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### PLAN CONFORMANCE FOR COUNTIES KEY REQUIREMENTS

Under Plan Conformance, Highlands counties will incorporate all applicable elements of the Highlands Regional Master Plan (RMP) into county policies, plans, and regulations pertinent to the development and use of land. These will affect areas under Board of Chosen Freeholder authority, such as policies applicable to the operation and management of county facilities, stewardship of parks and open space, and expenditures on capital improvement projects. In addition, RMP policies will apply to the county planning program, requiring updates and/or supplements to the County Master Plan, various county management plans, and the criteria applicable to county review of development applications. This document provides a summary of what must be accomplished to achieve County Plan Conformance with the RMP.

Plan Conformance is mandatory with respect to the Highlands Preservation Area and voluntary with respect to the Planning Area. The Highlands Council encourages counties to seek Basic Plan Conformance for Preservation Areas, as a first step, and to consider conformance for Planning Area portions only after the Highlands Council has certified Preservation Area conformance. Items denoted by a checkmark (✓) are those required to achieve Basic Plan Conformance.

#### **RMP UPDATE ANALYSIS**



Conduct an analysis of RMP maps and data applicable to areas under county jurisdiction to determine the need for RMP Updates. Emphasis should be placed on county dedicated open space and other county properties, but if requested/authorized by a municipality, may be more inclusive (e.g., sewer and public water service area identification). Submit a request to the Highlands Council listing proposed RMP Updates if any, along with the back-up information required pursuant to Council guidelines. Opportunities to request additional RMP Updates will continue to be available throughout the Plan Conformance process.

#### **PLANNING ANALYSIS**

Evaluate county properties and facilities with respect to environmental and infrastructure capacity limitations, and county goals, objectives, and initiatives regarding future growth, development and redevelopment, land preservation and transportation/transit improvements.

Evaluate county planning and management programs to determine the type and degree of change needed to appropriately plan for future growth and development in accordance with the full range of relevant planning considerations, including but not limited to: a) capacity constraints; b) natural resource protection; c) open space and farmland preservation; d) historic preservation; e) optimizing use of public infrastructure; f) transportation constraints and opportunities; g) fiscal impact and economic sustainability; h) county needs and obligations; and i) principles of sustainability and smart growth.

The Highlands Act, the NJDEP Rules, and the RMP do not apply to specific developments and activities that are deemed exempt from the Highlands Act pursuant to N.J.S.A. 13:20-28 and N.J.A.C. 7:38-2.3. However, counties may choose to adopt regulations and internal policies that are more stringent than those required for Plan Conformance.

**MASTER PLAN, POLICIES, & REGULATIONS**

✓  
*Requires  
a or b  
only*

The County Master Plan, applicable management plans, and implementing regulations must incorporate a number of the Goals, Policies, and Objectives (GPOs) of the RMP. To accomplish this aim, the County may: a) adopt the entire Highlands Regional Master Plan and accompanying reports and guidance documents by reference; b) adopt a Master Plan “Highlands Element” along with implementing “Highlands Regulations” as supplements to existing planning documents (models of each to be provided by the Highlands Council); or c) amend each applicable component of the existing County Master Plan and Regulations to include all relevant GPOs. Model language for (a) and (b) will be provided by the Highlands Council for County use. In any case, Highlands provisions will be applicable to county-owned facilities, improvement projects, and operations, to county management plans (e.g., Wastewater Management Plan), and in county review of applications for non-exempt development. These requirements apply in the Preservation Area, and in the Planning Area if Planning Area Plan Conformance is sought. Conforming county Master Plans and Regulations must at minimum, include and/or accomplish each of the items listed in the respective sections below.

**A. MASTER PLAN**

Where indicated as a requirement for Basic Plan Conformance, the provisions in 1, 2 and 3, and the requirements for incorporation of RMP GPOs in 5 and 6, below, are satisfied by completion of a or b under the discussion above.

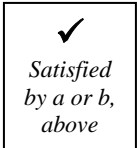
✓  
*Satisfied  
by a or b,  
above*

1. ***Policies, Goals, & Objectives.*** Adopt all county-relevant GPOs of the RMP, modified as appropriate to apply at the county level. In all cases, here and below, where GPOs are modified to apply to the county level, the resulting policies and objectives must be no less stringent than those of the RMP. (Where GPOs are discretionary, the county may choose which to incorporate, if any.)

✓  
*Satisfied  
by a or b,  
above*


2. ***Land Use Plan.*** Adopt applicable Highlands Land Use Capability Map categories including Areas, Zones, and Sub-Zones as an overlay or supplement to existing land

use maps. Adopt the Land Use Capability Map (LUCM) series (upon verification of accuracy of factual information through RMP Updates) to the limits of the county boundary lines.




