

TOGETHER
**NORTH
JERSEY.**

CONNECTING
PEOPLE, PLACES,
AND
POTENTIAL.

KINGWOOD: A PLAN FOR PRESERVING RURAL CHARACTER THROUGH CONTROLLED DEVELOPMENT OF ROUTE 12

WINTER 2015

A LOCAL DEMONSTRATION PROJECT



TARGETING
GROWTH

SCENIC
CORRIDOR

GATEWAY
VILLAGE



PROJECT PARTNERS



Kingwood Township



Hunterdon County



HART TMA

STEERING COMMITTEE



Hunterdon Land Trust



NJ Department of
Transportation



Residents of Kingwood
Township



Students of Delaware Valley
Regional High School

PROJECT TEAM



Regional Plan Association



Mercer Planning Associates



Urban Partners



NJ TRANSIT



Together North Jersey

Uncredited photos within this report are courtesy of Richard Dodds of Kingwood Township, Mercer Planning Associates and Regional Plan Association.

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ABOUT TOGETHER NORTH JERSEY

In November 2011, the U.S. Department of Housing and Urban Development (HUD) awarded TOGETHER NORTH JERSEY (aka, North Jersey Sustainable Communities Consortium) a \$5 million Sustainable Communities Regional Planning Grant. The grant is matched with an additional \$5 million in leveraged funds from project partners. Grant funds have been used to implement the Local Demonstration Project (LDP) Program, develop a Regional Plan for Sustainable Development (RPSD) for the 13-county planning region (pictured to the right), and provide technical assistance and offer education opportunities that build the capacity of jurisdictions, organizations and the public to advance sustainability projects and initiatives.

The plan is both “place-based” and “issue-based” and uses sustainability, transit system connectivity and Transit-Oriented Development (TOD) as the central framework for integrating plans, regulations, investments, and incentive programs at all levels of government to improve economic and environmental conditions, while promoting regional equity and resource efficiency. For more information, please visit togethernorthjersey.com.

ACKNOWLEDGEMENTS

- 13 County Governments in the NJTPA Region
- Edward J. Bloustein School for Planning and Public Policy at Rutgers University
- North Jersey Transportation Planning Authority (NJTPA)
- NJ TRANSIT
- NJ Office of Planning Advocacy (NJOPA)
- Housing and Community Development Network of New Jersey (HCDN-NJ)
- Sustainability Institute/Sustainable Jersey at The College of New Jersey
- NJ Future
- Building One New Jersey
- PlanSmart NJ
- Regional Plan Association (RPA)

DISCLAIMER

The work that provided the basis for this report was supported by funding under an award from the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The authors of the report are solely responsible for the accuracy of the data, statements and interpretations contained



in this document. Such statements and interpretations do not necessarily reflect the views the Together North Jersey Steering Committee or its individual members or any other agency or instrumentality of Government.

ABOUT THE LOCAL DEMONSTRATION PROJECT PROGRAM

The Local Demonstration Project (LDP) Program seeks to advance specific projects, initiatives, and other investments for local communities to achieve short-term, implementable projects which are consistent with the RPSD goals and program outcomes.

The LDP Program provides technical assistance for strategic planning studies focused on designated areas or corridors associated with established or anticipated transit services and/or facilities. Eligible LDP projects will be sponsored by municipalities, counties, non-governmental organizations, community development corporations, and other interested organizations.

These demonstration projects help to identify partnering opportunities, milestones, and potential funding sources and serve as a model for future initiatives.

Please visit www.togethernorthjersey.com to learn more.

12 KEY ISSUES

The range of issues faced by the communities within the Region in positioning themselves for a more sustainable future is broad. The Local Demonstration Project program as a whole will attempt to engage all of the major policy issues that have been identified in recent

years, as seen in the below diagram. Each project of the LDP program will address Land Use and Transportation at its core and will identify several primary issues as the project's focus.



EXECUTIVE SUMMARY

PROJECT INTRODUCTION

Kingwood is a 36-square mile, rural town located in western Hunterdon County along the Delaware River. Sparsely built, Kingwood today is a primarily residential and agricultural community distinguished by open spaces and scenic views. Positioned in desirable Hunterdon County, and outside the Highlands growth boundary, the community anticipates growth pressure as the economy rebounds.

In order to address anticipated growth pressure, Kingwood Township engaged in a Re-Examination of its Master Plan in 2011, at which time the governing body issued a survey to gauge residents' priorities for growth and preservation. The survey showed that the community valued its rural and scenic character, and was particularly concerned about loss of that character along Route 12. State Route 12 serves as Kingwood's primary east-west corridor, connecting the town to the historic downtowns of Frenchtown and Flemington. The subsequent planning process resulted in two ordinances that would balance growth along the corridor, while also attempting to preserve the scenic character. The first ordinance was a Scenic Corridor Overlay along Route 12 that called for increased setbacks from the road, restricted some uses like supermarkets and auto related

businesses, and reduced the potential size of building in certain areas. The second ordinance established the zoning to create an "Eastern Gateway Village Center" at the town's eastern end of Route 12. The intent of the village was to be a focus for future growth, while encouraging limited growth and preservation in surrounding areas.

In order to implement the balanced growth approach along Route 12, established by these overlays, Kingwood Township is establishing a transfer of development rights (TDR) program. Kingwood: A Plan for Preserving Rural Character through Controlled Development of Route 12 is a project to advance Kingwood Township's ongoing efforts to implement a transfer of development rights (TDR) program for the Route 12 corridor. This project proposes to:

1. Advance efforts to develop a transfer of development rights program through the township's implementation of the Route 12 Scenic Corridor Overlay (SCO) and Eastern Gateway Village Center Overlay (EGVCO) ordinances.
2. Explore opportunities for enhanced transportation and mobility in Kingwood and along Route 12 based on additional ridership demand resulting from a new population center along Route 12.

3. Highlight opportunities for Kingwood's TDR program to serve as a model for similar communities in North Jersey.

The project's study area encompasses the Route 12 corridor in Kingwood. For general research, analysis, engagement and implementation purposes, the entirety of Kingwood Township is also an area of focus. Products from this project include this strategic plan that outlines the path forward to develop and implement a TDR program, a compilation of chapters for a TDR Plan Element and a preliminary real estate market analysis.



Route 12 in Kingwood Township

BACKGROUND ON KINGWOOD

Kingwood is rural community that borders the Delaware River and is home to nearly 4,000 residents living in 1,400 households. High income levels, high rates of homeownership and low rates of poverty suggest that Kingwood is a relatively affluent community within the region. Meanwhile, the township's population is less diverse than that of Hunterdon County, and considerably less diverse than the population of the North Jersey region.

Located in western Hunterdon County, Kingwood can be characterized as a rural community comprised primarily of residential and farm land uses. The township contains a rural road network. Route 12 is the primary east-west corridor in Kingwood, connecting the township and Baptistown, a small village community located at the intersection of Route 12 and Kingwood Road, to the nearby historic downtowns of Frenchtown and Flemington. Low population density and minimal development have resulted in highly limited public transportation options. With lack of safe pedestrian and bicycle accommodation along main and secondary thoroughfares, opportunities for walking and biking are similarly constrained. Virtually all households in Kingwood own at least one vehicle. Auto-oriented land uses dominate,

particularly along Route 12, which hosts most of the community's commercial uses.

With a rebounding economy and location in a desirable area just outside of the New Jersey Highlands growth management boundaries, Kingwood is positioned to experience growth and demand for development. Over the next thirty years, Kingwood is projected to absorb at least 420 units of residential development and 400,000 square feet of new commercial and industrial space. Anticipating this growth, Kingwood Township hopes to implement a strategy that manages and targets development along Route 12 in order to maintain the community's rural qualities. The township hopes to accomplish this through a transfer of development rights (TDR) program that is currently in the early formative stages. In late 2012, the township developed and passed two ordinances for the Route 12 corridor to create the Scenic Corridor Overlay and the Eastern Gateway Village Center Overlay, laying the groundwork for TDR.

Results from engagement suggest that:

- Residents value Kingwood's rural character and have little desire to see growth that diminishes it.
- There are mixed opinions on whether growth could be accommodated in the Eastern Gateway Village Center,

Baptistown, or both.

- Route 12 may benefit from improved design guidelines.
- Residents favor preservation of farmland and open space in other areas of Kingwood.
- If Kingwood is to grow, new development should reflect community desires.
- Residents could benefit from further understanding of how TDR works and over what geography it would be applied.
- Residents are interested in additional opportunities for biking along Route 12.

INTRODUCTION TO TDR

On March 29, 2004, Governor McGreevey signed into law P.L. 2004, c.2, the State Transfer of Development Rights (TDR) Act, authorizing the transfer of development rights by municipalities. This bill makes New Jersey the first state in the nation to authorize TDR on a statewide level.

Transfer of development rights is a realty transfer system where development potential in a specified preservation area can be purchased by private investors for use in a targeted growth area. By accepting a cash payment, landowners in the preservation area place a deed restriction on the property that will maintain the existing use of the property into perpetuity. The land in the designated



A TDR program is market-driven and can achieve preservation and development goals by helping to preserve critical resources in the sending zone and targeting growth in the receiving zone

receiving zone can then be developed at a higher density than allowed under the current zoning ordinance. This process reduces the consumption of critical resources, while still accommodating growth, and eliminates the “windfalls and wipeouts” in property values normally associated with zoning changes.

RECOMMENDATIONS

Research and analysis as well as stakeholder and resident feedback have helped to inform recommendations across five overarching categories. Each recommendation has associated strategies, actions, actors, and lead implementation partners.

Zoning

The township should refine the Scenic Corridor Overlay and Eastern Gateway Village Center Overlay to ensure there are no discrepancies in terms of what the township intends to see, and how developers interpret the ordinances. In particular, Kingwood Township should amend these ordinances to eliminate any inconsistent or undesirable uses. The public should remain abreast of these zoning changes.

TDR Program

Development and implementation of a complete TDR program will require Kingwood Township, Hunterdon County, and other

partners to rigorously undertake a number of strategies over the short and long term, including finalizing sending and receiving zone boundaries and resolving wastewater issues. A new wastewater treatment facility will be required in and around the proposed sending zone. Meanwhile, building on the preliminary real estate market analysis (REMA) produced for this project, the township will need to finalize a full REMA. In addition, a TDR Plan Element, Utility Service Plan, and Capital Improvement Plan will be required for the township to pursue NJ State Plan Endorsement. After Plan Endorsement is obtained, Kingwood can adopt a TDR ordinance.

Engage the Community

Building off of the outreach efforts from this project, the township should continue to regularly engage the public. For this local demonstration project, a steering committee consisting of diverse representatives offered guidance on a number of planning issues. This committee should be sustained and supplemented by other resident leaders and key property owners to speak on behalf of the community. Resident input should inform the final boundaries of the sending and receiving zones as well as preferred design and density of the proposed receiving zone. Further, the township should continue to engage youth in these planning issues. Because property

owners are among those most directly impacted by the implications of TDR, the township should develop a forum whereby property owners can receive periodic updates and ask questions about TDR.

Mobility

As Kingwood implements a TDR program, new development and land use changes should be tied to enhancements in mobility. For example, the township could adopt a Complete Streets policy. In the receiving zone, design guidelines should promote transit-ready corridors and small-scale transit oriented development. In collaboration with NJDOT, the township should conduct a study on accommodation of bicycle/pedestrian infrastructure along Route 12 and connecting roadways. Further, the township should consider applying to NJDOT to change the designation of Route 12 from a four-lane to a two-lane highway. In the short term, transit providers like the Hunterdon LINK and Trans-Bridge could better market their services to Kingwood residents. In the long term, these providers should consider more robust service for the Eastern Gateway Village Center.

Beyond the Corridor

The proposed TDR program focuses on the Route 12 corridor, leaving many undeveloped, unprotected areas off of the



Rural Kingwood

corridor vulnerable to further development. In order to maintain the community's rural character and ensure that undeveloped farmland off of the Route 12 corridor remains protected from undesired development, the township could consider a number of zoning-related and other solutions, such as refining minor subdivisions requirements, enabling non-contiguous zoning in the Agricultural and Single-Family Residential (AR-2) zone, exploring open space funding capabilities, or expanding TDR to facilitate inclusion of priority preservation sites outside the corridor.

IMPLEMENTATION

Given the nature of developing a transfer of development rights program, Kingwood Township will need to assume the greatest responsibility for ensuring the recommendations put forth by this plan are implemented. Nevertheless, Hunterdon County, the State of New Jersey, and transportation providers will continue to be important partners throughout the process. Above all, robust public engagement will be necessary to foster broad-based support for TDR. Sustained collaboration between all of these parties will ensure that TDR is implemented efficiently and effectively to achieve the larger goal of maintaining the rural and scenic character of the Route 12 corridor.



Route 12 western gateway to Kingwood

PLAN IMPLEMENTATION AGENDA

The charts to the right reflect the strategies that local partners should implement to refine the 2012 overlay ordinances, advance a TDR program, conduct robust public engagement, ensure multi-modal mobility enhancements, and preserve undeveloped land off of the Route 12 corridor. Each strategy is associated with specific actions, actors and a timeframe; for the full plan implementation agenda, refer to pages 78 to 84.

While Kingwood Township will play the lead role in ensuring implementation of these recommendations, other players will also be important: Hunterdon County, agencies within the State, the local demonstration project steering committee, property owners, transportation providers, and Kingwood residents.

Potential sources of funding include:

- NJ State TDR Bank
- NJ Environmental Infrastructure Trust
- NJ Department of Environmental Protection - Green Acres Program
- NJ Department of Transportation - Municipal Aid, Technical Assistance Program, and Safe Routes to School
- North Jersey Transportation Planning Authority

Zoning & Design
Scenic Corridor Overlay & Eastern Gateway Village Overlay
1. Refine Scenic Corridor Overlay zoning
2. Refine Eastern Gateway Village Center Overlay zoning
TDR Program
Sending & Receiving Zones
1. Finalize details of Sending and Receiving Zones
Utility Service
1. Resolve wastewater issues
2. Amend Hunterdon County Wastewater Plan
3. Build wastewater treatment facility
Capital Improvements in the Eastern Gateway Village Center
1. Build main roadways and open spaces in the new center
Real Estate Market Analysis
1. Finalize real estate market analysis (REMA)
Finalize TDR Plan & Plan Endorsement
1. Develop and finalize Master Plan Elements
2. Adopt Transfer Ordinance
3. Pursue Plan Endorsement
4. Obtain County approvals
Periodic Review
1. Complete first assessment 3 years after program implementation
2. Continuously assess program

Public Engagement
Community Outreach
1. Formalize an advisory committee to meet regularly and serve as a liaison to the greater community
2. Continue to engage property owners
3. Work with community to choose preferred design and density for receiving zone
4. Continue to engage residents throughout the TDR planning process
Mobility
Improve & Plan for Transportation
1. Develop transit-ready corridors and transit village places
2. Expand Trans-Bridge service
3. Expand opportunities for Hunterdon County LINK service
4. Facilitate greater carpools and vanpools
5. Enhance walkability and bikeability
Beyond the Corridor
Preservation Priorities
1. Ensure undeveloped areas off of the corridor are less susceptible to undesired residential development
Future Kingwood
1. Promote Kingwood as a model for TDR

INTRODUCTION

Kingwood is a 36-square mile, rural town located in western Hunterdon County along the Delaware River. A historically agricultural community, Kingwood was established when it separated from Bethlehem Township in the mid-1700s. Kingwood's existing municipal borders were established the mid-to-late 1800s. Sparsely built, Kingwood today is a primarily residential and farmland community – home to less than 4,000 residents – distinguished by open spaces and scenic views. The Kingwood Master Plan Land Use Element characterizes Kingwood as an “expansive plateau of farmland, rolling hills of farms and forests, meandering streams, winding, narrow rural roads and rock outcroppings along the Delaware River.” While many other communities in Hunterdon County have suburbanized over the past few decades, Kingwood has maintained its picturesque rural landscape.

State Route 12 serves as Kingwood's primary east-west corridor, connecting the town and Baptistown, a small village community located at the intersection of Route 12 and Kingwood Road, to the historic downtowns of Frenchtown and Flemington. Route 12 in Kingwood is a scenic commercial corridor set amongst farms, open space, and rural neighborhoods.

With a rebounding economy, and location in a desirable area just outside of the New Jersey Highlands growth management boundaries, Kingwood is positioned to experience growth and demand for development over the coming years. Anticipating this growth pressure, Kingwood Township engaged in a Re-Examination of its Master Plan in 2011, at which time the governing body issued a survey to gauge residents' priorities for growth and preservation. The survey showed that the community valued its rural and scenic character, and was particularly concerned about loss of that character along Route 12.

The subsequent planning process resulted in two ordinances that would balance growth along the Route 12 corridor, while also attempting to preserve the scenic character. The first ordinance was a Scenic Corridor Overlay along Route 12 that called for increased setbacks from the road, restricted some uses like supermarkets and auto related businesses, and reduced that potential size of building in certain areas. The second ordinance established the zoning to create an “Eastern Gateway Village Center” at the town's eastern end of Route 12. The intent of the village was to be a focus for future growth, while encouraging limited growth



Rural Kingwood Township

and preservation in surrounding areas. The township hopes to apply this balanced growth approach through a transfer of development rights (TDR) program. This Together North Jersey local demonstration project advances efforts towards creating and implementing a TDR program in Kingwood.

PROJECT DESCRIPTION

1. Advance efforts to develop a transfer of development rights program through the township's implementation of the Route 12 Scenic Corridor Overlay (SCO) and Eastern Gateway Village Center Overlay (EGVCO) ordinances.
2. Explore opportunities for enhanced transportation and mobility in Kingwood and along Route 12 based on additional ridership demand resulting from a new population center along Route 12.
3. Highlight opportunities for Kingwood's TDR program to serve as a model for similar communities in North Jersey.

The project resulted in three products, the first and foremost being this strategic plan that outlines the path forward for the township and partners to develop and implement a TDR program. Should the township implement a full TDR program, the Kingwood Township Master Plan will require a TDR Plan Element. Appendix A contains the second product: an

early compilation of chapters for the TDR Plan Element. The final product is a preliminary real estate market analysis, contained within Appendix B.

STUDY AREA

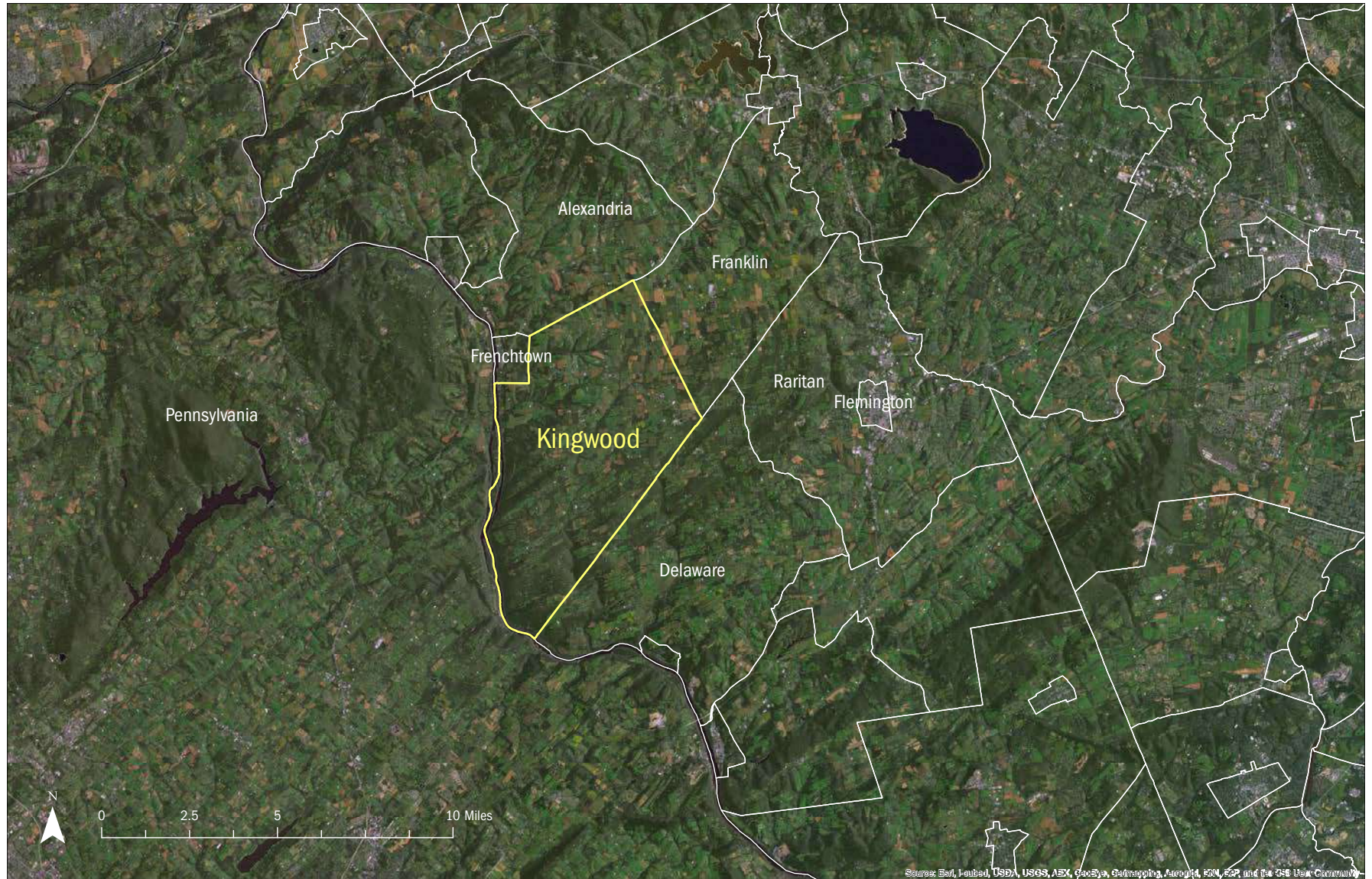
The Master Plan Update and Ordinances adopted by Kingwood in 2011 laid the groundwork for an alternative growth strategy along Route 12. While the purpose of this project was to investigate further steps to implement this vision, the entirety of Kingwood Township was included for general research, analysis, engagement and implementation purposes. For comparative purposes, Hunterdon County and the North Jersey region were included in the analysis conducted.



