

TOWNSHIP OF NEPTUNE

ORDINANCE NO. 22-38

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR AREAS ALONG ROUTE 33 AND ROUTE 35 IDENTIFIED AS BLOCK 1106, LOTS 1-6 AND 8-17 ON THE TAX MAP OF THE TOWNSHIP OF NEPTUNE, 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 January 11, 2021, the Township Committee of the Township of Neptune (the “Township Committee”) adopted Resolution #21-68, which authorized and directed the Township of Neptune Planning Board (the “Planning Board”) to undertake a preliminary investigation to determine whether certain areas along Route 33 and Route 35 identified as Block 1106, Lots 1-6 and 8-17 on the Tax Map of the Township of Neptune, qualify as an area in need of redevelopment (non-condemnation) pursuant to the statutory criteria within the Act; and,

WHEREAS, Jennifer C. Beahm, PP, AICP of Leon S. Avakian Inc. Consulting Engineers conducted an investigation and prepared a report entitled “Area in Need of Redevelopment Investigation Report” dated February 2021 (the “Study”) pertaining to those certain areas along Routes 33 and 35 identified collectively as Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune (the “Study Area”), on which the Planning Board conducted a public hearing on February 24, 2021 to provide an opportunity for extensive public comments; and,

WHEREAS, at the Planning Board Hearing, Ms. Beahm presented the Study and the findings thereof, concluding that the Study Area met the criteria for an area in need of redevelopment under N.J.S.A. 40A:12A-5(h) and N.J.S.A. 40A:12A-3; and,

WHEREAS, following the public hearing regarding the Study, on March 24, 2021, the Planning Board adopted Resolution #21-07 recommending that Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune be designated as a non-condemnation area in need of redevelopment, which Resolution is incorporated herein by reference; and,

WHEREAS, on June 14, 2021, the Township Committee adopted Resolution #21-238 which designated the areas Routes 33 and 35 identified collectively as Block 1106, Lots 1-17 on the Tax Map of the Township of Neptune, as a non-condemnation area in need of redevelopment; and,

WHEREAS, thereafter, a Redevelopment Plan was prepared by Leon S. Avakian Inc. Consulting Engineers entitled “Block 1106 Redevelopment Plan” (the “Redevelopment Plan” or the “Plan”); and

WHEREAS, at a public meeting of the Township Committee on June 23, 2022, the Township Committee adopted Resolution # 22-301 referring the Redevelopment Plan to the Planning Board for review and recommendation pursuant to N.J.S.A 40A-12A- 7; and,

WHEREAS, the Planning Board Resolution further sets forth that the Plan has been designed so as to effectuate the goals and objectives of the Neptune Township Master Plan and it is recommended that the Township Committee adopt the Plan; and,

WHEREAS, the Township Committee has reviewed the report of the Planning Board and the Planning Board Resolution regarding the Redevelopment Plan; and,

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

SECTION 1.

1. The Township Committee has reviewed the Block 1106 Redevelopment Plan and has solicited the comments of the public by, *inter alia*, posting the Redevelopment Plan on the Township's website and holding a public hearing concerning the same.
2. The Township Committee has received and given due consideration to the comments and recommendation of the Planning Board regarding the Redevelopment Plan.
3. The Township Committee has weighed the comments of the Planning Board against the overall redevelopment and planning goals and objectives of the Township and has determined that adopting and implementing the Redevelopment Plan is in the best interest of the Township.
4. The Township Committee has further determined that the Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7 and is otherwise in conformance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.
5. The Block 1106 Redevelopment Plan is hereby adopted and shall supersede the existing zoning requirements for said area as described in the Redevelopment Plan.
6. The Neptune Township Zoning Map is hereby amended to show Block 1106, Lots 1- and 8-17 as being located within the Block 1106 Redevelopment Area and subject to the requirements of the adopted Redevelopment Plan.

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 be published and shall take effect following adoption and approval, all as required by and in accordance with the law.