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**301 & 300-302 CONSTITUTION AVENUE  
AREA IN NEED OF REDEVELOPMENT ASSESSMENT  
CITY OF BAYONNE, NEW JERSEY**

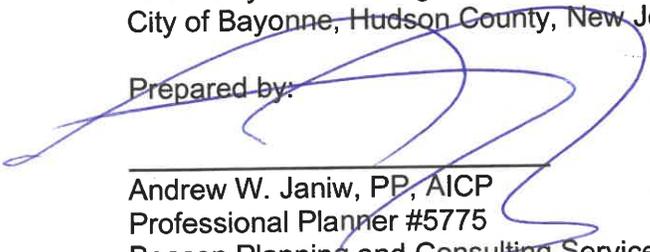
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City of Bayonne, Hudson County, New Jersey

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301 & 300-302 Constitution Avenue  
Area in Need of Redevelopment Assessment  
Block 803, Lot 1 & Block 815, Lot 1  
\_\_\_\_\_, 2025

City of Bayonne, Hudson County, New Jersey

Adopted pursuant to N.J.S.A. 40A:12A-1, The New Jersey Local Redevelopment and Housing Law, by Ordinance of the Municipal Council of the City of Bayonne on second reading and public hearing on \_\_\_\_\_, 2025 following adoption by the Planning Board of the City of Bayonne on \_\_\_\_\_, 2025.

**MAYOR**

The Honorable James M. Davis

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## APPENDIX

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<b>Appendix</b>	<b>Title</b>
1	Bayonne City Council Resolution No. 25-08-13-073
2	Figures: <ul style="list-style-type: none"><li>1 Location Map</li><li>2 Redevelopment Study Area</li></ul>
3	Table 1 – Property List
4	Tax Map and Property Detail
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6	Smart Growth Area Determination and State Policy
7	Chapter 159 Amendments to the Local Redevelopment and Housing Law through 2019

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## INTRODUCTION

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The study area that is the subject of this analysis is identified on local tax records as Block 803, Lot 1 and Block 815, Lot 1, also known as 301 Constitution Avenue and 300-302 constitution Avenue (the “Study Area”). The Study Area consists of the two City blocks bordered by Memorial Boulevard to the north, Flagship Street to the west, Stanley Avenue to the south, and Harbor Place to the east. Constitution Avenue divides the blocks. Figure 1 shows the location of the Study Area within the City of Bayonne (the “City”). The Study Area is approximately 7.42 acres, located within Military Ocean Terminal (MOTBY) portion of the City and identified as Harbor Pointe, and is improved with two multifamily buildings containing a total of approximately 544 residential units. The context of the Study Area and its location are depicted in Figure 2. The Study Area is situated within a portion of the City undergoing reinvestment and redevelopment with high density residential housing. Additionally, ferry service will be established to this portion of the City with Redevelopment Agreements between the City and the NY Waterway reportedly in progress. In view of these conditions and the identified potential of these parcels to contribute to the community, the City’s governing body authorized actions pursuant to the Local Redevelopment and Housing Law (the “LRHL”) in an effort to advance opportunities within the Study Area to provide additional housing opportunities in close proximity to public transportation and proposed public transportation/walkways accessing retail along the Route 440 corridor and Broadway. Assessing the Study Area under the criteria established in the LRHL to determine if the Study Area qualifies as an “area in need of redevelopment” is one such action. If the Study Area is designated as an area in need of redevelopment, the adoption of a redevelopment plan is another such action.

The State of New Jersey has empowered municipalities in their efforts to address such conditions as exist at the subject site in order to promote the advancement of community interests through a program of redevelopment, rehabilitation and incentives for the expansion and improvement of facilities by adopting the LRHL.

### **Background**

The City retained Beacon Planning and Consulting Services, LLC, (BPCS) to provide technical assistance in the preparation of a study to determine whether the Study Area, located within the City’s BMHO Bayonne Metropolitan Harbor District, qualifies as an “area in need of redevelopment” under the requirements of the LRHL. The Study Area boundary was selected by the City to ensure a comprehensive planning approach relative to the issue of redevelopment. The City proceeded in this endeavor in recognition of the Study Area’s development pattern, and the benefits that may accrue to the entire City should the area be designated for redevelopment.

## Findings

This report represents the culmination of a planning analysis and presents conclusions with respect to the Study Area's consistency with the applicable statutory criteria. As detailed in the body of this report, the analysis reveals that the LRHL criteria are affirmatively addressed by various characteristics of the Study Area. Consequently, it is recommended that the City may designate the Study Area as an "area in need of redevelopment" and proceed with the preparation and adoption of a redevelopment plan pursuant to the LRHL.

The redevelopment area designation represents the first step in a lengthy and extensive process. This initial step commences with the adoption of a resolution by the City Council directing and authorizing the Planning Board to investigate the Study Area for delineation as an area in need of redevelopment. The City Council adopted Resolution No. 25-08-13-073, authorizing the Planning Board to undertake a preliminary investigation of the Study Area. Subsequent to the designation of an area in need of redevelopment, the City Council may then either direct the Planning Board to prepare a redevelopment plan or prepare such redevelopment plan itself. If prepared by the Planning Board, the redevelopment plan, upon its completion, would be forwarded to the City Council for formal action. If prepared by the City Council, the redevelopment plan would first be forwarded to the Planning Board for its review relative to the goals and objectives of the City's Master Plan prior to formal action by the City Council. The LRHL allows a redevelopment plan to encompass the redevelopment and/or rehabilitation of some or all the lots within the Study Area.

The analysis presented in this document highlights the fact that the Study Area is not utilized in a manner that achieves its full development potential, or that enables it to contribute to the public health, safety, and general welfare of the community. Within the framework of the LRHL criteria, this allows the City to designate the Study Area as an area in need of redevelopment. The basis for this conclusion is detailed in the body of this report.

It is recommended that the City consider designating the Study Area as an area in need of redevelopment, as prescribed by the LRHL, which provisions are set forth herein. It is also recommended that the City proceed with the preparation and adoption of a redevelopment plan for the Study Area. The procedure to achieve this objective is set forth in this report and will entitle the City to implement a program to enhance the character of the Study Area in order to improve the health, safety and general welfare of the City.

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## LOCAL REDEVELOPMENT AND HOUSING LAW

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The LRHL was designed by the New Jersey State Legislature to assist and guide municipalities in the process of redeveloping and rehabilitating deteriorating properties.

The Legislature states in the preamble to the LRHL that:

“There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities, and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.”

The City can utilize the LRHL to improve upon existing conditions within the Study Area. The first step is to designate the Study Area as an “area in need of redevelopment.” The foundation for this designation, the identification of properties that meet the applicable statutory criteria, is presented in this report.

### **Applicable Statutory Criteria**

In 1992, the State of New Jersey adopted into law legislation that revised and updated the State's local redevelopment and housing enabling legislation. The LRHL replaced a number of former redevelopment statutes, including the Redevelopment Agencies Law, Local Housing and Redevelopment Corporation Law, Blighted Area Act, and Local Housing Authorities Law, with a single comprehensive statute.

The LRHL provides the statutory authority for municipalities to designate “areas in need of redevelopment,” prepare and adopt redevelopment plans, and implement redevelopment projects. Specifically, a governing body has the power to cause a preliminary investigation to determine whether an area is in need of redevelopment, and/or determine that an area is in need of rehabilitation.

The LRHL was amended in 2013 to be consistent with the judicial holdings in: *Kelo v. City of New London*, 545 U.S. 469 (2005), *Gallenthin Realty Development, Inc. v. Township of Paulsboro*, 191 N.J. 344 (2007); and *Harrison Redevelopment Agency v. DeRose*, 398 N.J. Super. 361 (App. Div. 2008). Amendments to the LRHL include findings supportive of redevelopment:

“Redevelopment remains a valid and important public purpose and the implementation of redevelopment programs continues to be a vital tool for municipal officials that must be maintained to allow them to continue to meet

their government responsibilities to prevent, arrest, and reverse deleterious property conditions within their municipal borders.”

“Municipalities should be encouraged to engage in economic development initiatives by promoting and facilitating such efforts to create local economic stimulus and job creation through the tools and incentives available under the “Local Redevelopment and Housing Law”.”

In 2019, the LRHL was amended to address shopping malls, office parks and other commercial properties experiencing abandonment, discontinuance of use or significant vacancies in recognition that demographics, shopping habits, and technology have led to the decline of these facilities.

A planning board has the power to conduct, when authorized by a governing body, a preliminary investigation and public hearing and make a recommendation as to whether an area is in need of redevelopment. The planning board is also authorized to make recommendations concerning a redevelopment plan; and prepare a plan as determined to be appropriate. The planning board may also make recommendations concerning a determination if an area is in need of rehabilitation.

The LRHL provides that "a delineated 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 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 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 two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- 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 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.”

The LRHL defines redevelopment to include “clearance, replanning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a development plan.” *It is noteworthy that the LRHL specifically states that a redevelopment area may include lands which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is necessary for the effective redevelopment of an area. (Emphasis added.)*

A redevelopment plan can then be prepared following the delineation of the redevelopment area. The redevelopment plan would identify the manner in which the designated area is to be developed, including the prospective distribution of uses and buildings, as well as the intensity of use. The City can use its resources to encourage public-private partnerships in redevelopment efforts and incorporate the use of low-interest loans or outright grants, bonding, tax abatements, infrastructure, land, and an expedited approval process to facilitate the redevelopment of the area. The benefits accruing from these programs, including an improved physical appearance, enhanced land use arrangement, and increased tax revenues, would serve to enhance the character of the entire community.

## STUDY AREA CONDITIONS

The City Council adopted Resolution No. 25-08-13-073 authorizing the Planning Board to undertake a preliminary investigation of the Study Area, which is located within the City's BMHO Bayonne Metropolitan Harbor District. A copy of this resolution is provided in Appendix 1. The City Council authorized the Planning Board to undertake a preliminary investigation to determine whether the Study Area meets the statutory criteria for designation as an area in need of redevelopment. The Study Area for this preliminary investigation consists of the property listed in Table 1.

The Study Area consist of the two City blocks bordered by Memorial Boulevard to the north, Flagship Street to the west, Stanley Avenue to the south, and Harbor Place to the east. Constitution Avenue separates the blocks. Figure 2 shows the location of the study area.

**Table 1  
Study Area Properties**

City of Bayonne - 301 & 300-302 Constitution Avenue									
Block	Lot	~Area (Sq.Ft.)	~Acreage*	Improvements	Zone	Conforming Use with Current Zoning	Ownership	Property Address	Located in UEZ
815	1	207,258.48	4.758	Multifamily Residential	BMHO	Yes	CL CITYVIEW/VERBENA/RS URB RENEWLLC	300-302 Constitution Ave.	No
803	1	116,000.28	2.663	Multifamily Residential	BMHO	Yes	CL CITYVIEW/VERBENA/RS URB RENEWLLC	301 Constitution Ave.	No
<b>Total:</b>		<b>323,258.76</b>	<b>7.4210</b>						

\*Approximate acreage obtained from Bayonne tax records and tax maps. Lots have not been surveyed and lot areas are subject to change as additional information is

### Existing Land Use Pattern

The Study Area is situated within the MOTBY) portion of the City. To the east is a townhome development while to the north are commercial uses. To the west are additional multifamily developments (both under construction and approved). Property to the west is the subject of a redevelopment plan permitting multifamily developments up to 50 stories in height.

