



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## ORDINANCE 0-18-26

### AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR CAPTAIN'S COVE MARINA, BLOCK 84, LOT 2.01 IN THE BOROUGH OF HIGHLANDS, NEW JERSEY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

**WHEREAS**, by way of Resolution 18-070, the Borough of Highlands designated Block 84, Lot 2.01, commonly referred to as Captains Cove Marina, as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq.; and

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq. provides for procedures to establish a Redevelopment Plan for the municipality; and

**WHEREAS**, pursuant to Resolution 18-093, Heyer, Gruel & Associates were contracted to prepare the redevelopment plan for Captains Cove Marina; and

**WHEREAS**, the Captain's Cove Redevelopment Plan was prepared by Heyer, Gruel & Associates, and pursuant to Resolution 18-191, was referred to the Highlands Land Use Board for review and recommendation in accordance with N.J.S.A. 40A:12A-7(e); and

**WHEREAS**, the Land Use Board issued a Consistency Report dated October 4, 2018, which recommended two revisions to the Captain's Cove Redevelopment Plan: (1) that no boat maintenance would be performed on land areas, and (2) to eliminate the prohibition of parking along the bulkhead; and

**WHEREAS**, the Governing Body of the Borough of Highlands has considered the Land Use Board's recommendations and agreed with the Land Use Board's first recommendation, however Highlands' Fire Marshall advised that the prohibition on parking is necessary to allow access to that side of the street by the Fire Department and other emergency responders when responding to boat fires and water rescues in the area; and

**WHEREAS**, the recommendation regarding boat maintenance was incorporated into a revised Captain's Cove Redevelopment Plan dated November, 2018; and

**WHEREAS**, the Captain's Cove Redevelopment Plan dated November, 2018 will, upon introduction of this Ordinance, be available in its entirety on the Borough's website, as well as available in the Borough Clerk's Office for public examination and/or acquisition during regular weekday working hours.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Highlands as follows:

**SECTION I.**

The Captain's Cove Redevelopment Plan dated November, 2018 in its entirety is hereby adopted, and incorporated by reference herein, shall be applicable to the Captain's Cove Property identified above, as Block 84, Lot 2.01 in the Borough of Highlands, and shall supersede all provisions of Chapter XXI of the Revised General Ordinances of the Borough of Highlands (the Zoning and Land Use Regulations of the Borough of Highlands) as to the Captain's Cove Property; however, in all situations where land use issues are not specifically addressed in the Captain's Cove Redevelopment Plan, then, in that case, remaining provisions of Chapter XXI of the Revised General Ordinances of the Borough of Highlands to address such issues shall remain in full force and effect.

Pursuant to N.J.S.A. 40A:12A-7c, the Highlands Borough Zoning Map is hereby amended to identify the redevelopment area in the manner depicted in the Captain's Cove Redevelopment Plan.

**SECTION II. SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

**SECTION III. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

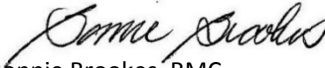
**SECTION IV. EFFECTIVE DATE.**

This ordinance shall take effect immediately upon its passage and publication in accordance with law.

**MOTION to Introduce Ordinance 18-26:**

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
D'ARRIGO			X			
RYAN	X		X			
O'NEIL			X			

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held December 5, 2018. WITNESS my hand this 6th day of December 2018.

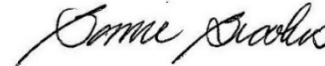


Bonnie Brookes, RMC  
Municipal Clerk

**MOTION to Adopt Ordinance 18-26:**

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
D'ARRIGO						X
RYAN			X			
O'NEIL	X		X			

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held December 19, 2018. WITNESS my hand this 20th day of December 2018.



Bonnie Brookes, RMC  
Municipal Clerk