

2023 Cross-Acceptance Manual

For the Preparation, Revision, and Re-adoption of the
New Jersey State Development and Redevelopment Plan

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2023 Updated Cross-Acceptance Manual
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2023 State Planning Commission

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Preface

The State Planning Act of 1985, N.J.S.A. 52:18A-196 et. seq., empowered the State Planning Commission (SPC) with the responsibility to prepare, revise, and readopt the State Development and Redevelopment Plan (State Plan or Plan) every three years. A new State Plan is long overdue and the importance of this proposed Preliminary State Plan (The Preliminary Plan) cannot be overstated. Not only do demographic and development changes within the State warrant a Plan update but also the environmental changes that are impacting the planet need to be addressed through climate change initiatives especially since environmental sustainability is now a recommended element in municipal master plans. This should also include environmental justice considerations.

The current State Plan was adopted using the process called Cross-acceptance whereby planning policies are reviewed by government entities at all levels while providing an opportunity for the public to influence the development of these policies.

The State Rules were updated and adopted by the SPC on June 7, 2023. The updated Rules were published in the NJ Register on August 7 and adopted on November 1, 2023. One purpose of the Rule update is the inclusion of a more streamlined process for Cross-Acceptance in order to reduce the burden on counties and municipalities. The SPC is able to utilize today's technological advances to allow for electronic submissions and to hold virtual hearings. The three changes adopted in the Rule update were:

- All public, county, municipal and negotiating entity comments and documents can be submitted electronically.
- Cross-acceptance requires six public SPC hearings on the draft Final State Plan, five of which can be held virtually. (It has been determined that this cross-acceptance process will have three in person and three held virtually)
- Municipalities will no longer be required to submit their Master Plans and other planning documents to the Office of Planning Advocacy (OPA). (see N.J.A.C. 15:30-1.6; 1.7; 3.1; 3.2; 3.6; 3.7; 4.5 for updated State Rules)

A major emphasis of the 2001 State Plan was a process known as Plan Endorsement. The SPC continues to strongly support the Plan Endorsement process. Entities that obtain Plan Endorsement have shown that their land use goals and short and long-term plans, such as, their redevelopment plans, land use plans and master plans are consistent with the State Plan. Since the inception of the State Plan in 1985, over 100 municipalities and other entities have undergone the Plan Endorsement process in order to apply best planning practices in their communities and to benefit from prioritized scoring and financial incentives.

The Cross-acceptance process sets the stage for the application of reviewing local plans during the ongoing Plan Endorsement process.

PART I Introduction to Cross-Acceptance

Cross-acceptance is a process of comparing statewide planning policies at government levels with the purpose of attaining a high level of consistency among municipal, county, regional, and State plans and the State Plan. Through this process, the various stakeholders are able to partner to create a more meaningful and viable State Plan. To accomplish this, municipal, county, and regional master plans must be coordinated regionally with each “local vision” of growth and the community taken into consideration during the process.

The SPC, through OPA, encourages regional partnerships, whether inter-municipal, countywide or inter-county, as a better way to target growth and preservation to ensure a better future for our citizens. The SPC will also be integrating the planning efforts of State agencies into this Cross-acceptance process. The integration and coordination of our planning efforts at all levels will result in the best use of our energies and fiscal resources. The end result of Cross-acceptance will enable state resources to be channeled where they can be used most efficiently by synchronizing local initiatives to the policies within the State Plan.

The purpose of this Cross-Acceptance Manual (Manual) is to guide negotiating entities through the Cross-acceptance process resulting in a Cross-Acceptance Response Template (see A.2 in the appendix) The SPC expects creative and innovative planning policies and techniques to emerge through the process. This Manual discusses the overall process, the expected role of each negotiating entity, and provides specific instructions for the preparation of a Response Template that provides documented public input on the State Plan through a negotiated statement of agreements and disagreements. Previously, the Response Template was a written report submitted to OPA by the negotiating entity. The Response Template has been updated to be a simplified online questionnaire to be submitted by the negotiating entity and each participating municipality. Each county will then provide a detailed summary of the responses from their municipalities.

In addition to the items outlined in this manual, participants should also reference the State Plan, the State Planning Act, N.J.S.A. 52:18A-196 et seq., and the State Planning Rules, N.J.A.C. 15:30. Further, it is the intent of OPA to assist with any questions that may arise in the process. SPC schedules and cross-acceptance information can also be obtained by contacting OPA at 609-292-7156 and by accessing OPA’s website at nj.gov/state/planning.

1.1 Cross Acceptance: A Brief Overview

OPA is responsible for coordinating the inclusion of plans from the participating State Agencies and for preparing The Preliminary Plan and Cross-acceptance Manual for release by the SPC. The SPC then utilizes The Preliminary Plan to obtain feedback from municipalities, counties, and regional entities with the intent that issues raised will then be considered for integration into a revised State Plan. Active participation by all governmental entities will lead to and result in greater planning awareness, facilitation of stronger State planning policies and the creation of better Master Plans.

