

2023 Master Plan Reexamination Report

Township of Clark

Union County, New Jersey

Prepared: February 17, 2023

Adopted: March 2, 2023

Prepared by:

ricciplanning

177 Monmouth Avenue
Atlantic Highlands, NJ 07716



Paul N. Ricci, PP, AICP
New Jersey Professional Planner
License No.: LI005570

*The original of this document was signed
and sealed in accordance with New Jersey Law*

TOWNSHIP OF CLARK PLANNING BOARD

RESOLUTION

**RESOLUTION ADOPTING 2023 PERIODIC REEXAMINATION REPORT
OF THE MASTER PLAN AND LAND USE AND DEVELOPMENT
REGULATIONS**

WHEREAS, N.J.S.A. 40:55D-28 provides that a planning board may prepare and, after public hearing, adopt or amend a Master Plan or component parts thereof, to guide the use of lands within the municipality in a manner that protects public health and safety and promotes the general welfare; and

WHEREAS, N.J.S.A. 40:55D-89 requires that the governing body shall, at least every ten (10) years, provide for a general reexamination of its master plan and land use and development regulations by the planning board; and

WHEREAS, the Township of Clark directed that the Township of Clark Planning Board (“Board”) to conduct such a reexamination; and

WHEREAS, the Board adopted the Master Plan, pursuant to N.J.S.A. 40:55D-28, in 1991; and

WHEREAS, the Board adopted the last Master Plan Reexamination Report in 2013 (the “2013 Reexamination Report”); and

WHEREAS, on February 2, 2023, the Board conducted a work session with the Board Planner to review the Master Plan, the 2013 Reexamination Report and to develop updates to same; and

WHEREAS, the Board Planner, Paul N. Ricci, PP, AICP, prepared a report titled “2023 Master Plan Reexamination Report”, dated March 2, 2023 (the “2023 Reexamination Report”); and

WHEREAS, upon public notice duly provided pursuant to N.J.S.A. 40:55D-13, the Board held a public hearing on the 2023 Reexamination Report on March 2, 2023, and several members of the public appeared at the public hearing, but did not have any comments; and

WHEREAS, the Board has determined that the 2023 Reexamination Report satisfies the requirements of N.J.S.A. 40:55D-89; and

WHEREAS, the Board has determined that adoption and implementation of the 2023 Reexamination Report is in the public interest and will protect public health and safety and promote the general welfare.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Clark Planning Board that the Board does hereby adopt the 2023 Reexamination Report; and

BE IT FURTHER RESOLVED, that this Resolution, adopted on this 2nd day of March, 2023, memorializes the action taken by the Board in accordance with N.J.S.A. 40:55D-10(g), as set forth above, and that a copy of this Resolution be provided to the Township Clerk, the Township Attorney, the Board Attorney and Planner, the municipal clerks of the municipalities adjoining the Township of Clark and that a copy of this Resolution and the 2023 Reexamination Report be provided to the New Jersey Office of Planning Advocacy and the Union County Planning Board, and that notice of this decision be published once in the official newspaper of the Township of Clark.



Kevin Koch, Chairman

CERTIFICATION

I, Donna Mazzucco, Secretary to the Board, do hereby certify that the above Resolution was adopted by the Board at its meeting held on March 2, 2023. This Resolution memorializes the Board's adoption of the 2023 Master Plan Reexamination Report at its meeting held on March 2, 2023.



Donna Mazzucco
Planning Board Secretary

Motion to Approve Resolution:

Township of Clark Planning Board March 2, 2023						
Master Plan 2023 Re-Examination						
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
S. Bonaccorso						X
J. Ulrich			X			
J. Minniti						X
K. Koch			X			
M. Triola			X			
M. Altmann	X		X			
E. Jacobsen			X			
L. Steinberg		X	X			
N. Clee			X			
C. Brocato (Alt)						X

Clark Township Planning Board

Mayor Sal Bonaccorso (Class I Member)

James Ulrich, Business Administrator (Class II Member)

James Minniti, Councilman (Class III Member)

Kevin Koch, Chairman (Class IV Member)

Michael Triola, Vice Chairman (Class IV Member)

Michael Altmann (Class IV Member)

Nathaniel Clee (Class IV Member)

Erik Jacobsen (Class IV Member)

Lance Steinberg (Class IV Member)

Carmen Brocato (Alternate I)

Albert Cruz, Esq., Planning Board Attorney

Richard O'Conner, Township Engineer

Donna, Mazzucco, Planning Board Secretary

Paul Ricci, Township Planner

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1.0 — Introduction

New Jersey’s Municipal Land Use Law (M.L.U.L.; N.J.S.A. 40:55D-1 et seq.) requires that each municipality undertake a reexamination of its master plan at least once every ten years. The purpose of the reexamination is to review and evaluate the master plan and municipal development regulations on a regular basis to determine the need for updates and revisions. The reexamination is also intended to review the progress of the municipality in achieving its planning objectives, and to consider the need for changes to the master plan and municipal development regulations to ensure that they meet the needs of the municipality. Additionally, the preparation of a statutorily compliant reexamination provides a legal presumption of the validity of the municipal zoning ordinance. The municipal planning board is responsible for completing the reexamination and preparing and adopting by resolution a report on its findings.

The Clark Township Planning Board adopted its current master plan in 2003. Thereafter, it adopted master plan reexaminations on April 1, 2010, and March 19, 2013. The current report, which shall hereinafter be referred to as the “2023 Master Plan Reexamination Report,” is the third reexamination of the 2003 Master Plan.

1.1 — Statutory Requirements

The 2023 Master Plan Reexamination Report has been prepared in accordance with the requirements of the M.L.U.L. at N.J.S.A. 40:55D-89. These requirements specify that reexamination reports describe the following:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.*
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.*
- c. The extent to which there have been significant changes in assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources,*

energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county, and municipal policies and objectives.

- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulation should be prepared.*
- e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law,” P.L.1992, c.79 (C.40A:12A-1 et seq.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.*
- f. The recommendations of the planning board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.*

The 2023 Master Plan Reexamination Report addresses each of these statutory requirements.

2.0 — Major Problems and Objectives Relating to Land Development at the Time of the Adoption of the Last Reexamination Report

Major problems and objectives relating to land development are reflected in the 2003 Master Plan's listings of goals and objectives, as updated and revised through the 2013 Master Plan Reexamination Report. They are also reflected in discussions of specific land use issues provided in the 2013 Master Plan Reexamination Report. These goals and objectives and discussions of specific land use issues are outlined in the following subsections.

