

MASTER PLAN REEXAMINATION REPORT UPDATE

TOWNSHIP OF UNION UNION COUNTY, NEW JERSEY

February 2010

UNION TOWNSHIP PLANNING BOARD

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Daniel McCarthy, Planning Board Attorney
George D. Vaccaro, Court Reporter
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INTRODUCTION

The New Jersey Municipal Land Use Law (MLUL) requires that each municipality in New Jersey undertake a periodic review and reexamination of its local Master Plan. The purpose of the Reexamination Report is to review and evaluate the master plan and municipal development regulations on a regular basis in order to determine the need for update and revisions. This report constitutes the Master Plan Reexamination Report for the Township of Union as required by the MLUL NJSA (40:55D-89).

The Township of Union adopted its last Master Plan Reexamination Report in March 2006. This report serves as an update to the 2006 Master Plan Reexamination Report, which reexamined the 1982 Master Plan and the 1994 and 1998 Master Plan Reexamination Reports.

REQUIREMENTS OF THE PERIODIC REEXAMINATION REPORT

The MLUL requires that the Reexamination Report describe the following:

- The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- 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.
- 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 regulations should be prepared.
- 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.

The report that follows addresses each of these statutory requirements.

MAJOR PROBLEMS AND OBJECTIVES IN 1998 AND THE EXTENT TO WHICH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED

MASTER PLAN

The Union Township Master Plan consists of the following documents:

1. The May 1982 Township of Union Master Plan;
2. 1994 Master Plan Reexamination Report;
3. 1998 Master Plan Reexamination Report;
4. 2005 Stormwater Management Plan Element;
5. 2006 Master Plan Reexamination Report; and
6. 2008 Housing Plan Element and Fair Share Plan

The 1982 Master Plan identified the general goals that formed the primary objectives of the Master Plan. These objectives were reviewed and re-examined in the 1994, 1998, and 2006 Master Plan Reexamination Reports.

THE EXTENT TO WHICH SUCH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED

The majority of the goals and planning objectives detailed in the 1982 Master Plan were reaffirmed in the 1994, 1998 and 2006 Master Plan Reexamination Reports and continue to remain valid. The 2006 Master Plan Reexamination Report documented the validity of the existing goals of the 1982 Master Plan, and addressed any significant changes in assumptions, policies and objectives that occurred between the 1998 and 2006 Reexamination Reports.

The 2006 Master Plan Reexamination Report also contained a set of additional goals and objectives related to residential and nonresidential development, circulation, economic development, redevelopment, housing, community facilities and utility infrastructure, and open space and recreation based on an evaluation of existing policies contained within the Master Plan.

This Master Plan Reexamination Report Update reaffirms the findings and recommendations of the 2006 Master Plan Reexamination Report to the extent that they are updated or modified herein. Accordingly, this Reexamination Report Update should be read in conjunction with the 2006 Master Plan Reexamination Report.

EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES IN ASSUMPTIONS, POLICIES AND OBJECTIVES

This update to the 2006 Master Plan Reexamination Report has been prepared to address several specific issues that the Township has encountered since the completion of the 2006 Master Plan Reexamination Report. The recommended changes to the Township Master Plan and Land Development Ordinance outlined in the subsequent section seek to provide a framework to address the following issues:

Downtown Revitalization: Since 2006, the Township has undertaken an extensive study and evaluation of its downtown to determine opportunities for revitalization and redevelopment. Recent court decisions and changes in State laws, including the Supreme Court's 2007 decision in *Gallenthin v. Paulsboro*, have impacted the options available to the Township to encourage redevelopment efforts in the downtown. Additionally, the recent downturn in the national and statewide economy has had a significant impact on redevelopment efforts within the downtown. Despite these legal and economic constraints, the Township is seeking to revitalize its downtown into a mixed-use destination center in an effort to promote local economic development, increase its tax base, and attract new residents and visitors to the downtown area.

