Land Use Plan Element

Township of Hopewell
Mercer County, New Jersey

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THE LAND USE PLAN

This Land Use Plan Element is designed to implement the goals, objectives, principles and assumptions of the 2002 Master Plan, as well as the recommendations in the 2007 and 2009 Reexamination Reports, in a manner which respects and responds to the capabilities and limitations of the natural conditions - groundwater quantity and quality, surface water resources, agricultural use opportunities, soils, steep slopes, woodlands, wetlands and flood prone areas. The Plan generally depicts the proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial and industrial purposes, as shown on the Land Use Plan Map. These land use planning proposals become effective agents of change when implemented through the Land Use Management Ordinance.

The Land Use Plan Element is the fundamental unit of the Master Plan, with the broadest scope and most far-reaching consequences. It represents a municipality's basic statement about the future disposition of land and the physical form of the community. This Plan Element maintains the policy orientation of the 2002 Master Plan, but refines the recommendations to better address evolving conditions and concerns. It provides a more detailed description of the goals, objectives and intent of the identified Districts, and suggests new planning initiatives to achieve the Township's objectives.

Valley and Mountain Resource Conservation Districts

The Valley Resource Conservation (VRC) and Mountain Resource Conservation (MRC) Districts include approximately 78% of the land area of Hopewell Township. The lack of public water and sewer infrastructure throughout these Districts limits future development potential, which should respect the carrying capacity limitations of the natural systems to provide potable water and treat septic effluent without degrading water quality below prescribed limits. Capacity-based planning involves the measurement of a municipality's ability to accommodate growth and development within limits defined by natural resource capabilities and existing infrastructure. A capacity analysis determines the limiting factors in an area's ability to grow and evaluates the capacity of the limiting factor. With the absence of public water and sewer infrastructure, the limiting factor thus becomes an element of the natural environment, such as water.

Sustainable development policies provide a land use framework that meets the needs of the present without compromising the ability of future generations to meet their own needs. It responds to capacity limits with a margin of safety, and incorporates the goals of stewardship over land and water resources, and the prolonged maintenance of a healthy and desirable physical environment.

A dominant theme in the planning process is the protection of water resources, with a particular emphasis on groundwater quantity and quality. Because of the critical importance of this resource, the Planning Board commissioned a study of the groundwater resources of the Township. This study, prepared by M^2 Associates and titled *Evaluation of Groundwater Resources of Hopewell Township, Mercer County, New Jersey* (March 2001), incorporated

herein by reference, analyzed the ability of the groundwater system to provide a sustainable yield of water, and the parameters which affect the quality of groundwater. The Township's groundwater resources are of value not only to the current and future residents of the Township, but also to downstream consumers and ecological receptors. The study points out that the aquifers of Hopewell Township and the surrounding area are sole source aquifers, meaning that the New Jersey Department of Environmental Protection (NJDEP) and United States Environmental Protection Agency (USEPA) consider groundwater to be the single source of potable water within the designated areas and indicate that measures should be taken to protect this critical resource from potential health hazards. As a recharge and headwaters area for one of the most populous and fastest growing regions in the State, Hopewell Township is choosing a responsible course of action, designed to protect these resources through all available measures.

The Township is underlain by two distinct aquifers, or groundwater systems: the Stockton/Passaic formations, consisting of sandstones and shales; and, the Lockatong/Diabase formations, mudstones, sandstones, siltstones and volcanic rock. The Stockton/Passaic formations generally coincide with the VRC District, while the Lockatong/Diabase formations generally coincide with the MRC District. Available groundwater in the Stockton/Passaic formations permits higher development densities than in the Lockatong/Diabase formations due to the differing characteristics of the aquifer systems. The storage potential of the Stockton/Passaic formation is enhanced by some fracturing which provides void spaces for groundwater storage, while the Lockatong/Diabase formations are less porous with limited fracturing and limited available groundwater. One of the unique features of the Township's geology is the Hopewell Fault, a major regional fault separating the Stockton Formation and Passaic Formation. This fault is a valuable recharge zone, not only to Hopewell Township and Hopewell Borough, but also to downstream portions of the Bedens Brook basin in Somerset County.

The groundwater management strategy for the VRC and MRC Districts seeks to limit the degradation of groundwater while also permitting appropriate uses of land. The land and water management policies of this Plan do not attempt to achieve non-degradation of groundwater, because such a policy would essentially prevent further development in these areas. While a strong argument can be made that the Township's groundwater resources merit a non-degradation approach, this Plan seeks a balance between resource protection and reasonable development expectations. Thus, this Plan seeks to program uses of land that can conserve limited resources while also permitting development at densities which produce limited degradation while protecting the potability and availability of groundwater resources.

The surface water resources of the Township provide additional support for the protection of water resources. The streams in the Township are primarily headwaters, defined as small streams that are the sources of a river. Headwaters are particularly vulnerable to degradation because of the limited available flow, and any degradation in headwaters is transferred downstream throughout the surface water system. Surveys of the biological makeup of the Township's streams indicate that in large part the streams draining to the Delaware River, a federally designated Wild and Scenic River, are non-impaired, while those draining to the Raritan River are moderately impaired. Surface water classifications indicate that the streams range from non-trout to trout maintenance categories. Trout maintenance streams are those

designated by the NJDEP as supporting trout throughout the year, while non-trout waters are generally not suitable for trout because of their physical, chemical, or biological characteristics, but are suitable for a wide variety of other fish species.

In addition to the protection of groundwater and surface water resources, the VRC and MRC Districts respond to the goals of conserving significant elements of the rural and agricultural countryside. The rural character that pervades much of Hopewell Township, embodied in the scenic vistas, wooded hillsides, agricultural fields and historic settlement patterns, is highly susceptible to degradation. Full development at previously permitted densities has consumed most of the countryside, and even when clustered, has produced minor conservation acreages which generally contain critical lands (wetlands, flood plains, steep slopes, etc.). In this development pattern, permitted units have been situated in a somewhat geometric arrangement that fails to recognize the natural patterns of the landscape and eliminates or mars scenic vistas and natural lands.