2.1 — Goals and Objectives

1. To maintain the high-quality, single-family suburban character of Clark, a stable community with limited planned redevelopment.
2. To promote a balance of land uses, including residential, commercial, industrial, public, recreation and conservation uses.
3. To guide the appropriate development of a mix of housing, including senior housing and low- and moderate-income housing consistent with the established style and character of Clark.
4. To safeguard the tax base, preserve the economic balance and provide for continued sources of employment and tax ratables through the appropriate use of nonresidential land.
5. To continue to request County and State highway and road improvements, in view of increased traffic impact from the surrounding regional area.
6. To coordinate any future growth and redevelopment with the provision of public facilities and services.
7. To continue to acquire more community facilities for the enjoyment of the citizens of Clark.
8. To promote the conservation of ecological systems, environmental resources and natural amenities, which characterize the Township.

The 2013 Master Plan Reexamination Report noted that the forgoing goals and objectives remained valid at the time of its preparation. The 2013 Master Plan Reexamination Report further noted that Clark has generally been able to maintain its high-quality, stable, single-family suburban character, and opportunities for redevelopment have been few.

In addition to the above, the 2013 Master Plan Reexamination Report noted that Goal 4, as identified above, was particularly relevant at the time of its preparation.

2.2 — Land Use Issues

The 2013 Master Plan Reexamination Report’s discussion of land use issues was separated into “Nonresidential Land Uses” and “Residential Land Uses,” both of which are reproduced in the following subsections.

2.2.1 — Nonresidential Land Uses

The 2013 Master Plan Reexamination Report described issues surrounding nonresidential land uses as follows:

After the 2003 Master Plan was adopted, the Township amended the zoning ordinance to create a new Downtown Village (DTV) zone district to implement the recommendations relative to commercial zoning districts. The Neighborhood Commercial and General Commercial districts were similarly revised to implement the Master Plan recommendations.

Since 2003, however, significant changes have occurred in the economy at the local, regional and national level. In late 2008 and continuing into 2009, the United States experienced significant economic changes due to the financial difficulties of major financial institutions. As these companies laid off workers and sought bankruptcy protection status, other sectors of the economy were affected including manufacturing, retailing and service industries. This change not only affected the

national economy, but led to the closing of a large number of businesses at the local level.

The Township's long-term reliance on the strength of the manufacturing sector to support its tax base, however, is becoming an increasing problem. According to the 2002 Economic Census, the Township of Clark has 1,723 manufacturing jobs, representing 26% of the Township's job base [Footnote: Total third-quarter private sector employment covered by insurance in 2002 was 6,474 jobs for Clark Township]. The New Jersey Department of Labor and Workforce Development projects that the manufacturing employment base in Union County will decline by over 16% by 2016 [Footnote: Union County Fact Book, New Jersey Department of Labor and Workforce Development, July 2009]. As a result, the Township is susceptible to significant employment and revenue losses should local manufacturing companies close, as was evident by the closing of the US Gypsum plant which at one time employed over 750 people.

Concurrent with this change in the economy, one of the major landowners in Clark Township (Villa Contracting) sold their properties to a new company, Feil Clark Terminal Associates, LLC. These properties comprised the majority of the land in the Township's IL zone district, and contain the Township's largest employer, L'Oréal. The new owner was interested in reinvesting in these properties to create uses and structures consistent with current market demands.

Opportunities to redevelop, and in some cases rehabilitate or renovate existing research and development uses and commercial uses in the Township's Light Industrial zone along Terminal Avenue and the U.S. Gypsum property will help the Township to improve the balance of commercial and industrial uses with residential uses. Such redevelopment would also safeguard the tax base and continue to be a

source of employment and tax ratables, which would otherwise be reduced if redevelopment was not permitted to occur.

While the amount of land zoned for industrial uses has remained almost the same in the 7 years between the 2003 Clark Master Plan Update and the 2010 Master Plan Reexam was prepared, the demand for and utility of some of the industrial land declined. Pressure for redevelopment of some of the parcels along Terminal Avenue, the largest area of industrial zoned land in Clark, as well as the US Gypsum site, mounted. Opportunities for the rehabilitation and expansion of research and development facilities, along with office and retail use, exist within this area. As indicated in the 2003 Update, certain parcels are contaminated and would require remediation before being reused. Such remediation and reuse would have a positive environmental and economic impact on Clark.

Since demand for research and development facilities and light industrial uses was shown as unlikely to be sufficient to sustain the employment and ratables generated by the Terminal Avenue industrial area, consideration was given in the 2010 Reexam to alternative uses which have the possibility for generating ratables and employment without burdening the municipal or school system in the Township. These included office and retail uses. We believe the same conditions apply to the US Gypsum property.

(2013 Master Plan Reexamination Report, pages 12 and 13)

2.2.2 — Residential Land Uses

The 2013 Master Plan Reexamination Report described issues surrounding residential land uses as follows:

The Township has been working closely with COAH, developers and objectors to address the Township's housing issues. The Township

adopted an amended housing element and fair share plan in August 2004, with additional amendments in 2006. An Affordable Housing Overlay zone was created for two properties, one of which was in the IL zone district. This property, Block 58, Lot 4, received site plan approval for development of 300 senior housing units, including 60 affordable units, in 2008. In March 2009, a new Housing Element and Fair Share Plan was adopted to address the Township's third round housing obligation. The Plan relies on group homes, existing inclusionary zoning, and a market to affordable program to address the Township's fair share obligation. Overall, the need for senior housing opportunities, including non-affordable senior housing, remains valid. Here, rezoning and permitting both age-restricted and unrestricted multi-family residential housing types (townhouses and apartments) in appropriate locations remains advisable.

(2013 Master Plan Reexamination Report, pages 13 and 14)

3.0 — Extent to Which Such Problems and Objectives Have Been Reduced or Increased

The extent to which master plan goal and objectives, as well as land uses issues, have been reduced or increased since the adoption of the 2013 Master Plan Reexamination Report is described in the following subsections (n.b., the master plan goals and objectives and land use issues identified in Chapter 2 of this reexamination report are duplicated, and commentary is provided in *italicized, bold font*).

3.1 — Goals and Objectives

1. To maintain the high-quality, single-family suburban character of Clark, a stable community with limited planned redevelopment.
2. To promote a balance of land uses, including residential, commercial, industrial, public, recreation and conservation uses.
3. To guide the appropriate development of a mix of housing, including senior housing and low- and moderate-income housing consistent with the established style and character of Clark.
4. To safeguard the tax base, preserve the economic balance and provide for continued sources of employment and tax ratables through the appropriate use of nonresidential land.
5. To continue to request County and State highway and road improvements, in view of increased traffic impact from the surrounding regional area.
6. To coordinate any future growth and redevelopment with the provision of public facilities and services.
7. To continue to acquire more community facilities for the enjoyment of the citizens of Clark.
8. To promote the conservation of ecological systems, environmental resources and natural amenities, which characterize the Township.

The 2013 Master Plan Reexamination Report noted that the forgoing goals and objectives remained valid at the time of its preparation. The 2013 Master Plan

Reexamination Report further noted that Clark has generally been able to maintain its high-quality, stable, single-family suburban character, and opportunities for redevelopment have been few.