### Master Plan

Goals, Objectives, Principles, Assumptions, Policies and Standards of the 2000 Master Plan include:

- Preserve and protect the established residential character, provide for compatible in-fill residential development in appropriate locations and encourage a broad range of housing choices for residents;
- Promote the creation of a fully intermodal transportation system that enhances local circulation, increases regional access and provides links to international destinations. Coordinate land uses with transportation investments to promote intermodal

connections and encourage alternative to driving, such as mass transit, freight rail and bicycle/pedestrian facilities;

- Plan for and promote the redevelopment of underutilized or vacant commercial and industrial properties including MOTBY the Texaco site and portions of Broadway.
- Focus economic activity in the City's major economic centers including Broadway, MOTBY, the Route 440 corridor and Constable Hook industrial area. Recognize the unique character of each area and promote development that will strengthen and reinforce market niches.
- Plan for and promote the mixed-use redevelopment of MOTBY in order to create employment, generate tax ratables and enhance the quality of life for residents and workers.

The 2000 Master Plan discusses the transfer of the Military Ocean Terminal to the City, and outlines the Harbor Mixed-Use District.

The 2017 reexamination report, per The City Vision for 2020 on pg. 2, states: "The Military Ocean Terminal (MOTBY), is planned as a thriving mixed-use center with a deep-water port, ferry, light industrial uses, commercial office space, a waterfront residential enclave, and extensive recreational amenities such as the Hudson River waterfront walkway."

Under Economic Recommendations, the 2017 Reexamination recommends the continued support of redevelopment of the MOTBY and Texaco sites.

Overall, the City's Master Plan and 2017 Reexamination Report seek to promote the reinvestment into and the redevelopment of the MOTBY area as a way to revitalize this portion of the community and take advantage of public transportation.

The State Development and Redevelopment Plan (the "SDRP") classifies the Study Area as Metropolitan Planning Area (PA-1), which encompasses large urban centers and developed suburbs. (See Appendix 8)

### **Existing Zoning**

The Study Area is situated within the City's BMHO Bayonne Metropolitan Harbor District, which permits: The property is subject to The Peninsula at Bayonne Harbor: BLRA Redevelopment Plan, dated 09/24/2008. Permitted uses within the Bayonne Bay District include multifamily housing.

### **Site Conditions**

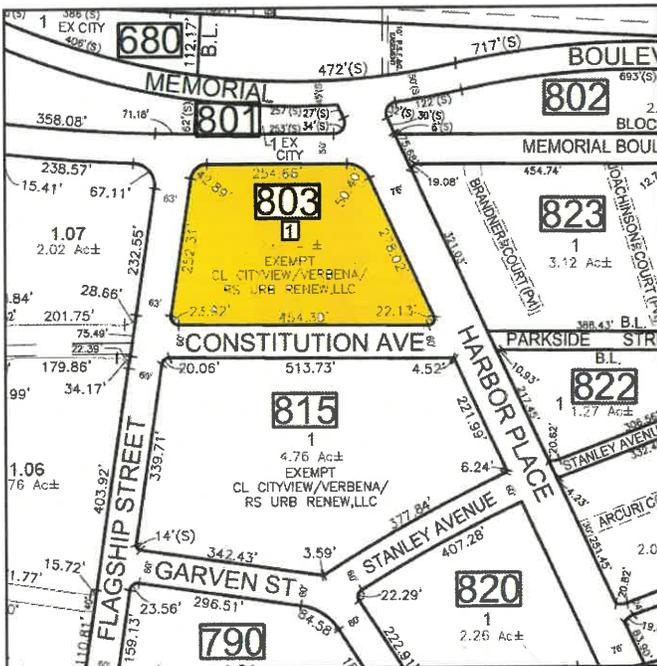
The following is a summary description of physical characteristics, including land use and zoning considerations for the Study Area:

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BAYONNE, NEW JERSEY

- The Study Area contains a total of approximately 7.4210 acres. It is situated in the BMHO Bayonne Metropolitan Harbor District.
- The Study Area is located within a designated smart growth area.
- The study area is currently improved with two multifamily buildings containing a total of ~544 residential units.
- Ferry service is proposed proximate to the redevelopment area.
- The Study Area has access to public utilities (water and sanitary sewer).

**Subject Properties**

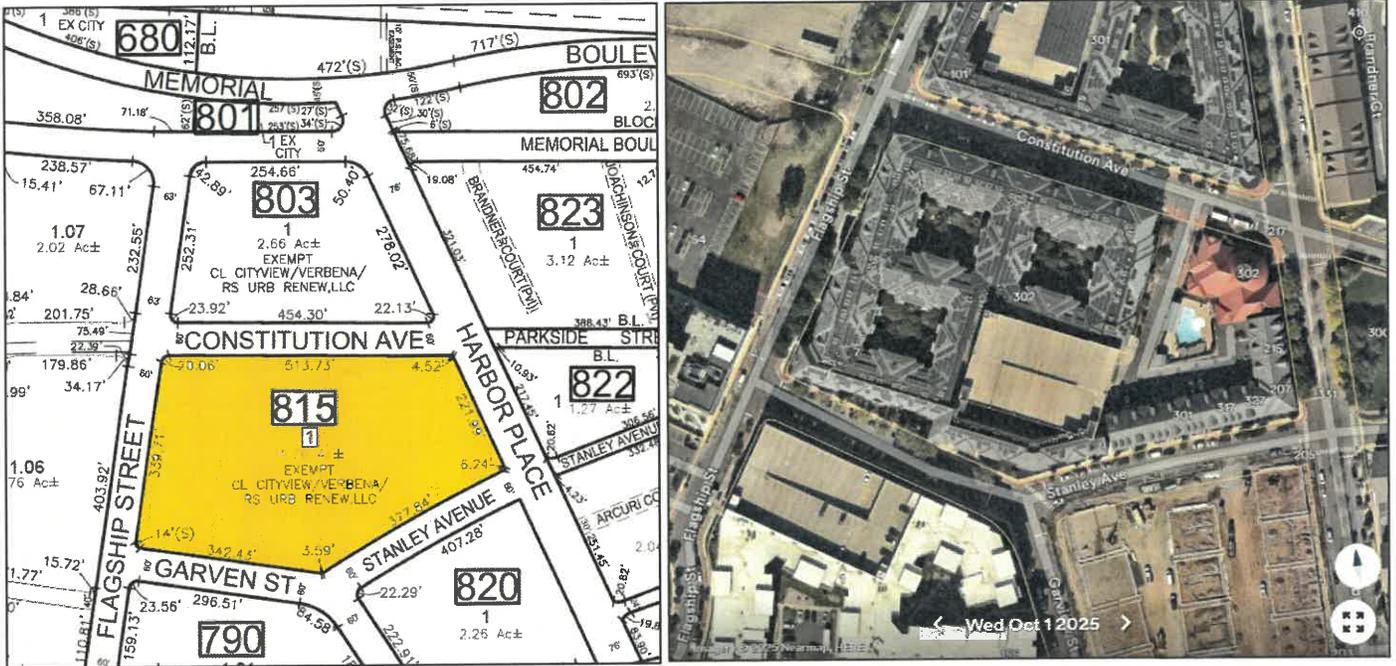
**Block 803, Lot 1: 301 Constitution Avenue**



Block 803, Lot 1: 301 Constitution Avenue – The parcel contains approximately 2.663 acres and is located within the BMHO District. The parcel is improved with a 4-story, multifamily building, a parking garage, and amenity space. The property is owned by CL CITYVIEW/VERBENA/RS URB RENEW,LLC.

301 & 300 – 302 CONSTITUTION AVENUE REDEVELOPMENT AREA ASSESSMENT  
BAYONNE, NEW JERSEY

Block 815, Lot 1:300 – 302 Constitution Avenue



Block 815, Lot 1: 300 - 302 Constitution Avenue – The parcel contains approximately 4.758 acres and is located within the BMHO District. The parcel is improved with a 3 – and 4-story, multifamily building, a parking garage, and amenity space. The property is owned by CL CITYVIEW/VERBENA/RS URB RENEWLLC.

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## COMPLIANCE WITH STATUTORY CRITERIA

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The Study Area was evaluated in terms of the eight criteria under which a property may be designated as an area in need of redevelopment under the LRHL. City planning documents, tax records and code enforcement files were reviewed for pertinent information. Digital mapping of land use, floodplains and wetlands were also reviewed. Each property was reviewed with respect to physical conditions, planning and zoning consistency, and tax assessment. The conclusions with respect to each property within the Study Area are summarized in the body of this report.

### **Criterion A**

The LRHL provides that a property may be designated as an “area in need of redevelopment” under criterion “a” in accordance with the following:

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.

#### *Overview*

This criterion addresses older structures that no longer provide safe living/working conditions or are situated so as to limit and impeded light, air and open space.

#### *Analysis*

The existing multifamily residential structures are approximately 15 years old and units are currently occupied and, when vacant, being leased at market rents pursuant to ownership. No identified fire, zoning, or health code violations were reported by the City.

#### *Findings*

The Study Area does not qualify under Criterion A.

### **Criterion B**

The LRHL provides that a property may be designated as an “area in need of redevelopment” under criterion “b” in accordance with the following:

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

*Overview*

The purpose of this criterion is to address buildings that can directly impact neighboring properties as dilapidated and vacant structures and present a strain to surrounding commercial uses and demonstrate a lack of investment.

*Analysis*

The parcels are improved with multifamily structures wherein units are currently occupied and, when tenants vacate units, the units are leased at market rents.

*Findings*

The Study Area does not qualify under Criterion B.

**Criterion C**

The LRHL provides that a property may be designated as an “area in need of redevelopment” under criterion “c” in accordance with the following:

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.

*Overview*

This criterion addresses public lands and tracts of vacant private land with conditions that cause practical difficulty for development. Inherent in this criterion is the recognition that the LRHL provides municipalities with tools to assist private developers in overcoming these conditions (including augmenting private capital with public funding).

*Analysis*

The Study Area is owned by a private entity and improved with two, multifamily structures.

*Findings*

The Study Area does not qualify under Criterion C.

## **Criterion D**

The LRHL provides that a property may be designated as an “area in need of redevelopment” under criterion “d” in accordance with the following:

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.

### *Overview*

This criterion specifically addresses substandard layouts of buildings and other site improvements.

### *Analysis*

The existing multifamily residential structures are approximately 15 years old and were designed in a manner substantial consistent with a redevelopment plan adopted for this area. The development exhibits no evidence of obsolescence, overcrowding, faulty arrangement or design, or any other condition which would qualify the parcel under Criterion D.

