

Transportation and Land Use Policy in New Jersey

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Unlike Washington, New Jersey crafts a state comprehensive plan. The statutorily-required plan is driven by a strong executive branch commitment to smart growth principles. The state relies primarily on a rigorous incentive program to encourage local governments to implement the state plan. The New Jersey Department of Transportation has embraced the smart growth philosophy. Smart growth principles drive the Department's business practices, investment choices, and even its public relations strategy. The Department's ability to address land use impacts on state highways is also enhanced by strong access management policies coupled with a fair share financial contribution program for developers.

The New Jersey State Planning Act

In 1985, the New Jersey legislature adopted the [State Planning Act](#) to guide state agency and local government planning to “conserve [New Jersey’s] natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal.”

The State Planning Act established a State Planning Office and a State Planning Commission consisting of 17 members appointed by the Governor. Every three years, the State Planning Commission develops a statewide comprehensive plan, including a long-term infrastructure needs assessment, to implement state planning goals. The state comprehensive plan is coordinated with local governments through a process of negotiation called “[cross-acceptance](#),” which compares the policies of local, county, regional, and state plans to ensure compatibility. The process concludes with a written statement specifying areas of agreement, disagreement, and required modification. Cross-acceptance of the state plan is first negotiated between the county planning board and the local planning bodies within the county, and then between the county planning boards and the state. The Commission also provides technical assistance to local governments, develops [state planning rules](#), and recommends administrative or legislative actions to promote more efficient and effective planning.

Smart Growth in New Jersey

In 2002, an [Executive Order](#) of the Governor reinforced state planning requirements by establishing a Smart Growth Policy Council and directing state agencies to incorporate smart growth and state comprehensive plan principles into their plans, regulations and spending programs. In addition, the Order required agency rule making activity to be preceded by the completion of a smart growth impact statement.

In response, the State Planning Commission approved a new plan endorsement process in 2004 intended to encourage local governments to develop and implement plans that achieve the goals, policies, and strategies of the state comprehensive plan. Local governments voluntarily submit their plans to the state for review and endorsement. In return, they receive technical assistance and, if their plans are endorsed, higher priority for available state funding, select streamlined permit reviews, and coordinated state agency services. The state developed the New Jersey [Smart Growth Locator](#), a free, interactive,



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on-line map-based tool for identifying available smart growth incentive programs for consumers and developers based on location. The Locator won the 2007 Planning Excellence Award from the American Planning Association.

Local governments seeking plan endorsement must meet the [guidelines](#) established by the Commission. In order to meet the transportation guidelines, local governments must:

- demonstrate they have partnered with adjacent jurisdictions,
- link local land use and transportation infrastructure capacity,
- indicate how they will design new development by creating compact, mixed use environments,
- adopt a zoning ordinance that provides land uses capable of supporting transit services,
- if they have a rail, light rail, bus rapid transit, ferry or major bus terminal, demonstrate their intent to advance transit-oriented development, and
- adopt a comprehensive parking strategy.

New Jersey Future in Transportation

The New Jersey Department of Transportation (NJDOT) responded to the Smart Growth Executive Order in 2005 by adopting a [smart growth policy](#) and launching a new initiative, [New Jersey Future in Transportation](#) (NJFIT). NJFIT is a public relations campaign and business model based on integrated transportation and land use planning. NJFIT's philosophy is that NJDOT's limited transportation improvement funds should be prioritized for investment in communities where sound land use planning will support and preserve the state's investment. The NJFIT public relations campaign focuses on the role of transportation and land use choices in the congestion and obesity epidemics. The NJFIT business model is premised on five smart transportation principles including downsizing state highways to be affordable, leveraging private sector investment, encouraging network connectivity, helping communities with land design, and practicing context sensitive street design. NJDOT is implementing this initiative through statewide workshops, pilot partnerships with local governments, and funding incentives.

Access Control in New Jersey

NJDOT also uses its access management policies to address the impacts of local land use on the state transportation system. A NJDOT permit is required for the construction or modification of a driveway or street intersecting a state highway, any work within a state highway right-of-way, the expansion or change of use of a facility with state highway access if traffic significantly increases as a result, and the subdivision or consolidation of lots with state highway access. The [access management code](#) details permit requirements including clearly defined design and traffic analysis standards. Accesses must conform to the NJDOT standard for the applicable access level. NJDOT may deny access if the highway segment does not have sufficient capacity at level of service (LOS) E to accommodate the additional traffic. Alternatively, the NJDOT may require fair-share financial contributions towards the cost of constructing capacity improvements to accommodate the additional traffic. Fair-share contributions must be expended on the deficient locations within 15 years. Impacts on state highways already in failure (LOS F) cannot be mitigated with fair share contributions because a proportional contribution would not be sufficient to improve the highway performance to LOS E. When these types of impacts are involved, NJDOT works with developers to reduce trip generation to the lowest possible number through measures such as site design changes, transit support, increasing the mix of land uses, and bicycle and pedestrian facility improvements. Additionally, the NJDOT can require developers to secure alternative access on local roads. The NJDOT has the authority to adjust, modify or revoke a permit if a reasonable alternative access becomes available or if an existing access does not meet the current code.

For More Information

For more information about state transportation and land use policy, contact the WSDOT Transportation Planning Office:

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