The negotiating entity is a vital part of the process. A negotiating entity is a participating county, or any entity designated by the SPC should a county decline to be the negotiating entity. Each negotiating entity is required to submit a draft work program which will outline their public participation process. Every participating municipality will submit a Cross-acceptance Response Template which will be submitted to the negotiating entity. The negotiating entity then compiles and summarizes the information received from the municipalities regarding their local plans and policies and negotiates with the SPC negotiating committee to reconcile differences between The Preliminary State Plan and local plans. The negotiating entity may also choose to hold additional meetings with the municipalities and/or create their own surveys, in addition to the template, in order to obtain the information that they feel is pertinent. Specifically, a negotiating entity will look at its plans regarding where to grow and where to preserve compared to the State Plan. The negotiating entity also submits its own Cross-acceptance Response Template. The negotiating entity will also look at state land use policies, infrastructure planning, resiliency, climate change and visions for statewide growth and preservation to compare and contrast how the State Plan will better assist local governments in their related efforts. Both municipalities and counties should review their plans and assess any infrastructure needs that may be addressed in the Infrastructure Needs Assessment.

If a municipality does not agree with the final Response Template submitted by the negotiating entity they may file a separate Response Template and request that this document supersede the information provided by the negotiating entity for their respective municipality.

The process and the documents required to achieve a Final State Plan are as follows:

- **Preliminary Plan*** -The document, including maps, appendices, and other material included by reference, approved by the SPC as the basis for comparing and negotiating with the negotiating entities and the SPC.
 - *For the purposes of Cross-Acceptance, The Preliminary Plan will consist of updates to the State Plan adopted in 2001 as a result of new State policies and new data from municipalities, counties, and State agencies and public comment.
- **Statements of Agreements and Disagreements-** The document approved by the SPC which details the degree of agreement that is generated during the negotiation of plans between each negotiating entity and the SPC's negotiating committee.
- **Draft Final State Plan-** Reflects revisions to The Preliminary State Plan based on the negotiation of identified issues of concern by the SPC with the negotiating entities. It is the document that is used to conduct the impact assessment, which may identify desirable changes to be incorporated into the Final State Plan by the SPC.
- **Draft Impact Assessment-** An assessment of the impacts of economic, environmental,

infrastructure, equity, community life and intergovernmental coordination of the draft Final State Plan. The Draft Impact Assessment is a result of the process of comparing and negotiating plans and policy changes between government entities and the results of the assessment compare development scenarios both with and without the draft Final State Plan. Both the draft Final State Plan and draft Impact Assessment will be released for additional public comment by the SPC, including all maps, appendices, and other material included by reference that are approved by the SPC.

- **Infrastructure Needs Assessment-** This document assesses the present and prospective conditions, needs and costs with regard to State, county, and municipal capital facilities, including water, sewerage, energy, transportation, solid waste, drainage, flood protection, shore protection and related capital facilities, as well as other infrastructure segments.
- **Final State Plan-** Once approved by the SPC, the Final Draft of the State Plan will become the new State Development and Redevelopment Plan. It will serve as the planning document against which municipal, county, regional, and State plans will be measured. Cross-acceptance is integral to this process.

A) Public Outreach

Public Outreach will be accomplished by a multi-pronged approach prior to the release of The Preliminary State Plan which will include a minimum of six virtual meetings with stakeholders, hosted by OPA, which the public will be encouraged to also attend. OPA will also conduct informational sessions with various entities. There will be a webpage with an informational factsheet that the negotiating entities and municipalities can disseminate. The webpage, www.publicinput.com/njstateplan will also contain a link for public comment throughout the entire process.

Once The Preliminary State Plan has been released by the SPC, the 21 County meetings with their respective municipalities will commence. This must occur no sooner than 45 days after The Preliminary State Plan has been published and must be completed within 90 days of the release of The Preliminary State Plan.

The countywide public information meetings, conducted by the OPA under the authority of the SPC, are the most important facet of the public outreach and involves each of the 21 counties, the municipalities within each county and the public. A public meeting will be held in each county, ideally in a centralized location. Counties may utilize a joint cross-acceptance process with an adjoining county or a county that shares some commonality such as geography or demographics and/or have similar concerns or interests.

B) Comparing State, Regional, County, and Municipal Plans

The purpose of comparing local, county and regional plans is to coordinate planning activities and establish statewide-planning objectives that will be reflected in the new State Plan. The SPC will solicit and receive findings, objections, and recommendations to The Preliminary State Plan from negotiating entities and their participants. The process should include current planning scenarios, and also a vision of possibilities of the future for each negotiating entity as they plan for growth and preservation. This process is a dialogue between the negotiating entities, the public and the SPC to arrive at a final Cross-Acceptance Response Template.

C) Negotiating Plans

Following the submission of each Response Template to the SPC, OPA will meet with the negotiating entities to compile the “Statement of Agreements and Disagreements.” This list will be compiled County-by-County in a database to identify related issues and to share views. Results from the sessions will be available to the public upon request to the OPA and online at nj.gov/state/planning.

