

Ben Angeli

2023-03-17

From: Heather Van den Kooy <opra+request-40981-9408fd60@requests.opramachine.com>
Sent: Sunday, March 19, 2023 9:45 AM
To: OPRA requests at Salem City
Subject: OPRA request - Adopted Redevelopment Plan and the Associated Ordinance

Dear Salem City,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Could you please provide one electronic copy each of the Adopted Redevelopment Plan and the associated Ordinance referenced in the following Public Notice excerpt?

"SALEM CITY NOTICE OF ADOPTION OF ORDINANCE AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR ENTIRETY OF THE CITY OF SALEM A DESIGNATED REHABILITATION ARE Ordinance 22-07, the title of which is published herewith, was duly and finally adopted by the Common Council of the City of Salem, in the County of Salem, New Jersey on June 20, 2022..."

Thank you.

Could you also please provide the New Jersey Community Capital report pertaining to housing and revitalization?

Thank you,

Heather Van den Kooy

Please deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-40981-9408fd60@requests.opramachine.com

Is cityclerk@cityofsalemnj.gov the wrong address for OPRA requests to Salem City? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=salem_city

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://opramachine.com/help/officers>

View this OPRA request & responses online:

https://opramachine.com/request/adopted_redevelopment_plan_and_t

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

**CITY OF SALEM
ORDINANCE NO. 22-07**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN
FOR THE ENTIRETY OF THE CITY OF SALEM A DESIGNATED
REHABILITATION AREA**

WHEREAS, the Mayor and City Council of the City of Salem (the "City Council") adopted Resolution 13-152 declaring the entirety of the City of Salem, County of Salem, State of New Jersey (the "City" or "Rehabilitation Area") as an "Area in Need of Rehabilitation" pursuant to N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a governing body may adopt, revise or amend a redevelopment plan for an "Area in Need of Redevelopment" and/or an "Area in Need of Rehabilitation;" and

WHEREAS, to facilitate the development and rehabilitation of the City, the City Council has determined that it is in the best interest of the City to adopt the Redevelopment Plan for Rehabilitation in the City of Salem entitled "Redevelopment Plan for Rehabilitation in the City of Salem" (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan provides a broad overview for the planning, development, redevelopment and rehabilitation of the City for purposes of improving conditions within the City; and

WHEREAS, the City Council has determined that it is in the best interest of the City to adopt the Redevelopment Plan to effectuate the redevelopment and rehabilitation within the City; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the City Council referred the Redevelopment Plan to the City Planning Board (the "Planning Board") for review and approval following introduction and first reading; and

WHEREAS, following a public meeting, the Planning Board recommended adoption of the Redevelopment Plan by the City Council.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Salem as follows:

1. The City Council hereby adopts the Redevelopment Plan for the City of Salem, attached hereto.
2. The City Council declares and determines that said Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the development and rehabilitation of the City and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq.
3. The governing body of the City of Salem shall have, be entitled to, and is hereby vested with all power and authority granted by the aforementioned statutory provisions to effectuate the Redevelopment Plan.
4. The Redevelopment Plan incorporates the underlying zoning currently in effect throughout the City and is not intended to supersede any applicable provisions of the City's Land Use Regulations or any specific Redevelopment Plans which have been adopted by City Council.
5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.
6. In the event any clause section or paragraph of the ordinance and/or the Redevelopment Plan is deemed invalid or unenforceable for any reason, it is the intent of City Council that the balance of the Ordinance

and/or Redevelopment Plan remain in full force and effect to the extent it allows the City to meet the goals of the Ordinance.

7. This Ordinance shall take effect after final adoption and publication according to law.

ATTEST:

Ben Angeli, RMC

CITY OF SALEM

Earl Gage, Council President

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
S. Cline			X			
R. Davis			X			
T. Gregory	X		X			
V. Groce			X			
S. Kellum		X	X			
G. Slaughter			X			
J. Smith						X
E. Gage			X			

I, Ben Angeli, City Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of an Ordinance introduced by the Common Council of the City of Salem on May 16, 2022. Public Hearing shall take place on June 20, 2022.

Date

Ben Angeli, RMC

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
S. Cline		X	X			
R. Davis			X			
T. Gregory	X		X			
V. Groce			X			
S. Kellum						X
G. Slaughter			X			
J. Smith						X
E. Gage			X			

Date

Jody Veler, Mayor

I, Ben Angeli, Municipal Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Common Council of the City of Salem after a second reading and public hearing on June 20, 2022.

Date

Ben Angeli, RMC

City of Salem, County Of Salem, State of New Jersey
June 2022

Redevelopment Plan for the City of Salem
June 2022

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I. Introduction

By statutory authorization, this Redevelopment Plan, consistent with the New Jersey Local Redevelopment and Housing Law, ("LRHL"), N.J.S.A. 40A:12A-1, et seq., is being implemented to enable a more focused approach for the redevelopment and rehabilitation of the entire City of Salem (the "City"). In order to address conditions within the City and stimulate private investment, the Mayor and City Council of the City of Salem (the "City Council") have determined that the appropriate course of action to prevent further deterioration of the City is to redevelop and rehabilitate the City in accordance with the LRHL. The purpose of this designation is to help strengthen the City's economy by improving opportunities throughout the entire City. Accordingly, the City Council adopted Resolution 13-152 designating the entirety of the City as an "Area in Need of Rehabilitation" pursuant to N.J.S.A. 40A:12A-14.

