

THE JERSEY PLANNER



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New Jersey Chapter

Making Great Communities Happen

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The Highlands Model Ordinance: A Template for Regulation in the Highlands Region

By Guliet D. Hirsch, Esq.
Archer & Greiner, P.C.

In this state where home-rule reigns supreme, regional planning agencies now control vast areas including the Hackensack Meadowlands, Pinelands area, coastal area and the 859,000 acre Highlands area. The Highlands Water Protection and Planning Act was signed into law on August 10, 2004. The Act delineates a Preservation Area, subject to immediate regulation by N.J.D.E.P. and a Planning Area subject to potential future control. The eighty-three towns with land in the Planning Area have the option, but not the obligation, to bring their master plans and land-use ordinances into

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State Planning: A Picture of Neglect

By Jay Corbalis
Policy Analyst, New Jersey Future

Created by the State Planning Act of 1985, both the State Planning Commission and the Office of State Planning (now the Office of Smart Growth) were established to help coordinate state and local land-use planning in order to encourage beneficial economic growth, urban revitalization and needed housing while safeguarding the environment and preserving and protecting natural resources.

It was widely acknowledged then, and is still the case now, that New Jersey's economic and environmental well-being depends on the ability of state and local governments to work together, rather than at cross-purposes. Coordination is needed to meet the many land-use challenges facing this small, densely populated state: open-space preservation, affordable-housing production, greenhouse gas reduction, urban revitalization and the protection of clean, safe drinking water and other natural resources. Within state government, it is likewise essential that agencies pursue policies and regulations

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Combating Community Health Problems

By Justin Auciello
Professional planner and founding principal, Plan For Approval

Walk through the streets of Newark, Jersey City, Camden, Paterson, Atlantic City, or even a smaller city like New Brunswick, and look for a supermarket. Surely, you will find an abundance of markets, but how about strategically situated modern, well-stocked supermarkets—where you can get nutritious fresh food at fair prices—that are ubiquitous in the suburbs?

Rare. Your search will likely be a failure. The reasons? Plenty. Businesses rely on revenue generation, and the spenders are likely to be found in the suburbs, where shoppers can park, grab a cart, and stock that cart with an abundance of fresh foods. From the pure economic standpoint, those with cars are likely to spend more money than their walking/biking counterparts, since there is more cargo space in which to transport the goods.

The suburbs are also ground zero for supermarkets, because

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THE 2009 ANNUAL PLANNING CONFERENCE: NOVEMBER 5 & 6

With more workshops than ever, a Thursday night planning awards dinner, and Anthony Flint as the Friday keynote, this year's Annual Planning Conference is shaping up to be informative, educational, and fun.

The two-day conference, sponsored by the New Jersey Chapter of the American Planning Association and the Edward J. Bloustein School of Planning and Public Policy at Rutgers, will be held at the Hyatt Regency Hotel in New Brunswick on November 5 and 6.

Thursday Sessions

On Thursday, we will be offering planning law and ethics courses in addition to three 190-minute sessions:

- Testifying Effectively and Building a Record for Appeal
- GIS and Internet Mapping for Planners
- Design for Planners

These longer in-depth sessions are a new feature at this year's conference.

Friday Sessions

On Friday, we are offering 19 90-minute sessions:

- Successfully Implementing COAH-Compliant Rental Housing Programs in a No-Growth Economy: Market Affordable and Accessory Housing Programs
- Redevelopment: Learning from Successes and Failures
- Professional Planning Insights and Navigating New Careers
- New Jersey's State Plan: Where We Are, and What's Next
- Innovations to Community Planning in Ethnic Communities
- A Practitioner's Guide to the Transportation and Land Use Planning

Connection

- The Sustainable Raritan River: An Action Agenda
- Right of Way Preservation and Re-Use
- Connecting Cultural, Community and Economic Development: Issues and Opportunities
- Jobs or Condos: Which Side Are You On, Planner?
- Access to the Region's Core: Community Planning Starts Now
- Is it Time to Amend the State Planning Act?
- Local Sustainability and the Sustainable Jersey Program: The Role of Planners and Planning
- The Role of Greenways in Preserving New Jersey's Natural Resources
- Breaking the Box: Design Solutions for Small Lot Infill Development
- Ripped from the Headlines: How Does the Planning Profession Instill Public Confidence in Planning and Zoning in Light of Alleged Corrupt Activities by Public Officials?
- Transportation and Land Use Strategies to Shrink Your Carbon Footprint
- Who's Afraid of COAH?
- New Jersey's New Wastewater Rules: What They Mean and How They Work

The full conference program can be found at: http://njapa.org/events/apanj_conf2009/2009PrelimConferenceProgram.pdf.

Keynote Speaker: Anthony Flint

The lunchtime keynote address will be Anthony Flint. Mr. Flint, a 20-year journalist and author at the Lincoln Institute of Land Policy, a think-tank based in Cambridge, Mass., writes about cities

and the built environment. A former reporter for The Boston Globe, Loeb Fellow, visiting scholar at Harvard Design School, and policy adviser in Massachusetts state government, he is the author of *Wrestling with Moses: How Jane Jacobs Took on New York's Master Builder and Transformed the American City*, a narrative nonfiction account of the clash of Jane Jacobs and Robert Moses in New York City in the 1950s and 60s, published by Random House (July 2009). His previous book, *This Land: The Battle over Sprawl and the Future of America*, a cultural and political analysis of the smart growth movement, was published by Johns Hopkins University Press. He lectures nationwide on urbanism and trends in land and living, in the coming post-cheap oil, post-carbon future. Mr. Flint's keynote address at the planning conference will address trends in planning, infrastructure, density, and NIMBYism as cities confront the challenges of energy and climate change.

More information on Mr. Flint can be found at: <http://www.anthonysflint.net/>

Cocktail Hour & Anthony Flint Book Signing

After the workshops are done, there be a cocktail hour from 4pm–6pm, and from 4pm–5pm, Mr. Flint will be signing copies of his newest book, *Wrestling with Moses: How Jane Jacobs Took on New York's Master Builder and Transformed the American City*. Please note that the hotel will not allow us to sell the book on premise, so **be sure to pre-order your copy of the book before the conference** for pick-up at the conference registration table. Visit www.njapa.org for more information.