This Reexamination Report Update contains a set of recommended changes to the Township's Land Development Ordinance in order to provide a conducive environment for the growth and development of Union Township's downtown. These changes have been developed in order to limit potential constraints on downtown development and redevelopment within the Township. Specifically, this report recommends a shared parking analysis in the downtown to reduce the burden on developers who may be required to provide parking; permitting health clubs, exercise facilities and dance studios within the UCBD Zone; increasing the maximum building height within the UCBD Zone to permit higher intensity, mixed-use development; waiving site plan requirements for any change of use within the UCBD, provided the proposed use is a permitted use within the zone; establish a minimum size for residential units within the UCBD Zone; and prohibiting residential uses on the ground floor of buildings within the UCBD Zone.

Township-Wide Parking: The Township has completed a comprehensive review of its parking standards by Township professionals, who have submitted their recommendations to the Township Committee. This analysis included a review of the Township's current parking standards in comparison to parking demand studies for similar nonresidential uses prepared by the Institute of Traffic Engineers (ITE). The study also compared the Township's parking requirements for these uses in relation to similar minimum parking requirements for various municipalities in Union County. The conclusion of the study was that the Township's minimum parking requirements for office buildings, medical offices, retail stores (food and non-food sales), supermarkets, and restaurants were overly stringent and resulted in more parking than would typically be necessary for such uses given current ITE and generally recognized planning standards. Accordingly, the proposed amendment modifies and reduces somewhat the minimum number of parking spaces that would be required for each of the uses listed above. In addition, the committee recommends that the Township amend its existing residential parking standards to specify that the New Jersey Residential Site Improvement Standards apply. This is consistent with State law and regulations, which have superseded local standards. As part of the this project, T&M Associates prepared an amendment to the Township parking regulations and drafted revised parking standards based on this review. The revised parking standards have been reviewed by the Township Planning Board, and will be used to amend the Township Development Regulations.

Parking within the Special Improvement District (SID): Given the desired intensity of development within the Union Township Special Improvement District, the relatively small size of tax parcels within the SID, the mix of uses present in the SID, and the Township's vision for future development and redevelopment within the SID, it is anticipated that the Township will need to adopt an innovative approach to providing parking that will accommodate future development patterns within the Downtown. T&M Associates conducted a preliminary buildout analysis within the SID to determine the number of parking spaces that may be needed to accommodate future development within the Special Improvement District, and whether a shared parking arrangement utilizing existing parking facilities is feasible given existing and anticipated development patterns. Given the relative abundance of parking in or in close proximity to the SID, the underutilization of existing parking facilities, and the realistic development potential of the SID, it appears that a shared parking arrangement is feasible in this area. Therefore, this document recommends that the Township conduct a comprehensive shared parking analysis within the Special Improvement District to determine at what point developers will be required to provide additional parking to accommodate land uses.

Zoning Map Update: The 2006 Master Plan Reexamination Report included proposed amendments to the Township's Zone Plan. However, the modified zone plan was not adopted by the Township. Therefore, this Reexamination Report Update recommends the adoption of the Township Zone Plan submitted in conjunction with the 2006 Master Plan Reexamination Report to the extent that it is modified herein.

Union Train Station: The Township has continued to implement its plans for the redevelopment of the area surrounding the Union Train Station. In addition, the State has recently adopted new incentive programs to promote transit use and transit-oriented developments. Other regional transportation and transit projects have been implemented since the 2006 Reexamination Report. T&M has reviewed the current status of the land use plan for this area to determine if there are any additional opportunities to encourage the use of the train station, integrate the station into the comprehensive land use and circulation plan for the Township and region, and provide additional support for transit-friendly development.

Based on this review, it is recommended that the Township's Zoning Map and Development Regulations be amended to create a new US-1 (Union Station - 1) Zone to the north of the current train station, between the railroad right of way and Lehigh Avenue, west of Morris Avenue adjoining the existing US District as shown in Figure 3. The intent would be to permit the same uses as the US (Union Station) Zone, but without a redevelopment area designation. In addition, it is recommended that the Township Zoning Map and Development Regulations be further amended to create a new Mixed-Use Overlay District (MUOD) along the south side of Lehigh Avenue. The MUOD will permit multi-family residential and business office uses as an additional option to the underlying industrial zoning for the area (see Figure 4).

SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN AND DEVELOPMENT REGULATIONS

The following changes to the Township Master Plan and Development Regulations are recommended as part of this reexamination report:

1. Revise the Township Development Regulations to add health clubs, exercise facilities and dance studios to the list of permitted uses in the UCBD Zone. Add definitions for health club, exercise facility and dance studio within the Township Development Regulations;

2. Revise the Township Zoning Map and Development Regulations to include the UCBD II (Union Central Business District II) Zone. The UCBD II Zone will replace the BB Zone previously adopted by the Township. Bulk and yard standards for the UCBD II are not contained herein, and the Township will be required to establish such standards.
3. Revise the bulk and yard standards of the Union Central Business District (UCBD) Zone to increase building height from 35 feet to 48 feet. Additionally, the maximum impervious coverage permitted in the UCBD Zone shall be decreased from 100 percent to 90 percent;
4. Establish and adopt uniform design standards that govern signage for non-residential land uses that will take place within the Union Township Special Improvement District;
5. Adopt the proposed amendments to the Township's zoning map as recommended in the 2006 Master Plan Reexamination Report and shown on the map prepared by T&M Associates. In addition, the zoning map should be amended to include the UCBD-II Zone District as recommended herein and shown in Figure 2.
6. Amend §170-197 of the Township Development Regulations as follows:

Prior to the issuance of a construction permit, certificate of occupancy, conditional use or other permit as may be required, application for site plan approval shall be submitted to and approved by the Planning Board in accordance with the requirements of this Part 4, except that subdivision or individual lot applications for detached on- or two-family dwelling unit buildings shall be exempt from site plan review and approval. Specifically, site plan approval shall be required for any new building or conditional use, any addition to an existing building, any change in use and any off-street parking area or alteration of or addition to any existing parking lot. Site Plan approval shall not be required for any change in use within the UCBD Zone, provided the proposed use is a permitted use within the Zone. Site plan approval shall not be required for the installation and/or replacement of underground fuel and oil tanks when no additional site construction is proposed. The installation and/or replacement of said tanks shall require a construction permit and shall be constructed in accordance with all applicable regulations and codes.

7. Amend the Township Development Ordinance to establish a minimum size for residential units within the UCBD Zone. The minimum sizes for residential units within the UCBD Zone shall be as follows:

Minimum Dwelling Unit Size – UCBD Zone	
Dwelling Unit Type	Minimum Floor Area (in square feet)
Studio/Efficiency Apartment	500 sq. ft.
One (1) Bedroom Apartment	850 sq. ft.
Two (2) Bedroom Apartment	1,000 sq. ft.
Apartments with three (3) or More Bedrooms	1,150 sq. ft. + 150 sq. ft. for each additional bedroom

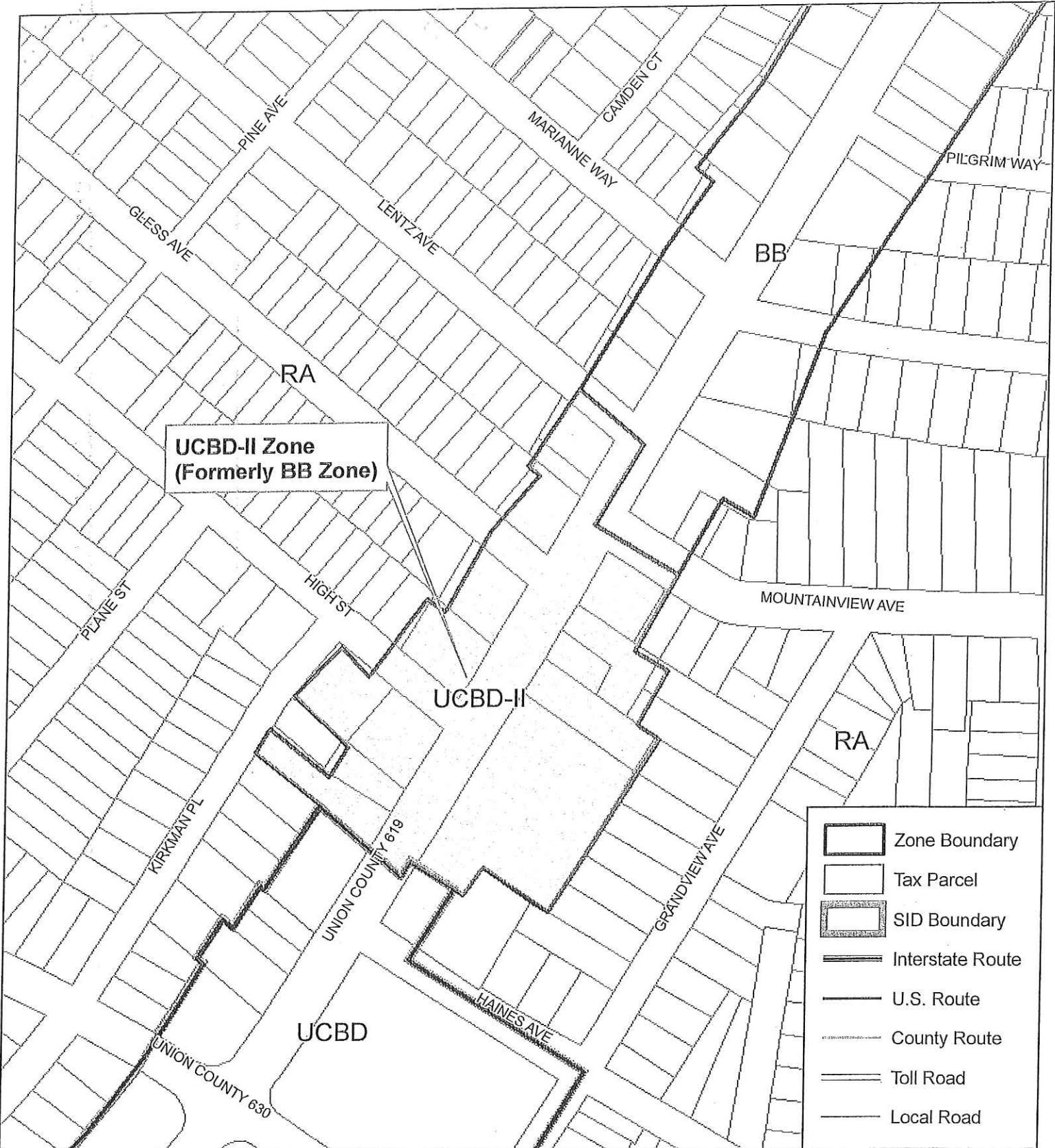
8. Amend the Township Development Regulations to prohibit residential uses on the ground floor of buildings within the UCBD Zone.
9. Revise the Township Zoning Map and Development Regulations to create the US-1 (Union Station - 1) Zone. The US-1 Zone will consist of the following tax parcels:
 - Block 504, Lots 8, 9, 10.01, 12.01, 12.02, 13.01, 16, 17.01, 18, 20, 21, 22, 23, and 24;
 - Block 512, Lots 1 and 2.01; and
 - Block 302, Lot 5

The US-1 Zone will permit the same uses as the US (Union Station) Zone.

10. Revise the Township Zoning Map and Development Regulations to create the Mixed-Use Overlay District (MUOD). The MUOD will consist of the following tax parcels:
 - Block 504: Lots 1, 2.01, 4.01, and 4.02;
 - Block 605, Lots 1-7, 9.01, 10, 12, and 15; and
 - Block 708, Lots 2.01, 3-7, 8.01, 10, 11.01, 13, 14, and 16.01

The MUOD will permit multi-family residential and business office uses.

Insert Figure 1 (Proposed Zoning Map)