### *Findings*

The Study Area does not qualify under Criterion D.

## **Criterion E**

The LRHL provides that a property may be designated as an “area in need of redevelopment” under criterion “e” in accordance with the following:

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 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.

*Overview*

This criterion addresses the burden faced in redevelopment when same would require the cooperation of numerous property owners, owners of parcels that are deteriorated, overcrowded, and stifled.

*Analysis*

Ownership of the parcels is consolidated to one entity, identified as CL CITYVIEW/VERBENA/RS URB RENEWLLC on local tax records.

*Findings*

The Study Area does not qualify under Criterion E.

**Criterion F**

The LRHL provides that a property may be designated as an “area in need of redevelopment” under criterion “F” in accordance with the following:

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.

*Overview*

This criterion addresses large areas of a community impacted by fire or natural disasters.

*Analysis*

The Study Area and the existing multifamily structures have, reportedly, not suffered impacts from fire or natural disasters.

BPCS notes that the study area may be affected by the New Jersey Department of Environmental Protection REAL 2.0 Rule updated regarding the Design Flood Hazard Area Elevation.

*Findings*

The Study Area does not qualify under Criterion F.

**Criterion G**

The LRHL provides that a property may be designated as an “area in need of redevelopment” under criterion “g” in accordance with the following:

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.

#### *Overview*

An area that has been designated as an Urban Enterprise Zone automatically qualifies under this criterion for the purposes of granting tax abatements and exemptions. However, if a municipality seeks to draw on other redevelopment powers provided under the LRHL, it must demonstrate that a subject area meets at least one of the other statutory criteria.

#### *Analysis*

Block 803, Lot 1 and Block 815, Lot 1 are not located within a UEZ.

#### *Findings*

The Study Area does not qualify under Criterion G.

#### **Criterion H**

The LRHL provides that a property may be designated as an "area in need of redevelopment" under criterion "h" in accordance with the following:

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

### *Overview*

Smart growth is a term given to planning theories and practices designed to combat suburban sprawl. Prior to the 1950's the nation's population generally lived in compact neighborhoods where people could either walk from their homes to work, shop or schools, or could take advantage of public transportation to reach such destinations. The emergence of the privately-owned automobile as the primary means of transportation due to the decline of mass transit opportunities and a focus on improving and expanding the regional highway system has allowed households to migrate from cities to far reaching suburbs.

As the population of the State has grown, reliance on the automobile has resulted in increased traffic congestion, as few, if any public transportation options exist in many suburban communities. Households began to flee older, congested suburban communities, in which they perceived a diminishing quality of life. Thus, suburbs become urban, exurbs became suburban, and the open spaces that separated communities essentially vanished. This development pattern is commonly referred to as "sprawl."

To combat sprawl, while recognizing the need to accommodate an ever-expanding population, planners have developed a series of principles known as "smart growth" can be used to achieve desirable community land use and design patterns. The following smart growth principles are generally accepted by planners and lawmakers, and have been incorporated (explicitly and implicitly) into the body of state and local regulations adopted to combat sprawl:

- Collaborate on solutions by including community stakeholders in the decision-making process.
- Encourage infill development and redevelopment by directing future growth to existing communities and areas with existing infrastructure, thereby strengthening existing neighborhoods.
- Create walkable communities.
- Foster distinctive, attractive communities with a strong sense of place.
- Provide transportation choices, including readily accessible public transportation.
- Lower barriers and provide opportunities for smart development by use of targeted, smart growth regulations.
- Utilize high quality design and planning techniques to produce predictable, fair and cost effective development decisions.

### *Analysis*

The State of New Jersey addresses issues of development through the SDRP, an outline of the State's policies related to smart growth. Promulgated by the State Planning Commission as an interdepartmental effort involving numerous State offices charged with managing growth-related issues on a statewide basis, the SDRP is the controlling policy guide regarding statewide land development issues.

The SDRP designates the Study Area as within the Metropolitan Planning Area. Appendix 6 includes the State Plan Policy Map for the Study Area. Appendix 6 indicates the Study Area is situated within a designated 'smart growth' area pursuant to the State Plan Policy Map.

According to the SDRP, areas falling under the Metropolitan Planning Area designation exhibit mature settlement patterns resulting in a diminishing supply of vacant land, infrastructure systems that are generally beyond or approaching their reasonable life expectancy, the need to rehabilitate housing to meet ever changing market standards, and recognition that redevelopment is, or will be in the not too distant future, the predominant form of growth. Designating the Study Area as an area in need of redevelopment would be consistent with the intent, goals, and policies of the SDRP, as discussed below.

The intent of the SDRP with respect to Metropolitan Planning Areas is as follows:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign area of sprawl; and
- Protect the character of existing stable communities.

The SDRP strives to achieve these goals through strategies that seek to:

- Upgrade or replace aging infrastructure;
- Retain and expand employment opportunities;
- Upgrade and expand housing to attract a balanced residential population;
- Restore or stabilize a threatened environmental base through brownfields redevelopment and metropolitan park and greenway enhancement; and

- Manage traffic effectively and create greater opportunities for public transportation connections.

One of the policy objectives for Metropolitan Planning Areas seeks to promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements that support an identified role for the community within the regional marketplace. With respect to land use, the SDRP seeks to ensure sufficient and beneficial utilization of scarce land resources in order to strengthen the diverse and compact nature of this Planning Area.

The Study Area is situated within a portion of the City undergoing reinvestment and redevelopment with high density residential housing. By way of example, Block 751, which adjoins the study area to the west, is subject to a redevelopment plan permitting a height of 50 stories.

Additionally, ferry service will be established to this portion of the City with Redevelopment Agreements between the City and the NY Waterway reportedly in progress, thereby providing access to public transportation.

Properties within the study area present an opportunity to create additional housing in close proximity to the ferry service. Additionally, as this portion of the community continues to develop, additional means of public transportation, such as pedestrian access to the Hudson – Bergen Light Rail and local bus services, will develop.

Redevelopment represents an appropriate tool to ensure the sufficient and beneficial utilization sought by the SDRP.

The LRHL requires an area to be formally designated as an “area in need of redevelopment” before a redevelopment plan, with its associated land use regulations and building controls, is prepared. As a result, it is not possible to know at this time the extent to which smart growth land use and design principles or the SDRP’s goals and objectives may be achieved within the Study Area.

Significantly, a redevelopment plan adopted pursuant to the LRHL affords a municipality greater ability to manage growth that is otherwise possible under the standard development process governed by the Municipal Land Use Law. Redevelopment pursuant to the LRHL would allow the City to implement a comprehensive and coordinated plan for the Study Area, or portions thereof, and would potentially create opportunities for tax abatements or exemptions.

The designation of the Study Area as an “area in need of redevelopment” is consistent with the City’s master plan and zoning ordinance, which seeks to promote reinvestment within this corridor in a responsible manner such that it may continue to contribute to the municipal

tax base. The Study Area has infrastructure available, is proximate to transportation routes, and would benefit from high quality design and planning techniques.

### *Findings*

The redevelopment of the Study Area would be entirely consistent with the goals, objectives and policies of the New Jersey SDRP, and the City's Master Plan and zoning ordinance. The Study Area is situated within a portion of the community envisioned for high density residential and maintains access to existing infrastructure, including roadways and utilities. The Study Area is also situated proximate to the anticipated ferry service, with additional access to public transportation envisioned. The Study Area is ideally suited for redevelopment because of these conditions and factors. As a result, the entire Study Area qualifies for designation as an area in need of redevelopment under this criterion.

### **Per NJ Statue 40A:12A-3 Definitions:**

"Redevelopment area" or "area in need of redevelopment" means an area determined to be in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) or determined heretofore to be a "blighted area" pursuant to P.L.1949, c.187 (C.40:55-21.1 et seq.) repealed by this act, both determinations as made pursuant to the authority of Article VIII, Section III, paragraph 1 of the Constitution. 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.

## CONCLUSIONS AND RECOMMENDATIONS

This analysis of conditions within the Study Area reveals that it qualifies for designation as a redevelopment area in accordance with Criterion H of the LRHL. Each property within the Study Area, while exhibiting unique characteristics, qualifies as an ‘area in need of redevelopment’ individually and cumulatively as they exhibit traits that indicate a benefit from a redevelopment. It should be recognized that in determining that an area may be designated as a redevelopment area, the City is defining and delineating an area in which it intends to pursue further studies to determine a particular course of action. Designating an area for redevelopment enables the City to proceed with a menu of alternative approaches to upgrade and revitalize the Study Area. Figure 1 within the appendices shows the boundaries of the proposed redevelopment area.

City of Bayonne - 301 & 300-302 Constitution Avenue									
Block	Lot	~Area (Acres)	Improvements	Zone	Conforming Use with Current Zoning	Ownership	Property Address	Located in UEZ	Criteria
815	1	4.76	Multifamily Residential	BMHO	Yes	CL CITYVIEW/VERBENA/RS URB RENEWLLC	300-302 Constitution Ave.	No	H
803	1	2.66	Multifamily Residential	BMHO	Yes	CL CITYVIEW/VERBENA/RS URB RENEWLLC	301 Constitution Ave.	No	H
<b>Total:</b>		<b>7.42</b>							

\*Approximate acreage obtained from Bayonne tax records and tax maps. Lots have not been surveyed and lot areas are subject to change as additional information is obtained.

The following recommendations are offered for the City’s consideration:

1. The LRHL provides that “no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in” the applicable Laws of the State of New Jersey. “Such determination shall be made after public notice and public hearing.”

The City Council has previously authorized the preparation of this preliminary investigation. It would be appropriate for the planning board to prepare notice and hold a hearing on this preliminary investigation.

2. Upon completion of the public hearing, the planning board is required to submit its recommendation as to whether the Study Area or any part thereof, may be determined, or not be determined, by the City Council to be an area in need of redevelopment.
3. After receiving the planning board’s recommendation, the City Council may adopt a resolution determining that the Study Area, or any portion thereof, is in need of redevelopment.

4. Subsequent to this designation, the City Council is required to submit its resolution to the Commissioner of the New Jersey Department of Community Affairs for a consistency review relative to the policies, goals and objectives of the SDRP. Per NJ Rev Stat § 40A:12A-6 (2024), as the study area is situated within an are in which development and/or redevelopment is encouraged, the determination shall take effect after the clerk has transmitted a copy of the resolution to the commissioner.

