

BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION

NOTICE is hereby given that **Ordinance 24-2024** - Ordinance of the Borough of Eatontown Entitled “**AN ORDINANCE APPROVING THE DOWNTOWN VILLAGE REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED ON THE BOROUGH TAX MAP AS BLOCK 301, LOTS 13 and 18, BLOCK 304, LOTS 1-26, BLOCK 401, LOTS 61-68 AND BLOCK 901, LOTS 1-8**” was passed after a public hearing at the regular meeting of **December 4, 2024** by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724. Borough of Eatontown - Julie Martin, RMC, Borough Clerk

ORDINANCE 24-2024

BOROUGH OF EATONTOWN

COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE APPROVING THE DOWNTOWN VILLAGE REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED ON THE BOROUGH TAX MAP AS BLOCK 301, LOTS 13 and 18, BLOCK 304, LOTS 1-26, BLOCK 401, LOTS 61-68 AND BLOCK 901, LOTS 1-8.

WHEREAS, the Mayor and Council of the Borough of Eatontown adopted Resolution 44-2021 on February 24, 2021 directing the Planning Board to conduct a preliminary investigation of the properties officially designated as Block 304, Lots 1, 2, 3, 4, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26; Block 901, Lots 1, 2, 3, 4, 5, 6, 7, and 8; and Block 401, Lots 61, 62, and 63 on the tax map of the Borough of Eatontown (the “Downtown Redevelopment Area”) so as to determine whether the Downtown Redevelopment Area meets the criteria to be designated as a Non-Condensation Area in Need of Redevelopment under the ; and

WHEREAS, the Planning Board conducted an investigation which included consideration of the report prepared by Jennifer C. Beahm, P.P., AICP of Leon S. Avakian Inc., dated April 2021 entitled “Area in Need of Redevelopment Investigation Report” and conducted a public hearing on May 17, 2021 in accordance with the requirements of applicable law; and

WHEREAS, the Planning Board determined the Downtown Redevelopment Area meets the criteria under the LRHL to be declared a Non-Condensation Area in Need of Redevelopment and adopted a resolution on June 7, 2021, confirming that finding; and

WHEREAS, Borough Council adopted Resolution 102-2021 determining the Downtown Redevelopment Area constitutes an Area in Need of Redevelopment under N.J.S.A. 40A:12A-5 (a) and (b); and

WHEREAS, the Borough Council adopted Resolution 38-2024 authorizing the Planning Board to conduct a preliminary investigation to determine whether additional properties in the Downtown designated as Block 304, Lots 5, 6, 7, 8, 9, 10, 12, 13, 15, and 16 and Block 301, Lots 13 and 18 and Block 401, Lots 64, 65, 66, 67 and 68 on the Borough Tax Map (the “Amended Downtown Study Area meets the criteria to be declared an Area in Need of Redevelopment in conjunction with its previous determination that the Downtown Study Area met the redevelopment designation under the LRHL; and

WHEREAS, the Planning Board conducted a public hearing and considered the report by the Planning Board Planner Jennifer C. Beahm, P.P. AICP of Leon S. Avakian, Inc. dated April 2021 which recommends the designation of the Amended Downtown Study Area as a non-condemnation Area in Need Redevelopment and the Planning Board adopted a Resolution on April 15, 2024 recommending that the Downtown Study Area continues to qualify as a Non-Condensation Area in Need of Redevelopment; and the Amended Downtown Study Area constitutes a Non-Condensation Area in Need of Redevelopment premised upon N.J.S.A. 40A:12A-5 (a) (b) (c), (d) and (h); and

WHEREAS, the Borough Council adopted Resolution 97-2024 on April 25, 2024 designating the Amended Study Downtown Study Area as Non-Condensation Area in Need of Redevelopment premised upon N.J.S.A. 40A:12A-5(a)(b)(c)(d) and (h)

WHEREAS, the Borough Council authorized the Borough Planner, Jennifer C. Beahm, PP, AICP, to prepare a redevelopment plan for the Downtown Redevelopment Area including the Amended Downtown Study Area; ; and

WHEREAS, pursuant to the Governing Body’s authorization, the Downtown Village Redevelopment Plan, dated October, 2024, was prepared by Jennifer C. Beahm, PP, AICP; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to adopt a Redevelopment Plan for the Downtown to encourage redevelopment in the downtown of the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby approves and adopts the Downtown Village Redevelopment Plan prepared by Jennifer C. Beahm, PP, AICP, dated October 2024 for the properties identified on the Borough Tax Map as Block 301, Lots 13 and 18, Block 304, Lots 1-26, Block 401, Lots 61-68 and Block 901, Lots 1-8.

BE IT FURTHER ORDAINED THAT in accordance with N.J.S.A. 40A:12A-7 (c), the Downtown Village Redevelopment Plan contains superseding zoning, and the Zoning District Map of the Borough of Eatontown is hereby amended to include the Downtown Village Redevelopment Plan as a zoning district.

BE IT FURTHER ORDAINED THAT the superseding zoning standards contained within the Downtown Village Redevelopment Plan shall supersede the applicable regulations in the Eatontown Borough Land Use Ordinances governing the properties within the Downtown Redevelopment Area and if a particular land use, development regulations or site standards are not addressed in this Redevelopment Plan, compliance with the Eatontown Borough Land Use Ordinances or other applicable code requirements apply.

BE IT FURTHER ORDAINED, that.

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.