

TOWNSHIP OF OCEAN, NEW JERSEY

ORDINANCE # 2011-1

**ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY ADOPTING A REDEVELOPMENT PLAN AND AUTHORIZING ACTIONS TO PROMOTE REDEVELOPMENT, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW,
N.J.S.A. 40A:12A-1 et. seq.**

BE IT ORDAINED by the Township Committee of the Township of Ocean, County of Ocean, and State of New Jersey as follows:

Section 1: Purpose and Intent

This Ordinance and the Southern Ocean Landfill (SOLF) Redevelopment Plan adopted herein, are intended to implement a redevelopment strategy to improve all or portions of a 155.0± acre Project Site, known as Block 7; Lot 1 (as adjusted by recent subdivision) and Block 7; Lot 6.01 as designated on the Tax Maps of Ocean Township, as redesignated from time to time (“Redevelopment Area”).

The primary goal of the Township’ redevelopment strategy is to provide for the productive use of these disturbed parcels as a solar energy facility that will provide a source of municipal revenue and will help achieve the renewable energy goals of the State.

Section 2. Determination of “Area in Need of Redevelopment”

The Township of Ocean designated the Southern Ocean Landfill Facility Area as an area in need of redevelopment after the required Preliminary Investigation in September of 2000 pursuant to Resolution #2000-80. The limits of the redevelopment area have been more particularly defined to include Block 7; Lot 1, which was recently adjusted to be inclusive of the former landfill areas, and Lot 6.01, which includes disturbed lands related to the former landfill facility.

Section 3. Adoption of the Redevelopment Plan

The Local Redevelopment and Housing Law provides that no redevelopment project shall be undertaken except in accordance with a Redevelopment Plan adopted by Ordinance.

The Southern Ocean Landfill Redevelopment Plan, as prepared by the Alaimo Group, the Township’s Engineering consultant, and as reviewed by the Township Planning Board, and introduced pursuant to law, is hereby ADOPTED and by reference hereto and incorporation as if fully set forth herein at length, the Southern Ocean Landfill Redevelopment Plan and this Ordinance set forth the Township's goals and objectives for the area. This adopted Redevelopment Plan shall be implemented consistent with all required Master Plans, including but not limited to the Township's Redevelopment Area Master Plan, once finalized.

Section 4. Authority of the Township in Furtherance of the Redevelopment Plan

The Township Committee of the Township of Ocean, County of Ocean, State of New Jersey shall have and is hereby entitled to have and be vested with, all powers and all authority available to it in furtherance of the goals and purposes of the Southern Ocean Landfill Redevelopment Plan.

The Township Committee will function as the Redevelopment Entity in order to (a) acquire or lease additional property if necessary or beneficial within the Redevelopment Area to enhance the Redevelopment Project for the benefit of the Township and the Redevelopment Project; and (b) to effectuate redevelopment of the Project Site for sustainable energy purposes and thereby creating an additional source of municipal revenue.

Section 5. Time Limits

The Redevelopment Plan shall be implemented within ten (10) years from the date of adoption.

Section 6. Additional Statutory Requirements

As set forth below, the Southern Ocean Landfill Redevelopment Plan is in full compliance with State statutes.

A. Definitions. The definitions provided for in N.J.S.A. 40A:12A-3 are incorporated into this Redevelopment Plan by reference.

B Discrimination Ban. No covenant, lease, conveyance or other instruments shall be executed whereby land or structures within the Redevelopment Area are restricted upon the basis of race, creed, color, age, handicap, family status, ancestry or national origin.

C. Pre-existing Approvals. Any plans approved by the Township of Ocean prior to adoption of this Redevelopment Plan shall not be subject to the requirements of the Redevelopment Plan.

D. Relationship of Definite Local Objectives. The Southern Ocean Landfill Redevelopment Plan is a comprehensive plan, which includes a description of the Plan's relationship to definite local objectives as to appropriate land uses. The Redevelopment Plan has been determined to be fully consistent with the goals and objectives of the Township Master Plan

E. Proposed Land Use and Building Requirements. The Southern Ocean Landfill Redevelopment Plan, as incorporated herein, includes maps and provisions sufficient to describe the land uses and the building requirements within the Redevelopment Area.

F. Relationship to Other Plans. The Southern Ocean Landfill Redevelopment Plan contains text sufficient to describe its relationship to the State Plan, the Comprehensive Management Plan ("CMP") of the Pinelands Commission, the Ocean County Plan, and Municipal Master Plans. The primary planning consistency issue relates to the CMP and will be addressed by the adoption of proposed solar energy facility amendments to the CMP by the Commission or by the execution of a Memorandum of Agreement ("MOA") between Ocean Township and the Pinelands Commission.

G. Relationship of Municipal Land Use Law. The Southern Ocean Landfill Redevelopment Plan describes any relationship to pertinent development regulations as defined in the Municipal Land Use Law. The Redevelopment Plan shall supersede applicable provisions of the development regulations of the municipality in the Redevelopment Area and consequently, the Township Zoning Map shall be amended to indicate the Redevelopment Area to which this Redevelopment Plan applies.

H. Relocation Provision. No residential or commercial occupancy relocation is proposed in this Redevelopment Plan.

Section 7. Procedures for Amending the Plan

This Redevelopment Plan may be amended from time to time, in accordance with the requirements of law, provided that, when revisions or amendments materially affect an owner with an interest in the Redevelopment Area, the Township of Ocean shall hold public hearings, and shall issue notices to owners whose interest therein are materially affected. Procedures for amending the redevelopment Plan shall be as regulated in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq.

Section 8. Escrow Agreement

The Township of Ocean and the Redeveloper may enter into an Agreement providing for reimbursement to the Township for fees and costs incurred, or to be incurred, by the Township for the preparation and adoption of this Redevelopment Plan and for the cost of the Township's professionals to review all technical documents prepared by the Redeveloper relating to the implementation of the Redevelopment Plan.

Section 9. Inconsistent Ordinances Repealed

All prior Ordinances, or portions thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 11. Effective date

This Ordinance shall take effect immediately upon adoption and publication, as required by law.

I, Diane Ambrosio, Clerk of the Township of Ocean, hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Mayor and Township Committee at their meeting held on February 10, 2011 at Waretown, New Jersey.

Diane Ambrosio, Clerk

Date of Introduction: _____

Date of Final Adoption: _____