**APPENDIX 1**

Bayonne City Council Resolution No. 25-08-13-073

**MUNICIPAL COUNCIL OF THE CITY OF BAYONNE**

**RESOLUTION NO. 25-08-13-073**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF BAYONNE TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 301 CONSTITUTION AVENUE AND 300-302 CONSTITUTION AVENUE AND KNOWN AS BLOCK 80, LOT 1 AND BLOCK 15, LOT 1 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. AND AUTHORIZING THE PREPARATION OF A REDEVELOPMENT PLAN FOR THE PROPERTY**

**WHEREAS**, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

**WHEREAS**, pursuant to the Redevelopment Law, the City Council adopted Resolution No. 98-02-04-040, designating the entire City as an area in need of rehabilitation in accordance with N.J.S.A. 40A:12A-14; and

**WHEREAS**, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation "area in need of redevelopment" pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if a certain property located at 301 Constitution Avenue and 300-302 Constitution which property is identified as Block 80, Lot 1 and Block 15, Lot 1 as shown on the official Tax Map of the City (the "Property"), constitutes a non-condemnation "area in need of redevelopment"; and

**WHEREAS**, the City believes the Property is potentially valuable for contributing to, serving, and protecting the public health safety and welfare and for the promotion of smart growth within the City; and

**WHEREAS**, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Property as a non-condemnation "area in need of

redevelopment” is appropriate and in conformance with the statutory criteria contained in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Municipal Council further desires that to the extent that the Planning Board determines that the Property constitutes an area in need of redevelopment, that the Planning Board prepare a redevelopment plan for the Property (the “Redevelopment Plan”).

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AS FOLLOWS:**

**Section 1.** The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the aforementioned Property, or any portions thereof, constitutes a non-condemnation “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5.

**Section 2.** The Planning Board is hereby directed to study the area known 301 Constitution Avenue and 300-302 Constitution Avenue which property is identified as Block 80, Lot 1 and Block 15, Lot 1 as shown on the official Tax Map of the City; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to N.J.S.A. 40A:12A-6; and to draft a report/Resolution to the Municipal Council containing its findings.

**Section 3.** The results of such preliminary investigation shall be submitted to the Mayor and Municipal Council for review and approval in accordance with the provisions of the Redevelopment Law.

**Section 4.** To the extent that the preliminary investigation determines that the subject Property meets the statutory criteria to be deemed a non-condemnation area in need of redevelopment, the Planning Board is further directed to prepare a Redevelopment Plan for the subject Property.

**Section 5.** This Resolution shall take effect immediately.

A TRUE COPY

Madelene C. Medina

CITY CLERK

Council Member	Aye	Nay	Abstain	Absent
Booker	X			
Carroll	X			
Perez	X			
Weimmer	X			
LaPelusa	X			

## **APPENDIX 2**

Figures:

- 1 Location Map
- 2 Redevelopment Study Area

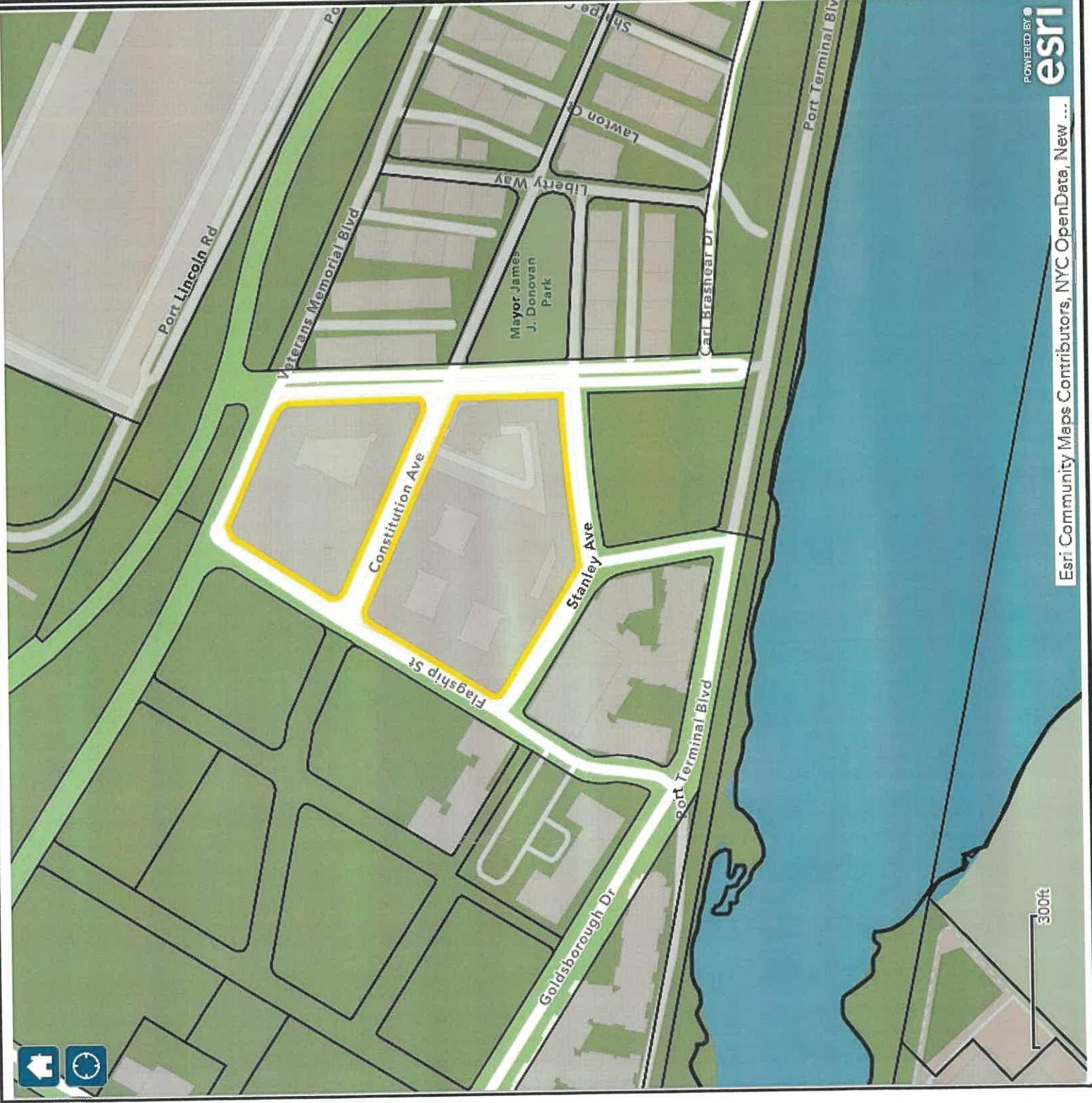
301 & 300-302  
Constitution Avenue  
Redevelopment  
Area Assessment

City of Bayonne  
New Jersey

Figure 1:  
Location Map

Mapping obtained from  
Hudson County GIS

Beacon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Colts Neck, New Jersey 07722



POWERED BY  
**esri**

Esri Community Maps Contributors, NYC OpenData, New ...

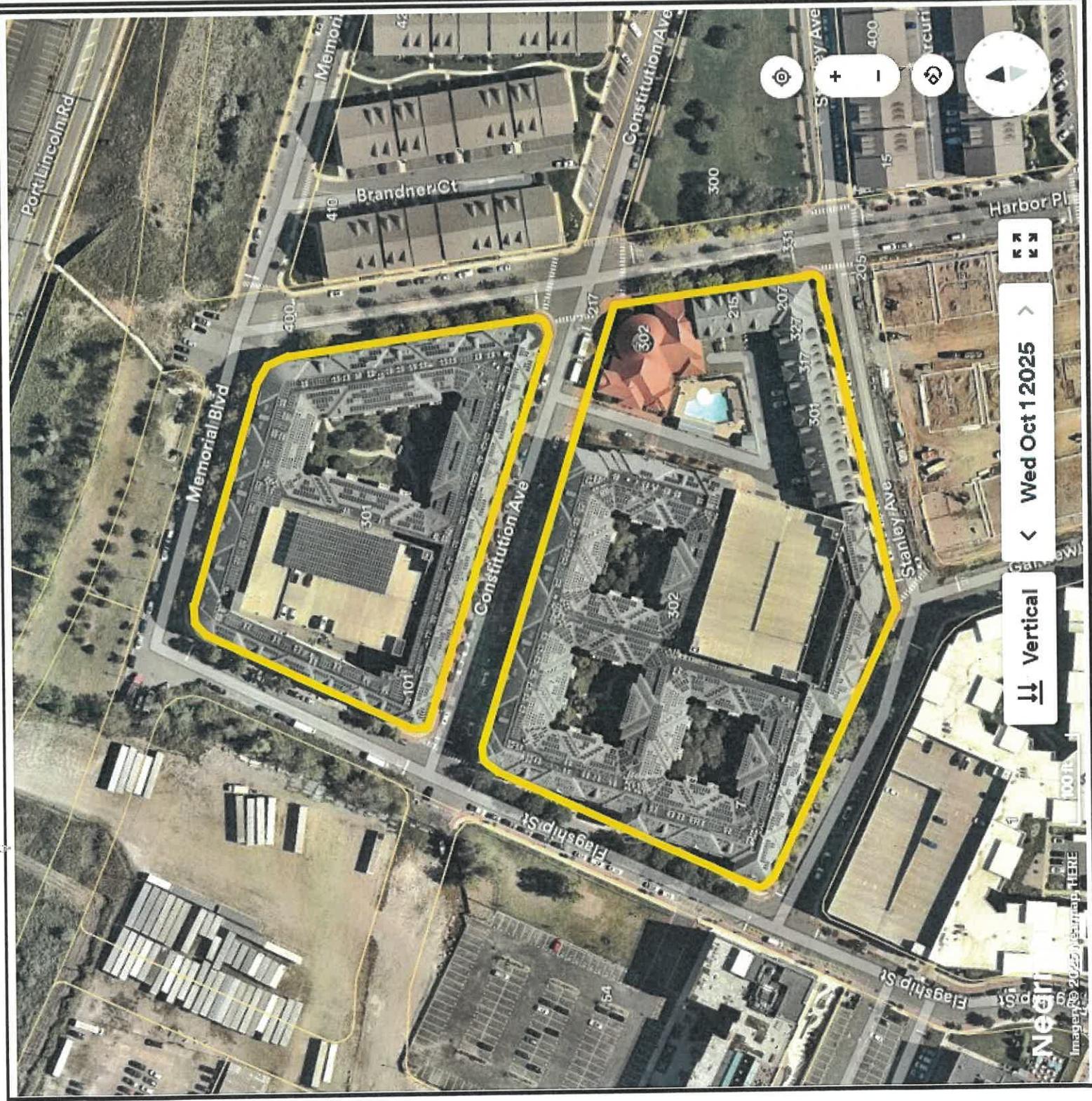
**301 & 300-302  
Constitution Avenue  
Redevelopment  
Area Assessment**

**City of Bayonne  
New Jersey**

**Figure 2:  
Redevelopment  
Study Area**

**Nearmap Image:  
10/01/2025**

Beacon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Colts Neck, New Jersey 07722



## APPENDIX 3

Table 1 – Property List

**City of Bayonne - 301 & 300-302 Constitution Avenue**

Block	Lot	~Area (Sq. Ft.)	~Acreage*	Improvements	Zone	Conforming Use with Current Zoning	Ownership	Property Address	Located in UEZ
815	1	207,258.48	4.758	Multifamily Residential	BMHO	Yes	CL CITYVIEW/VERBENA/RS URB RENEWLLC	300-302 Constitution Ave.	No
803	1	116,000.28	2.663	Multifamily Residential	BMHO	Yes	CL CITYVIEW/VERBENA/RS URB RENEWLLC	301 Constitution Ave.	No
<b>Total:</b>		<b>323,258.76</b>	<b>7.4210</b>						

\*Approximate acreage obtained from Bayonne tax records and tax maps. Lots have not been surveyed and lot areas are subject to change as additional information is obtained.

