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ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN OVERLAY AS AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR CERTAIN PROPERTY IDENTIFIED AS BLOCK 1180, LOTS 1 AND 2, 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 Municipal Council of the City of Bayonne in its capacity as the redevelopment entity (the “**Municipal Council**”) for the City of Bayonne (the “**City**”) is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”); and

WHEREAS, 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 (the “**Redevelopment Area**”); and

WHEREAS, by ordinance first adopted on August 24, 2001, the Municipal Council approved and adopted The Peninsula at Bayonne Harbor BLRA Redevelopment Plan that was amended several times throughout the years to govern the development of the Redevelopment Area (the “**Redevelopment Plan**”); and

WHEREAS, the Redevelopment Area was subdivided in order to create several development lots, including but not limited to the property identified as Block 1180, Lots 1 and 2 on the official Tax Map of the City of Bayonne (the “**Property**”); and

WHEREAS, Block 1180, Lot 1 is currently owned by Bayonne Auto Terminal, LLC (the “**Owner**”) and Block 1180, Lot 2 is owned by the City; 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 the Redevelopment Plan; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared an amended Redevelopment Plan which provides an overlay relative to the property identified as Block 1180, Lots 1 & 2 on the official Tax Map of the City of Bayonne, and is titled “Amendment to Peninsula at Bayonne Harbor” dated April 11, 2018, (the “**Amended 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 afore-mentioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Amended Redevelopment Plan creating an overlay for the property identified as Block 1180, Lots 1 & 2 as shown on the official Tax Map of the City 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 Redevelopment Plan and the provisions thereon.

Section 4. The City hereby transfers the Amended Redevelopment Plan to the Planning Board for further consideration and to determine same is consistent with the City's Master Plan and in accordance with the Redevelopment Law.

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 Amended 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.