to be completed in order to determine the land's ability to handle development. Ocean County reported that they used percolation rates rather than the nitrate dilution model for carrying

capacity. The question as to whether "carrying capacity" was being used by municipalities to reconsider zoning and infrastructure was also raised.

Municipalities need to calculate their future build-out based on current zoning. Rural tiers need to know what their projected infrastructure needs would cost, and then allow the local municipalities to make adjustments with respect to their zoning regulations. County representatives also need assurances that small sewer plants will stay functional. Ocean County staff stated that they felt a need for DEP approved package plants that work, because municipalities are liable if the system fails. It is therefore reluctant to approve package plants. Hunterdon staff remarked that the State should provide technical assistance to ensure that package plants work efficiently and remain so in the future. The need to ensure that "intermediate infrastructure" facilities will work was agreed upon. Staff from Mercer County made the point that there is also a need for State funding for roadway maintenance in Tier 7 in order to avoid deterioration.

With respect to issues related to Tiers 6 and 7, Mercer County representatives stated that one municipality has prepared detailed maps of all areas which meet Tier 7 criteria, regardless of the size. The County has filed these maps while making general Tier 7 recommendations. Other communities are identifying every conceivably sensitive area as Tier 7 in an effort to have these lands excluded from COAH computations and possibly reduce COAH obligations. Although the County has maintained that Tier 6 and 7 delineations are valid within the County, communities are opposed to such delineations fearing the loss of equity. Mercer County staff also discussed the fact that the 95% open space/5% building guideline is not easily understood or accepted by municipalities. The County has used building footprints to successfully illustrate this concept. Also, along with confusion regarding capacity analysis, there seems to be serious misinformation regarding the 100 persons per square mile standard.

Several counties reported concerns with delineating lands as Tier 7. Sussex County staff discussed the situation in which a municipality had small areas which would qualify as Tier 7, yet they did not want to delineate these areas as such. The county's response was to suggest that these areas be delineated as Tier 5, as long as environmental ordinances were in place. Salem county has large areas of wetlands which residents recognize as sensitive ecological areas and yet they refuse to classify these wetlands as Tier 7. Many townships are 90% CAFRA areas which has severely restricted development. Townships, therefore, are anti-CAFRA and view the State Plan as a similar set of overly restrictive regulations.

Tier 6 and agricultural issues were also discussed. Staff from Sussex County stated that the agricultural community was opposed to Tiers 6A and 6B because they feared a loss of equity in land values. Agricultural lands, in some cases, are being delineated differently (i.e. by using variations of Tier 5 designations). However, as new language is introduced that would offer equity protection, these lands may revert to a Tier 6A designation. Hunterdon County stated that they used Agriculture Development Criteria for mapping Tier 6A. If the land was not in an Agriculture Development Areas, it was mapped as Tier 5 or Tier 7. Municipalities in Ocean

County have suggested Tier 6*. In this case, the State would have three years to purchase easements and preserve farms or those lands within Tier 6* would drop out of farmland designation.

Another issue which was raised concerned that of strip development. As infrastructure is extended linearly, strip development is encouraged. With respect to this situation, two questions were posed: how should counties classify the surrounding lands regarding tier designations; and how can growth be contained along major highway corridors (are land-use controls strong enough to resist strip development)? Other counties responded that these decisions should be left to individual municipalities with regard to up-dating and expanding their ordinances and negotiating with developers.

Most briefly, the issue of equity (and the need for the necessary legislation to be in place) was of utmost importance. Abo, the 95% open space needs consideration. Model ordinances are needed to guide rural areas. Funding priorities are needed for rural infrastructure (e.g. roads).

IV. REGIONAL DESIGN SYSTEM WORKSHOP

The Major Issues

- 1. What incentives exist for a county and/or municipality to designate communities of place?***
- 2. What instruments to implement the Regional Design concept are currently available? Are they adequate?***
- 3. What infrastructure supports can be offered by the State to make this concept viable?***
- 4. How should existing villages and hamlets be identified? Will not this identification as growth areas destroy their current community character?***
- 5. What new design guidelines and mixed-use implementation devices need to be devised before new villages and hamlets become a practical reality?***
- 6. How will the concept be implemented without improved State Agency Coordination?***
- 7. Are Corridor Center Recommended Densities realistic?***

The Discussion

The Regional Design System was explained as an overlay of the Tier System. Its purpose was to organize growth into central place settlements. It also needed to be viewed from a regional perspective, especially with regard to the linkages between towns, corridor centers, villages and hamlets (i.e. the importance of considering how each of these relate to each other). Although, at present, a major concern is the lack of implementation mechanisms necessary to put this system into place, it was emphasized that this workshop was an excellent forum for generating ideas as well as outlining the necessary implementation techniques.

The dialogue began with a discussion of the challenges posed by the Regional Design System. Staff from Atlantic County expressed concern regarding one of its municipalities which has a large percentage of its area designated as tier 7. Confusion exists as to whether or not the designation of "hamlets" will, in fact, help them or be positive in any way as municipalities rarely "see things" from a regional perspective.

The discussion then focused on how the RDS might best be presented as being beneficial to a community. Staff from Essex County responded that tiers 7 might see it as beneficial in that it will eventually allow for the provision of infrastructure and might be seen as a growth accommodation tool. Staff from Monmouth County expressed concern that the concept is not well understood. Multi-tiered towns see it as violating tier intent and are committed to preserving open space as opposed to encouraging growth. Multi-tiered towns fear that their limited growth areas will become "too developed." Warren County staff also stated that some of their municipalities with tiers 6 and 7 do not want to encourage concentrations of development. They would, in fact, prefer to "spread out" growth.

The discussion moved to concerns related to the designation of Communities of

Place. Some municipalities want to designate existing villages but are reluctant to delineate boundaries. This reluctance leads to concerns with the infrastructure analysis as well as the necessary land use analysis. Salem County expressed resistance on the part of several of its municipalities to delineate any areas as tiers 6 or 7. They are in favor of development and fear the resulting loss of equity as well as the development value of other lands. Several "hamlets" in Salem County, which are unincorporated will not accept the concept of "communities of place" as they fear that future growth will only go into "villages" and "hamlets" and as a result, devalue their lands. It was felt, however, that Transfer of Development Rights (TDR) legislation would help to reduce resistance to the regional design system concept in that it would prevent the loss of equity and begin to assure landowners that land values would not be adversely effected by Community of Place designations. Salem County staff also commented on the infrastructure problems. The implementation of concentrated developments will have to be reconciled with the Department of Environmental Protection water and sewer permitting policies. Thus, there is the need for TDR in order to implement the RDS concept as well as the need for infrastructure to support "villages" and hamlets" in ways consistent with existing plans.

County representatives presented additional concerns related to Community of Place designations. The concern exists that developers will come in and claim that the existence of a village implies a growth area even if present local zoning does not. The fear, then, exists for potential litigation. Again, TDRs with receiving and sending areas would ameliorate this problem.

In some counties, villages or hamlets may be inconsistent with market forces {i.e. people seem to want two acre lots in rural areas and not concentrated development). In Monmouth County only two locations have expressed an interest in a "village" designation. One is currently considered a tier 3 "town", but wants a village designation to preserve existing historic lands. A suggestion was offered for a "tier 3B" classification for communities that meet criteria for "towns", but do not want peripheral growth, or industrial development on its borders,i.e.,towns that wish to form a buffer area around the town and ensure "architectural integrity".

Burlington County staff concurred that the identification of villages and hamlets was indeed a sensitive issue in their county. The concern focuses on premature identification of "receiving areas" before all the necessary groundwork for TDR and other implementation mechanisms are fully in place.

Questions were raised about the nature of the role of counties vis a vis their respective municipalities. A number of counties felt that they should be reflecting municipal positions except in cases of corridor centers and/or other large developments that crossed municipal boundaries.

In further providing reasons for the difficulty with the RDS concept, it was suggested that the State needs to provide design standards and guidelines for villages to prevent them from being equated with conventional subdivisions. Concerns related to regulatory takings were also expressed. Resistance to the village concept stemmed from the following: mixed-use development is a new concept and requires specific zoning; the concept is complicated by the issue of a single developer vs. many

developers who would need to coordinate plans for effective development; it may defeat the purpose of saving the rural character, because development, in fact, is being increased. In summary, the view was expressed that villages may be quaint concepts consistent with the mandates of the State Planning Act, but indeed very difficult to implement in light of New Jersey's extant settlement pattern.

Discussion then focused on instruments to designate Communities of Place. Counties could identify existing Communities of Place and delineate some boundaries; or they could identify an area for future Communities of Place and allow the market to determine a more precise location. Corridor Centers, however, might need greater precision in terms of delineation. Indication of preferences should be included in the County reports. The concept is flexible (e.g. it might be indicated in a narrative, or with a "dot" or same-size circle county-wide).

The following implementation instruments were briefly discussed: T.D.R.; zoning changes (mixed-use and higher densities); need for state officials ("circuit rider" planner) to assist in Municipal Master Plan Revisions; design guidelines; changes in D.E.P. regulations with respect to septic systems, community based systems, and co-permittee regulations.

The workshop concluded with a discussion of "corridor center" concerns. It was suggested that State regulation would prevent such large scale development. There would be a need for a great deal of coordination among State agencies in order to allow regions to implement this concept. It was felt that densities should vary in terms of where, in the State, centers are to be located. The question was also raised as to whether buffer areas were to be included. Also, because issues of design are essential to the "corridor center" concept, county representatives felt they needed more guidance from the State. OSP staff responded by explaining that the numbers in Volume ffl of the Preliminary Plan are not prescriptive, but, in fact, descriptive, offering a range and model by example.

Mercer County representatives offered their regional development study as an example. They hired a consultant to complete an infrastructure analysis and development plan. Although it was felt that the corridor center concept was almost ready for implementation in Hopewell, the necessary implementation techniques were not available. Although Transportation Development District (TDD) legislation has been passed, the rules have not yet been promulgated.

Most briefly, the implementation issue was viewed as the one most problematical related to the RDS system. The workshop participants were told that the suggestions and concerns which surfaced in the session would be related to the Commission. These recommendations were necessary to help define the problems and begin to formulate solutions. Also, the value of the information provided in the cross-acceptance reports was highlighted as being essential to delineate and emphasize the current obstacles and perceived needs of the counties with respect to the Regional Design System.

V. CROSS-ACCEPTANCE WORKSHOP

The Major Issues

- 1. To what extent did the checklists prove inadequate in identifying important concerns?**
- 2. Was there sufficient public participation in the Cross-Acceptance Process?**
- 3. How might public participation be ensured during the next phase of Cross-Acceptance?**
- 4. When will the Negotiation Phase begin?**
- 5. What additional guidance will O.S.P. and the State Planning Commission provide in shaping the negotiations phase?**

The Discussion

The cross-acceptance workshop concentrated on giving "a sense of where the participants were" in this on-going process. Within the interactive structure of the workshop, participants worked together in identifying objectives, analyzing problems and solutions, offering suggestions for continued progress, and determining whether the data amassed is sufficient for completion of the process.

Twelve counties are currently reviewing and revising maps with a range of target completion dates. A number of the counties expect to complete the mapping revisions in the period July through September. Various approaches are scheduled for the latest range of cross-acceptance meetings between the municipalities and the counties. Some counties are meeting with each of their municipalities at least four or five times before completion of the draft reports. Most of the counties expect to release their draft reports in August, September or October.