Full development has also produced dramatic alteration of rural roadways and bridges to accommodate traffic movements and increased traffic demand. As this alteration occurs, roadside features (trees, hedgerows, stone rows, etc.) and alignments (narrow cartways and winding alignments) are frequently lost. The rural character undergoes a process of change that results in conversion to a more suburban appearance with the environmental and traffic impacts of this form of development. With an extensive system of scenic roadside views, including the only designated scenic roadway, Route 29, in New Jersey, the maintenance of visual quality is particularly important to the overall planning strategy.

Similarly, suburban development has consumed substantial agricultural lands in the Township. Suburban development can result in land use conflicts with agriculture as new neighbors object to the noise, odor, and other impacts of agricultural land uses on residential neighborhoods. The VRC and MRC Districts are intended in part to reduce the amount of residential development so that agriculture is affected by fewer residences and more lands can be retained for agricultural use. Lower densities also mean that more water is available for agricultural needs, as agriculture is reliant on the availability of significant water resources. As agriculture continues to become more intensive and entrepreneurial, smaller agricultural parcels can have a meaningful role in agricultural production, especially with the advantageous access to the regional highway network and markets for ease of distribution to densely populated areas.

Virtually all except the mountainous portions of Hopewell Township consist of important farmlands—prime soils, soils of statewide importance and soils of local significance. In addition, the vast majority of the land area in Hopewell Township is designated an Agricultural Development Area (ADA), and Hopewell Township represents a majority of all the ADAs in Mercer County. The long-term utility and viability of this resource is enhanced if critical masses of agricultural lands and soils are maintained wherever they currently exist. The combination of prime soils, access to densely populated markets and the Township's regional location all combine to assure an agricultural future, so long as the farmland base can be preserved. The significant amount of farmland, which still accounts for approximately half of the Township's land area, can make farming a permanent part of the local landscape and economy.

Many different programs are available, and have been used, to preserve, protect and maintain the Township's agricultural base. The Township's approach involves a range of preservation strategies with a number of options for the landowner. The Township is in the process of preparing a farmland preservation plan, which outlines a variety of mechanisms to preserve farmland, and the Township's Agricultural Advisory Committee will assist in the development of the plan. In addition to the acquisition and management strategies outlined in the farmland preservation plan, land use regulation can assist agriculture by preserving two vital physical resources, land and water. If residential and non-residential development consumes all of the available water, then water will not be available to agriculture. Similarly, if development consumes all of the land, then the farmland base is lost forever. In addition, the ability to retain agriculture as a viable industry is compromised by the fragmentation of the resource that occurs with conventional subdivisions.

Hopewell Township's vision for the future of undeveloped lands embodies the smart growth principles of the State Plan intended to deter sprawl. Residential zoning, which has been perceived as a sort of "basic right" of landowners throughout New Jersey's countryside, has proven to be a root cause of sprawl. As efforts to hold back the tide of suburban sprawl have found the support of State planning efforts in New Jersey and around the country, a clearer focus has been brought to the problems created by sprawl, and the benefits to alternative patterns of development.

History shows that development will occur at permitted suburban densities (2, 4 or 5 acres) when the market demands in an area justify the cost of such development. Hopewell Township and surrounding areas have been shaped by several "generations" of suburban development, which have generally occurred during times of a strong economy. Suburban residential zoning standards have evolved from the Euclidean model, which segregated undesirable commercial and industrial uses from residential uses in order to afford safe and healthy neighborhoods.

When viewed through the lens of residents of America's cities a century ago, the rationale of segregating residential uses is obvious. However, smart growth planning recognizes that today the threat has changed. When applied to the undeveloped countryside, single family residential zoning consumes a valuable resource and fails to capitalize on opportunities to retain substantial open lands, provide for non-vehicular travel and enhance the potential for human interaction. If sprawl is to be discontinued, then sprawl zoning must be eliminated. Thus, the underlying residential "by right" zoning, which generates sprawling suburbs throughout the country, must be ended.

While a range of definitions of sprawl are advanced in the planning literature, Webster's Dictionary puts it clearly - "to spread out in an awkward...way, so as to take up more space than is necessary". Hopewell's Master Plan proposes to achieve the objectives of the State Plan for the Environs through a variety of zoning techniques that avoid sprawl. Each permitted land development option will create a pattern designed to maximize the use of enlightened community design templates to make conservation of open lands a by-product of all residential development. These patterns will promote continued agricultural use of prime farmland, and sound management and conservation of environmentally sensitive lands. They will also

establish compact new neighborhoods, which benefit from, and are a benefit to, the expanding mosaic of preserved and conserved lands.

Unlike sprawl, the land development options in this Land Use Plan are each fully supportive of the master plan objectives, and maintain and reinforce historic land use and settlement patterns. Providing a range of development options offers a series of alternatives to a property owner, which may more readily meet individual needs or desires, and is less monolithic as a planning template. In addition, the proposed development alternatives offer more diverse design options. In combination with comprehensive acquisition strategies, these options will serve to shape the Township's physical form into the future.

If we are to depart from the trend toward suburban expansion which has contributed to the general awareness of increasing sprawl, we must abandon the paradigm which has created this pattern. In turn, we must replace it with a new model, where by-right development standards produce more holistic approaches to the merger of built places with farmlands, natural lands and rural features. Rather than requiring suburban sprawl, or simply allowing it to occur, development opportunities provided "by right" should offer the preferred balance of built and natural lands, where the natural character of the land can be substantially retained after development. Permitted zoning options are targeted at building neighborhoods and communities, not "developments", and community building techniques have been chosen specifically for this purpose.

