

O-23-33  
7/19/23

**AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED 8<sup>TH</sup> STREET REHABILITATION PLAN, PREPARED BY THE CITY OF BAYONNE DIVISION OF PLANNING AND ZONING, TO INCLUDE THE PROPERTY IDENTIFIED AS BLOCK 319, LOT 26, 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 a redevelopment or rehabilitation plan; and

**WHEREAS**, in 2015, the City Council adopted an Ordinance approving a plan titled the “City of Bayonne, 8TH Street Station Rehabilitation Area Plan”, prepared by the Department of Community Affairs, Local Planning Services, dated March 9, 2015, revised April 24, 2015 and subsequently amended (“Amended Rehabilitation Plan”); and

**WHEREAS**, the Redevelopment Law permits municipalities to amend redevelopment and rehabilitation area plans from time to time within their discretion; and

**WHEREAS**, by Resolution R-16 dated March 15, 2023, the Municipal Council authorized and directed the Planning Board of the City (the “Planning Board”) to re-open the Amended Rehabilitation Plan and consider an amendment to include a certain property which is identified as 218-220 Broadway, and further identified as Block 319, Lot 26 as shown on the official Tax Map of the City (the “Property”)(also known as the “Delta Gas Station”) for the 8th Street Station Rehabilitation Area; and

**WHEREAS**, on June 13, 2023, the Planning Board adopted Resolution P-20-021 recommending an Amendment to the 8th Street Rehabilitation Plan to include the Property in the Amended Rehabilitation Plan and concluding that the Amended Rehabilitation Plan is consistent with the Master Plan of the City of Bayonne (the “Resolution”); and

**WHEREAS**, upon receipt of the Planning Board's Resolution and recommendations relating to the Amended and Restated 8<sup>th</sup> Street Rehabilitation Plan, the Municipal Council believes that the adoption of the Amended and Restated 8<sup>th</sup> Street Rehabilitation Plan is in the best interest of the City for the redevelopment of the 8<sup>th</sup> Street Station Rehabilitation Area.

**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 and Restated 8<sup>TH</sup> Street Rehabilitation Plan prepared by City of Bayonne Division of Planning & Zoning to include the property identified as Block 319, Lot 26 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 Amended and Restated Rehabilitation 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.