In addition to the above, the 2013 Master Plan Reexamination Report noted that Goal 4, as identified above, was particularly relevant at the time of its preparation.

2023 Update: The master plan goals and objectives, as cited above and affirmed at the time of the 2013 Master Plan Reexamination Report continue to remain valid.

Although opportunities for redevelopment were few through the time of the 2013 Master Plan Reexamination Report, there has been considerable redevelopment activity in recent years. This is demonstrated in this reexamination report's discussion of redevelopment activity, which is provided in Section 4.1.3. This activity promotes several of the foregoing master plan goals and objectives, most importantly Goal 4 (i.e., "To safeguard the tax base, preserve the economic balance and provide for continued sources of employment and tax ratables through the appropriate use of nonresidential land"), which continues to be as relevant in 2023 as it was at the time of the 2013 Master Plan.

3.2 — Land Use Issues

As previously noted, the 2013 Master Plan Reexamination Report's discussion of land use issues was separated into "Nonresidential Land Uses" and "Residential Land Uses."

Updates to the 2013 Master Plan Reexamination Report's discussion of "Nonresidential Land Uses" and "Residential Land Uses" are provided in the following subsections. New issues, which were not identified in the 2013 Master Plan Reexamination Report, are identified in Chapter 4 of this reexamination report.

3.2.1 — Nonresidential Land Uses

The 2013 Master Plan Reexamination Report described issues surrounding nonresidential land uses as follows:

After the 2003 Master Plan was adopted, the Township amended the zoning ordinance to create a new Downtown Village (DTV) zone district to implement the recommendations relative to commercial zoning districts. The Neighborhood Commercial and General Commercial districts were similarly revised to implement the Master Plan recommendations.

Since 2003, however, significant changes have occurred in the economy at the local, regional and national level. In late 2008 and continuing into 2009, the United States experienced significant economic changes due to the financial difficulties of major financial institutions. As these companies laid off workers and sought bankruptcy protection status, other sectors of the economy were affected including manufacturing, retailing and service industries. This change not only affected the national economy, but led to the closing of a large number of businesses at the local level.

The Township's long-term reliance on the strength of the manufacturing sector to support its tax base, however, is becoming an increasing problem. According to the 2002 Economic Census, the Township of Clark has 1,723 manufacturing jobs, representing 26% of the Township's job base [Footnote: Total third-quarter private sector employment covered by insurance in 2002 was 6,474 jobs for Clark Township]. The New Jersey Department of Labor and Workforce Development projects that the manufacturing employment base in Union County will decline by over 16% by 2016 [Footnote: Union County Fact Book, New Jersey Department of Labor and Workforce Development, July 2009]. As a result, the Township is susceptible to significant employment and

revenue losses should local manufacturing companies close, as was evident by the closing of the US Gypsum plant which at one time employed over 750 people.

Concurrent with this change in the economy, one of the major landowners in Clark Township (Villa Contracting) sold their properties to a new company, Feil Clark Terminal Associates, LLC. These properties comprised the majority of the land in the Township's IL zone district, and contain the Township's largest employer, L'Oréal. The new owner was interested in reinvesting in these properties to create uses and structures consistent with current market demands.

Opportunities to redevelop, and in some cases rehabilitate or renovate existing research and development uses and commercial uses in the Township's Light Industrial zone along Terminal Avenue and the U.S. Gypsum property will help the Township to improve the balance of commercial and industrial uses with residential uses. Such redevelopment would also safeguard the tax base and continue to be a source of employment and tax ratables, which would otherwise be reduced if redevelopment was not permitted to occur.

While the amount of land zoned for industrial uses has remained almost the same in the 7 years between the 2003 Clark Master Plan Update and the 2010 Master Plan Reexam was prepared, the demand for and utility of some of the industrial land declined. Pressure for redevelopment of some of the parcels along Terminal Avenue, the largest area of industrial zoned land in Clark, as well as the US Gypsum site, mounted. Opportunities for the rehabilitation and expansion of research and development facilities, along with office and retail use, exist within this area. As indicated in the 2003 Update, certain parcels are contaminated and would require remediation before being reused. Such remediation

and reuse would have a positive environmental and economic impact on Clark.

Since demand for research and development facilities and light industrial uses was shown as unlikely to be sufficient to sustain the employment and ratables generated by the Terminal Avenue industrial area, consideration was given in the 2010 Reexam to alternative uses which have the possibility for generating ratables and employment without burdening the municipal or school system in the Township. These included office and retail uses. We believe the same conditions apply to the US Gypsum property.

(2013 Master Plan Reexamination Report, pages 12 and 13)

2023 Update: Since 2013, greater interest has occurred towards development in the Downtown Village District (DTV) and other areas along Westfield, Raritan, and Walnut Avenues. To date, approvals have been granted at 35 Walnut Avenue to construct 177 units, including 28 affordable units; 52 Westfield Avenue to construct 75 units, including 12 affordable; and 1019-1037 Raritan Road to construct 42 units, including 12 affordable units. The Township also designated 27-33 Westfield Avenue and 26 Washington Street as areas in need of redevelopment. Both 52 Westfield Avenue and 27-33 Westfield Avenue will contain downtown mixed-use development with commercial space on the ground floor and residential uses on the upper floors. It is anticipated that additional redevelopment along the Westfield Avenue corridor will continue after the construction of the new mixed-use buildings. In this regard, a need has been identified to update the streetscape palette for the corridor, which would allow for the consistent use of a new sidewalk design with potential paver accents, lighting, trash receptacles, benches, bollards, etc.

While retention of existing businesses in the Township continues to remain a Township priority, concerns related to the future of the Terminal Avenue area of Clark and the former US Gypsum site are no longer valid.

In 2023, the Terminal Avenue area of the Township has little to no vacancy and contains many nonresidential uses. In 2021, the Clark Planning Board approved a 97,000-square-foot expansion to the existing L'Oréal research, laboratory and office facility. The L'Oréal facility is being improved as the company's primary research and development headquarters in the United States.

Moreover, the former US Gypsum site has been redeveloped into the Clark Commons shopping center. The vibrant new center contains a Whole Foods Market, HomeGoods, LA Fitness, Party City, Ulta Beauty, and numerous other restaurants and shops. However, given the recent regional decline in the demand for retail and office uses, the Township should continue to evaluate the range of permitted uses in the Light Commercial Industrial District (LCI) to provide sufficient space to meet the needs of Clark Township.

3.2.2 — Residential Land Uses

The 2013 Master Plan Reexamination Report described issues surrounding residential land uses as follows:

The Township has been working closely with COAH, developers and objectors to address the Township's housing issues. The Township adopted an amended housing element and fair share plan in August 2004, with additional amendments in 2006. An Affordable Housing Overlay zone was created for two properties, one of which was in the IL zone district. This property, Block 58, Lot 4, received site plan approval for development of 300 senior housing units, including 60 affordable units, in 2008. In March 2009, a new Housing Element

and Fair Share Plan was adopted to address the Township's third round housing obligation. The Plan relies on group homes, existing inclusionary zoning, and a market to affordable program to address the Township's fair share obligation. Overall, the need for senior housing opportunities, including non-affordable senior housing, remains valid. Here, rezoning and permitting both age-restricted and unrestricted multi-family residential housing types (townhouses and apartments) in appropriate locations remains advisable.