All determinations made by a county or municipal planning board during the negotiation phase will be subject to the action of the respective governing body. Likewise, all determinations made by the SPC's negotiating committee will be subject to the approval of the SPC. All agreements reached during this phase will work to revise The Preliminary State Plan and be reflected in a draft Final State Plan prepared and approved by the SPC. The draft Final State Plan will include, and be the subject of an Impact Assessment and be considered as part of the Infrastructure Needs Assessment.

D) Adopting the Final State Plan

The purpose of Final State Plan approval is to allow review of and accept comments on the draft Final State Plan and the draft Infrastructure Needs Assessment. The draft Final State Plan is the document that is the product of the required public hearings and input. Based upon the findings of those hearings, and any written comments submitted to the Commission, the Commission is required to consider and adopt the State Plan no sooner than 30 days and no later than 60 days after the last of the public hearings.

1.2 Relationship to Plan Endorsement

The relationship between the Cross-acceptance and the Plan Endorsement processes is that Cross-acceptance will guide participating entities through the macro decisions, where and where not to build and associated statewide policies, toward the micro of Plan Endorsement, the community design and development practices. Although two separate processes, Cross-acceptance and Plan Endorsement will essentially work together to provide for fiscally efficient regional and coordinated planning in New Jersey. The two processes essentially fit together as the coordinated effort of Cross-acceptance, whereby governmental entities with the public will jointly create a Final State Development and Redevelopment Plan. Plan Endorsement implements the State Plan by way of establishing local consistency with the plan they helped create.

For a municipality that partners with a county and/or other negotiating entities during Cross-acceptance, the Plan Endorsement process will allow for an initial self-evaluation of local plans in order to achieve consistency with the State Plan. Plan Endorsement then follows Cross-acceptance allowing counties and municipalities the ability to present their plans to the SPC for review and approval in order to align themselves with the fiscal and regulatory benefits provided by all participating State Agencies.

The SPC will provide an opportunity through Plan Endorsement for municipalities, counties, regional entities, and State agencies to have these regional plans endorsed by the SPC.

PART II – CROSS-ACCEPTANCE: Preparation for Participation

2.1 Roles and Responsibilities to Negotiating Entities and Public Participants

The principal entities involved in Cross-acceptance process are the negotiating entities (in all likelihood, the counties, unless participation is waived) and OPA in concert with the SPC. The most crucial responsibility of these entities is ensuring that public participation is as inclusive as possible. This section attempts to briefly explain the roles of these entities as well as all other important groups.

The SPC is responsible for the preparation, revision, and re-adoption of the State Plan. OPA serves as administrative support to the SPC. OPA will coordinate the initial education and public outreach sessions prior to the release of The Preliminary State Plan. OPA can also provide technical assistance as well as facilitate the identification of agreements and disagreements for preparation of the negotiation sessions. The SPC will appoint a committee to conduct negotiation sessions to arrive at a Statement of Agreements and Disagreements that will be used in preparation of the draft Final State Plan prepared by the negotiating committee with the Impact Assessment and Infrastructure Needs Assessment.

The actions of the negotiating entity are:

- If the negotiating entity is the county, the county must submit a Notice of Participation that must be adopted by resolution
- Submit a draft work program which will outline their plan for public participation
- Submit a Cross-acceptance Response Template and receive and compile the Response Templates for each participating municipality. The Response Template shall not be submitted until the governing body of each county holds a public hearing approving its transmittal.

A. General Public Participation

The SPC considers an all-inclusive approach to Cross-acceptance critical to the success of the process. To that end, each negotiating entity must provide meaningful opportunities for public participation during Cross-acceptance.

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

- Participation in all public meetings, visioning sessions, and outreach
- Submission (electronic or by mail) to the SPC at any time up to 30 days after the last public hearing on the Final State Plan, as well as comments presented during the public comment at regular monthly meetings and at any public hearing regarding Cross-acceptance;
- Written communication with municipal or county officials involved in Cross-acceptance;
- Comments presented at meetings of the various committees of the SPC as they relate to the work of those committees; and
- Participation in advisory committees. (N.J.A.C. 15:30-1.6(c)).

B. Public Education and Outreach

Equally as important, there will be public education and outreach sessions regarding the benefits of regional planning, innovative planning techniques and the Cross-acceptance Process; a public hearing in each county before the finalization of its Cross-Acceptance Response Template; and at least six public hearings on the draft Final State Plan.

Home rule is a key component of land use and growth management policies, plans, and regulations in New Jersey. As such, it is extremely important that municipal plans become a major focus of Cross-acceptance. Through Cross-acceptance, municipalities must have an opportunity to ensure that their planning policies are consistent with other municipal, county, regional entities, and State plans as well as have ample opportunity to propose changes to the State Plan. Achieving consistency between municipal plans and the State Plan during the Cross-acceptance process is the first step in ensuring that municipal master plans and other planning implementation mechanisms are endorsed by the SPC.

