

**THE CITY OF  
EAST ORANGE, NEW JERSEY  
ORDINANCE NO. 25 OF 2020  
ON FIRST READING**

**ORDINANCE ADOPTING THE RECOMMENDATIONS OF THE PLANNING BOARD TO DESIGNATE CERTAIN PROPERTIES LOCATED THROUGHOUT THE CITY CONSTITUTE AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. as amended and supplemented authorizes municipalities to determine whether certain properties in the municipality constitutes an "area in need of redevelopment"; and

**WHEREAS**, to make such a determination under the Redevelopment Law, the Municipal Council of the City of East Orange (the "City Council") authorized the East Orange Planning Board (the "Planning Board") to conduct a preliminary investigation of the area and make recommendations to the City Council; and

**WHEREAS**, the City Council believes that it is in the best interest of the City that an investigation occurred with regard to certain parcels within the City and thereafter authorized and directed the Planning Board to conduct an investigation of the properties identified on Exhibit A attached hereto and made a part hereof: along all streets and rights of way appurtenant thereto (collectively, the "Study Area"), to determine whether all or a portion of the Study Area meets the criteria set forth in the Redevelopment Law, N.J.S.A. 40A:12A-S: and whether all or a portion of said Study Area should be designated as an area in need of redevelopment; and

**WHEREAS**, the redevelopment area determination would allow the City and the City Council to use all those powers provided under the Redevelopment Law for use in the redevelopment area excluding the power of eminent domain, and any designated redevelopment area shall be referred to as a Non- Condemnation Redevelopment Area, pursuant to N.J.S.A. 40A: 12A-6.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST ORANGE AS FOLLOWS:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The nine sites were identified on Exhibit A attached with specified that each site should be considered as a separate "Study Area" and on January 2, 2020 the Planning Board held a hearing to determine whether on or more of the Study areas met the criteria under the LRHL to designate as an area in need of redevelopment excluding the power of eminent domain ("Non-Condemnation Redevelopment Area"); and

Section 3. By resolution 1-82, adopted on February 5, 2020, the Planning Board memorialized its decision of January 2, 2020, that all nine study areas met on or more of the criteria for designation as an area in need of redevelopments. The Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein and appended thereto shall be a statement setting forth the basis of the investigation. The Planning Board shall make a recommendation to the City Council as to whether the City Council should designate all or a portion of the Study Area as a Non- Condemnation Redevelopment Area.

Section 4. The Planning Board review a draft redevelopment plan entitled "Scattered Sites Redevelopment Plan", prepared by John McDonough, the board's consulting planner and at its June 3, 2020 meeting the Board voted unanimously to recommend adoption of the plan

Section 5. The City's Clerk Office shall:

(a) Publish the notice in a newspaper of general circulation in the City once each week for two (2) consecutive weeks, and the last publication shall be not less than ten {10} days prior to the date set for the hearing.

(b) Mail the notice at least ten {10} days prior to the date set for the hearing to the last owner, by certified mail, of each parcel of property within the area according to the assessment record of the City

(c) Mail the notice to all persons at their last known address. by certified mail. names are noted on the assessment records as claimants of an interest in any such parcel.

Section 6. The City's Tax Assessor shall make a notation on the records when requested to do so by any person claiming to have an interest in any parcel of property in the City.

Section 7. This ordinance shall take effect after final passage and upon expiration of twenty {20} days following publication unless otherwise provided by resolution of this City Council.

Section 8. That all ordinances and parts of ordinances and conflicts that are inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

## East Orange Planning Board



### RESOLUTION PB 729-19

RESOLUTION IN THE MATTER OF THE REVIEW OF A  
SCATTERED SITES REDEVELOPMENT PLAN FOR NINE  
DIFFERENT NON-CONDEMNATION REDEVELOPMENT  
AREAS.

WHEREAS, by Resolution No. I-294, adopted by the City Council on August 26, 2019 (the "Resolution"), the Planning Board was directed to investigate whether nine different sites scattered throughout the City, comprising a total of 27 tax lots, met the criteria for designation as "areas in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the "LRHL"); and

WHEREAS, the Resolution specified that any such designation would be characterized as a "Non-Condemnation Redevelopment Area," as that term is used in N.J.S.A. 40A:12A-6; and

WHEREAS, the nine sites were identified on Exhibit A annexed to the Resolution, which specified that each site should be considered as a separate "Study Area"; and

WHEREAS, the nine identified Study Areas were;

1. 161 Elmwood Avenue, former Cicely Tyson/Elmwood School (Block 482 Lot 5);
2. 175 Sanford Street, former Washington Academy of Music (Block 751, Lot 7);
3. 227,235,236, & 242 North Walnut Street and 216 North Clinton St. (Block 350, Lots 23 & 24 and Block 351, Lots 4, 5, & 21);
4. 101 & 111 Prospect Street and 34, 38, & 40 Washington Terrace (Block 660, Lots 12, 13, 13.01, 15, 25, 26, 27, 28, & 29);
5. 34 South Arlington Avenue and 233, 239-41 Freeway Drive East (Block 391, Lots 17, 18, & 28);
6. 31, 33, & 55 Washington Street (Block 673, Lots 1, 2, & 3);
7. 121-127 South Munn Avenue (Block 420, Lots 3, 4, & 5.01);
8. 148 North Arlington (Block 271.01, Lot 25); and
9. 12 North Oraton Parkway (Block 243, Lot 1); and

WHEREAS, on January 2, 2020, the Planning Board held a public hearing on to determine whether one or more of the Study Areas met the criteria under the LRHL to designate as an area in need of redevelopment; and

WHEREAS, by resolution adopted on February 5, 2020, the Planning Board memorialized its decision of January 2, 2020, that all nine Study Areas met one or more of the criteria for designation as an area in need of redevelopment; and

WHEREAS, on February 4, 2020, the City Council adopted Resolution 1-82, which accepted the Planning Board's recommendation and designated the nine Study Areas as non-condemnation areas in need of redevelopment, and directed the Planning Board to prepare a redevelopment plan for the Study Areas; and

WHEREAS, on June 3, 2020, the Planning Board reviewed a draft redevelopment plan entitled "Scattered Sites Redevelopment Plan" (the "Redevelopment Plan"), prepared by John McDonough, the Board's consulting planner; and

WHEREAS, at its June 3, 2020, meeting, the Board voted unanimously to recommend adoption of the Plan; and

WHEREAS, this Resolution shall constitute the report of the Planning Board on the proposed Redevelopment Plan.

NOW THEREFORE, be it resolved by the Planning Board of the City of East Orange that the Board, by a vote of six (6) in favor and none opposed, recommends that the City Council adopt by ordinance the Scattered Sites Redevelopment Plan for the nine Study Areas.

IN FAVOR OF THE RESOLUTION:

Mr. Barner	Yes
Councilman Gomez	Yes
Mayor Green	Yes
Mr. Kivuitu, Jr.	Yes
Ms. Onyeani	Yes
Chairwoman Scott-Flanagan	Yes
Mr. Scipio	Yes
Mr. St. Clair, Sr.	Yes
	(8) Yes

OPPOSED TO THE RESOLUTION

None	
	(0) No

The undersigned, a member of the City of East Orange Planning Board, certifies that the foregoing is a true copy of the Resolution adopted on the 1<sup>st</sup> day of July 2020, to reflect the action taken by said Board on the 3<sup>rd</sup> day of June 2020.

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Katherine **D.** Scott-Flanagan, Chairwoman