(2013 Master Plan Reexamination Report, pages 13 and 14)

2023 Update: See Sections 4.1.4 and 4.3.4.

4.0 — Extent to Which There Have Been Significant Changes in the Assumptions, Policies and Objectives

To properly assess the extent to which there have been significant changes in the assumptions, policies and objectives that inform the Township’s master plan and development regulations, this reexamination report studies changes at the local, county, and state levels. Each level is discussed in the following sections.

4.1 — Changes at the Local Level

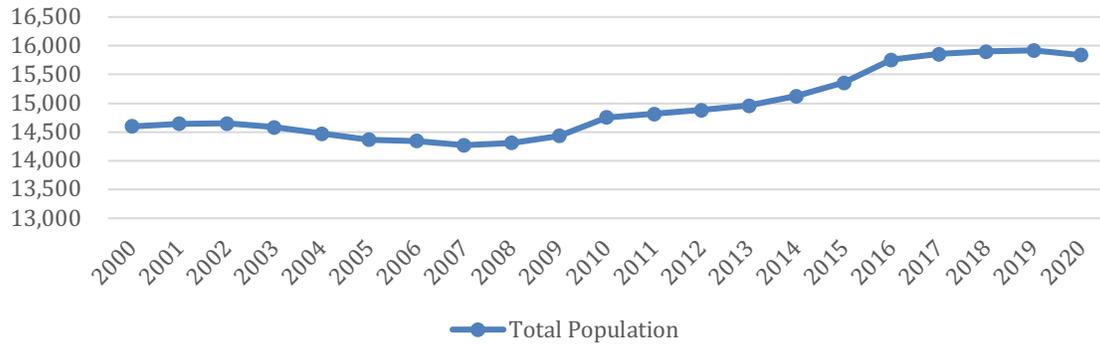
4.1.1 — Demographic Changes

Since the adoption of the 2013 Master Plan Reexamination Report, the US Census Bureau has released updated information on Clark’s population and housing characteristics. Because changes to population and housing characteristics can impact the outcome of planning efforts, the following overviews are provided.

4.1.1.1 — Population

In the 2000 US Census, the Township of Clark was recorded as having a population of 14,597 residents. In the period since, the Township’s population has increased, having reached 14,756 residents by the time of the 2010 US Census and 15,837 residents by the time of the 2020 US Census. These figures represent increases of 1.1 percent between the 2000 and 2010 US censuses, and 7.3 percent between the 2010 and 2020 US censuses. Chart 1 shows population trends.

Chart 1: Recent Population Trends



With regard to the age of the population, it is noted that the Township’s median age has remained stable at 42.7 years between the time of the 2000 US Census and 2020 (n.b., 2020 value is a 2016-2020 5-Year Estimate of the American Community Survey).

4.1.1.2 — Housing

At the time of the 2000 US Census, there were 5,709 housing units in Clark. Of these, 5,637 units (98.7 percent) were occupied, and 72 units were vacant (1.3 percent). The 2020 US Census reports that the number of housing units in Clark had increased by approximately 7.1 percent to 6,114 units, which includes 5,919 occupied units (96.8 percent) and 195 vacant units (3.2 percent).

Occupied housing units constitute households, the size of which is measured in terms of the number of members. As reported in the 2000 US Census, the average household size in Clark was 2.56 members. By the time of the 2010 US Census (n.b., data from the 2020 US Census is currently unavailable), the average household size in Clark had increased by approximately 2.7 percent to 2.63 members.

4.1.2 — Cannabis Uses

In response to recent changes at the state level, Clark revised its zoning ordinance to prohibit all types of cannabis businesses from operating within the Township with the adoption of Ordinance No. 21-18 on June 21, 2021. In the future, the Township

may reevaluate whether to permit one or more of the six classes of cannabis businesses for licensure in New Jersey.

4.1.3 — Redevelopment

Since the adoption of the 2013 Master Plan Reexamination Report, Clark has designated several areas of the Township in need of redevelopment and adopted associated redevelopment plans. These areas include:

- **Walnut Avenue Redevelopment:** This area includes Block 155, Lots 7 and 10. The area is located along Walnut Avenue and Valley Road and has a total area of approximately 8.44 acres. A redevelopment plan was adopted in 2019 to facilitated redevelopment townhouses or garden apartments with a requirement that a minimum of 16 percent of all units constructed shall be affordable units. These units are nearing competition.
- **Westfield and Washington Redevelopment:** This area includes Block 91, Lots 8.01, 10.01 and 36, and has frontage on Westfield Avenue and Washington Street. The area was designated as an area in need of redevelopment in 2022, and a redevelopment plan was drafted but not yet adopted in 2023. The draft redevelopment plan envisions mixed-use development, which includes affordable, multi-family residential apartments. The total area is approximately 0.47 acres.
- **Westfield Avenue Redevelopment (Block 77):** This area includes Block 77, Lots 2 and 4. It is located along Westfield Avenue and was being investigated as an area in need of redevelopment at the time of the adoption of this reexamination report. The total area is approximately 0.51 acres.
- **Westfield Avenue Redevelopment (A&P Site):** This area includes Block 91, Lot 21 and Block 105, Lots 2 and 26.01. It is comprised of: the former A&P Supermarket site on Block 105, which has frontage along Westfield Avenue and Broadway; as well as currently vacant (formerly commercial) property on Block 91 with frontage on Westfield Avenue. A redevelopment plan was adopted in 2019. The redevelopment plan envisions that Block 91, Lot 21,

which is not contiguous with Block 105, Lots 2 and 26.01, will be redeveloped in accordance with the standards of the Downtown Village (DTV) Zone District. The redevelopment plan envisions that Block 105, Lots 2 and 26.01 will be redeveloped with one or more of the following uses: retail sales of goods and services; taverns and restaurants (incl., full-service restaurants offering table service and those establishments offering counter service and takeout, but excluding drive throughs); banks and other similar financial institutions; health clubs; offices (incl., business, administrative and professional); museums, art galleries, theaters, music and dance studios, and similar cultural uses; childcare centers; governmental uses (incl., offices, public parks, and municipal parking facilities); and residential apartments, except that residential uses shall not be permitted on the ground floor or first floor fronting onto Westfield Avenue. In addition, it is noted that the adopted redevelopment plan requires inclusionary affordable housing. Site plan approval was granted to construct 75 residential units, including 12 affordable units as well as ground floor commercial space.

