

[First 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)

Co-Sponsored by:

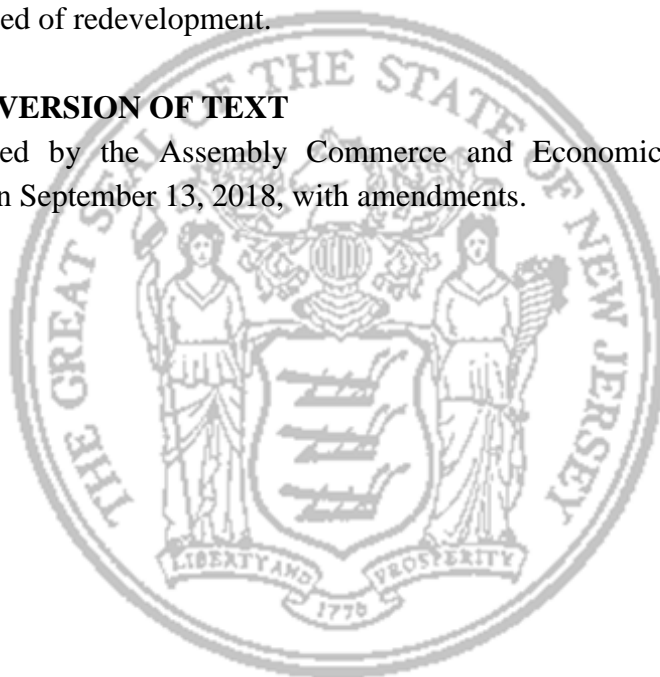
**Assemblywoman Murphy, Assemblymen McGuckin, Benson,
Karabinchak, Assemblywomen DiMaso and Lampitt**

SYNOPSIS

Specifies vacant shopping malls and office parks as eligible for designation as areas in need of redevelopment.

CURRENT VERSION OF TEXT

As reported by the Assembly Commerce and Economic Development Committee on September 13, 2018, with amendments.



(Sponsorship Updated As Of: 5/24/2019)

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 buildings previously used
19 for commercial, manufacturing, or industrial purposes; the
20 abandonment of such buildings; or the same being allowed to fall
21 into so great a state of disrepair as to be untenable.

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

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

36 e. A growing lack or total lack of proper utilization of areas
37 caused by the condition of the title, diverse ownership of the real
38 properties therein or other similar conditions which impede land
39 assemblage or discourage the undertaking of improvements,
40 resulting in a stagnant and unproductive condition of land
41 potentially useful and valuable for contributing to and serving the
42 public health, safety and welfare, which condition is presumed to be
43 having a negative social or economic impact or otherwise being

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.

1 detrimental to the safety, health, morals, or welfare of the
2 surrounding area or the community in general.

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

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

29 h. The designation of the delineated area is consistent with
30 smart growth planning principles adopted pursuant to law or
31 regulation.

32 i. Areas with buildings used, or previously used, as a shopping
33 mall, shopping plaza, or professional office park, which buildings
34 have been vacant or partially vacant with less than 50% occupancy,
35 for a period of at least ¹~~one year~~ two years¹.

36 (cf: P.L.2013, c.159, s.1)

37

38 2. This act shall take effect immediately.