



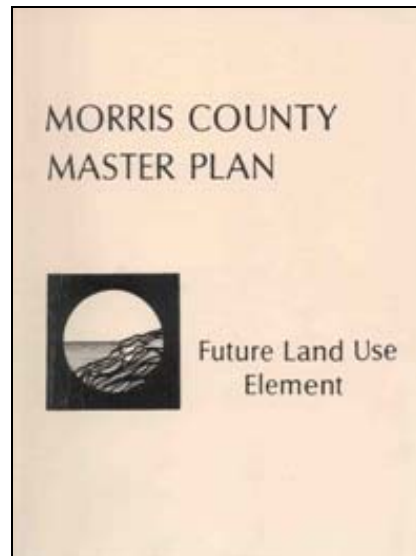
1. INTRODUCTION AND BACKGROUND



INTRODUCTION AND BACKGROUND

A Basis for Planning

The *County Planning Act* (N.J.S.A. 40:27-1 et seq.) requires that County Planning Boards “make and adopt a master plan for the physical development of the county.” Morris County’s Master Plan is not contained in a single document, but is formed by a collection of individual plan elements, the oldest of which is the “1975 Future Land Use Element.” Since that time, the Morris County Planning Board has continued to develop and adopt various master plan elements, which together comprise the Morris County Master Plan.



The 1975 Future Land Use Plan Element was the last master plan document to present a comprehensive summary of overall physical and demographic conditions in Morris County. Obviously, conditions have changed greatly over the years. Many of these conditions have been captured in the varied county master plan elements adopted since 1975, but none have attempted to summarize and update overall current county conditions, analyze trends, and identify potential issues. In addition, several decades have seen the creation of many new state and federal laws and regulations directly impacting the role and responsibility of the Morris County Planning Board and the Morris County Department of Planning, Development and Technology.¹ These changes provide the necessity for reexamining major planning-related physical and contextual situations in Morris County.

As a step toward recognizing these changes and identifying both current and potential long range planning areas of interest, a description of the current “State of the County” has been compiled. The primary purposes of this summary report are to identify changes in major conditions in Morris County and to identify major planning-related trends and issues for future consideration by the Morris County Planning Board. The report also illustrates significant achievements, actions and activities undertaken by the county planning board and related agencies to address past issues and objectives.

¹ The Morris County Planning Board operates within the context of the Morris County Department of Planning, Development and Technology which includes the Divisions of Community Development, Preservation Trust, Transportation, Information Technology and Planning.



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Role of County Planning

Although county planning boards are required to adopt a plan for the physical development of the county, the New Jersey State Constitution and Municipal Land Use Law give ultimate authority over land use decisions to municipalities via zoning. While limited to an advisory role on most land use issues, the county does influence local land use decisions in a variety of ways.

The Morris County Planning Board has responsibility for the review of projects impacting county roads and drainage facilities, and in doing so, provides partial regulation of local development activity. The Morris County Department of Planning, Development and Technology provides staff to the Planning Board and facilitates interaction between the Board and other Divisions within the Department, including the Morris County Preservation Trust, Division of Transportation and Division of Geographic Information Systems (GIS). The Preservation Trust provides support and funding assistance for local farmland, open space and historic preservation. The Division of Transportation coordinates regional transportation planning with state agencies and provides technical assistance for local transportation planning. Early investments in GIS technology and staff have placed Morris County at the forefront of GIS capability, which is accessible to municipalities for use in making land use decisions.

The Morris County Division of Planning, Development and Technology also assists municipalities through the State Development and Redevelopment Plan Cross-Acceptance process, provides guidance for stormwater management planning and provides technical and other assistance to municipalities in many areas. It also works with other Morris County entities that influence development and preservation in the county such as the Morris County Municipal Utilities Authority, the Morris County

Housing Authority, Morris County Engineering Division and the Morris County Park Commission.

The county planning board has a primarily advisory role in guiding the physical development of the county. Proposals to amend the County Planning Act to provide county greater authority have been proposed, but never enacted. Even so, the county planning board's responsibilities have increased over the years with the passage of laws such as the State Planning Act, State Transfer of Development Rights Act, the Highlands Water Protection and Planning Act, and the adoption of a multitude of state agency regulations, particularly by NJ Department of Environmental Protection, all requiring increased county involvement in regional and local planning. As the amount of regulation increases and becomes more complex, the role of the county planning board in providing guidance and assistance in these matters will expand.