- Terminal Avenue Redevelopment (L'Oréal Site): This area includes Block 58, Lots 4 and 5 and has a total area of approximately 23 acres. It is located along Terminal Avenue and Central Avenue, directly to the south of the Conrail Railroad right-of-way. A redevelopment plan was adopted in 2019. Permitted land uses enumerated in the redevelopment plan include: corporate offices; research and development; research laboratories for scientific and industrial research and testing; pilot plants; limited manufacturing; and general, administrative, executive, and professional offices. Site plan approval was granted in 2021 to expand the existing facility by 97,000 +/- square feet to house the US research and development headquarters.
- Raritan Road Redevelopment (CubeSmart): This area includes Block 60, Lots 60.01, 61, 62 and 63. In 2022, the Township designated the above properties in need of redevelopment and adopted a formal redevelopment plan. The

Township also granted site plan approval to construct a 95,000 +/- self storage facility.

Additional details about redevelopment in Clark are provided in Chapter 6.

4.1.4 — Housing Element

The Clark Township Planning Board adopted a Housing Element and Fair Share Plan in 2017. The 2017 Housing Element and Fair Share Plan addresses the municipality's affordable housing obligation through June 30, 2025. As provided in the 2017 Housing Element and Fair Share Plan, the municipality's fair share obligation is comprised of:

- Rehabilitation Share: 53 units;
- Prior Round Obligation: 93 units; and,
- Third Round Obligation: 170 units.

To address the rehabilitation share, the Township operates the Clark Home Improvement Program, which is a Township-wide program aimed at scattered site housing rehabilitation of housing units occupied by very low-, low-, and moderate-income households. Both owner- and renter-occupied housing units are eligible to receive funding for rehabilitation if the units are a primary residence, the occupants of the units are determined to meet income requirements, and the units are determined to be substandard.

To address the Prior Round and Third Round obligations, which, when added, amount to 263 units, the 2017 Housing Element and Fair Share Plan identifies existing and proposed units on the following sites:

- Woodcrest at Clark (Block 57, Lots 2, 3, 4, 8 and 10; Westfield Avenue and Terminal Avenue): A total of 328 age-restricted rental units were identified, of which 65 units were affordable;
- Westfield and Terminal (Block 57, Lot 6.01; Westfield Avenue and Terminal Avenue): A total of 23 rental units were identified, of which five (5) units

- were affordable. The site is also anticipated to yield five (5) rental bonus credits;
- Raritan Gas Station (Block 34, Lot 25; Raritan Road, south of Madison Hill Road): A total of 12 rental units were identified, of which two (2) units were affordable. The site is also anticipated to yield two (2) rental bonus credits;
 - Westfield and Raritan (Block 63, Lots 45, 47, 49 and 51; Northwest of the Corner of Westfield Avenue and Raritan Road): A total of 40 rental units were identified, of which six (6) units were affordable;
 - Schieferstein Site (Block 36, Lots 13, 14 and 15; Madison Hill Road between Rainbow Drive and Amelia Drive): A total of 72 rental units were identified, of which 11 units were affordable. The site is also anticipated to yield 11 rental bonus credits;
 - Jack's Tavern (Block 77, Lots 11, 12, 13, 14, 15, 17 and 18; Downtown Village District): A total of 58 rental units were identified, of which nine (9) units were affordable. The site is also anticipated to yield nine (9) rental bonus credits;
 - A&P Site (Block 105, Lots 2, 6, 8, 13, 14, 15, 16, 19, 20, 21, 22, 26.01; Downtown Village District): A total of 116 rental units were identified, of which 18 units were affordable;
 - Downtown Village District (Westfield Avenue): A total of 668 rental units were identified, of which 101 units were affordable;
 - Walnut Site (Block 177, Lots 7 and 10; Northwest Corner of Valley Road and Walnut Avenue): A total of 168 rental units were identified, of which 27 units were affordable. The site is also anticipated to yield 27 rental bonus credits; and,
 - Group Homes (Various Sites): Nine (9) units of credit for bedrooms and nine (9) rental bonus credits.

In total, the foregoing sites amount to 1,494 rental units, of which 316 units were affordable. In addition, the foregoing sites were anticipated to yield 63 rental bonus credits. The total of affordable units and rental bonus credits amounts to 379 units

of credit. This exceeds the 263-unit combined Prior Round and Third Round obligations.

4.1.5 — Institutional Uses

For institutional uses, this Plan specifically recommends creating standards to better regulate their intensity, scale, building setbacks, parking requirements, appropriate buffers and other standards in the context of surrounding development in a manner that does not impose a substantial burden on the exercise of religion.

4.1.6 — Local Traffic Issues

This Master Plan recommends that the Township continue to monitor the need for traffic calming on residential streets.

Further discussion of local traffic issues is provided in Section 4.2.1 within the context of the 2016 Union County Transportation Master Plan.

4.1.7 — Climate Change Hazards

Climate change is a growing concern throughout the United States. To promote increased awareness of the issue and risks, the National Oceanic and Atmospheric Administration (NOAA) has developed an online mapping portal, called the CMRA (Climate Mapping for Resilience and Adaptation) Assessment Tool, to assess climate change hazards at the local and regional levels. Said tool provides a snapshot, which includes an indication of risk, of the following hazards as related to Clark Township: extreme heat (relatively moderate risk); wildfire (very low risk); flooding (relatively high risk); and coastal inundation (relatively moderate risk).

Table 1 provides an overview of indicators of flooding, which was classified by the CMRA Assessment Tool as “relatively high risk,” as localized to Clark Township.

Table 1: Flooding

Indicator	2030s	2085
<i>Annual Days with:</i>		
Total Precipitation > 1”	9	11
Total Precipitation > 2”	1	2
Total Precipitation > 3”	0	0

Annual Precipitation		
Average Annual Total Precipitation	49"	52"
Annual Days with Measurable Precipitation	215	210
Maximum Period of Consecutive Wet Days	11	11
Days with Maximum Temperature < 32°C (Risk of Freezing)	9	2
Annual Days that Exceed the 99 th Percentile of Precipitation	8	11

Source: CMRA Assessment Tool (<https://resilience.climate.gov>)

Note: Values represent high emissions scenarios

To facilitate increased awareness of, and resiliency to, climate change-related hazards, this reexamination report recommends the preparation of a “Climate Change-Related Hazard Vulnerability Assessment,” as described within the context of changes at the state level in Section 4.3.2.

4.2 — Changes at the County Level

Since the adoption of the 2013 Master Plan Reexamination Report, Union County has adopted the 2016 Union County Transportation Master Plan. A complete overview is provided in the following section.

4.2.1 — Transportation Master Plan

Union County adopted a new transportation master plan in 2016. The vision of the 2016 Union County Transportation Master Plan is as follows:

Union County has a safe, reliable, multi-modal transportation system that will move, connect, and grow to enhance economic activity and quality of life for all its communities.

To achieve this vision, the 2016 Union County Transportation Master Plan sets the following goals and objectives:

- To improve and maintain a sound transportation infrastructure designed to support the growth of Union County and better serve all users.
 - Retain our existing corporate base and at the same time attract new business into the County.
 - Attract emerging industries to Union County.