II. Designation of Area and Plan Development

A. Designation of the Rehabilitation Area

The process, consistent with applicable state statutes, followed by the City Council in the determination as to the City's qualification and designation as an "Area in Need of Rehabilitation" was that the City Council, upon favorable recommendation from the City's Planning Board, adopted Resolution 13-152 declaring the entire City as an "Area in Need of Rehabilitation" pursuant to N.J.S.A. 40A:12A-14.

B. Redevelopment Plan Preparation Process

A redevelopment plan must be prepared and adopted by ordinance prior to undertaking any rehabilitation or redevelopment project in all or a portion of the rehabilitation area. The process, which is consistent with applicable state statutes, was followed by the City in the preparation of this Redevelopment Plan.

III. Statutory Requirements

According to the LRHL, a redevelopment plan shall include an outline for the planning, development, rehabilitation or redevelopment of the area sufficient to indicate:

1. Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities, and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

4. An identification of any property within the project area which is proposed to be acquired in accordance with the Redevelopment Plan.
5. Any significant relationship of the Redevelopment Plan to:
 - the Master Plans of contiguous municipalities;
 - the Master Plan of the County in which the municipality is located;
 - the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" PL 1985, C398 (C52:18A-196 et al.); and
 - The local ordinances and master plan.
6. A housing inventory of all affordable housing units to be removed;
7. Adequate provision that requires the replacement, on a one-for-one basis, of any affordable unit that is lost as a result of the redevelopment plan implementation; and
8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

IV. Description of Project Area

As stated above, the entirety of the City has been determined to be an "Area in Need of Rehabilitation" by the City Council. Therefore, this Redevelopment Plan is applicable to all areas within the City of Salem that are not currently the subject of existing, specific Redevelopment Plans (the "Rehabilitation Area"), as identified on the Rehabilitation Area Map found in the Appendix.

A. Project Area Context

Through the adoption of Resolution 13-152, the entirety of the City of Salem was declared an "Area in Need of Rehabilitation." The City Council has adopted specific Redevelopment Plans for certain areas within the City of Salem and this Redevelopment Plan does not supersede those plans but is meant to provide a broad overview for the planning, development, redevelopment, and rehabilitation of Blocks and Lots which are not the subject of specific Redevelopment Plans.

B. Existing Land Use

The existing permitted uses for all parcels within the City of Salem are set forth in the City's Development Regulations and Zoning Ordinance and/or are set forth in the various specific Redevelopment Plans which have been adopted by the City Council.

V. Statement of Goals and Objectives

The City seeks to alleviate the conditions found in the Rehabilitation Area and support the use of property in the area in a manner which will better contribute to serve the public health, safety and welfare of the community and the region. To achieve this overall goal, the following goals and objectives have been established:

1. The primary goal of this Redevelopment Plan is to eliminate those conditions that cause the Rehabilitation Area to be considered an "Area in Need of Rehabilitation."
2. The stimulation of private investment in the Rehabilitation Area by assembling sites and assisting as necessary and appropriate to support such rehabilitation.
3. The making available of the full range of benefits and inducements for the Rehabilitation Area, including, federal, state, county and local government funding.
4. Foster public-private partnerships to accomplish revitalization of the Rehabilitation Area in a manner that best serves the needs of the community, strengthens the local economy, attracts residents to the area, and contributes to the continuing vitality of the City.

VI. Proposed Land Uses and Building Requirements

The existing use, bulk, design, and performance standards, and all other standards, as currently set forth in the City's Development Regulations and Zoning Ordinances, and any duly adopted Redevelopment Plan, are hereby incorporated and shall apply to the Rehabilitation Area.

It is intended and expressly understood that with respect to any issue of relevant land use and building requirements not specifically addressed in this Redevelopment Plan, those issues are subject to the Zoning and Land Development Ordinances and all other ordinances and regulations of the City of Salem not contravened in this Redevelopment Plan as permitted by N.J.S.A. 40A:12A-7a(2).

Development of the Rehabilitation Area shall be governed by the underlying zoning currently in effect throughout the City of Salem and subject to any and all existing Redevelopment Plans.

VII. Affordable Housing

The City does not anticipate the removal of any affordable housing units due to the implementation of this Redevelopment Plan. Because it is anticipated that no affordable housing units are to be removed due to the implementation of this Redevelopment Plan, no affordable housing units are anticipated to be replaced.

The provision of affordable housing within the Rehabilitation Area, where applicable, shall be addressed in accordance with the City's affordable housing obligations, and if applicable, in

accordance with any redevelopment agreement entered into between a redeveloper and the Redevelopment Entity.

