

**Township of Vernon
Land Use Board
In the Matter of
The Adoption of Master Plan Reexamination Report
Decided on February 23, 2022
Memorialized on March 23, 2022**

WHEREAS, on February 23, 2022, the Land Use Board of the Township of Vernon conducted a hearing to consider the adoption of the Master Plan Reexamination Report for the Township of Vernon, prepared by Jessica C. Caldwell, P.P., A.I.C.P. dated February 23, 2022; and

WHEREAS, a public hearing was commenced after the Board determined it had jurisdiction; and

WHEREAS, Jessica C. Caldwell, P.P., A.I.C.P. (hereinafter "Caldwell") presented the report dated February 23, 2022, and entitled "Township of Vernon Sussex County Master Plan Reexamination Report" (hereinafter "Reexamination Report") to the Board for its review; and

WHEREAS, The Municipal Land Use Law N.J.S.A. 40:55D-89 requires that:

The governing body shall, at least every ten years, provide for a general Reexamination of its Master Plan and Development Regulations by the Planning Board, which shall prepare and adopt by resolution the report on the findings of such Reexamination, a copy of which report and resolution shall be sent to the County Planning Board. The reexamination report shall state:

- a. The major problems and objections relating to land development in the municipality at the time of the adoption of the last examination report.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the Master Plan or Development Regulations as last revised with particular regard to density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in state, county and municipal policies and objectives.
- d. The specific changes recommended for the Master Plan or Development Regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulation should be prepared.
- e. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment Housing Law", into the land use plan element of the Municipal Master Plan, and recommend changes, if any, in the

local development regulations necessary to effectuate the redevelopment plans of the municipality.

WHEREAS, The Master Plan Reexamination Report, which in effect becomes a component of the Township Master Plan once adopted by the Land Use Board, is in fulfillment of the requirement established by N.J.S.A. 40:55D-89; and

WHEREAS, in September of 2012 the Vernon Township Land Use Board adopted a new Master Plan; and

WHEREAS, the Board adopts the report and Master Plan Elements prepared by her which were prepared and discussed at various work sessions of the Board held in 2021; and

WHEREAS, Ms. Caldwell indicated that the Reexamination Report recommended a number of changes and amendments to the Master Plan and Township Ordinances (see pages 28 through 38 of the attached report); and

WHEREAS, it was specifically determined by the Board that the Township was ready, willing and able to provide any and all affordable housing on an incremental basis through applicants filing for land use approvals with the Township; and

WHEREAS, all the proposed recommended changes are specifically contained in the documents referenced above; and

WHEREAS, there being no members of the public coming forward to present comment, the Board promptly closed the public comment portion of the hearing.

NOW THEREFORE, the Land Use Board hereby makes the following conclusions of law based on the foregoing findings of fact.

The proposed Master Plan Reexamination Report has been prepared by Jessica C. Caldwell, P.P., A.I.C.P. to assist the Township in focusing on the changes that have occurred since 2012 that

have affected the community and more importantly to also identify those issues that are either affecting the municipality now and/or will do so in the years ahead.

These documents are in full compliance with the provisions of N.J.S.A. 40:55D-89 and N.J.S.A. 40:55D-28. The Board specifically concludes that in toto all of these documents will help to guide the use of lands within the Township in a manner which protects the public health, safety, morals and general welfare pursuant to the purposes of the Act set forth at N.J.S.A. 40:55D-2 and also N.J.S.A. 40:55D-28 and are, therefore, appropriate for adoption.

NOW THEREFORE, BE IT RESOLVED by the Land Use Board of the Township of Vernon that the proposed Master Plan Reexamination Report prepared by Jessica C. Caldwell, P.P., A.I.C.P., dated February 23, 2022 is hereby adopted as required by law.

BE IT FURTHER RESOLVED that a copy of this Resolution along with a copy of the Township of Vernon Master Plan Reexamination Report shall be forwarded to the Sussex County Planning Board and to the Township Committee so that specific Ordinances can be prepared and adopted by the governing body of the Township of Vernon.

The undersigned secretary certifies the within resolution was adopted by the Township of Vernon Land Use Board on February 23, 2022, and memorialized herein pursuant to N.J.S.A. 40:55D-10(g) on March 23, 2022.

Kimberley Decker

Kimberley Decker

FOR: 6

AGAINST: -

ABSTAIN: -

Board Member(s) Eligible to Vote:

✓
Auberger; Lynch; ✓
McPeck; Cocula; ✓
Whitaker; ✓
Haley; Mitchell; ✓
Mele; ✓
Spoerl

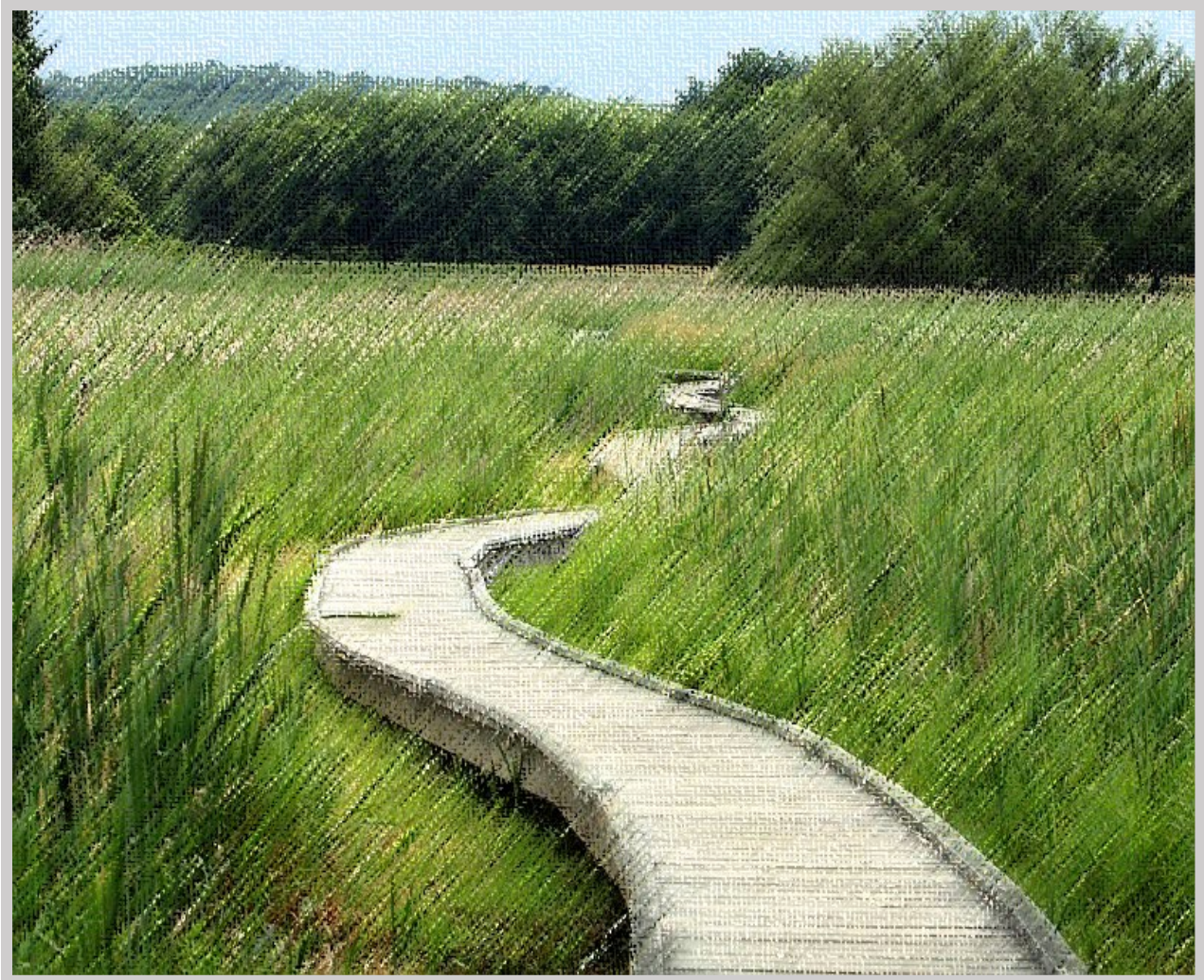
Prepared by: Glenn C. Kienz, Esq.

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TOWNSHIP OF VERNON

SUSSEX COUNTY, NEW JERSEY

MASTER PLAN REEXAMINATION REPORT



FEBRUARY 23, 2022



LAND USE BOARD

Martin Theobald, Chair
Richard Spoerl, Vice-Chair
John Auberger, Mayor's Designee
Brian Lynch, Councilman
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Jaqueline Haley
Willard McPeck
Michael Whitaker
Craig Williams
Kelly Mitchell, Alternate 1
Joseph Tadrick, Alternate 2
Paul Mele, Alternate 3
Mark Vizzini, Alternate 4

Prepared by:

Jessica C. Caldwell, P.P., A.I.C.P., Township Land Use Planner

License No. 5944



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INTRODUCTION

Municipal Land Use Law requires that each municipality prepare a reexamination of their Master Plan and development regulations at least every ten (10) years. Pursuant to N.J.S.A. 40:55D-89, the reexamination report must include the following:

- a. the major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report;
- b. the extent to which such problems and objectives have been reduced or have increased subsequent to such date;
- c. the extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last reviewed with particular regard to density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives;
- d. the specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared; and
- e. the recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, C.79(C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

Additionally, pursuant to 40:55D-93, each time the municipal master plan is reexamined, the stormwater control ordinance and stormwater management plan must also be reexamined and revised as needed.

The Township's Master Plan was adopted by the Vernon Township Land Use Board on December 27, 1995. An amendment to the 1995 Master Plan was adopted in November 2003. A Stormwater Management Element of the Master Plan and Ordinance were adopted in 2006. The Master Plan was updated in July 2010 providing an updated Land Use Element, Historic Preservation Element and Recycling Element. The Historic Preservation Element was updated with a new list of preserved properties in December 2011. A revised Housing Element and Fair Share Plan was adopted in January 2011. A Master Plan Reexamination was adopted in September 2012 reviewing the Highlands Preservation area requirements for adoption of a Highlands Preservation Area Master Plan Element in order to conform to the Highlands Regional Master Plan. Another Master Plan Reexamination Report was adopted by the Land Use Board in May 2013, recommending adoption of a revised Highlands Master Plan Element to incorporate changes recommended by the Highlands Council. A Sustainable Economic Development Plan Element of the Master Plan was also adopted in March 2019. The Stormwater Management Ordinance was updated in 2021 to implement new stormwater management rules adopted by the New Jersey Department of Environmental Protection (NJDEP).

On August 24, 2020, the Township Council passed Resolution 20-174, stating the municipality's intent to pursue Plan Endorsement from the State Planning Commission and amend the State Plan Policy Map to expand the existing designated Town Center. On July 7, 2021 the State Planning Commission approved the Township's petition for Plan Endorsement and expanded Town Center Boundary. On August 23, 2021, the Township Council passed Resolution 21-192 approving a memorandum of understanding with the Office of Planning Advocacy and a Plan Implementation Agreement (PIA) to update the Township's Master Plan, ordinances and other planning documents to be consistent with the State Plan. This Master Plan Reexamination Report will incorporate the requirements of the PIA, which are proposed to be completed over the next ten years.

REEXAMINATION OF THE MASTER PLAN

N.J.S.A. 40:55D-89.a – The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.

The last reexamination of Vernon Township’s Master Plan was the Reexamination Report and Master Plan Revision adopted by the Land Use Board in May 2013. The Reexamination Report focuses on the entire Master Plan and generally refers to both the 1995 Master Plan and the 2010 Master Plan Update. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report related to the passage of the Highlands Act, the adoption of the Highlands Regional Master Plan, and requirement of the Governing Body to conform its planning documents to the Regional Master Plan in the Preservation Area of the Township. These include the following:

- a. The Highlands Regional Master Plan (RMP) was adopted by the Highlands Council on July 17, 2008 and became effective on September 8, 2008. The RMP is the implementing document for the 2004 Highlands Act and established goals, policies and objectives to guide land use, development and resources in the Highlands Area. Vernon is approximately two-thirds Preservation Area and approximately one-third Planning Area. In the Preservation Area, the Township submitted a petition to conform to the RMP on December 8, 2009. The development of the Vernon Township Master Plan coincides with the process of maintaining the land use designations that apply in the preservation area for pre-existing development and promotes center-based development in the Planning Area.
- b. In 2012, the Land Use Board adopted a Highlands Element of the Vernon Master Plan and associated reexamination report in September 2012; however, subsequent changes to the model Highlands Master Plan Element were made by the Highlands Council in December 2012, necessitating adoption of an updated Highlands Master Plan Element of the Vernon Master Plan in May 2013.
- c. The Highlands Preservation Area Land Use Ordinance was adopted by the Township in 2014. The Ordinance governs development in the Preservation Area of the Township, which is largely restricted and subject to Highlands Council approval with the exception of 17 available exemptions from the Highlands Act. Later, the Highlands Council delegated eight (8) of the Highlands Exemptions to permit review and approval by a designated municipal official, rather than requiring approval from the NJDEP.

N.J.S.A. 40:55D-89.b – The extent to which such problems and objectives have been reduced or have increased subsequent to the adoption of the last reexamination report.

The Township has conformed to the Highlands Regional Master Plan for the Preservation Area of the Township and continues to work with the Highlands Council on updating its planning documents and regulations. The initial Plan Conformance requirements were met by the adoption of the Highlands Master Plan Element (2013) and Highland Preservation Area Ordinance (2014). The adoption of an amended municipal Master Plan and Land Development Ordinance provided stringent land use development regulations for the Township within the Highlands Preservation Area. A Sustainable Economic Development Plan Element of the Master Plan was also adopted in March 2019, which was funded by the Highlands Council.

The remaining Planning Area of the Township, which includes the State Plan designated Town Center, was not part of Plan Conformance with the Highlands Regional Master Plan. The Township received the original designation of the Town Center from the State Planning Commission on July 16, 2003. The Town Center was set to expire June 30, 2020; however, the expiration date was extended due to the COVID-19 Health Emergency until January 4, 2022. As a result, in order to extend the Town Center, the Township chose to pursue Plan Endorsement with the State Planning Commission. The Township Council held a public hearing and approved a petition for Plan Endorsement on August 24, 2020. Township staff and professionals worked with the Office for Planning Advocacy (OPA) and other state agencies for a year to provide all of the information for initial Plan Endorsement. The State Planning Commission approved the Township's Petition for Plan Endorsement on July 7, 2021, which included a Memorandum of Understanding (MOU) and Plan Implementation Agreement (PIA). The Township Council approved the MOU and PIA on August 23, 2021. The PIA included requirements for several updates to the Township's Master Plan and ordinances including the following:

- Updated Recreation and Open Space Plan;
- Updated Land Use Plan Element;
- Climate Resiliency Planning (as part of the Land Use Element);
- Updated Housing Element and Fair Share Plan;
- Updated Conservation Element;
- Updated Circulation Plan Element;
- Farmland Preservation Plan; and
- Updated Ordinances to implement various documents and requirements of the NJDEP.

appears to be an uptick from the 2019 population estimates from the American Community Survey which reflect this trend.