## **APPENDIX 4**

Tax Map and Property Detail



[New Search](#) [Assessment Postcard](#)

Block: 803	Prop Loc: 301 CONSTITUTION AVE	Owner: CL CITYVIEW/VERBENA/RS URB RENEWLLC	Square Ft: 0
Lot: 1	District: 0901 BAYONNE	Street: 1 EXECUTIVES BLVD #204	Year Built:
Qual:	Class: 15F	City State: SUFFERN, NY 10901	Style:
Additional Information			
Prior Block: 404	Acct Num: 80300001	Add Lots:	EPL Code: 29 13 998
Prior Lot: 1	Mtg Acct:	Land Desc: 2.663 ACRES	Statute: 40A:12A-1
Prior Qual:	Bank Code: 0	Bldg Desc:	Initial: 061209 Further: 113039
Updated: 10/29/25	Tax Codes: S02	Class4Cd: 0	Desc: URBAN RENEWAL
Zone: BMHO	Map Page:	Acreage: 2.66	Taxes: 0.00 / 0.00

Sale Date: 10/21/15		Book: 9074	Page: 21	Price: 147500000	NU#: 26			
Sr1a	Date	Book	Page	Price	NU#	Ratio	Grantee	

TAX-LIST-HISTORY

Year	Property Location	Land/Imp/Tot	Exemption	Assessed	Property Class
2025	301 CONSTITUTION AVE	8800000 30281900 39081900	0	39081900	15F
2024	301 CONSTITUTION AVE	8800000 30281900 39081900	0	39081900	15F
2023	301 CONSTITUTION AVE	8800000 30281900 39081900	0	39081900	15F
2022	301 CONSTITUTION AVE	8800000 30281900 39081900	0	39081900	15F

[\\*Click Here for More History.](#)

[New Search](#) [Assessment Postcard](#)

Block: 815 Prop Loc: 300-302 CONSTITUTION AVE Owner: CL CITYVIEW/VERBENA/RS URB RENEWLLC Square Ft: 0  
 Lot: 1 District: 0901 BAYONNE Street: 1 EXECUTIVE BLVD #204 Year Built:  
 Qual: Class: 15F City State: SUFFERN, NY 10901 Style:

Additional Information

Prior Block: 404 Acct Num: 81500001 Addl Lots: EPL Code: 29 13 998  
 Prior Lot: 1 Mtg Acct: Land Desc: 4.758 ACRES Statute: 40A:12A-1  
 Prior Qual: Bank Code: 0 Bldg Desc: Initial: 061209 Further: 113039  
 Updated: 10/29/25 Tax Codes: S02 Class4Cd: 0 Desc: URBAN RENEWAL  
 Zone: BMHO Map Page: Acreage: 4.76 Taxes: 0.00 / 0.00

Sale Information

Sale Date: 10/21/15 Book: 9074 Page: 21 Price: 147500000 NU#: 26

Sr1a	Date	Book	Page	Price	NU#	Ratio	Grantee
<a href="#">More Info</a>	10/21/15	9074	21	147500000	26	27.26	CL CITYVIEW RENEWAL, LLC. ET AL

TAX-LIST-HISTORY

Year	Property Location	Land/Imp/Tot	Exemption	Assessed	Property Class
2025	300-302 CONSTITUTION AVE	12960000	0	57557100	15F
		44597100			
		57557100			
2024	300-302 CONSTITUTION AVE	12960000	0	57557100	15F
		44597100			
		57557100			
2023	300-302 CONSTITUTION AVE	12960000	0	57557100	15F
		44597100			
		57557100			
2022	300-302 CONSTITUTION AVE	12960000	0	57557100	15F
		44597100			
		57557100			

[\\*Click Here for More History](#)

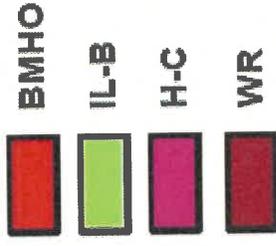
**APPENDIX 5**

Zoning Map

301 & 300-302  
Constitution Avenue  
Redevelopment  
Area Assessment

City of Bayonne  
New Jersey

Zoning Designations



Obtained from:  
City of Bayonne  
Zoning Map  
September 2020



## **APPENDIX 6**

Smart Growth Area Determination and State Policy

# 301 & 300-302 Constitution Avenue Redevelopment Area Assessment

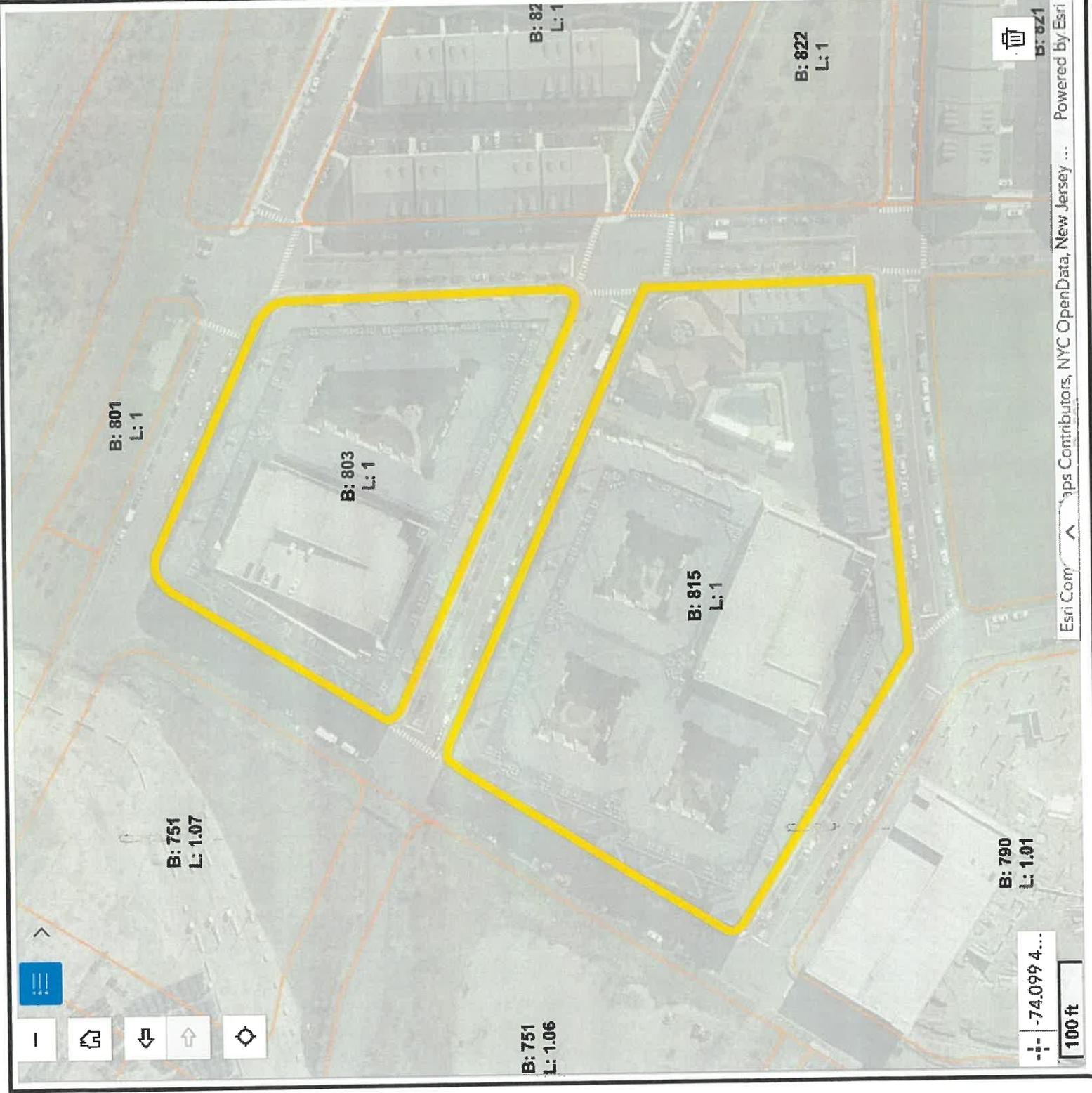
## City of Bayonne New Jersey

### State Planning Area

- Metropolitan Planning Area (PA 1)
- Suburban Planning Area (PA 2)
- Fringe Planning Area (PA 3)
- Rural Planning Area (PA 4)
- Rural Environmentally Sensitive Area (PA 42)
- Environmentally Sensitive Planning Area (PA 5)
- Environmentally Sensitive Barrier Island (PA 52)
- Parks and Natural Areas (PA 6, 7, 8)
- Hecksack Meadowslands (PA 9)
- NJ Pinelands (PA 10)
- Water - Large Bodies of Water (PA 11)
- Military Installations (PA 12)
- Highlands Preservation Area (PA 13)

Mapping obtained from  
NJ Office of GIS

Beacon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Colts Neck, New Jersey 07722



