



PRIOR P&I DISCUSSION ON OPPORTUNITIES FOR USE OF PDCS WITH NON-RESIDENTIAL DEVELOPMENT

**Pinelands Commission
Policy & Implementation Committee
3/31/2023**

WAREHOUSE DEMANDS REACH REGIONAL GROWTH AREAS

- Pinelands municipalities are fielding many warehouse development proposals
- Developers are targeting tracts of land with access to highways to site large (1/2 million sqft+) warehouses
- Municipalities are interested in the tax rates and associated economic development impacts; expect that residents will have similar concerns as seen statewide
- Multiple Pinelands municipalities are actively considering zoning changes to allow warehouse development via redevelopment plans



A PATTERN EMERGES IN RESPONSE

- Warehouse proposals for sites in residentially zoned RGAs with existing, mandatory PDC requirements
- Without a zoning change, the CMP imposes a large PDC obligation through a use variance
- Rezoning vacant land from residential to non-residential within the RGA has barriers based on CMP rules
- Opportunities to transfer residential development potential to other lands in a municipality's RGA have become more limited over time



PDC USE IN RGA NON-RESIDENTIAL DEVELOPMENT

A POTENTIAL APPROACH

- Drawing upon CMP's municipal flexibility provisions
 - Allow municipalities to meet their PDC obligations by adopting mandatory PDC requirements for non-residential uses
 - Precedent: Berlin Township & (formerly) Winslow Township - Bonus FAR achieved via PDC use
 - Allow reduction in authorized residential units in municipal RGAs where overall residential zoning capacity exceeds CMP base/bonus density minimum
 - Many RGA municipalities have been opting to increase RGA residential density above the required CMP minimum. Mandatory PDC requirements were incorporated in these zoning plans to accommodate affordable housing and ensure redemption of PDCs.
 - A municipality should be given the flexibility to reduce residential zoning capacity so long as the CMP minimum continues to be met
- Calculate PDC obligation required by the CMP for lands being rezoned and assign that obligation to the newly permitted non-residential uses