3. **Conservation Plan.** Adopt Highlands Resource Area Maps, as applicable, to the limits of the county boundary lines. Adopt Highlands Resource categories as defined in the RMP, along with specific applicable GPOs, as modified to apply at the county level. Incorporate the basis for requiring Low Impact Development techniques and use of Best Management Practices (BMPs) as applicable to county development reviews and county facilities. For application to county-owned properties and facilities and where applicable, in county planning board review of development applications:
  - a) Adopt a ground water recharge protection and mitigation policy consistent with the RMP;
  - b) Adopt a wellhead protection policy (if applicable) pertinent to Well Head Protection Areas, consistent with the RMP;
  - c) Adopt a stormwater management policy consistent with the RMP;
  - d) Adopt a county facilities planning policy incorporating RMP goals in support of low impact development practices, green building design and enhanced energy efficiency. Include consideration of opportunities for shared services/infrastructure both at the county level and in support of municipal initiatives.
  
4. **Transportation/Circulation Plan.** Incorporate applicable RMP GPOs, modified to apply to county level, into a new or updated Transportation/Circulation Plan. The Plan should link transportation and land use at the local and regional level and ensure mobility and accessibility; evaluate regional Transit Scores; and promote connectivity, shared service opportunities and long-term transportation network needs. In addition, the Plan must:
  - a) Incorporate RMP policies and objectives within the context of the North Jersey Transportation Planning Authority (NJTPA) MPO Regional Transportation Plan.
  - b) Indicate how the county will coordinate with municipalities and surrounding counties regarding joint or collaborative efforts to address regional transportation and transit concerns and support local needs.
  - c) Include a discussion regarding existing and proposed transportation facilities, county roads and bridges, planned or anticipated road improvements, capacity conditions as related to existing and future forecasted or projected growth, and an evaluation of transit ridership patterns and limitations.
  - d) Support safety and security of inter-modal transportation for motorized and non-motorized users.

- e) Evaluate opportunities to increase freight service through the reactivation of abandoned freight lines.
- f) Support regional tourism initiatives and the recognition and protection of historic bridges and structures, and scenic resource view sheds along scenic byways and road corridors.
- g) Ensure to the extent practicable, that proposed transportation improvements be consistent with the RMP and support state and regional planning goals.

  
*Satisfied  
by a or b,  
above  
plus  
Updated  
Inventory*

5. ***Open Space and Recreation Plan.*** Incorporate applicable RMP GPOs, modified to apply to the county level into a new or updated Open Space & Recreation Plan. Include acknowledgment of Highlands RMP conservation priority areas and the Special Environmental Zone and a discussion of how these priority areas relate to county priorities. Incorporate language supporting municipal land preservation and use of effective land stewardship techniques in both municipal and county preservation efforts. Adopt an up-to-date, mapped inventory of preserved county parks, open space, and recreational lands (unless an existing inventory remains current); and, in the case of any county lands preserved using funding from the NJDEP Green Acres Program, an up-to-date Recreation and Open Space Inventory (ROSI) (unless an existing ROSI remains current). (If these inventories would be one and the same, the updated ROSI alone will satisfy this requirement.) Establish an ecological baseline inventory for preserved open space lands owned by, dedicated to, or otherwise under the jurisdiction of the county, to support planning, preservation, and stewardship initiatives.

  
*Satisfied  
by a or b,  
above  
plus  
Updated  
Inventory*

6. ***Agriculture Retention/Farmland Preservation Plan (if applicable).*** Adopt Highlands Agricultural Resources Area Map to the limits of county boundary lines. Incorporate applicable RMP GPOs and recognition of the RMP agricultural priority areas, modified to apply to the county level, into a new or updated Agriculture Retention/Farmland Preservation Plan. Incorporate language to support municipal farmland preservation programs, the viability of the agricultural industry, the use of BMPs, and a commitment to the Right to Farm Act. Include language supportive of municipal conformance requirements regarding clustering and conservation design. Adopt an up-to-date, mapped inventory of preserved farmland (unless an existing inventory map remains current).

7. ***Historic Preservation Plan.*** Incorporate applicable RMP GPOs, modified to apply to the county level into a new or updated Historic Preservation Plan. Adopt listing and discussion of applicable county resources from the Highlands Historic and Cultural Resources Inventory and the New Jersey Register of Historic Places.



8. ***Relationship of Master Plan to RMP & SDRP.*** As required by the Highlands Act, confirm and discuss the consistency of the County Master Plan with the Highlands RMP. Discuss the consistency of the County Master Plan with the State Development and Redevelopment Plan (SDRP). Indicate that conformance with the RMP exempts the county from Plan Endorsement from the State Planning

Commission (SPC) with respect to Preservation Areas, and discuss the county's intent with respect to Planning Areas, for which it may seek Plan Conformance from the Highlands Council or Plan Endorsement from the SPC.

## **B. COUNTY REGULATIONS**

Adopt the following for application to county facilities, improvement projects, and in county review of applications for non-exempt development filed pursuant to the New Jersey County Planning Act (N.J.S.A. 40:27-1 et seq).