301 & 300-302  
Constitution Avenue  
Redevelopment  
Area Assessment

City of Bayonne  
New Jersey

### Smart Growth

#### Layers

New Jersey Smartgrowth Areas  
-sgareas

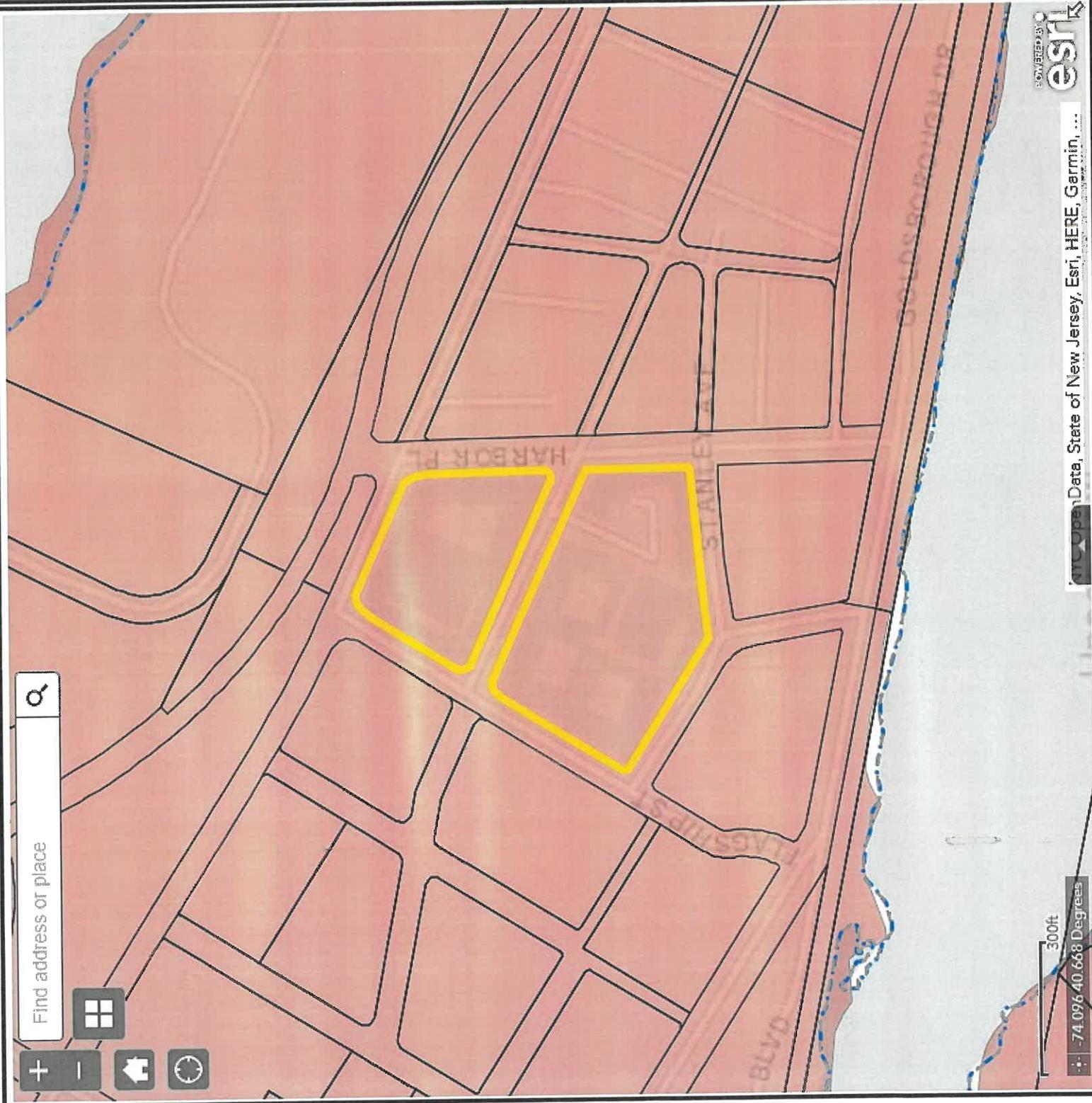


Mapping obtained from  
NJ Office of GIS

Beacon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Colts Neck, New Jersey 07722



Map Data, State of New Jersey, Esri, HERE, Garmin, ...



Find address or place



300ft

74.096 40.668 Degrees

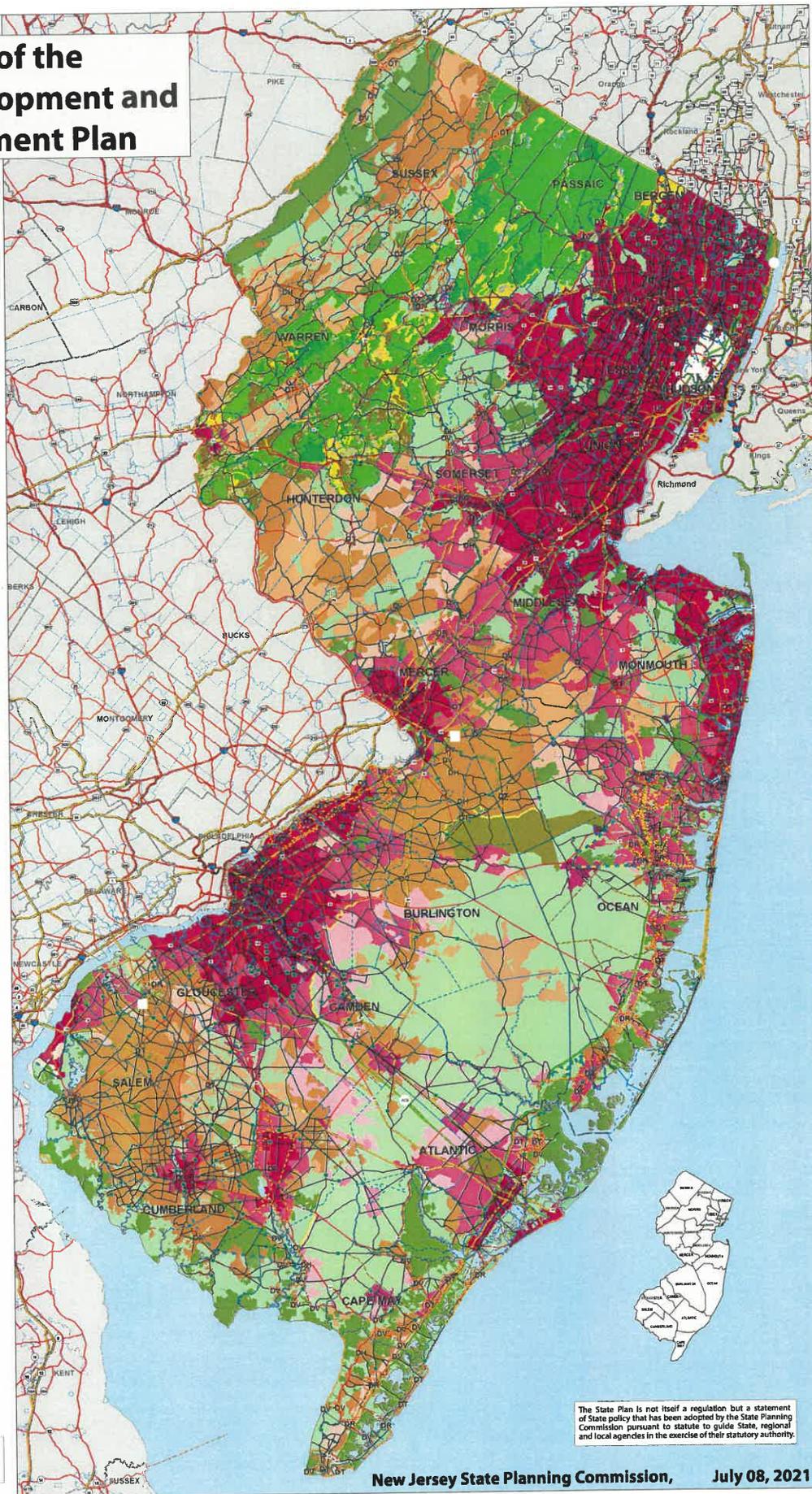
# Policy Map of the State Development and Redevelopment Plan

UC- Urban Center  
 DR- Designated Regional Center  
 DT- Designated Town  
 DV- Designated Village  
 DH- Designated Hamlet

- Endorsed Plans
- Designated Centers
- Cores
- Nodas
- Urban Complex
- Critical Environmental Site
- Historic and Cultural Site
- Metropolitan Planning Area
- Suburban Planning Area
- Fringe Planning Area
- Rural Planning Area
- Rural/Env. Sensitive Pl. Area
- Env. Sensitive Planning Area
- Env. Sens./Barrier Isl. Pl. Area
- Parks & Natural Areas
- Hackensack Meadowslands
- Water
- Military Installations
- Pinelands Boundary
- Pinelands Regional Growth
- Pinelands Town
- Pinelands Village
- Pinelands Rural Dev. Area
- Pinelands Ag. Prod. Area
- Pinelands Special Ag. Area
- Pinelands Forest & Pres. Area
- Pinelands Military & Federal
- CAFRA Boundary
- Highlands Preservation Area
- Highlands Planning Area
- Conservation Env. Copnst. Subzone
- Conservation Zone
- Existing Community Env. Const. Subz.
- Existing Community Zone
- Lake Community Subzone
- Protection Zone
- Wildlife Protection Zone
- County Boundary
- Authority Routes
- US Routes
- Interstate Routes
- State Routes
- County Routes



0 1.5 3 6 9 12  
 Miles



The State Plan is not itself a regulation but a statement of State policy that has been adopted by the State Planning Commission pursuant to statute to guide State, regional and local agencies in the exercise of their statutory authority.



*The New Jersey State Development  
and Redevelopment Plan*

*New Jersey State Planning Commission  
Adopted March 1, 2001*



important natural resources found in other Planning Areas, the State Plan recommends the designation of particular resources as Critical Environmental Sites or Historic and Cultural Sites through the Cross-acceptance and municipal and county master planning processes. Designation as a Critical Environmental Site, in addition to appropriate Statewide Policies, applies the Intent and applicable Policy Objectives of the Environmentally Sensitive Planning Area to these resources. Designation as a Historic and Cultural Site applies appropriate applicable Statewide Policies to these resources.

Each Planning Area has Policy Objectives that guide growth in the context of its unique qualities and conditions. These Policy Objectives are intended to guide state, county and municipal planning in general and, specifically, to establish a regional system of Centers (with Cores and Neighborhoods) and Nodes to promote growth in Metropolitan and Suburban Planning Areas; guide the location and size of Centers to accommodate growth in Fringe, Rural and Environmentally Sensitive Planning Areas; and provide management for the Environs. The Policy Objectives also shape and define the application of the Statewide Policies in each Planning Area.

Many infrastructure systems in Metropolitan Planning Areas have already been extended into Suburban Planning Areas, and where they have not been extended, localized infrastructure systems have been developed. Infrastructure systems should be extended into Fringe Planning Areas when they are cost-efficient to serve a Center-based pattern of growth.

In the Fringe, Rural and Environmentally Sensitive Planning Areas, the Center is the area within which infrastructure services are planned and provided to contain the level of projected growth. The Center Boundaries define the limits of the Center's growth based on a planning horizon of the Year 2020. Communities are also encouraged to develop strategies, including land banking, to provide a reserve for growth that will occur after the Year 2020.

## Metropolitan Planning Area (PA I)

### General Description

This Planning Area includes a variety of communities that range from large Urban Centers such as Newark, to 19th century towns shaped by commuter rail and post-war suburbs, such as Englewood and Cherry Hill. As the name implies, the communities in this Planning Area often have strong ties to, or are influenced by, major metropolitan centers—the New York/Newark/Jersey City metropolitan region in the northeastern counties (roughly within the I-287 beltway); the Philadelphia/Camden/Trenton metropolitan region along the lower Delaware River (roughly within the I-295 beltway); and on a smaller scale, the Easton/Phillipsburg metropolitan region along I-78. This Planning Area can also be found among the older shore towns of Monmouth County, Atlantic County, along the Delaware River in Salem County, and in the Bridgeton and Vineland-Millville areas in Cumberland County.