11 Tindall Road
Middletown, NJ 07748-2792
Phone: 732-671-6400
Fax: 732-671-7365

ATTACHMENT A

0 100 200 400 Feet

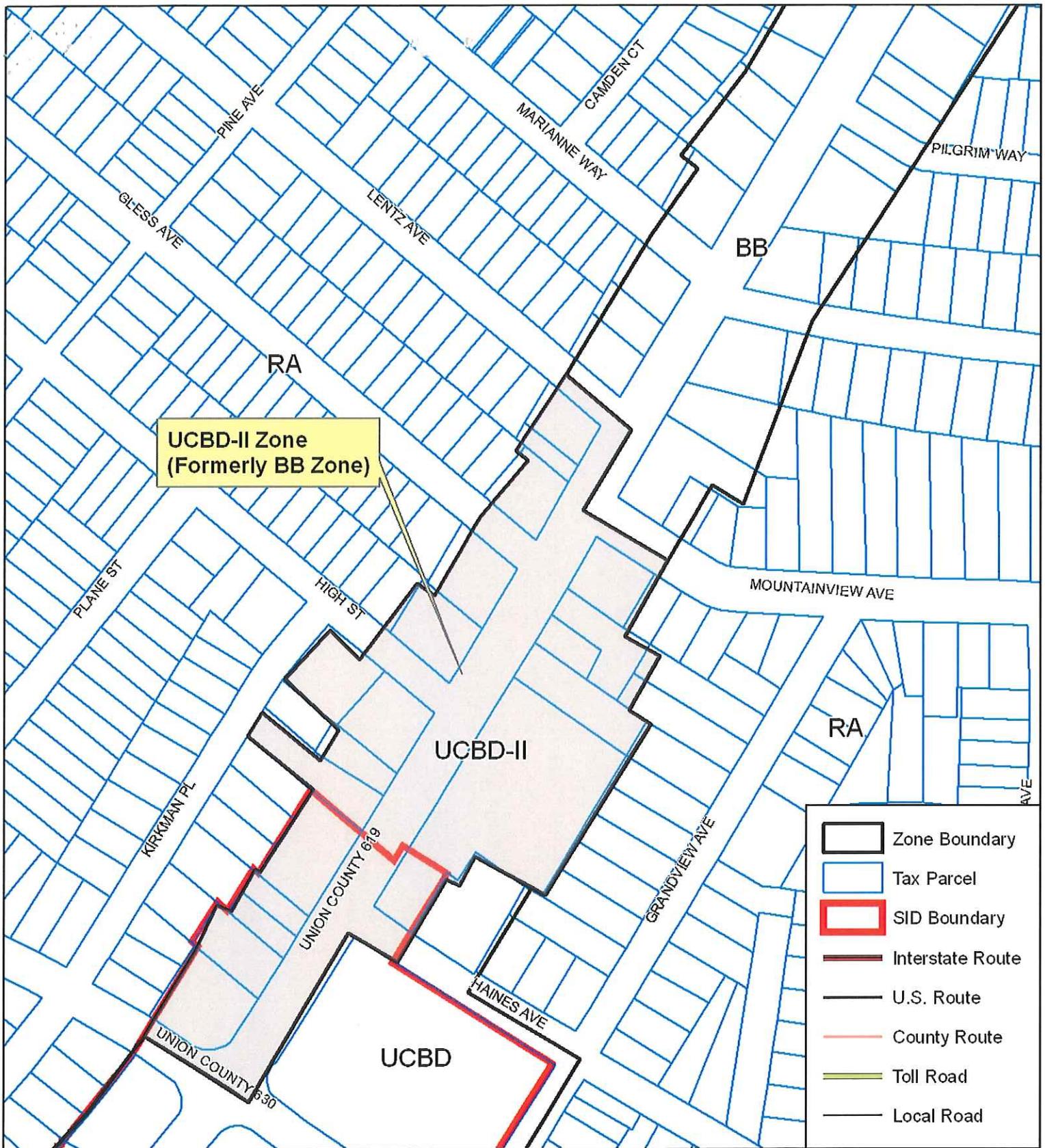
Prepared by: ARR, September 2, 2010

Source: NJDEP - NJDOT - Roadway Network;
Union Township - Zoning Boundaries, SID Boundary, Zoning
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UCBD II Zone Change.mxd