Online registration for the 2009 Annual Planning Conference ends on October 22, so be sure to visit www.njapa.org if you want to sign up online. Online registrations save the \$25.00 processing fee.

If you have any questions about the conference, visit www.njapa.org or contact Michael Levine, New Jersey Chapter Administrator at (973) 286-4708 or email mlevine@njapa.org. Hope to see you there!

NJ Young Planners Group Mixer

Wind down after 2 days of education at the lively New Orleans themed Old Bay Restaurant. Join us from 6:00-9:00PM for a great professional and social networking opportunity for planners and students alike. Meet in the Hyatt Hotel lobby at 6pm to walk over together to the restaurant. Participate in a business card exchange, receive a FREE copy of the "Professional Planning Insights & Navigating New Careers Conference Session Handout" and learn more about the APA-NJ Young Planners Group. ALL ARE WELCOME. Hosted by the APA-NJ Young Planners Group Committee.

For more information about the venue visit www.oldbayrest.com.

President's Corner

By Courtenay D. Mercer, AICP, PP
President

November 1st begins a new era for the APA-NJ Executive Committee. We welcome a new President-elect, as well as many new volunteers to fill expiring and new Executive Committee positions. Before summarizing the changes to the Executive Committee, I would like to recognize those officers that will not be returning after October 31.

Carlos Rodrigues—outgoing Past President

Carlos brought his own touch to the Presidency with his frank candor about planning and policy in NJ, helping to bring APA-NJ into policy conversations. Conference attendance continued to grow under his tenure—a tribute to the great speakers he was able to attract. Carlos continues to be a voice for sound planning in his position as NJ Director of RPA. I certainly do not expect Carlos to fade into the woodwork, and look forward to his continued support of the organization.

Deborah Lawlor—outgoing 1st VP

Debbie has served on the APA-NJ Executive Committee for 7 years in various positions, including Northeast Area Representative, 2nd Vice President and 1st Vice President. Among her many contributions to the organization, she has taken on the Chapter's FAICP nominations for the past three cycles, is providing great assistance on the committee revising the Complete Guide to Planning (*coming soon*) and participated in Conference Planning Committees and Awards

Juries. She also initiated the Walking Tour program that brings planners out into the field to see the results of our efforts. I would personally like to thank her for being a mentor and sounding board throughout my term as President. Debbie continues to serve the APA as Vice-Chair for State Planning of the Regional and Intergovernmental Affairs Division.

Eric Powers—outgoing 2nd VP

Eric joined the Executive Committee last November, and provided great assistance in organizing the Infrastructure Policy Forum the Chapter held earlier this summer. Due to time constraints, Eric opted not to run for a position this cycle. We are sorry to lose him, and hope he will come back to volunteer when time permits.

John Reiser—outgoing Treasurer

Please give John a pat on the back the next time you see him. As former Treasurer of this and another non-profit organization, I know the great deal of labor that goes into the day to day bookkeeping, as well as the generally budgetary responsibilities of this volunteer position. Not only did John fulfill his Treasurer duties, he continuously volunteered to provide technical support to the organization (i.e. webpage support, facebook, online payments, etc.) While John did not run for a formal position this cycle, he promises to continue to assist us in keeping up with technology.

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...The Highlands Model Ordinance

(Continued from page 1)

compliance with the Highlands Regional Master Plan ("RMP") through a Highlands Council conformance process. Incentives to participate have been provided in the form of planning grants up to \$100,000 per municipality and assurances that affordable housing obligations will be substantially reduced. The majority of towns with land in the Planning Area have started the conformance process but have not yet made a binding commitment to participate. Only one town, Riverdale Borough, has expressly declined to bring its Planning Area into conformance with the RMP.

The Highlands RMP was adopted by the Highlands Council on July 17, 2008. The RMP is virtually standardless, especially if compared to the Pinelands Comprehensive Plan adopted almost thirty years ago. Although the Highlands Act mandated that the RMP include model minimum development standards for the Planning Area, the RMP did not contain this component. On September 24, 2009, the Highlands Council filled the gap by issuing a Model Highlands Land Use Ordinance for Municipalities. The model ordinance is a complex, 133 page prototype. The Highlands Council has strongly encouraged use of the model ordinance. It is not clear how receptive the Council will be to proposed changes. December 8, 2009 is the submission deadline for adopted highlands ordinances as part of conformance petitions for Preservation Area lands. June 8, 2010 is the submission deadline for towns which opt to bring Planning Area lands into conformance.

Permitted Uses, Density and Intensity

The only area in the Highlands area region where new or extended sewer or water infrastructure is permitted is in the Existing Community Zone designated by the Highlands RMP. The Existing Community Zone comprises 145,682 acres, 17% of the Highlands region. According to the RMP, this zone is 82% developed, leaving only the sewer service area portion of 16,000 acres for

future growth at moderate density or intensity.

Permitted and conditional uses in the remainder of the Highlands region must conform with the septic density and water use standards as stated in the model ordinance. The model ordinance does not describe permitted density/intensity in dwellings per acre or floor area ratios, but rather in milligrams per liter of nitrate in septic system discharge, to be calculated using the drought recharge-based nitrate dilution model. The Highlands Council has estimated resulting densities in the Planning Area will vary between:

- one home per 19.1 acres to one home per 106.4 acres in the Protection Zone;
- one home per 7.4 acres to 41.0 acres in the Conservation Zone; and
- one home per 6.9 acres to 38.3 acres in the Existing Community Zone.

Intensity of nonresidential uses would be determined by converting floor area to septic flow. For example, 2,400 square feet of office or commercial floor area would equate to one dwelling and would be permitted on a 6.9 to 38.3 acre lot in the highest density Existing Community Zone.

Water Use As Threshold Consideration For Development

In other reports, the Highlands Council has declared that approximately 66% of all Highlands sub-watersheds are currently in deficit condition, meaning that existing uses exceed sustainable supplies. The model ordinance prohibits an application for new development in any water deficit sub-watershed from being declared complete (or reviewed by the local board) until the Highlands Council determines compliance with water use limits and mitigation. Mitigation in the form of recharge between 125% and 200% of proposed water usage is required in water deficit areas. Highlands Council prior approval thus is a mandatory first step in the review of new de-

velopment in most of the Highlands region.