VIII. Property Acquisition

Because the Rehabilitation Area has not been designated as an "Area in Need of Redevelopment," the LRHL does not authorize property acquisition by eminent domain. Therefore, no eminent domain is anticipated or enabled by this Redevelopment Plan.

IX. Relocation of Displaced Residents

The City does not anticipate the displacement of any residents due to the implementation of this Redevelopment Plan.

X. Development of Public Electric Vehicle Charging Stations

N.J.S.A. 40A:12A-7 requires all redevelopment plans to consider infrastructure for electric charging stations. Additionally, as the State has adopted a model ordinance regarding the inclusion of charging stations in certain situations, any project with the Rehabilitation Area will follow all required ordinances and laws (as may be applicable).

XI. Relationship of the Redevelopment Plan to Other Plans

A. Relationship to Master Plans of Contiguous Municipalities

The City of Salem is adjacent to the following municipalities: Elsinboro Township, Lower Alloways Creek Township, Mannington Township, Pennsville Township, and Quinton Township. As this Redevelopment Plan incorporates the underlying zoning of the Rehabilitation Area, this Redevelopment Plan is not likely to have any effect on the Master Plans of contiguous municipalities.

B. Relationship to Salem County Master Plan

The most recent Master Plan for Salem County, otherwise known as the County of Salem's Plan for Comprehensive Development, was last adopted in October, 1972. In 2016, the Salem County Planning Board prepared a Growth Management Element for the County Master Plan. Within the Growth Management Element, the County Planning Board included the following goals:

- Promote economic development in appropriate locations; and
- Encourage job growth for County residents; and
- Provide necessary services and infrastructure for public health and safety; and
- Promote the growth and revitalization of urban and developable areas.

This Redevelopment Plan is designed to address dilapidated conditions and stimulate investment within the City. In addition, this Redevelopment Plan incorporates the underlying

zoning within the Rehabilitation Area. Therefore, there is no apparent conflict with the Salem County Master Plan.

C. Relationship to State Development and Redevelopment Plan

The State Development and Redevelopment Plan (“SDRP”) was adopted in 2001. In 2012, the State of New Jersey proposed a Strategic Plan to update the 2001 SDRP; however, the updated plan was never adopted. Therefore, the 2001 SDRP is the most current version.

Within the SRDP, the City is located in a Rural Planning Area (PA 4) and the majority of the City is a “Designated Regional Center.” As this Redevelopment Plan does not alter the underlying zoning within the Rehabilitation Area, this Redevelopment Plan furthers goals and objectives of the State Development and Redevelopment Plan.

XII. Relationship of Redevelopment Plan to Municipal Development Regulations and City of Salem Master Plan

The Rehabilitation Area encompasses the entirety of the City of Salem and incorporates the underlying requirements of the City’s Zoning and Land Development Ordinances.

The Master Plan for the City of Salem (“Master Plan”) was adopted in 1974 and a Master Plan Reexamination Report was adopted in 2012. Both the Master Plan and the Reexamination Report provide the following goals:

- Encourage types of development and uses which, while consistent with other policies and goals, will increase the financial capacity of the City to provide the required community services and facilities; and
- Encourage the location of additional industries in appropriate areas, and the continued expansion of existing industries.

This Redevelopment Plan furthers the goals set forth in the Master Plan by seeking to rehabilitate the entirety of the City, while maintaining a balanced land use development pattern and the current distribution of land densities. Therefore, this Redevelopment Plan is consistent with the City’s Master Plan.

XIII. Proposed Rehabilitation Actions

A. Redevelopment Authority

The City’s governing body shall act as the redevelopment entity pursuant to N.J.S.A. 40A:12A-4.c for purposes of implementing and carrying out this Redevelopment Plan. In doing so, the City Council shall have the powers set forth in N.J.S.A. 40A:12A-15 and N.J.S.A. 40A:12A-22, and all other relevant statutes and regulations to effectuate all of its duties and responsibilities in the execution and implementation of this Redevelopment Plan.

B. Redevelopment Agreement

Pursuant to N.J.S.A. 40A:12A-8, the City may select one or more redevelopers for the construction of a development project within the Rehabilitation Area as it deems necessary. Once a redeveloper has been selected, the City shall enter into a Redevelopment Agreement with the redeveloper that comports with the requirements of N.J.S.A. 40A:12A-9.

XIV. Deviations from Provisions of Approved Redevelopment Plan

All applications requiring relief for deviations from this Redevelopment Plan or other City development ordinances shall be governed by the Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq.) or any existing, or to be adopted, redevelopment plan for a specific site and/or project and/or project area.

XV. Duration of Redevelopment Plan Restrictions

This Redevelopment Plan and any modifications thereof shall be in force and effect for a period of thirty (30) years from the date that the City first approves this Redevelopment Plan.

XVI. Amendments to Approved Redevelopment Plan

This Redevelopment Plan may be amended from time to time in accordance with the provisions of the LRHL, as may be amended.

REHABILITATION AREA MAP

