Pinelands Commission

- Established on February 8, 1979
- National Parks & Recreation Act signed on November 10, 1978, establishing the Pinelands National Reserve
- State Pinelands Protection Act signed on June 28, 1979
- CMP adopted and effective January 1981
- Portions of seven counties
- All or portions of 53 municipalities
Pinelands Comprehensive Management Plan

- Pinelands Management Areas
  - Permitted Uses and Intensities
  - Boundaries
- Minimum Environmental Standards
  - Septic systems
- Pinelands Development Credit Program
  - Letters of Interpretation
  - Severance
  - Sales
Pinelands Management Areas

- Preservation Area District
- Forest Area
- Special Agricultural Production Area
- Agricultural Production Area
- Rural Development Area
- Regional Growth Area
- Pinelands Village
- Pinelands Town
- Military/Federal Installation
Preservation Area District: Residential Uses

- Cultural Housing
  - Continuous ownership since 1979
  - Principal residence
  - 5/20 year Pinelands residency
  - 3.2 acre new lots
  - 1.0 acre existing lots
- Seasonal ag housing
  - Accessory to farm

- Infill Areas
  - 1.0 acre existing lots
  - Municipally-defined boundaries
  - No subdivision permitted
Preservation Area District: Nonresidential Uses

- Berry Agriculture
- Forestry
- Beekeeping
- Low Intensity Recreation
- Campgrounds
- Continuation of Mining
- PDCs
Forest Area: Residential Uses

- Single-Family Dwellings
  - Municipally-established densities
  - Average density = 1 unit per 25 acres
- Cluster Development
  - 1.0 acre lots
  - Bonus density
- Density Transfer
  - Undersized lots
  - Noncontiguous land

- Cultural Housing
- Grandfathered Lots
  - Continuous ownership since 1979
  - Principal residence
  - Common ownership
    - Vacant/Developed
    - 1.0 acre minimum
- Seasonal ag housing
Forest Area: Nonresidential Uses

- Agriculture
- Forestry
- Recreation
  - Low Intensity
  - Expansion of Intensive
- Campgrounds
- Continuation of Mining
- Agricultural commercial establishments

- Roadside retail
  - Within 300 feet of existing commercial use in 1979
- Institutional
  - Must primarily serve the Forest Area
Special Agricultural Production Area: Residential Uses

- Cultural Housing
- Seasonal ag housing
- Farm-related housing
  - Accessory to active farm
  - Only for farm operator or employee
  - 40 acre minimum

Above: Agricultural housing
Special Agricultural Production Area: Nonresidential Uses

- Berry agriculture
- Forestry
- Beekeeping
- Pinelands Development Credits

Above: Cranberries being harvested
Agricultural Production Area: Nonresidential Uses

- Agriculture
- Forestry
- Recreation
  - Low Intensity
  - Expansion of Intensive
- Agricultural commercial establishments
- Agricultural processing facilities

- Roadside retail
  - Within 300 feet of existing commercial use in 1979
- Airports
  - Accessory to farm
- Pinelands Development Credits
Agricultural Production Area: Residential Uses

- Farm-related housing
  - Accessory to active farm
  - Only for farm operator or employee
  - 1 unit per 10 acres
  - 1 unit at a time, once every 5 years
- Cultural Housing
- Grandfathered lots
- Seasonal ag housing

- Non-farm related housing
  - 1 unit per 40 acres
  - Clustering on 1.0 acre lots required
  - Remainder of property deed restricted for agriculture
Rural Development Area: Residential Uses

- Single-Family Dwellings
  - Municipally-established density
  - Average density = 1 unit per 5 acres
- Cluster development
  - 1.0 acre lots
  - Bonus density
- Density Transfer
  - Undersized lots
  - Noncontiguous land

- Cultural Housing
- Grandfathered Lots
- Seasonal ag housing
Rural Development Area: Nonresidential Uses

- Agriculture
- Forestry
- Intensive Recreation
- Mining
- Agricultural commercial establishments
- Agricultural processing facilities
- Community commercial
- Institutional
- Light industrial
Regional Growth Area: Residential Uses

- Single-Family Dwellings, Duplexes, Townhouses, Apartments, Mobile Homes, Affordable Housing, Mixed Use
- CMP prescribes a density for each RGA
- Municipalities establish zoning districts and permitted densities (typically, 2-6 units per acre)
- Use of Pinelands Development Credits must be accommodated
Regional Growth Area: Nonresidential Uses

- Commercial
- Institutional
- Recreation
- Industrial
- Mixed Use

Above: Stockton University’s Campus Center
Pinelands Towns and Villages: Residential Uses

- Single-Family Dwellings, Duplexes, Townhouses, Apartments, Mobile Homes
- Municipally-established densities
- Typical Village zoning = 1.0-5.0 acre lots
- Typical Town density = 2-4 units per acre

Above: Condominiums in Egg Harbor City
Pinelands Towns and Villages: Nonresidential Uses

- Commercial
- Institutional
- Recreation
- Industrial
- Mixed Use

Above: A restaurant in the Village of Warren Grove
Military/Federal Installation: Permitted Uses