Highlands Area Resource Protection Standards

The model ordinance requires that all Highlands area resources within any development site be regulated. Relief from resource standards may be granted only by the D.E.P. or Highlands Council.

Forest Resources

"Forest" is to be delineated either by using DEP aerials or sample plot evaluation as explained in Appendix A to the ordinance. Clear cutting is prohibited in the forested portion of any site. Disturbance within the forested portion of the site may be permitted provided that: it does not diminish the forest integrity class of adjacent or proximate forest areas; low impact development techniques are utilized; a detailed deforestation impact report and forest mitigation report is provided. Mitigation is required to provide an equivalent or enhanced forest ecosystem benefit.

Highlands Open Water and Riparian Resources

In general, a 300 foot buffer is required around any Highlands open waters but this buffer may be increased where site specific analysis and evaluation indicate that such expansion is essential to protect Highlands resources. Within the Highlands open waters and buffer area, no disturbance except for linear development and disturbance in substantially disturbed buffers is permitted. The ordinance also regulates the RMP-designated riparian area, which by definition lies beyond the Highlands open waters and its 300 foot buffer. No disturbance is permitted in this riparian area except in previously disturbed areas. Land which has been farmed does not qualify as previously disturbed and thus may not be converted to another use which involves greater land disturbance.

Steep Slope Areas

The extent of permitted disturbance in steep slope areas (15% or greater grade or 10% or greater in a riparian area)

depends upon whether the slope area is classified as severely constrained, moderately constrained, constrained or limited constrained. In severely or moderately constrained slope areas, only linear development will be permitted provided that there is no feasible alternative. In order to install a driveway within a severely or moderately constrained steep slope area, the applicant will have to attempt to sell both the property and its development rights.

Critical Habitat Areas

This area includes habitat for rare, threatened or endangered species, Natural Heritage Program Priority Sites, vernal pools and 1,000 foot vernal pool buffers. Disturbance within these areas will be prohibited unless authorized by the Highlands Council. Any development application proposing such disturbance may not be reviewed for completeness until Highlands Council approval has been granted.

Carbonate Rock Areas

Standard geotechnical investigation and reporting is required.

Lake Management Areas

To be regulated by dividing the area into three separate tiers within 1,000 feet of the shoreline, with limited disturbance subject to buffers permitted in each tier.

Prime Groundwater Discharge Areas

Disturbance must be avoided if possible and if not, a maximum of 15% of any lot within a prime groundwater discharge area may be disturbed.

Wellhead Protection Areas

Any use designated as a major or minor potential contaminant source in the appendices to the Ordinance are permitted only if they conform with best management practices and other requirements.

Agricultural Resource Area

Agricultural and horticultural uses and clustered residential uses are permitted. Minimum tract size requirements are set

for residential cluster (120 acres in the Protection Zone, 40 acres in the Conservation Zone and 35 acres in the Existing Community Zone). Interim standards for net density and bulk requirements such as lot frontage, lot width, etc. are set until replaced with a Highlands-Council-approved cluster ordinance.

Historic, Cultural and Archeological Resources

Development in this resource area requires Highlands Council approval prior to determination of completeness of the application.

Scenic Resources

Development in this resource area requires Highlands Council approval prior to determination of completeness of the application.

Affordable Housing

The model ordinance states that it is not intended to waive affordable housing provisions contained in the underlying ordinance and that inclusionary developments are required to fully adhere to the model ordinance. This may mean that if the underlying zoning requires affordable housing to be constructed onsite, it will still have to be produced despite dramatic reductions in permitted density and intensity. This approach directly conflicts with current Council on Affordable Housing rules which require compensatory benefits, in the form of density bonuses, to be provided for construction of affordable housing.

Development Review Procedures

The model ordinance suggests a major change in the coordination and sequencing of development applications. At present, the developer has the option to submit applications to local, county and State agencies in any order. Under the model ordinance, all outside governmental approvals will have to be obtained prior to submission of any development application to the municipality. And Highlands Council approval will have to be obtained prior to an application even

being determined complete in a variety of circumstances. These circumstances include development in any special environmental zone in the Preservation Area; disturbance within a critical habitat area; property containing either historic resources or scenic resources; a proposal to install new or extended water supply or wastewater collection or treatment infrastructure other than in the Existing Community Zone; or proposing a new water use in a water deficit area.

Notice and a copy of the development application must be provided to the Highlands Council at least 10 days prior to public hearing. The Highlands Council may "call-up" an approved application, hold a new hearing and thereafter approve or deny the application.

Conclusion

Highlands towns are now grappling with the decision which will ultimately dictate their future: whether to bring the zoning of Planning Area lands into conformance with the Highlands RMP. The model ordinance makes it clear that future development will be at very low densities and will be subject to prior approval or after-the-fact "call-up" by the Highlands Council. Whether this development scenario is acceptable or not, certain unintended consequences also need to be considered. The potential for municipal tax bases to shrink as commercial rates are vastly restricted is very real. Towns should anticipate that massive down-zoning to conform with the model ordinance will draw takings claims by affected property owners. Hopefully, the cost and benefits of conformance will be carefully assessed.



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The state planning process was designed as a means to these ends. The cross-acceptance process would ensure that state and local governments collaborate to develop land-use policies and goals that complement one another. The State Planning Commission and the Office of State Planning would work to minimize conflict between and among state agencies in order to carry out the shared vision of the State Planning Act and the State Development and Redevelopment Plan adopted pursuant to it.