AGE

Age Groups: 2019						
	Vernon	%	SC	%	NJ	%
Total population	22,216	100.0	143,570	100.0	8,878,503	100.0
Under 5 years	1,028	4.6	6,318	4.5	519,524	5.9
5 to 9 years	1,155	5.2	7,387	5.2	536,364	6.0
10 to 14 years	1,257	5.7	8,808	6.2	560,056	6.3
15 to 19 years	1,497	6.7	9,271	6.6	560,443	6.3
20 to 24 years	1,581	7.1	8,553	6.0	555,737	6.3
25 to 34 years	2,630	11.8	14,921	10.5	1,138,260	12.8
35 to 44 years	2,398	10.8	16,023	11.3	1,137,328	12.8
45 to 54 years	3,649	16.4	22,945	16.2	1,259,591	14.2
55 to 59 years	2,156	9.7	12,642	8.9	637,064	7.2
60 to 64 years	1,710	7.7	10,952	7.7	563,851	6.4
65 to 74 years	2,231	10.0	14,887	10.5	793,910	9.0
75 to 84 years	754	3.4	6,347	4.5	418,829	4.7
85 years and over	170	0.8	2,429	1.6	197,546	2.2
Median age	42.9		44.7		39.9	

Source: 2015-2019 American Community Survey 5-Year Estimates

Since 2000, Vernon has experienced a shift in age groups living in the Township. The number of young children (under 5 years) declined by 2.2%. Likewise, the number of school aged-children ages 5-14 have declined by 7.2%. The number of older teens, age 15-19 decreased by 0.6% and young adults, age 20-24 increased in population by 2.7%. The number of residents ages 25 to 34 and 45 to 54 remained about the same, while the number of residents ages 35-44 dropped by 10 percent. Seniors, ages 55 and up, increased in almost every category.

The numbers of young children and school-aged children have dropped, while young adult populations increased. Child-bearing age and middle-age resident populations have remained the same and senior populations have increased. This is on-trend with demographics for urban areas, where young people and seniors were relocating to between 2010 and 2020 in order to enjoy walkable downtowns and smaller/apartment lifestyles. With the onset of the COVID-19 Pandemic in early 2020, populations have begun to shift away from urban areas. This has the

potential to positively impact rural communities like Vernon that was experiencing population losses. Overall, these findings support Vernon’s housing policies to provide a balance of housing types to support all age groups.

RACE

Race and Ethnicity: 2019						
	Vernon	%	SC	%	NJ	%
Total Population	22,216	100.0	143,570	100.0	8,878,503	100.0
One Race	21,734	97.8	138,982	98.2	8,634,958	97.3
White	20,613	92.8	131,300	92.8	6,018,074	67.8
Black or African American	798	3.6	3,290	2.3	1,194,882	13.5
American Indian or Alaska Native	0	0.0	37	0.0	19,711	0.2
Asian	38	0.2	2,963	2.1	840,168	9.5
Native Hawaiian and Other Pacific Islander	0	0.0	38	0.0	3,458	0.0
Some other race	285	1.3	1,354	1.0	558,665	6.3
Two or more races	482	2.2	2,501	1.8	243,545	2.7
Hispanic or Latino of any race	2,076	9.3	11,617	8.2	1,794,736	19.7

Source: 2015-2019 American Community Survey 5-Year Estimates

Vernon has become more diverse since the 2000 U.S. Census. At that time, the total population of Black or African American residents was about 0.8 percent of the total. About the 3.6 percent was Hispanic or Latino, 1.1 percent was two or more races or ethnicity and about 0.8 percent was some other race or ethnicity. Now, Vernon has a about 3.6 percent Black or African American population, 9.3 percent Hispanic or Latino, 2.2 percent of two or more races and 1.3 percent of some other race or ethnicity. There was a decrease in the Asian population where in 2000, it was 0.7 percent and in now it is 0.2 percent. The American Indian or Alaska Native and native Hawaiian and other Pacific Islander populations experienced no change.

In general, Vernon’s population diversity is similar to that of Sussex County, and is less racially diverse than the State. However, when analyzing the data since 2000, Vernon’s racial diversity is gradually increasing. Vernon residents of any race who were Hispanic or Latino constituted 9.3 percent of the population, approximately 1 percent more than the County percentage but still below the State. Although 92.8 percent of Vernon’s population is white, which is the same as Sussex County, and more than the 67.8 percent of the State, there has been some growth in minority populations.

Vernon Township has also promoted economic development in the Township. The Township adopted a Sustainable Economic Development Plan (SEDP) to promote businesses and tourism in the Township and help promote development in the Town Center. This plan explores ways to maximize Vernon’s economic assets including the resorts and access to open space, natural areas and farms in order to improve the overall vitality of the Township. The SEDP consists of ideas on promoting the Township’s land use development objectives which includes improvements to its tourism industry, especially its outdoor recreation, natural resources, and agri-/eco-tourism. These tools will be used as viable economic drivers for the local economy, serving the needs of residents, the region, and visitors to the area. The plan identifies targets and goals for increasing the vitality of the Township, and covers land use initiatives, policy direction, and economic development goals and objectives. While the Township has infrastructural challenges and environmental constraints, there are several zoning districts in the Township that provide for mixed-use, commercial, resort, and light industrial uses for the benefit of economic development. These districts include: the Vernon Town Center, Neighborhood and Village Commercial, General Business, Office Professional, Commercial Recreation, Light Industrial, Mountain Resort, Agri-Eco Tourism and the McAfee Village Mixed-Use and McAfee Commercial Resort zoning districts. While the process of change takes time, positive economic development will continue to have a positive impact on the residents of Vernon Township.

HOUSEHOLD SIZE

Average Household Size: 2000-2019			
Year	Vernon	SC	NJ
2000*	2.95	2.80	2.68
2010	2.80	2.69	2.68
2011	2.79	2.66	2.69
2012	2.82	2.67	2.70
2013	2.80	2.67	2.71
2014	2.81	2.67	2.72
2015	2.80	2.67	2.73
2016	2.76	2.66	2.73
2017	2.71	2.64	2.74
2018	2.73	2.71	2.81
2019	2.69	2.61	2.69

Source: *U.S. Census; 2015-2019 American Community Survey 5-Year Estimates

Household Size by Household Type: 2019						
	Vernon	%	SC	%	NJ	%
Total households	8,241	100.0	53,322	100.0	3,231,874	100.0
Family households	6,165	74.8	38,292	71.8	2,228,108	68.9
2-person household	2,752	33.4	16,734	31.4	867,804	26.6
3-person household	1,553	18.8	9,263	17.4	546,097	16.9
4-person household	1,028	12.5	7,376	13.8	490,766	15.2
5-person household	543	6.6	3,154	5.9	208,905	6.5
6-person household	255	3.1	1,255	2.4	71,059	2.2
7-or-more person household	34	0.4	510	1.0	43,477	1.3
Nonfamily households	2,076	25.2	15,030	28.2	1,003,766	31.1
1-person household	1,676	20.3	12,231	22.9	839,453	26.0
2-person household	337	4.1	2,536	4.8	137,254	4.2
3-person household	32	0.4	162	0.3	16,742	0.5
4-person household	19	0.2	89	0.2	7,024	0.2
5-person household	0	0.0	0	0.0	2,055	0.1
6-person household	12	0.1	12	0.0	833	0.0
7-or-more person household	0	0.0	0	0.0	405	0.0

Source: 2015-2019 American Community Survey 5-Year Estimates

Vernon’s average household size was 2.80 in 2010 and 2.95 in 2000. The current household size is 2.69, trending down similar to both the County and the State. The overall household size, is, however larger than the County’s (2.61) and the same as the State’s (2.69) average household size. With the Township’s increased populations of young to middle-aged residents, there has been an increase in the number of family households, while almost every other category of household size has been declining. With declining household sizes, smaller homes and multifamily residential opportunities make sense within the community. Policies that continue to promote housing for smaller household sizes should be supported.

EMPLOYMENT

Employment Status: 2019						
	Vernon	%	SC	%	NJ	%
Population 16 years and over	18,525	100.0	117,108	100.0	7,148,309	100.0
In labor force	13,206	71.3	79,866	68.2	4,689,849	65.6
Civilian labor force	13,206	71.3	79,852	68.2	4,680,584	65.5
Employed	12,479	67.4	75,773	64.7	4,422,491	61.9
Unemployed	727	3.9	4,079	3.5	258,093	3.6
Armed Forces	0	0.0	14	0.0	9,265	0.1
Not in labor force	5,319	28.7	37,242	31.8	2,458,460	34.4
Unemployment rate	5.5%		5.1%		5.5%	

Source: U.S. Census Bureau; 2015-2019 American Community Survey 5-Year Estimates

Vernon is a designated Town Center in Sussex County by the State Planning Commission. The Township has a history of low unemployment within the Township. The Town Center District in the Township, along with areas in several zoning districts, have been declared an area in need of redevelopment. A Redevelopment Plan for the Town Center was adopted in March 2021. The Plan expanded permitted uses and relaxed setback regulation to encourage additional development within the Center. Likewise, the Plan created a Town Center Light Industrial Overlay Zone to promote light industrial type uses in the Town Center areas that are further from main roads and less visible to the public. Overall, the proposals seek to support additional development in the Center to support existing infrastructure improvements that have been made and promote economic vitality within the community.

Industries of Employed Population: 2019						
	Vernon	%	SC	%	NJ	%
Civilian employed population 16 years and over	13,033	100.0	76,174	100.0	4,388,024	100.0
Agriculture, forestry, fishing and hunting, and mining	252	1.9	848	1.1	15,873	0.4
Construction	1,304	10.0	6,426	8.4	283,676	6.3
Manufacturing	1,771	13.6	7,652	10.0	359,650	8.0
Wholesale trade	123	0.9	1,939	2.5	143,970	3.2
Retail trade	2,127	16.3	9,455	12.4	462,786	10.3
Transportation and warehousing, and utilities	397	3.0	3,470	4.6	298,291	6.6
Information	160	1.2	2,160	2.8	106,001	2.4
Finance and insurance, and real estate and rental and leasing	594	4.6	4,097	5.4	386,688	8.6
Professional, scientific, and management, and administrative and waste management services	1,558	12.0	9,861	12.9	614,332	13.7
Educational services, and health care and social assistance	2,913	22.4	17,307	22.7	1,092,195	24.3
Arts, entertainment, and recreation, and accommodation and food services	509	3.9	6,388	8.4	358,343	8.0
Other services, except public administration	650	5.0	2,694	3.5	186,454	4.1
Public administration	675	2.7	3,453	4.5	188,440	4.2

Source: U.S. Census Bureau; 2015-2019 American Community Survey 5-Year Estimates

Vernon’s distribution of workers by industry tended to follow those of the County and State with a few notable exceptions. The Township’s share of workers in “Agriculture, forestry, fishing and hunting, and mining,” is almost twice of the County’s and over 1.5 times the rate of New Jersey. 16.3 percent of Vernon workers were employed in “Retail trade,” compared with 12.4 percent of the County and 10.3 percent of the State. Vernon’s “Retail trade,” is between the County and the State’s, which is most likely due to most of its retail establishments being in Vernon’s Town Center. Residents that worked in “Educational services, and health care, and social assistance,” were similar to that of the County and State. Those employed, worked in the Township’s school district as well as the health care and social assistance establishments which were primarily located on or near Route 94. However, the “Public Administration,”

industry was 2.7 percent which was less than that of the County and State where it was 4.5 percent and 4.2 percent respectively.

According to the New Jersey Department of Labor and Workforce Development, Vernon had nearly 13,033 residents employed in federal, state, or local government or the private sector. However, this information does not list non-profit or tax-exempt workers, persons who are self-employed, or companies located in the Township but headquartered elsewhere, so the actual number of workers in the Town Center is likely larger still.

COMMUTING

Means of Transportation to Work: 2019						
	Vernon	%	SC	%	NJ	%
Workers 16 years and over	11,894	100.0	73,951	100.0	4,317,627	100.0
Car, truck, or van	10,782	90.7	67,357	91.1	3,426,364	79.4
Drove alone	9,821	82.6	62,649	84.7	3,080,912	71.4
Carpooled	961	8.1	4,708	6.4	345,452	8.0
Public transportation (including taxicab)	216	1.8	1,205	1.6	503,617	11.7
Walked	42	0.4	794	1.1	114,861	2.7
Taxicab, motorcycle, bicycle, or other means	85	0.7	527	0.7	78,548	1.8
Worked at home	769	6.5	4,068	5.5	194,237	4.5

Source: U.S. Census Bureau; 2015-2019 American Community Survey 5-Year Estimates

Most Vernon residents drove to work (90.7%) a share slightly lower than the County (91.1%) and much higher than the State (79.4%). Workers in Vernon carpooled (8.1%) at a slightly higher rate than the County (6.4%) but about even with the State (8.0%). Less than 1% (0.4%) of Vernon residents walked to work, while about 1% of County residents reported walking to work and just under 3.0% of the State overall reported walking to work. This reflects the large size of the Township and lack of housing and employment in close proximity. The Township’s 1995 Circulation Element does not focus on bicycle and pedestrian safety especially within the Town Center. Vernon should develop an updated Circulation Element that supports complete streets and context sensitive design focused on improved walkability within the Township as well as the creation of trails and bicycle paths to have a positive impact on the community and create more opportunities for walking and biking.

Place of Work: 2019						
	Vernon	%	SC	%	NJ	%
Workers 16 years and over	11,898	100.0	74,038	100.0	4,336,884	100.0
Worked in state of residence	10,829	90.0	68,891	93.0	3,718,291	85.7
Worked in county of residence	4,791	40.3	32,849	44.4	2,315,517	53.4
Worked outside county of residence	5,923	49.8	36,042	48.7	1,402,774	32.3
Worked outside state of residence	1,184	10.0	5,147	7.0	618,593	14.3

Source: U.S. Census Bureau; 2015-2019 American Community Survey 5-Year Estimates

Compared to the County, Vernon has less workers working in their State of residence, but the Township has slightly more than the State. However, the Township has less residents working in the County of residence than both the County and State. At least 10.0 percent of residents had a commute that is around 30 minutes. This is on par with percentages of County and State reported commute times. Over 36 percent of Township residents have a commute ranging between 30 to 60 minutes. These numbers remain on par with the County and State until the higher commute ranges over 45 minutes, where over 12 percent more residents in Vernon have higher commute times than County or State residents. Commutes over 60 minutes are common for 32 percent of Township residents whereas this is true for 24 percent of County residents and just 16 percent of State residents.