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

**Figure 2: UCBD-II Zone
Township of Union
Union County, New Jersey**



11 Tindall Road
Middletown, NJ 07748-2792
Phone: 732-671-6400
Fax: 732-671-7365

0 100 200 400 Feet

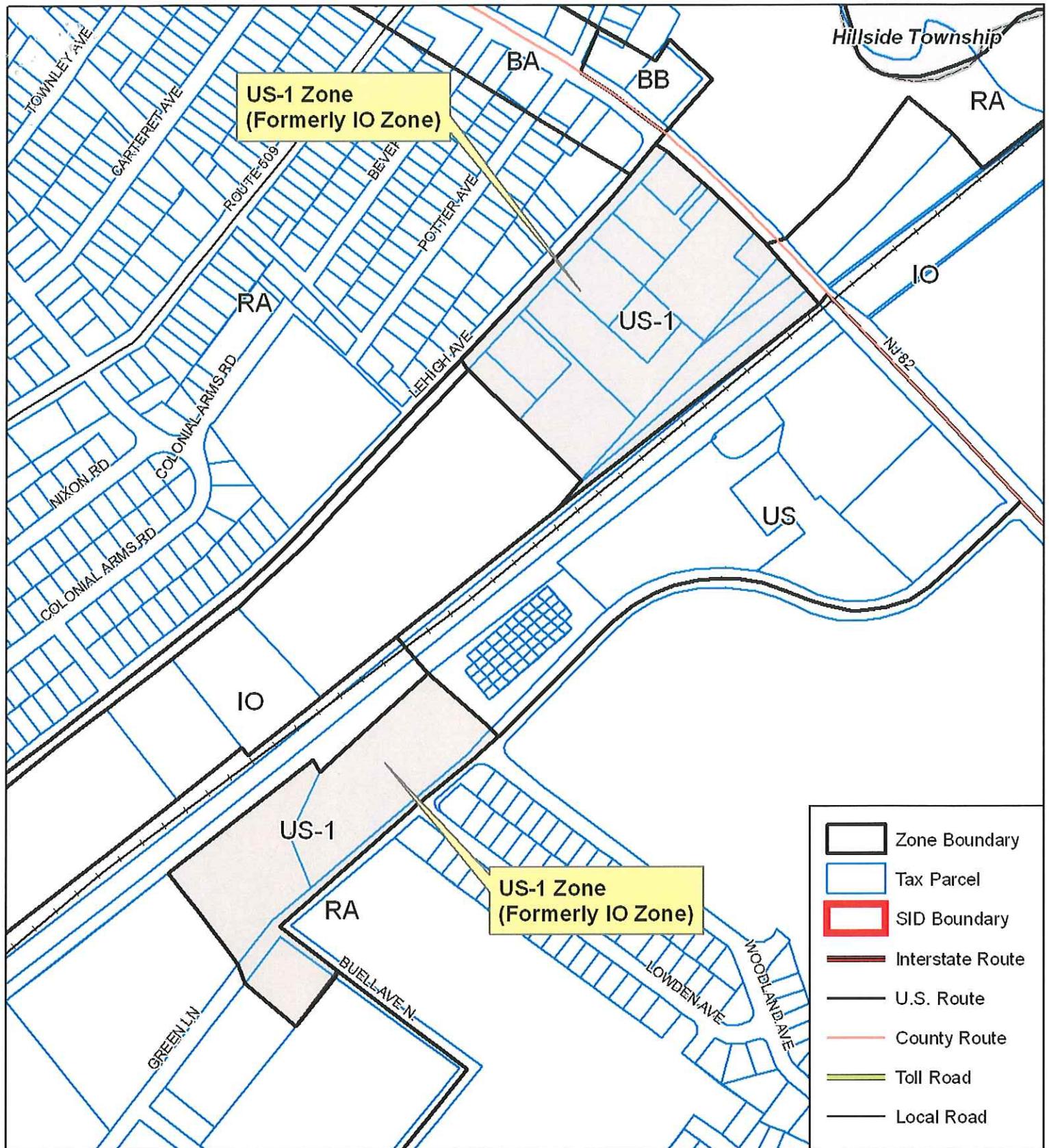
Prepared by: ARR, January 22, 2010

Source: NJDEP - NJDOT - Roadway Network;
Union Township - Zoning Boundaries, SID Boundary, Zoning
File Path:H:\UTWP\00790\GIS\Projects
UCBD II Zone Change.mxd