One of the hallmarks of the Hopewell Land Use Plan is the concept of hamlet development. Hamlet development provides for more compact neighborhoods in areas which are more suitable for development, and can lead to permanent preservation of the lands in the RC Districts through a noncontiguous cluster option. In order to promote the goals of the Plan relative to resource protection, and to provide an off-tract cluster option for land in the RC Districts, the Plan proposes that development in the hamlet format may utilize development potential clustered from the RC Districts. The method for allocating and using development potential under these options is further discussed in subsequent sections on the village and traditional neighborhood concepts. Additional options for protecting critical resources through the transfer of development potential, including inter-municipal or mandatory transfer programs, may be available in the future if enabling legislation is adopted.

The Plan also proposes three development options for properties in the RC Districts. The first, the open lands zoning option, permits an appropriate scale of residential development, while also retaining prime agricultural lands and protecting sensitive environmental features. Open lands zoning is patterned after the objectives of the State Plan, and provides for the retention of the substantial majority of a parcel for continuing agricultural or resource conservation use, limiting the residential development to no more than 20 to 35 percent of the tract, depending on the District. In this way, the "sprawl factor", while not entirely eliminated, is dramatically reduced, enabling permanent preservation and conservation of major portions of the natural and agricultural landscape.

Open lands zoning permits property owners in the Valley Resource Conservation District a density of approximately one unit per 6 acres, provided that a significant remainder (60 to 70

percent of the parcel) is permanently deed restricted against future residential use and remains available for agricultural or other resource conservation uses. Minimum lot sizes should be large enough to assure an adequate site for a home, septic system and accessory uses, but small enough so that the open space ratios can be provided. In the Mountain Resource Conservation District, the open lands zoning permits a density of approximately one unit per 13 to 14 acres, provided that 75 to 80 percent of the parcel is permanently deed restricted against future residential use and remains available for agricultural or other resource conservation uses. In this District minimum lot sizes also should be large enough to assure an adequate site for a home, septic system and accessory uses, but small enough so that the open space ratios can be provided. The vision for Hopewell's open lands is that these natural systems or agricultural management units are retained in sufficient area and with all vital components to support continued healthy functioning. In order to assure that the open lands are not remnant unusable properties, minimum standards for soil quality and usable land should be established.

Two other development options, clustering and lot averaging, are also recommended for the VRC and MRC Districts at the same densities as with the open lands zoning option. Clustering, designed to provide useful tracts of open space as a byproduct of residential development, permits a reduction in the minimum lot size in return for permanent commitments of open space areas, with the open space dedicated to either a public body or homeowners' association. Clustering is only permitted where at least 60 percent of the tract in the VRC District, and at least 75 percent of the tract in the MRC District, can be retained in open space, subject to a minimum lot size that is large enough to assure an adequate site for a home, septic system and accessory uses, as with the open lands zoning approach. Lot averaging, a variation on the cluster design concept, requires a majority of lots meet a specified range of lot sizes smaller than the required minimum lot size to permit other larger lots designed to meet specific conservation objectives, is also recommended. This form of lot averaging can shape development so that critical resources are preserved. The taxable status of all resulting lots is retained, and questions about the long-term maintenance of public or homeowners' open space and any related municipal responsibilities are eliminated, since all properties remain in private ownership.

In order to foster the preferred open lands, clustering, and lot averaging options, and the transfer of development potential to the village and traditional neighborhood, which techniques prevent the loss of the countryside, conventional subdivision opportunities must be curtailed. One technique to promote these patterns would be to permit conventional subdivision designs only as a conditional use. Under this approach, mandatory design features could offset the negative effects of sprawl-type development. For instance, when a conventional subdivision is planned to consume an entire tract, reforestation strategies could be required to recreate wildlife habitat opportunities and migration corridors, as well as to screen the visual impacts of new suburban development. Similarly, the siting of buildings and structures can be regulated to limit the negative impacts of new construction on the resources prioritized for protection. The conditional use standards could require a demonstration that the preferred community design options are not achievable, and could provide a reduced density as a disincentive for the conventional subdivision. These standards provide an opportunity for residential use which can co-exist with the preferred options.

When viewed together, and compared to conventional subdivisions, the preferred development alternatives for the Valley and Mountain Resource Conservation Districts will maintain large contiguous tracts of farmland and other open lands, promote continued agricultural use of prime agricultural lands and maintain the delicate balance among the various components of the natural systems. The VRC and MRC Districts have been designed to comprehensively address the interrelated goals of protecting groundwater quantity and quality, maintaining surface water resources, conserving the scenic rural character, addressing limiting soil conditions and promoting continued agricultural use opportunities, while also honoring the property rights of landowners.

Hamlets

During the course of the planning process over the last 11 years the Board has spent a considerable amount of time exploring the concept of rearranging development potential to better address planning and resource conservation goals. The MLUL provides authorization for the implementation of a program to cluster development between noncontiguous parcels. Specifically, *N.J.S.A. 40:55D-65*, which details the permitted contents of a zoning ordinance, states in item c. under the section on standards for planned developments the following: "Such standards may provide for the clustering of development between noncontiguous parcels and may, in order to encourage the flexibility of density, intensity of land uses, design and type authorize a deviation in various clusters from the density, or intensity of use, established for an entire planned development". Through this mechanism the municipality has the authority to establish a program for the transfer of development between noncontiguous parcels.

The intent of the noncontiguous cluster option is to preserve and protect the critical environmental and agricultural resources that prevail in the VRC and MRC Districts, while accommodating development in well planned and located nodes. Thus, the VRC and MRC Districts serve as the area from which development potential is relocated to preserve the area's resources and provide alternative forms of planned development. To effectuate this proposal the Land Use Plan recommends an alternative form of development, the Hamlet, a form intended to address the Plan's vision for flexible development techniques that promote controlled development, livable communities, environmental protection and agricultural retention.

Under the Hamlet development option, nodes of development in the VRC District would be permitted to develop in accordance with the following standards and delineation criteria:

- Contiguous and/or noncontiguous parcels are preserved from development through the noncontiguous cluster of development potential from the VRC or MRC Districts.

- A Hamlet should be located on a County Road, in order to provide appropriate transportation linkages.

