

O-18-09
02/14/18

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES LOCATED AT 27-31 PROSPECT AVE, 33-39 PROSPECT AVE, AND 41 PROSPECT AVE, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 455, LOTS 1, 2, AND 3 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, on March 16, 2005, the Municipal Council adopted Resolution 05-03-16-048 authorizing and directing the Planning Board of the City (the “**Planning Board**”) to conduct a preliminary investigation to determine whether certain scattered sites in locations throughout the City, which include the properties located at 27-31 Prospect Avenue and 33-39 Prospect Avenue, which properties are identified as Block 455, Lots 1 and 2, as shown on the official Tax Map of the City (the “**Redevelopment Area**”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, by Resolution 05-12-14-064, dated December 14, 2005, the Municipal Council designated the Redevelopment Area as an area in need of redevelopment in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law; and

WHEREAS, on September 13, 2017, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to determine if certain property located at 41 Prospect Avenue, which property is identified as Block 455, Lot 3 as shown on the official Tax Map of the City (the “**Study Area**”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on December 13, 2017, the Municipal Council designated the Study Area as a non-condemnation area in need of redevelopment in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law; and

WHEREAS, on January 17, 2018, the Municipal Council by resolution authorized and directed the Planning Board, to prepare and review a redevelopment plan for the property located at 27-31 Prospect Avenue, 33-39 Prospect Avenue, and 41 Prospect Avenue, which properties

are identified as Block 455, Lots 1, 2, and 3 as shown on the official Tax Map of the City (the “**Property**”) and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared a redevelopment plan for the Property titled “Redevelopment Plan Madison Hill II Block 455, Lots 1, 2, & 3” dated January 17, 2018, (the “**Redevelopment Plan**”); and

WHEREAS, the Municipal Council desires to adopt the 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 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 afore-mentioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Redevelopment Plan 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.

