

ORDINANCE NO. 2018-3236

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**ORDINANCE ADOPTING AMENDED MUNICIPAL
COMPLEX REDEVELOPMENT PLAN FOR BLOCK 815,
LOTS 1.01, 6 AND 7 ON THE OFFICIAL TAX MAP OF THE
TOWNSHIP OF MIDDLETOWN**

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

WHEREAS, on April 3, 2017, pursuant to Resolution No. 17-133, the Township Committee, acting as the Redevelopment Agency for the Township of Middletown ("the Township"), authorized and requested its Planning Board to undertake a Preliminary Investigation of the properties, identified as Block 815, Lots 1.01, 6, and 7 ("Town Hall Complex"), to determine whether the delineated area qualifies as an area in need of redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3 for non-condemnation purposes; and

WHEREAS, consistent with the requirements set forth in N.J.S.A. 40A:12A-6, the Planning Board specified and gave notice that on June 7, 2017, a hearing would be held for the purpose of hearing persons who are interested in or would be affected by a determination that the properties in the Area of Investigation are an area in need of redevelopment for non-condemnation purposes; and

WHEREAS, on June 7, 2017, the Planning Board unanimously recommended that the Township Committee designate the Area of Investigation as a non-condemnation area in need of redevelopment; and

WHEREAS, on June 19, 2017, pursuant to Resolution No. 17-184 the Township Committee concurred with the Planning Board's findings and designated the Area of Investigation as an area in need of redevelopment for non-condemnation purposes; and

WHEREAS, on August 21, 2017, pursuant to Ordinance No. 2017-3200, the Township Committee adopted the Municipal Complex Redevelopment Plan consisting of Block 815, Lots 1.01, 6 and 7; and

WHEREAS, on February 20, 2018, pursuant to Resolution No. 18-98, the Township Committee conditionally designated a redeveloper; and

WHEREAS, during the process of ongoing negotiations with the conditionally designated redeveloper and through the advancement of the Township's planning process, it was determined that certain Redevelopment Plan amendments should be adopted; and

WHEREAS, the Township Planner has prepared an Amended Redevelopment Plan including Block 815, Lots 1.01, 6, and 7 (the "Amended Municipal Complex Redevelopment Plan") dated August 2018 attached hereto and made part hereof as Exhibit A; and

WHEREAS, N.J.S.A. 40A:12A-7 requires the adoption of redevelopment plans by ordinance with the Planning Board reviewing the plan for consistency with the Master Plan of the Township prior to final adoption, which referral has taken place, and a report being returned from the Planning Board as to such consistency with the Master Plan.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey, as follows:

SECTION 1. Amended Municipal Complex Redevelopment Plan

The Amended Municipal Complex Redevelopment Plan dated August 2018 prepared by the Township Planner, attached hereto and made part hereof as **Exhibit A**, is hereby approved and adopted by the Township Committee pursuant to N.J.S.A. 40A:12A-1 et seq., and shall constitute an overlay zone to be applied solely to the Redevelopment Plan Area and be enacted as an amendment to the Township's Zoning Map.

SECTION 2. Severability.

If any section, subsection or paragraph of this ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section subchapter or paragraph shall to the extent that is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this ordinance.

SECTION 3. Repealer.


Ordinance No. 2017-3200 shall hereby be repealed upon adoption of this ordinance, and all ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

This ordinance shall take effect immediately after final adoption and approval pursuant to law.

PASSED ON FIRST READING: August 20, 2018

PASSED AND APPROVED: November 19, 2018



Kevin M Settembrino
Mayor

ATTEST:



Heidi R. Brunt, RMC, CMC, CMR
Township Clerk