Cross-acceptance participation should not be restricted to either the governing body or the planning board. In addition to ensuring public participation, municipalities should involve the full range of municipal agencies. For example, it is recommended that municipalities involve the Board of Education, the Utility Authority, Environmental and Historic Commissions, Planning and Zoning Boards, Public Works, Engineering, parks and Recreation, Housing Business Improvement Districts, and Redevelopment Agencies.

The actions of the municipalities are:

- Submit resolution of participation to your negotiating entity to be included in the Cross- Acceptance Response Template (Sample Resolution in A.6).
- Prepare a Cross-Acceptance Response Template that contains the items identified in Appendix A.2. Participating in Cross-acceptance, municipalities must ensure that the negotiating entity and OPA have municipal input as it relates to current and proposed Master Plans, land use ordinances, and other planning documents. This will be accomplished through the Cross-acceptance Response Template online questionnaire and through the negotiation process. Municipalities should also provide the negotiating entity for their county with a list of official Cross-acceptance representatives who will serve as the municipality's liaison throughout the process.
- The Response Template shall not be submitted until the governing body of each municipality holds a public hearing approving its transmittal.

Municipal participation in Cross-acceptance will most importantly provide municipalities with planning knowledge that will make better use of each municipality's limited fiscal resources that would support a petition for Plan Endorsement. Plan Endorsement encourages State regulatory and funding programs to be aligned with the municipalities' visions for growth and preservation.

Although the New Jersey Meadowlands District and the New Jersey Pinelands Area are not covered by the State Plan's State Plan Policy Map, portions of all 14 of the Meadowlands communities and 42 of the 53 Pinelands communities fall outside of those regional jurisdictions and are, therefore, covered by the State Plan. Those municipalities should participate fully in Cross-acceptance and

make the appropriate comparisons and recommendations. It is expected that the municipalities that are fully within the Pinelands Area will not participate in Cross-acceptance since they are regulated by The Comprehensive Management Plan under the Pinelands Commission. The NJ Highlands Council is an important part of this process but the SPC does not have jurisdiction over this areas as most of the municipalities that are in the Highlands are completely within the Highlands boundary.

C. Counties

The Cross-acceptance discussion at the county level also should not be restricted to either the governing body or the planning board. In addition to ensuring public participation, counties should involve the full range of county agencies. For example, counties should include community colleges, Utility Authority, Environmental and Historic Commission, Improvement Authority, Housing, Public Works, Engineering, Public Safety, Parks and Recreation, Agriculture Development Board and Board of Agriculture. Each county that chooses to take up the role of the negotiating entity will become the direct link between its constituent municipalities and the SPC during Cross- acceptance.

Following the completion of the Cross-acceptance Response Template, the negotiating entity will be responsible for negotiating issues regarding The Preliminary State Plan with the SPC.

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

D. Regional Entities

Growth and development decisions are regional in their impacts and often require a regional perspective for effective management. Thus, it is vital that statewide planning policies incorporate regional and bi-state entities' plans, policies, and regulations. OPA has prepared a list of regional entities that would be appropriate to include in the process. OPA will provide each of the agencies with a list of all the public meetings regarding the State Plan to be held within its respective areas of jurisdiction. The regional agencies will have the opportunity to make public comments at the public meetings or can submit their comments on the website.

Selected Regional Agencies

- Delaware and Raritan Canal Commission
- Delaware River and Bay Authority
- Delaware River Basin Commission
- Delaware River Port Authority
- Delaware Valley Regional Planning Commission
- New Jersey Sports and Exposition Authority
- North Jersey Transportation Planning Authority
- Palisades Interstate Park Commission
- Pinelands Commission
- Port Authority of New York and New Jersey
- South Jersey Transportation Planning Organization
- NJ Highlands Council

Many of these agencies have planning data available to municipalities. Consult these groups for additional planning information.

E. State Agencies

The State Planning Act works to coordinate planning activities and establish statewide planning objectives. This is meaningful only if other State agency plans and actions affecting land use and development are consistent with the State Plan. The SPC has asked State agencies to outline the degree to which their plans, policies, and regulations are consistent with the State Plan, the degree to which their plans, policies, and regulations conflict with the provisions of the State Plan, and any proposed modifications to the State Plan or its plans, policies, and regulations. The Preliminary State Plan that will be released will reflect a consensus among State agencies.

Relevant State Agencies have been brought together to assess how each agency's current functional plans, programs, investments, grants-in-aid, regulations, proposed legislative initiatives, and public information activities advance the State Plan, and if they currently do not, to align each program with the State Plan. State agencies have also been instructed to provide the SPC with any recommendations or changes to the State Plan that would improve the utility of the State Plan for that agency. The goal of this process is to achieve consistency with the State Plan. Members of the Interagency Team include all relevant State agencies even if they do not have a seat on the SPC.

State agencies that are members of the SPC: Community Affairs, Environmental Protection, Transportation, the Board of Public Utilities and State. These agencies will be directly involved in comparison and negotiation, as well as Final State Plan approval as voting members of the Commission and as members of negotiating committees.

