

[Second Reprint]

ASSEMBLY, No. 1700

STATE OF NEW JERSEY
218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

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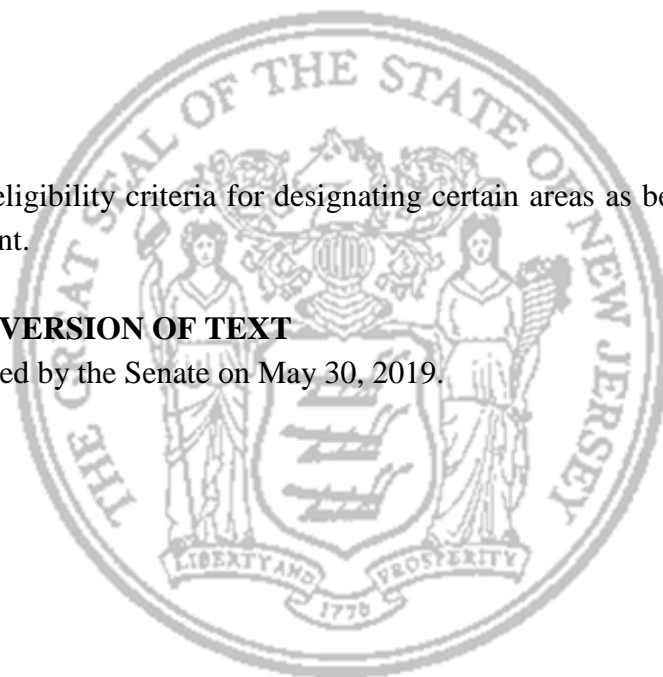
Assemblywoman Murphy, Assemblymen McGuckin, Benson, Karabinchak, Assemblywomen DiMaso, Lampitt, Senator Singleton and Assemblywoman Pinkin

SYNOPSIS

Expands eligibility criteria for designating certain areas as being in need of redevelopment.

CURRENT VERSION OF TEXT

As amended by the Senate on May 30, 2019.



(Sponsorship Updated As Of: 6/19/2019)

1 AN ACT concerning the designation of certain areas as in need of
2 redevelopment and amending P.L.1992, c.79.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 5 of P.L.1992, c.79 (C.40A:12A-5) is amended to
8 read as follows:

9 5. A delineated area may be determined to be in need of
10 redevelopment if, after investigation, notice and hearing as provided
11 in section 6 of P.L.1992, c.79 (C.40A:12A-6), the governing body
12 of the municipality by resolution concludes that within the
13 delineated area any of the following conditions is found:

14 a. The generality of buildings are substandard, unsafe,
15 unsanitary, dilapidated, or obsolescent, or possess any of such
16 characteristics, or are so lacking in light, air, or space, as to be
17 conducive to unwholesome living or working conditions.

18 b. The discontinuance of the use of ²a building or² buildings
19 previously used for commercial, ²retail, shopping malls or plazas,
20 office parks,² manufacturing, or industrial purposes; the
21 abandonment of such ²building or² buildings; ²significant vacancies
22 of such building or buildings for at least two consecutive years;² or the
23 same being allowed to fall into so great a state of disrepair as to be
24 untenable.

25 c. Land that is owned by the municipality, the county, a local
26 housing authority, redevelopment agency or redevelopment entity,
27 or unimproved vacant land that has remained so for a period of ten
28 years prior to adoption of the resolution, and that by reason of its
29 location, remoteness, lack of means of access to developed sections
30 or portions of the municipality, or topography, or nature of the soil,
31 is not likely to be developed through the instrumentality of private
32 capital.

33 d. Areas with buildings or improvements which, by reason of
34 dilapidation, obsolescence, overcrowding, faulty arrangement or
35 design, lack of ventilation, light and sanitary facilities, excessive
36 land coverage, deleterious land use or obsolete layout, or any
37 combination of these or other factors, are detrimental to the safety,
38 health, morals, or welfare of the community.

39 e. A growing lack or total lack of proper utilization of areas
40 caused by the condition of the title, diverse ownership of the real
41 properties therein or other similar conditions which impede land
42 assemblage or discourage the undertaking of improvements,
43 resulting in a stagnant and unproductive condition of land

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACE committee amendments adopted September 13, 2018.

²Senate floor amendments adopted May 30, 2019.

1 potentially useful and valuable for contributing to and serving the
 2 public health, safety and welfare, which condition is presumed to be
 3 having a negative social or economic impact or otherwise being
 4 detrimental to the safety, health, morals, or welfare of the
 5 surrounding area or the community in general.

6 f. Areas, in excess of five contiguous acres, whereon buildings
 7 or improvements have been destroyed, consumed by fire,
 8 demolished or altered by the action of storm, fire, cyclone, tornado,
 9 earthquake or other casualty in such a way that the aggregate
 10 assessed value of the area has been materially depreciated.

11 g. In any municipality in which an enterprise zone has been
 12 designated pursuant to the "New Jersey Urban Enterprise Zones
 13 Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the
 14 actions prescribed in that act for the adoption by the municipality
 15 and approval by the New Jersey Urban Enterprise Zone Authority
 16 of the zone development plan for the area of the enterprise zone
 17 shall be considered sufficient for the determination that the area is
 18 in need of redevelopment pursuant to sections 5 and 6 of P.L.1992,
 19 c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax
 20 exemptions within the enterprise zone district pursuant to the
 21 provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption
 22 of a tax abatement and exemption ordinance pursuant to the
 23 provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The
 24 municipality shall not utilize any other redevelopment powers
 25 within the urban enterprise zone unless the municipal governing
 26 body and planning board have also taken the actions and fulfilled
 27 the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.)
 28 for determining that the area is in need of redevelopment or an area
 29 in need of rehabilitation and the municipal governing body has
 30 adopted a redevelopment plan ordinance including the area of the
 31 enterprise zone.

32 h. The designation of the delineated area is consistent with
 33 smart growth planning principles adopted pursuant to law or
 34 regulation.

35 ²i. Areas with buildings used, or previously used, as a shopping
 36 mall, shopping plaza, or professional office park, which buildings
 37 have been vacant or partially vacant with less than 50% occupancy,
 38 for a period of at least² ¹ [one year] ² [two years]¹ .²
 39 (cf: P.L.2013, c.159, s.1)

40

41 2. This act shall take effect immediately.