Travel Time to Work: 2019						
	Vernon	%	SC	%	NJ	%
Workers 16 years and over who did not work at home	11,129	100.0	69,968	100.0	4,119,485	100.0
Less than 10 minutes	753	6.8	6,776	9.7	404,063	9.5
10 to 14 minutes	946	8.5	6,159	8.8	482,520	11.4
15 to 19 minutes	875	7.9	6,590	9.4	520,817	12.3
20 to 24 minutes	634	5.7	7,119	10.2	541,904	12.8
25 to 29 minutes	292	2.6	3,450	4.9	254,377	6.4
30 to 34 minutes	1,174	10.5	7,863	11.2	546,275	13.4
35 to 44 minutes	977	8.8	5,937	8.5	322,146	8.0
45 to 59 minutes	1,920	17.3	9,221	13.2	406,064	10.0
60 or more minutes	3,558	32.0	16,853	24.1	668,544	16.1

Source: U.S. Census Bureau; 2015-2019 American Community Survey 5-Year Estimates

EDUCATION

Vernon School District Enrollment: 2010-2018		
School Year	Enrollment	% Change
2010-2011	7,088	
2011-2012	6,863	-3.1
2012-2013	6,667	-2.8
2013-2014	6,173	-7.4
2014-2015	6,000	-2.8
2015-2016	5,796	-3.4
2016-2017	5,338	-7.9
2017-2018	5,152	-3.4
2018-2019	5,045	-2.1

Source: U.S. Census Bureau; 2015-2019 Community Survey 5-Year Estimates

Vernon’s school district enrollment has declined by 28 percent, or 2,043 students, over the past decade. With reductions in numbers of pre-school age and younger school-age children, these enrollment numbers are likely to continue to decline unless new families move into the area. Because of the economies of scale existing school districts, it makes sense to try to maintain enrollment at sustainable levels. Promotion of additional family housing or improvements to existing family housing stock could potentially support school enrollment at sustainable levels. Housing policies that result in increased numbers of school-aged children would not be a burden on the school districts today.

HOUSING OCCUPANCY

Housing Status: 2019						
	Vernon	%	SC	%	NJ	%
Total Housing Units	10,694	100.0	62,418	100.0	3,616,614	100.0
Occupied	8,241	77.1	53,322	85.4	3,231,874	89.4
Owner-occupied	7,240	87.9	44,328	83.1	2,064,240	63.9
Renter-occupied	1,001	12.1	8,994	16.9	1,167,634	36.1
Vacant	2,506	22.9	9,096	14.6	384,740	10.6

Source: U.S. Census Bureau; 2015-2017 American Community Survey 5-Year Estimates

The percentage of owner- and renter-occupied housing units have been steady since 2000. This shows that the homeownership status in Vernon is not changing by much annually. However, it is also likely due to the fact that new types of housing units have not been added to the market, including rental units. Promoting home ownership in the Township is positive; however, unit types for a variety of household needs, particularly young people and seniors are looking for rental units. Once people start families, in late 20s to 30s, townhouses and single-family units tend to be more desirable. The large number of existing single-family residences makes Vernon Township desirable for family-aged populations. Adding apartments, particularly rental apartments, could help increase the number of young people living in the area and help to house the increasing senior populations. Creating a variety of housing types available both for purchase and rental should continue to be a central housing policy within the Township.

Township of Vernon Vacant Housing Units: 2000-2019					
Year	Total	Vacant	%	For rent	%
2000*	9,994	1,626	1.9	1,178	9.9
2010	9,812	1,093	2.7	1,109	4.2
2011	9,878	1,229	3.0	1,167	4.0
2012	9,939	1,444	2.8	1,204	5.8
2013	10,241	1,870	2.7	1,252	6.8
2014	10,312	2,103	2.4	1,273	6.8
2015	10,442	2,257	2.3	1,171	7.5
2016	10,803	2,574	1.9	1,051	9.4
2017	10,807	2,506	1.9	1,150	8.3
2018	10,922	2,568	3.3	1,154	7.2
2019	10,694	2,506	2.8	1,001	9.3

Source: *U.S. Census Bureau; 2015-2019 American Community Survey 5-Year Estimates

The number of vacant units was generally on the rise between 2000 and 2016. However, since 2016, the overall number of vacant units has been declining. When vacant units for rent, for sale and seasonal units are accounted for, the actual number of vacant units has seen an even greater decline since 2016. In 2019, less than 500 vacant units were reported. With the onset of the COVID-19 Pandemic in early 2020, people seeking to move to the area or purchase a vacation home grew rapidly. Anecdotal and real estate market information has pointed to a steady decline in inventory in the Township, indicating that the number of vacant, unoccupied units is very low.

Vacancy Status: 2000-2019							
Year	For rent	Rented, not occupied	For sale only	Sold, not occupied	Seasonal	For migrant workers	Other vacant
2000*	129	87	142	N/A**	1,103	0	165
2010	50	29	209	0	734	0	71
2011	50	30	230	0	894	0	25
2012	76	27	210	0	1,012	0	119
2013	93	28	201	0	1,385	0	163
2014	95	27	170	0	1,485	0	326
2015	97	28	166	0	1,460	0	506
2016	112	24	136	28	1,666	0	608
2017	106	24	138	61	1,585	0	592
2018	92	28	251	113	1,440	0	624
2019	105	29	295	114	1,386	0	494

Source: *U.S. Census Bureau; 2015-2019 American Community Survey 5-Year Estimates

**The 2000 US Census combined units that were rented or sold but not occupied into one data point. The combined total for the Township of Vernon in 2000 was 87 units.

POVERTY

Poverty Rate by Age Group: 2019						
	Vernon	%	SC	%	NJ	%
Under 18 years*	4,331	100.0	28,107	100.0	1,938,462	100.0
Below poverty level	195	4.5	1,736	6.2	272,194	14.0
18 to 64 years*	14,688	100.0	89,011	100.0	5,396,590	100.0
Below poverty level	449	3.1	4,100	4.6	482,684	8.9
65 years and over*	3,115	100.0	23,076	100.0	1,371,150	100.0
Below poverty level	116	3.7	1,084	4.7	114,203	8.3

Source: 2015-2019 American Community Survey 5-Year Estimates

Poverty rates in Vernon are generally lower than the poverty rates of both the County and the State. The Township’s estimated share of children below the poverty rate (4.5%) was three times less than that of the State and over 1 percentage point less than the County rate. Nearly 450 residents between 18 and 64 years of age were considered below the poverty level. As noted previously in this section, the overall number of low-income households has been declining since 2000.

AFFORDABLE HOUSING COMPLIANCE

Several court cases have shifted the requirement of affordable housing compliance from the Council on Affordable Housing (COAH) to the court system. The Township has not yet submitted for a Declaratory Judgement from the Superior Court of New Jersey. The following is a history of the Township’s compliance with affordable housing requirements based on its Housing Element and Fair Share Plan dated January 2011.

Prior Round

The Township of Vernon received its Substantive Certification from COAH for Rounds 1 and 2 on December 15, 2004. The Township’s pre-credited obligation was 131 units, consisting of 71 rehabilitation units and 60 new construction units. The Township completed Regional Contribution Agreements for a total credit of 54 units. A SCARC group home with 3 bedrooms was constructed in the Township, which provided 3 credits and 3 rental bonuses. The Township completed 25 rehabilitation units in the prior round and completed 7 rehabilitation units since.

Third Round

COAH adopted its Third Round Regulations on December 20, 2004, requiring Vernon Township to petition for Third Round Substantive Certification in order to remain under COAH's jurisdiction. Vernon Township petitioned to COAH for Third Round Certification in late 2005. The petition including an updated Housing Element and Fair Share Plan adopted by the Vernon Planning Board in December 2005. On January 25, 2007, the Appellate Division issued a decision on an appeal of COAH's Third Round regulations, which required COAH to revise its Third Round rules. As a result, Vernon's Petition for Substantive Certifications was put on hold during the rule making process. On May 6, 2008, COAH adopted new Third Round rules, which became effective on June 2, 2008. At the same time, COAH proposed amendments to those rules. Those amendments were published in the New Jersey Register on June 16, 2008. The amendments were adopted on September 22, 2008, with an additional amendment proposed on the same day. The amended rules were then adopted on October 20, 2008. As a result of the newly adopted Third Round Substantive Rules, communities petitioning to COAH for Third Round Substantive Certification were required to submit updated Housing Elements and Fair Share Plans that met the new rules by December 31, 2008.

On July 17, 2008, Governor Corzine signed a comprehensive affordable housing reform bill into law, P.L.2008, c.46, which included amendments to the Fair Housing Act. Also, known as A-500, the amendments have been noted to be some of the most sweeping housing reform in New Jersey since the passage of the Fair Housing Act. These amendments were also required to be considered and included in all new Housing Elements and implemented by municipalities. On September 4, 2008, Governor Corzine issued Executive Order 114, which addressed implementation of the Highlands Regional Master Plan (RMP) and the need for the coordination between the Highlands Council and the Council on Affordable Housing (COAH). In order to facilitate the coordination, the Executive Order required COAH and the Highlands Council to enter into a Memorandum of Understanding (MOU) to lay the groundwork for coordination on substantive certification in Highlands Communities.

Accordingly, on October 29, 2008, COAH approved an MOU with the Highlands Council, which the Highlands Council approved on October 30, 2008. The MOU addressed a range of issues related to substantive certification that the Highlands Council was implementing through the Plan Conformance Process and COAH was implementing through the Substantive Certification process. (This MOU was later struck down by the courts in 2014.)

On November 12, 2008, COAH granted an extension from the December 31, 2008 petition deadline to December 8, 2009 for any Highlands municipality under COAH's jurisdiction that had, before December 31, 2008: 1) submitted a duly adopted Notice of Intent in accordance with the Highlands Council Plan Conformance Guidelines; and 2) submitted a duly adopted

resolution notifying COAH of its intent to petition COAH no later than December 8, 2009. Vernon submitted both the Notice of Intent and Resolution in conformance with COAH's requirements and was granted an extension to submit its petition for substantive certification on or before December 8, 2009. The extension was again granted by COAH to allow municipalities until June 8, 2010 to file their revised petitions. Unfortunately, Vernon was unable to meet the June 8, 2010 deadline. The Township was released from COAH's jurisdiction in July 2010. The Township revised its Housing Element and Fair Share Plan pursuant to the Round 3 Regulations in place and adopted the revised plan in January 2011. The Township submitted a petition to COAH for substantive certification on June 9, 2011, which was deemed completed by COAH on May 8, 2012. The Township issued notice to petition to COAH on May 21, 2012 and did not receive any objections.

Vernon's latest Housing Element and Fair Share Plan, dated January 2011, included a Third Round obligation for 389 new construction units and 31 rehabilitation units. The Township proposed to continue its rehabilitation program to address the 31 rehabilitation units. Since that time seven (7) units have been completed. For new construction, the Township proposed an inclusionary zone in the Town Center to provide for 265 units; a 100 percent affordable project in the Town Center to provide for 97 units and included development approvals already granted for 27 units.

On September 26, 2013 the Supreme Court affirmed the Appellate Division's 2010 decision and remanded to COAH to undertake new rulemaking based on COAH's prior round rules and methodologies. COAH failed to formally adopt amended Third Round Rules. The Supreme Court on March 10, 2015 ordered the following:

1. The Fair Housing Act's exhaustion of administrative remedies requirements is dissolved and the Courts may resume their role as the forum of first resort for evaluating municipal compliance with Mount Laurel obligations.
2. The effective date of the Order was June 8, 2015.
3. Municipalities that were under COAH's administrative review were permitted to file declaratory judgment actions with the Court by July 8, 2015.

Vernon Township did not file with the Court by the July 8, 2015 deadline and remains on the sidelines with respect to affordable housing compliance. The Township has taken affirmative steps by preparing an inclusionary component of the its Town Center Redevelopment Plan, which requires any housing development that results in a density of more than six (6) units per acre and a total of six (6) units or more must provide a 20 percent set-aside for affordable housing. Additionally, as part of the PIA for Center Designation, the Township has agreed to update its Housing Element and Fair Share Plan to current standards.

LAND USE AND ZONING ANALYSIS

Vernon is the largest municipality in Sussex County by both land area and population. Despite its size and population, its designation as part of the Highlands Region limits the potential for development in the Preservation Area. Approximately 66 percent of the Township is located in the Highlands Preservation Area, where new development is limited to one acre per 88 acres of forested land or 25 acres of cleared land. Existing development remains permitted under existing zoning and can expand up to 125 percent of its existing footprint. The remaining approximately 34 percent of the municipality has less stringent restrictions on development. This area, designated as the Planning Area, may develop under current ordinances of the municipality, however environmental constraints and limited availability of public utilities continues to restrict overall development.

New development on public sewer and water outside of existing sewer service areas is highly unlikely given environmental constraints. Most future development in the Township is expected to be within the Town Center and existing or slightly expanded sewer service areas, low density development on septic systems, redevelopment of existing sites with limited expansion and single-family development allowed as an exception on pre-existing undeveloped lots.

The Township's economic development policies focus on agricultural, outdoor and ecological based tourism industries. The Mountain Creek ski resort caters to downhill skiers, snow boarders and tubing. The National Winter Activity Center (formerly Hidden Valley Ski Resort) offers ski lessons, racing and cross-country skiing for youth membership organizations. Vernon has a portion of the Appalachian Trail which includes two iconic sections of the trail including the Boardwalk, Stairway to Heaven and the Pinwheel Vista. The Township is also home to several lakes including Lake Waywayanda, Highlands Lakes, Vernon Valley Lake, Barry Lakes, Pleasant Valley Lake, Lake Pochung, Lake Panorama, Glenwood Lake, Lake Conway, Lake Wallkill, Lake Wanda, Scenic Lakes, Cliffwood Lake and Canistear Reservoir. The Township is also home to Waywayanda State Park and the Wallkill Wildlife Refuge.

