



1/31/2024

What Is An Area In Need of Redevelopment?

An area may be determined to be In Need of Redevelopment if, after investigation, notice and hearing, the Governing Body of the municipality, by resolution, concludes that any of the following conditions is found to be present:

A. N.J.S.A. 40A:12A-5a:

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. N.J.S.A. 40A:12A-5b:

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 2 consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.

C. N.J.S.A. 40A:12A-5c:

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 10 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. N.J.S.A. 40A:12A-5d:

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. N.J.S.A. 40A:12A-5e:

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 underproductive condition of land 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. N.J.S.A. 40A:12A-5f:

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. N.J.S.A. 40A:12A-5g:

In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act,"... 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 (40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to... (40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to... (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... (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. N.J.S.A. 40A:12A-5h:

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

Crucial to the application of the aforementioned is the understanding that the presence of any one (1) of these Criteria is sufficient for a municipality to make a determination that an area is In Need of Redevelopment.

Redevelopment Area Definition

In addition to the Statutory Criteria, the *Redevelopment Law* provides that a Redevelopment Area:

...may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.

Implications for the Study Area

It is only upon a Redevelopment Area designation that the Township is able to bring to bear the comprehensive tools and powers available to it under the Redevelopment Law to address the conditions within the Study Area.