1. ***Stormwater Management.*** Incorporate applicable RMP policies, goals and objectives into: a) any existing or proposed County Stormwater Management Plan; b) requirements and criteria applied in review of municipal stormwater management plans and implementing ordinances; and c) regulations and criteria applied in review of stormwater control plans submitted in connection with development applications that affect county drainage facilities. Applicable RMP policies, goals, and objectives will include at minimum, those concerning stormwater management, ground water recharge, Highlands open waters and riparian areas, carbonate rock, and low impact development.
2. ***County Roads.*** Incorporate applicable RMP policies, goals and objectives into the standards and criteria pertinent to: a) design and construction of county roadways and related facilities; and b) review of development applications that affect county roadways and related facilities. Applicable RMP policies, goals, and objectives will include at minimum, those concerning stormwater management, low impact development, and scenic and historic resources (i.e., designated bridges and scenic byways). The Highlands Council will provide specific follow-up guidance to assist counties in this regard.
3. ***Open Space Preservation.*** Adopt Highlands conservation and land stewardship easement language for use in county open space easements. Ensure that ecological baseline data are collected for properties owned by or dedicated to the county, with priority for new acquisitions, identifying major ecological communities, species of concern, stewardship issues and opportunities for improvement in support of Open Space Master Plan goals.
4. ***Development Reviews.*** Update development application submission requirements as needed to require the following, applicable to county planning board applications not subject to review/approval by a municipal land use board:
  - a. Where applications have been prepared in a digitized format, include digital information compliant with Highlands Digital Parcel Map standards.
  - b. For all non-exempt development applications, include a Highlands Consistency Determination from the Highlands Council indicating that the proposal is either consistent or inconsistent with the RMP, and, where inconsistent, the specific reasons for the inconsistency;



c. For non-exempt development applications having received a Consistency Determination indicating that revisions are required to achieve consistency, a certification from the applicant's professional(s) affirming that the plans have been revised to specifically address the inconsistencies identified by the Highlands Council and that to the best of his/her professional knowledge, they have achieved consistency.

5. **Filing/Recording Procedures.** Where applications have been prepared in a digitized format, require that approved subdivision plats, easements, and other like reservations of land be submitted for recording with the County in digitized format compliant with Highlands Digital Parcel Map standards.



6. **County Capital Projects.** Adopt for application to county facilities, a requirement that all capital projects in the Preservation Area receive a consistency determination from the Highlands Council prior to county approval and construction, and that all capital projects in the Planning Area be submitted to the Highlands Council for non-binding comment.



7. **Resource Area and Supporting Requirements.** Adopt for application to facilities owned or operated by the county, Highlands requirements regulating water and wastewater, Highlands resources, and all Highland Resource Areas located within the county. Such requirements will ultimately cover the following, where applicable:

- Steep Slopes
- Critical Habitat
- Forest Areas
- Carbonate Rock Areas
- Open Water and Riparian Areas
- Agricultural Resources
- Ground Water Recharge
- Lake Management
- Wellhead Protection
- Low Impact Development
- Stormwater Management
- Scenic Resources
- Historic/Cultural

### C. ENVIRONMENTAL AND INFRASTRUCTURE CAPACITY



1. **Environmental Resource Inventory (ERI).** Adopt all Highlands resource data, including maps and supplemental information as provided by the Highlands Council to serve as or supplement an existing County ERI.

2. **Wastewater Management Plan (WMP).** Prepare and provide *after* submitting to NJDEP for approval, a County Wastewater Management Plan (or endorsement of municipal wastewater management plans where no County Wastewater Management Plan will be developed) applicable to, at minimum, the Highlands portion of the County, and a septic system management/maintenance plan (as applicable) consistent with the requirements of the RMP and N.J.A.C. 7:15 et seq. Adopt applicable RMP GPOs, modified to apply to the county level, based upon Highlands Council wastewater management technical guidance. The WMP must be prepared in

accordance with all NJDEP protocols, including requirements for conforming and non-conforming municipalities regarding sewer service areas and septic system yield analyses.

### **COUNTY SELF-ASSESSMENT & IMPLEMENTATION SCHEDULE**



**Complete County Self-Assessment (CSA) and prepare CSA Report.** The CSA Report should list and discuss all changes to the county planning program that remain necessary from the time of filing a petition to achieve full Plan Conformance. It should identify areas requiring coordination with the Highlands Council and/or with affected municipalities and other agencies. The CSA Report must also include a proposed Implementation Schedule, indicating the timeframe for anticipated completion of the individual items and the overall program.

### **PROPOSED MAP ADJUSTMENTS**

With regard to County properties and facilities only, provide a narrative discussion on proposed Map Adjustments, if any, along with the justification for each. Map Adjustments refer to changes to the Land Use Capability Zone Map such that all map adjustments provide results that are equal to or exceed on a whole the resource protection provided by the RMP. Map Adjustments will be considered by the Highlands Council in accordance with the specific criteria provided in the RMP.

### **DISCRETIONARY COMPONENTS**

In addition to required Plan Conformance elements a county may also include discretionary Plan Conformance components that facilitate and support regional initiatives and municipal Plan Conformance. These may include such items as:

- Water Use and Conservation Management Plan
- Regional Stormwater Management Plan
- Critical Habitat Management Plan
- Scenic Resource Protection Plan