Questions were raised concerning the number of public hearings that must accompany the release of the draft reports. It was unclear whether public hearings have to be held for the draft plan as well as the final plan released by the Freeholders. The Statute does not specifically refer to the number of required meetings. However, the Cross-Acceptance Rule states that the Freeholders must transmit the report to the State after a public hearing but the manual states that there should be a public meeting held on the draft report in addition to a public hearing on the the final report. Thus, under the Rule the counties must schedule one public hearing conducted by the Freeholders to comply with existing requirements while under the manual a minimum of two public hearings must be held. It was pointed out, however, that the Inter-Governmental Relations Committee of the State Planning Commission recommends that the counties also schedule public hearings on their draft reports before the adoption of the reports by the Freeholders to allow opportunities for public participation during every step of the process. An opinion written by the Deputy Attorney General will be circulated among the counties as soon as possible in an effort to clarify this issue.

Difficulties encountered thus far during cross-acceptance were identified for discussion. The issues raised included the following:

1. A lack of interest and participation by municipalities and the public in the process.
2. Opposition to the Preliminary Plan and the cross-acceptance process by some municipalities.
3. Uncertainty by the counties concerning who has the responsibility on the *local level* to approve the checklists.
4. Lack of a clear direction on public participation in the process.
5. Concern that specific issues that need to be addressed are instead "buried" in the process.
6. The checklist requirement is overly cumbersome.
7. The comparison stage necessitated review and analysis and became more demanding than originally anticipated.
8. Roles for the municipalities and the counties were not clearly delineated.
9. Staffing shortages hindered the process.
10. Not enough money was allocated by the State to accomplish the job.

Mercer, the only county that had completed the comparison phase of cross-acceptance up to that date, talked about some of the issues identified, problems encountered, and solutions devised during their experience with the process. Mercer County met with each of its municipalities monthly to work through Volume in of the PSDRP. They found the checklist particularly difficult to complete. In addition, they had to rely on somewhat outdated information, such as the 3-year old growth management plan, although support for the concept of growth management was found throughout the county. Another drawback to the process was the fear many municipalities held concerning the use of the data by the state agencies. Municipalities wanted to ensure that misinterpretations of the data would not occur during the entire cross-acceptance process.

Population projections were relatively easy to determine, but employment projections were difficult to produce. Currently, the municipalities do not have a "wish list" for infrastructure projects, but Mercer stressed that money allocated by the State Legislature was important. One positive result they recognized was that cross-acceptance afforded municipalities the opportunity to consult with each other on common issues and problems.

Some problems encountered were difficult to resolve. Because the authority of the municipal representatives was unclear, some municipalities did not "sign-off" on the checklists. This issue will be resolved during the negotiation phase. Mercer also experienced frustration with the newspaper reporting of their meetings. Often the articles focused on the negative aspects of the issues and the follow-up actions that remedied the problems were not covered. Some municipalities found the deadlines too constricting. In response to irreconcilable issues, Mercer encouraged the municipalities to file dissenting reports with the State Planning Commission.

The need for more opportunities for public participation in the cross-acceptance process was recognized. It was suggested that public input into the process should be better defined. Not only would this encourage greater public participation, but it would mitigate the problem of organized groups attempting to change local zoning laws during the process.

Because the checklists and public participation in cross-acceptance were the main issues raised, they were addressed in a more comprehensive manner. It was explained that the checklists were designed as a means to obtain the information necessary to do long-range planning, it is not, however, a mandatory procedure. The Office of State Planning must scrutinize the information received and ascertain whether the format achieves the objectives. Alternative measures to the checklist requirement are acceptable courses of action to achieve the desired compilation of data. It was acknowledged that some issues raised during cross-acceptance can be more easily settled depending on the level of controversy.

The counties were reassured that the initial feedback concerning opportunities for public input into cross-acceptance have been positive. Although continued efforts should be made that include innovative and creative solutions to this concern, indications are that the counties have helped make the process very open to the general public. While the Cross- Acceptance Statute addresses government-to-government communication, it is silent on formal communication between the counties and the public. An opinion on the number and timing of public informational meetings required will be solicited from the Deputy Attorney General's office.

The meeting ended with general concerns raised by the workshop participants including the following:

- Although there was general agreement with the policies offered in Volume II of the PSDRP, some counties and municipalities disagreed with some of the guidelines presented in Volume I. How should this concern be handled in regard to completing the checklist requirement?
- The date of the beginning of the negotiation phase of cross- acceptance must be communicated to the counties. Does negotiation start before all reports are submitted? If the negotiation phase begins before all reports are in, how will changes made in the State Plan affect those counties that have not yet submitted reports? How can the negotiation process begin without re-writing the Plan first?
- There have been some recommendations as to the formation of teams for the cross-acceptance process. Who determines the participants and what authority would they have? Would the general public be included? Would this concept delay the cross-acceptance process?
- When will the State Planning Commission begin to respond to the County Reports?
- What are the issues that will be negotiated during the next phase of cross-acceptance?

The counties were reassured that the negotiation phase format was still evolving. The State Planning Commission had begun formulating the issues that will be resolved and identifying the policies that will be discussed over the next few months. It was reiterated that continued input by all interested parties was vital to this ongoing process.

VI. MONITORING and EVALUATION ISSUES

The Major Issues

1. *What is an "Assessment Study?"*
2. *Who should perform this study?*
3. *What are the costs of this study?*
4. *What are the anticipated results? How will they be used?*

The Discussion

This workshop was conducted by Assistant Director Henry Coleman to inform the county planners of recent efforts to assess the potential impacts of the plan before a final plan is adopted, and to establish a monitoring and evaluation system to be implemented after a plan is adopted. This session also encouraged the county planners to raise issues and questions that are often asked of them during cross- acceptance.

Dr. Coleman noted that the assessment study is commonly referred to as an "Economic Impact Analysis," but will include other areas of study, including environmental and intergovernmental impacts. The Monitoring and Evaluation program will be enhanced through the results of this assessment.

After two bills were introduced in the N.J. Legislature requiring an economic impact analysis on the Preliminary Plan, the Office of State Planning expressed concerns to the sponsors. One major concern was that the assessment should be on the Interim plan, which will include the results of the cross-acceptance process, not on the Preliminary Plan. Another issue raised was that a study reviewing only the economic impact of the Plan would provide a distorted view and would not achieve the balance of interests sought in the State Planning Act.

While the State Planning Commission had intended to establish a system to monitor and evaluate the adopted State Development and Redevelopment Plan, it now anticipates a broader assessment of the Plan. Working with legislative leaders, the State Planning Commission and staff assisted in amending the legislation to include both the assessment of the Interim Plan and the monitoring and evaluation of the final Plan. State Planning Commission Resolution #89-002 indicates the Commission's support for A-3799AcaSca and S-3171Sca.

These bills require the Commission to perform both tasks of Interim Plan assessment and post-adoption monitoring and evaluation. While some components of the study are currently being developed by the Commission's staff, others will need to be undertaken by O.S.P., other State agencies and private consultants. The completed assessment of the Interim Plan will be reviewed by an outside consultant, and results will be distributed for public review and comment prior to adoption of the final Plan. These bills currently appropriate \$300,000 for this effort, and are awaiting action by the Senate Revenue, Finance and Appropriations Committee. The amended bills must be approved by the full Senate and returned to the Assembly for an affirmative vote, and be signed by Governor Kean before becoming law. However, with or without these bills, the Commission is committed to assessing the Interim plan and establishing a monitoring and evaluation system.

The components of the assessment will include the identification of conditions that are and will result from the absence of a plan (or Trend). Anticipated Plan impacts will then be identified and compared with Trend. The short- and long-term impacts, along with regional impacts will be identified and analyzed.

Key questions to be raised during the assessment will include:

- How will the Plan affect the business climate?
- What is "beneficial" growth?
- How will housing (e.g., stock, type, location, price, etc.) be affected?
- Is the urban infrastructure capable of handling additional growth?
- What are the impediments to additional urban growth?
- What amenities are needed to attract development?

Dr. Coleman concluded his presentation by indicating that the assessment report will be made available to the Governor, legislature, other public officials and private and public interests for review and comment at-least 45 days before the first public hearing on the Interim Plan. This comment period will last until 60 days after the last public hearing. The Commission will then revise the Interim Plan and consider for adoption a final plan. The final plan will be revised every three years and will utilize information from the monitoring and evaluation system established by the Commission.

Questions from the county planners dealt with the timing, components and resources needed for the assessment. Dr. Coleman reiterated that the Final Plan will not be adopted until this report is completed and reviewed. He noted that permit streamlining will be reviewed under the goal of improved intergovernmental coordination.

List of Attendees

County Cross-Acceptance Workshop

June 28, .1989 •

06P Staff -

Martin Eli
Cooper
tan Dallessio
David Hojsak
Janes Hsu
Joe Kocy David
Maski Michael
Neuman Bill Purdie
Dorrie Marqolin
Linda Nowicki
Jonathan Gottsegen
Alice Doyle Steve
Karp Bob Kull Beth
Guididas Sam Nash
Henry Coleman

COUNTY

1. Atlantic County
Bob Brewer
Terry Fowler
2. Bergen County
3. Burlington County
4. **Camden County**
Linda Grand Krsnak
Doug Griffith Sandy
Giannorp Arigit De,
Camden City Mary Bell -
WFRJC
5. **Cape May County**
6. **Qxiterland County**
Tiia Brill
Stephen Kens
7. **Essex County**
Patricia Jenkins
Alvin Eclarinal
8. **Gloucester County**
Diaries Romick
9. **Ibdson County**
Ken Johnson
Susan Govel
10. **Hunterdon County**
John Kellogg Suzie
Hess Caroline
Swartz

11. **Mercer County**
Leslie Floyd
Donna Lewis
12. Middlesex County
George Ververides
Bill Kruse
13. Monmouth County
Bob Clark David
Morris Bonnie
Goldschldg
14. Morris County
Ray Zabihach
Woocfy Somers
15. Ocean County
Kim Sucha
16. Passaic County
Linda Walls
Varoti Chakravati
17. Salem County
Fred laBastille
18. **Somerset County**
Pat Clark
Robert Bzik
19. Sussex County
Donna Traylor
Joanne Carr
20. Union County
Gary Weltchek
21. Warren County
Russ Miles
Cave Dech

**PROCEEDINGS:
Office of State Planning/
County Planners
Workshop II**

**prepared by:
The New Jersey Office of State Planning**

November 14, 1989

REVISED 1/18/90

**IntPntenftnafy
State
Development
AND
Redevelopment
Plan**

INTRODUCTION

On November 14, 1989, the Office of State Planning (OSP) staff and representatives from New Jersey's 21 counties jointly participated in a second full-day workshop held at the Rutgers University Continuing Education Center in New Brunswick.

In his introductory remarks* Dr. Martin Bierbaum, OSP Assistant Director, outlined the purposes of the workshop. In one sense, It was a follow-up to the workshop held in June. The purposes of the earlier workshop were still relevant. They were to obtain a status update of the Cross-Acceptance process; to clarify mutual expectations; and to learn from each other's experiences. In addition, at this workshop, OSP hoped to elicit county responses to the "Analysis of Cross-Acceptance Issues"¹¹ that had been prepared by OSP staff. OSP hoped to get reactions to both format and content. As to content, OSP needed to know whether the important issues have been identified; whether they have been accurately interpreted; and whether there are any omissions that need to be added. Dr. Bierbaum added that concepts related to Infrastructure Needs Assessment and Current Planning Capacity Analysis would also be explored.

Dr. Bierbaum introduced Jonathan Gortsegean of the OSP Cartographic Unit. Mr. Gottsegean updated the workshop participants on mapping issues. He added that OSP cartographers would be available throughout the day to discuss county cartographic concerns.

