

O-16-27
05/18/16

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE FORMER BEST FOODS LOCATED AT BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13 (LOT 1- "BAY"); BLOCK 311.01, LOT 1 ("39-55 BAYVIEW CT"); BLOCK 333.01, LOTS 3-6 (LOT 4- "22-46 BAYVIEW CT," LOT 5- "97-103 AVENUE A," LOT 6- "AVENUE A") AND BLOCK 333.02, LOT 1 ("97-103 AVENUE A") ON THE 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, the Municipal Council of the City (the "**Municipal Council**") identified certain properties in the City, designated as Block 301.01, Lot 7; Block 310, Lots 1-13 (Lot 1- "Bay"); Block 311.01, Lot 1 ("39-55 Bayview CT"); Block 333.01, Lots 3-6 (Lot 4- "22-46 Bayview CT," Lot 5- "97-103 Avenue A," Lot 6- "Avenue A"); and Block 333.02, Lot 1 ("97-103 Avenue A") on the City's Tax Maps (the "**Study Area**"), to be considered for designation as an "area in need of redevelopment" under the Redevelopment Law; 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, John D. Fussa, P.P., then City Planner of the City of Bayonne, Division of Planning & Zoning, and Clarke Caton Hintz, prepared a written report and redevelopment plan which included the Property, entitled "City of Bayonne: Scattered Site Redevelopment Project Phase II: Site 9" dated June 21, 2011 (the "**Redevelopment Study and Plan**"); and

WHEREAS, on July 10, 2012, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and any persons interested in or affected by a determination that the Property is an area in need of redevelopment 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, by Resolution 12-07-018-045 July 18, 2012, the Municipal Council adopted a Resolution formally designating the Property as an "area in need of redevelopment" (the "**Redevelopment Area**"); and

WHEREAS, the Redevelopment Area includes certain properties located at Block 301.01, Lot 7; Block 310, Lots 1-13 (Lot 1- "Bay"); Block 311.01, Lot 1 ("39-55

Bayview CT"); Block 333.01, Lots 3-6 (Lot 4- "22-46 Bayview CT," Lot 5- "97-103 Avenue A," Lot 6- "Avenue A"); and Block 333.02, Lot 1 ("97-103 Avenue A"), on the official Tax Map of the City (the "**Property**");

WHEREAS, by Resolution 16-03-16-078 council authorized the preparation of an amended redevelopment plan

WHEREAS, on April 12, 2016, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Plan is consistent with the Master Plan of the City of Bayonne (the "**Resolution**"); and

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Redevelopment Plan, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interests of the City for the redevelopment of the Property (collectively, referred to as 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 titled "City of Bayonne: Scattered Site Redevelopment Project Phase II: Site 9" dated June 21, 2011, is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law. Further, the Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to Redevelopment Area.

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the boundaries described in the Redevelopment Plan and the provisions therein.

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.