



Harness the Power

Using the NJ Municipal Land Use Law to Advance Sustainability in your Community

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Municipal Land Use Law

The Power Behind it

-Pledges, Policy, Resolutions and Ordinances

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MLUL – An Overview

Framework for Guiding the Future Through Planning

The **Planning Board** prepares the Master Plan,

- Revise and/or examine it every ten years.
- Grant Power to adopt Zoning Ordinances.

The **Governing Body** enacts zoning ordinances and adopts an official zoning map

- Based on the Master Plan.
- Reviews appeals
- NO requirement to update land use ordinances.

The **Zoning Board of Adjustment** decides disputes that arise under the zoning ordinances

- Grants variances from the strict application of zoning
- Creates report to the Township Council describing areas in which it has granted relief and may recommend changes to the ordinances.



The Power of the Plan

Using the MLUL

Process Provides Intent and Consensus on Vision

- *Pledges/ Resolutions can signify intent*
- *Open Community Dialogue – Encourage discussion/Build Constituency through Investment in Process*

Plan Provides Policy Framework for Action

- *Analyzes Trends, Validates Opportunity, Sets Direction*

Ordinances Implement the Vision

- *Make it Law – Implement the Vision*

**** Nothing signifies to the market more that a community that knows what it wants and what it takes to get there!**

Pledges

Policy

Law



The Power of Action

Education

- Great Forum for Discussing Difficult Topics
- Reduces Misinformation
- Builds a Better Plan

Implementation

- Reduce Missed Opportunities
- Be a Partner Rather than Adversarial

Build Community!



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Master Plan

Actions and the Municipal Land Use Law

Angela Knowles, PP/AICP, LEED-AP
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Municipal Land Use Law

Master Plan Elements : Sustainable Jersey Actions

- Municipal Land Use Law - 40:55D-28 authorizes planning board the powers to create and adopt a Master Plan.
- Must include Statement of Goals and Objectives; Land Use Plan Element; and
- 14 Optional elements
- Is the basis for zoning and for the creation of ordinances intended to take action on the goals and objectives in the master plan.



Master Plan

Optional Elements

- Farmland Preservation Plan
- Historic Preservation Plan
- Open Space Plan
- Circulation Plan
- Green Building & Environmental Sustainability Plan

These become part of the Master Plan once adopted



Master Plan

Data Gathering

- Build-out Analysis
 - Calculates developable lands within specific zoning districts based on zoning standards
- Natural Resources Inventory (NRI)
 - Identifies, inventories, and maps natural resources in a community
- Community Asset Mapping
 - Identifies, inventories, and maps community resources in a town
- Community Visioning
 - Public input is gathered to develop a common vision

VISION

PLAN

ACTION



Master Plan

Implementation

- Wind Ordinance
- Solar Ordinance
- Clustering Ordinance
- Habitat Conservation Ordinance
- Tree Protection Ordinance
- Transit-Oriented Development (TOD)
Supportive Zoning Ordinance



Master Plan

Other actions supported by the Master Plan

- Create a Green Development Checklist
- Site Plan Green Design Standards
- Sustainable Land Use Pledge
- Stormwater Management Control
- Environmental Impact Statement (EIS)
- Climate Action Plan
- Community Sustainability Plan - Vision, Targets/Indicators, Action Plan
- Environmental Commission Site Plan Review



Thank you!

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Sustainable Jersey

Actions and Municipal Land Use Law

Anne Heasley, Program Manager
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Staying Power

Capitalizing on the Municipal Land Use Law

- Law enables municipal action in a broad array of areas
- Create change – 565 municipalities
- Variety of structures and ways of implementing change
- How to make change – long-lasting
- Embrace the tools and powers municipalities are granted



Sustainable Land Use Pledge

WHEREAS, Given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

NOW THEREFORE, we the town of _____, resolve to take the following steps with regard to our municipal land-use decisions with the intent of making _____ (MUNICIPALITY) a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly.



Green Team

- Municipal Land Use Law: authorizes the governing body to form citizen advisory bodies – e.g. Green Team.
- Environmental Commissions: their formation and membership explicitly mentioned in the Municipal Land Use Law and the Green team responsibilities may be assumed by existing body – such as an Environmental Commission.



Complete Streets

Adoption of a policy through a resolution

NOW THEREFORE, BE IT RESOLVED, by the [municipality/county], the [municipality/county] adopts the Complete Streets policy attached hereto as Exhibit A, and made part of this Resolution;

BE IT FURTHER RESOLVED, that copies of this Resolution shall be forwarded to the County of [XXX/municipalities], NJ Department of Transportation and all [county/municipal] departments within thirty (30) days of the adoption of this Resolution.

Pledge

Resolution

Policy



Open Space Plan

Planning

Plan Adoption: by the Planning Board as an element of the Master Plan is required. A resolution from the Planning Board adopting the OSRP should be submitted. The municipality must review and update the OSRP as part of its Master Plan re-examination process.



Integrated Water Planning

Examination of data, information, analysis and strategy development

Requirement: The utility service plan and conservation plan elements must be adopted as master plan elements (or amendments to existing master plan elements), which requires adoption by the planning board.

One Water

Utilities
Plan

Conservation
Plan



Enhanced Stormwater

Adoption of an Ordinance

- Scope & Purpose
- Definitions
- General Standards
- Requirements
- Standards
- Penalties
- Effective Date
- Severability

This ordinance shall take effect immediately upon the approval by the county review agency, or sixty (60) days from the receipt of the ordinance by the county review agency if the county review agency should fail to act.

Planning
Board

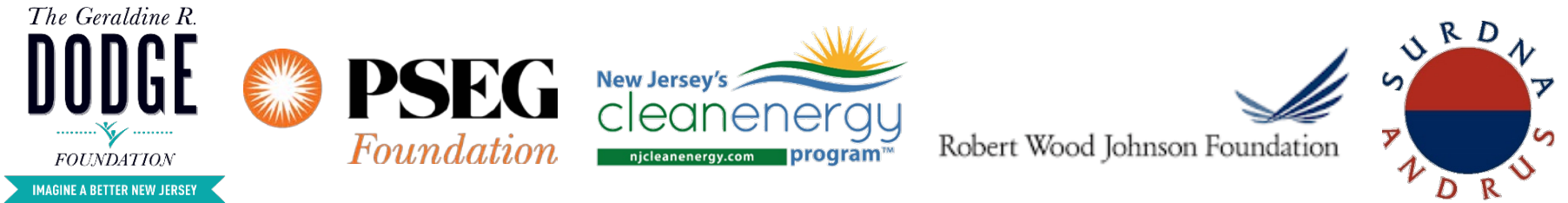
Update
Plan

Ordinance



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Questions ?

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