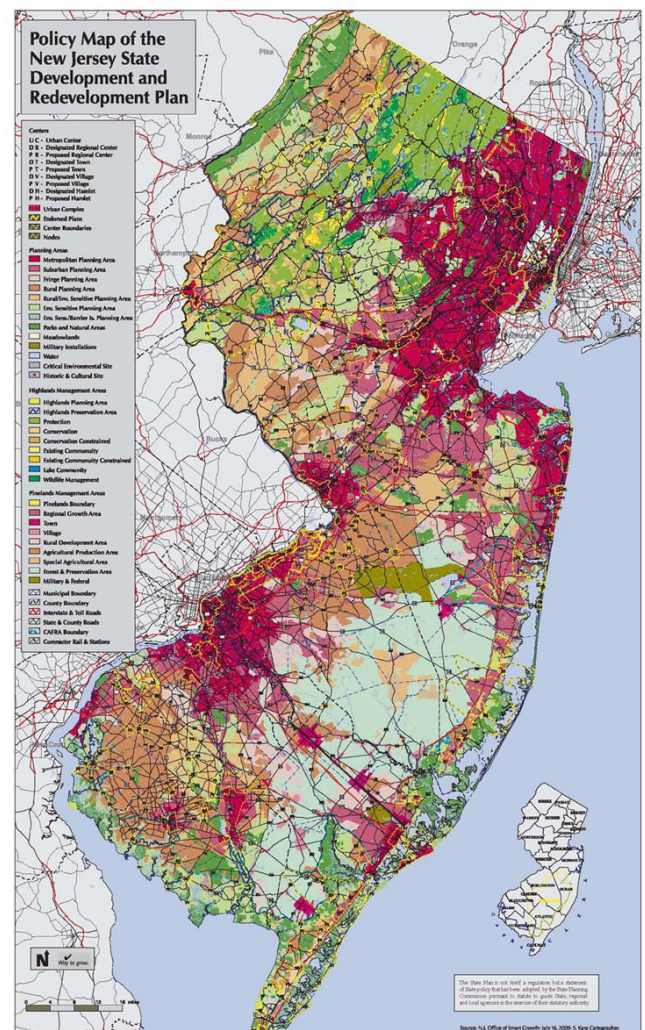
As coordination lags at the state level,

Completing the picture of neglect, staff levels at the Office of Smart Growth have been shrinking, and vacancies on the State Planning Commission growing, for several years. After systematically leaving vacancies unfilled, the Office of Smart Growth is down to just 10 current employees, including the second acting director this year, while the State Planning Commission has just two active non-state members with current appointments.

Both the skeleton Office of Smart Growth and the vacancy-riddled State Planning Commis-

What can be done to turn this situation around? That is one of the key questions participants will be looking to answer at the October 16 symposium, "Where Are We Growing? Planning for New Jersey's Next 20 Years," sponsored by New Jersey Future and the Policy Institute for the Region at Princeton University's Woodrow Wilson School of Public and International Affairs. For more information about the symposium, go to

- Of the 10 public and local government positions on the State Planning Commission, only five are filled-three of them by holdovers whose terms have formally expired. Several seats have been vacant for more than a year. The full commission consists of 17 members; it currently has 12.
- The required update of the State Development and Redevelopment Plan is now five years overdue. The plan, which by law must be updated every three years, was last updated in 2001. A draft interim plan was released in 2009; the earliest it could be adopted is the spring of 2010.
- As recently as 2006, the State Planning Commission's staff, the Office of Smart Growth, had 30 members, including planners, GIS experts, policy advisers and support staff. After several years of attrition, the office is now down to 16 staff positions-only 10 of which are occupied.



...Combating Community Health Problems

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in New Jersey, that is where the money resides. It would be a poor business decision to open and upkeep a supermarket in an area where incomes are low. Other concerns, whether mere perception or not, include higher insurance premiums and a likelihood of criminal activity.

We cannot blame supermarket companies for their lack of presence in urban areas. After all, it's a business, and scarce resources must be allotted where the spenders live. However, we can blame all levels of government for not scheming up some inducements to lure supermarket chains into our cities. Want to change existing land uses in our cities? *Provide the incentive.* Outlay grants and tax abatements; work with, rather than fight, developers with solid proposals; and fast track applications that will benefit our urban areas.

The New Jersey State Development and Redevelopment Plan (SDRP) is long-standing policy, with the goal of pulling development potential out of the suburbs, exurbs, and rural areas and pushing it into the urban areas, where there is existing infrastructure and redevelopment is necessary. And, just recently, I [wrote](#) that the New Jersey

Economic Stimulus Act of 2009, which is an omnibus bill aimed at generating development activity in urban areas, is completely consistent with long-term smart growth and economic development goals.

How do supermarkets fit in with the SDRP and the New Jersey Economic Stimulus Act of 2009? Just like why it is rare to find a supermarket in an urban area, there are *plenty* of reasons why they are needed in our cities. The most important reason is access to healthy food options. With obesity and its concomitant health issues, it is imperative that city dwellers have the option of purchasing nutritious foods. A University of Alberta study has found that there is a direct linkage between land use and health problems. According to Kim Raine, the lead author of a University of Alberta study, our cities are under assault by unhealthy food choices:

"When we reviewed the evidence we found, for example, that lower-income neighbourhoods were more likely to have greater access to sources of high-calorie foods, such as fast-food outlets, and lower access to supermarkets or other stores stocking healthy foods," explains Raine. The report also found that a lower socio-economic status - which involves education level, income and employment - was often associated with increased obesity among both adults and children. "Lower personal income affects the affordability of food," Raine said, "and that has been shown to have the most consistent influence on what people eat."

Planning Commissioner Amanda Burden recently said that "people are spending their entire food budget at Duane Reade, and that means soda and chips," according to a May 20, 2009 [article](#) in *The Architect's Newspaper*, entitled "Zoning Out Junk Food."

Both Raine and Burden raise obvious urban living concerns: the more economically disadvantaged you are in a city, the more likely that you will consume unhealthy foods and not have access to stores with nutritious food options.

On the other hand, obesity is not just limited to urban areas. Even if those in suburban neighborhoods eat well, if neighborhood walkability is an issue, as well as a dearth of recreational opportunities, both may help to breed obesity. Some hallmarks of walkability are increased residential density, mixed-use zoning and street connectivity," said co-author John Spence from the U of A's Faculty of Physical Education and Recreation in a March 14, 2008 *Medical News Today* release. "Conversely, factors such as urban sprawl, low intersection density, low residential density and low land-use mix tend also to favour sedentary behaviour and lower physical activity levels and promote obesity. Applying these findings, an inference can be made that residents in dense, highly walkable neighborhoods, with access to recreational facilities and well-stocked markets, will be the most fit.

