

Ordinance #:	23-3291
Introduction Date:	9/5/23
Hearing Date:	10/3/23
Passage Date:	10/3/23
Effective Date:	10/12/23

ORDINANCE OF THE CITY OF SUMMIT, COUNTY OF UNION, NEW JERSEY, REPEALING ORDINANCE NO. 19-3188 ADOPTING THE “BROAD STREET WEST REDEVELOPMENT PLAN” DATED MARCH 20, 2019, IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.

Ordinance Summary: The purpose of this Ordinance is to repeal the Broad Street West Redevelopment Plan and the original Ordinance No. 19-3188 adopting the Broad Street West Redevelopment Plan, and to implement the zoning that was applicable to the Property immediately prior to the adoption of the Broad Street West Redevelopment Plan.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Act"), provides a process for municipalities to participate in the redevelopment and improvement of areas designated as areas in need of redevelopment or as areas in need of rehabilitation; and

WHEREAS, by Resolution No. 38143 adopted by the Common Council of the City of Summit (“Common Council”) on November 13, 2017, the parcels identified on the Tax Map of the City of Summit as Block 2701, Lots 1, 6, 7, and 8; Block 2702, Lot 3 (partial); Block 2705, Lots 1 and 2; and Block 2706, Lots 1, 2, 3, 4, 5, 6, and 7, inclusive of any and all streets, “paper” streets, private drives and right of ways (and Block 2702, Lots 1 and 2 had previously been designated as Areas in need of Redevelopment (Non-Condemnation)) (collectively, the “Property”), were designated as an Area in need of Redevelopment (Non-Condemnation) in accordance with the Act; and

WHEREAS, by Ordinance No. 19-3188 adopted by the Common Council on May 7, 2019, the City of Summit (the “City”) adopted the “Broad Street West Redevelopment Plan” dated March 20, 2019 (“Redevelopment Plan”) with regard to the Property; and

WHEREAS, as set forth in Ordinance No. 19-3188 and the Redevelopment Plan, the Redevelopment Plan was to supersede all previous Zoning standards and land development regulations for the Property and amend the City’s Zoning Map to reflect the rezoning of the Property by the Redevelopment Plan; and

WHEREAS, the Common Council no longer believes it is in the best interest of the residents of the City to redevelop the Property in accordance with the Redevelopment Plan; and

WHEREAS, rather, the Common Council believes that it is in the best interests of the residents of the City that Ordinance No. 19-3188 adopting the Redevelopment Plan be fully repealed and such repeal shall result in Ordinance No. 19-3188 and the Redevelopment Plan being null and void upon the adoption of this Ordinance; and

WHEREAS, N.J.S.A. 40:48-2 and N.J.S.A. 40A:12A-22 authorize the governing body to repeal ordinances as it may deem necessary and proper for good government, order and protection of persons and property and for the preservation of public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Common Council believes that it is in the best interest of the residents of the City for the Zoning to apply forthwith to each of the parcels comprising the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

1. The foregoing recitals are incorporated herein by reference as though fully set forth at length.
2. Ordinance No. 19-3188 adopted by the Common Council of the City of Summit on May 7, 2019 and the “Broad Street West Redevelopment Plan” dated March 20, 2019, both of which are incorporated herein by reference as though fully set forth at length, are hereby repealed and rescinded and shall be deemed null and void as of the adoption of this Ordinance.
3. The parcels designated on the Tax Map of the City of Summit as Block 2701, Lots 1, 6, 7, and 8; Block 2702, Lots 1, 2 and 3 (partial); Block 2705, Lots 1 and 2; and Block 2706, Lots 1, 2, 3, 4, 5, 6, and 7, inclusive of any and all streets, “paper” streets, private drives and right of ways, shall forthwith be subject to the municipal Zoning that was applicable to each such respective parcel immediately prior to the adoption of the “Broad Street West Redevelopment Plan”, as same may have been amended since and as same may be amended in the future, and the City’s Zoning Map shall be and is hereby deemed amended accordingly.
4. All ordinances or parts of ordinances heretofore adopted that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
5. Upon full adoption, the City Clerk shall transmit a copy of this Ordinance to the Planning Board of the County of Union for filing, pursuant to N.J.S.A. 40:55D-16, and the Clerk shall further transmit a copy of this Ordinance to the Planning Board of the City of Summit for review and recommendations, pursuant to N.J.S.A. 40A:12A-7.
6. City Staff and consultants are hereby authorized and directed to take all actions to implement this Ordinance as are necessary or appropriate to accomplish its goals and intent.
7. This Ordinance shall become final upon adoption and publication in the manner prescribed by law.

Dated: October 3, 2023

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing ordinance was duly passed by the Common Council of said City at a regular meeting held on Tuesday evening, October 3, 2023.

Approved:

Mayor

City Clerk