Four workshops, held in two simultaneous sessions, dealt with the OSP staff analysis of Cross-Acceptance issues previously identified by the counties and municipalities. These issues were organized into statewide, urban, suburban and rural categories. While the urban, suburban and rural issues raised questions about strategies and policies contained within the Preliminary State Development and Redevelopment Plan, the statewide issues focused on implementation concerns which were not yet clearly a part of the Preliminary Plan,

There were also two plenary workshops. The first plenary session involved a presentation on infrastructure needs analysis by OSP staff members Paul Gottlieb and James Reilly. The second plenary workshop was a presentation on Current Planning Capacity by Professors B. Budd Chavooshian, George H. Nieswand and Robert Hordon from Cook College of Rutgers University. The OSP staff was assisted by James McGuire, from the Office of the Public Advocate, and Diane Brake, from the Middlesex-Somerset-Mercer Regional Council. They served as facilitators during the four issues workshops.

STATEWIDE ISSUES

The Issues;

1. Coordination of state agencies and departments.
2. Permit streamlining.
3. The use of models vs. mandatory regulation.
4. State technical, legal and financial support.

The Discussion:

The session opened with a discussion on the coordination of activities of state agencies and departments. Tangible evidence of State agency cooperation was needed to make believers out of skeptics and to demonstrate that the Plan and the planning process are working.

The horizontal cooperation among State agencies will be a role model for vertical coordination among State, county and municipal government agencies. The State should not expect local cooperation if the state agencies do not lead *by example*. State agencies need to analyze their existing roles within State government to see if there is conflict or compatibility with the State Plan. Until State agencies are committed to the State Plan and use it in the permitting process, municipalities may not change local plans and ordinances to be consistent with the State Plan.

The discussion then turned to ways the State Planning Commission (SPC) and OSP could provide technical assistance to facilitate intergovernmental coordination. It was suggested that the SPC should discuss how new bills relate to the State Plan, essentially providing intergovernmental analyses of legislation and administrative rules. Additionally, it was suggested that OSP should provide technical assistance in developing model statutes and rules for improved intergovernmental coordination.

A fear was expressed that State agencies are implementing elements of the State Plan prematurely. While State agencies should not be faulted for implementing the better management practices and techniques mentioned in the State Plan, the premature implementation of Plan elements by State agencies has hurt county/OSP credibility. The proposed CQAH Rule was cited as a relevant example.

The discussion then turned to the issue of permit streamlining. Discussion content ranged from Home Rule concerns about growth management to the difficulties that the current permitting process pose for developers.

The control of growth through the permit process is viewed positively by many municipalities. They place the burden of permit delays directly on the developers. They feel that developers must do a better job of following permit guidelines. Sloppy applications are major reasons for developer difficulties.

However, others cited improving permit processing certainty as a way to win developer support for the State Plan. Many communities are so tough that developers go to the Zoning Board with development applications, not the Planning Board, to receive zoning variances. When implemented, the Plan will primarily affect the development community. A better job must be done in educating developers. Developers will give the plan life, therefore, developer support for the State planning process was viewed as important, it was generally agreed that neither the SPC nor the OSP should play a role in the permitting process, as such participation would only add to an already cumbersome process.

The discussion then turned to Home Rule and State regulation in general. Municipalities are reluctant to turn over control to State agencies. The State should lead by example and not dictate what local governments should do. It was suggested that State agencies should recommend the use of models instead of mandating regulations. There was also sentiment for limiting the size of State government since too many coordinating agencies make government more confusing.

The session concluded with a discussion on the need for the State to provide the technical, legal and financial support the counties and municipalities will require to carry out the State Plan's strategies and policies. If the State wants better planning, money must be provided. If the State mandates, the State must pay. In the past, grant money had been provided for local planning (50-40 grants). These were cited as examples of what should be followed in the future.

The need for OSP/SPC leadership was emphasized. Local planners may lack the planning expertise to implement the policies suggested in the State Plan. Presently little planning is occurring in the public sector. The public sector mainly reacts to private developer planning. To change this situation requires both technical and financial assistance.

URBAN ISSUES

The Issues:

1. Reconsideration of the definition of Tier 1.
2. The interrelationship between urban centers and corridor centers.
3. The importance of attracting a diversified residential population to urban areas.

The Discussion.*

The purpose of the urban workshop was explained as follows: to examine the issues in order achieve a common understanding; to clarify the issues in preparation for discussion during the negotiation phase of cross-acceptance; and to possibly amend the list, delete non-issues, and to consider prioritizing the current list of urban issues.

The first issue to be discussed was the reconsideration of the Tier 1 definition. Staff from Morris County explained that there was definitely a perceived "stigma*" on the part of municipalities re: a Tier 1 designation. Municipalities with Tier 1 designations felt that they would be so low in terms of priority for infrastructure funds that the resulting "stigma*" was not worth the classification (i.e. the "costs" outweighed the possible benefits).

Staff from Bergen County expressed concerns that the label itself might promote disinvestment. The fear was that developers would not be willing to invest in a Tier 1 location because the classification itself might promote or precipitate a "slide" in economic benefits and property values. Again, the concern was raised that, in terms of priorities, State money would not reach these municipalities. Some also felt that the use of the Office of Management and Budget (OMB) Municipal Distress Index criteria (e.g., "age of housing stock") was not appropriate. In some cases, the age of the housing stock did not reflect its condition or value. OSP staff clarified the fact that the OMB "housing" classification is used to indicate age of infrastructure and was only one factor among eight in devising the Distress Index.

The discussion then focused on the fact that although the tier description or tier intent is positive, the critical issues evoke a negative image. Tier 1 is associated with "problems". The sense was that the narrative should be re-worded to make Tier 1 more positive.

Another concern expressed was that Tier 1 designations, unlike Tiers 2 through 7, cover an entire municipality, parts of which, may be stable, it was suggested that the Commission consider the option of designating a part or parts of a municipality as Tier 1. A second suggestion was that Tier 1 might be used as "an urban overlay". Sections or areas within urban and suburban municipalities which are "distressed", or require special attention re: strategic public/private investment, would receive the Tier 1 designation.

A third recommendation was that "Tier 1 municipalities be defined by function, rather than by degree of fiscal distress. This would include traditional urban centers with a history as regional transportation hubs, cultural centers, etc. Tier 2 would also be defined by function with a "distress overlay."

A final suggestion was to keep the current Bst of 82, however to re-write the critical issues and broaden them to apply to all Tier 1 municipalities rather than Just the "Sweet Sixteen." Briefly, the sense was that the critical issues seem to be most applicable to the 16 "urban centers" and were not relevant to the other 66 municipalities included in Tier 1.

To summarize, there seemed to be a consensus for the consideration of a redefinition for Tier 1. The two categories of concern were as follows-, the sense that the "stigma" of a Tier 1

designation was not worth the possible benefits; the definition in general (i.e., the definition should consider function, should not be tied to distress, should consider parts of municipalities, and should be broadened to encompass those outside of the "sweet sixteen").

The second issue to be discussed was the interrelationship between urban centers and corridor centers (i.e., do the policies for corridor centers and urban centers conflict?). It was suggested that the tension for priority determinations might be seen as positive. Recent growth patterns have demonstrated that growth will occur near highways, and that the State should, indeed, have an appropriate growth management strategy. Concomitantly, the State should have a plan for urban centers (i.e., the two are not mutually exclusive). The discussion also highlighted the assumption that both urban centers and suburban corridor centers serve two different types of needs. Also, by virtue of the size of this State, generally, a corridor center would be located with some proximity to a city.

The concern was raised that cities have traditionally lost out to corridor center-type growth. Therefore, there was a need for an urban revitalization strategy that would not compete with suburban or rural growth, it was suggested that it was possible to support/encourage both in different ways. Perhaps there would be a need for "soft" costs in support of corridor centers (e.g., technical assistance, planning assistance). Urban centers might require support in the form of "hard" costs such as infrastructure investment. The sense was that the need exists to maximize State presence in order to increase urban revitalization.

In summary, some viewed the tension inherent to this issue might be positive. Corridor centers and urban centers have different problems and different needs, and require different types of assistance (i.e., the support of both was not a zero-sum game).

The dialogue then focused on the importance of the need to make cities attractive places for people to live. The question of urban revitalization was not solely a question of infrastructure. Discussion shifted to the importance of attracting a diversified residential population to urban areas.

Participants suggested that after years of public programs, urban areas, to a great extent, are still not livable. There is a need for the reinforcement of the virtues of urban living as well as a need to emphasize the importance of social programs (e.g., education, day care, housing, public safety). The destructive aspects of gentrification, such as removing rental housing from the marketplace, were also discussed. Overall, the consensus was that there was a need to improve education and public safety in order to hold onto urban residents. These aspects of the Preliminary Plan needed to be strengthened.

Workshop participants felt that New Jersey's cities are unique. They require a different approach from "the Philadelphias" and "the Bostons." There was a need to examine, emphasize and nurture things which were currently working and be responsive to the context of New Jersey's cities. The proposed urban strategies and policies in the PSDRP are an attempt to combine the public policies of the 1950's ("bricks and mortar") and the 1960*s (social welfare). Overall, it was essential to develop and support a comprehensive state urban policy that addressed both facets of urban revitalization. Focusing on urban areas was, indeed, a positive attribute of the Preliminary Plan.

SUBURBAN ISSUES *The*

Issues:

1. Format of the OSP Preliminary Staff Analysis of Issues.
2. The Corridor Center Concept.
3. Affordable housing in proximity to employment opportunities.
4. Infrastructure burden on enveloped communities.
5. Clarification of the meaning of Tier 5.
6. Issue priority.

The Discussion;

The session began with a discussion of the format of the OSP Preliminary Staff Analysis of Issues that was distributed prior to the meeting. One opinion was that the format was well-organized, with a full list of ideas and potential solutions. It appeared that OSP had listened to the Counties in preparing the issue statements. A problem with the format was that it differed from the PSDRP's style of policy categories such as environment, transportation, etc., and lumped them into urban, suburban, rural categories, it was difficult to relate them back to the Plan.

Corridor Centers were a concern for some counties. In Bergen County, mayors found Corridor Centers examples of the intense development they seek to avoid. In Middlesex County, municipalities felt that there should be "Town Center" designations, calling for the preservation of old centers and focused redevelopment as an antidote to "sprawl". Many municipalities around the state have rejected the corridor center idea as it is described in Volume 3. Mayors thought of Volume 3 as set of standards, not guidelines, and they felt that the recommended densities are too high and the list of community facilities and services too restrictive. The Preliminary Plan needs to demonstrate ways that open space might be preserved surrounding Corridor Centers. Additionally, The Corridor Center Concept needs more clarification. The discussion might have been more productive if the Preliminary Plan included a clearer conceptual presentation rather than relying on restrictive criteria and density guidelines.

In Gloucester County, however, municipalities have proposed three corridor centers, and are not opposed to PSDRP densities or uses. However, the Plan does not provide enough information on ways these centers might be implemented.

The discussion then turned to housing. There is a great need for affordable housing in suburban areas, as there is statewide. There is particularly a need for a broad range of housing choices near employment centers. The State Plan must stress the statewide significance of this issue.

The next topic discussed was suburban infrastructure. The development of new infrastructure in a developed community is just as burdensome as maintaining existing infrastructure. This situation ought to be acknowledged and included among the suburban issues. Additionally, the State Plan needs to explain how towns should address infrastructure needs such as developing a sewer system. A series of working papers was suggested.

The discussion on the meaning of Tier 5 followed, it was agreed that a clearer definition of Tier 5 is needed since many are unsure of its purpose and intent. Some see it as a "non-tier" that evolved during the planning process, a catch-all tier. Tier 5 was explained as being one of managed development opportunities so that infrastructure funds can be used more effectively.

Tier 5 has created application problems. For example, a Her 5 designation was sometimes applied to an area simply because it had no sewers, even though it had characteristics of other tiers. The suggestion was that relying so heavily on the sewer criterion was misplaced.