Over the years, both the public and private sectors have made enormous investments in building and maintaining a wide range of facilities and services to support these communities. The massive public investment is reflected in thousands of

The investment in passenger rail service in the Metropolitan Planning Area is represented by over 130 stations on:

- 11 heavy rail lines
- two rapid transit lines
- two light rail lines
- one subway line

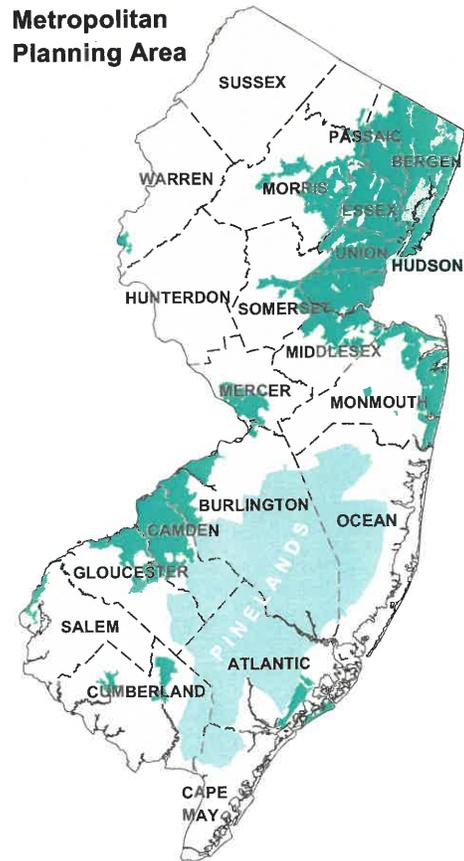
miles of streets, trade schools and colleges, libraries, theaters, office buildings, parks and plazas, transit terminals and airports. Most of these communities are fully developed, or almost fully developed, with little vacant land available for new development. Much of the change in land uses, therefore, will take the form of redevelopment.

The communities in this Planning Area form a part of the metropolitan mass where municipal boundaries tend to blur. The nature of this settlement pattern can undermine efforts to address a host of functional problems on a municipal basis. It is increasingly impractical, for instance, to manage traffic congestion, solid waste disposal and air and water pollution locally. These and other concerns spill over from one municipality to the next, requiring a regional perspective on potential solutions.

These communities have many things in common: mature settlement patterns resulting in a diminished supply of vacant land; infrastructure systems that generally are beyond or approaching their reasonable life expectancy; the need to rehabilitate housing to meet ever changing market standards; the recognition that redevelopment is, or will be in the not-too-distant future, the predominant form of growth; and a growing realization of the need to regionalize an increasing number of services and systems in light of growing fiscal constraints. In addition, the wide and often affordable choice of housing in proximity to New York and Philadelphia has attracted significant immigration, resulting in noticeable changes in demographic characteristics over time.

The Metropolitan Planning Area includes many communities that could be categorized as cities, towns or villages in the classical sense. However, over time the Metropolitan Planning Area has evolved into a close-knit, compact settlement pattern where communities stand shoulder to shoulder. The most distinctive Center forms in the Metropolitan Planning Area are Urban and Regional Centers and Towns. Urban Centers are the larger cities that historically, and to some degree still, provide a focus for the region's economy, transportation system and governmental functions. The State Planning Commission designated the following municipalities as Urban Centers in 1992: Atlantic City, Camden, Elizabeth, Jersey City, New Brunswick, Newark, Paterson and Trenton. Many communities in this Planning Area contain a mixed-use Core that provides regional commercial, institutional, cultural and transportation opportunities. Examples include Westfield, Montclair, Haddonfield, Red Bank and

The proximity of municipal boundaries in this Planning Area is illustrated by Bloomfield Avenue (Essex County Route 506) which runs 11 miles from Newark to Fairfield. Over the course of those 11 miles, the traveler passes through 10 separate municipalities.

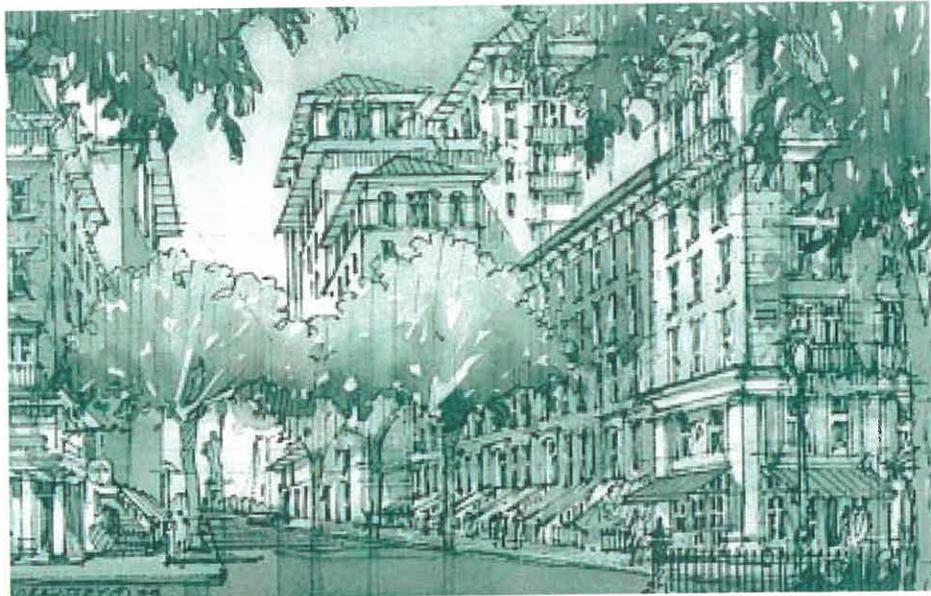


Hackensack. The Metropolitan Planning Area also contains numerous distinctive neighborhoods, main streets and downtowns that supply a range of housing opportunities and everyday commercial needs.

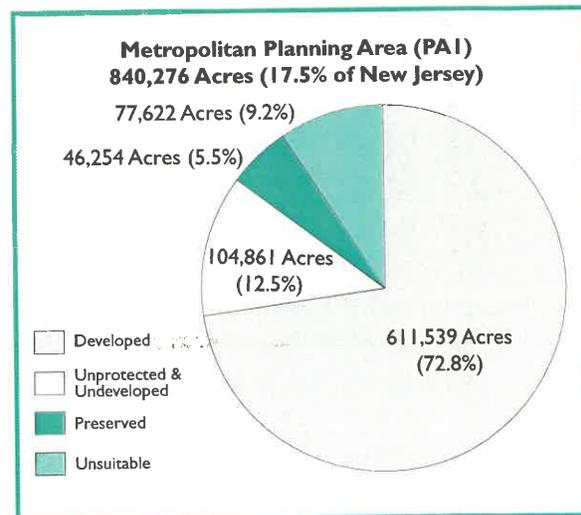
Areas such as Routes 4 and 17 in Paramus, the Raritan Center in Edison, or the Cherry Hill Mall

area along Route 38, constitute a very different development pattern than that found in Urban and Regional Centers and Towns, yet contain concentrations—or Nodes—of employment and economic activity. These conglomerations of office and warehouse parks, manufacturing districts, regional malls and power centers, retail strips, and medical and institutional complexes are often economically successful, market-driven, dynamic and capable of evolving into new forms, as exemplified by current trends in “big box” retail and entertainment. They are often suburban in intensity, layout and automobile orientation; are located apart from the traditional town Cores and city downtowns; and tend to be located in larger municipalities such as Woodbridge, Wayne, Cherry Hill, Parsippany-Troy Hills and other Metropolitan Planning Area communities that have largely developed since World War II.

The Metropolitan Planning Area contains large tracts of open space, often in the form of county and state parks and preserves, significant natural areas, and extensive waterfronts. However, this Planning Area does not generally have Environs in the form of open land separating communities and protecting natural and agricultural resources. In most instances, the large tracts of contiguous farmland, forest and environmentally sensitive lands in Fringe, Rural and Environmentally Sensitive Planning Areas function as the Environs of the Metropolitan Planning Area, as do the Pinelands, the Highlands areas of New Jersey and New York, and other open space throughout the tri-state area.



*Liberty Harbor North is a new urbanist project in Jersey City. Good design can accommodate high-density development with amenities that people want—parks, plazas, stores, convenient parking, schools and such—all within easy walking distance.*



## Delineation Criteria

The following criteria are intended as a general guide for delineating the Metropolitan Planning Area. Local conditions may require flexible application of the criteria to achieve the Policy Objectives of this Planning Area:

1. Density of more than 1,000 people per square mile.
2. Existing public water and sewer systems, or physical accessibility to those systems, and access to public transit systems.
3. Land area greater than one square mile.
4. A population of not less than 25,000 people.
5. Areas that are totally surrounded by land areas that meet the criteria of a Metropolitan Planning Area, are geographically interrelated with the Metropolitan Planning Area and meet the intent of this Planning Area.

## Intent

In the Metropolitan Planning Area, the State Plan's intention is to:

- provide for much of the state's future redevelopment;
- revitalize cities and towns;
- promote growth in compact forms;
- stabilize older suburbs;
- redesign areas of sprawl; and
- protect the character of existing stable communities.

These goals will be met by strategies to upgrade or replace aging infrastructure; retain and expand employment opportunities; upgrade and expand housing to attract a balanced residential population; restore or stabilize a threatened environmental base through brownfields redevelopment and metropolitan park and greenway enhancement; and manage traffic effectively and create greater opportunities for public transportation connections within the Metropolitan Planning Area and between the Metropolitan Planning Area, suburban employment centers, and the Philadelphia and New York areas.

The Metropolitan Planning Areas of New Jersey are envisioned as cooperative, sustainable regions comprised of a cohesive system of vibrant Urban Centers that serve as employment, governmental, cultural and transportation anchors; distinctive Regional Centers, and redesigned Nodes that provide a mixture of well defined functions and services; classic "Main Street" towns for local and regional commerce; and safe, quality residential neighborhoods throughout. The entire system is linked by transportation services (which include such new additions as light rail lines, public shuttle services and bicycle/pedestrian paths) and greenways that provide easy access to employment, recreation, schools, cultural activities, commerce, and social and governmental services.

In order to create, support and maintain this system, development and redevelopment activities will need to be consistent with the traditional urban fabric—intensities sufficient to support transit, a range of uses broad enough to encourage activity beyond the traditional workday, efficient use of infrastructure, and physical design features that enhance public safety, encourage pedestrian activity and reduce dependency on the automobile. These principles are most easily applied in traditional town or city centers but are also applicable to redesigning areas of sprawl as opportunities for redevelopment occur.

The relatively unbroken pattern of development in the Metropolitan Planning Area makes Center Boundaries, as a tool for delineating growth areas or protecting resources or neighborhoods, less useful than creating comprehensive and strategic local, corridor or regional plans. Municipalities should work with each other and their counties to delineate specific areas for redevelopment, retrofitting, rehabilitation or revitalization where growth is expected or desired. Center Boundaries may be drawn when they can be shown to serve a clear purpose.

## Policy Objectives

The following set of Policy Objectives should be used to guide the application of the State Plan's Statewide Policies in the Metropolitan Planning Area; the criteria for designation of any existing or new Centers appropriate in this Planning Area; the optional delineation of Center Boundaries around Centers; and local and state agency planning.

