

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN (BAYVIEW SHOPPING CENTER) RELATED TO THE PROPERTY LOCATED AT 211-219 WEST 5TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 301.01, LOT 1 & 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (NACIREMA AND A&P)

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 Municipal 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, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services in conjunction with Local and Planning Services of the Department of Community Affairs, has prepared a rehabilitation plan for the Rehabilitation Area titled “City of Bayonne 8th Street Station Rehabilitation Area Plan” dated February 3, 2015 (the “**Rehabilitation Plan**”); and

WHEREAS, the Planning Board of the City (the “**Planning Board**”) has been requested by the Municipal Council to review the Rehabilitation Plan, a copy of which is attached hereto as Exhibit B, and to transmit its recommendations relating to the Rehabilitation Plan, to the Municipal Council in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, on February 25, 2015, the Planning Board adopted a Resolution recommending the 8th Street Station Rehabilitation Area Plan to the Municipal Council and concluding that the Rehabilitation Plan is consistent with the Master Plan of the City of Bayonne (the “**Resolution**”); and

WHEREAS, on April 22, 2015, the Bayonne Municipal Council (the “**Municipal Council**”) adopted Ordinance O-15-13 adopting the Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

WHEREAS, the Municipal Council thereafter requested and authorized the planning Board to reopen and amend the redevelopment plan in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan; and

WHEREAS, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is permitted to amend a Redevelopment Plan; and

WHEREAS, the Municipal Council believes that it is in the best interest of the City to amend the Redevelopment Plan for the property located at 211-219 West 5th Street identified as Block 301.01, Lots 1 & 6 on the City’s Tax Maps(the “**Property**”); and

WHEREAS, an amended Redevelopment Plan, which includes the Property entitled “8th Street Station Rehabilitation Plan” for 211-219 West 5th Street identified as Block 301.01, Lot 1 & 6 on the City’s Tax Maps, has been prepared by the City Planning Department (the “**Amended Redevelopment Plan**”); and

WHEREAS, on December 11, 2018, the Planning Board reviewed the Amended Redevelopment Plan and recommended the adoption of the Amended Redevelopment Plan to adjust the minimum lot size to the Municipal Council and concluded that said Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Amended Redevelopment Plan, the Municipal Council desires to adopt the Amended Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

WHEREAS, the Municipal Council believes that the adoption of the Amended Redevelopment Plan is in the best interest of the City for the redevelopment of the Property.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

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

Section 2. The Amended Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law. Further, the Amended Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to the Property (211-219 West 5th Street identified as Block 301.01, Lots 1& 6).

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the Property per the boundaries described in the Redevelopment Plan and the provisions thereon.

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

Summary

The plan was amended to adjust the minimum lot size for development from 3 acres to 2. The nacirema lot is 2.4 this allows the site to be developed. May need further amendment depending on the final design for the project. The amendment does allow for residential to be built on the site.