The question of trying to prioritize the wide array of suburban issues was raised. It was agreed that those present could not easily or appropriately prioritize the issues presented in the OSP format. Such prioritization would better take place during the Negotiation Phase of Cross-Acceptance.

RURAL ISSUES

The Issues:

1. Land equity compensation.
2. Tiers 5, 6 and 7 and their relationship to the State Plan.
3. Rural infrastructure needs.
4. Affordable housing allocations in CAFRA growth areas.
5. Rural economic development.
6. Rural density guidelines.

The Discussion:

The primary issue discussed in the Rural Issues workshop was land equity compensation. A few counties stated that they plan to submit maps with Tier 6 areas designated as Tier 5. The removal of Tier 6 was seen by others as a misunderstanding, the State Plan's Tier System being confused with local zoning.

The purpose of the State Plan needs clarification so that such misunderstandings are eliminated. The State Plan should address what will make agriculture in Tier 6 areas work. Agencies, such as the NJ Department of Agriculture; the State Agricultural Development Committee (SADC) and the NJ Farm Bureau, must coordinate with one another to prepare a comprehensive program which promotes the viability of agriculture in Tier 6 and focuses on why the tier was created.

Most agreed that the SPC has only a limited role with respect to the equity issue. The question should most appropriately ask, at what level of government should the equity issue be primarily addressed? Since the State does not have zoning powers, counties and municipalities will have to play a more active role in the process through local planning, zoning and the transfer of development rights (TDK).

The mapping (or non-mapping) of Tier 6 should not hinge on the equity issue alone. The intent of the process is to address planning issues. The State Plan can only recommend policies, not dollars.

Clarification is needed of the 95% open space guideline in Tiers 6 and 7. It was suggested that the guideline be considered in the context of equity compensation. The question is, "Who pays for it?".

The discussion about tiers indicated that the function of the rural tiers and their relationship to the State Plan may be misunderstood. There was confusion as to what Tier 7 is. Some counties admitted to having difficulty trying to describe Tier 7. In at least one county, Tier 7 was removed from its tier map, with compensation being put forth as the only issue .

Tier 6 also needs more clarity. With respect to Tier 6B, there is fear that the NJ Department of Environmental Protection (NJDEP) will put additional regulations on agricultural activities. Since Agricultural Development Areas (ADAs) are already mapped, it was recommended that there should be coordination between Tier 6 mapping and ADA mapping. Another recommendation was for agriculture to be treated as an overlay. The Plan would thereby avoid the appearance of a zoning document. Additionally, it was recommended that NJDEP and CAFRA address the CAFRA agricultural mitigation policy. Unless this issue is addressed, it will be difficult to apply Tier 6 in certain instances.

Tier 5 has application problems and a negative image that need to be overcome. Some

see it as a "non-tier" that evolved during the planning process. Is Tier 5 an agricultural tier, an open space preservation tier or a future Tier 4? Gloucester County suggested the need for a more positive definition of Tier 5. Some suggested that Tier 5 be subdivided into two tiers, one for Communities of Place and one for open space.

The discussion of rural infrastructure needs covered a wide range, including financing needs, infrastructure for Communities of Place, bypass roads and access to markets.

The financing of rural infrastructure needs to be clarified. More specifically, is infrastructure maintenance defined as the maintenance of existing systems only, or is it also remedying the current backlog of inadequate systems?

The public sector financing of infrastructure was seen as a prerequisite to the establishment of Communities of Place. In particular, State funding assistance for the provision of wastewater treatment facilities is needed to support the development of Communities of Place.

Infrastructure was viewed as a mechanism to address quality of life issues in rural areas. Many saw traffic congestion as having a negative impact on community character and quality of life. Bypass roads were seen as mechanisms for providing the necessary relief. In areas where traffic congestion and its impact upon community life is a concern.

The role of infrastructure in economic development efforts was deemed important. To address rural economic needs, it was suggested that specific policy language be added to the Preliminary Plan, such as enhancing access to markets from agricultural areas. In many rural areas there are posted and closed bridges that require circuitous routings of several miles due to inadequate facilities.

Affordable housing requirements are problematic in the coastal area. It is difficult to coordinate COAH allocations with the CAFRA growth areas. CAFRA and COAH allocations were seen as inconsistent with local plans. It was pointed out that less than 10% of the CAFRA growth areas are at a density that can accommodate affordable housing requirements.

Economic development is not always desirable in all rural areas. For example, in the CAFRA region, the overall concern was that the shore areas need protection not diversification. It would be appropriate to expand seasonal recreation and resort land uses and not introduce a year-round economic base. A similar situation might apply to other rural economic development areas as well.

Finally, it was suggested that the 100 persons per square mile density guideline be reexamined. There are many rural areas in New Jersey that already have a population base in excess of that standard.

INFRASTRUCTURE NEEDS ANALYSIS

Paul Gottlieb, of the Office of State Planning staff, made a brief presentation on the role of infrastructure in the State Plan and the principles of infrastructure needs analysis. The following points were outlined in the presentation:

A. Infrastructure and the State Plan

1. Use of existing capacity is inherent in the Plan's tier system;
2. Infrastructure provision is used to guide the timing and sequencing of growth;
3. Efficiency of compact design is viewed by the Preliminary Plan as a way to control infrastructure costs; and
4. The planning process will explore new sources of infrastructure funding, with an emphasis on a mix of public and private monies.

B. Principles of Infrastructure Needs Analysis

1. Identify infrastructure needs connected to development. The National Council on Public Works lists two general criteria for defining infrastructure:
 - a. physical infrastructure linked to economic growth;
 - b. tradition of public investment.
2. Collect local data on existing capacity.
3. Use meaningful growth projections. Meaningful is defined as a number which the jurisdiction making the projection sees as reasonable in order to either test a scenario or allocate public funds to serve future growth.
4. Develop algorithms for future growth scenario(s) that estimate infrastructure costs based on meaningful projections distributed geographically and related to infrastructure in place. The Office of State Planning algorithms incorporate two principles:
 - a. There is a zero marginal cost for infrastructure where there is excess existing capacity.
 - b. There is a cost savings for compact growth patterns

C. The Office of State Planning thus far has identified three systems that meet these criteria and for which data was available statewide:

1. Schools
2. Sewers
3. Roads

D. The discussion after Mr. Gottlieb's presentation centered on the following:

1. The counties are interested in learning how to measure existing capacity, particularly for roads.
2. The counties are also interested in adding water supply infrastructure to the growth management equation, it is seen as an important growth shaper. The OSP staff indicated that water supply data is sparse, and that New Jersey Department of Environmental Protection (NJDEP) is initiating a statewide water supply master plan. The NJDEP planning process is intended to yield data that would dovetail with the infrastructure needs analysis.

James Reiliy, of the OSP staff, followed Mr. Gottlieb with a brief presentation on the OSP computer model. He referred back to the April County Planners Association meeting presentation and the progress the OSP staff has made in response to concerns expressed in April. The concerns and responses were the following:

1. **Concern:** The model is too late for county use in the Comparison Phase of Cross-Acceptance.
Response: There will never be perfect timing. The model is available for county use at this time.
2. **Concern:** The cost estimates developed may be politically unacceptable and have negative consequences on the planning process. **Response:** The elections have passed; the amount of the backlog statewide is public knowledge, etc.
3. **Concern:** The counties expect population and employment projections from the model.
Response: The model has been constructed with flexibility so that the user controls the choice of projections input into the model. It can distribute county-wide projections geographically to the municipal level.
4. **Concern:** The model is experimental, it would be useful to conduct a test.
Response: A test on a hypothetical county has been completed. It compared "Plan" to "Trend" using the same population and employment projections for each scenario. The test revealed that "Plan" has higher sewer costs and lower schools and roads costs, and is less costly overall.

The presentation was concluded by offers of OSP staff technical assistance to the counties. The base data packets on schools, sewers, and roads were one step in this direction. OSP announced that two technical workshops on the model for the counties would be held in mid-December. Finally, Mr. Reiliy offered the use of the model to allow counties to assess the infrastructure impacts of alternative growth scenarios.

The discussion of Mr. Reilly's presentation focused on four points. The first centered on infrastructure in old cities. In these areas, maintenance is seen as the key for infrastructure, not the provision of new systems. Secondly, an infrastructure needs assessment must examine total system costs. For example, does the OSP model look at only major facility costs and ignore distribution and collection subsystems? Thirdly, an infrastructure needs assessment must distinguish between the infrastructure backlog and new facilities induced by growth. The last item of discussion dealt with whether the OSP model's transportation components mirror the approach the sewer component uses. Mr. Reiliy responded by stating that if data become available in the future, the transportation component may be adjusted.

CURRENT PLANNING CAPACTTY

Professor B. Budd Chavooshian introduced the concept of Current Planning Capacity (CPC). He described CPC as a growth management tool that was originally tied to TDK. There have been demonstration projects in Hillsborough and West Milford which have applied this concept. The counties of Cape May, Sussex and Warren have used CPC in the development of their county master plans.

Professor George H. Nieswand presented a detailed background on the development of the CPC concept. He stated that zoning has been enacted without the benefits of a carrying capacity analysis. CPC is a scientifically defensible model for such an analysis. Since it provides a quantitative reference point for density, CPC is a tool that is useful to define and defend planning decisions. CPC measures the ability of a region to accommodate growth and development within limits defined by existing infrastructure and natural resource capabilities.

Professor Nieswand stated that there are four factors which define CPC: air quality, water supply, water quality and energy supply. Of these four factors, only water supply and water quality are used in the analysis since these two factors can be defined and dealt with in a local planning context. There are three alternative bases for determining the capacities of the water supply and water quality factors: natural resource capacity, institutional allocation and facility design. CPC can be applied to infrastructured areas as well as non-infrastructured areas. In infrastructured areas, CPC evaluates water pipe and sewer capacities. In non-infrastructured areas, CPC evaluates well and septic capacities. The product of the analysis is the establishment of gross densities that are supportable by the land area. If development densities are in excess of capacity, the resource deficits need to be addressed.

Professor Nieswand summarized his remarks by stating that CPC is a straightforward tool for determining the carrying capacity of a land area, and that water supply and water quality are two factors which can be factored into the planning scenario in determining zoning densities.

Professor Robert Hordon then concluded the session by walking through a sample CPC calculation which determined the population level that could be supported by a land area.

CONCLUSIONS

In his concluding remarks, Dr. Bierbaum reviewed the purposes of the workshop:

1. Cross-Acceptance status update;
2. Expectation clarification;
3. Sharing experiences;
4. Reactions to OSPs "Analysis of Cross-Acceptance Issues"; and
5. Special attention to:
 - a. Infrastructure Needs Assessment
 - b. Current Planning Capacity Analysis

OSP staff summarized the major issues in each of the workshops. Dr. Bierbaum commented that the thoughtful discussions fulfilled the purposes outlined above.

Special thanks were extended to James McGidre and Diane Brake who served as facilitators of the four issues workshops; Professors Chavooshian, Nieswand and Hordon who presented the Current Planning Capacity Analysis concept; and OSP staff members, Linda Nowicki and Dorrie Margolin, who prepared the "Analysis of Cross-Acceptance Issues".

