

ORDINANCE #980

ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE ADOPTION OF THE REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS BLOCK 65, LOT 1 ON THE TAX MAP OF THE BOROUGH OF OCEANPORT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes a municipality to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation”; and

WHEREAS, in accordance with the Redevelopment Law, the Municipal Council (the “**Municipal Council**”) of the Borough of Oceanport (the “**Borough**”) determined to investigate whether that certain area of the Borough commonly known as 222 Monmouth Boulevard and identified as Block 65, Lot 1 on the tax map of the Borough (the “**Rehabilitation Area**”) satisfies the criteria to be designated as an “area in need of rehabilitation”; and

WHEREAS, Clarke Caton Hintz (the “**Planning Consultant**”), submitted a report dated September 1, 2017, (the “**Rehabilitation Report**”), which confirmed that the Rehabilitation Area meets the criteria set forth in Sections 14(a)(1) of the Redevelopment Law, as the structures located within the Rehabilitation Area are vacant and in a deteriorated or substandard condition, and stated that a program of rehabilitation may be expected to prevent further deterioration and to promote the overall development of the Borough; and

WHEREAS, *N.J.S.A. 40A:12A-14* provides that prior to the adoption of a resolution designating portions of the Borough as an “area in need of rehabilitation,” the Municipal Council must first submit a copy of the proposed designating resolution to the Planning Board of the Borough (the “**Planning Board**”) for review and recommendation; and

WHEREAS, on September 7, 2017 the Municipal Council, acting by resolution, referred a copy of the Rehabilitation Report and the resolution designating the Rehabilitation Area as an “area in need of rehabilitation” to the Planning Board for review and comment; and

WHEREAS, on September 12, 2017, the Planning Board held a public hearing at which it reviewed the findings of the Rehabilitation Report, and adopted a resolution which endorsed the findings of the Planning Consultant and recommended to the Municipal Council, pursuant to *N.J.S.A. 40A:12A-14*, that the Rehabilitation Area be designated as an “area in need of rehabilitation”; and

WHEREAS, on September 21, 2017, by Resolution #2017-190, the Municipal Council accepted the recommendation of the Planning Board, and that of the Planning Consultant, and designated the Rehabilitation Area as an “area in need of rehabilitation,” in accordance with the Redevelopment Law; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-4(a)(3)* and *N.J.S.A. 40A:12A-7* the Municipal Council is empowered to adopt a redevelopment plan pursuant to which redevelopment projects are to be undertaken or carried out within an “area in need of rehabilitation”; and

WHEREAS, pursuant to that authority the Municipal Council caused a redevelopment plan for the Rehabilitation Area to be prepared, entitled the *Borough Hall Site Redevelopment Plan* (the “**Redevelopment Plan**”), attached hereto as Exhibit A; and

WHEREAS, the Borough Council, has referred the Redevelopment Plan to the Planning Board for its review and recommendation pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, the Planning Board, on September 26, 2017, at a duly noticed and constituted public meeting, reviewed the Redevelopment Plan; and

WHEREAS, following such review the Planning Board has rendered its report and recommendations to the Borough Council and recommended the adoption of the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, the Borough Council hereby finds it appropriate for the Redevelopment Plan to be adopted for the Rehabilitation Area, being, among other things, substantially consistent with the Master Plan for the Borough; and

WHEREAS, the Borough Council now desires to adopt the Redevelopment Plan and to direct that the applicable provisions of the Borough's Zoning Ordinance and Map be amended and superseded to reflect the provisions of the Redevelopment Plan, as and to the extent set forth therein.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF OCEANPORT AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations of the Planning Board are hereby accepted and the Redevelopment Plan attached hereto as Exhibit A and made a part hereof, 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 and the zoning ordinance of the Borough are hereby amended to incorporate and reflect the Redevelopment Plan, and, to the extent provided in the Redevelopment Plan, are superseded thereby.

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 Borough Clerk during regular business hours.

Section 6. This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

APPROVED ON FIRST READING
DATED: October 5, 2017

ADOPTED ON SECOND READING
DATED:

JEANNE SMITH
Clerk of the Borough of Oceanport

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APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2017.

JOHN F. COFFEY, II
Mayor