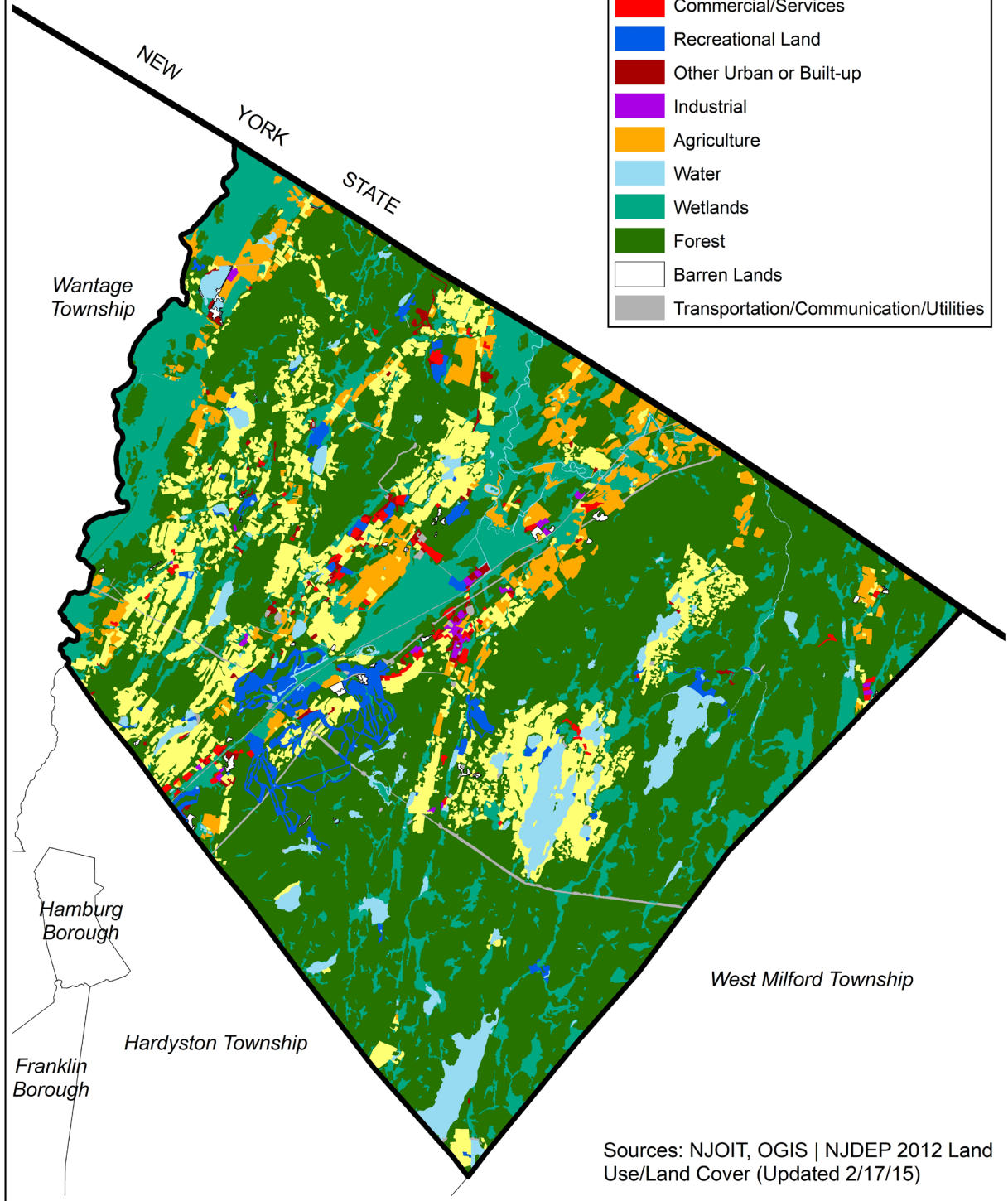
Of Vernon's 44,769.25 total acres, 16.53% or 7,402.27 acres were urban, 57.31% or 25,656.78 acres were forest and 17.52% or 7,844.35 acres were wetlands. The remaining 8.63% if the Township was agricultural (3.93%), barren (0.22%) and water (4.48%). Overall, just over 16 percent of the Township is developed, with the remaining 84 percent either forested, wetlands/water or agricultural land. Additionally, 40% of the Township is permanently preserved open space.

2012 Land Use and Land Cover

Vernon Township, Sussex County, New Jersey

Legend

- Residential
- Commercial/Services
- Recreational Land
- Other Urban or Built-up
- Industrial
- Agriculture
- Water
- Wetlands
- Forest
- Barren Lands
- Transportation/Communication/Utilities



ELECTRIC VEHICLE CHARGING STATIONS

On July 9, 2021, Governor Murphy signed into law P.L. 2021, c.171 in order to encourage the installation of Electric Vehicle Supply/Service Equipment & Make-Ready Parking Spaces has required that these spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements. In the law, the State has established goals to support the transition to an electric transportation sector. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

The following items are required to be included in municipal ordinances:

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
 - a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
 - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
 - c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
 - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
 - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:

- a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
- b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
- c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
- d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
- e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
- f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
- g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
- h. Notwithstanding the provisions of this Section, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

The following minimum parking requirements are also required:

1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces.,
2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

N.J.S.A. 40:55D-89.d – The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

Overall, the updated demographics of the Township show a ten-year decline in the Township’s population that appears to be leveling off and hopefully improving. Land use policies that support promoting increased numbers of young people and seniors in the Township would be a beneficial use of available developable land, particularly in the Town Center. Additionally, increased household incomes and improved employment and economic development in the Township would be supported by increase development opportunities within the Town Center and resort areas in the Township. The changes suggested below are proposed to address the various issues addressed by the Reexamination Report including Plan Endorsement as well as proposals to fine tune existing policies and ordinances to better implement the overall policies of the Master Plan.

RECOMMENDED MASTER PLAN CHANGES:

1. Statement on Smart Growth in the Land Use Element

The New Jersey State Legislature passed P.L. 2017, c.275, a law requiring that the land use element of a municipal master plan include a statement of strategy concerning smart growth, including the consideration of potential locations to install electric vehicle charging stations; storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure; and environmental sustainability. The law took effect on January 8, 2018.

2. Updated Land Use Element including Climate Change Hazard Vulnerability Assessment

The New Jersey State Legislature passed P.L. 2021, c. 6, which requires that any Land Use Element of the Master Plan adopted or amended after February 4, 2021, must include a climate change related hazard vulnerability assessment. The requirements of the assessment include:

- a. Identification of climate change-related natural hazards that are anticipated to impact the municipality.
- b. A build-out analysis projecting future development in the municipality with a focus on areas that exhibit a high level of vulnerability and risk.
- c. An assessment of the threats and vulnerabilities resulting from climate change-related hazards.

- d. Identification of critical facilities necessary for evacuation purposes and for sustaining quality of life during natural disaster.
- e. An evaluation of the impact of climate change-related hazards on the other elements of the master plan.
- f. Strategies and design standards that will reduce or avoid the risks associated with the identified climate change-related hazards.
- g. A policy statement on the relationship of the vulnerability assessment with any existing or proposed natural hazard mitigation plan, floodplain management plan, emergency response plan, post-disaster recovery plan, or capital improvement plan.
- h. Identification of any public potable water wells and pump stations located in the flood zone and determine specific vulnerabilities to flooding events. This includes an analysis for private wells to inform owners of their vulnerabilities and identify potential solutions to that vulnerability.
- i. Minimize future asset exposure by changes to zoning, land development requirements or other methods and incorporate findings into master plan updates and land use decisions.
- j. Develop a vulnerability assessment map of areas that flood regularly including, but not limited to, roadway intersections with particular attention to evacuation routes or critical access areas which should be incorporated into the master plan update and land use decisions.

The NJDEP as part of the Plan Endorsement process requested that the Township further identify in the Town Center and surrounding Redevelopment Areas any area vulnerable to future flooding. These findings should be incorporated into the Land Use Element. The vulnerability assessment should include any impacts on socially vulnerable populations. The Township should also incorporate methods to minimize impacts from climate change to Township facilities and developed areas. The Township should work with NJDEP to develop, adopt, and implement a Local Resilience Strategy. This should address issues identified in the climate vulnerability assessment.

The Land Use Element should also include an updated inventory of all contaminated sites and identify if they are Known Contaminated Sites within the proposed centers which would also meet the NJDEP’s definition of a Brownfield Site.

3. Updated Stormwater / Wastewater Management Plan & Update of the Utilities Element

The New Jersey Department of Environmental Protection (NJDEP) is requiring significant changes to the State’s stormwater management requirements, notably shifting the incorporation of non-structural stormwater management strategies from a “maximum extent practicable” guideline to a requirement that green infrastructure be used to meet water

quality, recharge, and volume control standards. Following the State's adoption on October 25, 2019, municipalities were required to adopt ordinance changes to local stormwater regulations to ensure consistency with State law. The Township has adopted an updated Stormwater Management Ordinance; however, the Highlands Council has new stormwater management recommendations for Highlands communities that may need to be incorporated. As a result, the Township should also review and consider an updated Stormwater Management Ordinance. Additionally, an updated Stormwater Management Plan consistent with the new State regulations is required. The municipality should also include stormwater pollution prevention measures in the update of Stormwater Management Plan. Part of the update of the plan should include confirmation of the condition and capacity of the existing stormwater systems in the Township.

The Township should also provide a detailed vulnerability assessment of the town's infrastructure and work with the utility authority and water purveyor to perform a detailed vulnerability assessment of the infrastructure that serves the town and work with the sewer utility to identify any treatment plant, pump stations or outfall in the flood zone and determine their specific vulnerability to flooding events. The municipality should also update the wastewater management plan to consider restrictions based on Sewer Service Area, Floodplain and land development regulations with regards to septic density and the adoption of the nitrate dilution standards.

4. Update the Township's Natural Resource Inventory.

The Township's Natural Resource Inventory (NRI) was prepared by the Highlands Council as part of Plan Conformance. To the extent that resources and information have changed, the NRI should be updated to reflect those changes and/or incorporate additional information within 1-3 years to address the climate resilience layers and update the inventory of contaminated sites and identify if any of the Known Contaminated Sites within the proposed center also meet the DEP definition of a brownfield site.

5. Green Building & Sustainability Element

The Township should develop a Green Building & Sustainability Element of the Master Plan. Adoption would help establish a basis to implement existing sustainability goals from the Township's Master Plan with policies and initiatives. Goals for this element should include:

- Developing education programs for local residents, homeowners, and property owners on ecologically sound landscaping techniques, composting, etc.
- Promoting energy efficient construction, green building, sustainable design, and alternative energy sources for housing to decrease long-term energy consumption and the cost of housing.
- Developing green building (LEED, Green Globes) and sustainable design guidelines for new development.

- Make necessary modification to ensure that innovative and sustainable construction alternatives and materials (such as green roofs) are permitted.
- Continued participation in the Sustainable Jersey program

Components of a Green Building & Sustainability Element should include:

- Explaining the concept of sustainability and resilience and define what these concepts mean to Vernon Township.
- Explaining the statutory basis for preparing a sustainability element and how the sustainability element relates to other elements of the plan.
- Documentation of public engagement activities.
- Summarize existing conditions and trends, including any environmental justice (EJ) concerns and any available baseline assessment like greenhouse gas inventories, energy use assessments, or public health inventories.
- Documenting the community’s existing sustainability policies and programs and accomplishments.
- Establishing a vision for local sustainability and resilience, expressed in a succinct statement.
- Establishing sustainability and resilience goals and objectives.
- Developing strategies and actions for achieving sustainability objectives, typically organized by topic area, such as land use, transportation, energy, water, waste, etc.
- Establishing performance measures and metrics for tracking progress toward objectives.
- Assigning responsible parties for implementation actions

6. Update Open Space Plan and Pursue More Funding for Open Space

The Township is currently working with the Land Conservancy on an updated Open Space and Recreation Plan (OSRP) Element of the Master Plan. This update is proposed to include an overall plan for Vernon’s open space including new and proposed property purchases. The Township is working with Sussex County, the New Jersey Highlands Council and surrounding municipalities to provide and expand corridors of open space and natural features to support habitat connectivity and adaptation to changing climate and ecological conditions.

As part of the OSRP, the Township should work with the Highlands Council to discuss potential funding partnership options under its Open Space Partnership Funding Program (OSP) and Highlands Development Credit Purchase Program (HDCPP). The Township should also consider providing enhanced and expanded public access to popular and/or important natural areas and outdoor recreational facilities.

The OSRP should address steps needed to be taken to proactively move the open space preservation program forward and increase local funding.

7. Update the Recreation and Open Space Inventory (ROSI) and Natural Resource Inventory.

The Township is currently working with the Land Conservancy on an updated Open Space and Recreation Plan Element of the Master Plan. Following this update, the Township's Recreation and Open Space Inventory (ROSI) that includes state-owned and federally-owned land and Green Acres purchases needs to be updated.

8. Update the Circulation Element of The Master Plan

Update the Circulation Element of Master Plan to address opportunities for shared parking, goods movement, improvements to bicycle and pedestrian access along with continued growth in the community. In particular, goals to reduce congestion and ensure that non-vehicular transportation are encouraged. Complete streets recommendations and considerations for multiple modes of transportation, particularly in the Town Center should be considered. As part of the Circulation Plan Element, the Township should consider adopting a Greenhouse Gas Reduction Action Plan to address greenhouse gas (GHG) emissions, conduct energy audits of municipal facilities and operations, at a minimum, and community-wide audits, if feasible, and using the results of these audits, develop action plans for reducing municipal energy consumption and GHG emissions. The North Jersey Transportation Planning Authority prepared a greenhouse gas (GHG) inventory. This inventory provides county and municipal-level GHG emissions information for the various major community sectors/activities (e.g., residential, transportation, waste generation). The GHG reduction actions should include the following:

- Fleet Inventory and target for green fleet conversion.
- Renewable Energy Aggregation
- Community Energy Efficiency Outreach
- Solar and Wind ordinances
- Community-led Solar Initiatives
- Public EV charging infrastructure and supporting ordinances
- GHG and Energy Audits on municipal buildings/facilities
- Carbon Emission Inventory

9. Complete and Implement a Water Use and Conservation Management Plan

With funding from the Highlands Council, the Township is developing a Water Use and Conservation Management Plan (WUCMP), which will apply to the entire community. The Township should work on completing the WUCMP and following work to implement the Plan, particularly in regard to incorporating water conservation requirements in development processes.

10. Update the Farmland Preservation Plan

The Township's current Farmland Preservation Plan (FPP) is from 1995 and does not meet current standards as outlined in the MLUL (NJSA 40:55D-28b (13) and required by the NJ SADC, in order for the Township to receive funding State grant funding for farmland preservation. An update to the Farmland Preservation Plan (FPP) was a goal of the 2010 Master Plan to ensure that farmland is identified and prioritized for preservation using county and state programs and available funding sources to purchase easements, as well as to support farming as a viable industry in the Township. The Township should update its FPP.