PLAN DEVELOPMENT COMMITTEE
Recommended
Action Steps

January 1990

prepared by: The New Jersey Office of
State Planning

The Preliminary
State
Development
AND
Redevelopment
Plan

of Recommendations from the Plan Development Committee Regarding
Issue Papers
January 10, 1990

The Plan Development Committee (PDC) of the State Planning Commission has discussed, at length, the Issue Statement Papers prepared by OSP staff. From these discussions, a summary has been compiled of the Plan Development Committee's suggested action steps with respect to the identified Urban, Suburban, and Rural Issues. Committee suggestions regarding the issues pertaining to the Regional Design System will be incorporated into the document upon completion of the Committee's review of the RDS issue papers. In addition, references to relevant wording in the Preliminary State Development and Redevelopment Plan will be inserted for each of the issue statements for the Committee's consideration.

preparatory work accomplished by the PDC and OSP will help identify and clarify the negotiating positions of the PDC prior to the actual negotiating sessions. The compilation of Committee suggestions is the initial step in a comprehensive work program that will be structured for OSP staff members. The suggested actions are part of the Commission's response to county and municipal concerns regarding the PSERP that were identified, thus far, during the cross-acceptance process. It is expected that after review of the summary, Plan Development Committee members will provide guidance to the OSP by setting priorities for the suggested action steps. In response, OSP staff will structure the recommended prioritization of action steps into a work program, taking into consideration resource constraints and scheduling conflicts. The work plan will be presented to the Plan Development Committee at a future meeting.

Tier 1 Issues

DEFINITION OF TIER 1 SB3005 BE RECONSIDERED.

It was recommended that staff:

- 1) Review the use of the CMB Municipal Distress List as the criterion for Tier 1 designation (Action Step 17).
- 2) Analyze the strategies, policies and guidelines to ensure that they are tailored to the municipalities in Tier 1 (Action Step *3),

In response, staff compiled 5 options for Committee review (See Memo: Options for Restructuring Tier 1, November 6, 1989). Option #4, "Change Tier 1 intent and critical issues instead of tier criteria", was chosen for further study. It was recommended that staff:

- 1) Modify the description of Tier 1 to reflect a more positive, proactive vision of what a city should be.
- 2) Address the economic need of Tier 1 municipalities in the policies rather than the tier criteria. Funding should be directed through the policies written for Tier 1, and perhaps

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- in the Statewide Strategies and Policies section. Economic conditions, in particular, would be a sub-criterion that would be addressed in specific policies.
- 3) Study the historic, locational and functional reasons for the existence of the cities and compare these reasons to the strategies and policies of the Plan. If the original reasons no longer apply, devise new policies pointing to a new direction.
 - 4) Tie function to locational factors. Identify areas that because of locational factors should have funding to redevelop their resources.

Consideration should be given to the wording of the:

- "General Description", Tier 1, PSDRP, Volume II, page 51;
- "One Critical Issues", Tier 1, pages 51 & 52;
- "Tier Intent", Tier 1, page 52;
- Strategies and Policies, Tier 1, pages 52-57;
- and Guidelines, Volume III, Part 3, pages 3-1 - 3-60.

2) TOE DTCB?REIATIQEH1P HKLWKfck THE TUBftN OBWB^S, TIH* 1
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The corridor center concept requires further clarification. It has been recommended that staff:

- 1) Write language that clearly states that the Plan places its highest priority on urban centers.
- 2) Modify action step #1 to recommend that although funding should be provided in separate pools to avoid competition between urban centers and corridor centers, the only public monies for corridor centers should be "soft" funding for planning purposes only. Write language that reflects this position.

Staff should follow action steps 13 through #6:

- 3) Explain to the development community that the creation of corridor centers can rely on market forces more effectively than urban centers, consequently, urban centers need more funding.
- 4) Reiterate that although the priority for urban centers is firm, it is not an absolute priority. Provision will be made for the creation of corridor centers.
- 5) Provide the technical assistance that corridor center projects require, the preparation includes educating municipal officials that the high density requirements of corridor centers can bring positive results.
- 6) Incorporate a but/for clause in the wording concerning the creation of corridor centers. If a corridor center would not

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be built without sane public funding, than sane resources, for planning assistance, should be provided to the corridor center.

Create a new action step concerning tax incentives:

- 1) Study possible tax incentives to aid in the redevelopment of urban centers*

Consideration should be given to the wording of

- "Tier Intent", Volume II, page 52;
- "Urban Centers, Volume II, page 52;
- Tier 1, Strategy 1, Land Planning and Redevelopment, Policy 1.6, Land Planning and Redevelopment: State Program Priorities, page 53;
- Regional Design System, Strategy 1, Intergovernmental Coordination, Policy 1.1, Corridor Region Development Plans, and Policy 1.2, Corridor Region Planning and Funding, page 49.

The Committee recognized that the issues concerning corridor centers would be further addressed during discussion of the Regional Design System.

3) THE UMNANGNS OF THE REVENUE RAISING CAPABILITY BY IFBAN MUST BE

It was suggested that the staff consider action steps #5, 6, 7, and 8.

- 5) Identify current expenditures and the revenue sources relied upon by the urban and older suburban municipalities. Ask municipalities to help estimate anticipated shortfalls in funding for critical needs.
- 6) Identify existing programs and available grants from the State and federal governments. State agencies should be contacted for assistance in the compilation of information.
- 7) Coordinate existing programs to get more "value for the buck". Identify existing programs that are underutilized as well as those that should be "piggy-backed". Leveraging of existing resources should be considered.
- 8) Draw upon the expertise of personnel in other State agencies in devising possible funding solutions. Identify and contact key people.

Action step *9 should be referred to the appropriate technical Advisory Committee:

- 9) Draw upon private sector expertise in devising possible recommendations to the problems of the urban areas.

Staff should devise an action step that reiterates the necessity for a tax reform statement from the Commission and identifies barriers that exist

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for implementation of tax reform. The SEERPC ~~report~~ should be analyzed as well as other sources.

It was generally agreed upon that action step #2, a SPC position on tax reform, was appropriate, but it was not clarified which committee would delineate the SPC stand.

4) POSTS SHOULD BE IDENTIFIED FOR THE PROVISIONS OF THE INFRASTRUCTURE NECESSARY TO SUPPORT THE RURAL AREAS.

It was suggested that staff perform all of the action steps, #1-10, with special emphasis on the compilation of data and outreach to other departments, particularly those departments that have information on the social infrastructure (Departments of Human Services and Education). Action steps #3 and 4 should be revised to indicate that they are outgrowths of steps #1 and 2.

It was recommended that a comprehensive action step be devised that incorporates the necessary data gathering and strategy development to deal with the issue. Another recommended new action step is to create a statewide strategy that attempts to answer the question of providing and maintaining the infrastructure that goes beyond the urban communities. The Infrastructure Needs Assessment, which QSP is addressing in a comprehensive manner, will encompass many of the recommendations of the committee:

- 1) Identify the costs of maintaining the existing physical infrastructure in all 567 municipalities. Consult the County and Municipal Government Study Commission for assistance, as well as studying their 1984 report on the subject.
- 2) Determine, with other State agency assistance, a baseline funding for maintenance and repair for each of the 567 municipalities. Appropriate State agencies should assist the OSP in identifying these needs and the corresponding costs.
- 3) Emphasize funding for existing infrastructure systems. Utilization rates should be considered as well as the costs of infrastructure maintenance to provide service to at least those levels. Identify those roadways that can have a significant impact on specific urban revitalization efforts.
- 4) Recommend that a separate pool of funds be set aside for infrastructure upgrades and expansions in areas slated for revitalization efforts. Target those areas initially where developer interest is evident. Guidance from other State agencies is vital.
- 5) Work with other appropriate State agencies, particularly the Department of Commerce, Energy and Economic Development; Department of Transportation; Department of Environmental Protection; Department of Community Affairs and Department of Labor to devise a comprehensive investment strategy for the urban areas. Representatives from the development community

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- and leaders of major firms located in urban areas should be included in the task force.
- 6) Consider acre carefully the social infrastructure that is necessary to complement the physical infrastructure in a successful revitalization effort. OSP staff will need to consult with representatives from the Department of labor, Department of Hainan Services, Department of Education, and the Division of Public Safety for guidance and assistance.
 - ?) Identify the jurisdictional responsibility for the various types of physical infrastructure located in the urban areas. mat governmental body has jurisdiction over repairs? Who determines the funding? Who decides the priorities? Consider the backlog and the existing and potential revenues.
 - 8) Conduct a comprehensive Infrastructure Needs Assessment to determine the size of the current need and the expected costs. Consult with the County and Municipal Government Study Coimission on the possibility of updating their 1984 study regarding local infrastructure.
 - 9) Determine the most efficient use of available resources, relying upon expertise from other State agencies. Help to prioritize funding with input fron county and municipal officials for each of the urban municipalities.
 - 10) Compile and study information on innovative ways to help finance redevelopment efforts that may necessitate expansions and upgrades to the existing infrastructure. Ixust funds and infrastructure banks are just two types of ptuyiaius that deserve further staff investigation.

It was recommended that staff study the issue of what should be addressed in the strategies and policies of the Plan and what information and issues would be better served by inclusion in the Technical Reference Documents and the Infrastructure Needs Assessment. The findings should be compiled into a report for submission to the PDC for consideration.

It was recommended that urban issue #7, "The need to set priorities among infrastructure and redevelopment projects", be merged with urban issue #4. All of the action steps frccn issue #7 should be included:

- 1) Re-emphasize the existence of the strategies and policies in the PSERP that deal with the importance of comprehensive planning and the need for funding to upgrade planning capability at all levels of government. The State must be encouraged to adequately fund the upgrading of local planning capability.
- 2) Clearly outline procedures for the coordination of data sharing by (DSP).
- 3) Identify specific categories/types of data bases needed for infrastructure analysis.
- 4) Identify the types of data bases currently available (or being developed) by OSP.

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- 5) Outline ways in which OSP and the appropriate State departments could provide technical assistance to urban areas regarding prioritizing and implementing redevelopment projects*
- 6) **Brfhasize the importance of the need for consistency between local master plans and zoning ordinances .**

5) TOE RHEVELJMaTrF OBAN AREAS fflOOU) BE BHJttCH) TOH TOE KB) FOR H&JlWJTJCN OF THE

The Ocnmittee suggested that action step #2 be revised as follows:
Identification of environmentally-sensitive lands within developed areas, should be addressed, not as a mapping procedure, but in the language in the strategies and policies, ifie intent that these lands are important and should be protected must be clearly stated. Because this issue crosses all tiers, it should probably be addressed in the statewide section. Use of subtiers to identify these special areas should be avoided.

Action step #4 was to be clarified:
The SPC's role was one that focused on coordination. Consultations \ with the Department of Commerce concerning possibilities for projects can be explored.

Action step #6 was emphasized:

- 1) Stress the positive impacts of compact development such as the convenience of mass transit, the saving of open space, the energy efficiency and the cultural environment available for those who live, work and frequent urban areas.

Action step #7, the creation of design standards for high-density development, is to be completed as part of a statewide issue. *

6) OHHffi IS A NEED FOR MORE EFFECTIVE IFBAN EESIQ* POLICES.

Action step # 7 was stressed:

Ensure that the relevant state agencies are integrated and committed to the overall goal of the importance of successful physical settings for urban areas .

ttiis entails coordinating state agencies, as well as providing leadership in defining the design policies .

The issue should be referred to the appropriate Technical Advisory Committee for consideration.

Private sector input should be encouraged.

7) SHBtE IS A KEH) TO SET PRIORITIES A2OC INFRASIKDCnBE AID KHJKVELXRJH/T H*OJECT5.

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Urban issue #7 was merged, as suggested, with urban issue 14, "Costs should be determined for the provision and maintenance of the infrastructure necessary to support the population density of urban areas".

8) TB3MH AREAS MOST SB AHTE TO ATOtTCT A DEVBtSIPZED RESNoiTiAL KREATICW.

The discussion focused upon the importance of a good educational system, a reasonable tax structure, and an attractive physical design. Physical design standards have been addressed within the context of other issue statement papers; accordingly, the following action steps were suggested:

Broaden action step #4 or create a new one to emphasize the importance of education and mixed use. Regarding action step #6, "the articulation of community character", staff should consider how counties and municipalities can be reassured that each community will be allowed to develop in a manner that it sees fit.