HISTORIC PRESERVATION



GEOGRAPHIC INFORMATION SYSTEMS



FARMLAND AND OPEN SPACE PRESERVATION



TRANSPORTATION



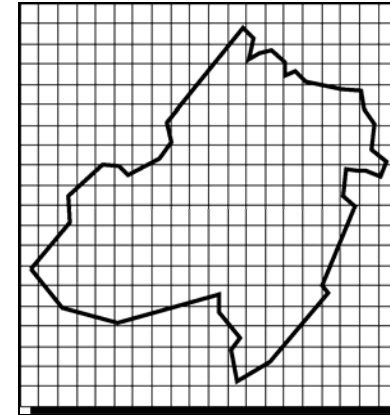
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Goals and Objectives of the 1975 Future Land Use Plan Element of the Morris County Master Plan²

The 1975 Future Land Use Plan included a summary of long and short term goals, which reflected the prevailing opinion of Morris County citizens at that time. The long term goals were expected to remain fairly constant, with the short term goals or “objectives” to constitute recommendations intended to further these goals. These long term goals were listed as follows:

Long-Term Goals for the future of Morris County

1. Support the establishment of an equitable tax base – find a more feasible alternative to a property tax system which dictates planning and zoning on the bases of fiscal necessity.
2. Provide for balanced and diversified economic growth, coordinated with transportation, utilities and environmental limitations – achieve an equitable number of employment opportunities with respect to population.
3. Encourage increased suitability of municipal services to land use and adequate capacity of both physical and social support systems.
4. Increase the scope of public transportation.
5. Maintain “human” standards in housing, employment, income and education.
6. Provide for a variety of individual choices in life-styles and living spaces.
7. Preserve adequate open space, unique natural features, historical assets and provision for sufficient recreational facilities.
8. Maintain, at both the local and county levels, a physical and social sense of community.



² Summarized.



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Recommended Short-term Goals, i.e. Objectives

Objectives supporting the long term goals were presented in the 1975 Future Land Use Plan in the form of recommendations for consideration by local government.

1. Focus future economic activity within areas of existing economic concentration and associated utility networks. Reduce the dispersion of economic activity from these areas, allowing economic densities which support public transportation and prevent the waste of limited natural resources.
 - ◆ *There has been some concentration of economic activities within established communities, particularly in the major regional center of Morristown, which has grown and experienced significant redevelopment in the past decade. Even so, large business complexes such as the Foreign Trade Zone and the Prudential Business Campus have occurred outside traditional centers. Growth occurring outside of centers has been supported by the completion of improvements in major roadways such as Route 24, Route 287 and Route 80 and the resultant increased interconnectivity between municipalities and regions.*
2. Make more intense use of lands that are anticipated for development, with decreasingly intense uses radiating outward from these areas, increasing efficient municipal services, encouraging public transit and promoting a sense of community.
 - ◆ *With an exception for Morristown, the intensification in existing concentrations has not occurred in any substantial manner in the county. The State Plan*

designation of Centers has provided some context for this to occur; however, development in these areas usually occurs as infill projects developed at a similar scale and intensity as existing construction. In areas served by individual onsite wells and septic systems, municipalities have substantially increased the minimum lot size for single family dwellings to as much as ten acres.

3. Acquire adequate open space for future populations, focusing on acquisition before developing existing sites for recreation. Integrate recreation opportunities throughout urban, suburban and rural areas.
 - ◆ *Substantial gains have been made in the area of open space acquisition, with approximately 44,000 additional acres preserved by federal, state, county and municipal governments over the last 30+ years. Although not considered "open space," over 6,000 acres of preserved farmland have also been added. Additional lands have been preserved by private non-profit groups.*
4. Preserve water supply sources from urban encroachment and pollution. Preserve major watersheds, prime aquifer recharge areas, reservoirs or well-field areas, headwaters of major streams, steep slopes, wetlands and wildlife habitats by direct public acquisition, regulatory legislation, or finally, through zoning for "least intensity uses."
 - ◆ *The county is addressing this goal by participating in programs at the State and regional level aimed at the protection of water resources. Such efforts include the Whippany River Watershed pilot program, the Rockaway River Cabinet, and the Raritan Highlands Compact. The county has also initiated a water balance study to determine*



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the amount of water available for consumption. Most recently, this issue has been highlighted by passage of the Highlands Water Protection and Planning Act, which designates 32 municipalities within the county as critical for water resource protection.