1. **Land Use:** Promote redevelopment and development in Cores and neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts. Promote diversification of land uses, including housing where appropriate, in single-use developments and enhance their linkages to the rest of the community. Ensure efficient and beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.
2. **Housing:** Provide a full range of housing choices through redevelopment, new construction, rehabilitation, adaptive reuse of nonresidential buildings, and the introduction of new housing into appropriate nonresidential settings. Preserve the existing housing stock through maintenance, rehabilitation and flexible regulation.
3. **Economic Development:** Promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements that support an identified role for the community within the regional marketplace. Encourage job training and other incentives to retain and attract businesses. Encourage private sector investment through supportive government regulations, policies and programs, including tax policies and expedited review of proposals that support appropriate redevelopment.
4. **Transportation:** Maintain and enhance a transportation system that capitalizes on high-density settlement patterns by encouraging the use of public transit systems, walking and alternative modes of transportation to reduce automobile dependency, link Centers and Nodes, and create opportunities for transit oriented redevelopment. Facilitate efficient goods movement through strategic investments and intermodal linkages. Preserve and stabilize general aviation airports and, where appropriate, encourage community economic development and promote complementary uses for airport property such as business centers.
5. **Natural Resource Conservation:** Reclaim environmentally damaged sites and mitigate future negative impacts, particularly to waterfronts, scenic vistas, wildlife habitats and to Critical Environmental Sites, and Historic and Cultural Sites. Give special emphasis to improving air quality. Use open space to reinforce neighborhood and community identity, and protect natural linear systems, including regional systems that link to other Planning Areas.
6. **Agriculture:** Use development and redevelopment opportunities wherever appropriate and economically feasible, to meet the needs of the agricultural industry for intensive agricultural production, packaging and processing, value-added operations, marketing, exporting and other shipping. Provide opportunities for farms, greenhouses, farmers markets and community gardens.

7. **Recreation:** Provide maximum active and passive recreational opportunities and facilities at the neighborhood, local and regional levels by concentrating on the maintenance and rehabilitation of existing parks and open space while expanding and linking the system through redevelopment and reclamation projects.
8. **Redevelopment:** Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile.
9. **Historic Preservation:** Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to redevelop. Coordinate historic preservation with tourism efforts.
10. **Public Facilities and Services:** Complete, repair or replace existing infrastructure systems to eliminate deficiencies and provide capacity for sustainable development and redevelopment in the region. Encourage the concentration of public facilities and services in Centers and Cores.
11. **Intergovernmental Coordination:** Regionalize as many public services as feasible and economical to enhance the cost-effective delivery of those services. Establish multi-jurisdictional policy and planning entities to guide the efforts of state, county and municipal governments to ensure compatible and coordinated redevelopment.

## Implementation Strategy

### The Challenge

The Metropolitan Planning Area should be managed in a way that recognizes both the distinctive character and cultural diversity of communities as well as their interrelationships. Effective public policy in the Metropolitan Planning Areas will broaden the focus to the multi-jurisdictional level to plan and manage the interdependent and integrated systems found throughout the region. Creating or maintaining a high quality of life in the Metropolitan Planning Area will depend upon our ability to govern in these areas effectively. This can occur when cities and suburbs recognize their mutual inter-dependence and embrace the need to think, plan and invest with the larger region in mind. Municipalities should work with each other and their counties to delineate specific areas for infill, redevelopment, retrofitting, rehabilitation or revitalization through comprehensive and strategic local, corridor and regional plans.

Regional Strategic Plans, Urban Complex Strategic Revitalization Plans and regional planning commissions are examples of ways to promote coordinated planning, decision making and implementation.

Of particular concern in the Metropolitan Planning Area is the condition of the infrastructure necessary to support a region that constitutes approximately two-thirds of New Jersey's population and jobs. While some components have been regularly upgraded and maintained, much of the system is at best post-World War II vintage, and in some cases turn-of-the century. Not only are the bricks and mortar aging, but the design and orientation of the system is also often outdated. For the most part, Metropolitan Planning Areas grew up around industrial-based central cities and in the northeastern and southwestern parts of the state, with strong linkages to New York City and Philadelphia. Although the central cities have lost some of their predominance over time, the infrastructure systems, particularly transportation, have not always kept pace with the resulting

dispersal of the economy throughout the Planning Area. Nor has the system always kept pace with the demands brought about by the shift to a service and technology-based economy.

We are presented then, with the task of efficiently maintaining, rehabilitating, modernizing, and, at times, redirecting infrastructure to ensure the quality of life and economic health of the Planning Area into the 21st century. This will require strategic capital planning and a commitment to maintenance and rehabilitation at all levels of government, and, where appropriate, in partnership with the private sector.

The State Plan recognizes that Nodes play a crucial role in the spatial economy of Metropolitan Planning Area municipalities and that this is likely to continue. Although less than optimum from a land use and transportation perspective, the way these areas function can be improved incrementally over time through careful planning at the local and regional level. The long-term goals for these places are to progressively reduce automobile dependency, to diversify land uses wherever possible, and in general to enhance linkages to the rest of the community.

## **Expanding Rail Service in the Metropolitan Planning Area**

Opportunities for expanded rail service and linkages in the Metropolitan Planning Area include:

- the restoration of service on the West Shore, Northern Branch, N.Y. Susquehanna and Western, and West Trenton lines;
- light rail service between Newark and Elizabeth;
- an extension of the Newark Airport monorail to the Northeast Corridor;
- construction of the Montclair Connection;
- the Hudson-Bergen Waterfront light rail;
- the Secaucus Transfer;
- the Camden—Trenton Light Rail Line; and
- the Kearny Connection (Midtown Direct).

## **The Response**

To achieve consistency with State Plan Goals, municipal, county, regional and state agencies should implement Statewide Policies by undertaking the following activities, where appropriate:

- Strengthen or establish regional planning consortiums.
- Perform a community build-out analysis to determine opportunities for and impacts of future development under existing zoning.
- Identify regional focal points for public and private investment.
- Inventory the condition and capacity of infrastructure components such as roads, wastewater treatment facilities, water supply, and public buildings and parks, and prioritize maintenance and rehabilitation projects.
- Develop strategic capital plans and budgets to reduce infrastructure backlogs and adequately address ongoing maintenance and modernization.
- Integrate planning and implementation at all appropriate scales—the neighborhood, municipality, county, corridor and region (including interstate linkages).
- Coordinate permitting and land use approval requirements that recognize the regional and statewide interest in encouraging private investment in the Metropolitan Planning Area.
- Identify strategies for linking the region internally and externally.
- Identify opportunities and prepare guidelines for retrofitting concentrations of commercial, industrial and institutional land uses.
- Support needed improvements for downtown business communities by establishing programs such as “Special Improvement Districts” in Centers.

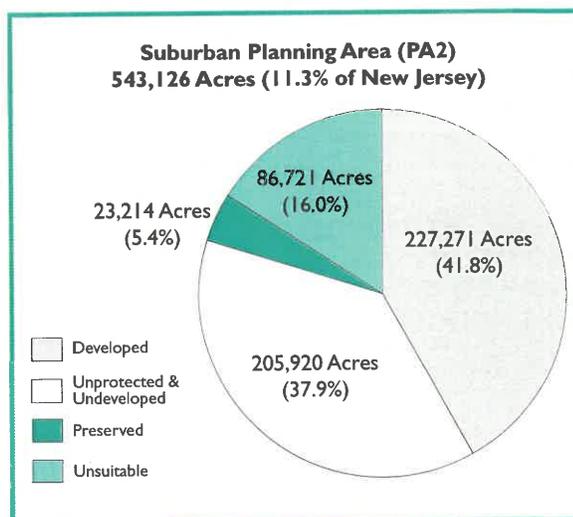
- Capitalize on the opportunities for redevelopment in Centers afforded by redevelopment laws and brownfields redevelopment programs. Provide zoning for a diversity of uses and residential densities consistent with the urban fabric to promote development and redevelopment. Establish and maintain a publicly accessible inventory of sites recommended for redevelopment.
- Develop a strategic acquisition plan for open space and farmland to support appropriate design of development and redevelopment.
- Prepare and maintain Environmental Resource Inventories (ERIs) and incorporate ERI information into master plans.
- Map and protect Critical Environmental Sites and Historic and Cultural Sites.

## Suburban Planning Area (PA2)

### General Description

The Suburban Planning Area is generally located adjacent to the more densely developed Metropolitan Planning Area, but can be distinguished from it by a lack of high intensity Centers, by the availability of developable land, and by a more dispersed and fragmented pattern of predominantly low-density development. Suburban Planning Areas are or will be served by regional infrastructure, except that, outside of Centers and major transportation corridors, there is limited, if any, availability of alternative modes of transportation to the automobile. These areas have generally been designated for growth in municipal master plans. As development expands, these services will become increasingly available if planned properly.

The Suburban Planning Area has about 11 percent of the state's population and employment. Nine active passenger rail stations—of the state's total of 156 active stations—serve it. Current development patterns, outside of Centers, lack the compact settlement pattern of the older suburbs in the Metropolitan Planning Area and are almost entirely dependent on the private automobile for transportation. The pattern of scattered subdivisions and employment centers offers few if any focal points for community interaction—the traditional “Main Streets” and town greens where



The Suburban Planning Area is generally found in suburban growth corridors located along state highways: portions of Route 80 in Morris County, portions of Route 78 in Hunterdon and Somerset, portions of Route 287 in Somerset, suburban Route 1 (the Princeton corridor), the New Jersey Turnpike in Middlesex and Mercer, the Garden State Parkway in Monmouth and Ocean, I-295 in Burlington and Gloucester, and the Atlantic City Expressway in Camden and Gloucester counties.

## **APPENDIX 7**

Chapter 159 Amendments to the  
Local Redevelopment and Housing Law through 2019

P.L. 2019, CHAPTER 229, *approved August 9, 2019*  
Assembly, No. 1700 (*Second Reprint*)

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 <sup>2</sup>a building or<sup>2</sup> buildings  
19 previously used for commercial, <sup>2</sup>retail, shopping malls or plazas,  
20 office parks,<sup>2</sup> manufacturing, or industrial purposes; the  
21 abandonment of such <sup>2</sup>building or<sup>2</sup> buildings; <sup>2</sup>significant vacancies  
22 of such building or buildings for at least two consecutive years;<sup>2</sup> 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

**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:

<sup>1</sup>Assembly ACE committee amendments adopted September 13, 2018.

<sup>2</sup>Senate floor amendments adopted May 30, 2019.

1 properties therein or other similar conditions which impede land  
 2 assemblage or discourage the undertaking of improvements,  
 3 resulting in a stagnant and unproductive condition of land  
 4 potentially useful and valuable for contributing to and serving the  
 5 public health, safety and welfare, which condition is presumed to be  
 6 having a negative social or economic impact or otherwise being  
 7 detrimental to the safety, health, morals, or welfare of the  
 8 surrounding area or the community in general.

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

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

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

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

43  
 44 2. This act shall take effect immediately.

45  
 46  
 47 Expands eligibility criteria for designating certain areas as being  
 48 in need of redevelopment.