What can be done from a land use perspective to address the issue in economically depressed sections of our cities? Through creative zoning techniques, urban planners can create certain inducements that will not only benefit the landlords and developers, but also the greater community. Create the bonus, and as the theory goes, they will come. I've seen zoning bonuses applied to affordable housing construction (higher density allowed for more affordable units), but I've never heard of it used to induce grocery store construction. In the war against junk



A typical urban food source – the small storefront with minimal nutritious options

New York City

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...Combating Community Health Problems

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food, it makes complete sense.

According to *The Architect's Newspaper* article, Commissioner Burden's office is on the front line of this war. With a new zoning strategy, Floor Area Ratio ("FAR") controls—defined as the comparison between actual floor space and the lot size—will not apply to ground floor tenant space rented out to grocery stores.

From the business standpoint, this is an enormous financial benefit to landlords and developers, as it will allow the maxing out of a building's floor area without necessitating a variance for FAR, thus spiking the ROIs for both the landlord and tenant. Of course, there's also the public health benefit, since if developers take the bait and the tenants come, then the neighborhood would benefit from better food choices, beyond the soda and chips from Duane Reade.

The goal, according to Burden's office, is to raise the current number of 15,000 square feet of grocery space per 10,000 people in a neighborhood to a "minimum of 30,000 square feet." The targeted neighborhood include "diverse or high-growth areas like Washington Heights, Sunset Park, and Bushwick," where access to quality food is lacking.

In addition, New York City is taking additional steps to attract and retain supermarkets, and beyond just public

health, this goes to long-term economic development strategies. In a few strategically identified neighborhoods, such as Long Island City, Hunts Point, and St. George, "supermarkets are now permitted as-of-right, and the parking requirement is reduced for their use," according to the city's Department of Planning. By creating these incentives, according to Burden's office, locating supermarkets in undeserved areas "could keep up to \$1 billion from seeping to suburban vendors as residents turn elsewhere to stock the pantry."

Across the Hudson River in New Jersey, a nascent public-private partnership initiative is seeking to lure supermarket companies into urban areas, though low-interest loans funded by a seven million dollar contribution from the Casino Reinvestment Development Authority (CRDA), four million dollars from the New Jersey Economic Development Authority (EDA), and a seven million dollar investment from a TRF, an investment group, according to a July 22, 2009 [article](#) in the Press of Atlantic City.

In Atlantic City, city officials are mulling over "tax abatements as a financial incentive for A&P," and the CRDA "may offer A&P a mortgage abatement of up to \$100,000," according to the article. According to Odis Jones, director of urban development for the Economic Development Authority, "supermarkets generate jobs, serve as a catalyst for economic development, and provide access to food at affordable prices."

Donald Hinkle-Brown, president of lending and community investment at TRF, said New Jersey will be the second state behind Pennsylvania to have such a supermarket program. TRF has leveraged \$30 million in state funding from Pennsylvania for \$116 million of total investment for 70 grocery stores in the Keystone State.

I'm a firm believer that by positioning ample grocery stores in our urban areas



A community farm on an abandoned lot in Oakland, CA. (Photo credit: Linda N. on [Flickr](#))

through government inducements, residents will be healthier and our cities will be more vibrant and suitable for residential development—both goals of the SDRP.

And what if this is not enough for the grocery stores to settle in our urban areas? Municipalities can embrace the problem and find solutions. In Detroit, for example, a city that is rapidly shrinking and dotted with abandoned lots, [all of the chain grocery stores have abandoned the city](#), and in reaction, the city has offered tax breaks to retain local grocers.

In addition, the city is working with Urban Farming, a local non-profit agency, to clear abandoned lots, fill them with soil and fertilizer, and grow crops, with the end goal to sell to the community and donate to local soup kitchens. Some cities, such as Seattle and Portland, are either considering or have implemented an inventory of public lands to determine the most suitable locations for growing food. Spurred by this ongoing public dialogue, architects are designing multi-purpose urban structures that accommodate people, crops, and livestock—a truly innovative idea and hopefully a viable model for the future.

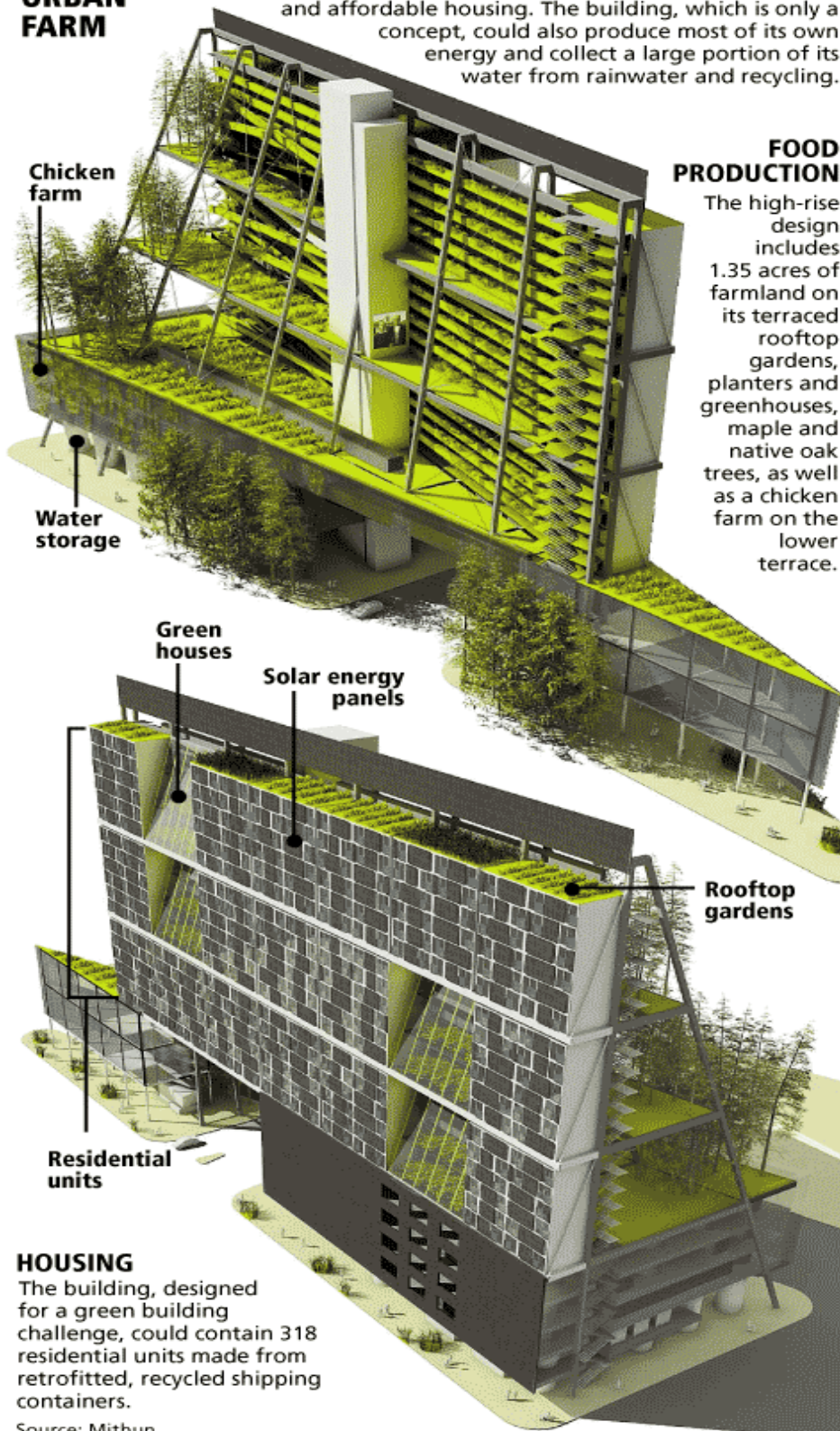
It's not just Detroit, of course, where urban farming is sprouting; Urban Farming has plots throughout the country, including New York City and Los Angeles. On a less organized scale,