- Any use associated with the Installation
- Other public purpose uses

Above: New Jersey Air National Guard
Minimum Environmental Standards

- Wetlands and Wetlands Buffers
- Water Quality (septic systems)
- Stormwater Management
- Threatened and Endangered Species
- Historic and Archaeological Resources
- Landscaping
- Fire Management
Septic Systems

- Sewer service is permitted only in Regional Growth Areas, Towns and Villages
- Residential and nonresidential development in all other management areas must use a septic system
- Standard septic systems = 3.2 acres per house
- Advanced treatment systems = 1.0 acre per house
## Advanced Treatment Systems

<table>
<thead>
<tr>
<th>Technology</th>
<th>Average Total Cost*</th>
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<tbody>
<tr>
<td>Amphidrome</td>
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<tr>
<td>Bioclere</td>
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<tr>
<td>FAST</td>
<td>$28,504</td>
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<td>BioBarrier</td>
<td>$28,775</td>
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<tr>
<td>SeptiTech</td>
<td>$28,414</td>
</tr>
</tbody>
</table>

*Includes 5-year warranty and operation/maintenance contract
Municipal/County Conformance

- The Pinelands Protection Act requires that all municipalities and counties with land in the Pinelands Area revise their master plans and land use ordinances to implement the objectives and standards of the Pinelands Comprehensive Management Plan.
As of October 2013, the Commission has certified the master plans and ordinances of all 53 municipalities and all seven Pinelands counties as being in conformance with the CMP.
The conformance process is ongoing, because the CMP requires Commission review and approval of all master plan and land use ordinance amendments before they take effect.
Municipal Conformance

- New zoning districts
- Changes in zoning and management area boundaries
- Permitted uses and densities
- Redevelopment plans
- More restrictive standards
- Municipal flexibility
Pinelands Development Credit Program
The PDC Program -- Briefly

- PDCs are development rights that are allocated by the Pinelands Commission to properties in sending areas that can be transferred to increase the amount of residential development permitted on other properties in receiving areas.

- Each PDC transfers the right to build four homes and can be bought and sold in 1/4 (or 1 right) increments.
Sending Areas

- Preservation Area District
- Agricultural Production Area
- Special Agricultural Production Area
- Conservation or agricultural easements are placed on the sending properties when the PDCs are severed
Receiving Areas

- Receiving areas consist of 24 Regional Growth Areas (76,000 acres) where municipal zoning plans allow for bonus densities through the use of PDCs or require a minimum % of PDC use.

- PDCs can also be used in other areas of the Pinelands to build homes on undersized lots or on lots that require waivers (deviations) from environmental standards.
PDC Allocation

- Property owner in a sending area applies to the Pinelands Commission for a Letter of Interpretation (LOI)
- Pinelands Commission issues LOI, indicating the number of PDCs allocated to a property
- Allocations are based on CMP formula, with deductions for existing development and future homes
- LOIs are valid for 5 years
- LOIs are not transferable
PDC Allocation Estimates

Preservation Area District

# wetland acres  ÷  49.0 acres/right  =  # rights
# remaining acres  ÷  9.75 acres/right  =  # rights

Total Rights  _____
PDC Allocation Estimates

Agricultural Production/Special Agricultural Production

\[
\begin{align*}
# \text{ farmed acres} & \div 4.9 \text{ acres/right} &= # \text{ rights} \\
# \text{ wetland acres} & \div 49.0 \text{ acres/right} &= # \text{ rights} \\
# \text{ remaining acres} & \div 4.9 \text{ acres/right} &= # \text{ rights} \\
\text{Total Rights} &= ____
\end{align*}
\]
PDC Allocation Estimates

Adjustments

Subtract

# existing homes \(\times\) 1 right/home = # rights
Reserved building
# opportunities \(\times\) 1 right/home = # rights

Total Rights _____

Total PDCs (Rights ÷ 4) _____
PDC Severance

- Property owner with valid LOI applies to the PDC Bank for a PDC Certificate
- PDC Bank reviews deed and title search
- PDC Bank files deed restriction with County
- PDC Bank issues PDC Certificate, which can then be sold or transferred (separate from the land)
- Owner’s contact information is posted on the PDC Bank’s Seller’s List on the website
Pinelands Development Credit Certificate


This certifies: ____________________________________ hereby owns,

______________________________________________

______________________________________________

______________________________________________

______________________________________________

______________________________________________

______________________________________________

______________________________________________

Pinelands Development Credits (__________) Rights

A restriction on the Deed to Block(s) _________ Lots(s) ___________

situated in the Municipality of ________________, County of ____________

is recorded in Book ______ Page ______ at the County Clerk’s Office,

______________________________________________

New Jersey.

Owner’s signature

This certificate entitles the owner to a density bonus
as provided in the Pinelands Comprehensive Management Plan

______________________________________________

Executive Director
Pinelands Development Credit Bank
PDC Information

- PDC Bank/Pinelands Commission Website
  - Sample deed restrictions
  - PDCs sales prices
  - Sellers and Buyers Lists
  - PDC Bank Annual Report
  - List of sending municipalities
  - List of receiving zoning districts
  - Map of Permanently Protected Lands
  - Land Capability Map

- Interactive map under development
  - Public access; searchable block/lot database
More Information

• Susan Grogan and Betsy Piner
  • Call: 609-894-7300
  • Email: PDCBank@pinelands.nj.gov
  • Website: www.nj.gov/pinelands