

O-23-48  
9/20/23

**AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDMENT TO THE 218-222 BROADWAY REDEVELOPMENT PLAN, PREPARED BY THE CITY OF BAYONNE DIVISION OF PLANNING AND ZONING, IN REGARD TO 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**, by Resolution dated December 16, 2020, the Municipal Council of the City (the “Municipal Council”) designated the property identified as Block 319, Lots 1.01, 1.02 and 26 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, 218-222 Broadway, Block 319, Lot 26, City of Bayonne, Hudson County” dated March 9, 2021 (the “Redevelopment Plan”); and

**WHEREAS**, the Planning Board reviewed the Redevelopment Plan in accordance with the Redevelopment Law, and on March 9, 2021, 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 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 to re-open the 8<sup>th</sup> Street Rehabilitation Plan to consider an amendment to include, among other items, a street level commercial space on the Property; and

**WHEREAS**, the intent of Resolution R-16 dated March 15, 2023, was to reopen the Redevelopment Plan to consider the aforementioned items, and not to connect the Redevelopment Plan to the 8<sup>th</sup> Street Rehabilitation Plan; and

**WHEREAS**, the City of Bayonne, Division of Planning, Department of Planning, Zoning and Development prepared an amendment to the Redevelopment Plan for the Redevelopment Area titled “Amendment to the 218-222 Broadway Redevelopment Plan, Sub-Area Plan of the 8<sup>th</sup> Street Rehabilitation Plan, Block 319, Lot 26, City of Bayonne, Hudson County” dated June 1, 2023 (the “Amendment to the Redevelopment Plan”); and

**WHEREAS**, on June 13, 2023, the Planning Board adopted Resolution P-20-021 recommending an Amendment to the Redevelopment Plan to include the street level commercial space on the Property and concluded that the Amendment to the Redevelopment 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 Amendment to the Redevelopment Plan, the Municipal Council believed that the adoption of the Amendment to the Redevelopment Plan was in the best interest of the City for the redevelopment of the Redevelopment Area; and

**WHEREAS**, the City of Bayonne understands that some confusion exists between the relationship between Redevelopment Plan to the 8<sup>th</sup> Street Rehabilitation Plan; and

**WHEREAS**, the City of Bayonne in order to alleviate the confusion between the Redevelopment Plan to the 8<sup>th</sup> Street Rehabilitation Plan, the Municipal Council believes that a new adoption of the Amendment to the Redevelopment Plan that is specific to the Redevelopment Plan is required; and

**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 Amendment to the Redevelopment Plan prepared by City of Bayonne Division of Planning to include, among other items, a street level commercial space for 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.** An Ordinance adopting an Amendment to the 8<sup>th</sup> Street Rehabilitation Plan to include Block 319, Lot 26, which was adopted by the Mayor and Municipal Council on July 19, 2023 (Ordinance O-9), is hereby repealed and replaced with the instant Ordinance.

**Section 4.** This Ordinance shall be referred to the City of Bayonne Planning Board for a courtesy review.

**Section 5.** 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 6.** 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 7.** 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 8.** This Ordinance shall take effect in accordance with all applicable laws.