

Borough of Tenafly

ORDINANCE NO. 22-04

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF TENAFLY, COUNTY OF BERGEN, NEW JERSEY, ADOPTING THE “123-145 DEAN DRIVE REDEVELOPMENT PLAN” FOR BLOCK 906, LOTS 1, 2, 3, AND 4

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

WHEREAS, pursuant to N.J.S.A. 40A:12A-6 of the Redevelopment Law, the Council (the “**Borough Council**”) of the Borough of Tenafly, in the County of Bergen, New Jersey (the “**Borough**”) must authorize the Planning Board of the Borough (the “**Planning Board**”) to conduct an investigation of the area and make recommendations to the Borough Council; and

WHEREAS, the Mayor and Borough Council, by Resolution dated September 10, 2019 authorized and directed the Planning Board to undertake a preliminary investigation to determine if a specific area located at Block 906, Lots 1, 2, 3 and 4 on the tax map of the Borough or any portions thereof (together, the “**Study Area**”) constituted an area in need of redevelopment according to the criteria set forth in the Redevelopment Law; and

WHEREAS, the aforesaid Resolution authorized the Planning Board to investigate the Study Area as a Non-Condensation Redevelopment Area (as defined in N.J.S.A. 40A:12A-6(a) of the Redevelopment Law); and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the Planning Board properly noticed a public hearing on the preliminary investigation of the Study Area which conforms to the Redevelopment Law; and

WHEREAS, on February 12, 2020, the Planning Board conducted a public hearing in accordance with the Redevelopment Law and after due consideration of the preliminary investigation and the comments and objections from the public made part of the public record and after consulting appropriate municipal departments and counsel, adopted a Resolution recommending the Borough Council designate the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, the Borough Council accepted the recommendation of the Planning Board and on March 10, 2020, adopted Resolution #R20-129 designating Lots 1, 2, 3 and 4 in Block 906 (the “**Redevelopment Area**”) as an area in need of redevelopment under the Redevelopment Law and authorized and directed the Planning Board to prepare a redevelopment plan providing the development standards for the Redevelopment Area; and

WHEREAS, the Planning Board engaged the firm of Burgis Associates, Inc. (“**BAI**”) to prepare a redevelopment plan for the Redevelopment Area entitled “123-145 Dean Drive Redevelopment Plan” (the “**Redevelopment Plan**”) attached hereto as Exhibit A, providing the development standards for the Redevelopment Area; and

WHEREAS, the Planning Board received and carefully considered the Redevelopment Plan and upon finding it to be satisfactory recommended its passage to the Borough Council; and

WHEREAS, the Borough Council has reviewed and carefully considered the Redevelopment Plan and has found it to be satisfactory and now desires to adopt this Ordinance formally adopting the aforesaid Redevelopment Plan; and

WHEREAS, the Borough Council believes the adoption of the Redevelopment Plan is in the best interests of the Borough and has determined to adopt the Redevelopment Plan to ensure the success of redevelopment with the Redevelopment Area in conformity with the Borough’s redevelopment objectives; and

WHEREAS, the Commissioner of the Department of Community Affairs of the State of New Jersey has been deemed to have approved the designation of the Study Area as an “area in need of redevelopment”.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Tenafly, in the County of Bergen, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Redevelopment Plan, attached hereto as Exhibit A is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7f.

Section 3. The zoning district map included in the zoning ordinance of the Borough is hereby amended to reference and delineate the property described and governed by the Redevelopment Plan. All of the provisions of the Redevelopment Plan shall be an overlay on top of the applicable development regulations of the Borough’s municipal code, as and where indicated.

Section 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 6. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

Section 7. This Ordinance shall not be effective until an amendment to the Borough's Housing Element and Fair Share Plan which satisfactorily resolves any adverse impacts to the Borough's current Housing Element and Fair Share Plan is approved by the Court.

Section 8. This Ordinance shall take effect in accordance with all applicable laws.

INTRODUCED: June 14, 2022

ADOPTED:

ATTEST:

APPROVED:

Omar Stovall,
Borough Clerk

Mark Zinna, Mayor