

O-23-09
3/15/23

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE CENTRAL CONSTABLE HOOK REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 465, LOT 9; BLOCK 466, LOTS 1, 2, 3 AND 4; AND BLOCK 478, LOTS 1 AND 1.01, AS SHOWN ON THE OFFICIAL 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, pursuant to the Redevelopment Law, the Municipal Council of the City Bayonne (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, 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, on September 15, 2021, the Municipal Council of the City of Bayonne adopted a resolution which authorized and directed the Bayonne Planning Board (“**Planning Board**”) to undertake a preliminary investigation to determine whether certain property identified as Block 465, Lot 9; Block 466, Lots 1, 2, 3 and 4; and Block 478, Lots 1 and 1.01, on the Bayonne Tax Map, may be designated as a non-condemnation “area in need of redevelopment” in accordance with applicable New Jersey Law; and

WHEREAS, on November 9, 2021, the Planning Board conducted a public hearing and reviewed its preliminary investigation and subsequently adopted a resolution recommending that the Municipal Council designate property identified as Block 465, Lot 9; Block 466, Lots 1, 2, 3 and 4; and Block 478, Lots 1 and 1.01, on the Bayonne Tax Map as a non-condemnation “area in need of redevelopment” under the Redevelopment Law; and

WHEREAS, the Municipal Council concurred and agreed with Planning Board’s recommendations, as supported by the reasons stated in the Planning Board resolution, the preliminary investigation, and the November 9, 2021 public hearing met the criteria under the Redevelopment Law and that the property identified as Block 465, Lot 9; Block 466, Lots 1, 2, 3 and 4; and Block 478, Lots 1 and 1.01, should be determined and declared a non-condemnation “area in need of redevelopment” under the Redevelopment Law; and

WHEREAS, by resolution adopted on December 15, 2021, the Municipal Council designated the property identified as Block 465, Lot 9; Block 466, Lots 1, 2, 3 and 4; and Block 478, Lots 1 and 1.01, on the Tax Map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law (the “**Redevelopment Area**”); and

WHEREAS, by Resolution No. 22-05-18-008 adopted on May 18, 2022, the Municipal Council authorized the preparation of a Redevelopment Plan for the Redevelopment Area; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a Redevelopment Plan for the Redevelopment Area titled “Central Constable Hook Redevelopment Plan” dated December 28, 2022 (the “**Redevelopment Plan**”); and

WHEREAS, at the City’s direction, the Planning Board reviewed the Redevelopment Plan at a public hearing on January 10, 2023 and recommended its adoption; 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 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 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” and per 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.