Healthy food choices that may soon come to more NYC neighborhoods. (Photo: Natalie Maynor on [Flickr](#))

VERTICAL URBAN FARM

Seattle architects at the firm Mithun have envisioned a "Center for Urban Agriculture" featuring food production and affordable housing. The building, which is only a concept, could also produce most of its own energy and collect a large portion of its water from rainwater and recycling.



FOOD PRODUCTION

The high-rise design includes 1.35 acres of farmland on its terraced rooftop gardens, planters and greenhouses, maple and native oak trees, as well as a chicken farm on the lower terrace.

community based farming is popular in municipalities of all sizes throughout the country, and with the explosion of backyard livestock farming, understanding the economic pressure people facing, some municipalities (including major cities) are beginning to liberalize backyard livestock restrictions. (I wrote about how municipalities are dealing with backyard chicken coops [here](#).) The benefits are beyond food, too. Community gardens are important for community building, help to reduce criminal activity, raise property values, and provide neighborhood children with a wholesome activity.

In facing a nationwide health crisis, we need innovative thinking, and I've always felt that the most innovative strategies are those that are the most obvious. Granting zoning breaks and creating public-private partnerships to attract grocery stores is a huge (and obvious) step in combating against the daily junk food assault, as well as a common sense tool that spurs economic development during tough times. Although we will see how the NJ public-private partnership initiative plays out, on its face, it's innovative, sensible, and much-needed, especially since it meshes well with the SDRP and the New Jersey Economic Stimulus Act of 2009. Moreover, municipalities should consider promoting and lessening restrictions on both community and backyard farming, along with exploring additional solutions to local food production. Combining all of these initiatives is a recipe for sustainability and good health.

After all, we all need to eat, so why not eat well while concurrently improving our communities?

Justin Auciello is a Professional Planner in private practice. He is the founding principal of Plan For Approval (<http://planforapproval.com>) and writes about various planning issues and innovative practices at <http://thenewwaveplanner.com>.

You may contact via [auciello \[at\] gmail \[dot\] com](mailto:auciello@gmail.com).

Source: Mithun

The wave of the future? (Illustration: [Seattle P-I](#))

...President's Corner

(Continued from page 3)

Jay Corbalis—outgoing Legislative Chair

Jay was only appointed to the position this summer, and thus did not have much time to work in this position. He did start a dialogue with allied organizations about creating a NJ Planning Report Card, which I hope will come to fruition soon and be a guide to the next Administration (whomever that might be).

Bylaw Amendment

This summer, the Executive Committee of the NJ Chapter of the American Planning Association put forward a by-law amendment for its members' consideration. Due to the substantive nature of the amendments, the Executive Committee opted to propose a new edition of the bylaws rather than confuse the situation with extensive track changes amendments. The amendments were ultimately adopted by an overwhelming majority of voters, and are summarized as follows:

- The first objective of the amendments was to improve the readability of the bylaws. The bylaws now include a table of contents and have a more logical flow.
- Second, the amendments represent a major restructuring of the Executive Committee. Currently, there are a significant number of non-elected voting members on the Executive Committee, including committee chairs, the newsletter editor, professional development officers and student representatives. The restructured Executive Committee redistributes some of these duties to elected offices, leaving the professional development officers and the student representative as the only voting Executive Committee members not elected by the full membership. The amendments also better define the duties of the Executive Committee officers, and represent a more efficient distribution of workload.
- Finally, the amendments include new guidelines regarding financial management, something lacking in the current bylaws.

In furtherance of the bylaw amendments, the APA-NJ held elections to fill the new and expiring Executive Committee positions. I would like to thank everyone that put their hat in the ring, as well as recognize and congratulate the winners at this time.

Charles Latini, AICP, PP President-Elect

The President-Elect will serve in that position for one (1) year before assuming the Presidency for a term of three (3) years (until October 31, 2013). The President-Elect shall carry out duties assigned by the President and assume the duties and responsibilities of President should the office become prematurely vacant. Upon assuming the Presidency after one (1) year, or sooner should the office become vacant, the duties of the President include the following:

- Call meetings of the Chapter and the Executive Committee and preside at these meetings;
- Create and, except as otherwise provided in these Bylaws, appoint, discharge, and serve as a nonvoting, ex officio member of all committees;
- Execute any contracts authorized by the Executive Committee;
- Establish and discharge any committees as may be necessary unless otherwise provided for in the Bylaws;
- Oversee the administration of the Strategic Plan and Work Program of the Chapter;
- Oversee the preparation of a draft annual Strategic Plan and Work Program and draft budget and submit same to the Executive Committee prior to October 1;
- Represent the Chapter on the APA Chapter Presidents Council;
- Represent the Chapter before the APA and its Board of Directors and staff, unless said President shall specifically delegate such authority for particular functions to a Chapter member;
- Perform such other duties as are customary to the office.

