

O-18-43
08/15/18

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES LOCATED AT 343 AVENUE A AND 345-347 AVENUE A, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 254, LOTS 22 & 23, 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, *N.J.S.A. 40A:12A-6* authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation “area in need of redevelopment” pursuant to the criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Mayor and Municipal Council instructed the Planning Board of the City (the “**Planning Board**”) to conduct such an investigation to determine if certain properties located at 343 Avenue A and 345-347 Avenue A, which properties are identified as Block 254, Lots 22 and 23, 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 12, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Area in Need of Redevelopment Preliminary Investigation Block 254 Lot 23 (345-347 Avenue A) Block 254 Lot 22 (343 Avenue A)” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, dated December 1, 2017 (the “**Study**”) and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on December 12, 2017, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, on December 13, 2017, the Municipal Council adopted Resolution No. 17-12-13-080 designating the Study Area as a non-condemnation area in need of redevelopment area (“**Redevelopment Area**”); and

WHEREAS, the Municipal Council further instructed the Planning Board to to prepare a redevelopment plan for the Study Area (the “**Redevelopment Plan**”); and

WHEREAS, a Redevelopment Plan titled “Block 254 Lot 22 (343 Avenue A) Block 254 Lot 23 (345-347 Avenue A)” (the “**Redevelopment Plan**”) dated June 19, 2018, has been prepared by the City Planning Department which incorporates the Redevelopment Area to 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 Redevelopment Area; 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 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 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 Redevelopment Area.

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the Redevelopment Area 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.