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

**Figure 2: UCBD-II Zone
Township of Union
Union County, New Jersey**



11 Tindall Road
Middletown, NJ 07748-2792
Phone: 732-671-6400
Fax: 732-671-7365

0 200 400 800 Feet

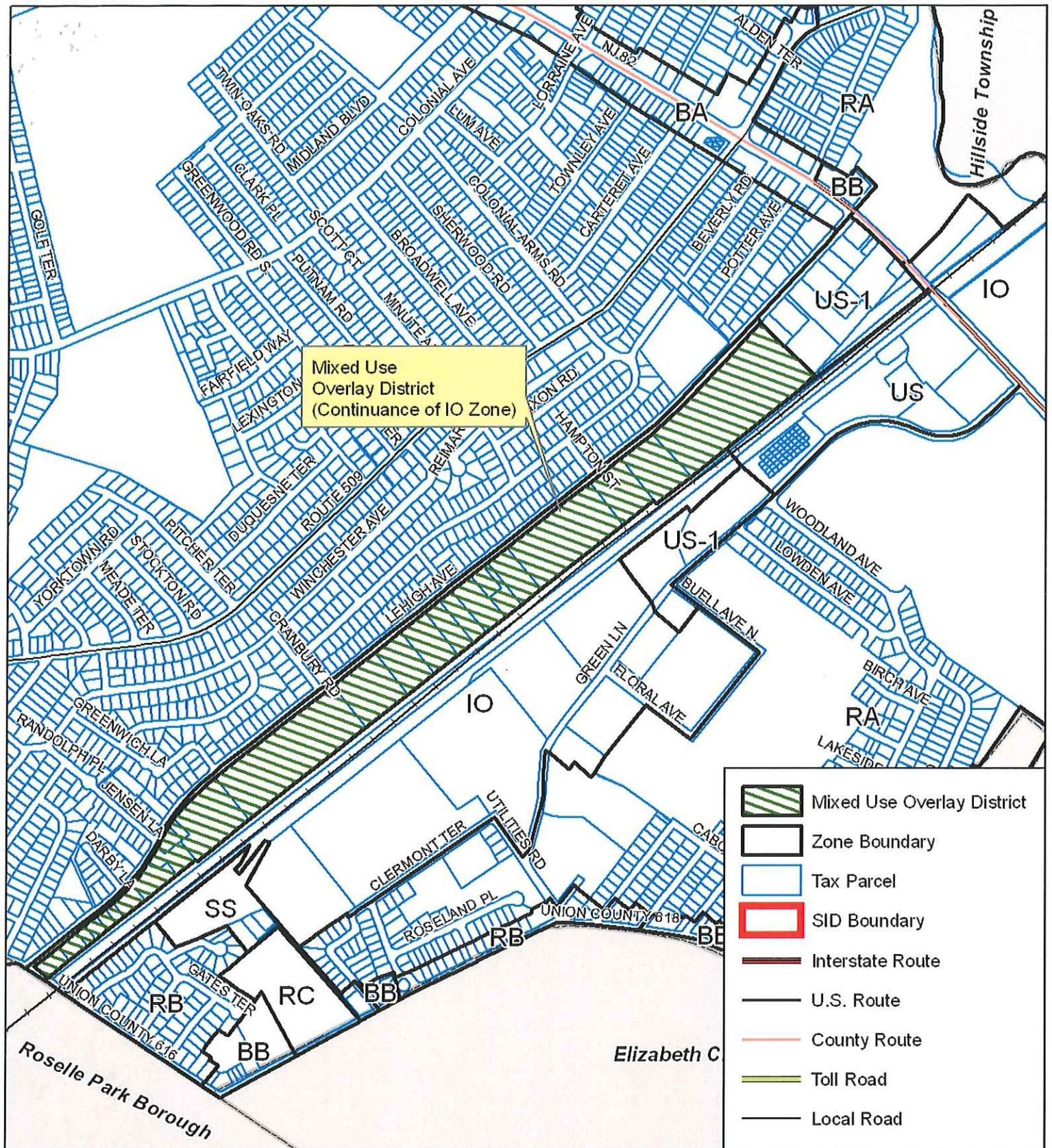
Prepared by: ARR, January 22, 2010

Source: NJDEP - NJDOT - Roadway Network;
Union Township - Zoning Boundaries, SID Boundary, Zoning
File Path:H:\UTWP\00790\GIS\Projects
US 1 Zone Change.mxd



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

**Figure 3: US-1 Zone
Township of Union
Union County, New Jersey**



**Figure 4: Mixed Use Overlay District
Township of Union
Union County, New Jersey**

T & M 11 Tindall Road
Middletown, NJ 07748-2792
Phone: 732-671-6400
ASSOCIATES Fax: 732-671-7365

0 425 850 1,700 Feet

Prepared by: ARR, January 22, 2010

Source: NJDEP - NJDOT - Roadway Network;
Union Township - Zoning Boundaries, SID Boundary, Zoning
File Path:H:H:\UTWP\00790\GIS\Projects
Mixed Use Overlay District.mxd



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.