11. Update Recycling Element of the Master Plan

The Township should update the Recycling Element of the Master Plan including the Recycling Statement of Consistency with the County to comply with current State regulations. The Township should also update source separation and recycling ordinances and continue to expand recycling efforts through education and by developing innovative ways to reduce waste and promote recycling for homeowners and businesses.

12. Update the Community Facilities Plan

The Township should develop an updated Community Facilities Plan. This would include a review of the locations of all facilities within the community and verifies that all the community facilities are active and up to date in terms of their locations, contact information and services provided. Additionally, any new proposed facilities should be incorporated.

13. Revise the Official Zoning Map

The township should revised the official zoning map and ordinances based on the Land Use Plan and Update the Land Use Map. It should be updated from the 2012 map on a 1–3-year basis as required by the MLUL P.L. 2021, c.6

14. Examine and Revise Clustering Provisions

The township should examine and revise the clustering provisions to address the following areas:

- Evaluate integration of Conservation Design standards and practices as utilized in the Highlands Preservation Area for use in the Planning Area as appropriate
- Update ownership standards to permit easements for agricultural use and production, consistent with the state's farmland preservation program.
- Increase the open space set-aside requirements (currently only 33%) to ensure that a meaningful amount of acreage is conserved, including non-constrained uplands.
- Examine use of non-contiguous clustering in place of TDR in manner that takes advantage of valuable information derived from the recent TDR feasibility studies undertaken by the Township.

These actions should be examined within 1-3 years of adoption prior to endorsement.

15. Develop an Environmental Justice Action Plan

Develop, adopt, and implement an Environmental Justice Action Plan in accordance with the PE Guidelines. Empower residents, particularly the Township's most socially vulnerable residents, to meaningfully participate in decision-making that affects their environment, communities, and health.

16. Develop or update the Conservation Plan Element

The township should develop or update the Conservation Plan Element and address Block 183, Lot 15 as part of the Wastewater Management Plan update as needed to retain frontage for desirable development within 1-3 years of the adoption of the master plan.

17. Develop a Five-Year Capital Improvement Plan

The township should develop a five-year capital improvement plan with a five year planning horizon per Municipal Land Use Law 40:55D-29 which will report on progress in a biennial review.

18. Update of Housing and Fair Share Plan

Update the Housing and fair share plan to site affordable housing projects outside of risk-prone areas (i.e. 100 and 500-year floodplain) Adopt inclusionary zoning in the Town Center District with a 20% set aside for affordable housing.

19. Develop a habitat conservation plan

Adopt habitat protection measures, such as a habitat conservation plan, for Block 183, lot 15 with a site specific amendment or provision in the developers agreement.

20. Complete and Implement a Water Use and Conservation Management Plan (WUCMP)

The Township is developing a Water Use and Conservation Management Plan (WUCMP), which will apply to the entire community. Recognizing this important WUCMP planning effort, the town will commit to its implementation, particularly in regard to incorporating water conservation requirements for application to new development.

21. Implement a municipal Sustainable Economic Development Plan

The township should implement a municipal Sustainable Economic Development Plan and report on the progress of the plan in a biennial review.

22. Participate in the Sussex County Multi-Jurisdictional Hazard Mitigation Plan

The township should participate in the Multi-Jurisdictional Hazard Mitigation Plan 2021 Update and incorporate mitigation measures into all relevant planning documents.

RECOMMENDED ORDINANCE CHANGES:

1. Ordinance to Add “Green Infrastructure” to Definitions and Accessory Use Table.

The Township should consider adding a definition for the term “green infrastructure” to Schedule A: Permitted, Conditional and Accessory Uses and Structures, and its revised stormwater management plan. The following definition was adapted from New Jersey Future’s Green Infrastructure Municipal Toolkit: “An interconnected system of non-structural stormwater management strategies that use or mimic the natural water cycle to reduce stormwater runoff and prevent runoff pollution. Green infrastructure best management practices (BMP) manage runoff close to the source by retention, infiltration, evapotranspiration, and filtration. Green infrastructure BMPs include but are not limited to: bioretention systems including rain gardens, tree trenches and tree boxes; pervious paving systems; green roofs; grass swales; dry wells; vegetative filter strips; constructed stormwater wetlands, cisterns, or wet ponds for water capture and reuse; and downspout disconnection. Green infrastructure can be designed to capture and retain the Water Quality volume of 1.2 inches with no immediate surface discharge.”

Green infrastructure has a function and purpose in the Township’s parcels. As such, the Township should add the various types of green infrastructure as permitted accessory uses in the TC Town Center zone district as well as other zones within the Township where applicable and appropriate for each strategy. For example, a bioswale or constructed wetland would not be appropriate in the TC Town Center zone district, while a rain barrel or a tree trench may be a fitting accessory use in any zone, depending on size and lot conditions.

2. Stormwater Ordinance Review and Update.

The Township of Vernon will need to update its stormwater management ordinance to reflect any changes to its Stormwater Management Plan in the revision process. The ordinance was first adopted in 2006 and replaced in February 2021 to meet current standards. However, the Highlands Council has indicated that Highlands Communities may need to update their ordinances to reflect specific regulations for the Highlands Region.

3. Ordinance to Update Bonding Requirements to Match Revised State Statutes.

The MLUL provisions related to municipal bond requirements for developers has been updated. Township ordinances should be updated to reflect these changes.

4. Ordinance to promote solar, wind, and geothermal power

The Township of Vernon should consider modifications to its ordinances and permit forms to streamline and reduce or waive permit fees to encourage projects that utilize solar, wind and geothermal power generation techniques in areas which are not environmentally constrained.

5. Ordinance for Pet Waste Management

The Township of Vernon should develop and adopt a pet waste management ordinance in order to help reduce the Total Maximum Daily Load reports with relation to Fecal Coliform in multiple streams within Vernon as identified by the New Jersey Department of Environmental Protection.

6. Ordinance for Steep Slopes in Highlands Planning Areas of the Municipality

While there is an existing Steep Slopes Ordinance in the Preservation Area, a similar ordinance should be developed to mitigate potential impacts from development on steep slopes in the Planning Area.

7. Ordinances for Tree Protection and Community Tree Bank

Vernon should consider a community forestry program focused on adaptive management forestry practices to preserve forested areas in the Township over time. The community forestry program should consider a tree protection ordinance and community tree bank as part of its implementation.

8. Review and Update the Flood Damage Protection Ordinance with the current NJ Riverine Model Ordinances.

The Township's 2011 amendment to the Flood Damage Prevention Ordinance is outdated. The NJDEP has a model riverine ordinance that was updated in December 2020 and incorporates new standards for Flood Damage Protection. Updating the ordinance will keep the Township compliant with the National Flood Insurance Program.

9. Ordinances for Wellhead Protection & Water Conservation.

The Township has ordinances in place for the Preservation Area, but needs to review and confirm wellhead protection and water conservation ordinances are in place for the Planning Area.

10. Ordinance for Complete and Green Streets

The Township should adopt NJDOT's Model Complete and Green Streets Policy to improve pedestrian and bicycle mobility and safety.

11. Update Recycling Ordinance

The Township should update Recycling Statement of Consistency with the County to comply with current State guidelines. The Township should also consider an update of the source separation and recycling ordinances. This should include encouraging the Township to expand recycling efforts through education and by developing innovative ways to reduce waste and promote recycling for homeowners and businesses.

12. Update Ordinances to consider Climate Change Impacts.

The Township should include ordinance updates from the Climate Change Hazard Vulnerability Study.

13. Update Ordinances to address Electric Vehicle Charging Stations.

The Township should adopt an ordinance authorizing and encouraging electric vehicle supply/service equipment (EVSE) & Made-Ready Parking Spaces consistent with the Electric Vehicle Charging Station law, or the existing model ordinance or some combination which best addresses the needs of Vernon Township.

14. Update Ordinances to consider Environmental Justice and Social Equity

The township should evaluate and update all ordinances to consider Environmental Justice and Social Equity Accordingly.

15. Update a Septic Density Ordinance

The township should adopt a septic density ordinance which would consider restrictions based on Sewer Service Area, flood plain and land development regulation and adopt nitrate solution standards.

N.J.S.A. 40:55D-89.e – The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, C.79(C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The Township of Vernon has declared (or reaffirmed) two (2) areas as in need of redevelopment adopted and amended or reaffirmed two (2) redevelopment plans pursuant to the Local Redevelopment and Housing Law, P.L. 11992, c.79 (C.40A:12A-1 et al.) since the last Master Plan Reexamination. These areas and their adopted plans should be incorporated into the Master Plan.

Town Center Redevelopment Area

The Township Council authorized the Land Use Board to conduct a Non-Condemnation Area in Need of Redevelopment Study for lots located in the TC Town Center Zone, along with additional parcels adjacent to the study. The area consists of 172 tax lots and occupies approximately 306.18 acres. The Area in Need of Redevelopment study was adopted on April 11, 2018.

McAfee Village Redevelopment Area

The Township Council authorized the Planning Board to conduct an Area in Need of Redevelopment study on June 12, 2006. The area includes a portion of the McAfee Village consisting of Block 231.01, Lot 1 and is approximately 42.76 acres. Due to a clerical error, resolution #06-106 was never signed. Therefore, the Township reaffirmed the designation of McAfee Village as an area in need of redevelopment on April 9, 2018.

McAfee Village Redevelopment Plan

The McAfee Village Redevelopment Plan (the “Plan”) governs an Area in Need of Redevelopment designated by a resolution adopted by the Township Council of the Township of Vernon on March 12, 2008. As the Area in Need of Redevelopment was reaffirmed in 2018, this Plan continues to apply to the McAfee Village Area. The Plan area consists of a portion of 5 tax blocks: Block 231, Lots 1, 2, 8, 13, 14, 14.01 and 15; Block 232, Lots 1.01, 8.03, 9, 10, 11, 11.01, 12, 12.01 and 12.03; Block 233, Lot 9; and Block 260.27, Lot 13. The total acreage of the area is approximately 590 acres. The majority of the property consists of a golf course while the remainder of the property is mostly vacant and underutilized. The commercial properties within the redevelopment area are geared towards recreational uses. The existing zoning districts for the site are the Commercial Recreation (CR) District and the General Business (C2) District which allows resort uses and recreational uses as well as commercial uses. A MVMU McAfee Village Mixed Use Zone was designated for the property to permit mixed-uses, open space and landscape elements.

Town Center Redevelopment Plan

The Town Center Redevelopment Plan (the “Plan”) governs the Non-Condemnation Area in Need of Redevelopment designated by a resolution adopted by the Township Council of the Township of Vernon on November 25, 2019. The Plan Area occupies approximately 306.18 acres and includes 172 tax lots. The parcels are located in the TC Town Center Zone along New Jersey State Highway Route 94, County Route 515 (Vernon Stockholm Road), Church Street and Main Street. The existing uses in the Plan Area primarily consist of commercial, residential and industrial uses. The area is the state designated Town Center for the Township and is a crucial economic center for the municipality. The Plan permits a mix of uses including residential, commercial, and light industrial to enliven this underutilized section of the Township. The right-of-way is proposed to be developed with an inviting streetscape to create an engaging public realm. The Plan includes additional standards for pedestrian mobility. The Plan is designed to encourage the integration of enhanced building designs, parking, landscape, and signage elements in order to improve the appearance of the streetscape in the Town Center and to support the specific goals and policy statements set forth in the Township Master Plan.

APPENDIX A – PLAN ENDORSEMENT RESOLUTION & PLAN IMPLEMENTATION AGENDA



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
P.O. BOX 820
TRENTON, NEW JERSEY 08625-0820

PHILIP D. MURPHY
Governor

THOMAS K. WRIGHT
Chairman

SHEILA Y. OLIVER
LT. GOVERNOR

DONNA A. RENDEIRO
Executive Director/Secretary

Resolution No. 2021-11
Page 1 of 3

Date: July 7, 2021
Patron: Thomas Wright

RESOLUTION
ADOPTING THE PLAN ENDORSEMENT PETITION FOR
THE TOWNSHIP OF VERNON, SUSSEX COUNTY
AND DESIGNATING A TOWN CENTER

WHEREAS, pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et seq. (the Act), the State Planning Commission (the Commission) has prepared and adopted a State Development and Redevelopment Plan (the State Plan) which includes a State Plan Policy Map; and

WHEREAS, in adopting the State Plan, the Commission has utilized the concept of centers as the organizing planning principle for achieving a more effective and efficient pattern of development in the State of New Jersey; and

WHEREAS, the State Plan identifies five types of centers: Urban Centers, Regional Centers, Town Centers, Village Centers, and Hamlets, and sets forth policies regarding the identification, delineation, development and redevelopment of same; and

WHEREAS, the Commission is empowered, pursuant to N.J.S.A. 52:18A-203, to adopt rules and regulations to carry out and implement its statutory responsibilities and purposes; and

WHEREAS, pursuant to its authority under N.J.S.A. 52:18A-203, the Commission has adopted regulations, set forth in N.J.A.C. 5:85, that establish procedures for filing of petitions with the Commission for the purpose of, *inter alia*, seeking Plan Endorsement and amendments to the State Plan Policy Map as a means to implement the State Plan and to foster cooperation and coordination of planning activities between relevant State agencies and county and local governments; and

WHEREAS, in 2020 the Township of Vernon (Township), Sussex County contacted the Office for Planning Advocacy (OPA), to seek Plan Endorsement and amend the State Plan Policy Map to expand the existing designated Town Center; and

WHEREAS, the petition and supporting documents were received and comprehensively reviewed by the relevant State agencies represented on the Commission; and

WHEREAS, in reviewing the petition, the Commission finds that the Township has made significant progress in the commitment to comprehensive planning and sustainable land use, which will be further advanced through receiving Plan Endorsement; and

WHEREAS, the Township and the Staff and Executive Director of the OPA, in consultation with relevant State agencies have collaborated and refined the Town Center boundaries and Planning Ares, as shown in the Map, EXHIBIT A and B attached hereto; and

WHEREAS, at the same time, the OPA prepared a Planning Implementation Agreement (PIA) in association with this Petition, which set forth the outstanding actions for relevant State agencies and the Township to take in order to achieve Plan Endorsement, including the timeframe(s) for completion of those requirements and the steps to be taken by relevant State agencies to review and support the Township's Petition for Plan Endorsement; and

WHEREAS, the PIA has been negotiated and agreed upon between the relevant State agencies and the Township, a copy of the PIA is attached as EXHIBIT C; and

WHEREAS, on June 16, 2021, the Office presented the Recommendation Report and draft PIA to the Plan Implementation Committee (PIC), which reviewed and considered the Petition, concurred with the recommendation to approve the Petition and proposed PIA, and moved the Petition for consideration by the full Commission at its next regularly scheduled meeting; and

WHEREAS, the PIC has recommended that the Commission approve the Petition, grant Plan Endorsement of the Plan, and formerly amend the State Plan Policy Map, EXHIBITS A and B attached here to; and

WHEREAS, the Commission has determined the Petition submitted by the Township including proposed changes to the State Plan Policy Map designations and Town Center boundaries as negotiated by the OPA, Township, and relevant State agencies, and shown in Exhibit A and B, is consistent with the State Plan, provided the terms of the PIA, EXHIBIT C, and this Resolution are satisfied, and the Memorandum of Understanding as provided by the Commission, is executed by the Township, pursuant to 5:85-7.15.