SUBLUBRS ISSUES

1) TOE HFDB4 FRCM TOE MAINTENANCE OF INFRASTOJCTORE **ME**) TOE INCREASING COSTS OF HWIDING SERVICES IN EEVELGFED QOWLKITIES JEEDS TO BE ADDRESSED.

For a comprehensive understanding of this issue see Urban Issue #4, "Costs should be determined for the provision and maintenance of the infrastructure necessary to support the population density of urban areas". In addition, it was recommended that the issue description paragraph be refrained to suggest ways to solve the problem through regionalization of services rather than reliance on new funding. The ~~issue~~ of redevelopment should be incorporated into the paragraph, and the issue of providing infrastructure necessary to shoulder that redevelopment. It was suggested that three points need to be included in the issue: 1) costs will increase under trend as much, if not more, than under Plan; 2) compact density can be attractive, as well as save money; and 3) redevelopment should be encouraged.

It was suggested that staff combine action steps 1, 3, 4, 5, 6, 7, 8, and 9, all dealing with regionalization, and proceed with a ~~plan~~ based upon the following steps;

- 1) Speak to the issue of how developed suburbs can pay for the increasing cost of services.
- 3) Study the policy implications of recommending the regionalization of services.
- 4) Determine whether the Plan should include ~~provisions~~ referring to the regionalization of services and recommendations as to which level of government will lead in the provision of each service.
- 5) Emphasize intergovernmental coordination.

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- 6) Consider whether the Plan should include policies concerning the legal, financial, and institutional aspects of the proration of regional institutions.
- 7) Ask the County and Municipal Government Study Commission for guidance in the development of strategies and policies for local coordination issues.
- 8) Develop guidance procedures for municipal cities and counties to assist them in the development of regional cooperative agreements and possible programs for the consolidation of services.
- 9) Recommend to the State Legislature that municipalities be given the legal capability to provide for coordination of services. If necessary.

2) A NUMBER OF SUBURBAN MUNICIPALITIES ARE TOO FAR AWAY FROM THE CITY THAT THEY CANNOT RECOMMEND.

The discussion focused upon the definition of "redevelopment" for suburban municipalities. It was suggested that OSP staff follow action steps #1, 4, 6, and 9.

- 1) Create a public information effort that shows that high-density, affordable housing can have a positive effect on communities.
- 4) Include infill design standards in the Plan that are sensitive to the need to preserve existing "community character".
- 6) Identify models, good examples of concentrated development, and explain the positive effects that have benefited their communities.
- 9) Devise recommendations for implementation tools along with specific design standards.

The Committee also recommended that the staff:

- 1) Redefine the concept of redevelopment, in detail, after reviewing the Municipal Land Use Law and implementation possibilities. The language should incorporate neighborhood revitalization without displacement into the concept.
- 2) Expand the neighborhood concept within the urban component of the Regional Design System by the use of descriptive language, concept intent, and appropriate strategies, policies and guidelines.
- 3) Investigate funds and grants that are available for preservation efforts.

3) THE COMMITTEE OF FORKING CITIES SHOULD BE ADVISED OF THE NEED FOR SPECIAL ATTENTION WITHIN EACH OF THE SUBURBAN AREAS.

Staff was asked to explore field/staff policy direction #4, the identification of locations that may need special attention. These areas should include:

- 1) Areas in Tier 2 that lack infrastructure and cannot currently support rapid increased growth.

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- 2) Areas that should receive priority for infrastructure funding because of existing critical conditions and present and expected growth pressures.
- 3) Neighborhoods and special districts that require improvements.

It was also recommended that staff follow action steps #1, 2, 3, and 5.

- 1) Strengthen the Statewide strategies and policies to ensure that each identified problem is comprehensively addressed within each of the seven tiers.
- 2) Develop a specific strategy for economic development for blighted areas within stable communities.
- 3) Create specific strategies to target the identified problems within every tier to obviate the need for surwrlassifications.
- 5) Write criteria for Tier 2 that makes an exception for developed communities that currently lack public sewers.

The language of action step #2 should be revised to reflect an emphasis on neicfibcrhoods.

4) AN ACEQUME NCHBH* OF WITS CF AFPCRDRBLE **HDUSING** SHOULD BE QOETXUCIED IN FRCK3KTIY TO HffilCKMBTF OfKKiVKLTLfcS.

A new action step should be formulated regarding zoning. The Concnittee suggested that staff, in cooperation with representatives from each county, and possibly in consultation with MSM, do a "build-out" study, that is, a growth level analysis and zoning capacity examination. Tftis would entail a comparison of information from the land availability analysis and the carrying-capacity analysis with current zoning ordinances to determine whether municipalities have zoned enough land to accommodate the expected growth.

Action step #7 should also be followed:

- 7) Bring to the attention of the appropriate Technical Advisory Committees the need to explore possible solutions to the problem of providing affordable housing, particularly in fully-developed municipalities.

In addition, a comprehensive study should be structured to encompass:

- 1) land costs and their proportion to the total development cost;
- 2) code requirements and their costs, reasonableness and whether they are essential;
- 3) physical and social infrastructure, what is necessary, its costs, timing and who is responsible for its provision;
- 4) current zoning ordinances, including an attempt to analyze commercial zoning in relation to housing;
- 5) federal government regulatory programs;
- 6) current development, including iwcwaL projects and projects in the pipeline;
- 7) land availability analysis;
- 8) housing subsidies; and,

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- 9) tax incentives for the provision of low and moderate income housing and rental units.

The Department of Community Affairs, as well as any other private, nonprofit, or government groups or agencies that have experience in this issue, should be consulted for assistance.

Staff was also directed to study the PSDRP to ensure that all the elements of the issue, such as mixed use, the proximity of housing to employment opportunities, and diversity of housing, are addressed in the Plan. The existing pieces of the Plan pertaining to the provision and location of affordable housing should be integrated together. The wording of all relevant strategies and policies should be examined to determine whether they adequately address land costs, code regulation and costs, tax incentives, and the costs and timing of infrastructure.

- 5) SCHE SUBURBAN MJKIdPALJTIES QOEgnQN wHEJHH* THE HAN wh2i RELIEVE GR DUHCIFY SUBURBAN TRAFFIC CONGESTION.

Staff should clarify, perhaps through our public information office, that the congestion currently experienced is a result of Trend growth and can be expected to worsen. The Plan does not advocate an increase in population numbers in Tiers 1-4 that are much higher than are presently occurring. The perception that the Plan will force municipalities to accept a huge amount of growth is a gross misunderstanding.

Relevant policies and strategies should be studied to determine if they are properly worded and adequately address the issue. Perhaps specific policies should be highlighted.

Action step #5, "Determine that Transportation Development Districts can be designated for **sane** growth areas" should be studied. Relevant Plan policies should be tied to the Transplan legislation. Staff should analyze the County-Municipal Partnership Act and its relation to the Plan.

OSP staff should work with DOT and with CEP's Clean Air Project to accomplish the suggested action steps or to gather data pertaining to the action steps to transmit to counties and municipalities:

- 1) Show municipalities examples of effective planning for concentrated development patterns, stressing the factors that help to relieve traffic congestion.
- 2) Help determine development capacities for the suburban that are experiencing growth pressures.
- 3) Encourage a regional impact approach, with mechanisms that would allow review of large-scale projects,
- 4) Monitor new large-scale projects and zoning changes to provide early warnings for increased growth and possible stress on the existing infrastructure.
- 5) Determine the extent that Transportation Development Districts can be designated for some growth areas.

- 6) Highlight solutions that provide for open space protection and opportunities for mass transit.
- 7) Help devise traffic management solutions for congestion.
- 8) Attempt to monitor changes in areas surrounding developed areas and help plan to mitigate the impact of growth beyond their
- 9) Work with appropriate State departments in determining the physical infrastructure necessary to serve the anticipated growth.

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It was generally agreed upon that Action step #2 "Encourage municipalities to coordinate land use plans with facility plans", is very important. Although it is already included in the Plan, it should be emphasized in sane manner.

In order to help readers fully comprehend the Plan, staff should consider ways to integrate all relevant strategies and policies from various sections of the Plan. Cross-referencing, in addition to other solutions, may be necessary. This solution should be considered for the entire Plan, not just for this issue.

Clarification of action step #5 is necessary. It now reads:

- 5) Review whether legislation may be necessary to allow municipal ordinances to include the steps that must be taken to link infrastructure expansions and upgradings with development approvals.

After clarification, action step #5 should then be tied to step #2 and made the priority. The Department of Community Affairs and the League of Municipalities should be contacted because both agencies have studied the issue. Assistance to municipalities may be necessary for compiling an infrastructure inventory and a capital budget.

7) THERE IS A HBO) PCR HWIROMQCAL HOTECTKW POLICIES IN CEVECDPBD AREAS.

A statewide strategy should be written to give clear direction to municipalities to identify areas of special concern and incorporate protection for these areas in their zoning ordinances and master plans. It should be made clear that zoning ordinances must be consistent with any regulations, such as wetlands requirements, that pertain to these areas. A policy or guideline should delineate how these areas can be identified. Policies should also be devised that give these areas, no matter which tier designation they receive or how small they may be, the assurance of protection. The strategy should make clear that it is not necessary for these areas to be designated as Tier 7 to receive protection.

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8) IN SCHE OSES, SDHRBfH AID RBRAL 1CNN5 KBQU1KK DHTEKB4T KLICIES.

BUB issue should be revisited in six months. In the meantime, during the negotiation phase of cross-acceptance, action steps #2 and f 6 will be done as required:

- 2) Determine, on a case-by-case basis, the needs of specific Tier 3 towns regarding infill, redevelopment, fringe development, and the resultant demands on public facilities and services.
- 6) Study the additional information which will become available during the Impact Assessment Study and make any appropriate policy recommendations.

In addition, preparatory to reconsideration in six months, staff should review the tier criteria for Tiers 3 and 4 to assess its reasonableness. The following questions should be considered:

- 1) Does the density requirement with respect to tier designation criteria, specifically that areas having under 1,000 persons per square mile be designated Tier 4, create an artificial boundary between the town, (Tier 3) and its surrounding land?
- 2) Does the Plan allow options with the current strategies and policies?
- 3) Does the tier intent make clear that not all towns are expected to absorb huge amounts of growth?
- 4) Do the strategies and policies take into consideration the amount of available developable land?
- 5) How do the strategies and policies for Tiers 3 and 4 fit in with* the Regional Design System?

9) SPECIFIC EESK29 POLICIES FOR NEW SUBURBAN DEVELOPMENT ARE HEH3ED.

It was recommended that OSP consider action step #5:

- 5) Provide a handbook which outlines design strategies and policies for suburban development, with emphasis on concentrated/clustered concepts and mixed-use. The handbook would be geared toward development in Tiers 4-7.

Staff should ensure that field/staff policy statement #4, the importance of the strategies and policies of the Regional Design System, be integrated into design recommendations for suburban development.

It was also suggested that the appropriate Technical Advisory Committee should consider the issue.

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10) S1KEE FENDING PCR MK1WJKJLraN TIH1 4S SiUULD **BE**

It was recognized that before setting direction on this issue, more information is needed from municipalities and counties during the cross-acceptance process*

However, suburban issue #10 is linked to urban issue *1 and the problem of tier classification. (See urban issue 41) TOE UoliUTitXf CF TSR 1

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It was suggested that staff review the strategies and policies to ascertain whether economic distress can be dealt with in the Statewide policies. Policies should be written to ensure that all areas of need, not just Tier 1 designations, are addressed.

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1) THE KQU1TX TSSTTR SCOLD BE AECRESSED IN A JCFE (XMWOildGIVE MHtTO.

Staff was charged with addressing the following three concerns:

- 1) the consideration of the equity issue in as comprehensive a nanner as resources allow;
- 2) the viability of the agriculture industry in. New Jersey, including the circumstances that make fanning disadvantageous and strategies and policies that address these conditions;
- 3) possible alternatives and/or supplements to the reliance on farmland as the primary pension for New Jersey's farmers.

analysis should include the strong factors, such as access to large markets, that have a positive influence on the farming community. Strategies and policies should be worded to encourage these aspects of fanning in New Jersey. Staff should identify important steps that can be taken that do not require massive funding. Experiments, such as the preservation of the Pinelands, should be studied to identify the successful and unsuccessful aspects of these programs, Wie expenses of farming oonunities over a 10-year period should be studied to identify what positive effects government programs can exert*

As the first initiative/ staff was directed to follow action steps #1 and #2:

- 1) Structure a project that will analyze the need for mitigation pi.egi.aib for piopex'ty owners, develop specific modifications for existing progians, and possibly formulate new programs that address the issue.

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- 2) Research the "windfall" as well as the "wipe-exit" issue, including the determination of whether funding should be given and the identification of the specific circumstances.)

For the initial step, staff prepared and distributed to the PDC the paper entitled "Property Rights Protection". Four techniques for handling windfalls and wipeouts were presented in the paper, including:

- 1) Transfer-of-development rights;
- 2) Mitigation measures such as easement or fee simple purchase with government funds;
- 3) Recapture methods such as joint public/private development, taxation, and special benefit assessments;
- 4) Allowance of on-site development for farmland parcels according to carefully crafted specifications.

It was pointed out that only Policy 1.7 under Strategy 1 for Tier 6 addresses the wipeout concern (PSDRP, Volume II, p. 73). Wipeouts in Tiers 5 and 7 are not addressed. Windfalls are not directly addressed in any tier policies. Because windfalls and wipeouts may occur in areas other than Tier 6, it was suggested that staff consider the issue in a more comprehensive manner. It was recommended that staff analyze the existing policy and suggest modifications to reflect a broadening of the issue. Consideration of a Statewide Strategy and Policies that address the issue was suggested as a possibility to staff.

The Committee also suggested that staff compile all the strategies, policies, and guidelines that have an impact on farming for inclusion into one short reference paper. This compilation will allow the Commission to better study the issue and the paper may be useful for public information.

2) THE COMMISSION ON AFFORDABLE HOUSING (OOFH) AUCTIONING, TIER LINES, AND THE REGISTRATION OF THE REGIONAL DESIGN SYSTEM SHOULD BE BROUGHT INTO ONE

It was decided that the integration of affordable housing allocations, tier lines, and the regional design system is a post-1993 issue. The ten action steps presented were well-received but no immediate action must be taken by the PDC. Each of the action steps will be evolving throughout the cross-acceptance process. Several of the action steps, however, should be considered by the Implementation Committee.

3) IT MUST BE MADE CLEAR TO MUNICIPALITIES LOCKED IN RURAL AREAS THAT THE PDC FOR THE DEVELOPMENT OF THE REGIONAL DESIGN SYSTEM WILL BE THROUGHOUT ALL SEVEN TIERS IN THE IMPLEMENTATION.

This ~~effort~~ had been addressed during discussion of both the urban and suburban issues (See Urban Issues 14 and #7 and Suburban Issue #1). Because it is an issue not limited to the rural areas but is, in fact, found throughout all seven tiers, the Committee decided it should be addressed in

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a statewide context. Much of the data necessary to form the policy direction will be contained in documents other than the State Plan, particularly the Infrastructure ttaorb Assessment. Consequently, it was suggested that staffs

- 1) study ways to structure Plan supporting documents to ensure that the issue is addressed in a ccrfiehensive manner for urban, suburban and rural areas;
- 2) devise a Statewide Strategy to address the issue;
- 3) consider writing a general overview of the issue rather than specific policies;
- 4) continue to compile data;
- 5) outreach to other departments for assistance.

4) THEKE IS A VBED TO **BCGOU& A** ERQXR BOCKMC BASE IN RtfAL AREAS.

It was agreed that this issue results from a misunderstanding of the strategies and policies pertaining to rural areas. To clarify the situation it was suggested that staff concentrate on action steps #1 & #2:

- 1) Re-emphasize the policies and strategies in the in the Plan that deal with supporting agricultural, industrial, commercial, and professional economic development activities in rural areas.
- 2) Integrate the appropriate strategies and policies common to the Rural Development Areas in Tiers 5, 6, & 7 with Regional Design System, especially those which deal with "location", "identifying central places", "designating central places", "village and hamlet density" and "economic development".

The following specific actions were recommended:

- 1) study the existing policies of Tiers 5, 6, and 7 to determine which may be clarified by a change in language;
- 2) identify with as much specificity as possible the misunderstood sections of the Plan so that the Commission can respond to misrepresentations;
- 3) structure a public information campaign to ensure that all interested parties are considering the issue from the same informational base:
 - a) create a public information document that identifies and consolidates the strategies and policies that address the issue;
 - b) **integrate the strategies and policies with the issue to clarify the Plan's intention;**
 - c) oomiunicate with agricultural commnulty and members of general public-.

5) **TOE gaRM3H* OF FKESBCT JUD njxuus EKVEUXVENT ZH TIS1 5 MflfLJS TO BE MCPE OEAkLT CEFINQ) .**

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It was agreed upon that the current wording of Tier 5 addresses the **issue** through the:

- 1) ~~concept~~ of Communities of Place;
- 2) infill recommendations and;
- 3) existing villages.

Staff was encouraged to:

- 1) reconsider the wording of the Tier 5 description and intent;
- 2) attempt to better integrate Tier 5 and the Regional Design System in the wording of both those sections, especially concentrating on the strategies and policies.

Actions steps #2 & #4 were emphasized:

- 2) Emphasize that the appropriate policies and strategies of the Regional Design System need to be applied to Tier 5.
- 4) In the absence of a "communities of place" designation, outline a procedure for encouraging development which relates to existing infrastructure, carrying capacity, and natural resource development.

Action step #4 should be structured so that it does not encourage Tier 5 from becoming an extension of Tier 4. Tier 5 should clearly include disincentives for sprawl development.

The Committee also recommended that staff consider:

- 1) writing a policy that specifically deals with the implementation issue. (The policy should point out the direction rather than specifying details.)
- 2) working on an out-reach program to explain the intent, policies and strategies for Tier 5 in a format that can be understood by nonplanners.

6) THE ROLE OF THE H.J. DEPARTMENT OF AGRICULTURE, AS REPRESENTED IN THE STATE PLAN FOR RURAL DEVELOPMENT TO ENHANCE THE VIABILITY OF FARMING IN NEW JERSEY, NEEDS TO BE REVISITED

It was agreed upon that members of the Commission and QSP staff should schedule ~~informal~~ sessions with representatives from the Agricultural Department, the State Agricultural Development Committee (SADC), the County Agricultural Development Boards and the N.J. Farm Bureau to reach a common understanding of the issues facing the farming community.

7) GUIDELINES, INCLUDING THE USE OF SMPBRC'S URBAN LAND IN THE STATE PLAN FOR RURAL DEVELOPMENT TO ENHANCE THE VIABILITY OF FARMING IN NEW JERSEY, NEEDS TO BE REVISITED

The Committee suggested that staff:

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- 1) study ways to better integrate current Plan policies with the ~~concept~~ of carrying capacity analyses;
- 2) write policies that address the transition that municipalities experience when changing from a community that relies upon growth to subsidize its budget to one that cannot rely upon increasing growth within its tax structure. Plan policies should address this transition and its budgetary implications.
- 3) consider if towns can be exposed to court suits in ~~respect~~ to following current intent and policies of the Regional Design System and propose possible protections.

8) BIVHCHffikSL POLICIES ~~KF~~ QSKLL AREAS ARE TIER ~~TS~~ SBDUJ3 ~~H2~~ DELDEA3HX

Protecting snail environmentally-sensitive areas was previously discussed (See urban issue 45, THE RHEVEU5WQJT CF URBAN AREAS SHOULD BE BftLANCED WITH THE NEQ3 FOR HOTBCITCN OP THE

Daring that discussion the Committee suggested that:

Identification of environmentally-sensitive lands should be addressed, not as a napping procedure, but with the language in the strategies and policies. The intent that these lands are important and should be protected must be clearly stated. Because this issue crosses all tiers, it should probably be addressed in the statewide section. Use of subtiers to identify these special areas should be avoided.

9) 3HE TOEKKBzr CF FARMS UUISlLJt; OF T3H* 6 SHUULD BE AECRESSED.

This issue had been previously discussed (See Rural Issue tl SHE EQUIT? ISSUE SHOULD BE AHKSSH) IN A MORE OQHFRffiaEIVE MAMffiR.)

IXiring that discussion, it had been pointed out that only Policy 1.7 under Strategy 1 for Tier 6 addresses the wipeout concern (PSERP, Volume II, p. 73). Wipeouts in Tiers 5 and 7 are not addressed. Windfalls are not directly addressed in any tier policies. Because windfalls and wipeouts nay occur in areas other than Tier 6, it was suggested that staff consider the issue in a more comprehensive manner. It was recommended that staff analyze the existing policy and suggest modifications to reflect a broadening of the issue. Consideration of a Statewide Strategy and Policies that address the issue was suggested as a possibility to staff .

10) 1HEROLE CF 1HE SQTE/CCXKnes HUH HKKWT ID KCVJLGN GF DEVELOMBJT IN 13HI 7 NQ3E TO BE CttrIFIBX

The Committee recognized that the current strategies and prVHHeB of Tier 7 do not supersede local toning authority. Policy 1.2, land Planning and Development: Rural Development Area Character (Volume II, p. 76} states that:

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development in the rural development areas to preserve and enhance its rural character. The factors that comprise rural character in a specified area should be locally determined.

No specific staff action was recommended except to keep re-emphasizing what the FSERP says on this issue to mitigate the current misconception. Staff should consider where in the Plan clarifying language that addresses this issue could be included.

RBSKftL EESIQ3 SY5IQ4 IPDB\ ISSUES

1) TOH*E IS ANJSSairiAL 1EE) PER AEEQOME BEIMKBnS WTffi 1BICH TO TMTPTFMFMT OHE REGIONM, DBSK93 UAUOW.

Committee recommended that Action Steps #1 & #2 be referred to the Implementation Committee for consideration:

- 1) Target /concentrate efforts on certain specific implementation techniques such as the following:
 - a) providing a design manual which would describe via text, specific case studies, model ordinances, graphics, etc., "how to" develop a community of place;
 - b) coordinating streamlined permitting;
 - c) the application/incorporation of transfer of Development Rights;
 - d) facilitating infrastructure funding (e.g., impact fees);
 - e) designating Community Service Boundaries (to deal with the phasing of infrastructure) .
- 2) Suggest that State agencies, particularly D.O.T. and D.E.P., * address implementation by issuing policy documents which highlight the incentives to forming Communities of Place. (This action step should also include D.C.A.)

To ensure that the Implementation Committee and the appropriate State agencies have adequate data to consider, action step #2 should be referred to the Implementation Committee after staff completes action step #4.

The Committee suggested that OSP staff consider action steps #3 & #4:

- 3) Suggest different policies for "new" vs. "existing" "Communities of Place". (Should be revised to read "..for different areas.")
- 4) Study/research and write statements which deal with the following concerns:

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- a) the role of the "public" vs. "private sectors" in: land development and management (i.e., government/private co-development techniques);
- b) the impacts of speculative costs in terms of interfering with the costs of building a community (i.e., impacts negatively on mixed use when the land becomes increasingly expensive);
- c) the utilization, of instruments/techniques such as special districts, condemnation (to control speculation), land write downs, infrastructure financing, and planned unit development provisions, regarding the development of new communities.
- d) the relationship or impacts of using these techniques in development of central place communities with respect to the marketplace.

