



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 0-18-27

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE SHADOW LAWN MOBILE HOME PARK, BLOCK 105.107, LOT 1.1 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 18-069, the Borough of Highlands designated Block 105.107, Lot 1.1, commonly referred to as the Shadow Lawn Mobile Home Park, 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 18-121, CME Associates was contracted to prepare the Redevelopment Plan for the Shadow Lawn Mobile Home Park; and

WHEREAS, the Shadow Lawn Mobile Home Park Redevelopment Plan was prepared by CME Associates, and pursuant to Resolution 18-223, 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 November 1, 2018, which recommended four revisions to the Shadow Lawn Mobile Home Park Redevelopment Plan: (1) removal of the word “affordable” with regard to statutory requirements within the Redevelopment Plan, (2) to eliminate affordable housing on the site, (3) increasing multi-family residential units’ minimum size, and (4) clarifying the Developer’s obligation to bear the cost of any Geotechnical Engineering expert retained by the Land Use Board via applicant escrow; 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 fourth recommendation, however the first two recommendations fail to account for statutory affordable housing requirements, and the third recommendation is not specific as to the size of the particular multi-family residential units; and

WHEREAS, the recommendation regarding the Developer’s obligation to bear the cost of any Geotechnical Engineering expert was incorporated into a revised

Shadow Lawn Mobile Home Park Redevelopment Plan prepared October 16, 2018 and revised on November 14, 2018; and

WHEREAS, a non-substantive revision to the building coverage for multi-family dwellings or mixed-use buildings which contain residential uses, increasing the coverage from 20 percent to 50 percent, was incorporated into the revised Shadow Lawn Mobile Home Park Redevelopment Plan prepared October 16, 2018 and revised on November 14, 2018; and

WHEREAS, the Shadow Lawn Mobile Home Park Redevelopment Plan prepared October 16, 2018 and revised on November 14, 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 Shadow Lawn Mobile Home Park Redevelopment Plan prepared October 16, 2018 and revised on November 14, 2018 in its entirety is hereby adopted, and incorporated by reference herein, shall be applicable to the Shadow Lawn Mobile Home Park Property identified above, as Block 105.107, Lot 1.1 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 Shadow Lawn Mobile Home Park Property; however, in all situations where land use issues are not specifically addressed in the Shadow Lawn Mobile Home Park 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 Shadow Lawn Mobile Home Park 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 18-27:

	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 5, 2018. WITNESS my hand this 6th day of December 2018.



Bonnie Brookes, RMC
Municipal Clerk

MOTION to Adopt Ordinance 18-27:

	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