- Attract regional business and tourism to Union County.
- To ensure that quality public transportation is available in Union County.
 - Support and encourage efficient, reliable, safe and convenient passenger rail service.
 - Ensure efficient, reliable, safe, and convenient bus service.
 - Support transit-oriented development.
 - Identify opportunities and obstacles linking rail and bus service to strategic locations within the County, including job centers, residential areas, shopping, and recreational areas.
 - Develop adequate park-and-ride facilities.
 - Continue to support specialized and subsidized transportation to serve the travel needs of seniors and the disabled.
- To increase safety and mobility while minimizing congestion on the roadway system.
 - Develop alternatives to capacity expansion.
 - Improve safety through engineering solutions as well as with education and enforcement.
 - Improve operating efficiency.
 - Complete missing links of interchanges.
- To maintain the efficient movement of goods.
 - Promote safe and efficient truck travel.
 - Promote safe and efficient transport of freight by rail.
 - Ensure the portside access meets the needs of current and future post-Panamax vessels.
- To support aviation services in Union County.
 - Mitigate the adverse impacts of air travel on County residents.
 - Support access and mobility to Newark Liberty International Airport.
 - Continue to support the use of Linden Airport as a general aviation facility, as appropriate.

- To encourage and support programs and policies that create transportation options and enhance quality of life.
 - Ensure safe and convenient bicycle and pedestrian facilities, promote flexible working hours and other transportation demand management strategies.
 - Encourage transportation system management solutions on roadways.
 - Efficiently utilize capacity.
 - Promote compact, mixed-use development patterns which promote walkability and support transit.
- To promote a coordinated, comprehensive, and cooperative transportation planning process.
 - Continue to participate in the NJTPA Subregional Transportation Planning Program.
 - Continue to conduct studies and apply for transportation planning funds available through the state or federal government to investigate a range of transportation planning problems with the goal of creating alternative solutions and recommendations.
 - Integrate land use and transportation planning.
- To prepare for and adapt to changing conditions and withstand, respond to and recover rapidly from disruptions.
 - Work with NJDOT, NJ TRANSIT, PANYNJ and other partners to improve the resilience of County transportation infrastructure against the impacts of extreme weather.

The forgoing vision, goals, and objectives of the 2016 Union County Transportation Master Plan are compatible with Clark’s planning documents.

In addition to the above, it is noted that a survey conducted by Union County during the development of the 2016 Union County Transportation Master Plan identified the following transportation and mobility-related information and issues in Clark:

- Congestion (Corridors/Intersections):

- Central Avenue/Raritan Road/Walnut Avenue/Garden State Parkway.
- Parking Issues:
 - Limited parking is available in the downtown area of Westfield Avenue.
 - Informal commuter parking occurs in the Target parking lot on Central Avenue.
- Bicycle and Pedestrian Circulation, Safety, Issues and Barriers:
 - Sidewalks are needed in front of Oak Ridge Park on the park side of the street.
- Public Transportation Improvements:
 - Most beneficial public transportation improvements: Bus stop location; and relocation of NJ Transit bus stop on Raritan Road at Central Avenue intersection.
 - Town operates the senior bus service for local shopping.
 - Rahway has taxi service that is used in the area.
- Goods Movement:
 - There are designated truck routes.
 - Truck traffic issues: from Westfield Avenue to Bryant Avenue (n.b., roadway is posted as being closed to trucks, but they use it anyway); and Lake Avenue.
 - Complaints regarding truck idling at night.
- Environment:
 - The municipality currently uses green infrastructure.
 - Flooding occurs on the Pumpkin Patch Brook/Robinson Branch, and on Valley Road (Jackson's Pond Dam).
 - Complaints regarding truck idling at night.
- Transportation Wish List:
 - Additional lane on Central Avenue from Garden State Parkway to Raritan Road (westbound).
 - Signalization and intersection improvements: Westfield Avenue/Central Avenue/Raritan Road and Terminal Avenue/Westfield Avenue.

- Signalization: Raritan Road/Sunset Drive and Raritan Road/James Avenue.

4.3 — Changes at the State Level

4.3.1 — Land Use Plan Statement of Strategy on Smart Growth, Storm Resiliency and Environmental Sustainability

In 2018, the M.L.U.L. section governing the preparation of master plans (N.J.S.A. 40:55D-28(b)) was amended to require that any land use element adopted after January 8, 2018 provide a statement of strategy concerning the following:

1. Smart growth, which, in part, shall consider potential locations for the installation of electric vehicle charging stations;
2. Storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure; and
3. Environmental sustainability.

4.3.2 — Climate Change-Related Hazard Vulnerability Assessment

Section 28 of the M.L.U.L. was amended in 2021 to require that any land use element adopted after February 4, 2021 include a Climate Change-Related Hazard Vulnerability Assessment to analyze climate change-related natural hazards (e.g., extreme heat, drought, flooding, hurricanes and sea level rise). The Climate Change-Related Hazard Vulnerability Assessment will be required to include the following additional components:

1. Build-out analysis;
2. Critical evacuation assets analysis;
3. Impact analysis;
4. Risk reduction strategy; and
5. Policy recommendations.

The amendment requires municipalities to rely on the most recent natural hazard projections and best available science provided of the New Jersey Department of Environmental Protection when preparing the Climate Change-Related Hazard Vulnerability Assessment.

4.3.3 — Local Redevelopment and Housing Law

In 2013, the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.; L.R.H.L.) was amended to provide for both a non-condemnation and condemnation redevelopment area designation, as well as to redefine the criteria and procedures for designating an area in need of redevelopment and rehabilitation, including an update to notice requirements during the redevelopment area designation process.

Additionally, the L.R.H.L. was amended in 2019 to include additional criteria for designation as an area in need of redevelopment under the terms of N.J.S.A. 40A:12A-5(b). The additional provision enables designation as an area in need of redevelopment when the discontinuation or abandonment of buildings used for retail, shopping malls and office parks, or buildings with significant vacancies has persisted for at least two consecutive years. N.J.S.A. 40A:12A-5(b) now reads as follows:

- b. The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.*

In addition to the amendments to the L.R.H.L. that have been described above, it is noted that, in 2015, the New Jersey Supreme Court ruled in 62-64 Main Street v. Mayor and Council of Hackensack, 221 N.J. 129 (2015) that a property does not need to negatively affect the surrounding properties in order to be considered “blighted” and, thus, eligible for redevelopment.

4.3.3.1 — L.R.H.L. Amendments Related to Electric Vehicle Charging and Zero-Emission Vehicle Fueling Infrastructure

In 2019, the L.R.H.L. was amended to include a new requirement that redevelopment plans identify proposed locations for electric vehicle charging infrastructure.