2.2 Cross-Acceptance Work Program

A. Notice of Participation or Waiver

In conjunction with the release of The Preliminary State Plan, the SPC will transmit to each county a request for either a Notice of Participation or Notice of Waiver. A Notice of Participation is a duly adopted resolution of a governing body authorizing participation as the *negotiating entity* in the Cross-acceptance process. A Notice of Waiver is a duly adopted resolution of the governing body stating its intent to forfeit and waive its statutory authority to participate in Cross-acceptance.

In the event that a county transmits a Notice of Waiver, or fails to transmit a Notice of Participation by the prescribed deadline, the SPC will designate an alternate negotiating entity for Cross-acceptance for that county.

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

B. Submission of a Proposed Cross-Acceptance Work Program

No later than 45 days after the date of release of The Preliminary Plan, the negotiating entity, is required to submit a proposed Cross-Acceptance Work Program to OPA.

The negotiating entity's Cross-Acceptance Work Program should include a timeline for comparing and negotiating plans, which commences on the date of release of The Preliminary Plan (Day 1) by the SPC. The proposed Cross-Acceptance Work Program should be based on the projected schedule (presented in Figure 2) and is subject to the approval of the OPA. If a work program is not received, any action taken will be at the discretion of the SPC.

C. The Cross-acceptance Work Program to be submitted electronically to OPA from the negotiating entity should include the following items:

- Cover sheet clearly stating the Negotiating Entity, County, Point of Contact
- Summarize how the negotiating entity will accomplish the purposes of the project.
- Transmit correspondence to the municipalities on the negotiating entities intent to participate as such.
- Provide a brief description of the format and a preliminary schedule of municipal meetings;
- Develop a public information program for providing an open, informed, and participatory Cross-acceptance process. Indicate at a minimum the types of groups targeted (public and private), schedule of meetings, and use of various information outlets.

- Provide a list of available staff or consultant resources to be committed to the Cross-acceptance process.
- If necessary, submit a request for technical assistance. OPA will attempt to provide the requested assistance or contact the appropriate entity to provide the assistance.
- Provide a list of the official Cross-acceptance representatives designated by each municipality within the county. The official representative(s) should have a strong working knowledge of municipal plans, ordinances and policies especially as they relate to such areas as planning, zoning, administration, housing, capital improvements, parks and recreation and the environment.

Figure 2 Draft Cross-Acceptance Work Program and Schedule

Task/Work Product	Time Frame *
Comparing Plans	
1. Cross-acceptance begins; Release Preliminary State Development and Redevelopment Plan	April 8, 2024
2. Notice of Participation or Waiver <i>(Due at OPA no later than 45 days** after release of Preliminary Plan)</i>	No later than June 11, 2024
3. Cross-acceptance work program <i>(Due at OPA no later than 45 days** after release of Preliminary Plan)</i>	No later than June 11, 2024
4. Public information meeting - A meeting co-hosted by the negotiating entity and OPA to present The Preliminary Plan and, Cross-acceptance to the municipalities and the general public. <i>(After 45 days** from release of Preliminary Plan but not to exceed 90 days)</i>	June 11, 2024 – August 15, 2024
5. Convene municipal and public outreach Meetings <i>Throughout the process (schedule should be submitted to OPA with proposed work program)</i>	Beginning June 11, 2024 <i>Meetings can be held during regularly scheduled meetings of the governing body or planning board as an added agenda item. Notice of meeting should be submitted to OPA as soon as date is known.</i>
6. Draft Cross-acceptance Response Template – Negotiating entity submit to OPA, from the county (if not the negotiating entity), regional agencies, and municipalities; make available to public; remind municipalities of their right to file dissenting Response Templates; <u>hold at least one public hearing on the draft Response template.</u>	The date is to be determined between the negotiating entity and OPA.
7. Final Cross-acceptance Response Template - Authorized for transmittal to the SPC by resolution of the negotiating entity at a public hearing; same distribution as draft Response Template.	The date is to be determined between the negotiating entity and OPA.
Negotiation schedule TBD	
8. Establish negotiating entity’s “negotiating committee”	Negotiating Entity should be identified in the “Final Cross-Acceptance Response Template” to OPA
9. Negotiating committee session with SPC	Dates to be coordinated between State Planning Commission and Negotiating Committee
10. Review municipal dissenting Response Templates and participate in municipal negotiation sessions	As needed

