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

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

1. Section 5 of P.L.1992, c.79 (C.40A:12A-5) is amended to
read as follows:
5. A delineated area may be determined to be in need of
redevelopment if, after investigation, notice and hearing as provided
in section 6 of P.L.1992, c.79 (C.40A:12A-6), the governing body
of the municipality by resolution concludes that within the
delineated area any of the following conditions is found:
a. The generality of buildings are substandard, unsafe,
unsanitary, dilapidated, or obsolescent, or possess any of such
characteristics, or are so lacking in light, air, or space, as to be
conducive to unwholesome living or working conditions.
b. The discontinuance of the use of buildings previously used for commercial,
retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the
abandonment of such 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
untenantable.
c. Land that is owned by the municipality, the county, a local
housing authority, redevelopment agency or redevelopment entity,
or unimproved vacant land that has remained so for a period of ten
years prior to adoption of the resolution, and that by reason of its
location, remoteness, lack of means of access to developed sections
or portions of the municipality, or topography, or nature of the soil,
is not likely to be developed through the instrumentality of private
capital.
d. Areas with buildings or improvements which, by reason of
dilapidation, obsolescence, overcrowding, faulty arrangement or
design, lack of ventilation, light and sanitary facilities, excessive
land coverage, deleterious land use or obsolete layout, or any
combination of these or other factors, are detrimental to the safety,
health, morals, or welfare of the community.
e. A growing lack or total lack of proper utilization of areas
caused by the condition of the title, diverse ownership of the real
properties therein or other similar conditions which impede land
assemblage or discourage the undertaking of improvements,
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.
potentially useful and valuable for contributing to and serving the
public health, safety and welfare, which condition is presumed to be
having a negative social or economic impact or otherwise being
detrimental to the safety, health, morals, or welfare of the
surrounding area or the community in general.

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

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

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

i. Areas with buildings used, or previously used, as a shopping
mall, shopping plaza, or professional office park, which buildings
have been vacant or partially vacant with less than 50% occupancy,
for a period of at least two years.

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

2. This act shall take effect immediately.