

ORDINANCE NO. 21-22

AN ORDINANCE REPEALING ORDINANCE NO. 08-33 ADOPTING A REDEVELOPMENT PLAN FOR THE ROUTE 35 AND WEST BANGS AVENUE AREA (CURRENTLY DESIGNATED ON THE TAX MAP AS BLOCK 808, LOTS 5, 6, 7 and 8 AND FORMERLY DESIGNATED ON THE TAX MAP AS BLOCK 249, LOTS 1, 4, 5, 6, AND 10.1; AND BLOCK 250, LOTS 1.01 and 3) LOCATED IN THE TOWNSHIP OF NEPTUNE, COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Act"), authorizes the governing body to adopt by ordinance redevelopment plans for areas in need of redevelopment or rehabilitation; and

WHEREAS, on May 29, 2007, the Township Committee adopted Resolution No. 07-276 which designated the Route 35 and West Bangs Avenue area, currently designated on the Tax Map of the Township of Neptune as Block 808, Lots 5, 6, 7 and 8 and formerly designated on the Tax Map of the Township of Neptune as Block 249, Lots 1, 4, 5, 6 and 10.1 and Block 250, Lots 1.01 and 3 (referred to as the "Property"), as an area in need of redevelopment; and

WHEREAS, on September 22, 2008, the Township Committee adopted Ordinance No. 08-33 establishing a superseding Redevelopment Plan for the Route 35 and West Bangs Avenue Area (the "Redevelopment Plan"), which area is comprised of the Property, and which Redevelopment Plan permitted the Township to utilize any of its powers under the Act in order to achieve its goals under the Redevelopment Plan; and

WHEREAS, on September 14, 2020, the Township Committee adopted Ordinance No. 20-26 amending Section 404.1 of the Township's Land Development Ordinance by amending the permitted, conditional and accessory uses in the B-1 Town Commercial Zone (the "Zoning") which zoning would otherwise apply to the Property but for the Redevelopment Plan; and

WHEREAS, N.J.S.A. 40:48-2 and N.J.S.A. 40A:12A-22 authorize the governing body to repeal ordinances as it may deem necessary and proper for the good government, order and protection of persons and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Township Committee has determined that the application of the Zoning to the Property is in the best interest of the Township and thus, the Redevelopment Plan is no longer necessary.

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, that:

SECTION 1.

1. The Township Committee has considered the overall land use and planning goals of the Township and has determined that the application of the Zoning to the Property is in the best interest of the Township.

2. Ordinance No. 08-33 adopting a superseding Redevelopment Plan for the Route 35 and West Bangs Avenue Area shall be and is hereby repealed in its entirety.
3. The Property shall henceforth be subject to the existing Zoning requirements for the area, as provided by applicable law.

SECTION 2.

If any subsection, paragraph or provision of this ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions of this Ordinance.

SECTION 3.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4.

This ordinance shall take effect following adoption and approval in accordance with applicable law and shall be published as required by law.

APPROVED ON FIRST READING:

ADOPTED ON SECOND READING:

ATTEST:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor