

Citizen's Guide to New Jersey Municipal Master Plans



2003

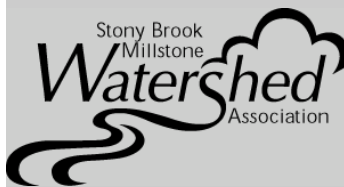


General Principles for Master Plans

New Jersey recognizes 15 purposes for zoning in the Municipal Land Use Law. Some of these purposes are outlined below and should be incorporated into Master Plans.

- Protect public health, safety, morals and general welfare.
- Ensure compatible land uses, densities, and aesthetic designs.
- Provide adequate light, air and open space.
- Preserve cultural and natural resources, and energy.
- Minimize congested transportation systems.

- C. 40:55D-2



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Why Should You Care About Your Town's Master Plan?

Local development decisions affect your quality of life in many ways, including: a healthy environment, clean and plentiful water, safe roadways, compatible land uses, adequate public facilities, and impacts to property values and taxes. A Master Plan is the blue print for a municipality that depicts current land uses, and guides decisions for both growth and conservation in your community.

A Master Plan can provide a cohesive focus by outlining development goals and objectives for a community. It can identify suitable districts for commercial or housing developments; farming, open space, recreational areas, and environmental resources; historic and cultural resources; and transportation corridors and utilities.

This Guide highlights key points to improve planning and the development of a Master Plan for your community.

The Importance of Community Input

There is no time like the present to tackle the complicated issue of community development, because New Jersey is the most densely populated state in the nation and is growing. The US Census Bureau predicts that New Jersey's population will grow by an additional one million people by 2020. Much of our water resources and open space has been impaired or lost, or is in danger of becoming so from the impacts of over-development. A well-crafted Master Plan is one vital tool to protect local resources for the future of your community. If you want future growth to be positive, you need to take an active interest in your towns' Master Plan and guide development in an appropriate manner.

New Jersey communities are required to re-examine their Master Plans and land use regulations at least every six years. Although only one public hearing is required, extensive community input is critical in these planning efforts. The collective knowledge and local insights from community members can be instrumental in:

- Identifying your shared values and interests;
- Establishing goals and objectives;
- Outlining successful development strategies.

If you desire to improve your community, then encourage your planning board to promote community involvement in this process. Be creative when tapping into the spirit of the community. Host breakfast meetings, pot luck dinners, photo contests, and establish committees to address special topics such as transportation, open space or historic landmarks.

This fact sheet is presented for general information purposes only and is not to be considered legal advice. For specific legal questions, please consult an attorney.

The Municipal Land Use Law and Master Plans

New Jersey is a strong "home rule" state, which means that New Jersey laws provide broad powers to municipal governments to protect public health, safety and welfare through local planning and ordinances. The New Jersey Municipal Land Use Law (MLUL) was originally passed in 1975 and defines the responsibilities of the local Planning and Zoning Boards, and provides municipalities the right to zone and enact ordinances if a current Master Plan is prepared. (Chapter 291, New Jersey Statutes Annotated, 1975, NJSA 40:55D - 1 et. seq.).



Required Elements of a Master Plan (C. 40:55D-28)

There are 14 Elements of a Master Plan outlined in the MLUL; however, only the four required elements described below are mandatory to enact zoning ordinances.

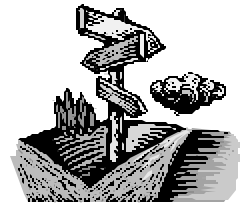
I - Statement of Purpose - C. 40:55D-28b(1)

"A statement of objectives, principles, assumptions, policies and standards upon which the proposals for the development of the municipality are based." To ensure that community values are incorporated into proposed developments it is important to clearly articulate your community's goals and visions for the future, which might include: compatible land uses and designs, protecting, preserving and enhancing natural and cultural resources, preserving community character, ensuring traffic safety, providing a variety of housing and commercial opportunities, promoting economic stability or growth, and providing adequate public facilities and services.

II - Land Use Element - C. 40:55D-28b(2)

The Land Use Element addresses many fundamental items in a Master Plan:

1. It describes the land use in relationship to natural features such as: topography, soils, geology, groundwater recharge, streams, floodplains, wetland and woodlands.
2. It includes maps of existing and proposed development in relation to current and proposed zoning ordinances, and recommends standards for development densities.



III - Housing Plan Element - C. 52:27D-310 (addendum to C. 40:55D-28b(3))

The Housing Plan Element describes available housing types and strategies to achieve present and prospective housing needs. This element should: inventory the existing housing stock; analyze local demographics and existing and future employment; project housing needs for six-years; determine present and prospective needs for low and moderate-income affordable housing; and identify locations for affordable housing.

IV - Relationships with Other Plans - C. 40:55D-28d

The Master Plan is required to describe its *compatibility or consistency* with other regional plans including: the Master Plans of contiguous municipalities and the County; the County's Solid Waste Management Plan and Water Quality Management Plan; and the State Development and Redevelopment Plan (State Plan, March 2001),

To assist in these various planning efforts, professional planners and citizens can obtain data and detailed maps from the NJ Department of Environmental Protection (NJDEP). Using a Geographic Information System (GIS), the NJDEP website provides statewide maps that effectively present layers of information on site specific maps, such as land use, transportation corridors, geology, streams, or critical habitats. The NJDEP also provides access to basic GIS mapping data from the iMap website (www.state.nj.us/dep/gis/imapnj/imapnj.htm).

Optional Elements of a Master Plan (C.40:55D-28b(4-13))

Municipalities are encouraged to enhance their Master Plans by including some of the optional elements outlined below. For example, the Conservation Element can be essential to identify important natural and cultural features in a community, and to outline strategies to preserve these resources. This Element could evaluate the viability and potential development impacts to woodlands, wetlands, critical habitats, farmlands, ground water recharge areas, surface waters, soil, and steep slopes.

Other Optional Elements in the Master Plan could evaluate cultural resources, which might include residential areas, town centers, historic landmarks, schools, community and recreational facilities, and farmland preservation. Infrastructure evaluations could be conducted to address roadways and circulation, utilities, sewers, water supplies, recreational facilities, and services provided by schools, police, fire departments. Some Master Plans also evaluate recycling efforts, economic growth, and technology needs for the community.



How State Planning Efforts Affect Your Town

The New Jersey State Planning Act was originally adopted in 1985 to provide a vision for future growth throughout New Jersey, and to coordinate planning at all levels of government. The State Development and Redevelopment Plan (*The State Plan*) was re-adopted on March 1, 2001, and serves to guide municipalities in their land use decisions. www.state.nj.us/osp/plan2/main.htm

In 2002, Governor McGreevey issued Executive Order #4 to ensure that State planning efforts are consistent with the State Plan, and directs growth to more urban areas where infrastructure already exists, and away from rural sensitive areas. This Order also affects State decisions on the permitting and funding of public facilities in your town, such as: highway improvements, transit options, and infrastructure to address water, sewer and schools. www.state.nj.us/dep/antisprawl/

Recent court decisions upheld municipal planning, zoning and land use decisions that were also compatible with the goals of the State Plan. Three cases ruled in support of zoning to preserve environmental resources and farming in the communities of Mt. Olive, East Amwell and Bedminster. For details on these court decisions visit the Rutgers Law School website. www.lawlibrary.rutgers.edu/oal/search.shtml

Key Planning Strategies For Your Master Plan

There are many nationally recognized planning principles that can be incorporated into planning efforts and your local Master Plan. For example, *Smart Growth* principles seek to prevent sprawl by directing growth to areas of existing infrastructure, such as urban centers. A *Carrying Capacity Analysis* recognizes the importance of natural resources as well as infrastructure limitations, and integrates these concerns to plan for future growth. *Sustainable Development* promotes strategies to ensure that resources can satisfy current and future demands. *Low Impact Development* encourages methods that reduce disturbance to existing natural features such as wooded areas, meadows and wetlands.

These planning tools incorporate varied strategies to address concerns that might pertain to your community, such as: to ensure resource protection, to reduce impervious acreage, to provide housing and transportation options, to balance commercial uses, to provide opportunities for mixed uses, and to increase energy efficiencies.



How to Re-examine Your Master Plan?

Six year Re-examination Process (C. 40:55D-89)

Master Plans are required to be re-examined every six years to reflect current conditions and visions of your community. This re-examination process should identify recent problems and changes of land development in the municipality. It is important to identify changes in the assumptions, policies, regulations and objectives that have been used in the past. New information should be incorporated to provide recommendations and support current planning goals and objectives.

Once completed, the Master Plans are presented at hearings and officially adopted by the Planning Board. Town Council members can adopt zoning ordinances that are consistent with the goals of the Master Plan.

6 Key Steps to Successful Master Plan Reviews

A Master Plan is a dynamic document that reflects your community's vision. Outlined here are six basic steps to successfully re-examine your Master Plan and work towards a comprehensive and fair plan. These steps were developed in consultation with the planning expertise of Banisch Associates and Howard Cohen, Esquire.

1. **Ensure public participation** - This is a critical component. Public notifications are legally required, but it is desirable for the municipality to incorporate citizens' input into planning for the community.
2. **Hire competent experts** - While public input is vital, it is also important to rely upon experienced professionals to guide the planning effort, identify data needs, and complete necessary studies to support the goals of the Master Plan. Support efforts to include these expenses in municipal budgets.
3. **Evaluate conditions** - Evaluate the conditions in and around their municipality such as: housing options and affordability; zoning and build-out projections; limitations of the environment and infrastructure; balanced land use opportunities; and natural and cultural resources. Include input from experts, planning board and community members.
4. **Develop a shared set of objectives, policies and goals** - Citizens, planning board members and the experts should develop a shared set of objectives, policies and goals for the future of the community. Ensure these goals are compatible with regional plans and the State Plan.
5. **Revise Elements of the Master Plan** - Once the conditions are evaluated, and the shared criteria are established, revise each element of the Master Plan to reflect the visions for the community and provide balance for growth and conservation.
6. **Plan for the future** - Throughout the process focus on the distant future, not the next six years. Long term planning helps identify concerns and strategies to address them, and avoids many future problems. Municipalities face a complicated process, to develop a flexible plan that can accommodate future growth, but with enough foresight and strength to direct this growth appropriately.



Municipal Planning Resources

American Planning Association:
New Jersey Chapter
www.njapa.org/index.shtml

Association of New Jersey Environmental Commissions:
Developing a vision for your master plan.
www.anjec.org/html/vision.htm

Coalition for Smarter Growth
www.smartergrowth.net

EPA Smart Growth Policy Database
www.cfpub.epa.gov/sgpdb/sgpdb.cfm

GIS Center
www.giscenter.org/

Local Government Commission-
building livable communities
www.lgc.org

National Trust for Historic Preservation
www.nationaltrust.org/issues/smartgrowth/toolkit/index.html

New Jersey Department of Community Affairs
www.state.nj.us/dca/

New Jersey Department of Environmental Protection GIS
www.state.nj.us/dep/gis

New Jersey Future
www.njfuture.org

New Jersey League of Municipalities
www.njslom.com/

New Jersey Legislature
www.njleg.state.nj.us/

New Jersey Planning Officials
www.njpo.org/index.html

New Jersey State Plan On line
www.state.nj.us/osp/plan2/main.htm

Smart Growth for Main Streets
www.smartgrowthamerica.org

Smart Growth Online
www.smartgrowth.org

Stony Brook Millstone Watershed Association
www.thewatershed.org

Sustainable Communities Network
www.sustainable.org