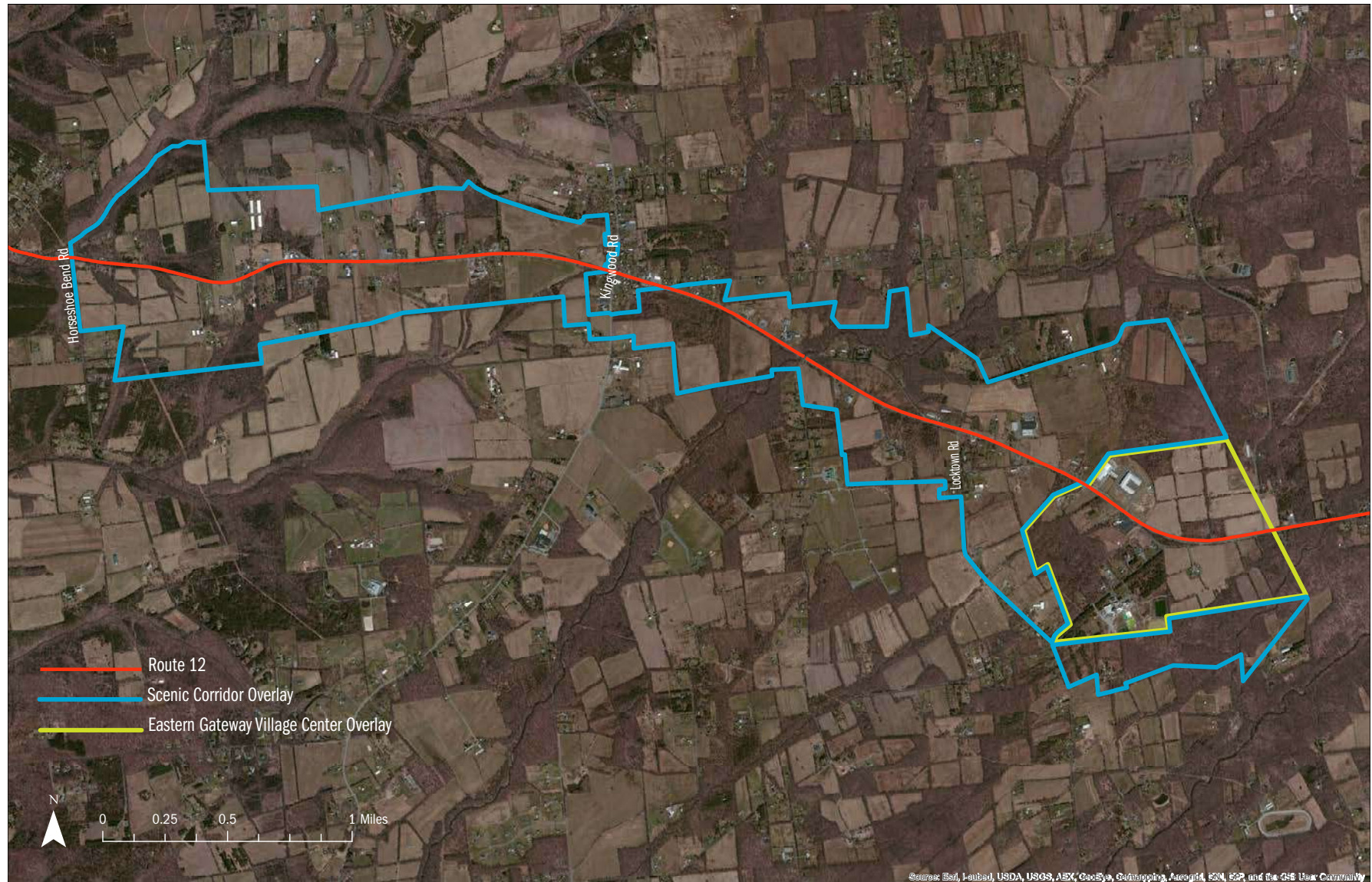
Housing along Route 12



Route 12 corridor



Kingwood in a regional context



Route 12 corridor in Kingwood and overlays

SUMMARY OF OUTREACH EFFORTS

A number of stakeholder, property owner, and public engagement efforts were conducted during the project timeline from November 2013 to May 2014 and are described below. Meetings were primarily held in the library of Kingwood Township Elementary School. Takeaways from the outreach efforts can be found in the following chapter, “Where are we now? Where are we headed?” while meeting materials and summaries can be found in Appendix E.

Kickoff Meeting

A kickoff meeting on November 11, 2013 convened nearly 20 project team members and stakeholders for background on the township’s efforts to date, as well as an introduction to the local demonstration project. The kickoff meeting served as the first official gathering of the steering committee. Participants discussed opportunities for public engagement and stressed the importance of the real estate market analysis to informing the TDR program and process.

Study Area Tour

Project team members and Kingwood Township officials completed a tour of the Route 12 corridor on December 16, 2013, driving the length of the highway in Kingwood and meeting with business owners along the

corridor. The tour allowed the project team to become familiar with Route 12, including the types of uses along the corridor – auto businesses, solar farms, other retail uses, and residential properties – as well as more desirable and less desirable design standards and setbacks.

February Steering Committee Meeting

Steering committee members convened on February 10, 2014 to review results of research and discuss content of and outreach for the open house. Steering committee members established that given the complexity of TDR, for the purposes of public engagement, the project should be framed in terms of the future development of Route 12. The project team presented takeaways from the build-out analysis: the town could explore higher setback minimums along Route 12 in the proposed sending zone, while wetlands will present a major challenge in the proposed receiving zone. Project team members also presented the results of an overlay ordinance analysis, which revealed that while the Eastern Gateway Village Center Overlay ordinance is generally sufficient, there are opportunities for improvement that could make the proposed village a more cohesive place that relates to the corridor.



Study area tour



Farmland along Route 12



KINGWOOD: The Development of Route 12

SHARE YOUR IDEAS.

YOUR FEEDBACK NEEDED!



OPEN HOUSE

Drop by anytime between 5pm-8pm
Thursday, February 20, 2014

Kingwood Township Elementary School
880 County Road 519
Frenchtown, NJ

For more info, email: janani@rpa.org

We invite Kingwood residents and members of the general public to **take a few minutes to drop by** this open house and **share feedback** on the **future of Route 12**. Participants will complete surveys and activities about how they would like the Route 12 corridor to look in the future. Kingwood Township and Together North Jersey are hosting this open house. **Refreshments** will be provided.



Rt. 12 in Kingwood:
An active commercial
corridor set amongst
farms, open space and
neighborhoods



Will future
development along
the corridor be
unmonitored and
widespread?



Or will it be targeted
in ways that let Rt. 12
grow, while preserving
its rural character?



Please join us to help
plan for the future
development of
Rt. 12!

www.togethernorthjersey.com

Open House

Approximately 65 Kingwood residents, steering committee members, project team members, and other members of the general public participated in an open house on February 20, 2014. Participants rotated between various stations: an introduction to TDR station, a design scenarios station, and an online survey station. Residents conveyed their desire to maintain Kingwood's rural character and suggested that they may be amenable to TDR if it can accomplish this. Should Kingwood experience additional growth and development, residents hope that the following challenges can be addressed through the planning process: maintaining community character, avoiding additional traffic and congestion, minimizing impact on schools, ensuring adequate water and sewer facilities, and ensuring that growth is balanced.

Steering Committee Conference Calls

Steering committee conference calls were held on December 16, 2013, January 13, 2014, March 10, 2014, April 7, 2014 and May 19, 2014. The calls were primarily administrative in nature and allowed project team members to share periodic updates on research and analysis, including findings from the build-out analysis, design analysis, and draft early real estate market analysis.

Meeting with DEP

Project team members and project partners met with representatives from NJ Department of Environmental Protection on March 12, 2014 at Rutgers-Bloustein in New Brunswick to discuss environmental constraints in the proposed receiving zone. Initial analysis revealed the existence of wetlands in the proposed receiving zone; DEP representatives commented that to discern the true extent of wetlands in Kingwood, an independent analysis would have to be obtained or completed. Additional emphasis was placed on the municipality's other challenges – including poor quality soils and a high water table – which will drive decisions about wastewater facility location and type.

General Public Survey

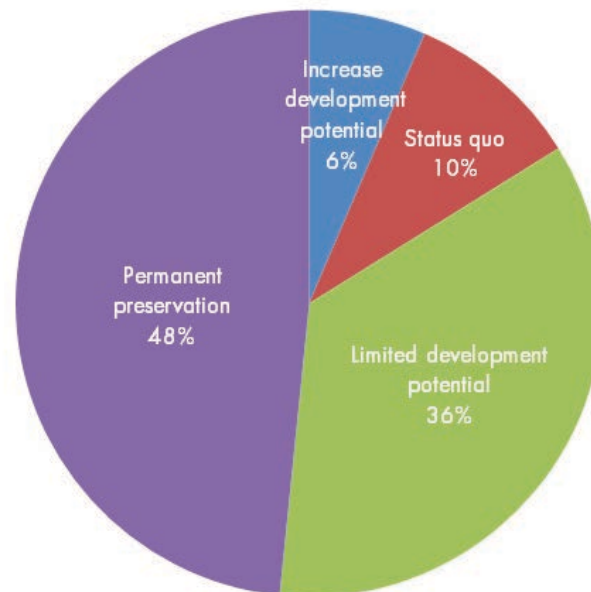
A general public survey was initially launched at the February open house, edited and re-launched in mid-April, though in total, responses were limited. The survey featured a series of videos for survey takers to become familiar with TDR. Respondents answered questions regarding preservation priorities, desirable and undesirable uses along Route 12, and their vision for the future of Kingwood. The survey also featured a visual preference exercise; respondents were asked to rate their preference for a range of neighborhood and rural development types.

Student Survey

A student survey was launched in mid-April to engage middle school and high school students on the type of place they hope to live in after completing school or college. Students conveyed preference for less urban places, though expressed the desire for certain amenities, such as restaurants and places for entertainment. Respondents also offered their vision for the future of Route 12 and Kingwood.

Property Owner Meetings

On April 22, 2014 two meetings were held for property owners – one of proposed sending zone property owners, and one of proposed receiving zone property owners. The meetings served to introduce the project and the concept of TDR to those who would be most impacted by it. Property owners had the opportunity to ask questions about the implications of a TDR program on land uses and property values.



When asked how they would like to see Kingwood's rural areas develop in the future, respondents answered that they would most like to see permanent preservation.



Open house participants learn about TDR...



...and about the SCO and EGVCO ordinances.



Survey takers



Participants learn about design elements

State Agency Meeting

A state agency meeting on May 29, 2014 convened project team members, steering committee members and state agency representatives to review the path forward for TDR implementation and adoption, discuss options for plan endorsement, and explore sources of funding and resource-sharing.

Engagement of Traditionally Disadvantaged Populations

Traditionally disadvantaged populations are considered to be those groups that have typically been marginalized from planning processes, such as low-income individuals and families, minority communities, limited English speakers, persons with disabilities, youth and the elderly. A demographic analysis revealed that there are few, if any, traditionally disadvantaged populations in the study area. Instead, project partners focused on youth engagement. Two Delaware Valley Regional High School students represented the student population on the steering committee for the duration of the project. An online student survey that yielded nearly 100 responses encouraged youth to think about planning issues in an accessible way.

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**PHASE 1:
WHERE ARE WE NOW?
WHERE ARE WE HEADED?**

BUILDING ON EXISTING EFFORTS

Recognizing the previous planning efforts that Kingwood Township has undertaken – including its years-long endeavor to explore and implement a transfer of development rights program – this plan draws from and expands upon a body of existing work, including but not limited to:

- Kingwood Township Master Plan (1972)
- Kingwood Township Land Use Plan Element (2012)
- Reexamination Report of the Master Plan and Development Regulations for Kingwood Township (2011)
- Kingwood Township Open Space and Recreation Plan (2011)
- Kingwood Township Conservation Plan Element (2008)
- Hunterdon County Growth Management Plan (2007)
- Kingwood Township Zoning Ordinances, including:
 1. Route 12 Scenic Corridor Overlay (SCO) Zone regulations (2012)
 2. Eastern Gateway Village Center Overlay (EGVCO) Zone regulations (2012)

ADOPTED: OCTOBER 11, 2012

Kingwood Township
Hunterdon County, NJ

Land Use Plan Element
Kingwood Township Master Plan

October 2012

Prepared by the Kingwood Township Planning Board

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Maureen Syrnick, Vice-Chair
Elaine Niemann, Mayor
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In consultation with Banisch Associates, Inc.

The original of this report was signed and sealed in accordance with N.J.A.C. 13:41-1.3

David J. Banisch, PP
NJ Licensed Professional Planner No. 5565

Date Signed



2007 Hunterdon County Growth Management Plan



Route 12 County Complex
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www.co.hunterdon.nj.us/planning

DEMOGRAPHIC ANALYSIS

The following demographic analysis draws from the U.S. Census 2010, American Community Survey 2010 5-year estimates, and American Community Survey 2012 5-year estimates. A full demographic analysis can be found in Appendix D.

Population & Households

Kingwood is home to approximately 3,848 residents living in 1,400 households. Kingwood's population comprises just 3% of Hunterdon County's population. NJTPA projects that by 2040, Kingwood will have 5,230 residents and 1,850 households.

Non-white minority populations comprise just over 4% of the total population, while approximately 5% are foreign-born. Less than 2% of the township's population has limited English proficiency (LEP). Of the LEP population, Chinese rises as the top language spoken at home. The township is less diverse than Hunterdon County, and far less diverse than the North Jersey region.

Housing

Approximately 91% of Kingwood's 1,400 households are owner-occupied. The township exhibits higher rates of homeownership than Hunterdon County and the North Jersey region. Meanwhile, rental opportunities are scarce.

Approximately 92.3% of Kingwood's existing housing stock is comprised of single family units, while the rest are units in multifamily structures. The township contains less diversity in housing options than the county and North Jersey region.

Income & Poverty

At \$104,828, Kingwood's median household income is far higher than that of the North Jersey region, and comparable to that of Hunterdon County. Kingwood's household poverty rate of 4% is comparable to that of the county (3.7%) and over half that of the region (8.9%). Relatively high levels of income and low rates of poverty suggest that Kingwood is a relatively affluent community in the region.

Vehicle Ownership & Commuting

Vehicle ownership rates are relatively high in Kingwood; all households own at least one vehicle. Results of research and stakeholder feedback suggest that it is nearly impossible to get around town without a vehicle. As such, nearly all resident workers drive to work; 86% drive alone, while nearly 11% carpool. Less than 2% rely on public transportation as a means of travel to work.

Traditionally Disadvantaged Populations

Traditionally disadvantaged populations are considered to be those groups that have typically been marginalized from planning processes, such as low-income individuals and families, minority communities, limited English speakers, persons with disabilities, youth and the elderly. With relatively high levels of income, low rates of household poverty, and a relatively small minority population, there are no identified racially concentrated areas of poverty in Kingwood. Hunterdon County has a relatively small share of the HUD units in the North Jersey region; none of these units are located in Kingwood. The analysis revealed that there are few, if any, traditionally disadvantaged populations in the study area. Instead, project partners focused on student/youth engagement.

ECONOMIC ANALYSIS

The following economic analysis examines residential and commercial/industrial growth through 2040. For further analysis, refer to the preliminary real estate market analysis in Appendix B.

Residential Demand

Through 2040, Kingwood is expected to absorb approximately 15.5% of Hunterdon County's population growth. Meanwhile, employment is expected to double in Kingwood. Table 1 highlights expected growth in population, households and employment through 2040.

Based on 95% housing occupancy, the expected growth by 400 households will support at least 420 new housing units between 2010 and 2040.

Table 2 shows the number of building permits that have been issued between 2010 and 2013. Hunterdon has issued permits for 944 housing units during this timeframe.

If this recent pace of development continues through 2040, over 7,000 new housing units would be added in the county, exceeding the NJTPA forecasts by 20%. Similarly, permits for 43 of these 944 housing units were issued for Kingwood during this timeframe. This pace, if extended through 2040, would provide for

about 325 new units in the 30 year period, 23% less than the NJTPA forecast.

NJTPA forecasts may understate actual housing demand. The 2040 forecasts anticipate the average household size in Kingwood growing from 2.66 in 2010 (versus 2.68 for New Jersey as a whole) to 2.83 in 2040. If average household size remained at 2.66, then the population forecast for 2040 would support 540 incremental housing units through 2040, rather than the 420 supported by the NJTPA household growth forecast. These household forecasts also appear to be based on assumptions that the large

single-family detached home currently being built in Kingwood will remain as the only housing type constructed during this period. If a portion of new housing development includes smaller unit types, like townhomes, then more new housing units would be needed to accommodate the population growth forecast.

Commercial & Industrial Demand

In 2011, 839 jobs were based in Kingwood. When compared to the employment base of Hunterdon County as a whole, Kingwood's employment base is substantially concentrated in manufacturing and construction sectors.



Commercial uses along Route 12

Translating this employment mix to space requirements, nearly 41% of current jobs require industrial space, 16% an office setting, and 11% retail space; in total, approximately 752,000 square feet of commercial and industrial space.

As Kingwood grows over the next thirty years, it is expected that the employment base would adjust to better reflect the county's employment base. Translating Hunterdon County's employment mix to space requirements, approximately 22% require industrial space, 31% an office setting, and 18% in retail space. Assuming that Kingwood's projected growth of 811 jobs through 2040 emulate the current county employment base mix, it is expected that the township will require nearly 400,000 square feet of new commercial and industrial space. Nearly 40% of this additional commercial and industrial space will be for office and retail uses.¹

¹ Refer to p. 5-8 of Appendix B

Table 1: Projected Growth

	Population		Households		Employment	
	2010	2040	2010	2040	2010	2040
Kingwood Township	3,850	5,230	1,450	1,850	820	1,650
Hunterdon County	127,400	147,100	47,200	52,800	49,600	78,300

Source: North Jersey Transportation Planning Authority

Table 2: Building Permits

	Hunterdon County		Kingwood Township	
	Single Family Homes	Multi-Family Units	Single Family Homes	Multi-Family Units
2010	194	81	11	0
2011	171	116	9	0
2012	100	81	10	0
2013	111	90	13	0
Total	944		43	

Source: NJ Department of Labor

MOBILITY

Located in western Hunterdon County, bordering the Delaware River, Kingwood has a rural road network. NJ Route 12, NJ Route 29, County Road 651, and County Road 519 are the major thoroughfares through Kingwood. Route 12 links Kingwood to the historic downtowns of Frenchtown and Flemington and connects to U.S. Route 202.

Trans-Bridge, a private bus carrier, offers service on its Doylestown route from Flemington, Frenchtown and other stops in central New Jersey to the Port Authority Bus Terminal in New York City, Newark Liberty International Airport, and John F. Kennedy International Airport. The line operates along Route 12 and on an informal basis, will stop in Baptistown if there are passengers waiting.

Due to its historically rural nature and spread out development patterns, public transportation options are relatively limited in Hunterdon County and Kingwood. NJ TRANSIT does not operate rail or bus service in Kingwood. In Hunterdon County, rail service is available along the Raritan Valley Line in High Bridge, Annandale, Lebanon, and White House. Fixed route bus service is available via the Flemington Shuffle, which is operated by Hunterdon County and offers service primarily within Flemington and Raritan Township. The Hunterdon



Trans-Bridge, a private bus carrier that operates along Route 12



Historic Frenchtown, west of Kingwood

LINK, operated by the Hunterdon County Department of Human Services, is a demand response shuttle that operates Monday through Friday, offering cross county service to riders who call in 24 hours in advance to arrange travel.

Hunterdon Area Rural Transit (HART) is the transit management association (TMA) that operates in Hunterdon County and distributes information on traffic alerts, public transportation, park and rides, carpools/vanpools, and bicycle and pedestrian opportunities to county residents.

With a low-density road network, large lot acreage, lack of sidewalks or safe bicycle accommodation, opportunities for walking and biking in Kingwood are very limited. Walk Score classifies Kingwood as car-dependent; almost all errands require a car. The Delaware-Raritan Canal State Park runs along the western border of Kingwood and provides recreational opportunities for biking and walking. However, major thoroughfares like Route 12 lack proper bicycle accommodation, precluding the use of bicycles on these major roadways for short non-recreational trips.

Given the high dependency on cars and current lack of alternative mobility options in Kingwood, any future development in Kingwood should be targeted in new nodes or along existing corridors where the potential for enhanced multi-modal access is greatest.



Downtown Flemington, east of Kingwood



HART provides commuter information

LAND USE & ZONING

EXISTING LAND USE

Kingwood can be characterized as a rural community comprised primarily of residential and farm land uses. The map on page 27 illustrates land use in Kingwood according to MOD-IV New Jersey tax assessment data.

Note that actual farmland may be greater than what is shown to the right. Properties with multiple property class codes were classified by the primary code. Some of the parcels shown as residential, commercial and public properties are also classified as 3A/3B farm.

Public and tax-exempt properties can be found clustered near Kingwood Township Elementary School and along the river, while commercial uses can be found primarily along Route 12.

SUMMARY OF ZONING & CODE

Kingwood Township's zoning code includes nine zoning districts and two overlay zones. Most of the community is zoned AR-2 – Agricultural and Single-Family Residential. The properties along Route 12 fall into various commercial zones, as well as the two overlay zones – Scenic Corridor Overlay and Eastern Gateway Village Center Overlay. The special qualities of the existing hamlets of Byram Colony and Barbertown are also

recognized under distinct zones, BC – Byram Colony Zone and VR-2 – Village Residential respectively.

AR-2

Most of Kingwood Township is zoned AR-2 – Agricultural and Single-Family Residential, more commonly known as “rural residential”. This zoning district expressly permits agriculture and associated uses, as well as civic uses, golf courses, churches and cemeteries, and single family homes. The zone also allows for major photovoltaic installations as a conditional use.

Homes may be built under a major subdivision at one unit per seven acres, net half of any environmentally constrained lands on the property. It further allows for clustering or lot averaging on properties over 40 acres or smaller parcels adjacent to preserved land, and resulting in at least 50 percent of the property permanent preserved through deed restriction. Homes may also be built through the minor subdivision process whereby up to three additional frontage and/or flag lots of no less than two acres may be created each calendar year.



Milltown Road Falls in Kingwood

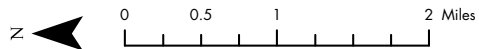
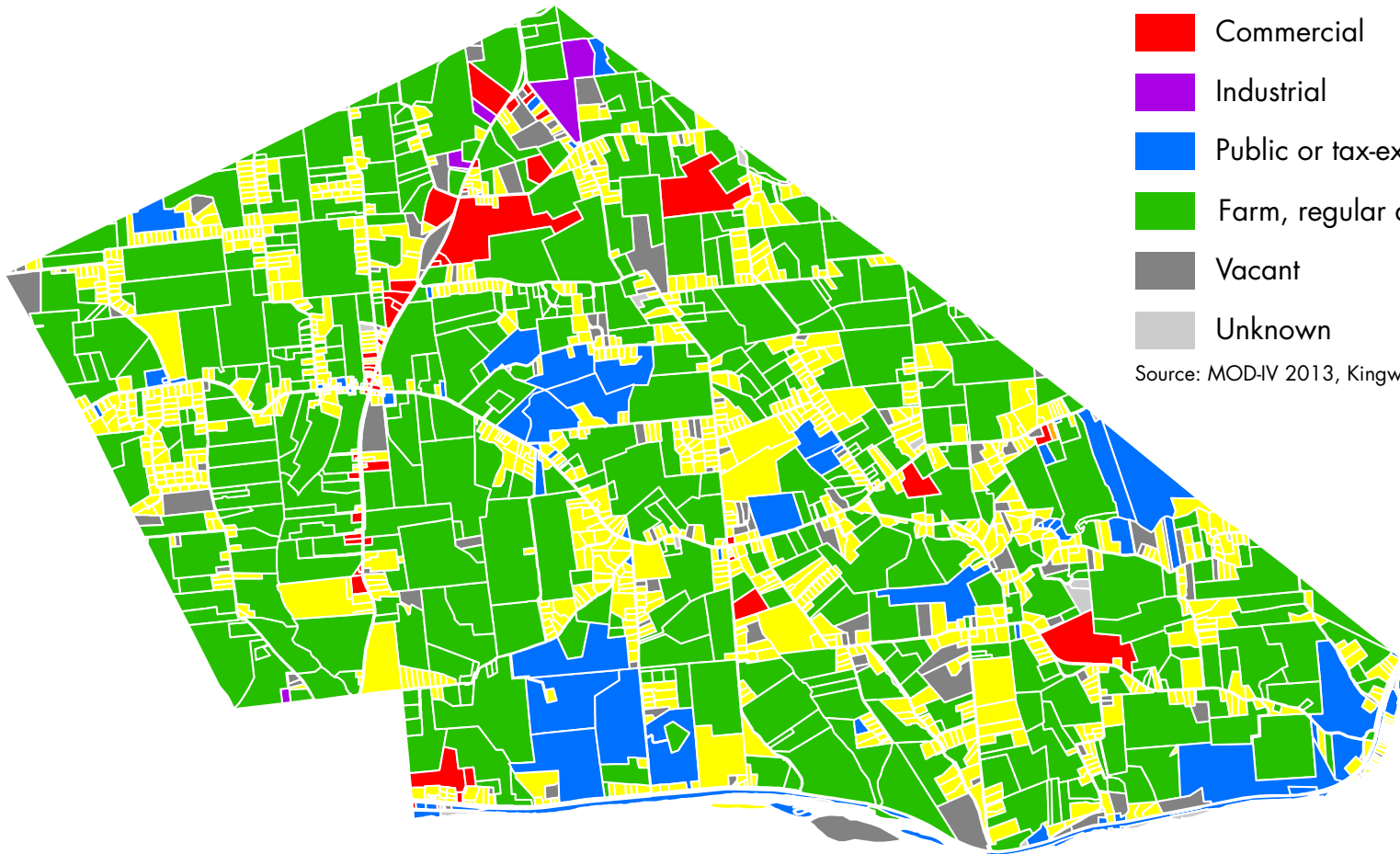


Route 12 in Kingwood

Land Use

- Residential, low-density
- Residential, apartment
- Commercial
- Industrial
- Public or tax-exempt
- Farm, regular and qualified
- Vacant
- Unknown

Source: MOD-IV 2013, Kingwood Township 2014





Commercial Zones

Kingwood's commercial zones are centered along Route 12; including, VC-1 and VC-2 – Village Commercial, HC – Highway Commercial, BP – Business Park, and PO/R – Professional Office/Residential. A table of commercial zones can be found on page 30.

Scenic Corridor Overlay Zone

The Scenic Corridor Overlay (SCO) encompasses the commercial districts VC-1, VC-2, BP, HC, and PO/R. While the overlay references the existing zoning regulations, it includes additional mandatory restrictions with regard to setbacks from the road, some uses like supermarkets and auto related businesses, and reduces the size of buildings in certain areas. East of Baptistown (but west of the Eastern Gateway Village Center), the SCO reduces building coverage to 8% of the property, where it was formerly 10-20% depending on the zone. It also increases the setback from the road to at least 100 feet. West of Baptistown, existing zone building coverages are maintained, but the road setback is increased using a lot depth average computation that will likely result in buildings about 300-400 feet from the road. Throughout the SCO, however, the ability to build residential uses consistent with the AR-2 regulations is now permitted. The map on the page 31 illustrates the SCO zone.

Eastern Gateway Village Center Overlay Zone

The Eastern Gateway Village Center Overlay (EGVCO) establishes several mixed-use sub-districts; including Commercial/Artisan, Mixed Use Core, and Professional Office/Residential. The map on page 33 illustrates the EGVCO zone.

The sub-districts and Planned Unit Development – incentivized by zoning, where a single developer can create a complete mixed-use neighborhood – differ somewhat in the details of what they allow. But the sub-districts share strategies that are essential for making a pedestrian-oriented place with a distinct identity:

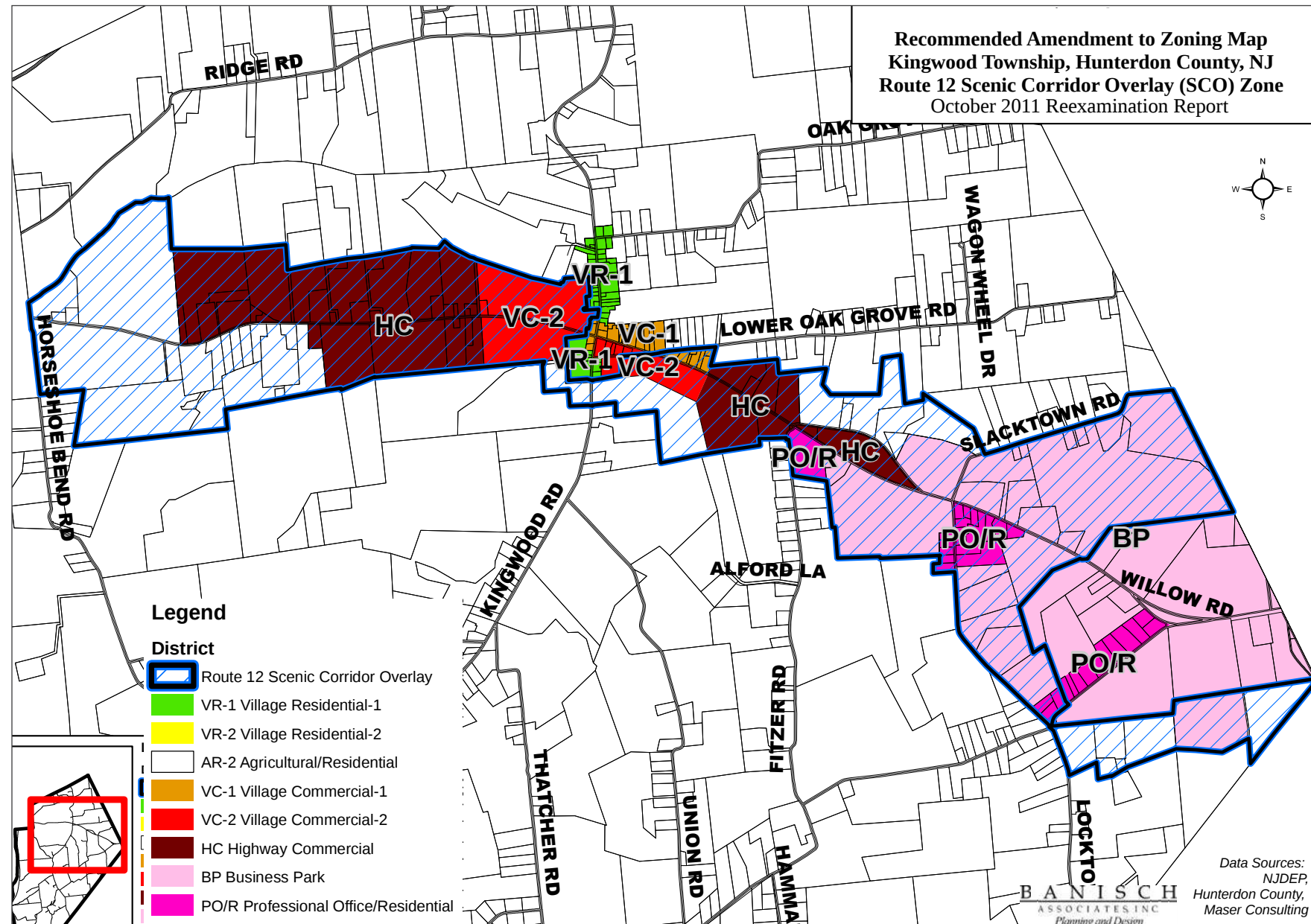
- Promote compact mixed-use: The zoning allows a diversity of uses and encourages combining residential and commercial development on the same property. Bonuses from the TDR program enable buildings with greater height and coverage, as well as additional residential density.
- Increase the residential presence: The zoning allows for residential densities and building types that are associated with compact neighborhood design. Through the use of TDR in the core mixed-use subdistrict, new neighborhoods may be

built out to 12 dwelling units per acre (net) with townhouses, and a maximum of 20 dwelling units per acre (net) in multifamily buildings, so long as the development is connected to a centralized sewer system. Additional density bonus can be achieved through construction of on-site affordable housing.

- Manage parking creatively: In order to create a place that accommodates the automobile but is not dominated by vehicle parking, the proposed zoning includes several supplemental regulations that affect the quantity, location and design of parking. Parking may be shared between uses to reduce the overall amount of land dedicated to parking. Where economically feasible, half of the parking should be in structures. To ensure that streets and public spaces are defined and animated by buildings and are not deadened by expanses of parking, parking is not permitted in front yards or in set-backs and parking cannot be located between a building entrance and a road right-of-way. Entrance-adjacent parking can be accommodated only next to large-scale regional retail developments. Surface parking lots must be broken up into reasonably sized areas through landscaping and pedestrian paths.

Table 3: Commercial Zones

Zone	Principal Permitted Uses	Accessory Permitted Uses	Conditional Uses	Minimum Lot Size	Maximum Height	Minimum Lot Frontage	Maximum Building Coverage	Maximum Aggregate Impervious Lot	Max Floor Area Ratio (FAR)
Village Commercial 1 (VC-1)	Local retail uses, local service uses, restaurants, bars and taverns, banks (including drive-through), bed & breakfast, and childcare centers	Service departments of farm equipment dealerships (except no body work or painting), temporary construction trailers, other structures accessory to principal use, private & public parking, signs, minor photovoltaic, and small wind generation	Accessory apartments, and major photovoltaic	43,560 SF	35' and 2.5 stories	175'	20%	60%	20%
Village Commercial 2 (VC 2)	VC-1, mechanical contractors, furniture & appliance stores, department stores, supermarkets, farm equipment dealerships, and agriculture	Service departments of farm equipment dealerships (except no body work or painting), temporary construction trailers, other structures accessory to principal use, private & public parking, signs, minor photovoltaic, and small wind generation	Automobile service stations, shopping centers, accessory apartments, and major photovoltaic	87,120 SF	35' and 2.5 stories	275' on Route 12, 225' other	15%	40%	20%
Highway Commercial (HC)	VC-1 & 2, mini-warehousing & veterinary hospitals, nurseries & garden centers, feed & grain outlets, theaters, bowling alleys, department stores, auto dealerships and supermarkets	VC-1 & 2, minor photovoltaic	Shopping centers, accessory apartments, major photovoltaic	4 acres	40' and 2.5 stories	275'	10%	45%	10%
Business Park (BP)	Business offices, warehousing (including mini-warehousing/storage), laboratories & research, manufacturing & assembly, lumberyards, agriculture, professional office, banquet facilities, major photovoltaic	Structures incidental to principal, off street parking & loading, temp construction trailers, signs, convenience uses (development on greater than or equal to 25 acres and greater than 100 employees), and minor photovoltaic	HC Zone retail uses permitted where greater than or equal to 400' frontage on Route 12 and access from Route 12, wholesale greenhouses, equipment storage, contractor yards, construction businesses, flex office/warehousing, and planned business parks	5 acres	40' and 2.5 stories	400'	15%	45%	10-14%, depends on lot size
Professional Office/ Residential (PO/R)	AR-2, general & professional offices, financial institutions (e.g. banks), restaurants, convenience grocery stores, antique & gift stores, pharmacies, and family day care homes	Structures incidental to principal, public & private parking (including garages), signs, private residential pools, travel trailers in side or rear yard, and minor photovoltaic	Accessory apartments, home occupations, barn conversions, and major photovoltaic	2 acres	35' and 2.5 stories	200'	15%	40%	15%



- Promote traditional neighborhood form: The proposed vision is one of a compact, mixed-use neighborhood that captures the experience of the other small downtowns in this part of New Jersey, including Frenchtown and Kingwood's own Baptistown. To accomplish this, the proposed zoning recommends a well-connected and fine-grained street and block network: blocks can be no longer than 400 feet with through-block passages at 200-foot intervals. Mid-block laneways enable parking to be behind townhouse developments so that the residential entrances can relate directly to the street. Neighborhood-scale development is supported by mandating that no single commercial establishment can be more than 80,000 square feet in size.
- Create lively public spaces: For this new neighborhood to have a distinct identity, the gateway must have public spaces where the residents of Kingwood can come together, not just to shop, but also to engage as a community. To accomplish this, 30% of a Planned Unit Development shall be open space and 10% of that must be public open space and rain gardens. Where commercial buildings face streets and public spaces, facades must be 50% to 70% transparent.
- Promote sustainable neighborhood design: To promote passive solar efficiency, 75% of the street frontage must be within 17 degrees of true east-west so that most of the buildings and roof surfaces will be south facing. As aforementioned, 30% of any PUD must be open space of which 10% must be public space or rain gardens.

Other Zoning Districts

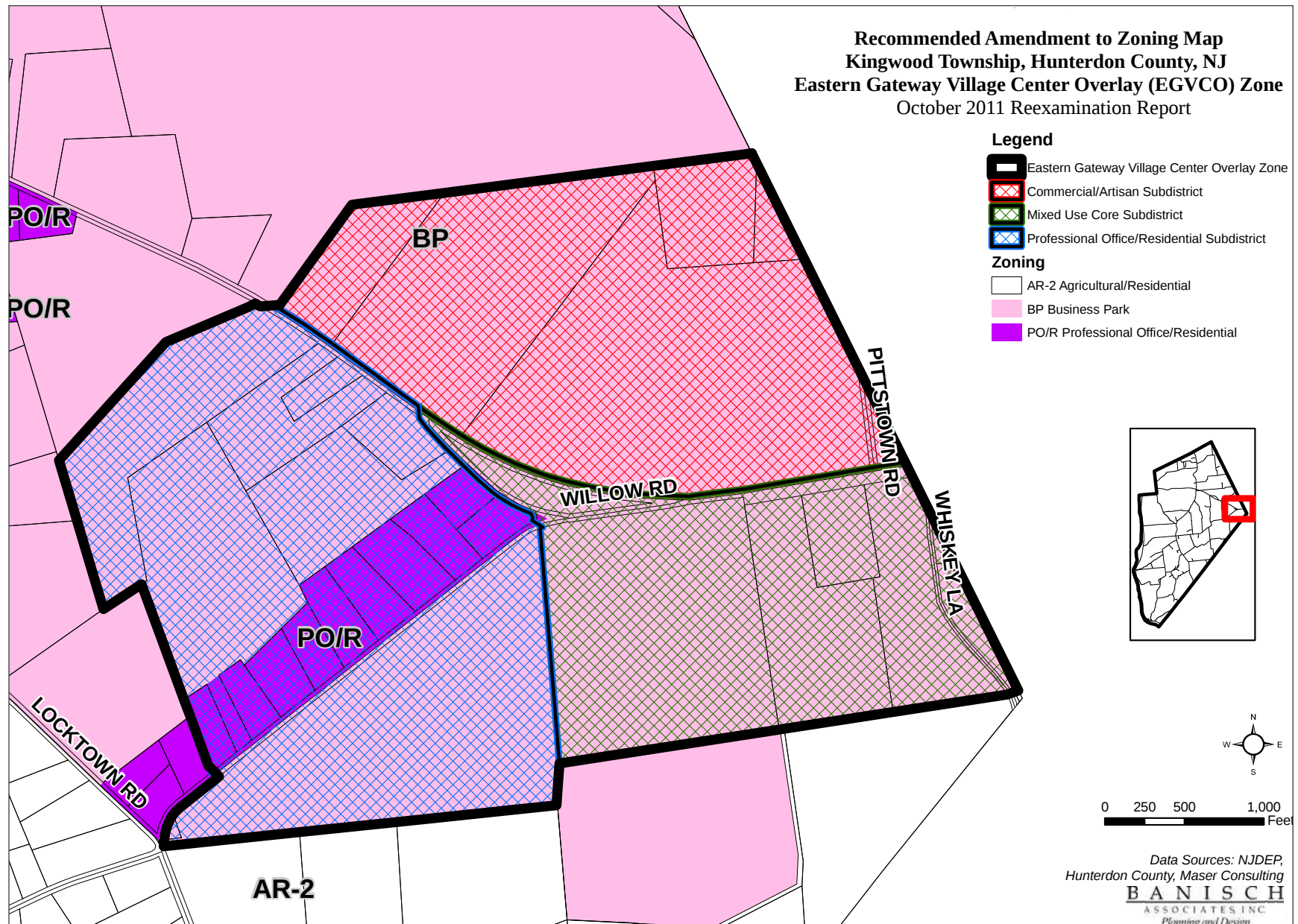
There are three zoning districts that recognize the existing built hamlets and villages within Kingwood Township, including VR-1 in Baptistown, VR-2 in Barbertown, and BC in Byram Colony. The intent of these zones is to recognize the more densely developed residential areas, and set standards for any potential infill development or reuse of existing buildings.



House in Baptistown



Commercial uses along Route 12



EXISTING BUILD-OUT

Kingwood Township, at approximately 36 square miles, is a rural-suburban community largely consisting of agricultural and environmentally sensitive lands. Approximately 4,000 acres, or 18%, of the community is permanently preserved for agricultural, open space or environmental resource purposes. Another 28% of Kingwood's lands are already developed at or near zoning capacity. Much of the community's existing development takes the form of single family homes on medium sized lots, but there is also a range of small to large scale commercial development scattered along the Route 12 corridor. Accounting for the preserved and developed lands, that leaves approximately 12,300 acres, or 54% of Kingwood's land as undeveloped or under-developed (i.e. developed at such a low density that additional development can occur).

While some infill or redevelopment could occur, the community will most likely see a continuance of the greenfield development trend of single family homes sprawling sporadically throughout the community, and commercial properties of various types and sizes consuming the Route 12 corridor viewshed. In order to get a clear picture of the development possibilities in Kingwood, a build-out analysis was conducted of the

community's undeveloped/underdeveloped land. For the purpose of this analysis, undeveloped and underdeveloped lands are those that exceed the zoning minimum lot size to the extent that additional development could be accommodated on the site.

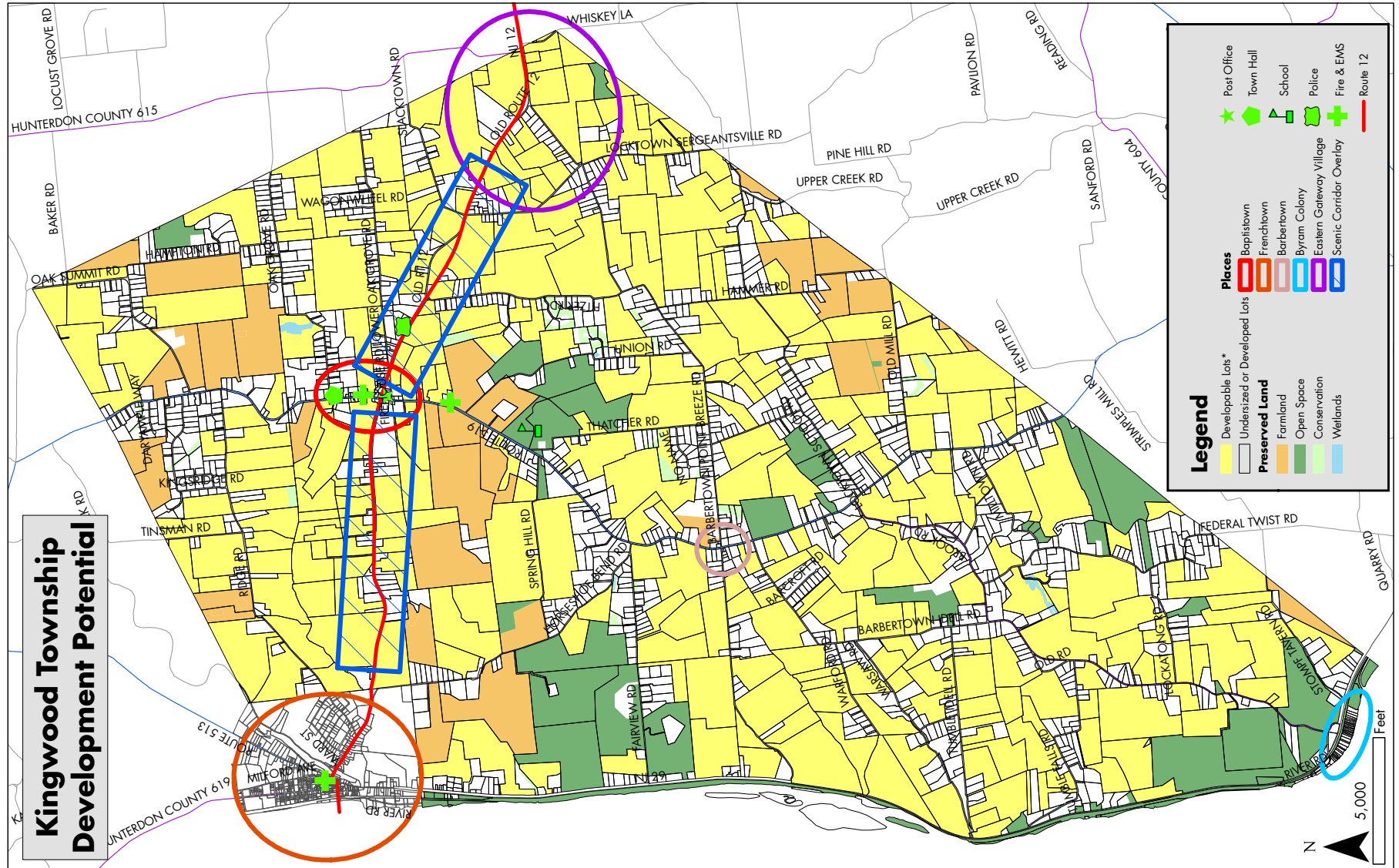
In the rural residential (AR-2) areas outside of the Route 12 corridor, there remains over 10,000 acres of undeveloped or underdeveloped land that could yield about 1,000 single-family homes. That rural residential yield includes Kingwood's existing regulatory environmental constraint

calculation that nets half of the constraints from the property prior to determining allowable residential yield. It further assumes that many of the developable properties are farms with at least one existing house, and thus subtracts one unit per property. This gross yield does not take into account a property's actual capacity to carry to construct buildings, roads and septic systems given environmental constraints, as that would require a more in depth lot by lot analysis.

The Route 12 corridor allows residential and commercial development in various



Store in Baptistown



commercial zones and residential zones. Approximately 1,000 acres of the Route 12 corridor is zoned AR-2, which could yield 109 residential units. In addition, lands in the various commercial zones under the Scenic Corridor Overlay zoning could develop either residential or commercial, which could yield up to an additional 71 homes or over 3 million square feet of commercial buildings. Finally, the Eastern Gateway Village Center area could develop 4 additional homes and over 2 million square feet of commercial under existing zoning. Ultimately, the goal of the TDR is to transfer some or all of the development potential from the scenic corridor portions of Route 12 to the Eastern Gateway Village Center.

Table 4: Kingwood Development Potential

	Rural Residential (outside of Route 12)	Route 12 Area	Total
Acres of Undeveloped Land	10,220	2,130	12,350
Number of Residential Units	1,008	184	1,192
Square Feet of Com- mercial Floor Area	n/a	5,173,424	5,173,424

Table 5: Route 12 Gross Development Potential

	Route 12 Scenic Corridor (AR-2 Zone)	Route 12 Scenic Corridor (Commercial Zone**)	Route 12 Eastern Gateway Village Area	Total
Acres of Undeveloped Land	1,000	800	330	2,130
Number of Residential Units	109	71	4	184
Square Feet of Com- mercial Floor Area	n/a	3,114,761	2,058,663	5,173,424

**In the Route 12 Scenic Corridor Overlay Zone, commercially zoned properties can develop either residential or commercial.

INFRASTRUCTURE ASSESSMENT

Today, all of the wastewater from homes in Kingwood is treated by various forms of older or updated septic systems. The only centralized treatment facilities in the Township include three package plants servicing three locations including the Route 12 Business Park, MEL Chemicals and Kingwood Township Elementary School. In order to accommodate new, slightly denser growth in a targeted location along the corridor, additional capacity to treat wastewater will be necessary. This potential for a treatment facility for new development also provides an opportunity for the existing development in Baptistown to tap into the new infrastructure and solve the recurring problem of failing septic systems there.



Treatment facility at business park



Route 12 Business Park

OUTREACH TAKEAWAYS

A number of outreach efforts were conducted throughout the project timeline: a public open house, a general public survey, a student survey, and a meeting with property owners. Materials for each of these milestones can be found in Appendix E. Below are key takeaways from outreach.

Residents value Kingwood’s rural character while balancing the needs of the Township to develop. Trends indicate that Kingwood is expected to grow over the next thirty years, and while this growth cannot necessarily be stopped, residents would like to maintain the township’s rural character in balance with development. Youth also expressed their desire for Kingwood to maintain its farmland and open spaces.

There are mixed opinions on whether growth could be accommodated in the Eastern Gateway Village Center, Baptistown, or both. Residents recognize that the Eastern Gateway Village Center could accommodate growth, but fear that development in this area may increase traffic and congestion. Survey respondents identified the business park area in the eastern portion of Route 12 as an appropriate location to target future development over other places in Kingwood, like Baptistown or near Kingwood Elementary School. Residents

recognize that development in Baptistown could help alleviate existing septic issues. However, there are limited opportunities for development intensification here. Further, residents are concerned that development in Baptistown will erode its small-town feel. Growth could be targeted in one area or the other; or the township could build upon the village in Baptistown and create a mixed-use center at the Eastern Gateway Village Center.

Route 12 may benefit from improved design guidelines. Residents are displeased with some of the more unattractive

buildings and signage, as well as the lack of landscaping along Route 12. Stakeholders are similarly displeased that Kingwood attracts auto businesses that do not comport with the township’s rural character. Overall, this suggests that the corridor could benefit from more cohesive zoning and design standards that foster an aesthetically pleasing sense of place.

Residents favor preservation of farmland and open space in other areas of Kingwood. Preservation of land in areas south of Route 12 is also a priority. There is



Auto shop along Route 12

a lot of unpreserved farmland throughout the township that remains susceptible to undesirable, sprawl-like development.

If Kingwood is to grow, new development should reflect community desires. Towns like Frenchtown, Flemington and Lambertville were cited as places with an appealing village-style feel. Multifamily housing should be attractive, well-built and at an appropriate scale. A new village center should include civic uses. There is mixed opinion on attracting additional commercial growth: some residents are interested in a regional, high-quality retail destination such as Trader Joe's, while others are concerned that this would create traffic, and instead are interested in commercial growth that is local and immediate to the surrounding area. Youth, similarly, would welcome a limited amount of additional amenities such as restaurants and a movie theater. Nevertheless, residents typically agree that they do not want to see highway sprawl types of development. Should there be increased commercial and industrial development, it should be well-screened from the Route 12 corridor.

Residents could benefit from further understanding of how TDR works and over what geography. Some residents believe that use of TDR could induce change

and build-out faster than the status quo, while others prefer a targeted growth approach over the status quo growth pattern. Given the very limited extent of development over the past 20 years and lack of new development plans, some believe the notion of widespread development and sprawl may be exaggerated or unnecessary. Property owners are particularly concerned about the details of TDR, including the boundaries and credit allocations. Residents would like to stay abreast of any TDR initiatives and want to be involved in a greater public process.

Residents are interested in additional opportunities for biking along Route 12.

Kingwood is a heavily vehicle-dependent community. Nevertheless, adults and youth alike are interested in enhancements that can make biking a safe and viable travel option.



Commercial/industrial space along Route 12

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PHASE 2: WHERE DO WE WANT TO GO?



TDR 101

On March 29, 2004, Governor McGreevey signed into law P.L. 2004, c.2, the State Transfer of Development Rights (TDR) Act, authorizing the transfer of development rights by municipalities. This bill makes New Jersey the first state in the nation to authorize TDR on a statewide level.

Transfer of development rights is a realty transfer system where development potential in a specified preservation area can be purchased by private investors for use in a targeted growth area. By accepting a cash payment, landowners in the preservation area place a deed restriction on the property that will maintain the existing use of the property into perpetuity. The land in the designated receiving zone can then be developed at a higher density than allowed under the current zoning ordinance. This process reduces the consumption of critical resources, while still accommodating growth, and eliminates the “windfalls and wipeouts” in property values normally associated with zoning changes.

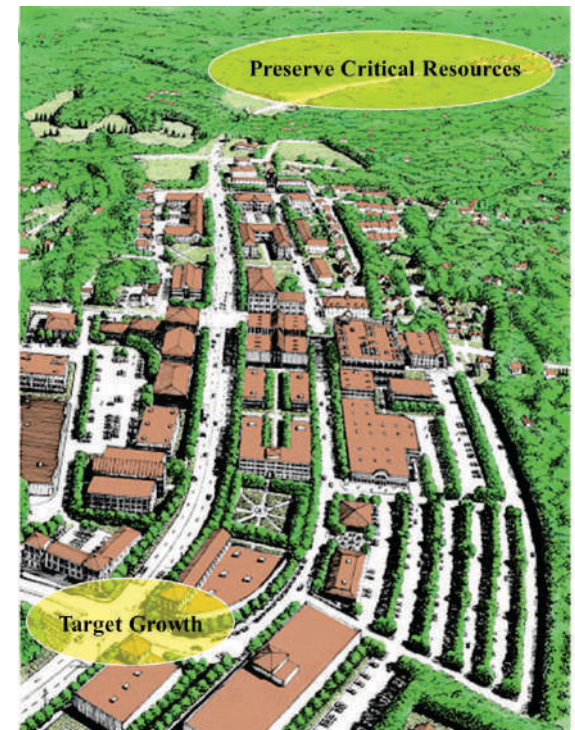
HOW DOES TDR WORK?

Land Value

First, it is important to understand the mechanics of land value. Every property has a certain bundle of rights, which enable the owner to use, sell, mortgage, lease,

devise (give real estate by will) subdivide and develop according to local land use regulations. Some properties may have other rights such as air and mineral. A landowner can decide to sever some rights from the property by putting a deed restriction on the property that restricts that “right” for some set period of time--normally into perpetuity. In most cases, the landowner retains ownership of the property because the property retains the rest of its other inherent rights - that is to use, mortgage, lease, devise and sell.

When a transfer of development rights occurs, the landowner is severing the right to develop the land any further. The landowner is paid for that severed right, yet retains the residual value of the land. If one adds the amount the landowner was paid to sever the “development rights” (easement value) to the amount that would be paid on the open market for the land with only the “residual rights” (after value); the value would equal what the land was worth on the open market prior to the severing of the development rights (before value). The landowner, thus, is not losing any net value in the land by selling the development rights. Page 43 describes before value, easement value and after value in relation to property rights and preservation.



A TDR program is market-driven and can achieve preservation and development goals by helping to preserve critical resources in the sending zone and targeting growth in the receiving zone

Property Rights & Preservation

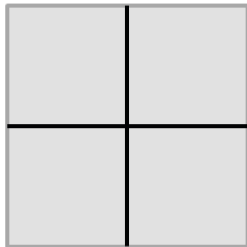


“Fee Simple” is the private ownership of real estate in which the owner has the right to control, use, and transfer the property at will.

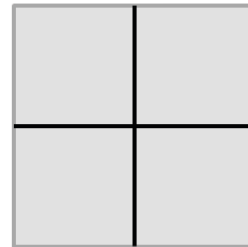
“Development right” is an interest in land, less than fee simple absolute title, which enables the owner to develop the land for any purpose allowed by ordinance. For preservation purposes, a development right is calculated on a per acre basis. In a transfer of development rights program, a development right is based on potential developable units, or *credits*.

“After Value” is the value of a property based on its agricultural, environmental or historical resource and its other remaining inherent property rights, but does not allow the owner to develop the land for any other purpose.

Sending Zone Before



Receiving Zone Before

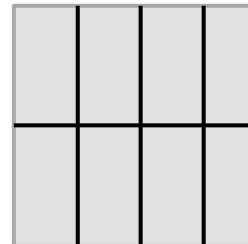


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Sending Zone After



Receiving Zone After



Credits
→
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Transferring Developing Rights

Development rights are equal to the amount of development that is legally allowed to occur on a particular piece of property. For example, a four-acre property with 1-acre zoning or 1 dwelling unit (du) per acre could potentially yield four residences. If the property had a resource that has been deemed suitable for preservation, it could transfer (sell) its four development rights (credits) to a developer who could then use them on a property more suitable for development. The figure on the left illustrates the sending and receiving zones before and after development rights are transferred.

At a small scale, TDR seems much like clustering. Planning for and implementing TDR, however, is much more comprehensive than the typical cluster ordinance. Rather than merely allowing a cluster option that still leads to the partial consumption of the critical resource, a TDR program sets preservation goals and targets growth on a municipal (or even regional) basis.

The transfer of development rights is only allowed where a municipality has implemented a TDR program. The participating municipality (or municipalities in a regional program) designates sending and receiving zones based on their preservation

and growth goals, respectively. Planning and implementation documents are created by the municipality that governs where and how development rights can be transferred.

PLANNING FOR TDR

TDR requires a great deal of research, analysis and community engagement before a TDR Element and Ordinance can be adopted.

Public Engagement

Community outreach is an important first step in any TDR project. TDR public engagement includes a great deal of education, as well as opportunities to provide feedback. An engaged public can help community leaders to determine resource protection goals and objectives, i.e. what, where, and how much should be targeted for preservation through TDR. The public should also be engaged in the decision about where the receiving zone will be located, as well as the density, mix of uses, and aesthetic of the potential new development site. Once sending and receiving zones goals and objectives are determined, the community's planner will conduct substantial analysis to put forth a reasonable and feasible TDR Plan. Including the public early and often in the planning process will help to ensure the community understands the complex planning concept,

and further, has provided input and feel it has buy-in to the final plan.

Community engagement also includes meetings with potential sending and receiving zone property owners. Support of those impacted by TDR can help community leaders to garner overall support through positive messaging about the benefits of TDR. Again, education is a first step in engaging property owners so as to ensure they understand the TDR concept, planning process, and potential implications to their property. Also knowing the willingness and likelihood of property owners to participate is important, particularly in voluntary programs. Receiving property owners may be especially helpful in the planning process, as they may have already completed environmental studies of their land, or may be willing to discuss private-public partnerships to provide needed infrastructure to make the project more feasible.

Sending & Receiving Zone Analysis

Utilizing geographic information systems (GIS) mapping technology, potential sending parcels will be identified using agreed upon criteria. For example, TDR projects may delineate sending zones by property location, size, quality of soils, etc. Similarly, receiving zone parcels will be identified and mapped. Receiving zone considerations

include environmental constraints, access to existing sewer and water infrastructure or ability to accommodate new infrastructure, and proximity to transportation, shopping and services.

In partnership with the economist/market analyst, the planner will establish a credit allocation formula that determines the number of credits a sending parcel can sell, and the number of credits needed in the receiving zone to build.

First, the sending and receiving zones will be analyzed to determine potential development yield (build-out) based on existing zoning. The level of detail used in analysis to determine this yield is based on community sentiment at the direction of municipal leadership. The analysis could be as simple as applying a gross yield based on the explicit regulations in the zoning ordinance, or it could include a more detailed analysis of actual development potential based on environmental constraints, soils, septic suitability, etc.

In the sending zone, the yield will be used to determine the total number of development rights available to be transferred. The credit allocation is generally a direct representation of development potential, but may include a bonus to incentivize participation,

acknowledge a particularly valuable resource, or for other reasons consistent with community preservation goals and objectives. Generally, existing homes or businesses will be deducted from the credit allocation. The type of properties included in the TDR sending zone could also impact credit allocation. Where a property is being preserved for open space or environmental purposes, and it is ultimately to be bestowed to government or non-profit in fee simple; allocation will additional credits to account for the entire fee simple transaction.

In the receiving zone, a second analysis will determine the maximum yield allowed through the new TDR zoning. The allocation of credits to achieve TDR zoning build-out may be a simple calculation of the difference between the existing and TDR zoning; or, it may include a more complex algorithm of TDR ratios that recognizes the varying values of different uses and housing types. For example, a developer may need to purchase one (1) credit to build an additional single family home, three-quarters (.75) of a credit to build a duplex, and one third (.33) of a credit to build an apartment. The TDR ratio may also build in some incentive for the developer to participate in TDR instead of building under existing zoning. Again, these ratios will be determined in concert with the economist



Route 12 corridor

based on known market conditions. For a TDR program to be feasible there must be a market balance between sending and receiving zones. For example, there may be far too much or too little supply of sending credits to utilize in the receiving zone. Too much supply/demand imbalance can skew market values in favor of one side of the equation. Similar consideration should be made for the total number of property owners. Too few owners on either sending or receiving side can also skew values. If an imbalance is found to exist, the sending or receiving zones may need to be expanded or contracted to ensure an appropriate balance is established. This decision should be based on community goals and development capacity.

Policy Decisions

There are a number of policy decisions municipal leaders have to make to establish a TDR program. These decisions should be influenced by community and property owner feedback received throughout the planning process.

Voluntary vs. Mandatory TDR: Perhaps the hardest policy decision to make is whether the TDR program will be “voluntary or mandatory”. In a voluntary program, the property owners in the sending and

receiving zone retain the right to build under the existing zoning structure, and typically receive bonus credits to incentivize their voluntary participation in the program. Under a mandatory scenario, the sending and receiving parcels are downzoned. They are allocated credits based on the existing zoning, but if they opt not to sell those credits and develop on-site, they are limited to the down-zoned density. While property owners do not have to participate in TDR as the “mandatory” title suggests, there is an extreme disincentive not to participate.

There are positives and negatives to both scenarios. A voluntary program offers property owners more options. Sending owners can either sell TDR credits or develop; and receiving owners have two potential development scenarios – one with TDR credits and one without. Accordingly, property owners are more willing to support the voluntary program, making the road to adoption somewhat easier for community leaders. On the other hand, voluntary programs are less predictable. There is higher potential for scattered developments in the sending zone, and the receiving zone may not reach potential build-out. This can cause some difficulty in planning for new infrastructure, particularly water and sewer, as the end-product is more fluid. A voluntary

program is most successful in zones of low development demand, and/or where existing zoning density is already low and selling TDR credits is seen as a good market alternative to large lot development.

A mandatory program can be more difficult to adopt, particularly if there is vocal property owner dissent. The larger community sentiment may, however, support a mandatory program, as it provides a more predictable balanced growth outcome. With a mandatory program, the community knows the sending zone will be preserved or developed in large lots, and they have accepted a denser center to compensate for the preservation. A mandatory TDR is most successful in high demand zones.

Funding Infrastructure & Community

Amenities: A well-planned receiving zone will function as a cohesive center that includes a mix of uses and amenities. Centers, however, are not usually developed by a single entity and are built out over time. It is not likely that the first developer in will be willing or able to foot the bill for infrastructure and amenities that will eventually benefit the overall center. Therefore, community leaders need to plan for the location, phasing and funding of water and sewer infrastructure, main arterial roads, stormwater management systems, and

community amenities like trails, parks and civic buildings.

Preservation Instrument & Residual Rights: The permanent preservation of TDR sending zone properties occurs through a deed restriction that is filed with the County Clerk and runs with the title of the land into perpetuity. The type of deed restriction depends on the preservation priorities and goals of the community. Different preservation goals will yield different types of deed restrictions that best recognize and protect the agricultural, open space, environmental, or historic resources of the property.

In addition to determining the type(s) of deed restriction(s) that are appropriate for the sending zone properties, the community leaders must decide what the rights of use the property owners will have after preservation. Will they be able to build another residential dwelling unit? Can they start a non-agricultural business? Are there limits to the amount of buildings or impervious cover? Will the land be transferred in fee for public open space? These “residual rights” can impact the value of the preserved property, as well as the credit allocation. It is best to determine residual rights early in the planning process so the economist and planner can plan credit allocations accordingly.



Residential uses along Route 12

STATUTORY REQUIREMENTS

As described above, implementing a transfer of development rights program requires a major planning initiative on the part of the participating municipality. Before any credits can transfer from landowner to developer, certain planning and implementation documents must be adopted. The State TDR Act requires the following:

Development Transfer Plan Element : This element of the municipal master plan provides the framework of the municipality's TDR program. This element must:

- Include an estimate of anticipated population and economic growth for the next 10 years
- Identify and describe all prospective sending and receiving zones
- Analyze how the anticipated population growth is to be accommodated in the municipality and in the receiving zones
- Include an estimate of existing and proposed infrastructure of the receiving zone
- Provide a procedure and method to transfer development rights from sending to receiving zones
- Provide explicit planning objectives and design standards to govern the review of applications for development in the receiving zone.



Route 12 corridor

Capital Improvement Plan: The Capital Improvement Program must be adopted pursuant to the guidelines in the Municipal Land Use Law. With regard to transfer of development rights, it must also include the location and cost of all infrastructure for the receiving zone and a method of cost sharing if any portion of the costs are to be assessed against developers.

Utility Service Plan: The utility service plan element of the master plan specifically addresses providing necessary utility services within receiving zones within a specified period, so that no development using TDR is unreasonably delayed because infrastructure is not available.

Real Estate Market Analysis: The real estate market analysis examines the relationship between the development rights generated in the sending zone and the capacity of the receiving zone to accommodate the necessary development. The purpose of the analysis is to validate the transfer system proposed in the development transfer plan element prior to the adoption of the implementing ordinance. The Planning Board must hold a public meeting to discuss the completed Real Estate Market Analysis before the first reading of the TDR Ordinance.

Transfer Ordinance: The transfer ordinance implements the TDR program. It formally identifies the location of the sending and receiving zones, and creates administrative procedure for transferring credits. The transfer ordinance is the official law governing TDR in the municipality.

Plan Endorsement: A municipality must have received Initial Plan Endorsement from the State Planning Commission, or must have amended a current endorsed plan to include the TDR program.

Approvals: A municipality must submit the documents outlined above to the County Planning Board, and when farmland is involved, to the County Agricultural Development Board, for review. That review will be based upon:

- Consistency with the county master plan.
- Whether the plan supports regional objectives for land preservation.
- Consistency with county population projections.
- Sufficiency of the receiving zone to accommodate the transferred development.

If the county comments disagree with the municipal plan, and they cannot resolve their differences with the municipality, then the

Office for Planning Advocacy can make a final determination.

Periodic Review of Program: The act establishes a system for monitoring the implementation of TDR programs. After the first three years following adoption of the TDR ordinance, the municipal planning board and governing body, must prepare an assessment of the TDR program and submit that to the county planning board, the Office for Planning Advocacy, and the County Agriculture Development Board, when farmland is involved. The assessment will look at the transfer of credits, current economic situation, capital improvement plan and the goals of the TDR plan.

The municipal planning board and governing body must prepare another assessment five years after adoption, and then every five years after that. If at least 25% of the development potential has not been transferred within five years, the program may be discontinued, unless the municipality can demonstrate reasons, pursuant to the legislation, as to why the development potential was not transferred.

PLANNING FUNDS

The State Transfer of Development Rights Act authorizes the State TDR Bank to provide planning assistance grants up to \$40,000, with a 50% local match, for the purpose of preparing the documents required by the legislation: utility service plan and development transfer plan elements of the master plan; real estate market analysis; and capital improvement plan.

For more information, visit the State TDR Bank website: <http://www.nj.gov/agriculture/sadc/tdr/tdrbank/>



Route 12 in Kingwood

TDR IN KINGWOOD

VISION

In the future, Kingwood will be a place that has built upon and expanded its greatest strengths, including a high quality of life rooted in rural values and character. Neighborhoods will be safe, walkable and bikeable with access to everyday amenities such as places to eat and buy food and parks and recreation facilities. Agricultural uses and open spaces will be maintained. The township will be well-connected to regional downtowns and large employment centers via enhanced public transportation and well-maintained roadways.

As a complete community, Kingwood will accommodate multiple generations and types of families through housing options – from single family homes to townhomes and apartments – that are well-made and reflect the preferences of the township's residents. Wastewater infrastructure will be updated to provide for reliable and clean treatment of neighborhood wastewater. The Route 12 corridor will foster a sense of place through aesthetically-pleasing design standards that are reflective of the greater area.

To achieve this vision, Kingwood will implement a transfer of development rights program, using a market-based approach to preserve the rural and scenic character

of Route 12 while targeting growth in a well-designed gateway village that reflects community desires.



SENDING ZONE

The preliminary sending zone study included all properties within the Scenic Corridor Overlay (SCO) Zone. Where lots were split by the SCO zone line, the entire lot was included in the analysis. In addition, lots adjacent to the SCO that were also adjacent to preserved farmland or open space, were also included so as to encourage contiguous swaths of preserved land. Ineligible properties were then removed from the sending zone, including lands that did not have sufficient acreage to meet the zoning minimum lot size for additional development. Built commercial properties without sufficient acreage or frontage for additional development were assumed to remain as is, or redeveloped in a similar manner, and thus not eligible as a TDR sending properties. Agricultural properties with structures, however, were assumed to be susceptible to replacement in a potential residential or commercial development scenario, and thus those properties with sufficient acreage were included as TDR sending eligible.

Build-Out Analysis

The potential development yield was then determined based on existing zoning regulations for each property. Where a property included an existing residential or commercial structure, the structure was

subtracted from the total lot yield. Where properties were split between zones, additional calculations were applied to determine the highest potential yield of the property.

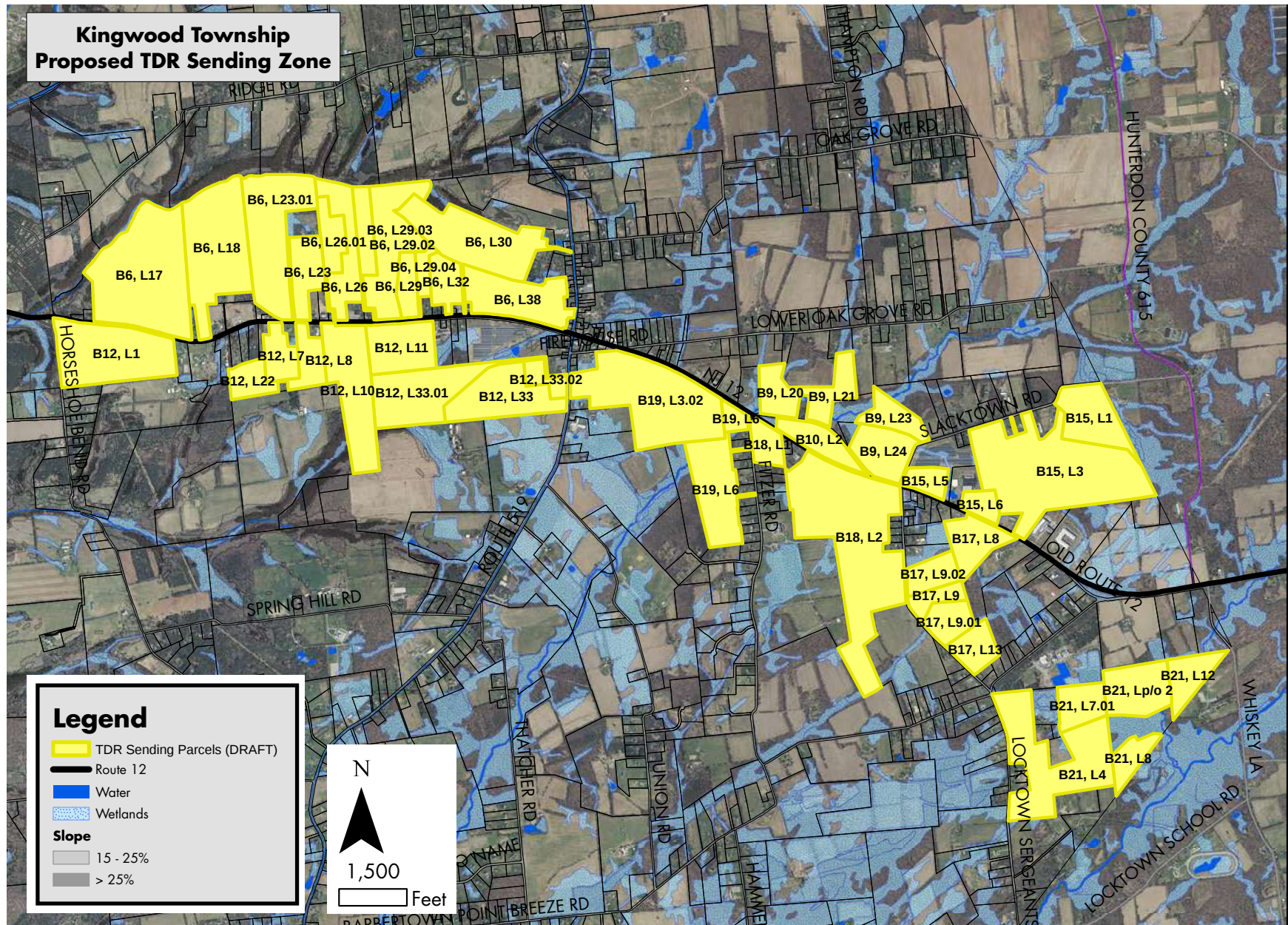
The SCO Zone includes 134 individual parcels, of which 45 parcels have excess development potential. These 45 parcels include a total of approximately 1,800 acres and involve multiple zoning circumstances:

- Sixteen (16) parcels with 627 acres are zoned AR-2. Current zoning provides for seven-acre net lot development after partial adjustment for environmentally sensitive lands and could yield a total of 64 new homes after deduction for existing development;
- Seventeen (17) parcels with 496 acres were previously zoned Business Park (BP), Highway Commercial (HC), or Village Commercial 2 (VC-2) and now fall under the Scenic Corridor Overlay (SCO East or SCO West) zoning regulations. These 17 parcels include 418 developable acres and, at maximum development under current zoning, could yield another 1,917,068 SF of commercial space;
- One (1) parcel of 13 acres (12 developable) was previously zoned Professional Office/Residential (PO/R)

and now falls under the SCO East regulations. This parcel has the option of residential or commercial development, but based on the apparent greater value of residential development, we assume that its development potential is 5 new homes;

- The remaining eleven (11) parcels with 673 acres (581 developable acres) have split zoning between AR-2 and various commercial uses that now fall under the SCO East and SCO West zone regulations. This zoning provides for seven-acre net lot development that could yield a total of 40 new homes and 1,150,911 SF of commercial space after adjustment for existing development and under strict application of previous and current zoning.

An additional option under the SCO zoning allows property owners of the 29 commercially zoned parcels to substitute residential development for commercial based on AR-2 zoning regulations. Using the AR-2 yield calculation, these 29 parcels could produce 71 dwelling units. Further computation indicates that the average substitution is approximately one additional dwelling unit for each 44,000 SF of commercial space foregone. If all commercial potential were translated to residential



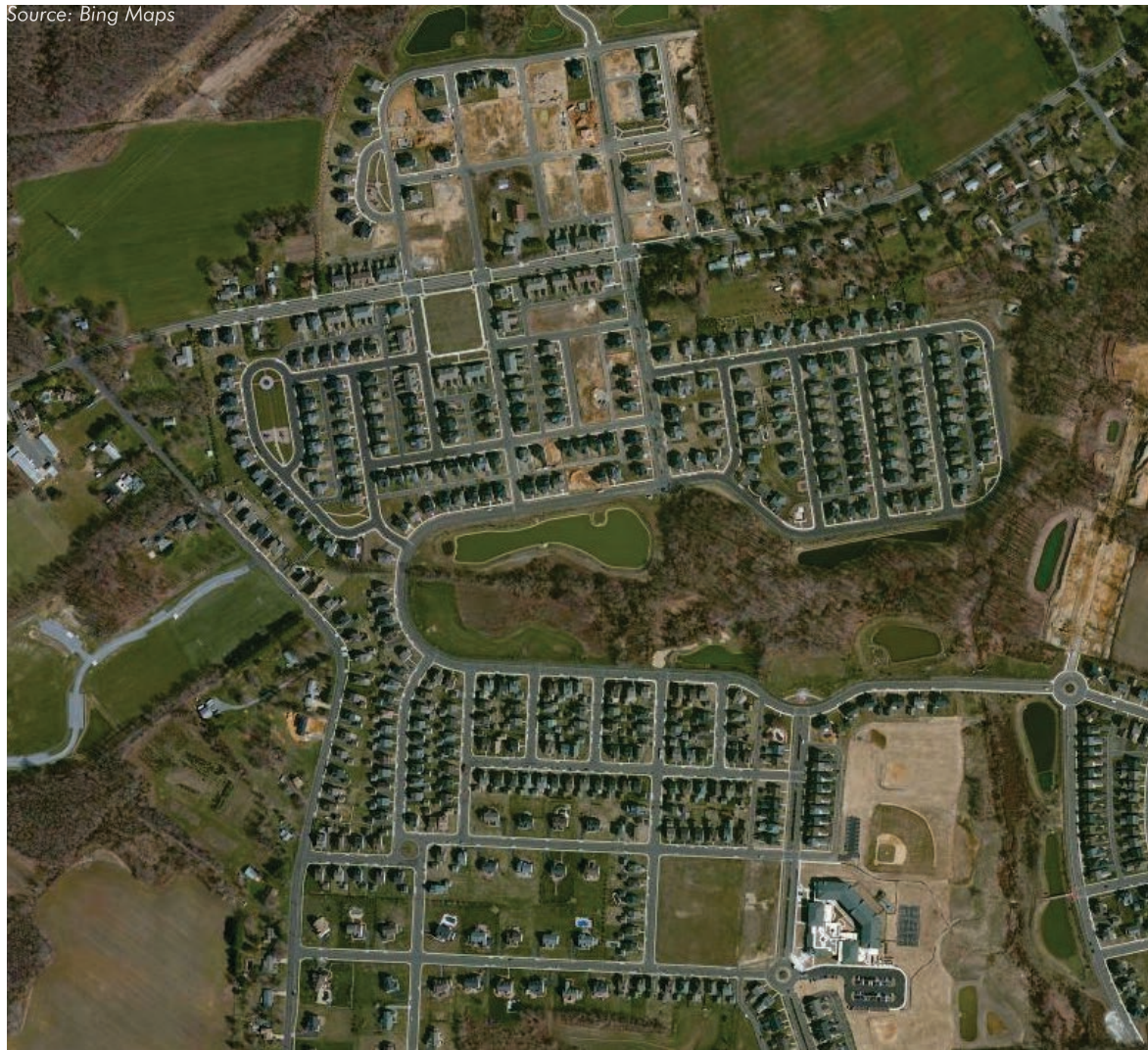
development using this ratio, it would also provide for 71 additional housing units. Some lots, however, yield a different number of residential units depending on which computation is applied. In these cases, the scenario with the higher yield was applied.

In total, the development potential intended to be transferred from this Sending Zone is the right to construct 109 homes on seven-acre lots plus the right to construct 3.068 million square feet of commercial space at densities ranging from 0.08 to 0.15 floor-to-area ratio (FAR), with the option of converting commercial development potential to residential. Assuming the conversion occurred universally, the total residential development potential is 188 units.

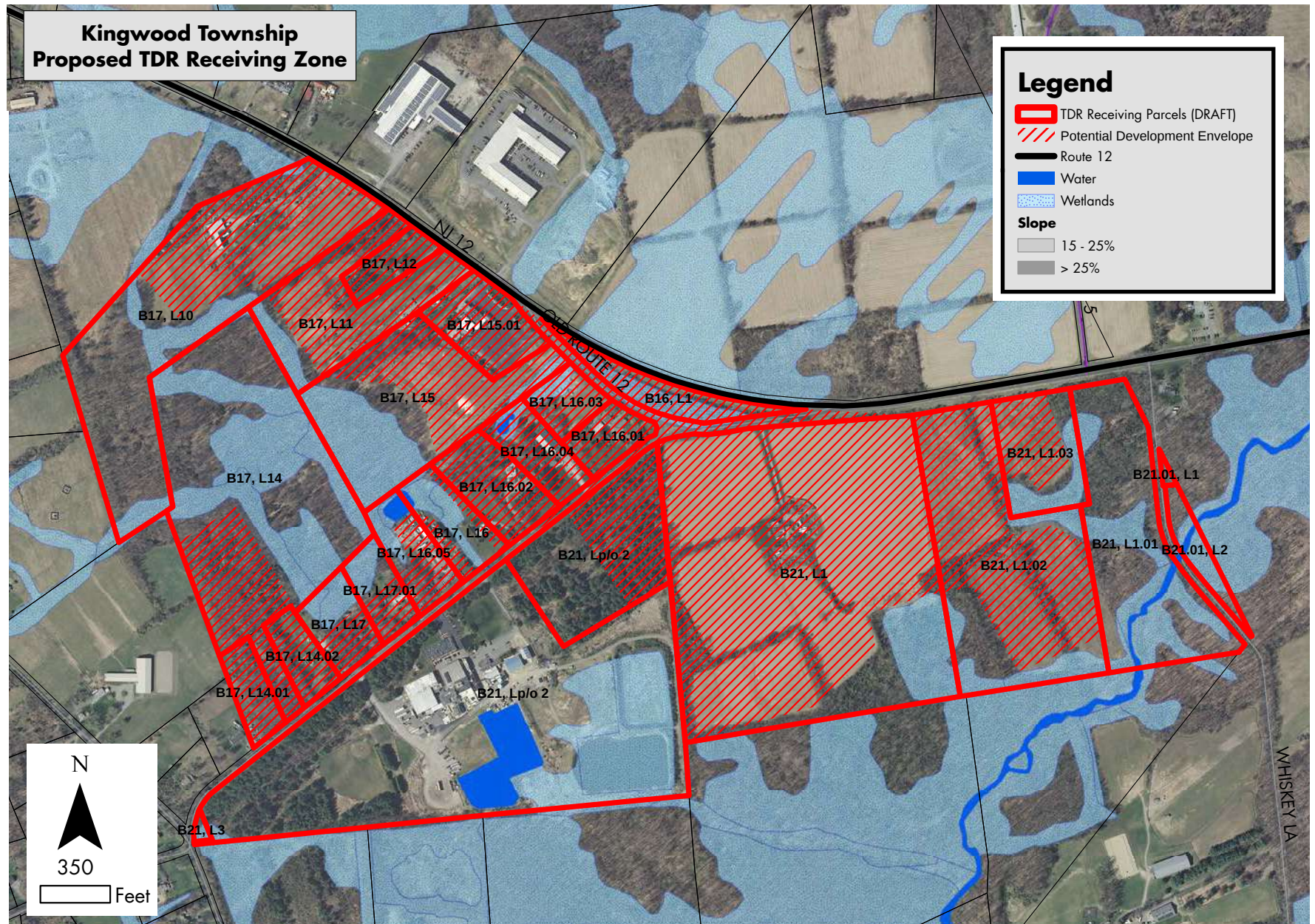
Credit Allocation

Based on market analysis, the SCO Zone appears to be over-zoned for commercial, thus diminishing the demand and relative commercial value of these properties. Therefore, the residential capability afforded these properties through the 2012 SCO zone adoption, is thought to be the highest and best use of the properties. Accordingly, the credit allocation to Sending Zone properties is based on the residential development potential, or 188 TDR credits.

Source: Bing Maps



Village Square in Chesterfield, NJ - the result of a TDR program



RECEIVING ZONE

The preliminary receiving zone study included all lots within the Eastern Gateway Village Center Overlay (EGVCO) zone. The properties' site suitability was reviewed considering environmental constraints, including stream corridors and associated buffers, wetlands and associated buffers, steep slopes, and threatened and endangered species habitat. Due to the extent of constrained areas, the portion of the EGVCO north of Route 12 was removed from consideration as TDR receiving zone until such time as a more detailed site evaluation is completed and shows more favorable development capacity.

Environmentally constrained lands were also avoided when determining the development envelope of the southern portion of the EGVCO. For the most part, properties with existing structures were seen as having development, infill, and/or redevelopment capability. A large portion of MEL industrial site was excluded from the potential building envelope due to expressed interest in continued production by the owners, as well as the unknown extent of potential clean-up requirements related to a future redevelopment of the site. The northern corner of the property at the intersection of Old Route 12 and Barbertown-Point Breeze

Road was included in the sending zone so as to provide a connection between lands on either side of Barbertown-Point Breeze Road.

All considered, there is an approximately 130 acre development envelope to accommodate the TDR receiving zone. In accordance with the zoning regulations, however, the entirety of a lot can be used to determine density and yield, resulting in approximately 227 gross acres in the 25 Receiving Zone eligible lots.¹

Build-Out Analysis

The Receiving Zone parcels are zoned BP or PO/R with overlay potential specified for the EGVCO Mixed Use and EGVCO POR sub-districts. Current development on these parcels includes about 140,000 SF of commercial space and 9 existing homes. By-right, the Receiving Zone can yield an additional 11 homes and approximately 1,509,000 SF of incremental commercial space based on the BP and PO/R zoning. While the EGVCO sets out standards of development for the sub-districts, it is difficult to determine an ultimate yield as the overlay zone allows for a wide range of uses and densities. Yield is also greatly impacted by property distribution among developers and

timing of the development.

Many development scenarios can be applied to the Receiving Zone development envelope of approximately 130 acres that accommodate the 188 credits of the Sending Zone. Three potential scenarios are described:

Alternative 1 - Moderate Density Receiving Program: The first model includes 140,000 SF of commercial space developed at a density of .07 FAR, and 238 quarter-acre lot homes. The commercial development program will require 46 acres of Receiving Zone land, and will not utilize TDR credits, as the zone has commercial potential by-right. The residential program is intended to facilitate the transfer of 188 development credits to support the development of detached single-family homes at a density of 3 dwelling units per gross acre. Based on analysis of relative market values and incentive to buy/sell, the 188 TDR credits are utilized at a ratio of 1.21 in the receiving zone. That is, for each credit purchased from the Sending Zone, the developer would have the right to construct 1.21 homes. In addition to the 227 homes constructed with TDR credits, another 11 homes can be constructed by-right based on current Receiving Zone zoning. These 238 homes will consume 80 acres of Receiving Zone land, combined with the 46 acres of commercial,

¹ Gross acres is total acreage of properties while net acres reflects the developable portion of a property minus environmental constraints.

encompasses 126 total receiving zone acres. The development potential forecast suggests that there will be demand for another 260 housing units above this TDR receiving zone scenario through 2040. This demand would be met through scattered development of AR-2 parcels with development potential, and would result in the development of about 26% of all potential lots in the AR-2 zone.

Alternative 2 - Mid Density Receiving

Program: The second model is a more traditional village development program with a mix of 60% single-family detached homes on quarter-acre lots (184 units) and 40% townhomes (122 units), as well as 140,000 SF of commercial/retail at .15 FAR. The commercial development will utilize 23 acres of the Receiving Zone and not utilize TDR credits, as the zone has commercial potential by-right. For this second model program, it is assumed that townhomes will be constructed in the range of 1,500 SF to 1,800 SF at an average density of 12 dwelling units per gross acre. In addition to 173 quarter acre lot homes constructed with TDR credits, another 11 homes can be constructed by right based on current Receiving Zone zoning. The residential program is intended to facilitate the transfer of 188 development credits to support the development of a mix of housing types. Based on analysis of

relative market values and incentive to buy/sell, the 188 TDR credits are utilized at a ratio of 1.21 for single family homes and 2.75 for townhomes in the receiving zone. That is, for each credit purchased from the Sending Zone, the developer would have the right to construct 1.21 single family homes and 2.75 townhomes. The residential development will require 61 acres of Receiving Zone land, combined with the 23 acres of commercial development, brings the total land requirements under this alternate to 96 acres. The development potential forecast suggests that there will be demand for another 240 housing units above this TDR receiving zone scenario through 2040. This demand would be met through scattered development of AR-2 parcels with development potential, and would result in the development of about 24% of all potential lots in the AR-2 zone.

Alternative 3 - Higher Density Receiving

Program: The third model provides a more diverse mix of housing types – 105 detached single-family homes of 2,700 SF to 3,000 SF on quarter-acre lots (density of 3 dwelling units per gross acre), 80 twins (duplexes) of 2,000 to 2,300 SF, 120 townhomes of 1,500 SF to 1,800 SF, and a 100-unit multi-family apartment development. 140,000 SF of retail/commercial at an FAR of .15 would consume 23 acres of the Receiving

Zone, and not utilize TDR credits, as the zone has commercial potential by-right. The residential program is intended to facilitate the transfer of 188 development credits to support the development of a mix of housing types. Based on analysis of relative market values and incentive to buy/sell, the 188 TDR credits are utilized at a ratio of 1.21 for single family homes, 1.85 for twins/duplexes, 2.75 for townhomes, and 4.31 for multi-family housing units in the receiving zone. That is, for each credit purchased from the Sending Zone, the developer would have the right to construct 1.21 single family homes, 1.85 twins/duplexes, 2.75 townhomes or 4.31 multi-family units. This third model program requires about 88 acres of Receiving Zone land, including 55 acres for residential development and 23 acres for commercial. The development potential forecast suggests that there will be demand for another 180 housing units above this TDR receiving zone scenario through 2040. This demand would be met through scattered development of AR-2 parcels with development potential, and would result in the development of about 18% of all potential lots in the AR-2 zone.

Total development in each of the three programs is less than the overall Kingwood Township growth forecasts for the 2014 to 2040 period, which is estimated at 500

dwelling units and 400,000 square feet of commercial development. Therefore, some additional residential and commercial development will continue to occur outside the TDR receiving zone. Further, two of the development scenario alternatives do not utilize all of the developable land in the TDR receiving zone. Therefore, there is capacity to expand the TDR sending zone beyond the current proposed SCO boundary if there is a desire to fully utilize the TDR receiving zone development envelope.

The above scenarios are contingent upon approval and construction of a centralized wastewater treatment facility. Should such a facility be found to be infeasible due to environmental constraints and/or excessive cost, the community could consider a fourth development alternative that utilizes traditional individual septic systems.

Alternative 4 - Low Density Receiving

Program: The fourth alternative is a more traditional residential subdivision model of 2,500 to 3,000 SF single family detached homes on septic-supportive lots of 2- to 5- acres. This model is far more land consumptive; however, and would require 550 to 1000 acres, depending on soil quality and depth to water table, to accommodate all of the 188 TDR sending zone credits. Given

the poor soil quality, the proposed Eastern Gateway Village Center receiving zone would require larger lots of approximately 5 acres. With a development envelope of 130 acres, it could accommodate approximately 26 homes on larger lots. The proposed receiving zone already has by-right residential potential of 11 units, allowing for only 15 credits to be transferred from the TDR sending zone. If this scenario were to be pursued, further analysis would be necessary to determine expanded and/or alternative receiving zone(s) to accommodate the sending zone credits.



Route 12 western gateway into Kingwood



Historic Baptistown is one of few places in Kingwood with clustered development

INFRASTRUCTURE & WASTEWATER

Development in the Eastern Gateway Village Center at the levels to fully support TDR transfers from the SCO will require a centralized wastewater treatment facility. Potential environmental constraints may inhibit the discharge of treated wastewater near the Eastern Gateway Village Center receiving zone; however, which opens exploration of siting a treatment facility closer to Baptistown where conditions are relatively better to absorb treated discharge. This may provide an opportunity for the existing development in the Baptistown neighborhood to tap into the new infrastructure and solve the recurring problem of failing septic systems there, while also providing connective infrastructure to the new community in the receiving zone.

Early estimates of wastewater flows were developed by the project team for the existing residential development in Baptistown and for two alternative scenarios for TDR development. Flows were estimated to be:

- Existing residential development in Baptistown: 30,000 gallons per day (GPD)
- TDR development with a limited sending zone and an Eastern Gateway Village Center receiving zone: 105,500 GPD
- TDR development with an expanded sending zone and an expanded receiving

zone that may include the Eastern Gateway Village Center and other suitable lands: 140,000 GPD

Based on these flows, cost curves were used to determine back-of-the envelope capital costs for a treatment plant located near Baptistown with piping infrastructure from the Eastern Gateway Village Center area. Depending on the scenario, estimated costs ranged from approximately \$2.25 million (for just treating Baptistown wastewater) to \$5 million (for the larger sending and receiving zones), including costs for land acquisition, collection system, engineering and permitting. These costs represent treatment facilities only and are based on 2008 dollars. Costs for extended aeration plants will be higher. Ultimately, costs will be dictated by such factors as design capacity, hydraulic and site considerations and state and local regulatory requirements. An alternative option would be to build a package plant to handle the waste from Baptistown, with the potential for expansion as the need for additional capacity develops.

For reference, the recently approved treatment plant in neighboring Frenchtown is estimated to cost \$14 million. It has the capacity to treat a future annual flow of 0.26 million gallons per day, for a total of 261 households.

Once the Township determines the desired number of new units of residential and square feet of commercial, officials should work with a wastewater consultant and the NJ Department of Environmental Protection (NJDEP) to estimate the flow of wastewater they will want treated (from both the existing and new development), as well as analyze potential sites to discharge treated wastewater. The community will then need to prepare a NJPDES program permit. The Township will also need to work with Hunterdon County to develop a Wastewater Management Plan Chapter Amendment for Kingwood.



Delaware River

ZONING & DESIGN IN THE SCENIC CORRIDOR OVERLAY

The Scenic Corridor Overlay (SCO) Zone regulations were adopted in 2012 to address concerns about potential overdevelopment and loss of agricultural character along the Route 12 corridor.

The purpose of the Scenic Corridor Overlay Zone is to revise the zoning to be more in conformance with the development opportunities that realistically exist in the subject area, to preserve rural character and rare scenic beauty in along the subject zone and to promote design compatibility for the development, redevelopment, and changes in land use along the Route 12 corridor in Kingwood Township by employing design standards intended to preserve existing viewsheds, especially the open vistas in the section of the corridor west of Baptistown, and to avoid the perpetuation of strip highway commercial sprawl development along the corridor. (Ord. No. 17-15-2012)

The Scenic Corridor Overlay encompasses the commercial zoning districts VC-1, VC-2, BP, HC, and PO/R. While the overlay references the existing zoning regulations, it includes additional mandatory restrictions with regard to area, yard and bulk standards, prohibited

uses, and design.

Area & Yard Standards

East of Baptistown (but west of the Eastern Gateway Village Center), the SCO reduces allowable building coverage to 8% of the property, where it was formerly 10-20% depending on the zone. It also increases the building setback from the road to at least 100 feet. West of Baptistown, underlying zone building coverages for commercial buildings are maintained, but the road setback is increased using a lot depth average computation that will likely result in buildings about 300-400 feet from the road.

An analysis of existing building setbacks reveals that existing structures within the SCO and EGVCO Zones (excludes the core of Baptistown) are generally outside the minimum 100 foot buffer of the SCO regulations. Of the 250 plus structures within the zones, only 36 structures were within 100 feet of the roadway. As seen in the map on page 62, many of the structures closer to the roadway are homes and small businesses west of Baptistown.

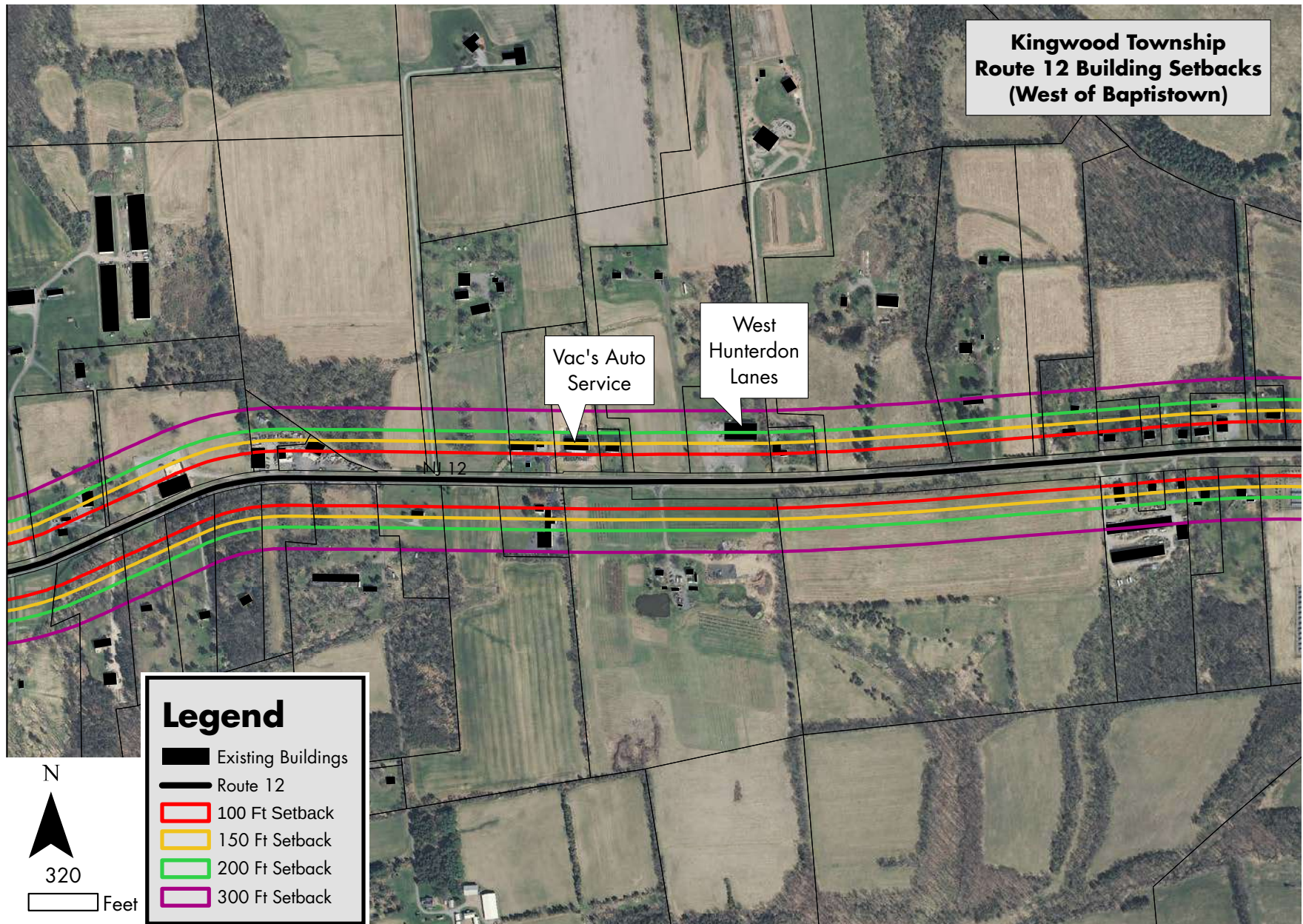
As shown in the map on page 63 of a Route 12 segment east of Baptistown, many structures are 150 feet or more from the road, and the larger developments like the Route 12

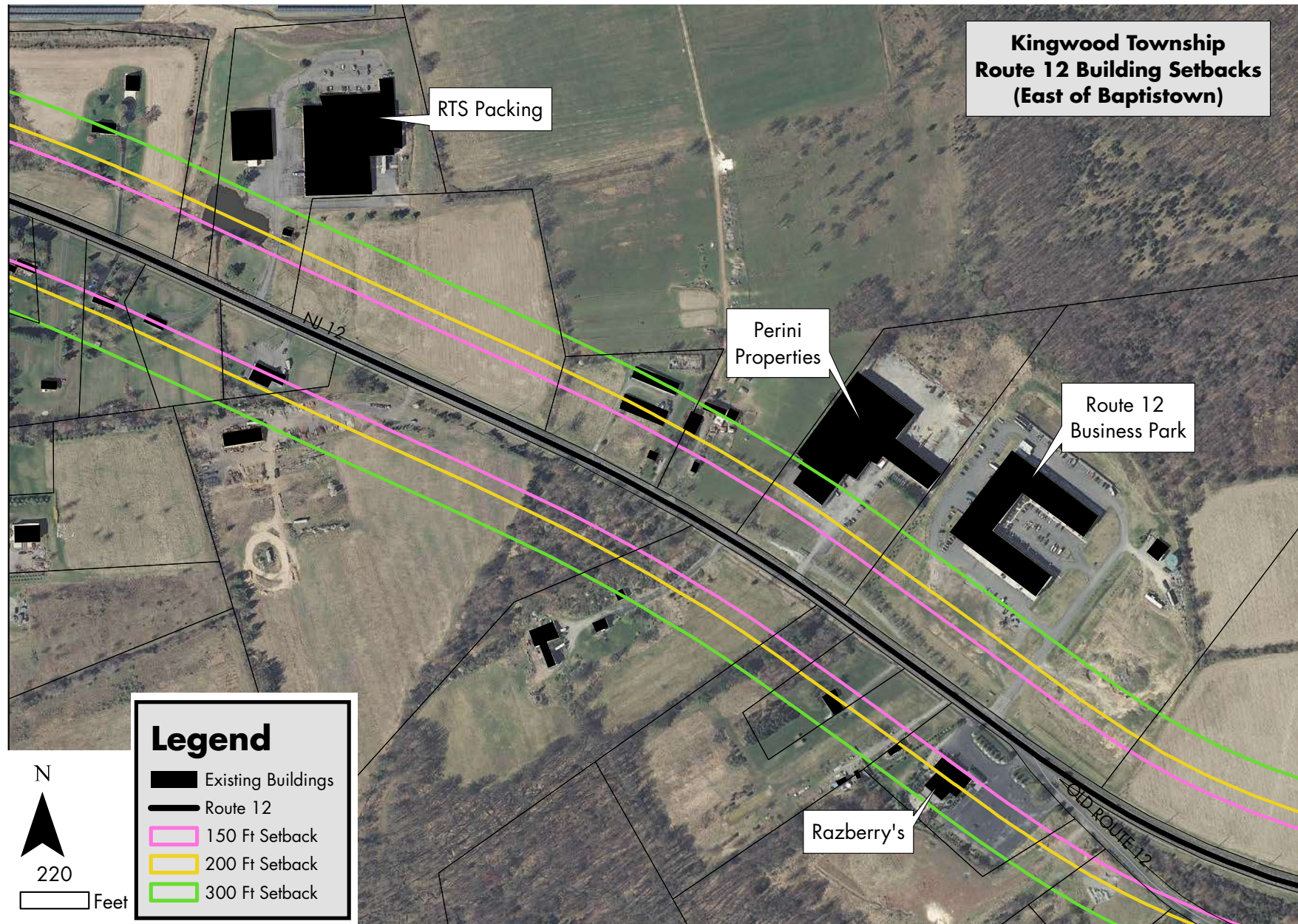
Business Park and RTS Packing are more than 300 feet from the road.

While the corridor has seen a good deal of development lacking rural aesthetic, the build-out analysis described earlier in the report demonstrates that much more development is possible based on existing zoning. The SCO Zone setback regulations are one step to address concerns about the visual impact of future development. Moreover, the zone setbacks are supported by the existing development pattern along the corridor (outside Baptistown). In fact, the SCO Zone regulations east of Baptistown, where the lots are larger and deeper, could support setbacks more in line with other existing structures along that stretch of the corridor.

A potential action to consider in the near to mid-term to address the visual impact of commercial development is to increase the setback requirements east of Baptistown to be more consistent with the existing development pattern.

Setbacks are not the only tool to deal with visual aesthetic. Even a 500 foot setback may not have the desired effect where the land is relatively flat and unvegetated. To that end, additional analysis and recommendations of the design and use standards follow.





Design Standards

In order to minimize the visual impact of new development along Route 12, the SCO Zone regulations include a series of design standards; including, a 30-foot wide vegetated buffer strip, a prohibition on paved areas except a driveway in the front yard (including off-street parking), and a stipulation that the architectural style of new non-residential buildings be compatible with that of traditional rural farm buildings.

These standards provide a good foundation to promote more compatible development along the corridor, but may not be sufficient to gain the desired end result. Given the required 150 to 400 feet of frontage required along the corridor, it seems a 30 foot wide buffer will not be adequate in many cases. The topography of the site relative to the road, and the curvature of the roadway may also impact the visual aesthetic. Off-street surface parking lots can also have a negative visual impact. While the ordinance does prohibit surface parking in the front yard, it is allowed in the side yard that can still be seen from the roadway.

Source: Google Streetview



Commercial business fronting the Route 12 corridor in the SCO

Source: Google Streetview



Commercial business fronting the Route 12 corridor in the SCO

The images on page 64 depict two commercial businesses along the Route 12 corridor. While built prior to the adoption of these design standards, the properties contain aspects of the standards. Both properties contain buildings with the architectural appearance of agricultural pole barns, have a road frontage buffer strip of at least 30 feet width, and are set back further than the requires 100 feet from the road. While they are superior examples of commercial development compared to typical, they do not portray “rural character” from the road, particularly given their large scale and insufficient vegetative buffer.

Some potential actions to consider in the near to mid-term to address the visual impact of commercial development:

- Instead of a set width for the vegetated buffer, include a more general requirement that the vegetated buffer be of sufficient length, depth and placement along property lines and driveways to minimize the visual impact from the road based on a site line analysis. The vegetated buffer could also be variable based on the size of the buildings, e.g. larger buildings require more buffering.
- Require and enforce maintenance of any new buffers, e.g. pruning, replacement of dead trees, etc.
- Require off-street surface parking to be placed in the rear yard, or additional vegetated screening for side yard parking.

Use Standards

The types of uses allowed on a property can also impact the rural aesthetic, traffic, and other quality of life values. Under the SCO Zone regulations, the uses permitted in the underlying commercial zone (VC-1&2, HC, BP & PO/R) standards are still permitted, except that mechanical contractors, furniture and appliance stores, department stores and supermarkets, mini-warehousing, theaters and bowling alleys, and automobile dealerships are now excluded uses. Further, the general ordinance language in Section 132-6 prohibits any use not explicitly permitted in a zone, and previous amendments to the same also prohibit automobile body repair shops and landscape and construction contractors not already in existence. Throughout the SCO, however, the ability to build agricultural, residential and other uses consistent with the AR-2 regulations is now permitted.

Despite prohibitions, the list of permitted and conditional uses in the various zones within the SCO is extensive, including:

- Single Family Homes
- Family Day-care Homes
- Churches & Cemeteries
- Government Buildings
- Recreation
- Farms & Agriculture
- Feed & Grain Outlets
- Nurseries & Garden Centers
- Wholesale Greenhouses
- Lumberyards
- Farm equipment dealerships
- Veterinary Hospitals
- Local retail uses
- Local service uses (excluding automobile body repair shops & kennels)
- Pharmacies
- Convenience Grocery Stores
- Restaurants, bars & taverns
- Banquet facilities
- Banks (including drive-through)
- Antique & Gift Stores
- Bed & Breakfasts
- Child-care Centers
- Shopping Centers (4 or more retail stores totaling 25,000 square feet or more)
- General & Professional Offices
- Business Parks
- Warehousing
- Laboratories & research
- Manufacturing & assembly
- Golf Courses
- Major Photovoltaic Facilities

The goal of the SCO Zone is to “preserve rural character and rare scenic beauty and

to avoid the perpetuation of strip highway commercial sprawl development along the corridor". While design standards can be employed to diminish the impact of development, many of the permitted uses along the corridor are incompatible with the stated goal of the SCO Zone. For example, while the ordinance expressly prohibits "department stores and supermarkets", "shopping centers" of 4 or more retail stores totaling 25,000 square feet or more are permitted. These shopping centers are the epitome of strip highway commercial sprawl. Similarly, the generally prohibited "landscape or construction contractor" could occupy an office, while the seemingly more conspicuous landscape and construction supply businesses (greenhouses, garden centers & lumberyards) are expressly permitted uses. While ordinance specifically prohibits automobile body repair shops, general automobile service and repair shops are permitted. Further, "local retail uses" and "local service uses" are rather ambiguous terms, that leaving an opening for broad interpretation, could usurp the general zone language that "prohibits any use not explicitly permitted in a zone".

From the input received during the February public open house and subsequent surveys, public sentiment seems to support a more refined set of uses for the area that

acknowledge and support the rural character of the community. In the public survey, respondents were presented with the list of permitted uses along Route 12 and were asked which uses should and should not be allowed (refer to Table 6 and Table 7). There was resounding support for agriculture along the corridor, with all of the uses that received over 50% support of the 31 respondents falling into agriculture, agriculture-related, and/or agriculture-complimentary categories.

The survey further revealed a desire to eliminate non-agriculture related businesses, particularly those with a perceived negative aesthetic or sprawl-like characteristics, like shopping centers, warehousing and lumberyards.

Finally, the project team heard on numerous occasions that the SCO Zone ordinance intended to prevent "big box" development. Unfortunately, neither the use nor design standards fully prevent the same. For example, while supermarkets are prohibited, the broad and somewhat ambiguous permitted uses like shopping centers, lumberyards, feed & grain outlets, farm equipment dealerships, and local retail uses are analogous to some of the well-known large retail establishments. Further, the permitted densities along the corridor equate

Table 6: Survey Results for Appropriate Uses

	Appropriate Use for Route 12
Farms & Agriculture	87%
Nurseries & Garden Centers	68%
Feed & Grain Outlets	65%
Veterinary Hospitals	58%
Recreation	52%
Bed & Breakfast	52%

Table 7: Survey Results for Inappropriate Uses

	Inappropriate Use for Route 12
Major Photovoltaic (solar panel farms)	68%
Lumberyards	61%
Shopping Centers (4 or more retail stores totaling 25,000 SF or more)	61%
Warehousing	61%
Manufacturing & Assembly	61%
Business Parks	55%
General & Professional Offices	52%

to large footprint building on the larger existing agricultural lots.

As shown in the map below, the permitted zoning density on larger lots could yield buildings with footprints in the tens to hundreds of thousands of square feet, which is within the realm of “big box” scale.

There are many courses of action Kingwood could pursue to address potentially incompatible uses. The following are potential actions to consider in the near to mid-term:

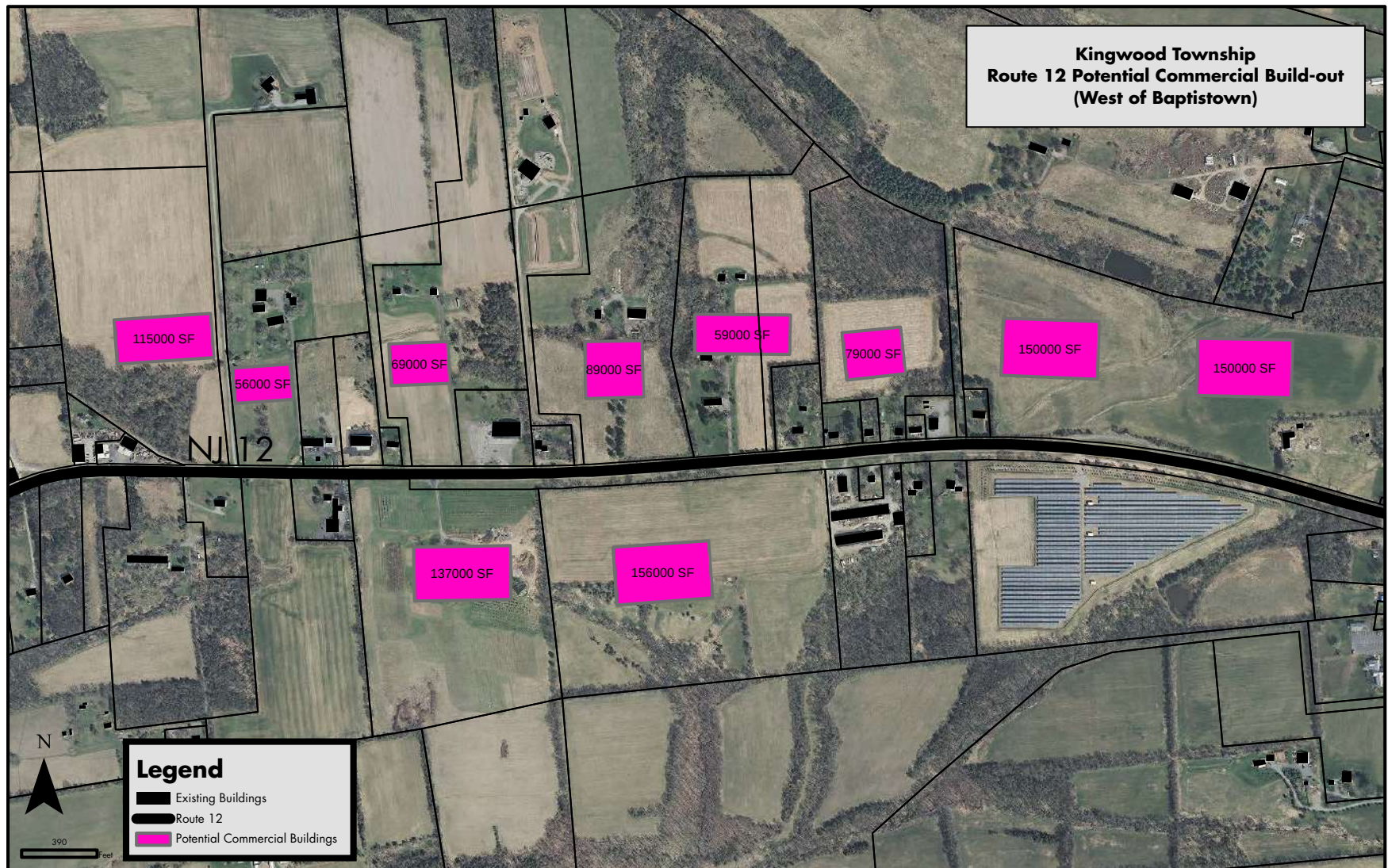
- Amend relevant zone codes to refine or eliminate the ambiguous terms, such as “local retail uses” and “local service uses”.
- Amend relevant zone codes to eliminate uses that are in direct conflict to intent of previous prohibited use amendments, such as “shopping centers”.
- The current overlay zone regulations that overarch, yet reference underlying zoning district regulations (VC-1&2, HC, BP, & PO/R) could cause confusion and ambiguity in interpretation. For example, some uses that have been expressly prohibited by the SCO Zone regulation are still listed as permitted in the underlying zone code. This could be addressed by adopting one or two (east and west of Baptistown) succinct Route 12 Scenic Corridor Zone regulations that

incorporate all use and bulk standards for the corridor in one regulation; and at the time of adoption, delete the previous commercial zone standards from the code.

- Rezone all or a targeted portion of the SCO Zone as AR-2. As discussed in Appendix B, the community is over-zoned for commercial development, thus diminishing the demand and relative commercial value of these properties. Therefore, the residential capability afforded to these properties through the 2012 SCO Zone ordinance is thought to be the highest and best use of the properties. Rezoning the area reflects the current market demand, as well as community sentiment to retain agricultural character. Further, reducing the number of competing commercially zoned lots along the corridor will likely increase demand for commercial property in the EGVCO Zone, where the township would like to target future growth.



Delaware River



ZONING & DESIGN IN THE EASTERN GATEWAY VILLAGE CENTER

An analysis of the Eastern Gateway Village Center Overlay Zone regulations, in Appendix C, reveals that the ordinance, as written, may not be robust enough to induce desirable placemaking in the proposed village center. The vision of a coherent and connected place must still confront the essential challenge to creating any new neighborhood from the ground up: that unless a single developer – who is prepared to build most of the land in the future gateway according to a single approved plan – comes forward, the competing interests of individual land owners and developers in the gateway sub-areas will make it nearly impossible to achieve a coherent and integrated place in such a large and complex geography. Even if such a developer were to come forward, it is not clear that this course of implementation comports with the TDR proposal, in which individual land owners and developers purchase, over time, the development rights in the corridor to incrementally build out portions of the gateway vision plan.

The planning and design framework shown on page 70 for the Eastern Gateway Village Center can address the most essential aspects of a comprehensive plan without becoming overly prescriptive, creating an armature

that all of the developers must acknowledge without undermining their individual development strategies. The planning framework should be made part of the new land use regulations and guidelines and has the following essential components.

Design the Gateway: The intersection of Barbertown Road and Old Route 12 is the most important place in the future Eastern Gateway Village Center and the place that will set the tone for the rest of the area. This is the one limited area in which the municipality should complete a comprehensive and detailed plan and require developers to conform to it. Some of the features of this place include:

- A well-appointed public plaza that addresses the intersection; connections from this public space to the sidewalks in the proposed Route 12 buffer zone, sidewalks on Barbertown Road, and connections to the interior of the development area.
- Detailed design guidelines should prescribe the location and design of the building frontages that frame these public spaces. Ground floor uses must be pedestrian-oriented.
- Traffic calming and pedestrian connections.

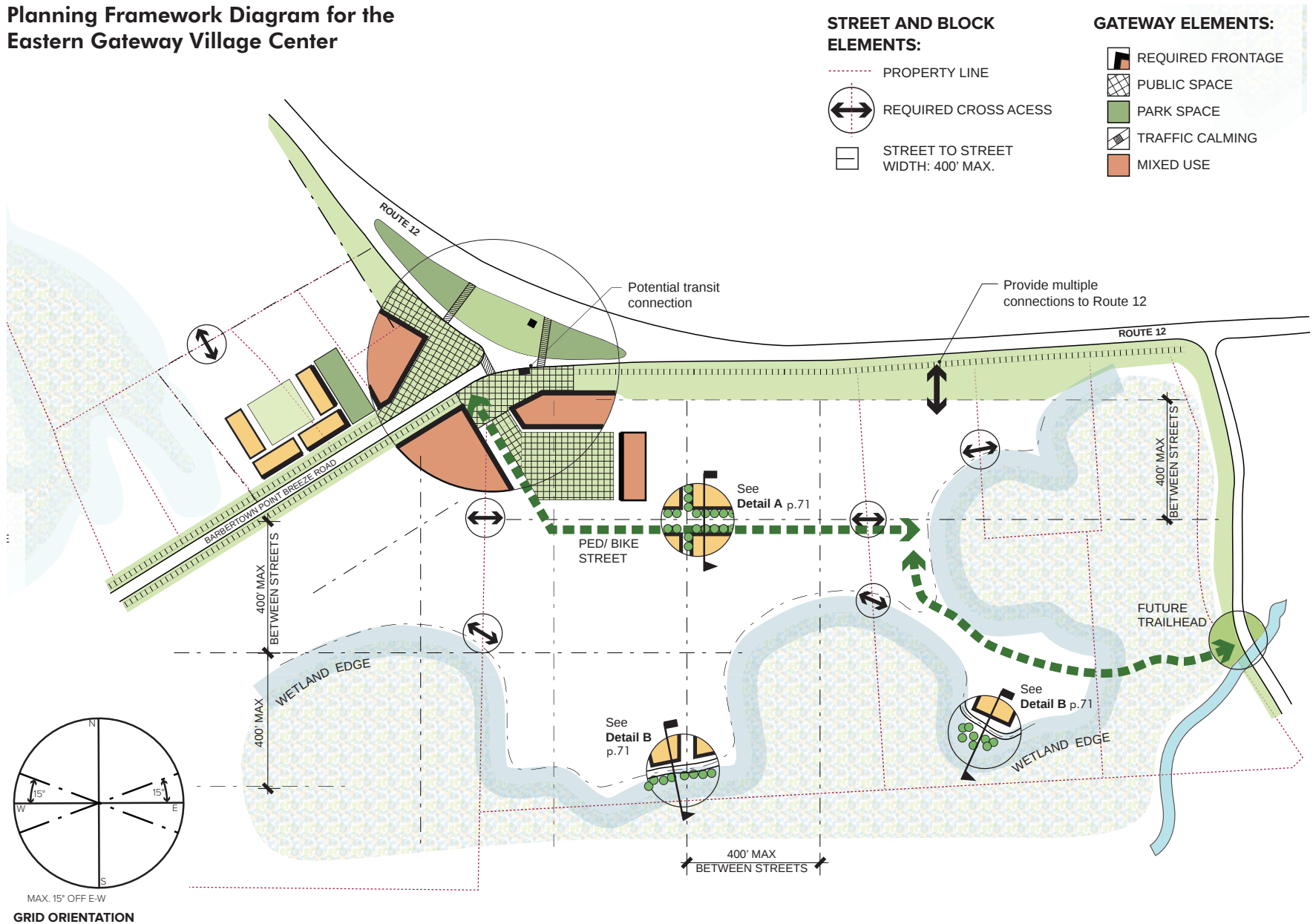


Trail in Kingwood



Hunterdon LINK transit service

Planning Framework Diagram for the Eastern Gateway Village Center



- Redesign of the “teardrop island” between Old Route 12 and Route 12 to include a public park and perhaps some kind of visual marker or monument.
- Provision for a transit stop.

The municipality should be prepared to invest resources to bring partners to the table to negotiate and complete the final design for these public spaces, as well as jointly identify potential sources of funding for the public space improvements, as these may be too burdensome for any one of the developers or for the municipality. The partners likely include, at a minimum, NJDOT and the landowners of the properties that front onto the future public spaces. The municipality should also consider the creation of an “Improvement District” that collects proportional fees from site developers for regional improvements. Depending on the phasing of the projects, this may require some up-front costs be bore by the municipality to construct these improvements ahead of receiving sufficient development fees in order to ensure connectivity and cohesiveness of the entire project area. The Chesterfield Township TDR program provides a model of this Improvement District approach.



DETAIL A



DETAIL B

Map the Public Open Space Framework: As required in the Planned Unit Development regulations, there should be public open spaces that are part of any development above a certain size, but there should be some suggestion about how these are linked to create a comprehensive open space network throughout the village. Just as continuity of the street and block network is ensured by mandating cross-access, developers should be required to link open spaces within their development and to other developments in the Eastern Gateway Village. There is also an opportunity to create a pedestrian link from the new public space to Whiskey Lane, where it crosses the small tributary to the Wickecheoke Creek. While each developer would be expected to construct open space as part of their project, the Improvement District approach can again be used for open spaces or trails that are more regional in nature.

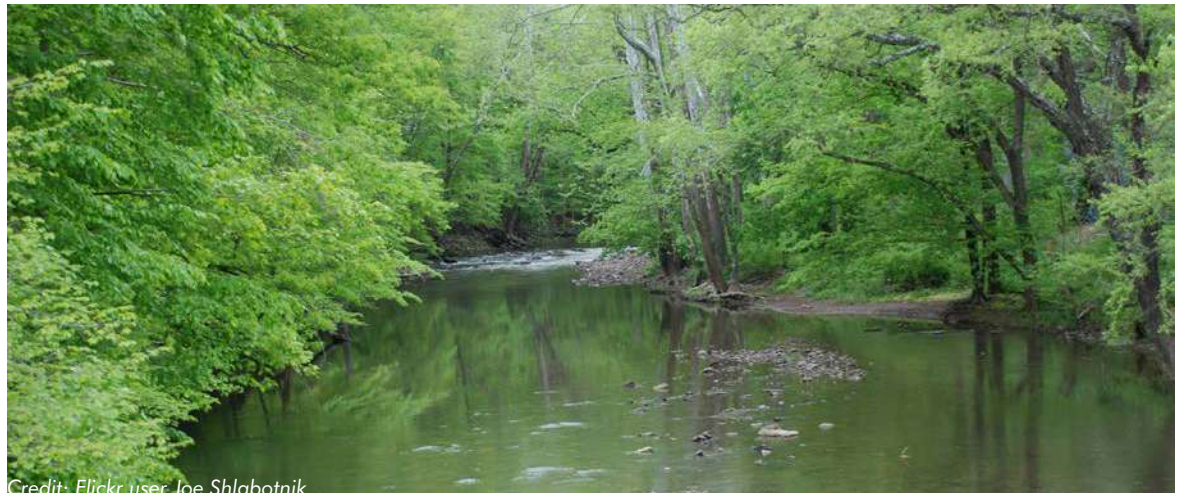
Mandate Cross-Access: This is one of most essential elements of this planning framework. The street and block network, established by the 400-foot maximum block length, should extend throughout the Eastern Gateway Village Center. Each developer must be required to provide for access between his/her development and the adjacent developments. At a minimum, this should

happen at the 400-foot intervals mandated by the maximum block length, but should also be required in other strategic places, such along the edge of the wetlands.

