

O-23-32  
7/19/23

**AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN TITLED “REDEVELOPMENT PLAN, BAYONNE ENERGY CENTER III (AKA BEC III)” FOR THE PROPERTY IDENTIFIED AS A PORTION OF BLOCK 419, LOT 1 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.**

**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 of the City (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**, pursuant to the provisions of N.J.S.A. 40A:12A-7(e) and N.J.S.A. 40A:12A-15 of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is permitted to prepare or amend a redevelopment plan; and

**WHEREAS**, by Resolution dated February 15, 2023, the Municipal Council of the City (the “**Municipal Council**”) designated the property identified as a portion of Block 419, Lot 1 on the Tax Map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law (the “**Redevelopment Area**”); and

**WHEREAS**, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services prepared a redevelopment plan for the Redevelopment Area titled “Redevelopment Plan, Bayonne Energy Center III (aka BEC III)” dated April 25, 2023 (the “**Redevelopment Plan**”); and

**WHEREAS**, the Planning Board reviewed the Redevelopment Plan in accordance with the Redevelopment Law, and on May 9, 2023, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

**WHEREAS**, the Municipal Council believes that the adoption of the 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 Redevelopment Plan titled “Redevelopment Plan, Bayonne Energy Center III (aka BEC III)” dated April 25, 2023, for property identified as a portion of Block 419, Lot 1 on the Tax Map of the City of Bayonne is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

**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 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.