

ORDINANCE NO. 2018-31

AN ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY IDENTIFIED ON THE BOROUGH'S OFFICIAL TAX MAP AS BLOCK 3, LOTS 2.01, 4.01, 6, 7.01 AND 9.01

_____ offered the following ordinance and moved for its introduction:

WHEREAS, on May 10, 2017 the Borough Council of the Borough of Red Bank (the "Borough Council") previously adopted Resolution No. 17-107 directing the Planning Board of the Borough of Red Bank (the "Planning Board") to undertake a preliminary investigation to determine whether those parcels identified on the Borough's tax map as Block 3, Lots 2.01, 4.01, 6, 7.01 and 9.01 (the "Study Area"), met the statutory criteria to be designated as an "Area in Need of Rehabilitation" pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-3 et seq.* (the "LRHL"); and

WHEREAS, the Planning Board held a public hearing on July 17, 2017 regarding the preliminary investigation of the property and were found to meet the standard for an area in need of rehabilitation designation and subsequently adopted a resolution recommending that the Borough Council designate the Study Area as an "Area in Need of Rehabilitation" pursuant to the LRHL; and

WHEREAS, the Borough Council subsequently adopted Resolution No. 17-174 on July 26, 2017, designating the Study Area as an "Area in Need of Rehabilitation" in accordance with the Planning Board's recommendation and the LRHL; and

WHEREAS, CME Associates prepared the Redevelopment Plan providing the development standards for the Study Area; and

WHEREAS, pursuant to the LRHL, the Planning Board must review the Redevelopment Plan and transmit its recommendations relating to the Redevelopment Plan to the Borough Council in accordance with the provisions of *N.J.S.A. 40A:12A-7(e)* of the LRHL; and

WHEREAS, on October 10, 2018 the Borough Council adopted a resolution directing the Planning Board to review the Redevelopment Plan and transmit its recommendations relating to the Redevelopment Plan to the Borough Council in accordance with the LRHL; and

WHEREAS, the Borough Council has determined to adopt the Redevelopment Plan (in the form attached hereto as Exhibit A), to ensure the success of redevelopment within the Study Area in conformity with the Borough's redevelopment objectives; and

WHEREAS, subject to receipt of the Planning Board's recommendations concerning the Redevelopment Plan, the Borough Council believes that the adoption of the Redevelopment Plan is in the best interests of the Borough and the development of the Study Area.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Red Bank, County of Monmouth, State of New Jersey as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Pursuant to *N.J.S.A. 40A:12A-7(e)*, the Borough Council hereby refers the Redevelopment Plan, as described on Exhibit A attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned Redevelopment Plan, and submit same to the Borough Council within 45 days after referral, as required by the LRHL.
3. Contingent upon the receipt of the Planning Board's recommendations, the Borough Council hereby adopts the Redevelopment Plan, pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law.
4. The zoning ordinances of the Borough are hereby amended to include the amendments indicated in the Redevelopment Plan and the provisions therein.

5. In case any one or more of the provisions of this Ordinance or the Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance or the Redevelopment Plan and this Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

6. This Ordinance shall take effect upon final adoption and publication thereof according to law.

Seconded by Councilman _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Taylor	()	()	()	()
Councilman Whelan	()	()	()	()
Councilwoman Yngstrom	()	()	()	()
Councilwoman Ballard	()	()	()	()
Councilman Zipprich	()	()	()	()
Councilman Horgan	()	()	()	()

Dated: October __, 2018

ADOPTED ON FIRST READING

DATED: October __, 2018

PAMELA BORGHI
Borough Clerk

ADOPTED ON SECOND READING

DATED: November __, 2018

PAMELA BORGHI
Borough Clerk

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2018

PASQUALE MENNA, MAYOR
BOROUGH OF RED BANK