- A Hamlet should be located in proximity to existing development and community facilities, so that the area can form a neighborhood and utilize these community resources.

- A Hamlet should be located where suitable soils for on-site wastewater disposal exist, so that a community wastewater system can be developed.

- A Hamlet should be located on tracts with a mix of woodlands and open fields, so that the site design can take advantage of these features and the development can be attractively designed and shielded/screened.

- A Hamlet should be located where the Stockton/Passaic formations underlie the site, and not in the Lockatong/Diabase areas, due to the need for adequate water supply. Thus, the Village is only permitted in the VRC District, but development may be transferred from the MRC as well as the VRC District.

- A Hamlet should be located in an area where aquifer testing demonstrates that sufficient water supplies are available to sustain the proposed development.

- A Hamlet should be designed with wastewater treatment systems that incorporate the latest technology, avoid the discharge of untreated wastewater to the groundwater, and are operated by a responsible utility.

In order to promote the vision for the Hamlet development option, the development area will have to be carefully planned as to scale and design features. As part of the planning process over the past 10 years, the Board examined various scales and features for Hamlet development areas. The preferred size for the Hamlet was determined to be 150 to 250 dwelling units, arranged on lot sizes as small as 7,500 square feet, mimicking the village lot sizes experienced in places like Pennington and Hopewell Boroughs. Even though the minimum lot size of 7,500 square feet equates to a net density of 5.8 units/acre, the open space, parks, community facilities, streets and other uses reduce the effective density by approximately half, to a maximum gross density of approximately 2.5 to 3 units per acre. Based on these gross densities and the desired number of dwelling units, the minimum and maximum tract sizes for the Hamlet development option are 50 and 100 acres, respectively, and the Hamlet should be developed at a minimum gross density of 2.5 units per acre and a maximum gross density of 3 units per acre.

In order to create a diverse and self-sustaining neighborhood, the intent of the Hamlet development option is to include a community building, recreation facilities, a few shops for conveniences, or office space for professionals or telecommuters. The public and quasi-public uses contribute to the sense of community for the neighborhood, and can serve as a focal point for the surrounding areas. The commercial uses can be a mandatory or optional component of the Hamlet, but their inclusion promotes other objectives of the Master Plan relative to community design and circulation.

Under this scenario, and given the location of the potential Hamlets, a formula or mechanism is needed to limit the extent of the non-residential development, and to equate the level of non-residential development to the level of residential development. For example, if 75 square feet of commercial/office space per residential unit is permitted, a 150 unit development would allow 11,250 square feet of commercial/office development, and a 250 unit development would allow 18,750 square feet.

Allowing commercial development, as outlined above, is one form of incentive that might induce the creation of a Hamlet by an interested developer. However, in terms of the residential development, if a developer can build one unit on 5 or 10 acres, or one unit on a 7,500 square foot lot, the economics will dictate the larger lot development. Thus, additional incentives are needed in order to promote the alternative development pattern. Permitting a wider range of residential building types, such as townhomes, apartments and live-work arrangements, is another incentive to provide.

The Hamlet development is permitted as a noncontiguous cluster option where the proposed units result from a cluster of development potential from properties in the VRC and MRC Districts, or where housing that is affordable is the principal use. In order to facilitate this option, and promote the resource protection goals of the Plan, a bonus density is recommended for land in the VRC and MRC Districts if the units are transferred to a Hamlet. For the purposes of this noncontiguous cluster option, units could be transferred at a ratio of one unit per 2 to 4 acres in the VRC District and one unit per 4 to 8 acres in the MRC District.

The Hamlet must also fit into the context of where it may be developed and, because commercial development not normally permitted in a residential zone is permitted in a Hamlet, must include a sensitive design for the non-residential development. In order to provide an attractive setting which relates to but does not infringe upon the surrounding rural environs, part of the Hamlet development scheme should be in the form of a greenbelt around the development area. This greenbelt provides a clear definition of the boundaries of the Hamlet, while also serving as a buffer to surrounding land uses. The design of non-residential development should respond to the specific location and needs of the planned community. In some cases the appropriate location for commercial development is the interior of the planned hamlet, so that pedestrian linkages are increased and motor vehicle movements reduced. In other cases, the nonresidential development should be located at the fringe of the hamlet in order to provide services to the surrounding community. A design that integrates both functions may be the most appropriate in certain locations.

Traditional Neighborhoods

Following the adoption of the 2002 Master Plan and zoning ordinance amendments, the Board and Township Committee further considered the efficacy of what had been termed a Traditional Neighborhood Development (TND). The Board and Township Committee determined that the scope of the development contemplated in the 2002 Land Use Plan was not appropriate.

The Board and the Township were not successful in identifying and convincing the public on a receiving site for the Traditional Neighborhood Development (TND). The Master Plan makes several references to the TND being sited in the southern tier but circumstances indicate that it is unrealistic to think that the Board can move forward with this idea. The Board recommends that the overlay district on the Land Use Plan map be eliminated, as well as any specific mention of the proposed location of a TND. The concept of a TND should be retained, particularly as a desirable form for any community that is part of meeting COAH obligations.

When the developments at Brandon Farms, Wellington Manor, Hopewell Grant, Hopewell Gardens, and the Hopewell Crossing Shopping Center are considered, the area constitutes a missed TND opportunity, although sidewalk, bike path and circulation improvements (round-abouts) have created a desirable living community

The Board recommends further improvements to the area to provide the missing links to enhance the area. These include a focus on recreation and open space opportunities in the area, a focus on housing opportunities that benefit the Township and are compatible with the area, the extension/completion of bike paths and sidewalks, the implementation of traffic safety improvements, and the determination of suitable uses for the remaining vacant land.

Residential Land Use

The residential development opportunities in the Township cover a broad spectrum. In addition to the two resource conservation districts and the hamlet option identified previously, the Land Use Plan provides for eight residential districts. The districts range from high density with attached, age-restricted and affordable housing and a complement of water and sewer infrastructure, to moderate density districts which recognize existing settlement patterns. The higher density districts generally occur in existing settlement areas and the southern part of the Township, while the resource conservation districts are spread throughout the central lowlands and northern hills.