11. Prepare Statement of Agreements and Disagreements	Once the SPC's negotiating committee believes the highest degree of agreement feasible has been reached.
12. Impact Assessment Released	Upon approval by SPC, Impact Assessment to be released 45 days before 1st Public Hearing to 30 days after last public hearing (6 hearings); Distributed to: Governor, Legislature, website, Counties, Municipalities and other interested parties shall be permitted to review and respond to Impact Assessment
13. Review Draft Final Plan and Infrastructure Needs Assessment	Upon approval and distribution of documents by SPC
14. Review and comment on Draft Final State Plan and Infrastructure Needs Assessment	Upon distribution by SPC
15. Comment on Draft Final Plan and Infrastructure Needs Assessment	TBD <i>(To be distributed 14 days in advance of the 1st public hearing (6 public hearing) Written comments to be submitted to SPC any time up to 30 from the last public hearing)</i>
16. Attend a minimum of one of six State Planning Commission public hearings	No sooner than 45 days** after release of amended Draft Final Plan
Final Approval, State Plan adopted by SPC	TBD <i>The SPC shall adopt Final SDRP and INA no sooner than 30 days and no later than 60 days after last public hearing.</i> <i>Within 45 days of SPC adopting the plan, the Executive Director must provide notice</i>

*All dates are dependent upon the approval of the Preliminary State Plan

**Day is defined as a business day, weekday Monday thru Friday excluding Federal and State holidays

2.3 Public Participation

A. Countywide Public Information Meetings

OPA shall transmit to each county, or the negotiating entity, a schedule for public informational meetings to be held in each county of the State.

The actions of the Negotiating Entities are:

- Identify all possible stakeholders in the planning process and provide reasonable opportunities for public participation;
- Provide a list of all participants in the Cross-acceptance process;
- Engage municipal governing and planning board participation (Mayor, Administrator, and Planner). Resolution of participation or waiver must be submitted as indicated in Part 2 of the Cross-Acceptance Response Template;
- In conjunction with OPA, hold public meeting/s with the municipalities at accessible locations and times and conduct the public information meeting no sooner than 45 days and no later than 90 days after the release of The Preliminary State Plan;
- Provide copies of all documents and notices to local and regional libraries;
- Hold a public hearing on both the draft and final Cross-Acceptance Response Templates; and
- Comply with all the public notice requirements contained in the State Planning Rules.

PART III THE CROSS-ACCEPTANCE RESPONSE TEMPLATE: The Product

3.1 The Overview

The Cross-Acceptance Response Template has been simplified from the previously required hard copy report to an online document that can be filled out and submitted to the SPC to begin the process of negotiating the identified issues at a date agreed upon by the negotiating entity and the SPC. The governing body of each participating municipality and the negotiating entity must authorize the transmittal of a Cross-Acceptance Response Template to the SPC at a public meeting or hearing.

The template can be viewed and submitted online at: nj.gov/state/planning

The template is also in Appendix A.2

3.2 Amending the State Plan Policy Map

The “Policy Map of the New Jersey State Development and Redevelopment Plan” is composed of a series of maps comprising the geographic area of the State of New Jersey. The SPC believes that except for amendments to the State Plan Policy Map that would result from changes to policies in the State Plan or data discrepancies, the discussion of site-specific or individual parcel amendments based on a development interest, or the like, should occur as part of the Plan Endorsement process and not through Cross-acceptance. The State Planning Rules envisions that most amendments to the State Plan Policy Map, including the designation of additional centers will occur during a comprehensive plan review as part of the Plan Endorsement process. In addition, for areas not located within an endorsed plan, the SPC and entities other than the municipality may propose map amendments based on new information that qualify for map amendments. (As per State Rule 15:30-8.3)

Actions for Cross-acceptance:

Proposed amendments to the Policy Map can include the following (based on mapping criteria laid out in section A7):

- Changes to planning area boundaries due to policy changes
- Data discrepancies

A.1 References

OPA- 609-292-7156

Donna Rendeiro, Executive Director

Planning Representatives

Colleen McGurk, Senior Planner, PP/AICP Bergen, Essex, Hudson, Hunterdon, Mercer, Morris, Passaic, Somerset, Sussex, Union, Warren

Lisa Avichal, Planner, Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Middlesex, Monmouth, Ocean, Salem

STATE PLAN REFERENCE MATERIAL

The State Development and Redevelopment Plan of New Jersey is located at: Nj.gov/state/planning Publications, meeting announcements, planning resources, planning legislation including the State Planning Rules are also available on the web site.
OPA 609-292-7156.

MAPPING

Maps and map data are available on the website.

You may also contact OPA's GIS Specialist at 609-292-3160 or Naomi.Barnes@sos.nj.gov or OSGplanner@sos.nj.gov.

DATA

Demographic, population, housing and economic data information can be found at the Federal government's Census Bureau: <http://www.census.gov/>. Although population projections are being collected by the OPA, we suggesting using the Metropolitan Planning Organization (MPO) prepared data sets as a reference as we enter the Cross Acceptance process.

