

O-25-70
11/12/25

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A THIRD AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PENINSULA AT BAYONNE HARBOR BAYONNE BAY EAST, PREPARED BY THE CITY OF BAYONNE DIVISION OF PLANNING AND ZONING, IN REGARD TO PROPERTY IDENTIFIED AS BLOCK 830, LOTS 2.01, 2.02, 3.01, 3.02, 4.01 AND 4.02 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, pursuant to a decision by the United States of America to decommission its facilities at the Bayonne Military Ocean Terminal, and while the City of Bayonne Redevelopment Agency, also known as the Bayonne Local Redevelopment Authority (the “**BLRA**”) was the redevelopment entity for the Peninsula, the Peninsula was conveyed to the BLRA pursuant to certain Quitclaim Deeds (dated September 28, 2001 and December 11, 2002, respectively, and recorded on October 3, 2001 and January 24, 2003, respectively); and

WHEREAS, on November 23, 1999, in accordance with the criteria set forth in the Redevelopment Law, the City identified and designated the Bayonne Military Ocean Terminal (hereinafter referred to as the “**Peninsula**”) as an area in need of redevelopment, including that certain property known as Block 830, Lot 1, more specifically 12.5 acres of the Bayonne Bay District defined as B7, B8, B16 and B17 (bordered by Memorial Drive to the North, Center Street to the South, M Street to the East and K Street to the West), on the Bayonne Local Redevelopment Agency Redevelopment Plan for the Peninsula at Bayonne Harbor (the “**Redevelopment Plan**”) and the official tax map of the City of Bayonne (the “**Property**”); and

WHEREAS, previously, the BLRA was designated as the “redevelopment entity” for the Peninsula pursuant to N.J.S.A. 40A:12A-4(c), with responsibility for the implementation of redevelopment plans and the carrying out of redevelopment projects on the Peninsula; and

WHEREAS, the Redevelopment Plan was adopted on July 19, 2006 with subsequent amendments made thereto; and

WHEREAS, by Ordinance No. 0-13-22, adopted on August 14, 2013, the City dissolved the BLRA pursuant to the Local Fiscal Control Law, N.J.S.A. 40:51-20, and became, as a matter of law, the successor-in-interest of all properties owned by the BLRA as of the date of the dissolution, including without limitation, all properties located on the Peninsula owned by BLRA as of such date; and

WHEREAS, the City’s fee ownership of all properties owned by BLRA, including those on the Peninsula, was confirmed by Quitclaim Deed from BLRA to the City dated October 16, 2013 and recorded in the Register of Deeds of Hudson County, New Jersey on January 9, 2014, in Deed Book 8952, Page 477 et seq.; and

WHEREAS, the City has determined to act as the “redevelopment entity” for the Property located on the Peninsula (the “Redevelopment Entity”); and

WHEREAS, the Redevelopment Law authorizes the City to arrange or contract for the planning, construction or undertaking of any development project or redevelopment work in an area designated “as an area in need of redevelopment” pursuant to N.J.S.A. 40A:12A-8; and

WHEREAS, Section 2.12.1 of the Redevelopment Plan, entitled “Redeveloper Selection,” allows for the selection of redevelopers of specific sites, blocks or districts in any number or combination as is deemed necessary; and

WHEREAS, on November 10, 2015, the Municipal Council passed Resolution R-6 designating Bayonne Partners Urban Renewal LLC as the Redeveloper of the Property and authorized the execution of a Redevelopment and Purchase and Sale Agreement by and between the City of Bayonne as Redevelopment Entity and Bayonne Partners Urban Renewal, LLC; and

WHEREAS, on September 1, 2016, a Major Subdivision Plat subdividing Block 830, Lot 1, and creating Block 830, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, and 1.07, was recorded with the Register of Deeds of Hudson County; and

WHEREAS, on June 21, 2017, the Municipal Council adopted an amended Redevelopment Plan titled “Bayonne Bay East Redevelopment Plan” (the “Amended Redevelopment Plan”) dated June 6, 2017, and revised June 19, 2017, and prepared by the City Planning Department which incorporates the properties located at Block 830, Lot 1.05, 1.06, 1.07, and a portion of Memorial Boulevard (the “Redevelopment Area”) to the Redevelopment Plan; and

WHEREAS, on October 21, 2020, the Municipal Council adopted a Second Amendment to the Redevelopment Plan titled “Amended Redevelopment Plan for the Peninsula at Bayonne

Harbor: Maritime, Lofts and Land Districts” (the “Second Amendment to the Redevelopment 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 now believes that it is in the best interests of the City to amend the Second Amendment to the Redevelopment Plan to revise the height requirements and permit the density of construction on the Property to be regulated by the Redevelopment Agreement, as amended; and

WHEREAS, in accordance with the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq., the Municipal Council is desirous of directing the Planning Board to prepare the Third Amendment to the Redevelopment Plan.

WHEREAS, upon receipt of the Planning Board’s Resolution and recommendations relating to the Third Amendment to the Redevelopment Plan, the Municipal Council believes that the adoption of the Third Amendment to the Redevelopment Plan is in the best interest of the City for the redevelopment of the Redevelopment 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 Third Amendment to the Redevelopment Plan prepared by City of Bayonne Division of Planning & Zoning to include new height restrictions and permit regulation of density by the Redevelopment Agreement, as amended, for the property identified as Block 830, Lots 2.01, 2.02, 3.01, 3.02, 4.01 and 4.02 as shown 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. Further, the Third Amendment to the Redevelopment Plan shall amend, replace and supersede any prior redevelopment plan with respect to the Redevelopment Area.

Section 3. This Ordinance shall be referred to the City of Bayonne Planning Board for a courtesy review.

Section 4. The zoning district map in the zoning ordinance of the City is hereby amended to include the Property per the boundaries described in the Third Amendment to the Redevelopment Plan and the provisions thereon.

Section 5. 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 6. A copy of this Ordinance and the Third Amendment to the Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 7. This Ordinance shall take effect in accordance with all applicable laws.