



## Legislation Text

File #: 24-0269, Version: 1

**Dept/ Agency:** Economic and Housing Development  
**Action:** ( ) Ratifying (X) Authorizing ( ) Amending  
**Type of Service:** Declaring an area in need of redevelopment  
**Purpose:** Designating an area in need of redevelopment.  
**List of Property:**  
**(Address/Block/Lot/Ward)**  
201-241 Livingston Street/Block 2578/Lot 1/Central Ward  
**Additional Information:**  
Resolution 7R2-a(S), adopted on December 13, 2022, authorized and directed the Newark Central Planning Board to conduct a preliminary investigation.

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

**WHEREAS**, on December 13, 2022, the Newark Municipal Council adopted Resolution 7R2-a (s) authorizing and directing the Newark Central Planning Board (the “Central Planning Board”) to conduct a preliminary investigation to determine whether a certain property, identified on the Official Tax Map of the City of Newark as 201-241 Livingston Street (Block 2578, Lot 1) or any portion thereof (referred to as the “Study Area”), is considered an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12-5 of the Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as defined by the Redevelopment Law; and

**WHEREAS**, the Central Planning Board conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated as an Area in Need of Redevelopment and designated as a Non-Condensation Area in Need of Redevelopment in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

**WHEREAS**, a virtual public hearing was conducted by the Central Planning Board on February 27, 2023, with notice having properly been given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

**WHEREAS**, after completing its investigation and virtual public hearing on this matter, the Central Planning Board concluded that there was sufficient credible evidence to support findings that the Study Area satisfies the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 et seq., for designating the Study Area as an Area in Need of Redevelopment; and

**WHEREAS**, the Study Area meets criteria “a” and “d” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.); and

**WHEREAS**, in accordance with Redevelopment Law and as memorialized by the Resolution dated February 27, 2023, the Central Planning Board recommended to the Newark Municipal Council

that the Study Area be designated as a Non-Condemnation Area in Need of Redevelopment; and

**WHEREAS**, the Newark Municipal Council has reviewed the recommendation of the Central Planning Board and at this time wishes to designate the Study Area as a Non-Condemnation Redevelopment Area pursuant to the Redevelopment Law; and

**WHEREAS**, the designation of the Study Area as a Non-Condemnation Redevelopment Area shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, other than the use of the power of eminent domain to acquire any property in the Study Area; and

**WHEREAS**, in order to effectuate the Municipal Council's designation of the Study Area as a Non-Condemnation Redevelopment Area, the adoption of a Redevelopment Plan by the Municipal Council by ordinance is required pursuant to N.J.S.A. 40A: 12A-7; and

**WHEREAS**, the Municipal Council desires to direct the Central Planning Board to prepare a Redevelopment Plan and transmit the proposed Plan to the Municipal Council for its consideration upon completion of the Central Planning Board's review.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Newark Municipal Council has reviewed the recommendation of the Central Planning Board and finds that: 201-241 Livingston Street (Block 2578, Lot 1) in the Central Ward, as shown on the Official Tax Map of the City of Newark (the "Property") qualifies as an Area in Need of Redevelopment pursuant to the Local Housing and Redevelopment and Law, N.J.S.A. 40A:12A-1 et seq.

2. The Property is hereby designated as a Non-Condemnation Redevelopment Area in accordance with the relevant provisions of N.J.S.A. 40A:12A-1 et seq.

3. The designation of the Property as a Non-Condemnation Redevelopment Area shall authorize the City to exercise all those powers provided by the Legislature for use in a Redevelopment Area, other than the use of the power of eminent domain to acquire the Property.

4. The City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of New Jersey Department of Community Affairs for review, in accordance with N.J.S.A. 40A:12A-6(b)(5)(c).

5. Within ten (10) days of the Municipal Council's adoption of this Resolution, the Department of Economic and Housing Development shall serve notice of the Municipal Council's determination and this Resolution upon all record owners of the Property within the Non-Condemnation Redevelopment Area, those whose names are listed on the Tax Assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent.

6. The Central Planning Board is hereby authorized and directed to create and transmit a Redevelopment Plan and Report to the Municipal Council pursuant to the Local Housing and

Redevelopment Law, N.J.S.A. 40A:12A-1 et seq. The Central Planning Board's report shall include an identification of any provision in the proposed Redevelopment Plan, which are inconsistent with the Master Plan and recommendations concerning these inconsistencies and any other matter as the Central Planning Board deems inappropriate.

7. This Resolution shall take effect immediately.

### **STATEMENT**

This Resolution authorizes the Municipal Council to designate the property located at 201-241 Livingston Street (Block 2578, Lot 1) in the Central Ward as a Non-Condensation Redevelopment Area and further directs the Central Planning Board to create and transmit a Redevelopment Plan and Report to the Municipal Council pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12Aa-1 et seq.