USGS Topo Maps can be found at:

<https://www.usgs.gov/programs/national-geospatial-program/topographic-maps>

<https://www.state.nj.us/dep/njgs/pricelst/usgsbase.htm>

<https://njgin.nj.gov/njgin/edata/maps/index.html>

REGIONAL PLANNING CONTACTS

Metropolitan Planning Organizations (MPO's)

David Behrens Executive Director North Jersey Transportation Planning Authority One Newark Center 17th Floor Newark, NJ 07102 www.njtpa.org	Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union and Warren; and two cities: Newark and Jersey City.
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Jennifer Marandino, P.E. Executive Director South Jersey Transportation Planning Organization Farley Service Plaza P O Box 351 Hammonton, NJ 08037 www.sjtpo.org	Atlantic, Cape May, Cumberland, and Salem
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Ariel Maron, Executive Director, Delaware Valley Regional Planning Commission 111 S. Independence Mall East The Bourse Building, 8th Floor Philadelphia, Pa 19106-2515 www.dvrpc.org	Burlington, Camden, Gloucester and Mercer in New Jersey; Bucks, Chester, Delaware, Montgomery and Philadelphia counties in Pennsylvania
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Rosemarie Anderson Central Jersey Transportation Forum The Bourse Building 111 S. Independence Mall East Philadelphia, PA 19106 (215) 238-2832	Somerset County, Middlesex County, Mercer County
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OTHER PLANNING RESOURCES

American Planning Association- www.planning.org
NJ Chapter American Planning Association- www.NJAPA.org
Municipal Land Use Center @ The College of New Jersey - www.tcnj.edu/mluc
Regional Plan Association- www.rpa.org
The Urban Land Institute- www.uli.org
Project for Public Spaces- www.pps.org

A.2 Cross-Acceptance Response Template

Section 1: Consistency with The Preliminary State Plan

If a municipality or regional entity obtained Plan Endorsement that has not expired, this section does not need to be completed.

1. Indicate which documents the municipality or county has and the dates of adoption:
Most recent adopted Master Plan and any draft elements currently being considered
Master Plan Reexamination Report(s)
Official Map pursuant to N.J.S.A. 55D-32
Land use map
Zoning Ordinance and other land development standards
Zoning map and schedule
Natural Resource Inventory
Recreation and Open Space Inventory (ROSI)
Redevelopment and/or rehabilitation plan(s) adopted pursuant to the Local Redevelopment and Housing Law (LRHL)
Resource protection ordinances
Farmland Preservation/Agricultural Retention Plan
Any other adopted planning documents (e.g. Stormwater Management Plan, Wastewater Management Plan, Capital Improvement Plan)
2. Review the ten goals in The Preliminary State Plan and indicate the degree to which municipal and county plans have incorporated key concepts and policy objectives.
3. If inconsistent how will the municipality or county become more aligned with the State goals and how will this be achieved? What is the predicted timeframe for greater consistency?
4. How well do the designated State Planning Areas suit the current and future development of your municipality and/or county?

Section 2: Agreements and Disagreements with The Preliminary State Plan

1. Provide a detailed discussion of any issues or recommendations to The Preliminary State Plan in order to better meet local needs.
2. Provide a detailed explanation of how municipal and county plans will be modified in order to create a greater degree of consistency.
3. Provide comments and recommendations regarding State agency implementation of the State Plan including any applicable agency or program, as well as, make recommendations as to possible revisions to those plans or programs that would enhance State Plan implementation at all levels of government.
4. Submit a Negotiating Agenda, which will form the basis of the negotiation sessions between the negotiating entity and the SPC. The agenda should state the issues being presented, proposed alternatives and provide direct citations of pertinent State Plan provisions wherever possible. OPA will then schedule meetings with the negotiating entity to work through the agreements and disagreements.

5. Identify areas to be protected and areas where sprawl (low density auto-dependent development) has occurred and should be limited or prevented from further sprawl. Identify vulnerable areas where there is flooding or other environmental concerns and what could be done to protect them.
6. Does the municipality and/or county have an open space plan? Open space tax?
7. Is the municipality a member of Sustainable Jersey? If not, what are the reasons for not participating? Does the municipality have other environmental groups, such as, an Environmental Commission or a Green Team?
8. Please indicate your community's three most important local and regional land use planning goals and priorities:
9. Additional comments:

A.3 Sample Negotiation Agenda Format

1. Cover sheet stating entity, county, and date.
2. Contact Information to include contact person and person responsible for Response Template.
3. Public participation program results, including meeting schedules, hearings, interested parties list.
4. Provide a clear statement of the planning policy in question and the municipal, county, regional, or statewide ramifications of implementing that particular planning policy of The Preliminary State Plan or the ramifications of not addressing a particular planning policy.
5. State Plan Citation: Cite the pertinent goal, policy, criterion, section, page number, etc. in either the State Plan or The 2023 Preliminary State Plan.
6. Alternative: Propose a reasonable alternative that may be equally effective in meeting the goals of the State Planning Act, or if there is no preferred alternative, why deletion of the State Plan Provision would be beneficial. If the issue involved something that is not currently addressed in the State Plan, propose a viable way of adding it to the Plan.

