

**O-17-10**  
**03/15/17**

**ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AND EXPANDING AN AMENDED AND RESTATED SCATTERED SITE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 477 AND 479-481 BROADWAY, AND 19-25 W 22ND ST, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 204, LOTS 2 & 3, AND BLOCK 203, LOT 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE**

**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**, on March 16, 2005, the Bayonne Municipal Council (the “**Municipal Council**”) adopted Resolution 05-03-16-048 requesting the Planning Board of the City (the “**Planning Board**”) to conduct a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the subject area, which consists of 34 sites including the Parcel (the “**Scattered Site Study Area**”), qualified as ‘an area in need of redevelopment’ in accordance with the criteria set forth in *N.J.S.A. 40A: 12A-5*, and if so, to prepare a redevelopment plan; and

**WHEREAS**, H2M Associates, Inc., on behalf of the Planning Board, prepared a report entitled the ‘Scattered Site Redevelopment Study’ dated December 7, 2005 (the “**Scattered Site Redevelopment Study**”) for the Municipal Council’s consideration; and

**WHEREAS**, on December 14, 2005, the Municipal Council adopted Resolution 05-12-14-064 designating the Scattered Site Study Area, which included the Parcel, as an area in need of redevelopment (the “**Scattered Site Redevelopment Area**”); and

**WHEREAS**, on January 25, 2006, the Municipal Council passed Ordinance O-06-02 which adopted the Scattered Site Redevelopment Plan prepared by H2M Associates, Inc. for the Scattered Site Redevelopment Area in accordance with the Redevelopment Law (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 City believes that the property identified as Block 204, Lots 2 and 3, and Block 203, Lot 4 (the “**Property**”) on the City’s Tax Maps is potentially valuable for

contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City: and

**WHEREAS**, the Municipal Council believes that it is in the best interests of the City to amend the Redevelopment Plan as it relates to the Property and expand the scope of the revitalization and redevelopment efforts in the City; and

**WHEREAS**, on October 19, 2016, the Municipal Council directed the Planning Board, to prepare and review an amended Redevelopment Plan for the Property and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

**WHEREAS**, an amended Redevelopment Plan (the “**Amended Redevelopment Plan**”) dated February 14, 2017, has been prepared by the City Planning Department which incorporates the properties located at Block 204, Lots 2 and 3, and Block 203, Lot 4 to the Redevelopment Plan; and

**WHEREAS**, 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.

**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.