

O-18-63  
11/7/18

**ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AND MODIFYING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 736 TO 742 AVE E, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 393, LOTS 3, 4 & 5 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 modifying

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 plan; and

WHEREAS, on **August 16, 2017**, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the properties located at **736 Avenue E, 738 Avenue E, 742 Avenue E**, which are identified as **Block 393, Lots 3, 4, & 5** as shown on the official tax map of the City of Bayonne (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 “**Amendment to the scattered Site Redevelopment Plan For A Portion of the Plan Located at 736 - 742 Avenue E, Block 393, Lots 3, 4, & 5 Beacon Oil (Known as the Gulf Oil Site Lots 1,2,3,4,5)**”, dated **September 11, 2018** (the “Redevelopment Plan”); and

WHEREAS, on **September 11, 2018**, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, the Municipal Council wishes to modify **Section 2 B (2) (c)(ii)** of the Redevelopment Plan to **contain a Side Yard Setback of zero (0) feet up to the beginning of the second story and thereafter a three (3) foot set back for any portion of the building above the first floor to ensure proper ventilation and between the proposed building and the adjacent development**; and

**WHEREAS**, upon receipt and review of the Planning Board's recommendations relating to the Redevelopment Plan, the Municipal Council desires to adopt the Redevelopment Plan as modified 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 aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Redevelopment Plan is hereby adopted as modified above 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.

JFC/jc/jmd