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby affirms the Executive Director's determination that the Petition for Plan Endorsement is consistent with the State Plan and approves the Petition for Plan Endorsement, thus granting Plan Endorsement to the Petition submitted by the Township; and

BE IT FURTHER RESOLVED, that the Commission acknowledges that the PIA:

- Memorializes the agreed upon planning implementation mechanisms;
- Reflects a commitment, on the part of the Township to implement its plan;
- Reflects a commitment, on the part of the relevant State agencies, to provide agreed upon benefits; and
- Reflects a commitment, on the part of the Township and relevant State agencies, to work together to effectively implement the goals, strategies and policies of the State Plan; and

BE IT FURTHER RESOLVED, that the Commission hereby authorizes formal amendments to the State Plan Map in the Township, as shown in EXHIBIT A and B; and

BE IT FURTHER RESOLVED, that notwithstanding the Commission's Plan Endorsement and the map amendments, Planning Area modifications, any proposed development and/or disturbances to the sensitive resources within the Township will be reviewed by NJDEP in the permitting stages of any proposed project within their regulatory jurisdiction; and,

BE IT FURTHER RESOLVED, that the Commission authorizes the Executive Director to take all actions necessary to execute the Memorandum of Understanding (Exhibit D); and,

BE IT FURTHER RESOLVED, that in approving the Petition and granting Plan Endorsement, it is understood that the Commission's endorsement may be revoked if the Commission determines that the Township has made substantial changes to its endorsed plan without adhering to the rules governing Plan Endorsement, N.J.A.C. 5:85-7.1 et seq., and amending the State Plan Policy Map, N.J.A.C. 5:85-8.3 et seq., or substantially violated the terms of the PIA, EXHIBIT C, so that the plan of the Township is no longer consistent with the State Plan.

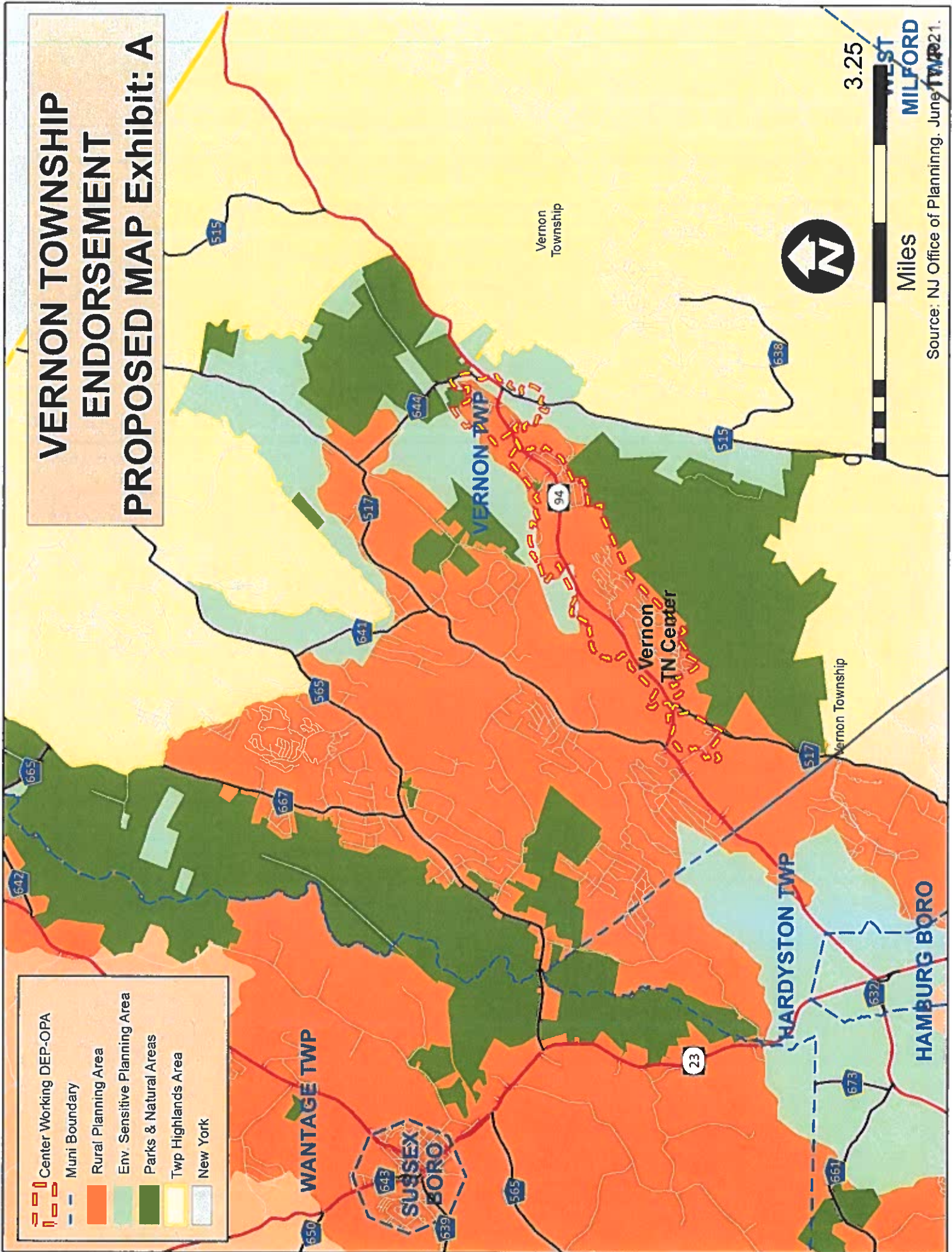
I hereby certify that this resolution was duly adopted
by the State Planning Commission at its meeting on July 7, 2021



Donna A Rendeiro, Secretary
State Planning Commission
Dated: July 7, 2021

VERNON TOWNSHIP ENDORSEMENT PROPOSED MAP Exhibit: A

	Center Working DEP-OPA
	Muni Boundary
	Rural Planning Area
	Env. Sensitive Planning Area
	Parks & Natural Areas
	Twp Highlands Area
	New York



3.25








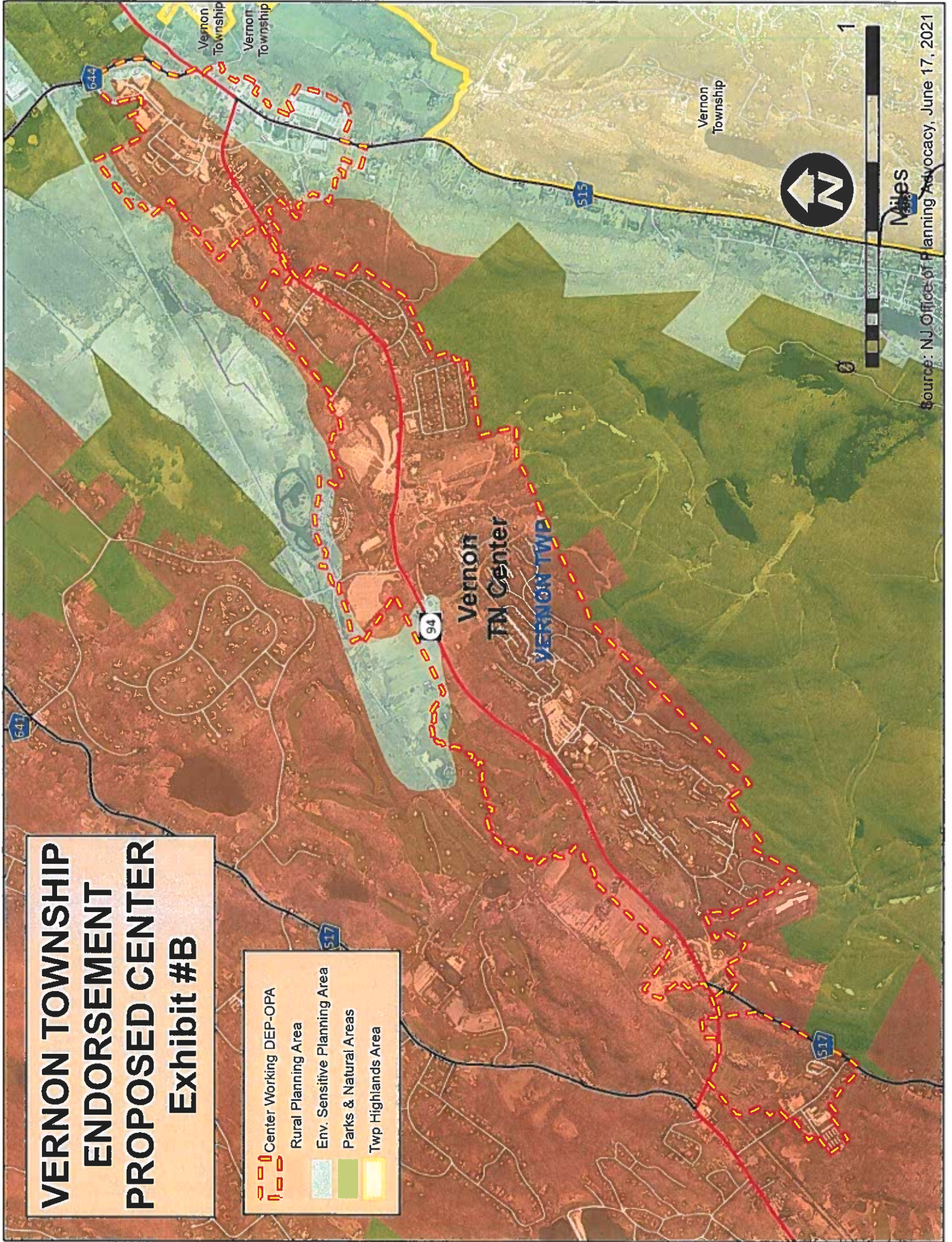
Miles

WEST MILFORD

Source: NJ Office of Planning, June 2021.

VERNON TOWNSHIP ENDORSEMENT PROPOSED CENTER Exhibit #B

-  Center Working DEP-OPA
-  Rural Planning Area
-  Env. Sensitive Planning Area
-  Parks & Natural Areas
-  Twp Highlands Area



Topic	Item No.	Required (*)	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold italics)
State Plan Map	A1	*	<p>After SPC adopts resolution granting PE:</p> <ul style="list-style-type: none"> -OPA sends certified resolution to NJ State Register and petitioner with PIA -OPA updates GIS layer -Petitioner signs and returns PIA to OPA, OPA Executive Director signs PIA and sends fully signed documents to petitioner and posts signed and certified documents on OPA website 	Petitioner receives and signs documents sends back to OPA	OPA		OPA publishes in NJ Register, sends to petitioner, updates GIS and posts on OPA website.
Recreation and Open Space	B1	*	Update the Recreation and Open Space Inventory (ROSI)	ROSI submitted and updated to Green Acres and DEP satisfaction	Green Acres and DEP	6 months (usually prior to endorsement)	Last updated 2009. Need information beyond state-owned land and Green Acres purchases.
Climate Resilience Planning	C1	*	Vulnerability Assessment. The Township needs to further identify in Redevelopment Areas any vulnerable to future flooding during the planning process. Resiliency actions and restrictions should be applied to any sections in flood zones. DEP can offer Technical Assistance in clarifying development constraints for sites. Incorporate findings into master plan update and land use decisions.	Vulnerability Assessment submitted and approved by DEP	DEP	1-3 years (usually prior to endorsement)	Township must reevaluate adopted and proposed redevelopment areas consistent with environmentally sensitive areas and climate hazards (i.e. flooding) after determining their vulnerability. Incorporate findings into Local Resilience Strategy. Expand on local annex to county hazard mitigation plan to include future climate projections for temperature and precipitation, as well as infrastructure and planning elements described here.
Climate Resilience Planning	C2	*	Prior to endorsement, the municipality must demonstrate that it is taking steps to minimize future asset exposure by changes to zoning, land development requirements or other methods. Incorporate findings into master plan update and land use decisions.	The municipality should provide any existing documentation to demonstrate any effort to increase resilience, and list out steps taken	DEP	1-3 years (usually prior to endorsement)	Please refer to the section on Climate Resilience Planning in the PE Guidelines for guidance. Can draw on the MSA and OCA reports and recent plans and studies. Expand on local annex to county hazard mitigation plan to include future climate projections for temperature and precipitation, as well as infrastructure and planning elements described here.
Climate Resilience Planning	C3	*	Vulnerability Assessment. Map areas that flood regularly, including, but not limited to, roadways and intersections, with particular attention to evacuation routes or critical access areas. Incorporate findings into master plan update and land use decisions.	Vulnerability Assessment submitted and approved by DEP and DOT	DEP	1-3 years (usually prior to endorsement)	Incorporate findings into Local Resilience Strategy. Expand on local annex to county hazard mitigation plan to include future climate projections for temperature and precipitation, as well as infrastructure and planning elements described here.
Climate Resilience Planning	C4	*	Vulnerability Assessment. Vermont Township should work with the utility authority and water purveyor to perform a detailed vulnerability assessment of the infrastructure that serves the town, and work with the sewer utility to identify any treatment plant, pump stations, or outfalls in the flood zone and determine their specific vulnerability to flooding events. Incorporate findings into master plan update and land use decisions.	Vulnerability Assessment developed in coordination with VTMOA and Water Purveyor and accepted by DEP	DEP	Prior to endorsement	Any component of the vulnerability assessment not addressed in the Action Plan must be addressed in the PIA. Incorporate findings into Local Resilience Strategy.