In 2021, the L.R.H.L. was amended to further encourage the development of electric vehicle charging infrastructure, as well as inclusion of zero-emission vehicle fueling infrastructure.

4.3.4 — New Jersey Council on Affordable Housing

The New Jersey Council on Affordable Housing (C.O.A.H.) originally adopted rules for the third round (i.e., 1999–2025) period in 2004. However, an Appellate Division decision in 2007 stayed COAH from reviewing any plans as part of a petition for substantive certification and resulted in a remand of the 2004 rules back to C.O.A.H. to revise them to be consistent with the Appellate Division decision. In 2008, C.O.A.H. adopted revised third-round rules.

In 2010, the Appellate Division invalidated the third-round rules that were adopted in 2008, as well as the “growth share” methodology they were based on. In 2013, the New Jersey Supreme Court upheld and modified the Appellate Division’s 2010 decision that invalidated C.O.A.H.’s third-round rules. Consequently, C.O.A.H. was charged with the task of adopting new affordable housing rules.

As the result of C.O.A.H.’s failure to adopt such rules, the New Jersey Supreme Court concluded on March 10, 2015 that there no longer exists a legitimate basis to block access to the courts, which was the original intent of the C.O.A.H. process. The New Jersey Supreme Court’s 2015 decision states:

... parties concerned about municipal compliance with constitutional affordable housing obligations are [now] entitled to such access, and municipalities that believe they are constitutionally compliant[,] or that are ready and willing to demonstrate ... compliance [with such

obligations,] should be able to secure declarations that their housing plans and implementing ordinances are presumptively valid in the event they ... must defend [themselves] against exclusionary zoning litigation.

On July 7, 2015, the Township filed a declaratory judgement action and motion for immunity from builder’s remedy lawsuits while it prepared a housing element and fair share plan. The Court subsequently granted the Township temporary immunity, which was extended several times while the Township negotiated a settlement agreement with the Fair Share Housing Center and prepared what is now known as the 2017 Housing Element and Fair Share Plan. On October 5, 2017, a Conditional Final Declaratory Judgement of Compliance and Repose was entered, with a final Judgement of Compliance and Repose entered on January 9, 2018. With the final grant of Judgement of Compliance and Repose, the Township is protected from builder’s remedy lawsuits through June 30, 2025.

4.3.5 — Cannabis Legalization

In 2021, Governor Murphy signed into law legislation legalizing and regulating cannabis use and possession for adults 21 years and older. Municipalities had until August 21, 2021 to take actions to: either prohibit or limit the number of cannabis establishments, distributors, or delivery services; and in the event the municipality opts to not prohibit such uses, regulate the location, manner and times of operation and establish civil penalties for violation of ordinances.

With the adoption of Ordinance No. 21-18 on June 21, 2021, Clark has opted to prohibit all cannabis-related uses from operating within the Township.

4.3.6 — State Strategic Plan

The State Planning Commission (SPC) is currently staffed by the Office of Planning Advocacy (OPA), which is an entity of the Department of State. The OPA released a draft “State Strategic Plan” (SSP) that was intended to supersede the current State Development and Redevelopment Plan (SDRP). The draft SSP differs from previous plans in that it is based upon a criteria-based system rather than a geographic planning area. While public hearings were held in February, March, and September

2012, the draft SSP was suspended after Hurricane Sandy and has not been adopted by the SPC. As of the preparation of this reexamination report, there is no current activity or efforts to adopt the SSP and the SDRP remains in place.

4.3.7 — Complete Streets

In 2009, the New Jersey Department of Transportation (NJDOT) adopted a Complete Streets Policy and in 2017 a Complete Streets Design Guide. A “complete street” is defined by the NJDOT as a “means to provide safe access for all users by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options.” The intent of the policy is to provide streets that meet the needs of all types of users and all modes of circulation- walking, bikes, cars, trucks, and buses.

The New Jersey Bicycle and Pedestrian Resource Center states that Complete Streets benefit communities by addressing the needs of all road users regardless of age, ability, or mode of transportation. Benefits can include the following:

1. Enhancing mobility and accessibility by enhancing connections between local destinations, including critical and community facilities and retail destinations;
2. Improving safety;
3. Enhancing the sense of community and quality of life;
4. Reducing reliance on automobiles;
5. Reducing congestion;
6. Revitalizing downtowns;
7. Increasing private investment;
8. Increasing property values; and
9. Promoting tourism.

A municipal Complete Streets policy is the community’s formal strategy to focus decision making and funding on planning, designing, and constructing community streets that accommodate all intended users. According to the National Complete Streets Coalition, the following items represent some Complete Streets policy considerations:

1. A vision for how and why the community wants to complete its streets;
2. Identification that “all users” includes pedestrians, bicyclists, and transit passengers of all age and ability, as well as automobile drivers and transit vehicle operators;
3. Emphasis on street connectivity and comprehensive, integrated, connected networks for all modes of transportation;
4. Relevance to both new and retrofit projects, including design, planning, maintenance, and operations for the entire right-of-way;
5. Use of the latest and best design standards while recognizing the need for flexibility in balancing user needs;
6. Establishment of performance standards with measurable outcomes; and
7. Steps for implementation.

As of March 25, 2022, a total of eight (8) counties and 174 municipalities in New Jersey have adopted complete streets policies. The Township of Clark has not adopted a complete streets policy. It is recommended that the Township consider adopting a complete street policy.

4.3.8 — Reexamination Report Requirements

In 2019, amendments were made to the M.L.U.L. at N.J.S.A. 40:55D-89 to incorporate the requirement that reexamination reports include a discussion of the recommendations of the municipality’s planning board concerning locations appropriate for the development of public electric vehicle infrastructure.

Specifically, the following new requirement was included at N.J.S.A. 40:55D-89(f):

The recommendations of the planning board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or

appropriate for the development of public electric vehicle infrastructure.

The 2023 Master Plan Reexamination Report has been prepared to meet this requirement.

4.3.9 — Electric Vehicle Supply and Make-Ready Parking Spaces

In 2021, the M.L.U.L. was also amended to establish numerical requirements and zoning standards for installation of electric vehicle supply equipment and “make-ready” parking spaces (i.e., parking spaces that are prepared to support electric vehicle supply equipment by including electrical equipment up to but not including chargers themselves).

Specifically, the M.L.U.L. was amended to stipulate that applications for development submitted solely for the installation of electric vehicle supply equipment or “make-ready” parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning districts of a municipality and shall not require a variance (N.J.S.A. 40:55D-66.18). In addition, the amendment provided that applications for development of the installation of electric vehicle supply equipment or “make-ready” parking spaces at an existing gasoline service station, an existing retail establishment, or any other existing building: shall neither be subject to site plan or other land use board review, nor require variance relief; and shall be approved through issuance of a zoning permit, provided that certain conditions are met (e.g., bulk requirements are met, the conditions or original approval are met, relevant construction codes are met; (N.J.S.A. 40:55D-66.19).

