

ORDINANCE No. 60-81

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDEN,
COUNTY OF UNION, NEW JERSEY TO AMEND THE
REDEVELOPMENT PLAN FOR THE LINDEN THEATER
REDEVELOPMENT AREA, 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.* (the “**Redevelopment Law**”), authorizes a municipality to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation” and/or “areas in need of redevelopment”; and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, by Resolution dated February 18, 2003, the City Council (“**City Council**”) of the City of Linden (the “**City**”) designated as “an area in need of redevelopment” the properties identified as on the City tax maps as Block 212, Lots 26, 27, 28, 24.01 and 24.04 (the “**Linden Theater Redevelopment Area**”); and

WHEREAS, in accordance with the Redevelopment Law, the City Council on October 22, 2003, by Ordinance 47-73, adopted a redevelopment plan for the Linden Theater Redevelopment Area (the “**Linden Theater Redevelopment Plan**”); and

WHEREAS, in April 2005, the property commonly known as Block 212, Lot 24.04 on the tax map of the City was subdivided to create new Block 212, Lots 24.05 and 24.06 and the Linden Theater Redevelopment Area shall consist of the following parcels commonly known as Block 212, Lots 26, 27, 28, 24.01 and 24.05 on the tax map of the City; and

WHEREAS, the City Council desires to further amend the Linden Theater Redevelopment Plan, to include the revisions described in the October 27, 2016 letter from Ricci Planning, attached hereto as **Exhibit A**, (the “**Amended Redevelopment Plan**”); and

WHEREAS, the planning board of the City (the “**Planning Board**”) must review the Amended Redevelopment Plan and transmit its recommendations relating to the Amended Redevelopment Plan to the City in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, subject to receipt of the Planning Board’s recommendations relating to the Amended Redevelopment Plan, the Borough believes that the adoption of the Amended Redevelopment Plan is in the best interests of the City and the development of the Linden Theater Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Linden, County of Union, New Jersey that:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Council hereby refers the Amended Redevelopment Plan to the Planning Board for its review and recommendation pursuant to *N.J.S.A. 40A:12A-7*.

Section 3. Contingent upon the receipt of the Planning Board’s recommendations, the City Council hereby adopts the Amended Redevelopment Plan pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

Section 4. The zoning ordinances of the City are hereby amended to include the amendments indicated in the Amended Redevelopment Plan and the provisions therein.

Section 5. The Mayor and Council of the City of Linden shall serve as Redevelopment Entity for purposes of implementing the Amended Redevelopment Plan and exercising the powers granted to a redevelopment entity under the Redevelopment Law.

Section 6. In case any one or more of the provisions of this Ordinance or the Amended Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance or the Amended Redevelopment Plan and this Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 7. This Ordinance shall take effect upon final adoption and publication thereof according to law.

PASSED: December 20, 2016

President of Council

APPROVED: December 21, 2016

Mayor

ATTEST:

City Clerk

EXHIBIT A

October 27, 2016 Letter Ricci Planning