Topic	Item No.	Item Required (*)	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold italics)
Climate Resilience Planning	C5	*	Vulnerability Assessment: Vernon Township should identify any public potable water wells and pump stations located in the flood zone and determine their specific vulnerability to flooding events. Additionally, DEP recommends that Vernon perform a similar analysis for private wells and both inform the owners of their vulnerability and identify potential solutions to that vulnerability. Incorporate findings into master plan update and land use decisions. <ul style="list-style-type: none"> • Revise the official zoning map and ordinances based on the Land Use Plan. • Update the Land Use Map or create if one does not already exist. 	Vulnerability Assessment submitted and approved by DEP and DOT	DEP	1-3 years (usually prior to endorsement)	Any component of the vulnerability assessment not addressed in the Action Plan must be addressed in the PIA. Incorporate findings into Local Resilience Strategy. Expand on local annex to county hazard mitigation plan to include future climate projections for temperature and precipitation, as well as infrastructure and planning elements described here.
Land Use	D1	*	<ul style="list-style-type: none"> • Evaluate integration of Conservation Design standards and practices as utilized in Highlands Preservation Area for use in the Planning Area as appropriate. • Update ownership standards to permit easements for agricultural use and production, consistent with the state's farmland preservation program. • Increase the open space set-aside requirements (currently only 33%) to ensure that a meaningful amount of acreage is conserved, including non-constrained uplands. • Examine use of non-contiguous clustering in place of TDR in manner that takes advantage of valuable information derived from the recent TDR feasibility studies undertaken by the Township. 	Planning Board and Township Committee	N/A	PIA/1-3 years	As required by the M.L.U.L. P.L.2021, c.6, was signed by Governor Murphy on 2/4/21 amending the M.L.U.L.
Land Use	D2	*	<ul style="list-style-type: none"> • Review plans and ordinances and remove impediments to, and encourage, green design throughout the Town. Make necessary modifications to ensure that innovative and sustainable construction alternatives and materials (such as green roofs) are permitted. Township may also consider approving incentives for using innovative roofing alternatives and materials. • Consider requiring "green buildings" (LEED, Green Globes) in redevelopment areas, to the extent practicable. 	Planning Board and Township Committee and/or Green Team	OPA, NJDEP technical assistance	PIA/1-3 years	Funding for this task may be available through the Highlands Council; timing subject to funding availability. Potentially eligible for Sustainable Jersey points.
Land Use	D4	*	<ul style="list-style-type: none"> • Review and/or adopt solar, wind and geothermal friendly ordinances. • Modify zoning code and permit forms to streamline and reduce or waive permit fees to encourage solar, wind, and geothermal. 	Planning Board and Township Committee	Sustainable Jersey	PIA/1-3 years	Environmentally constrained areas, including wetlands, regulated buffers, FHA, T&E habitat, as well as farms identified in local or County FFP and/or characterized by high percentage of Soils of Primary and/Statewide Importance should be avoided.
Land Use	D5	*	<ul style="list-style-type: none"> • Review and update Master Plan and all associated elements to consider climate resiliency and socially vulnerable populations. 	Planning Board and Township Committee	DEP	PIA/1-3 years	Specifically, update the land use plan element to address the items at C.40:55D-28, Section 19 F-4.

Topic	Item No.	Required (*)	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold italics)
Land Use	D6		<p><u>Recommendations in pursuing sustainability:</u></p> <ul style="list-style-type: none"> The MLUL encourages municipalities to include a Green Building & Sustainability Element in their master plan. Adoption would help establish as basis to implement existing sustainability goals from the Township's master plan with policies and initiatives. Vernon's Master Plan goals include: <ul style="list-style-type: none"> Develop education programs for local residents, homeowners, and property owners on ecologically sound landscaping techniques, composting, etc. Promote energy efficient construction, green building, sustainable design, and alternative energy sources for housing to decrease long-term energy consumption and the cost of housing. Develop green building and sustainable design guidelines for new development. Continue participating in the Sustainable Jersey program 	<p>Planning Board and Township Committee and/or Green Team</p>	<p>DEP (Bureau of Climate Resilience Planning), Sustainable Jersey</p> <p>Funding for an alternative energy/green building master plan element may be available through the Highlands Council, timing subject to availability.</p>	<p>Report on progress in biennial review</p>	<p>Components of a Green Building & Sustainability Element include:</p> <ul style="list-style-type: none"> Explain the concept of sustainability and resilience and define what these concepts mean to your community Explain the statutory basis for preparing a sustainability element and how the sustainability element relates to other elements of the plan Document public engagement activities Summarize existing conditions and trends, including any environmental justice (EJ) concerns and any available baseline assessment like greenhouse gas inventories, energy use assessments, or public health inventories Document community's existing sustainability policies and programs and accomplishments Establish a vision for local sustainability and resilience, expressed in a succinct statement Establish sustainability and resilience goals and objectives Develop strategies and actions for achieving sustainability objectives, typically organized by topic area, such as land use, transportation, energy, water, waste, etc. Establish performance measures and metrics for tracking progress toward objectives Assign responsible parties for implementation actions These actions can be a starting point for developing a Climate Action Plan.
Land Use	D7	*	<p>The Township shall enhance its zoning regulations and building codes to encourage building outside of the flood zone and to minimize construction in flood prone areas to reconstruction of existing buildings. Flood zone area new construction or redevelopment of existing buildings should avoid high density concentration and areas of severe flooding.</p>	<p>Planning Board</p>	<p>DEP (Bureau of Climate Resilience Planning)</p>	<p>1-3 years</p>	
Housing	E1	*	<p>Adoption of an updated Housing Element and Fair Share Plan. Site affordable housing projects outside of risk-prone areas (i.e. 100 and 500-year floodplain).</p> <p>Adopt inclusionary zoning in the Town Center District with 20% set-aside for affordable housing.</p>	<p>Township Committee and Planning Board</p>	<p>DCA and Court</p>	<p>PIA/1-year</p>	<p>Vernon is in the process of updating its Housing Element and Fair Share Plan for completion before the end of 2021. In addition, in April 2021, the Township adopted Ord #21-10, approving a redevelopment plan for the Town Center District, which includes an Inclusionary Zone with 20% affordable units for any residential project greater than 6 units per acre and a total of 6 or more units.</p>
Housing	E2		<p>Voluntarily seek a final judgment of compliance by filing a complaint for declaratory judgment.</p>	<p>Township Committee and Planning Board</p>	<p>DCA and Court</p>	<p>TBD</p>	<p>At this time, the Township has not made a final decision as to whether it intends to voluntarily seek a final judgement of compliance by filing a complaint for declaratory judgment.</p>

Topic	Item No.	Required (*)	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold italics)
Housing	E3		<ul style="list-style-type: none"> Consider implementing a Market to affordable buy down program Consider adopting an Accessory Dwelling Unit (ADU) ordinance in residential zones (recommended and encouraged) 	Township Committee and Planning Board	DCA and Court	TBD	
Conservation	F1	*	Adopt a Pet Waste Management ordinance	Township Committee and Planning Board	DEP technical assistance	PIA/1-3 years	This action is required due to the number of TMDLs in the Township, as identified by DEP. TMDLs that affect Vernon Typ can be found at https://www.nj.gov/dep/dwq/tmdl/1022.html
Conservation	F2	*	Adopt a Steep Slopes Ordinance	Township Committee and Planning Board		PIA/1-3 years	Existing ordinance in Preservation Area. There must be an ordinance that addresses steep slopes in the Planning Area/ Township, though does not need to be same standard as preservation area. DEP/OPA to provide model or template.
Conservation	F3	*	<ul style="list-style-type: none"> Adopt a Tree Protection Ordinance Adopt a Community Tree Save Ordinance Due to its large amount of forested area, Vernon should also consider preparing long-term adaptive management forestry practices to preserve its tree cover as precipitation and temperatures increase.	Township Committee and Planning Board	DEP - Bureau of Sustainability, NJDEP Parks and Forestry, NJ Forest Fire Service, Sustainable Jersey	Ordinance w/in PIA/1-year	Required to adopt both ordinances. OPA to provide model Tree Protection Ordinance, recommended to use Woolwich (https://code360.com/14140851) or Haddonfield (https://code360.com/10200060) as a guideline. NJDEP Urban and Community Forestry guidelines are here, with various models to meet differing objectives based on town conditions: https://www.state.nj.us/dep/parksandforests/forest/community/Information/Municipalities.html
Conservation	F4		Implement a Community Forestry Program (recommended and encouraged)	Township Committee	NJDEP	Report on progress in biennial review	DEP has a Community Forestry Program that is available for reference at https://www.state.nj.us/dep/parksandforests/forest/community/Information/Municipalities.html
Conservation	F5		Consider working with Blue Acres program to mitigate flood prone, severe loss, and severe repetitive loss properties	Township Committee	NJDEP, Blue Acres	Report on progress in biennial review	Blue Acres information can be found at https://www.nj.gov/dep/greenacres/blue_ac.html
Conservation	F6		Participate in the National Flood Insurance Program (NFIP), if not already.	Planning Board and Township Committee	DEP & Sussex County	Report on progress in biennial review	
Conservation	F7	*	Review and update the Flood Damage Protection Ordinance with the current NJ Riverine Model Ordinance (revised 2020) at https://www.nj.gov/dep/floodcontrol/modelord.htm in order to stay compliant with NFIP.	Planning Board and Township Committee	DEP	1-3 years	The 2011 amendment to the Flood Damage Prevention Ordinance is outdated. The model riverine ordinance provided by NJDEP was updated in December 2020 at https://www.nj.gov/dep/floodcontrol/modelord.htm .
Conservation	F8	*	Adopt a wellhead protection ordinance	Township Committee	DEP	1-3 years	The Township has ordinances in place for the Preservation Area, but needs to confirm whether it extends to Planning Area. NRI Plate 9 indicates WHPAs throughout both the Preservation and Planning Area. DEP has a model ordinance available at https://www.nj.gov/highlands/bergen_county/mahwah/adopted/0233mahwah_wellhead_ord.pdf
Conservation	F9	*	Work with NJDEP to develop and adopt a Water Conservation Ordinance	Township Committee	DEP	1-3 years	Water Conservation Model Ordinance available at https://www.sustainablejersey.com/actions/#close . Ordinances in place for Preservation Area, ordinance covering Planning Area needed as well.

Topic	Item No.	Required (*)	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold italics)
Conservation	F10	•	Update the Natural Resource Inventory, including climate change observations and concerns as they are relevant. DEP can assist with identifying what to update.	Planning Board and Township Committee	DEP	PIA 1-3 years	Funding and technical assistance may be available through the Highlands Council; timing subject to funding availability.
Conservation	F11	•	Update Conservation Plan element for Township, including climate change observations and concerns as they are relevant. Update inventory of contaminated sites and Vermont and identify if any of these Known Contaminated Sites (KCS) within the proposed center also meet the DEP definition of a brownfield site.	Planning Board and Township Committee		PIA 1-3 years	Vernon Township can identify other planning, actions, and ordinances that serve as an alternative to the conservation element. This is to be done in tandem with update of NRI.
Conservation	F12	•	Adopt habitat protection measures, such as a habitat conservation plan, for Block 183, Lot 15 with a site-specific amendment or provisions in developer agreement.	Planning Board and Township Committee	NJDEP	1 year	Specifically, the frontage of Block 183, Lot 15 should be able to remain in the Center as depicted on the proposed State Plan Policy Map. However, to include/retain the frontage within the Sewer Service Area (SSA), habitat conservation measures, such as a habitat conservation plan will be required as part of the WMP update, or later under a developer agreement with the Township and future SSA amendment.
Contaminated Sites and Solid and Hazardous Waste	G1		If the Township pursues brownfield cleanup and development in the future, DEP recommends taking actions as part of the Sustainable Jersey Certification Program.		NJDEP, Sustainable Jersey	TBD	
Environmental Justice & Social Equity	H1	•	Work with NJDEP to develop, adopt, and implement an Environmental Justice Action Plan in accordance with the PE Guidelines. Empower residents, particularly the Township's most socially vulnerable residents, to meaningfully participate in decision-making that affects their environment, communities, and health.	Planning Board and Township Committee	DEP technical assistance, OPA support, EPA resources and Sustainable Jersey guidance available.	1-3 years	See PE Guidelines, Part III Consistency Standards, page 34-36 for guidance on comprehensively addressing Environmental Justice & Social Equity. Compliance with Executive Order 23 and related enacted legislation, State guidelines and regulations. More guidance forthcoming.
Environmental Justice & Social Equity	H2	•	Work with NJDEP to evaluate and update all ordinances to consider environmental justice and social equity accordingly.	Township Committee	DEP technical assistance, OPA support	1-3 years	Information on Environmental Justice can be found at https://www.nj.gov/dep/ej/ . 1st - Review 2nd - Identify 3rd - Update
Energy	I1	•	To address greenhouse gas (GHG) emissions, conduct energy audits of municipal facilities and operations, at a minimum, and community-wide audits, if feasible, and 2) using the results of these audits, develop action plans for reducing municipal energy consumption and GHG emissions (using NJ's 2020 GHG emissions reduction target as a goal). The Board of Public Utilities (BPU) Clean Energy Program provides funding for municipal energy audits: (http://www.njcleanenergy.com/commercial-industrial/programs/local-government-energy-audit/local-government-energy-audit).	Township Committee	DEP, BPU, Sustainable Jersey	Timeline as provided PE guidelines	The Greenhouse Gas (GHG) Reduction Action Plan requirements are explained in greater depth in the Plan Endorsement guidelines. "Energy" section (pages 36-38) which lays out several combinations of options under this goal. GHG reduction actions should be incorporated into land use element of master plan as well, per PE guidance

Topic	Item No.	Required (*)	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold italics)
Energy	I2	*	The North Jersey Transportation Planning Authority prepared a greenhouse gas (GHG) inventory for the geographic area covered by that MPO (http://www.njtpa.org/plan/Element/Climate/documents/NJTPAGHGInventoryFINALReport.pdf). This inventory provides county and municipal-level GHG emissions information for the various major community sectors/activities (e.g., residential, transportation, waste generation). It is recommended that Vernon acquire its local inventory data and use this information as the basis for developing a community GHG Reduction Action Plan, including GHG reduction targets. A number of models and case studies are available to guide this process.	Planning Board and Township Committee	DEP - Bureau of Sustainability, NJTPA	Timeline as provided PE guidelines	The Greenhouse Gas (GHG) Reduction Action Plan requirements are explained in greater depth in the Plan Endorsement guidelines, "Energy" section (pages 36-38) which lays out several combinations of options under this goal.
Energy	I3	*	As part of the PIA, the Township will need to create a Greenhouse Gas (GHG) Reduction Action Plan. This is explained in greater depth in the Plan Endorsement guidelines, "Energy" section (pages 36-38) which lays out several combinations of action options under this goal.	Planning Board and Township Committee	DEP - Bureau of Sustainability, Sustainable NJ	Timeline as provided PE guidelines	The GHG reduction actions include the following: <ul style="list-style-type: none"> • Fleet Inventory and target for green fleet conversion. • Renewable Energy Aggregation • Community Energy Efficiency Outreach • Solar and Wind ordinances • Community-led Solar Initiatives • Public EV charging infrastructure and supporting ordinances • GHG and Energy Audits on municipal buildings/facilities • Carbon Emission Inventory
Transportation	J1	*	Adopt NJDOT's Model Complete and Green Streets Policy to improve pedestrian and bicycle mobility and safety. (See the Consistency Review for additional guidance).	Township Committee -Apply for appropriate funding programs or seek NJDOT assistance	When requested, NJDOT will give priority consideration to providing assistance consistent with program requirements and subject to the availability of funding and staff resources	1-2 years	
Transportation	J2		Improve pedestrian mobility Consider applying to NJDOT or NJTPA to fund study toward implementing a complete streets plan along SR 94 and/or design of a Shared Use Recreational Path.	Engineer, Township Committee -Apply for appropriate funding programs or seek NJDOT, NJTPA technical assistance	When requested, NJDOT will give priority consideration to providing assistance consistent with program requirements and subject to the availability of funding and staff resources	Ongoing	Address with Circulation Plan update

