

ORDINANCE NO. 2019-35

**ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF NEW
JERSEY, DETERMINING THAT THE REDEVELOPMENT PLAN
RECOMMENDED BY THE PLANNING BOARD IS ACCEPTABLE AND
THEREFORE THE SUBJECT PROPERTY SHOULD BE REZONED
ACCORDINGLY**

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

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the Mayor and Borough Council of the Borough of Belmar (the "Borough") must authorize the Planning Board of the Borough (the "Planning Board") to conduct a preliminary investigation of the area and make recommendations to the Mayor and Borough Council; and

WHEREAS, on May 4, 2017, the Borough Council adopted Resolution 2017-84 authorizing and directing the Planning Board to conduct an investigation to determine whether property identified on the Borough Tax Map as Block 95, Lots 5, 7-13, (the "Initial Study Area") satisfies the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment, which designation would authorize the Borough and the Mayor and Council to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

WHEREAS, on June 19, 2017, the Planning Board held a public hearing which determined that the Initial Study Area met the criteria for designation as an "area in need of redevelopment" under the Redevelopment Law, and further recommended that the Borough consider whether Block 95, Lots 14 and 15 on the Borough tax maps be considered as an "area in need of redevelopment"; and

WHEREAS, on August 1, 2017, the Borough Council adopted Resolution 2017-140 authorizing and directing the Planning Board to conduct an investigation to determine whether property identified on the Borough Tax Map as Block 95, Lots 14 and 15 (together with Block 95, Lots 5 and 7-13, collectively the "Amended Study Area") satisfied the criteria to be designated as an "area in need of redevelopment" without the power of condemnation; and ; and

WHEREAS, on September 18, 2017, the Planning Board held a public hearing and adopted a Resolution commending to the Borough Council, that the Amended Study Area be designated as an "area in need of redevelopment" without the power of condemnation; and

WHEREAS, on October 17, 2017, the Borough Council adopted Resolution 2017-178 which designated the Amended Study Area as an "area in need of redevelopment" (the "Redevelopment Area") in accordance with the Redevelopment Law; and

WHEREAS, the Mayor and Council have received and carefully reviewed a Redevelopment Plan with a last revision date of October 11, 2019 prepared by DMR Architects, and updated by Leon S. Avakian, Inc., Consulting Engineers to Belmar, a copy which is on file with the Township Clerk and can be reviewed during normal business hours; and

WHEREAS, upon review of the Planning Board's recommendations of the Redevelopment Plan, the Mayor and Council have determined to adopt a Redevelopment Plan (in the form of the plan as set forth at the office of the Borough Clerk) to ensure the success of redevelopment within the redevelopment area in conformity with the Borough's redevelopment objections.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey as follows:

SECTION 1. The aforementioned recitals are incorporated herein and fully set forth at length.

SECTION 2. The Redevelopment Plan, a true copy of which is located at the office of the Borough Clerk and can be reviewed during normal business hours is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7.

SECTION 3. This Ordinance shall take effect in accordance with all applicable laws.