5. Create a variety of housing types (apartments, townhouses, etc.) which do not exist in reasonable number to meet regional housing needs, while also encouraging housing for low-moderate income workers, the young and elderly, who already live and work in the county.
 - ◆ *Single family residential development continues to be the dominant housing type; however, there have been increases in the production of townhouses, apartments, dedicated senior housing and state-mandated affordable housing due to COAH requirements.*
6. Assume responsibility as a custodian of Morris County's historic heritage and make efforts to preserve that heritage in accordance with the County Historic Preservation Plan Element of the Master Plan.
 - ◆ *Twenty-two of the county's 39 municipalities have established official Historic Commissions or Landmark Advisory Committees with many more private associations, foundations and societies devoted to local historic preservation. The Morris County Heritage Commission completed a historic sites survey for the entire county in 1987, and the creation of the Morris County Historic Preservation Trust in 2002 provides ongoing funding for historic preservation project throughout the county.*

7. Strive to achieve consistency of objectives with organizations planning for the entire region of which Morris County is a part, and foster an attitude of mutual cooperation among Morris County municipalities.
 - ◆ *Municipalities are encouraged to participate in regional planning initiatives, for example, the Ten Towns Great Swamp Watershed Association and Raritan Highlands Compact. The Planning Board has a policy of informing neighboring communities of developments and master plan revisions with significant impacts. Municipal cooperation has also been advanced through the development of shared services between some communities.*

Overall, there has been progress in meeting these recommended "short term" goals through a variety of municipal, county and state actions. There has been relatively limited success in containing new development in existing centers or intensifying development in these centers. These goals have been hindered due to an unchanging property tax system that requires continued expansion of ratables, which in turn greatly influences local planning and zoning.



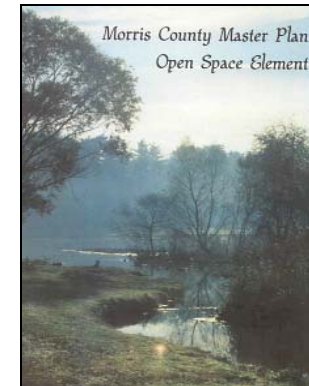
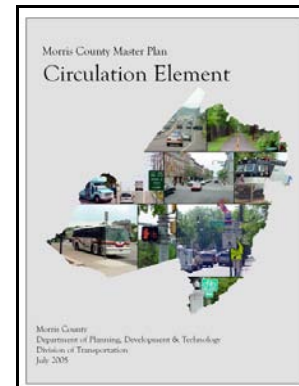
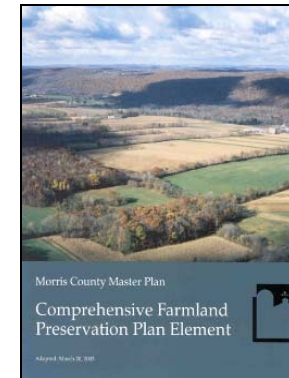
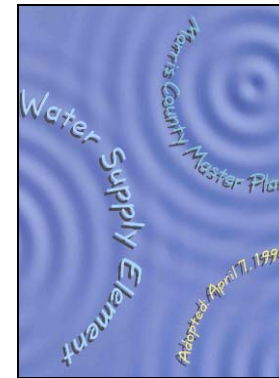
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Accomplishments and Activities

Morris County Master Plans and Reports

To provide support to municipalities in meeting identified goals and objectives, the Morris County Planning Board and the Morris County Department of Planning, Development and Technology have prepared formal studies, reports and master planning efforts to assist municipal planning endeavors. These reports and plans provide background data and identify needs, specific strategies and recommendations to promote the county's goals and the goals of its individual municipalities.

- ◆ Historic Preservation Element (1976)
- ◆ Wastewater Management Element (1985)
- ◆ Open Space Element (1988)
- ◆ Stormwater Management Technical Guide (1989)
- ◆ Circulation Element (1992)
- ◆ Water Supply Element (1994)
- ◆ Land Use and Rail Database (1996)
- ◆ Bicycle & Pedestrian Element (1998)
- ◆ Transit Guide (2000)
- ◆ Natural Resource Management Guide (2000)
- ◆ Bicycle & Pedestrian User Guide (2000)
- ◆ Comprehensive Farmland Preservation Element (2003)
- ◆ Circulation Plan Update (2005 – draft)
- ◆ Historic Preservation Element Update (under development)
- ◆ County Data Book – Annual
- ◆ County Development Review Activity Report – Annual



The Morris County Department of Planning, Development and Technology has also provided substantial technical and funding assistance to municipalities to support the preservation of open space, farmland and historic resources through the creation of the Morris County Preservation Trust, established in 1992. Trust activities are discussed in the body of this report.