Mirah Becker, AICP, PP Vice-President of Policy

Because the Vice-President of Policy would normally be elected in even years, per the APA-NJ bylaws, the term of office for this positions will only be one (1) year (until October 31, 2010). At such time, the Vice-President of Policy can opt to run for re-election to a full two (2) year term beginning November 1, 2010. The duties of the Vice President of Policy include the following:

- Oversee the Chapter's legislative affairs and advocacy program;
- Serve as Chair of the Legislative Policy Committee;
- Coordinate with and assist the chairs of any ad hoc committee(s) established to advance the policy initiatives of the Chapter, aka policy committee (s);
- Report on ad hoc policy committee(s) activities and concerns at each Executive Committee meeting, and serve as a nonvoting, ex officio member of said committee(s);
- Oversee the development and the annual update of the Chapter Administrative Procedures and Policy Manual and present it to the Executive Committee for action;
- Assume the duties and responsibilities of President at such time as the office becomes prematurely vacant and until such time as a new President is installed as provided in ARTICLE V.2 (d) and (e);
- Carry out any other duties assigned by the President.

Lorissa Whitaker Vice-President for Conference Affairs

The Vice-President of Conference Affairs has a term of two (2) years, from November 1, 2009 through October 31, 2011. The primary responsibility of the VPCA shall be to organize, supervise, and manage the Chapter's annual conference. Duties shall include the following:

- Serve as Chair of the Conference Committee;
- Develop a format, schedule and budget for the annual conference to be presented to and approved by the Executive Committee;

- Develop programming for the annual conference that is relevant, timely, and varied so as to appeal to the broadest spectrum of the membership;
- Coordinate with any policy or membership services ad hoc committee(s) established by the Executive Committee to solicit relevant programming;
- Coordinate with the Bloustein School of Planning and Policy and any persons appointed by the Executive Committee to organize the logistical aspects of the conference;
- Develop and implement a conference fundraising/sponsorship campaign;
- Carry out any other duties assigned by the President.

Brandy Forbes, AICP, PP
Vice-President for Membership Services

The Vice-President of Membership Services has a term of two (2) years, from November 1, 2009 through October 31, 2011. The primary responsibility of the VPMS shall be to serve the needs of the Membership. Duties shall include the following:

- Coordinate all membership service activities within the Chapter;
- Develop membership drive campaigns and membership expansion functions;
- Coordinate with and assist the chairs of any ad hoc committee(s) established to enhance membership services, and serve as a nonvoting, ex officio member of said committee(s), aka membership services committee(s);
- Report on ad hoc membership services committee(s) activities and concerns at each Executive Committee meeting;
- Prepare an annual report of Chapter accomplishments, particularly related to the Strategic Plan and Work Program and budget, to be published electronically on the Chapter website;
- Carry out any other duties assigned by the President.

Rebecca Hersh, AICP, PP
Vice-President of Public Relations

Because the Vice-President of Public Relations would normally be elected in even years, per the APA-NJ bylaws, the term of office for this positions will only be one (1) year (until October 31, 2010). At such time, the Vice-President of Public Relations can opt to run for re-election

to a full two (2) year term beginning November 1, 2010. The VPPR shall serve as the Chapter liaison to all Sections. Duties shall include the following:

- Serve as the Editor of the bi-monthly APA-NJ newsletter;
- Serve as chair of the Newsletter Editorial Board;
- Maintain relations with the press, through creation and distribution of press releases and editorials;
- Oversee the promotion of National Community Planning Month;
- Ensure webpage content is current and relevant;
- Carry out any other duties assigned by the President.

Karl Hartkopf, AICP, PP
Treasurer

The Treasurer has a term of two (2) years, from November 1, 2009 through October 31, 2011. The Treasurer shall be responsible for the maintenance of the Chapter financial records. Duties of the Treasurer shall include the following:

- Assist the President in preparing an annual budget;
- Oversee the receipt and disbursement of funds consistent with the adopted Chapter budget;
- Provide a quarterly financial report, to include budget line item income and expenses, a current balance sheet, and an income statement reflecting Chapter financial operations;
- Coordinate with the President, and any other person appointed by the Executive Committee, expenditures relating to the Strategic Plan and Work Program and functions of the Chapter Office on a timely basis;
- Coordinate with the President, and any other person appointed by the Executive Committee, an inventory of all Chapter property;
- Coordinate the annual independent audit or compilation report of the Chapter financial records;
- See that the results and summaries of the Chapter's annual independent audit or compilation report are posted on the Chapter website within thirty (30) days of review and approval by the Executive Committee, but no later than June 1 of each year;
- Develop and secure adoption and

maintenance of the Chapter's financial procedures manual by the Executive Committee;

- Ensure that financial documents are available and in order to facilitate the preparation and filing of the Chapter's annual tax statements;
- Carry out any other duties assigned by the President.

Bonnie Flynn, AICP, PP
Secretary

The Secretary has a term of two (2) years, from November 1, 2009 through October 31, 2011. The Secretary shall be responsible for official records of the Chapter, assisted by any person hired by the Executive Committee to assist in the administration of Chapter duties. Duties of the Secretary shall include the following:

- Record the proceedings of each Executive Committee meeting and prepare and submit to the Executive Committee for approval meeting minutes of each Executive Committee meeting within thirty (60) days of their occurrence;
- See that the Executive Committee meeting minutes are posted on the Chapter website within thirty (30) days of Executive Committee approval. The minutes may be published once reviewed and approved, or reviewed and revised, by the Executive Committee and may be limited to generalized statements of the agenda covered, the actual wording of any motions or resolutions made and the outcome of voting on each, the time each meeting began and ended, and who attended and who was absent;
- Notify members and Executive Committee members of meetings;
- Transmit to the Executive Committee, and have published on the Chapter website, a list of all Chapter Officers and Executive Committee members (including their addresses and telephone numbers) within 10 days of their election or appointment;
- Serve as Chapter Parliamentarian;
- Chair the Chapter Bylaws Committee, and submit proposed Bylaws or amendments to the Executive Committee;
- Carry out any other duties assigned by the President.