R-150 Residential District

This residential district is largely designed to recognize existing development patterns resulting from the historical street pattern and prior planning initiatives. The largest R-150 District includes Elm Ridge Park, bounded by Pennington-Rocky Hill Road, Elm Ridge Road, and Bayberry Road, and adjacent rural residential development. The R-150 District also provides a transitional residential development opportunity on River Road (Route 29) and Washington Crossing-Pennington Road; and, an established development area around the village of Mt. Rose, recognizing the existing development along Cherry Valley Road.

Development standards for the R-150 District are proposed to remain the same, in accordance with the health regulations and zoning standards currently in existence in the Township.

R-100 Residential District

The R-100 District largely encompasses pockets of existing development, many of which were historically developed as subdivisions under prior zoning or strip frontage lots along collector and arterial roads. This pattern occurs throughout the Township. In the Titusville area, for example, Maddock Road and Washington Crossing Estates are included in this district. Around Pennington, the Timberlane area, Penn View Heights, the "tree streets", the Ingleside area and the Orchard Avenue area are part of this land use category, while near Hopewell older developments along Pennington-Hopewell Road and Hopewell-Princeton Road also are included. All of these areas around Pennington are currently served by on-site septic systems,

but are under investigation for public sewers due to septic problems in many of these areas. This district includes developed areas currently on public sewer along Pennington-Rocky Hill Road at Moore's Mill-Mt. Rose and Bayberry Roads.

In addition to these and other developed areas, there are several undeveloped tracts in the area south of the Pennington circle that afford opportunities for continued residential development. East of the circle and accessing the south side of Pennington-Lawrenceville Road (Route 546) is the approved Wellington Manor development, consisting of 115 age-restricted, single-family detached dwellings. West of the circle and south of Washington Crossing-Pennington Road (also Route 546) are undeveloped lands located in this district and designated for inclusion in the Traditional Neighborhood Development overlay outlined previously. Outside of the TND, development standards for the R-100 District are proposed to remain the same.

R-50 and R-75 Residential Districts

The R-50 District is located in two areas in the western section of the Township, and is designed to reflect the existing small lot pattern that has evolved in these areas. One location is in the Washington Crossing area, east of River Road (Route 29) and south of Washington Crossing-Pennington Road. The other location encompasses the river community of Titusville, north of Washington Crossing State Park and west of River Road. The configurations, densities and proposed uses in these areas are not proposed for change under this Plan.

The R-75 District is located in several parts of the Township, and also is intended to recognize existing development areas with smaller lots. This District predominantly occurs as a transitional area between higher and lower density residential areas, as around Titusville and west of Hopewell Borough off of Route 518, or in small hamlets of existing residential development, as in Marshall's Corner and Mt. Rose.

R-5 (Residential) and R-6 (Age-restricted Residential) Districts

The existing R-5 residential district is located only in the southeast part of the Township adjacent to the Lawrence Township border. This district includes Brandon Farms, Hopewell Grant and Hopewell Gardens. The R-5 District is served by public water and sewer, and has access to the major Interstate, State and County roadways in the Township. Included in the approximately 1,300 unit Brandon Farms development are single-family detached dwellings, age-restricted housing, townhouses and apartments, as well as recreational facilities and the site of the Township's newest elementary school. Hopewell Grant includes 240 townhouses and Hopewell Gardens 150 age-restricted, affordable apartments.

The R-5 District is proposed for expansion to address several fundamental planning issues. The area on the north side of Denow Road east of Route 31 and between Hopewell Grant and the Hopewell Crossing shopping center has been purchased by the Township with the intent of providing housing that is affordable. The specific lot currently is split between the R-5 District in the front and the HBO District to the rear, which makes little planning sense given that access to a commercial parcel would come through a residential area. This Plan proposes that the lot be

zoned uniformly in the R-5 District, in accordance with the recommendations of the 2008 Housing Plan Element and Fair Share Plan.

The other addition to the R-5 District is a property on the west side of Route 31 south of Diverty Road, with potential access to the Denow Road extension. This property was purchased by the Township in order to address the recommendations of the 2008 Housing Plan Element and Fair Share Plan. Mercer County also had interest in the property for open space purposes, and the southerly portion of the property has been sold to Mercer County. The Township also intends to develop the remainder of the property for housing that is affordable, which may include ancillary uses as the design and planning of the lot move forward.

The R-6 District is identified in only one part of the Township, immediately to the northwest of Pennington Borough on either side of Route 31. Included in this district is the existing development of Pennington Point East, consisting of 50 age-restricted townhouses in the Township. On the west side of Route 31 is the existing development of Pennington Point West, consisting of child care, retail and office uses. Formerly this area also was planned to include of 44 affordable apartments open to the general public and 244 age-restricted units. Subsequent to that planning and zoning the Township acquired the bulk of the undeveloped land. In the light of this acquisition the Township may consider revised planning and zoning designations.

Valley Resource Conservation – Hamlet Light Industrial District

As a result of the 2002 Zoning Ordinance and subsequent litigation and settlement, the Pennwell/Kooltronics property on Pennington Hopewell Road (Route 654) was designated as a Hamlet with a density increase option. The new Valley Resource Conservation – Hamlet Light Industrial (VRC-HLI) District, located on Pennington-Hopewell Road at Marshall's Corner, permits higher density residential and commercial uses in the designated Hamlet, with the use of off-site development potential, and the expansion of the existing light industrial facility.

Hamlet

To complement the above designation of the Pennwell/Kooltronics property as a potential hamlet, and to support the Township's objective to provide housing that is affordable, the property which currently includes the Pennytown retail/residential/office uses is proposed for designation as a hamlet. The Township is in the process of acquiring this property in order to provide housing that is affordable. This designation as a hamlet seeks to provide a compatible development option with the VRC-HLI District, and supports the Township's vision for future redevelopment. In addition, the future redevelopment of this property is a component of the Township's 2008 Housing Plan Element and Fair Share Plan.