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Regional Planning Initiatives

The Morris County Planning Board and Department of Planning, Development and Technology have also engaged in a number of regional and sub-regional planning initiatives supporting both inter- and intra-county planning efforts. As an active participant and supporter of various regional planning groups, Morris County has provided technical and policy guidance in a number of efforts that support the underlying goals and objectives identified in the 1975 Land Use Plan. A sampling of regional planning initiatives in which the Morris County Planning Board and Department of Planning, Development and Technology have participated includes:

- ◆ Ten Towns Great Swamp Watershed Committee
- ◆ Whippany River Watershed Action Committee
- ◆ Rockaway River Watershed Cabinet
- ◆ Raritan Highlands Compact
- ◆ Morris Tomorrow (formerly Morris 2000)
- ◆ Housing Partnership for Morris County
- ◆ TransOptions (formerly McRides)
- ◆ Morris County Economic Development Corporation (formerly Morris Area Development Group)
- ◆ Lake Musconetcong Regional Planning Board
- ◆ Lake Hopatcong Commission
- ◆ Six County Coalition

Other County Initiatives

As the activities of the planning board have changed, so have the activities of county government as a whole. County facilities and services have evolved to respond to increases in population, changes in the needs and desires of county residents, and changes in state and federal requirements. While not the focus of this

report, examples of new or expanded county facilities and services include:

Capital Facilities (Added / Expanded)

- ◆ Morris County Library - (Hanover Twp.)
- ◆ Morris View Nursing Home and Adult Day Care – (Morris Twp.)
- ◆ County Administrative Offices - (Morristown)
- ◆ Morris County Youth Shelter - (Morris Twp.)
- ◆ Morris County Juvenile Detention Facility - (Morris Twp.)
- ◆ Morris County Correctional Facility - (Morris Twp.)
- ◆ Greystone Park Redevelopment - (Parsippany-Troy Hills Twp.)
- ◆ Mennen Arena – (Morris Twp.)
- ◆ County College of Morris – (Randolph Twp.)
- ◆ Morris County Trash Transfer Stations – (Parsippany Twp. and Mt. Olive Twp.)
- ◆ Morris County Housing Authority – (Various)
- ◆ Morris County Recycling Facility – (Dover)

County Services (Added / Expanded)

- ◆ Office of Health Management
- ◆ Office of Emergency Management & Hazmat Services
- ◆ Morris County Improvement Authority
- ◆ Geographic Information Systems
- ◆ Morris County Nutrition Project



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Regulatory Changes Since 1975

Since 1975, a multitude of laws have been passed regulating land use, development and environmental protection in New Jersey. One of the most significant laws affecting land use was the enactment of the Municipal Land Use Law in 1975, but as demonstrated by the length of list below, the amount of legislation and regulation to which both counties and municipalities must adhere has increased significantly. Each new law has had, and continues to have, far reaching impacts on the pattern of growth and preservation in Morris County. The ever expanding list of major new laws and regulations includes:

Federal and State Laws / Regulations:

- ◆ Municipal Land Use Law (1975)
- ◆ State Uniform Construction Code Act (1975)
- ◆ Water Quality Planning Act (1975)
- ◆ Safe Drinking Water (Clean Water) Act (1977)
- ◆ Water Pollution Control Act (1977)
- ◆ Water Supply Management Act (1981)
- ◆ Air Safety and Zoning Act (1983)
- ◆ Agricultural Retention and Development Act (1983)
- ◆ Right to Farm Act (1983)
- ◆ Fair Housing Act (1985) [COAH]
- ◆ Federal Safe Drinking Water Act [Amendments] (1986)
- ◆ NJ Freshwater Protection Act (1987)
- ◆ State Planning Act (1985)
- ◆ Federal Clean Water Act Amendments (1987)
- ◆ Statewide Source Separation and Recycling Act (1987)
- ◆ State Highway Access Management Act (1989)
- ◆ State Transportation Development District Act (1989)
- ◆ NJ Standards for Individual Subsurface Sewage Disposal Systems (1989)