Identifying Today's Young Planners

Who are New Jersey's young planners of today? The answer is simple.

Our Makeup + Our Concerns = NJ Young Planners

The New Jersey Young Planners Group committee serves to shed light on the interconnected faces and heightened voices of those that share the following characteristics:

Our Makeup:

- Our age range is between 20 and 35 years old.
- We are of diverse backgrounds.
- We are students. We are new professionals. We have college or graduate level degrees.
- We typically have around five to seven or less years of postgraduate professional experience.
- We are uniquely positioned in between being an intern and a seasoned professional.
- We reside, attend school, or work throughout the state in the public, private and academic sectors.
- We often stand out in the workplace as the "young or junior planner" or "new professional."
- We are the next generation and future of planning in this state.

Our Concerns:

- We have a direct need for tailored and enhanced networking, mentoring, professional development opportunities, and transitional assistance from education to employment, discussion forums, empowerment and skills to excel in the planning field.
- We experience challenges early in our careers and in the workforce as young planners.
- We grapple after obtaining our education with navigating the work/life balance.
- We possess leadership skills and strong talents but are often marginalized or overlooked in the planning field.

- We desire to stay interconnected with other young planners through cutting-edge technology and social networking applications.
- We want support mechanisms that will help us move from new to seasoned professionals.

If you share our makeup and concerns, then chances are you are a New Jersey

Young Planner! Stay connected. Join us at our monthly committee meetings. Our 2009 meeting schedule is available on the NJAPA website or contact chair Zunilda Rodriguez, AICP at zuniz89@hotmail.com

This is the first article of a five part series showcasing young planners' interests in our state.



American Planning Association
New Jersey Chapter

Making Great Communities Happen

JOIN US

ALL WELCOME

FREE ADMISSION

HIGHLIGHTS:

- Professional & Social Networking - Planners/Students
- Business Card Exchange
- Learn & Join NJ Young Planners Group Committee
- Receive Free Copy of "Navigating New Careers & Resource Handout" from NJ YPG Conference Session
- Recap the NJAPA 2009 Conference Experience
- Meet YPG in Hyatt Lobby @ 6 PM to walk to Old Bay
- "Pay For Your Own Event" Affordable Drinks & Food

NJ Young Planners Group Mixer

Friday, November 6, 2009

6:00 PM - 9:00 PM

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Plan To Join Us?
RSVP to zuniz89@hotmail.com

Also Join NJ Young Planners At:
"Professional Planning Insights & Navigating New Careers" Session
November 6, 2009, 9:30 AM - 11:00 AM www.njapa.org

2009 New Jersey Chapter APA Conference
New Brunswick, NJ, November 5-6th

Economic Uncertainty and the Young Planner

By Ngozi Obi, NJ Young Planners Group

The current downturn in the economy has left many uncertainties in the personal and professional realm. Organizations and individuals are assessing their financial state and making tough decisions. Minimized department budgets have resulted in hiring and wage freezes, furloughs and layoffs. Staggering unemployment levels across various professions leave many assessing their skill set as well as job security. Young planners, ranging from new professionals with less than one year experience to those with five or more years of experience, are more vulnerable than most in strained economic times. Many of us are at the beginning of our career, developing skill sets and contacts, while struggling to obtain or retain employment.

The long term impacts of this economy on planning and planning professionals are unknown. Professional development that may have been subsidized by employers like AICP certification, in-depth training, and succession planning may not be realistic as many planning departments/firms downsize and individuals delay retirement. Young planners occupy entry and mid-level positions which are usually first to experience downsizing or layoffs. In addition to a reduction work force, both young and experienced planners are competing for the limited pool

of open entry/mid level positions. Irrespective of the job title, experienced professionals are looking for positions with comparable salary, position duties, or benefits to their most recent job. Those with less experience are experiencing stronger competition or are being bypassed for more experienced planners.

Hiring more experienced professionals for entry level positions is compelling for many organizations. Increased workloads and limited resources may make hiring entry level/young

planners and providing them with training and guidance financially infeasible. The long term impact of this temporary trend may result in young planners exiting the field due to lack of entry level positions in the profession. Young planners that leave the field may never return, which could have long term effects for communities and planning organizations, such as a lack of trained and experienced professionals to fill positions left vacant by retiring baby boomers.

Young planners should attempt to capitalize on and make the most of this situation to benefit their careers. Mid and entry level planners can hone various skills and become accustomed to maintaining or increasing output with less staff and resources. Planners can harness their skill sets to plan effectively with fewer resources, think more long term, and focus on skills such as decision making, resource and time management and communication. Expanding focus areas to compensate for reduced staff and resources may. Also create more versatile and well rounded planners.

During lean times, young planners across the nation are being encouraged to take advantage of free online webinars in planning topics to gain skills and knowledge, build partnerships with other young planners or seasoned professionals in the field, refine GIS technical skills, or seek professional certifications such as New Jersey Professional Planner (PP) license or AICP (American Institute of Certified Planners) license through the American Planning Association to better compete in the market. Although the current economy is difficult, it could be very effective in building planners that can easily transition into senior and executive level positions with the right skill sets. Economic uncertainties for the young planner can ultimately serve as a unique opportunity to bridge the gaps for all of us.

The Box and Beyond: New Houses for Newark

By Damon Rich

Division of Housing and Economic Development, Division of Planning & Community Development, City of Newark

The National Endowment for the Arts has announced that the City of Newark Division of Planning & Community Development has received a \$25,000 Design Innovation Grant for *The Box and Beyond: Urban Design for Infill Houses in Newark*, its initiative to improve the design of Newark's most common building type: the two-to-three family house.

To date, the City has worked with fourteen volunteer architects to test new urban design guidelines, conducted a public education and outreach process, and amended its zoning regulations to implement new design ideas and more urban and pedestrian friendly bulk standards. With the award, the City plans two activities: publishing a booklet to explain the zoning reforms to the public and commissioning a full set of construction plans that follow the new zoning regulations

and incorporate affordable green technologies. These plans will then be available at no cost to local builders for use by their architects. These initiatives aim to improve Newark's built environment as well as heighten public passion for it. To learn more, download a PDF of the publication at www.anothercupdevelopment.org/BoxandBeyond.pdf



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