Non-residential Land Use

The non-residential districts in the Township are characterized by two major factors, the prevalence of existing and approved research office and office park development throughout the Township, and the influence of Route 31 and the existing development pattern. The widespread

Research Office districts are vestiges of a period when the Township permitted major corporate research and office uses in the agricultural and residential areas provided they were on very large tracts. The Office Park district, which in part replaces a former industrial office park district, includes a more recent office campus development, the Merrill Lynch complex on Scotch Road.

The other major component of the non-residential districts in the Township is the existing, approved and programmed development along the Route 31 corridor and abutting properties. As a major north-south route serving Mercer, Hunterdon and Warren Counties, the Route 31 corridor represents a unique planning challenge. The existing land use pattern reflects decades of development, much of it predating the existing zoning or reflecting a planning and zoning approach that did not discriminate among various use types.

The challenge in the Route 31 corridor is to shape the existing development pattern into cohesive communities, reflecting each community's development expectations, while respecting the corridor's important transportation function. To effectuate this vision the Township completed a Route 31 design study in 2003, supported by a Smart Growth grant from the State Planning Commission. The goal of this study is to develop a set of model land use guidelines that integrates the vehicular transportation function of a State highway with community design concepts that enhance the quality and experience of life in a small-town, rural community.

The Land Use Plan includes 12 nonresidential districts that provide for retail, office, research and limited industrial development. These districts are located both within and outside proposed sanitary sewer service areas. When on-site sewage disposal is proposed, the intensity of development shall take into account the overriding goal of protecting groundwater quantity and quality.

Due to the prominence of the nonresidential districts along the major transit corridors in the Township, and the proximity of these districts to residential areas, attentive site design is extremely important to protect the scenic amenities and residential character of the Township. Therefore, each of the non-residential districts will include screening, buffering, and landscaping standards designed to promote attractive and compatible development.

Research Office Districts

The Research Office (RO) Districts are situated in three distinct parts of the Township: on Bear Tavern Road (Route 579) in the southwest corner of the Township; on Pennington-Rocky Hill Road in the central part of the Township; and, on Carter Road (Route 569) in the southeast corner of the Township. The RO District on Bear Tavern Road is presently occupied by Janssen Pharmaceutica, a research office complex and farm on 242 acres, and consists of approximately 500,000 square feet. The tract has preliminary site plan approval for approximately 880,000 square feet of building floor area.

The other two Research Office Districts are the subject of General Development Plan (GDP) approvals. Bristol-Myers Squib occupies a 433-acre campus on Pennington-Rocky Hill Road that was formerly the site of the Mobil research complex. The GDP approval for this tract permits approximately 2,820,000 square feet of building floor area, of which approximately

990,000 square feet have been developed. The easterly RO District is the subject of a GDP and preliminary site plan approval for approximately 800,000 square feet of development, of which approximately 300,000 square feet have been developed. All three Research Office Districts lie within wastewater management planning areas that permit on-site or off-site sewage treatment facilities.

The 2002 Plan proposals, and the 2002 zoning ordinance amendments, included modifications to the existing RO Districts, based on the Board's evaluation of utility limitations, circulation, water supply and residential development patterns.

The RO-1 District includes the BMS tract, which has a floor area ratio (FAR) of 15 percent. The RO-2 District includes the Janssen tract and has a floor area ratio of 13 percent. The recommendation for a 13 percent FAR is partially based on traffic data submitted by Janssen, which it contends will not create an undue burden on existing roadways or cause major expansion of roadways. This recommendation for the Janssen tract is also based on the property's location in the Suburban Planning Area; the location of the property in a sewer service area and an area with public water supply; the distribution and overall impact of site-generated traffic; and, design parameters affecting the square footage per employee and the desirable employee population. The RO-3 District on Carter Road is proposed to have a floor area ratio of 5 to 10 percent, depending on whether the FAR is applied to the whole tract (East and West parcels) or the East parcel only. A FAR of approximately 10 percent on the East tract alone would accommodate the approved development, while a FAR of approximately 5 percent applied to the entire tract also would accommodate the approved development.

Office Park District

The Office Park (OP) District is located in one area of the Township, bounded by Route 95 to the south, Scotch Road to the west, Washington Crossing-Pennington Road to the north and the CSX Railroad line to the east. As noted previously, the OP District replaces a former industrial office park planning classification. The major facility in this area is the 450-acre Merrill Lynch complex, which has received a GDP approval for 3,500,000 square feet of development at a floor area ratio of 18 percent. Approximately 1,250,000 square feet of this development has received site plan approval, and is largely constructed and occupied. In addition to the office uses, the GDP approval permits child care centers, a hotel and conference center, retail uses and recreational facilities.

The portion of the OP District occupied by the Bank of America/Merrill Lynch facility is within a wastewater management planning area with allocated sewage capacity, while the remainder of the District is not. The 2002 zoning ordinance amendments eliminated the industrial uses that were formerly permitted in this area, as they are not compatible with the intent of this Plan concerning the type and location of non-residential development. The remaining development standards relating to area, yard and other bulk requirements are not proposed for change under this Plan. Development in the non-sewered portions of the District will be limited by wastewater management rules affecting the on-site disposal of sewage.

As part of the litigation that ensued from the adoption of the 2002 zoning ordinance amendments, Garden Properties (a real estate entity associated with Merrill Lynch), the Township reached a settlement concerning the land owned by Garden Properties. The Office Park District is extended to the west side of Scotch Road, encompassing 200 acres and permitting 500,000 to 1,000,000 square feet of office development. In order to achieve the higher figure of 1,000,000 square feet, 500,000 square feet of development would be removed from the 3,500,000 square feet that is approved on the east side of Scotch Road. The settlement also provided for a 170 acre public open space and recreation area to the Township at a future date, and 65 acres were retained in the VRC District.

Special Industrial District

The Special Industrial District is located in the south central portion of the Township, defined by the Township boundary to the south, the CSX Railroad line to the west, Diverty Road to the north and Route 31 to the east. This District combines a former industrial office park district and special industrial district into one zoning district that combines the features of each. The District currently includes a diverse assortment of uses, including offices, warehouses, flex space, residences and commercial services.

Because this district involves the combination of two districts, the development standards that formerly applied have been modified to incorporate relevant provisions from the former industrial office park district and the special industrial district.

As noted previously, a portion of the SI District is proposed for the R-5 District. The property and its proposed uses are described in the section concerning the R-5 District.

Highway Business Office District and Shopping Center District

The Highway Business Office (HBO) District and the Shopping Center (SC) District represent the Township's major retail commercial areas. The HBO District is situated in one location in the Township, on the east side of Route 31 south of the Pennington Circle. The SC District formerly was found in two locations: one on the east side of Route 31 south of Delaware Avenue to the railroad overpass; and, the other encompassing the Pennytown development on Route 31 at Marshalls Corner. As noted previously, the Pennytown site has been redesignated to reflect the Township's planning goals.

The HBO District includes uses such as the Mercer Professional Center and the Hopewell Crossing shopping center, a 125,000 square foot retail and office complex. The SC District at Delaware Avenue includes the 92,000 square foot Pennington Center, the approved expansion of the Somerton Springs Golf Center, and a small commercial industrial park.

These two districts occupy prominent locations in the heart of the Township, and have major influences on the visual and land use character of the southern stretch of Route 31. Because of this prominence, careful site design is required to blend proposed development and redevelopment into the overall planning program for the Township. The Route 31 design guidelines will have particular importance in shaping future development within these districts.

Industrial Commercial District

The Industrial Commercial (IC) District is designated in one location in the Township, on the east side of Route 31 from the northern boundary of Pennington Borough to the railroad spur overpass to the Trap Rock Quarry. This stretch of the Route 31 frontage, which is approximately one mile long, is largely developed with the following uses, beginning at the Pennington boundary: the Pennington public works center; Pennington Sales and Service; Bridge Auto Parts; Goebel Art; Hopewell Car Wash; Barbour Brothers Steel; Bish Sales; general and veterinarians' offices; Rosedale Mills and 84 Lumber.

The above list of uses highlights the diverse nature of the commercial and industrial activities that occupy this district. The IC land use designation appears to have been developed to recognize this diversity, as it incorporates offices and industrial uses with shopping centers, garden centers and smaller commercial uses. The Township's Circulation Plan Element has recommended a new circulation patern in this area to provide an alternative access, and to relieve the curb cuts and congestion resulting from multiple driveways accessing Route 31.

Similar to the other non-residential districts that front on Route 31, the challenge in this district is to provide a set of community design guidelines that can shape the functional and visual character as the area develops and redevelops. Existing floor area ratios and bulk standards are proposed to remain the same as currently provided in the land use ordinance, with some modification to the permitted uses in order to eliminate uses that are inappropriate for the long-term redesign of the corridor.

Office/Commercial Conversion (O/CC) District and Neighborhood Retail Commercial (C-1) District

While this Plan intends to deter future strip commercial development patterns and locate new commercial uses in centers, there are certain parts of the Township where this pattern already exists. This Plan proposes that these small-lot commercial areas be retained in order to recognize the existing pattern of uses, but that these areas not be enlarged or intensified to perpetuate the strip commercial pattern.

The existing Commercial Conversion (CC) District is located in two parts of the Township, on the west side of Route 31 extending from the Pennington Borough boundary north to Woosamonsa Road, and west of the Pennington circle on the north side of Washington Crossing-Pennington Road. The Route 31 stretch of this district includes some active businesses such as the Stony Brook Gardens and the Cream King, and smaller businesses in converted homes such as a realtors and piano studio. This district is intended to permit residential uses with low intensity commercial and office exceptions, akin to home occupations, but no intensive commercial uses such as service stations, car washes, fast food restaurants or food stores.

The existing Office (O) District also is located in two small areas of the Township, on the east side of Route 31 north of the Pennington Borough boundary to a point opposite Yard Road, and on the west side of Route 31 south of Pennington Titusville Road/West Delaware Avenue to a point opposite the Golf Center. These locations include a mixture of office and residential uses,

but the office uses have already established the land use character in the area. The conversion of the residences to small-scale office uses is permitted, but these areas should be redesigned to control access to Route 31 by interconnecting parking areas to result in shared parking. Like the CC District and other districts fronting on Route 31, the development of design guidelines as part of the Route 31 community design study seeks to enhance the form and function of this district.

Due to similar physical and land use characteristics and zoning standards, the 2002 Plan and subsequent zoning ordinance amendments combined the Office and Commercial Conversion Districts into a single Office/Commercial Conversion District. The permitted uses in the combined District include uses formerly permitted in both districts.

The Neighborhood Retail Commercial (C-1) District is intended to recognize patterns of existing, isolated retail uses consisting of single lots or two adjoining uses. This district includes the Hopewell Valley Community Bank at the intersection of Route 31 and Route 518; existing commercial uses in Titusville and along Route 29; the existing commercial uses at the Pennington Circle; the former restaurant and day spa on Pennington Hopewell Road; and the office building on Princeton Avenue adjacent to Hopewell Borough. The purpose of this district is not to perpetuate strip development, but merely to recognize existing uses. Permitted uses include retail sales and service establishments, offices, banks, restaurants and commercial recreational establishments. This District has been slightly modified by the addition of an 8 acre parcel on the west side of Route 31 across the street from Pennington Sales and Service.

Office-Light Industrial District

As a result of the 2002 Zoning Ordinance and subsequent litigation and settlement, a 44 acre portion of the Trap Rock property along Route 31 was included in a new district termed the OLI, Office-Light Industrial District. The remaining 400 acres that were the subject of the litigation were retained in the VRC and MRC Districts. The approximately 200 acres owned by Trap Rock at the Pennington Quarry were not included in the zoning changes or subsequent litigation.

Quarry District

The Quarry (Q) District recognizes the presence of the two existing quarries in the Township, which operate under a specific, established set of standards. The Moores Station quarry is located at the intersection of Route 29 and Pleasant Valley Road, and is the subject of an agreement negotiated during the acquisition of Baldpate Mountain that will result in future recreational use of some of the property. The Pennington Quarry, located on Pennington Mountain, is situated on the west side of Route 31at the railroad spur overpass, and is surrounded by preserved farmlands and agricultural uses.

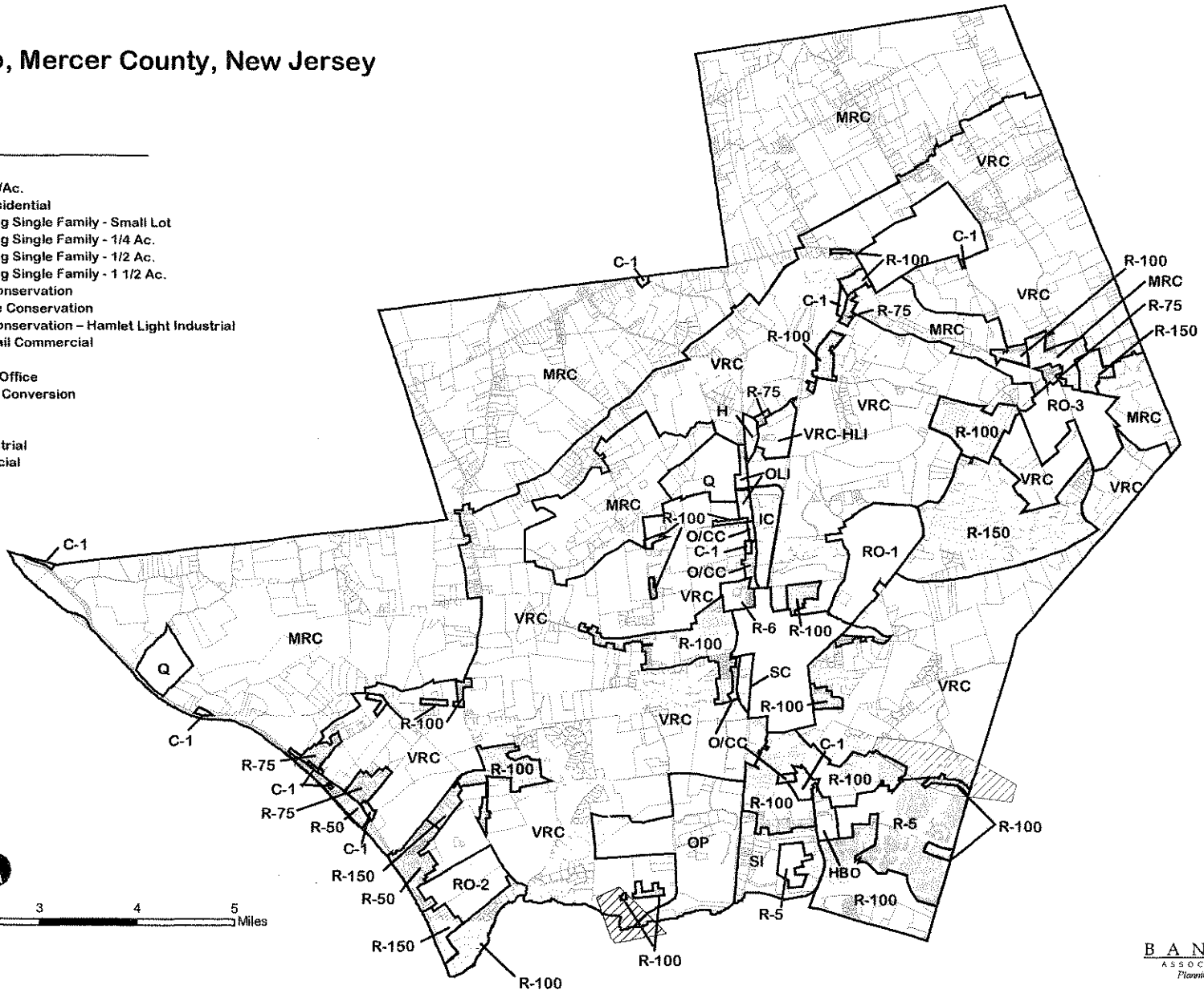
The 2002 Plan and 2002 zoning ordinance amendments changed the future land use designation upon depletion of the quarry materials from an industrial/office/flex space designation to a designation providing for residential and recreational opportunities, in keeping with the surrounding land uses that consist of public land, preserved farms, active agricultural operations and residences. This Plan proposes the retention of the future designation for the Quarry District.

Land Use Plan
Hopewell Township, Mercer County, New Jersey
October 2009

Legend

Zone	Zone Name
R-5	Residential 5 Units/Ac.
R-6	Age Restricted Residential
R-50	Residential, Existing Single Family - Small Lot
R-75	Residential, Existing Single Family - 1/4 Ac.
R-100	Residential, Existing Single Family - 1/2 Ac.
R-150	Residential, Existing Single Family - 1 1/2 Ac.
VRC	Valley Resource Conservation
MRC	Mountain Resource Conservation
VRC – HLI	Valley Resource Conservation – Hamlet Light Industrial
C-1	Neighborhood Retail Commercial
SC & SC-1	Shopping Center
HBO	Highway Business Office
O/CC	Office/Commercial Conversion
SI	Special Industrial
OP	Office Park
OLI	Office – Light Industrial
IC	Industrial/Commercial
RO-1	Research Office
RO-2	Research Office
RO-3	Research Office
Q	Quarry
H	Hamlet

Airport Hazard Area



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Data Source:
Van Cleef Engineering Assoc.

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