The 2021 amendment to the M.L.U.L. also added the requirement that, as a condition of preliminary site plan approval, applications involving multifamily development of five or more units shall: provide at least 15 percent of the required off-street parking spaces as “make-ready” parking spaces and install electric vehicle supply equipment on at least one-third of the required 15 percent of parking spaces; install electric vehicle supply equipment on an additional one-third of the required 15

percent of parking spaces within three years following the date of the issuance of the certificate of occupancy; install electric vehicle supply equipment on the final one-third of the required 15 percent of parking spaces within six years following the date of the issuance of the certificate of occupancy; and make at least five percent of the electric vehicle supply equipment accessible for people with disabilities (N.J.S.A. 40:55D-66.20).

Similarly, the 2021 amendment to the M.L.U.L. also required that, as a condition of preliminary site plan approval, all other applications (i.e., not applications involving multifamily development of five or more units) involving a parking lot or garage provide “make-ready” parking spaces as follows:

1. At least one if there will be 50 or fewer off-street parking spaces;
2. At least two if there will be at least 51 and no more than 75 off-street parking spaces;
3. At least three if there will be at least 76 and no more than 100 off-street parking spaces;
4. At least four, with one accessible for people with disabilities, if there will be at least 101 and no more than 150 off-street parking spaces; and
5. For parking lots with more than 150 off-street parking spaces, install at least four percent of the total parking spaces as “make-ready” parking spaces with at least five percent of the required number of “make-ready” parking spaces accessible for people with disabilities.

The 2021 amendment provides that applicants may install electric vehicle supply equipment at parking spaces in lieu of providing “make-ready” parking spaces. It also stipulates that parking spaces provided with electric vehicle supply equipment or provided as “make-ready” parking spaces shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement, provided that a reduction of no more than ten percent of the total required number of parking spaces results.

4.3.10 — Stormwater Rules

In 2020, New Jersey’s Stormwater Management Rules (N.J.A.C. 7:8 et al.) were amended to require the use of Green Infrastructure. Green Infrastructure is defined in the rules as a stormwater management measure that manages stormwater close to its source by: treating stormwater runoff through infiltration into subsoil; treating stormwater runoff through filtration by vegetation or soil; or, storing stormwater runoff for reuse.

The amended Stormwater Management Rules became effective on March 2, 2021. To provide guidance, the New Jersey Department of Environmental Protection has prepared a “Stormwater Best Management Practices Manual,” which is made available at www.njstormwater.org (n.b., this address was valid at the time of the adoption of this reexamination report). The use of Green Infrastructure should be maximized to minimize potential flooding issues and decrease pollution of terrestrial waterways as a result of stormwater runoff.

4.4 — Change at the Federal Level

The key change of note at the federal level is the 2020 US Census, which was the last decennial census. At the time of the preparation of this master plan reexamination report, however, only a very limited amount of municipal-level Census data have been released. Current information indicates that the full range of municipal-level data products are scheduled to be released through 2023. It is, therefore, recommended that the municipality monitor the release and availability of 2020 US Census data products and prepare an updated demographic profile of the municipality once a sufficient amount of information is available.

5.0 — Specific Amendments Recommended to the Master Plan and Development Regulations

The following sections outline recommended amendments to the master plan and development regulations.

5.1 — Recommended Master Plan Amendments

No master plan amendments are recommended at this time.

5.2 — Recommended Development Regulation Amendments

The following development regulation amendments are recommended:

1. Modernization of Chapter 195 (Land Use and Development) of the Clark Township Code: Chapter 195 of the Clark Township Code was originally adopted in 2002. Said chapter was derived from other chapters of the Clark Township Code (viz., Chapters XXX, XXXI, XXXII, XXXIII, and XXXIV) that were part of the municipal code at the time. The current result, in 2023, is that Chapter 195 is dated and in need of modernization. Among the key issues with the current version of Chapter 195 are that it does not: reflect current market trends and the need to accommodate land uses, such as permanent makeup studios, institutional uses and other uses, for which there has been a regional demand or incorporate necessary amendments resulting from recent amendments to the M.L.U.L., which have been discussed in this reexamination report. Examples of other needed updates include standards and changes to development application checklists, interpretation of zoning provisions, application fees, the regulation of nonconforming land uses, ordinance definitions, parking, accessory buildings, design standards, electric vehicle charging, signs, stormwater management and landscaping. This list is not exhaustive. To address these and similar issues, it is recommended that Chapter 195 be reviewed to assess the need for modernization and amendments be prepared to align it with current needs and practices.
2. Split-Lot Zoning: In at least one instance, recent lot consolidations and potentially subdivision applications have placed new lots in multiple zones.

These areas are recommended to be reviewed, and zone boundary lines should be revised to incorporate these lots in one appropriate zone.

6.0 — Recommendations Concerning the Incorporation of Redevelopment Plans

As previously mentioned, Clark has adopted redevelopment plans in the period since the adoption of the 2013 Master Plan Reexamination Report. Details of each plan have been identified within the context of Chapter 4 of this reexamination report. All adopted redevelopment plans are hereby incorporated into municipal master plan by reference. To provide increased clarity and facilitate the implementation of these redevelopment plans, this reexamination report recommends that the Township’s zoning map be amended to depict all designated redevelopment areas. This recommendation also applies to Block 77, Lots 2 and 4, should the Governing Body declare that said properties are in need of redevelopment (n.b., as noted in Chapter 4, said properties were being investigated as an area in need of redevelopment at the time of the adoption of this reexamination report).

In addition to the above, it is recommended that, in the future, the Township continue to evaluate the use of redevelopment to promote the overall health and vitality and improvement of the community.

7.0 — Recommendations Concerning Locations Appropriate for the Development of Public Electric Vehicle Infrastructure

To reduce greenhouse gas emissions from the transportation sector and help reach the goals of New Jersey’s Energy Master Plan and the Global Warming Response Act, Governor Phil Murphy has set a goal of registering 330,000 EVs in New Jersey by 2025.

Key to reaching this goal is the provision of adequate public electric vehicle charging infrastructure within New Jersey’s municipalities. Accordingly, and as required by the requirements of the M.L.U.L. for reexamination reports, this master plan reexamination report identifies the following zone districts as appropriate locations for electric vehicle charging infrastructure:

- General Commercial (CG) District;
- Commercial Industrial (CI) District;
- Commercial Office (CO) District;
- Commercial Office, Multistory (COH) District;
- Downtown Village (DTV) District; and
- Light Commercial Industrial (LCI) District.

In addition to the above, it is recommended that requirements for public electric vehicle charging infrastructure be included in all future redevelopment plans that may be adopted, as well as in any existing redevelopment plans that may be amended.

Notwithstanding the above, and as previously noted in this reexamination report, the M.L.U.L. was amended in 2021 to stipulate that electric vehicle supply equipment or “make-ready” parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning districts of a municipality and shall not require a variance (N.J.S.A. 40:55D-66.18).