Action step #4 should be done from the perspective of considering an actual example (or model) of a Community of Place as the Plan's vision dictates. Questions addressed would include funding and infrastructure concerns. The D.E.P., D.C.A, and D.O.T. should be contacted to provide assistance and evaluations of the study.

It was also recommended that staff consider writing an additional strategy and related policies that lay out the reasons for the Regional Design System, detail its objectives, and clarify its relationship to the concept of Communities of Place.

In addition, staff should attempt a more effective interrelationship within the Plan between the RDS, the Tier System and the Statewide strategies. An "Intent" section, such as the one included under the Tier section of the Plan, should be written.

PDC intends to accomplish 1(c), "the application/incorporation of Transfer of Development Rights", after staff has analyzed and presented information received from the counties pertaining to the subject. The Committee recognized the need to inform the municipalities how to structure and implement a TER.

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To help mitigate the misconception that the concept of the RDS calls for new growth rather than the management of expected growth, the staff was asked to follow action step #2:

- 2) Explore the notion of community service areas in lieu of Communities of Place boundaries. Community service areas are areas where public facilities and services are to be provided to serve development. These areas are adjusted over time to accommodate and manage growth. Community service areas are more flexible than growth boundaries in that they are adjusted over time to serve growth, rather than a fixed boundary line that limits growth.

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The work done in action step #2 should answer action step #1(b):

- 1(b) Clarify the impacts of designating a Community of Place re: CCfth allocations (e.g., **see** Statewide Strategies, Housing, Strategy 3, Policies 3.1, 3.2, and 3.3, Volume II, p. 13).

In addition, it was suggested to staff that the use of the words "new" and "existing" before villages and hamlets be analyzed and discussed. Emphasis should be placed upon flexibility for the staff to work with developers and retain local control.

Action step 13 was referred to the Implementation Committee for consideration:

Study policy options which explore "new roles and relationships between the public and private sectors with respect to community building. For example, explore innovations in the following areas:

- a) joint public/private co-development techniques, particularly legislation authorizing State, regional, county, and municipal participation in joint projects. This would enable condemnation, excess condemnation, and value recapture. Land assembly should be authorized where necessary to advance the public interest;
- b) the role of community development corporations and cooperatives and neighborhood development organizations as leaders in coordinating community building in partnership with local government;
- c) techniques which mitigate the impacts of speculative costs as they may increase the costs of community building;
- d) techniques such as special districts, condemnation (to control speculation), land write downs, and infrastructure grants.

2) **STKIE Fnonc/FHannic is IBCESSAR? FCR INFRASBOOQRE IN CHORAL HACES.**

This concern was addressed under RDS issue **fl**.

3) **IN SOME cases, THE Meg? TO X&IKIAXH IBB CSBRAOER OF sou, cntfiKtnEs OF EttOB StuuO) GE OCNSIEERED.**

Actions steps 12, #3, and 14 were recommended:

- 2) Outline and provide explicit planning and design guidelines, [variables], and review processes which would contribute to the preservation of community character. Provide guidelines which would assist in more precisely articulating/measuring "character"¹¹ and a "change in character".

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- 3) Re-emphasize the strategies and policies in the PSEKP that deal with the importance of the municipal role with respect to managing and directing local growth.
- 4) Re-emphasize the role of the counties and municipalities re: the designation of villages and hamlets during the process of cross-acceptance.

It was noted that action step #5 will occur as the cross-acceptance process continues:

- 5) Ensure that the monitoring and evaluation process study /consider the question of whether new villages do, in fact, accommodate the growth that occurs. Examine the variables of infrastructure efficiency, community life, environmental quality, etc., within the context of this issue. Monitor the impact of increased settlement patterns on the existing community character.

4) LOCAL HJMMUC AND CESIQ3 GDHELJKES **MO** REVIEW ITOCESSES IfixCH SffiAXBR C&nSOLg YET WHOi CAN BE AEMNISIHiH) FTKX I Hi .T, NEH) TO BE

recommendation was to follow all five action steps, as written:

- 1) Consider adding to the legislative package accompanying the Interim Plan these new tools to enable easier identification, planning, and formation of Communities of Place:

Transferable development rights enabling legislation for municipalities;

Comprehensive impact fee enabling legislation for municipalities ;

Joint public/private development enabling legislation for all levels of government;

Expansion of the authority of State agencies and municipalities to allow for excess condemnation to recapture value created by public frilltlnB;

Expansion of land banking authority at all levels of government to acquire land in advance of its need for

Amendment of the Municipal land Use and County Planning XAWS to enable the planning, design, and formation of Communities of Place.

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- 2) Explain the publicize the ability of the existing set of laws and implementation tools to attain Communities of Place.
- 3) Study the characteristics of existing towns, villages, and hamlets in New Jersey and compare them to the guidelines in the PSERP. Amend the range of density, mixture of uses, location, etc. to **be** oonensurate with existing conditions and emerging market indications.
- 4)
 - a) Add more policies and detailed standards to the Plan for community design. These include design guidelines and controls and their accompanying review processes.
 - b) Prepare a Community of Place Design Manual for all five Community of Place types, and add sub-areas within communities, such as central business districts and neighborhoods.
 - c) Disseminate these design ideas through conferences, university design studios, slide and video presentations, and published articles.
- 5) Re-word the Plan text to clarify the fact that it is a municipality's choice whether it designates itself as a Community of Place. Clarify and expand the Plan text so that it indicates that there are benefits to the Communities of Place approach. Include policies that address the preservation of community character in the face of growth.

In addition, staff should create a public information release that explains the advantages of designating Communities of Place.

5) THE PLAN POLICIES fsmrn **AEGKES** HASIEHMH* OREKMHn¹ **AND** THE HOTISICK OF TRANSIT SERVICES ID GCMfikETIES **CF**

concern was addressed under RDS issue #1 .

6) f1BP BpQT*W^IWnctC? FOR CORRIDOR QHEER EB6ITCES SHpm¹* BE 1CRE **SCRCQHL7**.

All four Action Steps were recommended as written:

- 1) Describe corridor centers in greater detail, especially using graphic techniques and models. Identify the variety of corridor centers depending on location and regional function* Research and outline a range of appropriate densities and uses with respect to scale (e.g., urban or suburban).
- 2) Conduct a literature search of the corridor center ~~concept~~ as well as examples of existing centers and centers proposed in county and

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cross-acceptance reports. Consider employing consultants to research and write specific reports on existing corridor centers as well as the application of the concept to New Jersey.

- 3) Review/discuss with the Department of Transportation, NJT and other agencies the importance of State subsidization of the mass transit transportation systems which are essential for the success for corridor centers. Develop policies which would enable the linkage of corridors with corridor centers.
- 4) Identify and outline specific design guidelines;
 - * Identify and outline design techniques that can be applied to corridor centers. Highlight mixed uses, compact development, open space, and their inter-relationships.
 - * In addition to a T.D.R. program, examine methods of attaining high densities in centers while maintaining low densities and open spaces in surrounding areas.
 - * Provide a handbook, perhaps published by OSP, which would outline in detail design strategies and policies for corridor center development. The handbook should include recommendations for various mixes of uses and densities, based on previous research.
 - * Prepare a visual presentation (e.g., slide show and/or video) to widely disseminate the corridor center planning and design principles.

It should be noted that density recommendations should be included in a manual rather than in the Plan. Action steps #1 and #2 and parts of #4 can be completed as part of action step #4(b), preparation of a design manual, under RDS issue #4.

Committee members stressed the need to identify one or two successful models for study, with the caution that models from other countries may not be suitable as examples due to divergences in different cultures and life styles. The Denver Tech Center may be a good example to analyze for both successful, as well as unsuccessful, features. It was pointed out that staff should be careful to make a distinction between towns and corridor centers because the differences are not clearly understood by all interested parties.

7) THE HAH SAOOLD BODPBKZ OTHER TOGS OF CQBtXTCIBS OP (XMERAL HACE, TO HHKVEI/TMHtt¹ KPHifi'b.

All three action steps were recommended as written:

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- 1) Develop policies/guidelines which would integrate other types of communities (e.g., town centers, waterfront development areas, redevelopment efforts, targeted neighborhoods, historic districts) into the Regional Design System concept.
- 2) Consider the importance of retrofitting, in light of changing land-use patterns, especially with regard to waterfronts, highway corridors, neighborhood neighborhood centers, and downtown centers.
- 3) Develop flexible design guidelines that would support retrofitting, Biphase a long-range perspective that would focus towards **achieving** defined/definite types of communities.
 - a) Suggest developing community design plans on a case-by-case basis re: retrofitting. Overall, emphasize long-term outcomes, especially with regard to Tier 4 areas, so that they develop in a determined manner.
 - b) Suggest design plans for the retrofitting of waterfront areas which would enable them to adapt from an industrial to a service sector economy.
 - c) Suggest sub-unit planning which would address design more specifically.
 - d) • Consider the importance of access components, especially re: waterfront design and the preservation of the arterial character of more rural areas.

Burlington City was offered for study as an example of a successful redevelopment effort. The focus on revitalization should include the study of financial support as well as technical help.

**SUPPLEMENTARY RESEARCH
REPORTS**

1. **Urban Issue 11**
Suburban Issues #3, 48, 410
Tier Redefinitions
2. **Suburban Issue 43**
Suburban Revenue Raising Limits
3. **Urban Issue 47**
Infrastructure Development Priorities
4. **Suburban Issue 45**
Suburban Traffic Congestion
5. **Suburban Issue 46**
Suburban Phasing of Growth
6. **Suburban Issue 48**
 - a. Distinctions Between Suburban/Rural Towns
 - b. Tier 3/Tier 4 Relationship
- 7* **Suburban Issue 49**
Suburban Design Handbook
8. **Rural Issue 41**
Farmland Easement Issue
9. **Rural Issue 47**
Integrate C.C.A./C.P.C.
Into Plan in Rural Tiers

**MAJOR RESEARCH
EFFORTS**

1. **Urban Issue 44**
Suburban Issue 41
Rural Issue 43
Infrastructure Needs
- 2* Suburban/Tier 3/4 **Study** 44

Study

POLICY CLARIFICATION

1. **Urban Issue 12**
Urban Centers/Tier 1/Outer Centers Relationships
2. **Urban Issue #5**
Balancing Urban Redevelopment and Environmental Protection
3. Urban Issue #6
Urban Design Guidelines
4. Urban Issue #8
Attracting an Urban Population Mix
- 5* Suburban Issue #2
Defining Redevelopment in the Suburbs
6. Suburban Issue #3
Clarify Tier Strategies and Policies
7. Suburban Issue #7
Environmental Protection in Developed Areas
8. Rural Issue #1, #9
Farmland Equity Issue
9. Rural Issue 12
C.O.A.H./Tiers/R.D.S. Relationships
10. Rural Issue 13
Rural Infrastructure
11. Rural Issue #4
Rural Economic Base
- 12* Rural Issue #5
Tier 5 Definition/Role
13. Rural Issue #8
Special Environmentally Sensitive Areas
14. Rural **Issue** #10
The Roles of the State, Counties, Municipalities With Respect to
Development. Reviews

ADD'L OUTREACH/PUBLIC INFORMATION

1. Urban Issue #4
Suburban Issue #1
Rural Issue #3
Infrastructure Needs
2. Suburban Issue #4
S.P.A.C. Work on Affordable Housing
3. Rural Issue #4
Public Information on Econ. Dev. in Rural Areas
4. Rural Issue #6
Public Information/Discussions
Dept. of Agriculture, S.A.D.C., County A.D. Boards, N.J. Farm Bureau