Topic	Item No.	Required (*)	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold italics)
Transportation	J3		Explore, where applicable, the appropriateness of developing Access Management Plans for pertinent sections of state highways as provided for in the State Highway Access Management Code	Engineer, Borough Committee - Apply for appropriate funding programs or seek NJDOT, NJTPA technical assistance	When requested, NJDOT will give priority consideration to providing assistance consistent with program requirements and subject to the availability of funding and staff resources	Ongoing	Address with Circulation Plan update.
Transportation	J4	*	Update the Circulation Element of Master Plan to address opportunities for shared parking, goods movement, improvements to bicycle and pedestrian access along with continued growth in the community in particular, reduce congestion and ensure that non-vehicular transportation is encouraged.	Planning Board	NJDOT, NJTPA Apply to Highlands Council for funding	PIA/2 years	Circulation Element will be updated as part of a re-examination. For specifics, see the Consistency Review report.
Utilities	K1	*	Evaluate and update the Stormwater Management Plan. Develop a Stormwater Pollution Prevention Plan, or include stormwater pollution prevention measures in update of management plan.	Engineer, Township Committee and Planning Board	DEP and Sussex County technical assistance	1-3 years	Funding may be available through the Highlands Council, timing subject to availability.
Utilities	K2		Update Utilities Element of the Master Plan. Confirm the condition and capacity of the stormwater drainage system.	Planning Board	DEP	PIA/1-3 years	Utilities Element is from 1995 and needs to be updated.
Utilities	K3		At Vernon Township's request, DEP can help in identifying potential financial sources for water system projects that may also result in water conservation.	Planning Board and Township Committee	DEP & Sussex County	Ongoing	DEP recommends that Vernon review the information at http://www.nj.gov/dep/watersupply/loamprog.htm . DEP is requested to provide information to the County and Township that demonstrates the existing or anticipated water supply deficit.
Utilities	K4	*	Work with NJDEP to develop and adopt a wastewater management plan (WMP) and ordinance and septic density ordinance for the Township. Consider restrictions based on Sewer Service Area, floodplain, and land development regulations.	Township MUA, Sussex County, DEP	NJDEP	3 years	The Township has been working with the County Planning Department and the NJDEP on the Wastewater Management Plan update for the County, which includes significant new planning restrictions that will reduce the size of the existing sewer service areas and limit septic system densities based on new nitrate dilution standards adopted by the NJDEP. Septic system densities will severely limit subdivision in Sussex County, as any subdivision with more than five lots will require an amendment to the Wastewater Management Plan and specific approval the NJDEP. The Township is working closely with the County and NJDEP to try to ensure that the sewer service area for Vernon's Center continues to allow center-based development.
Utilities	K5	*	Adopt NJDEP nitrate dilution standards as part of WMP update	Planning Board, Sussex County	NJDEP	3 years	
Utilities	K6	*	Complete and implement WUCMP	Township Committee /Planning Board, Sussex County	NJ Highlands Council, NJDEP	3 years	With funding from the Highlands Council, the Township is developing a Water Use and Conservation Management Plan (WUCMP), which will apply to the entire community. Recognizing this important WUCMP planning effort, the PIA will require a commitment to its implementation, particularly in regard to incorporating water conservation requirements for application to new development.

Topic	Item No.	Required (*)	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold italics)
Open Space and Recreation Plan	L1	*	Pursue funding support for open space Consider retaining the services of an organization that specializes in assisting local communities in educating their residents in support of renewing the trust fund.	Township Committee	NJ Highlands Council	Ongoing/PIA 1 year	Work with the Highlands Council to discuss potential funding partnership options under its Open Space Partnership Funding Program (OSP) and Highlands Development Credit Purchase Program (HDCPP). The OSP is a matching grant program that is open to government and nonprofit entities. The Highlands Council provides up to a 50% match for acquisitions via outright purchase (fee simple) or via deed restriction. The HDCPP is a land preservation program open to individual property owners wishing to retain ownership of their property while placing a conservation easement on the land.
Open Space and Recreation Plan	L2	*	Update Open Space Plan to include significant changes, such as new purchases. Work with Sussex County, NJ Highlands Council, and surrounding municipalities to provide and expand corridors of open space and natural features to support habitat connectivity and adaptation to changing climate and ecological conditions Provide enhanced and expanded public access to popular and/or important natural areas and outdoor recreational facilities.	Township Committee, Planning Board, Sussex County.	NJ Highlands Council, NJTPA, NJDOT, Green Acres	PIA/1 year	OSRP last updated 2010 and stated a goal to update every 6 years
Open Space and Recreation Plan	L3	*	Address steps needed to be taken to proactively move the program forward and increase local funding. Include discussion of how the appropriate State Agencies (including the Highland Council) can provide additional funding assistance and support on specific projects of interest.	Township Committee, Planning Board, Sussex County, NJ	Highlands Council, NJTPA, NJDOT, Green Acres	Report on progress in biennial review	The Township undertook a comprehensive update to the OSRP in 2010 that articulates an ambitious land acquisition and park development agenda to be undertaken in phases, with short and long-term goals and objectives. Given the environmental sensitivity of the Township and recognized economic value in providing additional recreational opportunities to residents and the visiting public, the successful incremental implementation of the OSRP is an important aspect of endorsement.
Farmland Preservation Plan	M1	*	Update Farmland Preservation Plan. As outlined in the PE Guidelines (p. 50-1), adoption of an FFP is required for municipalities with a significant agricultural industry, or where agricultural uses make up at least 1,000 acres of active agricultural land. As the existing FFP is from 1995 and does not meet current standards as outlined in the MLUL (NJSA 40-55D-28b (13) and required by the NJ SADC, the update is required for plan endorsement.	Township Committee, Planning Board, Sussex County, NJ	NJ Highlands Council, SADC, County	PIA 1-3 years	<ul style="list-style-type: none"> An update to the Farmland Preservation Plan (FPP) is a goal of the 2010 Master Plan to ensure that farmland is identified and prioritized for preservation using county and state programs and available funding sources to purchase easements, as well as to support farming as a viable industry in the Township. The Highlands Council has indicated that this update has been allocated funding under the Implementation Plan & Schedule. In addition, please refer to the attached packet provided the SADC in support of updating the FPP.
Economic Development	N1	*	Implement municipal Sustainable Economic Development Plan	Planning Board and Township Committee	NJEDA, DCA	Report on progress in biennial review	
Economic Development	N2		Promote public art in public spaces	Borough Committee could place provision in redevelopment agreements		Report on progress in biennial review	
Historic Resources	O1		Review the NJ Historical Commission's (NJ Department of State) grant program at http://www.nj.gov/state/divisions/historical/grants .	Historic Preservation Commission and Township Committee	SHPO, Sussex County	Report on progress in biennial review	

Topic	Item No.	Required (*)	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold italics)
Historic Resources	O2		Complete the Historic and Cultural Resources Inventory as called for in the 2016 Historic Preservation Element updates.	Historic Preservation Commission and Township Committee	SHPO, Sussex County	PIA/1-2 years	Funding may be available through the Highlands Council, timing subject to availability.
Historic Resources	O3		Update the Historic Preservation Ordinance. If the Township has not done so already, the historic preservation ordinance should be changed to conform more closely to state nomenclature and conform more strictly to the MLUL, certified local government requirements, the preserving New Jersey recommendations, and Open Public Meetings Act requirements.	Historic Preservation Commission and Township Committee	SHPO	PIA/1-2 years	Funding may be available through the Highlands Council, timing subject to availability.
Historic Resources	O4		Historic structures should be protected with enhanced stormwater management plans and flood minimization plans.	Historic Preservation Commission and Township Committee	NJDEP	2 years after PE	Follow new SHPO guidelines for flood elevation for historic properties- https://www.state.nj.us/dep/hpo/images_MULT_DG_32_v1_ID14076r.pdf
Recycling	P1	*	Update Recycling Statement of Consistency with County to comply with current PE guidelines. Update source separation and recycling ordinances. Continue to expand recycling efforts through education and by developing innovative ways to reduce waste and promote recycling for homeowners and businesses.	Planning Board and Township Committee	DEP - Bureau of Recycling and Hazardous Waste Management, Bureau of Sustainability & Sussex County	PIA/1-3 years	Recycling Element updated as part of 2010 Master Plan update. Recycling Ordinance was last updated in 2012. DEP Model source separation and recycling ordinance - https://www.nj.gov/dep/dshw/recycling/whatsnew/model_waste_ordinance.pdf
Climate Resilience Planning	Q1	*	Work with NJDEP to develop, adopt, and implement a Local Resilience Strategy in accordance with the PE Guidelines. This should address issues identified in the climate vulnerability assessment. This process be integrated into master plan updates (listed in A1-A9 in this PIA).	Planning Board and Township Committee	DEP technical assistance. Also Sustainable Jersey provides guidance.	1-3 years	See Plan Endorsement Guidelines, Part III Consistency Standards, pages 55-57 for guidance on comprehensively addressing Climate Resilience Planning. Compliance with Executive Order 89 and associated, State guidelines and regulations.
Climate Resilience Planning	Q2	*	Work with NJDEP to evaluate and update all ordinances to consider climate change impacts accordingly. Information on climate change can be found at https://www.nj.gov/dep/climatechange/ .	Planning Board and Township Committee	NJDEP	1 year after endorsement, at biennial review, provide a list of ordinances that need to be updated. Then, within 2 years, adopt new-identified ordinances.	
Capital Improvement Program	R1	*	Develop a five year capital improvement plan with a five year planning horizon per the Municipal Land Use Law 40-55D-29	Planning Board	Technical assistance	Report on progress in biennial review	https://lis.njleg.state.nj.us/nxt/gateway.dll/statutes/132665/34655
Community Facilities Plan	S1	*	Update the Community Facilities Plan	Planning Board	Technical assistance	PIA/3 years	
Intergovernmental Coordination	T1	*	After adoption, the Township shall submit any new or modified land use ordinance or other planning document that supplements previously submitted material.	Planning Board and Township Committee	Technical assistance	Report on progress in biennial review	
Intergovernmental Coordination	T2	*	Participate in the Sussex County Multi-jurisdictional Hazard Mitigation Plan 2021 Update	Planning Board and Township Committee	Sussex County	Immediate and ongoing	Incorporate mitigation measures into relevant planning documents.

Topic	Item No.	Required (*)	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold italics)
Report to SPC	U1	*	One year from endorsement and biennially thereafter, report to the SPC about the status of your planning efforts.	Planning Board and Township Committee	OPA	1 year after PE and then every 2 years after	

MEMORANDUM OF UNDERSTANDING

BETWEEN

STATE PLANNING COMMISSION

AND

THE TOWNSHIP OF VERNON, SUSSEX COUNTY

This Memorandum of Understanding (MOU), **Exhibit D**, dated _____, 2021 is hereby entered into by and between the New Jersey State Planning Commission (the "Commission") and the Township of Vernon, Sussex (the "Petitioner") to set forth terms for achieving consistency with the State Development and Redevelopment Plan (the "State Plan") and qualifying for plan endorsement.

WHEREAS, the Petitioner has, pursuant to N.J.A.C. 5:85-7, submitted a petition for Plan Endorsement to the Office for Planning Advocacy, successor to the Office of Smart Growth, (referred to herein as the "Office" or "OPA"); and

WHEREAS, the Commission evaluates petitions on the basis of the consistency of plans with the goals, policies and strategies of the State Plan, and is authorized to enter into an agreement in the form of a Memorandum of Understanding (MOU) that includes the attached Plan Implementation Agreement (which is incorporated by reference) so that a petitioner's plan may be found to achieve consistency with the State Plan and Plan Endorsement by the Commission; and

WHEREAS, the Petitioner and the Commission wish to enter into an MOU that specifically sets forth requirements for Petitioner and actions by State agencies and attached Plan Implementation Agreement (PIA), to achieve State Plan consistency, including amending the boundaries of a Town Center; and

WHEREAS, entering into this MOU is strictly voluntary.

Accordingly, in recognition of the forgoing the parties hereby agree as follows:

1. OPA and relevant State agencies have reviewed the petition and supporting documentation to evaluate that information and determine any actions necessary for the Petitioner to take in order to be found consistent with the goals and policies of the State Plan.

2. OPA has prepared a negotiated Plan Implementation Agreement, attached hereto and marked as **EXHIBIT C**, which sets forth the actions for State agencies and Petitioner to take in order to achieve Plan Endorsement, including the timeframe(s) for completion of those requirements and the steps to be taken by relevant State agencies to review and support the Petitioner's petition for Plan Endorsement.
3. OPA, relevant State agencies and the Petitioner have negotiated the boundaries of an expanded Town Center, attached hereto as **EXHIBIT A and B**, to be extended by the Commission within 60 days of receipt of a fully executed MOU and PIA.
4. The Town Center shall remain designated for ten years from the date of receipt of a fully executed MOU and PIA, and provided that the Petitioner continues making progress in following the attached PIA.
5. All deadlines contained in the attached PIA were reached through voluntary agreement between the petitioner and the SPC and may only be amended for good cause shown at the discretion of the Director of OPA.
6. In the event the Petitioner fails to meet the timelines agreed to in the attached PIA, the Petitioner's Plan Endorsement petition will be evaluated based on the current State Plan as of the date of the default.
7. In the event that the failure to meet the timelines agreed to in the PIA is the result of the failure of a State agency to take a necessary action or complete a review of the Petitioner's submitted documents within the time specified by the PIA, the Petitioner will be granted a reasonable extension of the deadline by the Director of OPA contained in the PIA impacted by said failure.

The terms of this MOU and the attachments hereto are hereby agreed to between the Commission and the Petitioner.

 Petitioner (*name, title*)

 Attest

Date:

 State Planning Commission

 Attest

Date: