

QUARTER/QUARTER ZONING

Quarter/Quarter Zoning is a density-based zoning technique most appropriate for agriculturally-based rural areas with large parcel sizes. The term refers to a quarter of a quarter section of land (e.g. 1/16 of 640 acres, or 40 acres) where a limited number of non-farm homes are allowed for every 40-acres of land. The non-farm splits are usually regulated by minimum and maximum sizes, and are often required to be contiguous. These provisions help to avoid the breaking up of farmland into smaller or odd-shaped parcels.



Open space in front of new homes as viewed from county road

RESOURCES

A Model Ordinance for the Protection of Natural, Cultural, and Historic Resources in Major Subdivisions, (2005) Hunterdon County, NJ Environmental Toolbox Committee, Model Clustering Subcommittee

Designing Open Space Subdivisions: A Practical Step-By-Step Approach (1996), by Randall Arendt
Available through American Planning Association Planners Book Service, Chicago, IL

Growing Greener: Putting Conservation into Local Plans and Ordinances (1999), by Randall Arendt
Available through the Natural Lands Trust, Washington, DC

New Jersey Department of Agriculture Smart Growth Toolkit, <http://www.state.nj.us/agriculture/toolkit.htm>

New Jersey Department of Community Affairs, Office of Smart Growth, Grants and Resources
<http://www.nj.gov/dca/osg/resources/grants/index.shtml>

Rural By Design: Maintaining Small Town Character (1994), by Randall Arendt Available through American Planning Association Planners Book Service, Chicago, IL

Township of Pohatcong Open Space and Recreation Plan (September 2004), Morris Land Conservancy and Township of Pohatcong Environmental Commission

White Township Ordinance No. 2005-13: "An Ordinance of the Township of White Establishing Mandatory Cluster and Lot Averaging Requirements, Natural Resource Conservation Calculations for the Protection of Constrained Lands, Stream Corridor Buffer Requirements and Regulations for the Protection of Steep Slope Areas."

A variety of regulatory techniques are available to help the Route 57 Corridor municipalities preserve scenic landscapes, working farms, and the rural environmental quality treasured by many residents. One promising technique that can benefit both landowners and the corridor communities is Conservation Zoning.

Conservation Zoning and Conservation Subdivisions work on a simple principle: development is allowed on a portion of a land parcel, with the remainder of the land placed in conservation. Typically, developers may construct the same number of units that would have covered the parcel under conventional zoning, by reducing the size of the individual lots. Homes can then be sited on the property in such a way as to minimize impacts on natural resources and scenic views.



Houses tucked discreetly behind treeline along ridge, preserving rural view from road

The overarching technique is to let the location of those features of greatest value for preservation – whether scenic views, forests, stream corridors, or best quality farmland – drive the design of each project. The approach can be used on either a voluntary basis with developer incentives, or on a mandatory basis. An advantage to the municipality is the ability to preserve natural resources without having to purchase development rights. Developers benefit through reduced costs for infrastructure and construction. In addition, developers often find that homes in a conservation subdivision are especially attractive to buyers due to the amenity value

of the conserved features.

As a first step in implementing conservation zoning, the municipality spells out conservation goals in its Master Plan, along with an inventory and map of specific features to be preserved. Once specific conservation goals are established, the tools and techniques below may be tailored to address the community's specific needs.

CLUSTER DEVELOPMENT ZONING

Cluster Development Zoning encourages the preservation of large tracts of land while allowing development of new homes and generating revenue to the farmer who sells the land. The preserved open space helps to retain scenic vistas from the road. Cluster development may not always result in significant preservation of usable farmland, but may allow for the preservation of many natural forms such as wooded areas, slopes, and wetlands. These conserved areas can be designed to be contiguous across parcels so that as each parcel is developed, a greenway will gradually emerge.

INCENTIVE ZONING

Incentive Zoning allows developers to increase the number of lots by a factor such as 25 percent or more, in exchange for clustering the development and preserving the balance of undeveloped land. In East Amwell, a 50 percent density bonus is offered to developers who use the municipality's open lands zoning to retain 75 percent of a tract for farming or natural resource conservation. However, a single family dwelling may also be placed on the preserved lot.

RURAL HIGHWAY ZONING

Rural Highway Zoning is a design and conservation technique that aims to retain the traditional rural appearance of a highway corridor. By working with developers and employing design guidelines, new homes are carefully sited and designed to minimize their visual impact from the road. For instance, on open sites such as farmland, new homes can be clustered to resemble groupings of farmhouses, while employing traditional vernacular architecture in terms of scale, roof pitch and building materials. New homes can be easily related to

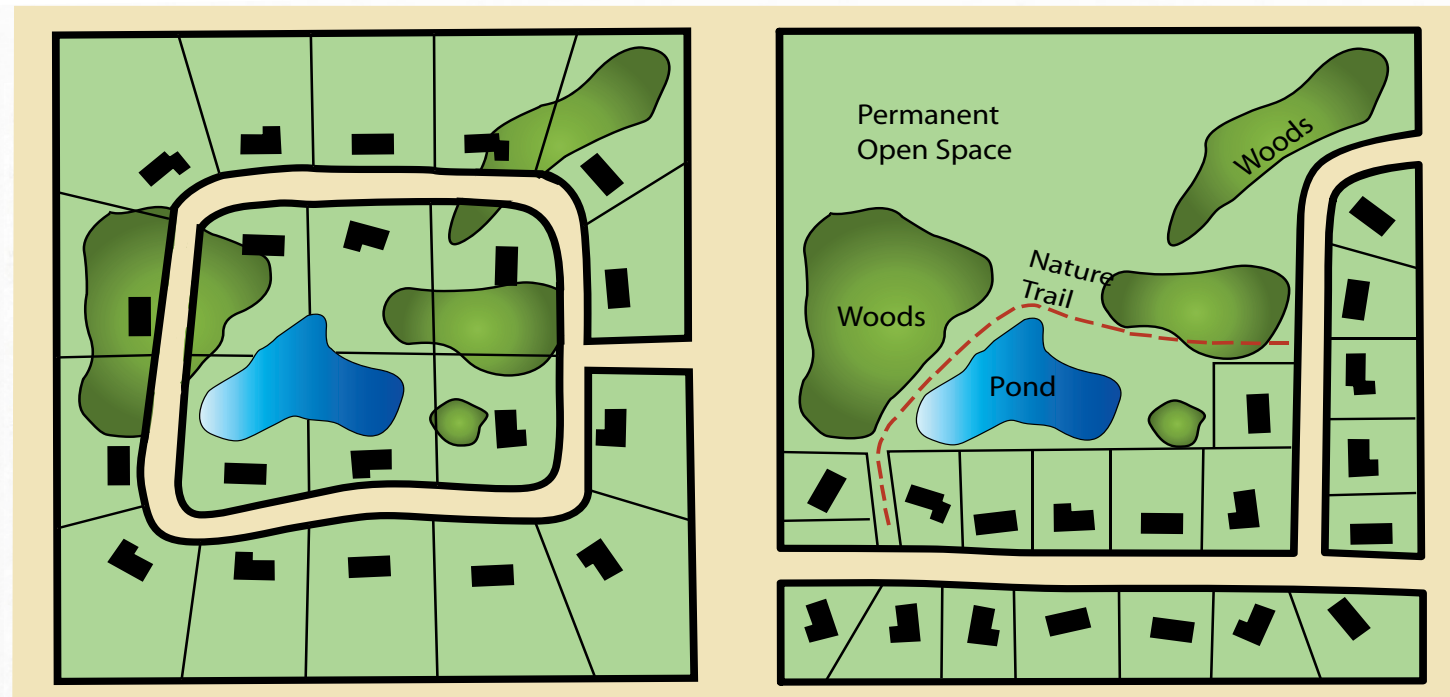


Figure A

Figure B

Schematic illustrations of rural subdivision design options. Figure A shows lot size and layout under conventional zoning, with no preserved open space. Figure B shows the same 20 houses on smaller lots, which allows for permanent common open space with pond and nature trail access for all residents.

existing brush and hedgerows, or placed behind new buffer plantings. On wooded sites, houses can be tucked behind existing treelines through the use of a long winding driveway. Commercial businesses are encouraged to locate within town centers and at intersections, rather than along the more open scenic portions of the highway. However, these town centers should also be carefully designed to maximize environmental quality, for example, by placing parking areas behind buildings.

SLIDING SCALE ZONING

Sliding Scale Zoning is used to decrease the density of development by limiting the number of times a parcel of land can be split based on its size. Once the lots are subdivided, no new divisions may take place. For example, if a farmer were to create 6 lots from his 58-acre parcel and leave one 50-acre lot for continued farming use, further subdivision of the 50-acre lot would not be allowed. The use of sliding scale zoning is most effective in areas where a wide range of parcel sizes exist and non-farm residential development has already begun.



Farmstead preserved through conservation zoning in Hunterdon County

LOCAL PRECEDENTS

Shy Creek and Woodside

Developers of the *Shy Creek* and *Woodside* housing subdivisions in Alexandria Township in Hunterdon County were encouraged to reduce lot sizes from the three-acre minimum to one-acre lots. The resulting two adjacent parcels were designed to integrate their open spaces, protecting more than half of the existing farmland. This acreage has been permanently protected through a conservation easement. There is only one entrance into these developments from County Road 513, and most houses were placed out of sight from the road, protecting the rural scenic views.

Farmview

Farmview in Bucks County, PA is located in a zone where the minimum lot size is one acre. Developers were permitted to build on half-acre lots under a cluster zoning amendment. The houses are mostly sited away from local roads to preserve rural views, and remain popular with buyers despite the smaller lot sizes. Ownership of the preserved cropland was transferred to the Farmland Preservation Corporation, a local conservation organization.

Hunterdon County Model Ordinance

Hunterdon County's *Model Ordinance for the Protection of Natural, Cultural and Historic Resources in Major Subdivisions* provides sample subdivision plans that are based upon the county's historic settlements. These plans preserve a maximum amount of contiguous farmland and maintain rural views from public roadways. Developed as part of Hunterdon County's Environmental Toolbox, the model ordinance may be used by any municipality within the county. The purpose of the ordinance is to preserve irreplaceable natural, cultural, and historic resources while permitting development at acceptable densities, located and designed to mitigate the perceived intensity of development. The features to be protected by this ordinance are described and mapped in the municipality's approved Environmental Resource Inventory (ERI) in order to provide developers with a clear understanding of which features are to be preserved.

Cluster Development Ordinance

White Township in Warren County recently updated its Cluster Development Ordinance. The Ordinance is meant to further the goals of the 2004 White Township Master Plan, which encourages planning for open space in new residential subdivisions, specifically between roadways

and new construction. The following elements are included in the revised Ordinance:

- Open space as perceived from public rights-of-way should be located to preserve scenic vistas and the rural character of pre-existing farmsteads, barns and homesteads.
- Applicants seeking major subdivision approval anywhere in White Township must apply for a mandatory cluster or lot-averaging subdivision. The developer's application must include a plan of the area to be retained as open space.
- Reduction of the Township's minimum lot size of 3 acres to no less than 1 ½ acres in cluster developments.
- An open space parcel within a cluster subdivision or lot averaging subdivision must contain at least 50 percent of the gross tract area and may not include any rights of way.
- Designated open lands within subdivisions are permanently deed restricted from further subdivision.
- Where subdivision tracts include existing farmland operations, open space parcels should facilitate the continuation of farming.



View within Woodside subdivision, Alexandria Township. The preserved open space, surrounded by a rustic white fence, is home to native birds and other wildlife