Relate to the Wetlands and Other Natural Resources: While the village center area is constrained by wetlands, the wetlands should be considered an open space asset and part of the overall open space strategy. There should be connections to the wetlands edge and a trail network within the wetlands designed according to environmental protection standards. Where the development meets the edge of the wetlands, a single

loaded road will make this edge public as opposed to being in the private backyards of people's homes.

Eliminate Opportunities for Incompatible Uses: Several uses that are incompatible with the vision of the Eastern Gateway Village Center are still permitted; these include agriculture, photovoltaic and wind facilities, golf courses and single-family homes. A careful audit should be completed of the existing zoning regulations to make sure that these uses are no longer permitted.



Credit: Flickr user Joe Shlabotnik

Wickecheoke Creek

BEYOND TDR

MOBILITY

As Kingwood implements a transfer of development rights program, new development and land use changes should be tied to enhancements in mobility, not only in the receiving zone, but across the community. Development should be clustered to support existing transit nodes and creation of new nodes where enhanced transit service may be added as the development pattern takes hold. In the TDR receiving zone, design guidelines should promote transit-supportive corridor design elements and small-scale transit oriented development, including safe bicycle and pedestrian access, lanes wide enough for bus access, and space to accommodate bus stops and appropriate bus pull-out areas. Kingwood is a heavily car-dependent community; moving forward, clustered mixed-use development and mobility and design enhancements could foster greater opportunities for walking, biking, carpools and public transit.

In order to better support safe bicycle and pedestrian accommodation along main and connecting roadways, the township should consider adopting a Complete Streets policy that is in keeping with the rural character of the community and targets municipal roads in Kingwood, particularly those that connect to Route 12. In consultation with NJDOT, the

township should consider applying to change the designation of Route 12 from a four-lane highway to a two-lane highway. Further, in collaboration with NJDOT and other partners, the township should conduct a planning study on accommodating bicycle and pedestrian infrastructure along Route 12. Bicycle racks could be installed in key community places, such as Kingwood Township Elementary School or in Baptistown. In the long term, these policies and planning efforts could spur implementation of bicycle lanes, shared lanes, and sidewalks along commonly traveled roadways. In addition to supporting short trips for work or errands, the township could consider leveraging proximity to Flemington, Frenchtown and the Delaware Raritan Canal trail as part of a small-scale, local tourism or leisure initiative.

The Hunterdon County LINK and Trans-Bridge are the primary operators of public transit service in Kingwood. In the short term, both transit providers could better market existing services to Kingwood residents. Trans-Bridge may want to consider creation of a more formal bus stop in Baptistown with appropriate signage as well as additional park and ride lots nearby. In partnership with HART, the township and local employers should implement and/or better promote carpool and vanpool programs to local residents.



Credit: Flickr user Russell Sprague

Promote links to Delaware Raritan Canal trail



Source: Google Maps

Consider bicycle amenities near Kingwood Township School

In the long term, transportation providers should consider the transit implications of the development of the Eastern Gateway Village Center along Route 12 and resulting new population center. Trans-Bridge may consider a formal transit stop and park and ride in the Eastern Gateway Village Center, while Hunterdon County may consider a more robust demand-response or fixed route service that connects the new village to other destinations in the county.

ENGAGING THE PUBLIC

Public engagement is a critical component of any TDR process. In order to establish broad-based support for TDR, it is crucial that the public remains abreast of decisions and is engaged at every step along the way. Moving forward, the township should build off of prior outreach to ensure that the community is not only aware of this effort, but has an opportunity to contribute valuable input. Public engagement will need to target two different populations: Kingwood residents, and Kingwood property owners in the proposed sending and receiving zones. Results of project outreach suggest that residents could benefit from a better understanding of how TDR works and over what geography. Resident input should inform the final boundaries of the sending and receiving zones. New development should

reflect community desires, and so resident input should also inform the preferred design and density of the proposed receiving zone. The township can engage the public through a variety of means: public meetings, open houses, design workshops, and social media. While the open house format proved successful in engaging a large number of residents, in the future, the township may want to explore a series of more structured, well-advertised public meetings to educate the public on TDR, prior to collecting feedback in more open forums. Further, the township should continue to engage youth – as potential future residents and property owners – in these planning issues.

Property owners are among those most directly impacted by the implications of TDR. The township should develop a forum, such as quarterly meetings, whereby property owners can receive periodic updates and ask questions about TDR. In order to most efficiently and objectively address concerns, sending zone and receiving zone property owners could be convened in separate meetings.

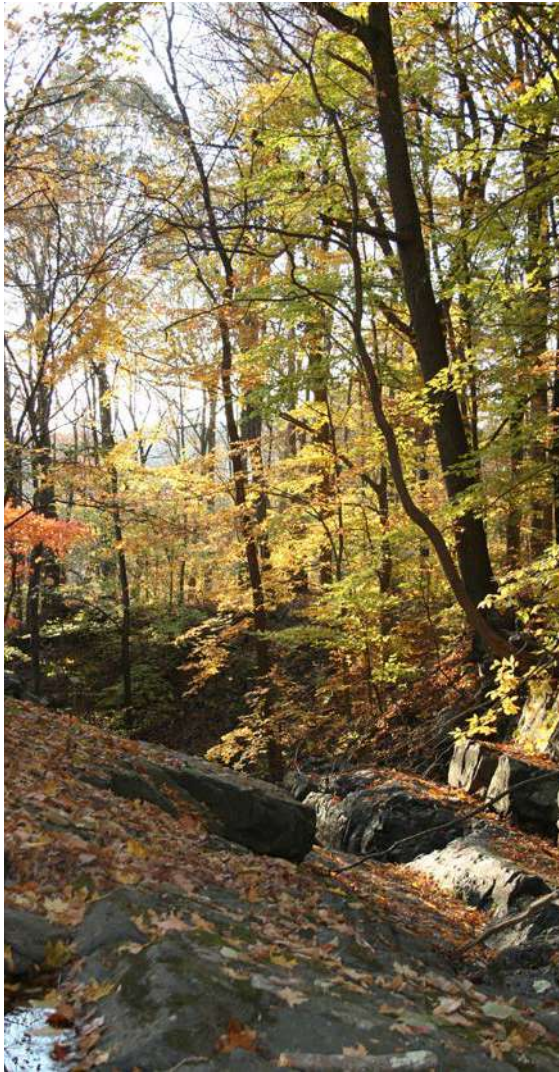
Finally, as Kingwood advances its efforts toward implementing a TDR program, an advisory committee should continue to inform the process. For this local demonstration



Conduct robust public engagement



Resident input should inform receiving zone design



Kugler Woods in Kingwood

project, a steering committee consisting of diverse representatives – local residents, business representatives, community leaders, educators, students, transportation professionals, and open space experts – offered guidance on a number of issues. This committee should be sustained and supplemented by other residents and key property owners, to meet more frequently and speak on behalf of the community.

BEYOND THE CORRIDOR

Throughout the public process, residents almost unequivocally expressed their desire to maintain Kingwood's open spaces and scenic views. The proposed TDR program focuses on the Route 12 corridor, leaving many undeveloped, unprotected areas off of the corridor vulnerable to undesired development. As the preliminary real estate market analysis in Appendix B reveals, the proposed receiving zone is unlikely to capture all of the projected residential growth in Kingwood. In order to maintain the community's rural character and ensure that undeveloped farmland off of the Route 12 corridor remains protected from undesired development, the township could consider a number of zoning-related and other solutions. Some potential actions to consider in the near to mid-term to minimize the impact of development outside the Route 12 corridor include:

- Refine minor subdivision requirements.
- Enable non-contiguous cluster sub-divisions in the AR-2 zone.
- Strengthen the cluster regulations to require that the preserved portion of the cluster be sited along road frontage and/or where it has the greatest visual impact from the road.
- Investigate ways to expand open space and farmland preservation funding capabilities.
- If capacity allows, consider expanding sending and/or receiving zone(s) in order to facilitate the inclusion of priority preservation sites outside the corridor.

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PHASE 3: HOW DO WE GET THERE?



IMPLEMENTATION

Given the nature of developing a transfer of development rights program, Kingwood Township will need to assume the greatest responsibility for ensuring the recommendations put forth by this plan are implemented. Nevertheless, governmental representatives at Hunterdon County and the State as well as transportation providers will continue to be important partners throughout the process. Above all, robust public engagement will be necessary to foster broad-based support for TDR. An advisory committee comprised of resident leaders, business owners, property owners, and other stakeholders should guide the planning process. Regularly scheduled community and property owner meetings should allow the township to educate the public about TDR and give frequent updates about the process, as well as offer opportunities members of the public to share feedback along the way. Sustained collaboration between all of these parties will ensure that TDR is implemented both efficiently and effectively to achieve the larger goal of maintaining the rural and scenic character of the Route 12 corridor.

The following plan implementation agenda offers strategies, actions, actors, and lead implementation partners to advance TDR in Kingwood.



Rural Kingwood

Potential Resources and Sources of Funding

- NJ State TDR Bank
- NJ Environmental Infrastructure Trust
- NJ Department of Environmental Protection - Green Acres Program
- NJ Department of Transportation - Municipal Aid, Technical Assistance Program, and Safe Routes to School
- North Jersey Transportation Planning Authority

Implementation Timeline

Short	3-6 months
Medium	6-18 months
Long	18+ months

ZONING & DESIGN

Strategy	Action/Details	Timeframe	Actors
Scenic Corridor Overlay & Eastern Gateway Village Overlay			
Refine Scenic Corridor Overlay zoning	Increase setback requirements east of Baptistown to be more consistent with the existing development pattern	Short	Lead: Kingwood Township
	Instead of a set width for the vegetated buffer, include a more general requirement that the vegetated buffer be of sufficient length, depth and placement along property lines and driveways to minimize the visual impact from the road based on a site line analysis; or could be a variable based on the size of the building	Short	
	Require maintenance of vegetated buffers through pruning, replacement of dead trees, etc.		
	Require off-street surface parking to be placed in rear yard, or additional vegetated screening for side yard parking	Short	
	Amend to refine or eliminate ambiguous terms (e.g. "local retail uses" and "local service uses")	Short	
	Amend to eliminate uses that are in direct conflict to intent of previous prohibited use amendments (e.g. "shopping centers")	Short	
	Adopt one or two (east and west of Baptistown) succinct Scenic Corridor Zone regulations that incorporate all use and bulk standards for the corridor in one regulation; and at the time of adoption, delete previous commercial zone standards from the code	Short	
	Rezone all or targeted portions of the SCO Zone as AR-2	Medium	
Refine Eastern Gateway Village Center Overlay zoning	Adopt recommended planning framework diagram to foster development of a coherent and connected place	Short	Lead: Kingwood Township
	Consider creation of an Improvement District	Long	
	Require linkage of public open space within and between developments	Short	
	Mandate cross-access at 400-foot intervals	Short	
	Require connection to wetlands as an open space asset	Short	
	Amend to eliminate incompatible uses	Short	

TDR PROGRAM

Strategy	Action/Details	Timeframe	Actors
Sending & Receiving Zones			
Finalize details of Sending and Receiving Zones	With public input, identify priority areas for preservation	Medium	Lead: Kingwood Township Support: NJ State TDR Bank, Hunterdon Land Trust, General Public, Community and Civic Organizations, Identified Resident Leaders, Local Demonstration Project Steering Committee, Property Owners
	Finalize boundaries of Sending and Receiving Zones	Medium	
	Determine “residual rights” of Sending Zone property owners		
	Determine type(s) of deed restriction(s) for Sending Zone properties		
	Finalize credit allocation in Sending Zone, including minimum threshold for inclusion, minor subdivisions and how to handle lots with insufficient frontage	Medium	
	With public input, finalize the total desired density and number of units for the Receiving Zone	Medium	
	Determine preferred Sending and Receiving Zone scenarios: higher density with centralized wastewater treatment facility, or lower density without centralized wastewater treatment facility (refer to scenarios on page 81)	Medium	
Utility Service			
Resolve wastewater issues	Determine size and location for treatment plant	Short	Lead: Kingwood Township Support: Hunterdon County, NJ Department of Environmental Protection
	Determine location for treated wastewater	Short	
	Determine cost of wastewater treatment	Short	
	Examine alternatives for funding centralized wastewater treatment facility, including bonding and public-private partnerships	Short	
	Determine if adjustment of receiving zone will be necessary based on cost	Short	
	Engage Baptistown residents on the potential benefits of expanding receiving zone	Short	
Amend Hunterdon County Wastewater Plan	Complete and submit Kingwood Township WMP Chapter Amendment to NJDEP	Short	Lead: Hunterdon County Support: Kingwood Township
Build wastewater treatment facility	Acquire land for wastewater facility and disposal		Lead: Kingwood Township Support: Hunterdon County, Property Owners
	Build wastewater treatment plant, distribution pipes and pumping stations		
Capital Improvements in the Eastern Gateway Village Center			
Build main roadways and open spaces in the new center	Based on planning framework, examine alternatives for funding, including developer funding, improvement fund and bonding	Medium	Lead: Kingwood Township Support: Hunterdon County, NJ State TDR Bank, Property Owners, Developers
	Build main roadways and open spaces	Long	

Strategy	Action/Details	Timeframe	Actors
Real Estate Market Analysis			
Finalize real estate market analysis (REMA)	Building on preliminary REMA in Appendix B, work with economic consultant to complete full REMA	Medium	Lead: Kingwood Township Support: Hunterdon County, NJ State TDR Bank, NJ Office for Planning Advocacy
Finalize TDR Plan & Plan Endorsement			
Develop and finalize Master Plan Elements	Develop Transfer Plan Element	Medium	Lead: Kingwood Township Support: Hunterdon County, NJ State TDR Bank, NJ Office for Planning Advocacy
	Develop Capital Improvement Plan	Medium	
	Develop Utility Service Plan	Medium	
Adopt Transfer Ordinance	Prepare draft Transfer Ordinance	Long	Lead: Kingwood Township Support: Hunterdon County, NJ State TDR Bank, NJ Office for Planning Advocacy
	Finalize and adopt Transfer Ordinance	Long	
Pursue Plan Endorsement	Engage with the State continuously to pursue Plan Endorsement	Long	Lead: Kingwood Township Support: NJ State TDR Bank, NJ Office for Planning Advocacy
Obtain County approvals	Submit all documents to the Hunterdon County Planning Board and the Hunterdon County Agricultural Development Board for review	Long	Lead: Kingwood Township Support: Hunterdon County
Periodic Review			
Complete first assessment 3 years after program implementation	Complete and submit assessment to the Hunterdon County Planning Board, Office for Planning Advocacy and the Hunterdon County Agricultural Development Board	Long	Lead: Kingwood Township Support: Hunterdon County
Continuously assess	Complete and submit assessment five years after adoption and every five years after	Long	Lead: Kingwood Township Support: Hunterdon County

Higher Density Scenario w/centralized wastewater treatment facility

1. Eastern Gateway Village (receiving); Scenic Corridor (sending)
2. Eastern Gateway Village (receiving); Scenic Corridor + AR2 (sending)
3. Eastern Gateway Village + Baptistown (receiving); Scenic Corridor + AR2 (sending)
4. Baptistown (receiving); Scenic Corridor and possibly AR2 (sending) because cost of extending sewer to Eastern Gateway Village could be too costly

Lower Density Scenario w/out centralized wastewater treatment facility (base zoning 7-acre, with 2-3 acre possible with TDR)

1. Eastern Gateway Village (receiving); Scenic Corridor (sending)
2. Eastern Gateway Village (receiving); Scenic Corridor + some AR2 (sending)
3. Eastern Gateway Village + Baptistown (receiving); Scenic Corridor + AR2 (sending)
4. Baptistown (receiving); Scenic Corridor and possibly AR2 (sending) soils in AR2 are not conducive to this subdivision type

PUBLIC ENGAGEMENT

Strategy	Action/Details	Timeframe	Actors
Community Outreach			
Formalize an advisory committee to meet regularly and serve as a liaison to the greater community	Building on local demonstration project steering committee, identify resident leaders, business representatives, community organizations, educators, students, transportation providers and open space experts representative of diverse community interests to participate in advisory committee	Short	Lead: Kingwood Township Support: General Public, Community and Civic Organizations, Identified Resident Leaders, Local Demonstration Project Steering Committee, Property Owners
	Meet regularly to collect feedback on TDR program and public engagement strategies	Long	
Continue to engage property owners	Create separate sending zone and receiving zone property owner forums where owners can receive periodic updates, ask questions, and provide input	Short	Lead: Kingwood Township Support: Property Owners
	Convene property owners to discuss final boundaries and credit allocation	Long	
Work with community to choose preferred design and density for receiving zone	Conduct design workshops to introduce planning framework and potential design scenarios	Short	Lead: Kingwood Township Support: General Public, Community and Civic Organizations, Identified Resident Leaders, Local Demonstration Project Steering Committee, Property Owners
	Finalize preferred design and density based on community input	Medium	
Continue to engage residents throughout the TDR planning process	Convene well-advertised public meetings to introduce TDR to the public ("TDR 101"), educate and answer questions	Short	Lead: Kingwood Township Support: General Public, Community and Civic Organizations, Identified Resident Leaders, Local Demonstration Project Steering Committee, Property Owners
	Collect public input on TDR program (sending and receiving zone boundaries, mandatory vs. voluntary, desired outcomes, etc.) through public meetings, open houses, design workshops, online surveys, and social media	Long	

MOBILITY

Strategy	Action/Details	Timeframe	Actors
Improve & Plan for Transportation			
Develop transit-ready corridors and transit village places	Adopt a municipal Complete Streets policy	Medium	Lead: Kingwood Township & Hunterdon County Support: HART TMA, NJDOT
	Adopt a county Complete Streets policy	Medium	
Expand Trans-Bridge service	Enhance marketing of existing services to Kingwood residents through social media, advertisements, etc. and ensure schedules easily readable and readily available	Short	Lead: Trans-Bridge Support: HART TMA, Kingwood Township
	Consider formal transit stop in Baptistown	Long	
	Consider formal transit stop in Eastern Gateway Village Center	Long	
Expand opportunities for Hunterdon County LINK service	Continue to market existing services (and transit connections via the LINK) to Kingwood residents through social media, advertisements, etc.	Short	Lead: HART TMA Support: Hunterdon County Department of Human Services, Kingwood Township, NJ TRANSIT
Facilitate greater carpools and vanpools	Continue to market existing services and opportunities to Kingwood residents	Short	Lead: HART TMA Support: Hunterdon County, Kingwood Township
	Develop a carpool and vanpool marketing strategy and program for the Eastern Gateway Village Center	Long	
Enhance walkability and bikeability	Conduct a planning study on the potential for bicycle lanes, shared lanes, and sidewalks along Route 12 and major connecting thoroughfares to connect to Frenchtown and Flemington	Medium	Lead: Kingwood Township Support: NJDOT, NJTPA, HART TMA
	Apply to change designation of Route 12 from a four-lane highway to a two-lane highway	Medium	
	Identify and install bicycle racks in key community places	Medium	
	Prioritize installation of sidewalks to allow for greater pedestrian connectivity	Long	
	Implement bicycle lanes, shared lanes and sidewalks	Long	

BEYOND THE CORRIDOR

Strategy	Action/Details	Timeframe	Actors
Preservation Priorities			
Ensure undeveloped areas off of the corridor are less susceptible to undesired residential development	Consider refining AR-2 zoning to eliminate minor subdivisions and tighten location of preserved land in cluster subdivisions	Long	Lead: Kingwood Township
	Consider enabling non-contiguous clustering in AR-2 zone	Long	
	Consider increasing open space tax	Long	
	Consider expansion of sending zone to priority preservation sites	Long	
Future Kingwood			
Promote Kingwood as a model for TDR	Implement TDR program	Long	Lead: Kingwood Township Support: Local Demonstration Project Steering Committee, Property Owners, Developers
	Highlight TDR program successes	Long	
	Provide support and guidance for other communities in the state and region looking to implement a TDR program	Long	

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