A.4 Sample Notice of Participation of Negotiating Entities

SAMPLE RESOLUTION

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

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

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

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

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

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

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

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

1. That the _____ County Planning Board is hereby authorized and directed to carry out the Cross-acceptance process as the negotiating entity for _____ County pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et. seq. and the State Planning Rules, N.J.A.C. 15:30 and any other rules promulgated by the State Planning Commission for this purpose:
2. That the _____ County Planning Board shall prepare a proposed work program and schedule for negotiating municipal and county Cross-acceptance and shall submit said work program and schedule to the New Jersey Office of Planning Advocacy by _____;
3. That the _____ County Department of Planning shall provide staff assistance to the County Planning Board in order to prepare a Cross-acceptance Response Template and successfully complete the Cross-acceptance process;
4. That all other _____ County Departments and Agencies shall cooperate with the County Planning Board and provide information and furnish such documents as may be required; and,
5. That the _____ County (Chief Executive Officer) is hereby authorized to file application and execute a contract agreement with the State Planning Commission for any financial assistance which may become available for the administration of the Cross- acceptance process.

A.5 Sample Notice of Waiver

SAMPLE RESOLUTION

RESOLUTION WAIVING PARTICIPATION IN
THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN (State Plan)
CROSS-ACCEPTANCE PROCESS

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

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

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

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

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

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

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

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

A.6 Sample Notice of Participation for Municipalities

SAMPLE RESOLUTION

RESOLUTION AUTHORIZING PARTICIPATION OF _____ TOWNSHIP IN
THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN (State Plan) CROSS-ACCEPTANCE PROCESS

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

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

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

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

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

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

WHEREAS, the Governing Body of _____ Township has concluded that it is appropriate, necessary and in the municipality interest to fully participate in the development of the State Plan through the full and active participation of the Municipal government, including in particular its Planning Board and its Department of Planning, in the Cross-acceptance process,

NOW, THEREFORE, BE IT RESOLVED by the _____ Township Council of the County of _____ as follows:

1. That the _____ Municipal Planning Board is hereby authorized and directed to carry out the Cross-acceptance process pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et. seq. and the State Planning Rules, N.J.A.C. 15:30 and any other rules promulgated by the State Planning Commission for this purpose:
2. That the _____ Municipal Planning Board shall coordinate with the County or Negotiating Entity in their preparation of a proposed work program and schedule for municipal and county Cross-acceptance and Negotiating Entity shall submit said work program and schedule to the New Jersey Office of Planning Advocacy by ___;
3. That the _____ Municipal Department of Planning shall provide staff assistance to the County Planning Board or Negotiating Entity in order to prepare a Cross-acceptance Response Template and successfully complete the Cross-acceptance process;
4. That all other _____ Municipal Departments and Agencies shall cooperate with the Municipal and County Planning Board or Negotiating Entity and provide information and furnish such documents as may be required;

A.7 Technical Mapping Guidelines

Any qualified negotiating entity may submit mapping to help correct a technical error found in the 2023 Preliminary State Plan Policy Map. They are encouraged to submit ESRI GIS compatible digital files. OPA uses E.S.R.I. Arc/Info for maintaining digital map files. Contact Naomi Barnes at the OPA, 609-292-3160, or Naomi.barnes@sos.nj.gov or the Office of Planning Advocacy at OSGplanner@sos.nj.gov for details concerning submission of digital map files.

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

- ▶ Each Map should be labeled as to its U.S.G.S. quadrangle name in the lower right corner. The OPA quadrangle reference number should appear under the name. The name of the county, and the date of the proposal should be placed in the lower left corner.
- ▶ All maps should edge match with adjacent maps. Lines should meet closely, and adjoining polygons should have the same area designation.

What should be labeled?

- ▶ Planning Areas: These areas should be labeled with the appropriate number (listed below) and placed in a centralized location within the each area. A large or unusually shaped area may be labeled more than once. Also label amended planning areas with a number in a circle, which refers to the reason or reasons listed for the amendment in the Map Amendment Document. Label all planning areas in red.
 - Metropolitan Planning Area -1 (to be defined once definitions are final)
 - Suburban Planning Area - 2
 - Fringe Planning Area - 3
 - Rural Planning Area - 4
 - Environmentally Sensitive Planning Area – 5
- ▶ Critical Environmental Sites: Label all critical environmental sites "CES" with a cross- reference number in a circle adjacent to the "CES" designation that cross-references the documentation in the Map Amendment Document. Each of these sites should be labeled in green. (to be redefined once definitions are final)
- ▶ Fill out a Map Amendment Document for each proposed amendment. State in detail the reason for new, eliminated or amended planning area or CES.
- ▶ (Insert that if other than a technical correction to the State Plan Policy Map – that the rules at 15:30 must be met -)

Sample Map Amendment Document

NJOSG MAP AMENDMENT DOCUMENT

Page 2 of 5 Date: 11/1/03

County Name: Garden County
OSG Quadrangle Number: 85
U.S.G.S. Quad. Name: McGurkville, NJ

Use this form to document requests for map amendments during Cross-acceptance. Use a separate form for each quad.

AMENDMENTS:

Amendment # 1 Planning Area 0 Center CE/HS C/N

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

Source: 1993 Garden County Wastewater Management Plan

Amendment # 2 Planning Area Center CE/HS C/N

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

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

Portions of this document were taken from the 2004 Cross-Acceptance Manual