- ◆ Clean Air Act [Amendments] (1990)
- ◆ Inter-modal Surface Transportation Efficiency Act (1991)
- ◆ Local Housing and Redevelopment Law (1992)
- ◆ New Jersey Redevelopment Act (1996)
- ◆ Federal Telecommunications Act (1996)
- ◆ NJ Wellhead Protection Program (1991)
- ◆ Residential Site Improvement Standards (1997)
- ◆ NJ Brownfield Remediation Act (1998)
- ◆ Garden State Preservation Trust Act (1999)
- ◆ Religious Land Use and Institutionalized Persons Act (2000)
- ◆ Stormwater Management Rules (2004)
- ◆ NJ Pollutant Discharge Elimination System Stormwater Regulation Program Rules (2004)
- ◆ State Transfer of Development Rights Act (2004)
- ◆ Highlands Water Protection and Planning Act (2004)

Changes in the legislative landscape have had significant impacts on both development and preservation throughout the State, and have changed considerably the responsibilities of both local and county governments. As a result, the Morris County Planning Board and Morris County Department of Planning, Development and Technology have taken on many activities that were not part of the county enabling law in 1975.

For example, the passage of the “Agricultural Retention and Development Act” in 1983 set the framework for New Jersey’s Farmland Preservation Program, and subsequently resulted in the creation of the *Morris County Agricultural Development Board*. Using a combination of state and county funding, the Morris County Agricultural Board, with the assistance of county planning staff, has overseen the permanent preservation of over 6,000 acres of farmland. Funding for this program has been augmented by the adoption of the “New Jersey Garden State Preservation Trust Act” in 1999 and by



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the establishment of the Morris County Open Space and Farmland Preservation Trust Program in 1994.

More recent legislation and regulation continue to expand the role of the Morris County Planning Board. For example, the adoption of 2004 Stormwater Management Rules by the NJDEP requires review and approval by county planning boards of local stormwater management plans. Another example is the 2004 “State Transfer of Rights Development Act,” which requires the county to review complex TDR ordinances and approve or deny local development rights transfer plans. Recently, the NJDEP proposed new “Water Quality Management Planning” rules. These will have a significant impact on development in Morris County and throughout the state.

The “Highlands Water Protection and Planning Act” (2004) is another recent law that will have a profound impact on local and county planning board activities. Of Morris County’s 39 municipalities, 32 are included in the Highlands Region. The entire Highlands Region includes 88 municipalities and portions of seven counties. The Highlands Council, created by this Act, is charged with developing a Highlands Regional Master Plan addressing the Highland Region in consultation with local and county planning boards. In addition, county master plans and land development standards are required to be amended to conform to the Highlands Regional Master Plan, creating additional county planning board responsibilities.



Throughout the years, the county planning staff has provided analysis and comment during the formative period in which much new legislation has been developed. The Morris County Department of Planning, Development and Technology continues to work with representatives of state government, other counties and local governments to help craft and amend legislation, and ultimately, provides assistance to municipal officials in interpretation of these laws, their impacts and the responsibilities associated with their passage. New legislation has significantly broadened the responsibilities of local and county government, particularly in the field of planning, and this has been reflected in the projects and expanding duties of the Morris County Planning Board and Morris County Department of Planning, Development and Technology.

With 39 individual municipalities and approximately 481 square miles of land area, identifying the myriad of physical and socioeconomic conditions found in Morris County can be a complex task. The main body of this report is dedicated to providing a basic summary of these conditions so that they may be analyzed in relation to county planning goals, now and in the future.



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The information found on the following pages attempts to give an overview of the current county “state of affairs”; thereby providing a basis for review of current conditions and highlighting trends and potential issues that may be of concern to the Morris County Planning Board. This analysis will provide a foundation for identifying and prioritizing future study and review topics for the planning board.

The next sections include an overview of the following major topics as they relate to general conditions in Morris County and, to the extent possible, how these conditions have changed over the last three and one half decades.³

- ◆ Population, Housing and Households
- ◆ Land Use and Development Regulations
- ◆ Water Supply and Wastewater Treatment
- ◆ Circulation
- ◆ Open Space and Farmland Preservation
- ◆ Employment Employers and Income
- ◆ Historic Preservation
- ◆ Educational and Cultural Facilities

³ The 1975 Future Land Use Plan was based largely on 1970 US Census and Land Use data. When possible, a comparison to 1970 characteristics is presented to illustrate the degree of change since the 1975 Future Land Use Plan was completed. However, comparative information is not available for all topics and/or may not be necessary to illustrate all conditions. In some cases; therefore, this comparison is omitted or limited.