

# Resolution of the City of Newark, N.J.

NO. 7R2-GDate of Adoption JUN 21 2017

## Title Page

**Dept/ Agency:** Economic and Housing Development**Action:** ( ) Ratifying (X) Authorizing (X) Amending**Type of Service:** Resolution Endorsing**Purpose:** Resolution referring the draft Proposed Ordinance amending Zoning and Land Use Regulations to the Newark Central Planning Board for formal review, report, and recommendation as required by N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64**Additional Information:**

Refers to Planning Board an Ordinance amending Title XLI, Chapters 2, 3 and 4 of the Municipal Code to Establish the MX-3 Zoning Classification

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified by

\_\_\_\_\_  
Corporation Counsel\_\_\_\_\_  
Title

Council Member \_\_\_\_\_ presents the following Resolution:

# Resolution of the City of Newark, N.J.

NO. 7R2GDate of Adoption JUN 21 2017

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified by

  
 Acting Corporation Counsel

Title

Council Member council of the whole presents the following Resolution:

**WHEREAS**, the Municipal Council seeks to expand housing and economic opportunities along the Downtown Core area's major streets and transportation corridors and protect adjacent low-density neighborhoods; and

**WHEREAS**, the Municipal Council wishes to promote a walkable neighborhood with a vibrant commercial/retail zone; and

**WHEREAS**, the Municipal Council, pursuant to N.J.S.A. 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

**WHEREAS**, the Municipal Council, through the Department of Economic and Housing Development, and its Outside Counsel, has drafted a Proposed Amendment to the City's Zoning Ordinance which establishes the MX-3 Zoning classification; and

**WHEREAS**, the MX-3 Zone allows for a blend of high density residential and commercial uses in the same building or district, within a half (1/2) mile from Newark Penn Station which builds upon Newark's strength as a multimodal transportation hub to support the Downtown Core District; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-64, prior to the hearing on adoption of a Zoning Ordinance, or any amendments thereto, the Governing Body shall refer any such proposed ordinance or amendment to the Newark Central Planning Board for formal review, report, and recommendation as required by N.J.S.A. 40:55D-26; and

**WHEREAS**, the Municipal Council, pursuant to N.J.S.A. 40:55D-64, wishes to refer the draft Proposed Ordinance amendment to the Central Planning Board for formal review, report, and recommendation as required by N.J.S.A. 40:55D-26.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. Pursuant to N.J.S.A. 40:55D-64, the Municipal Council hereby refers the draft Proposed Ordinance amending the zoning ordinance, attached hereto as Schedule A, which establishes the MX-3 Zoning Classification, to the Central Planning Board for formal review, report, and recommendation as required by N.J.S.A. 40:55D-26.
2. The Newark Central Planning Board shall submit to the Municipal Council

a report within thirty-five (35) days after referral, which includes identification of any provisions which are inconsistent with the Master Plan and recommendations concerning any such inconsistencies, as well as any other matters as it deems appropriate in accordance with N.J.S.A. 40:55D-64 and for specific review by the Central Planning Board and report to the Municipal Council as to whether said amendment is substantially consistent with the Land Use Plan Element and the Housing Plan Element of the Master Plan or designed to effectuate such Plan Elements pursuant to N.J.S.A. 40:55D-62.

3. A copy of this Resolution and the raft Proposed Ordinance Amendment shall be filed with the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.
4. This Resolution shall take effect immediately.

### STATEMENT

This Resolution refers a draft Proposed Ordinance amending th City of Newark's Zoning and Land Use Regulations, by establishing the MX-3 Zoning classification, to the Newark Central Planning Board for review and recommendation in accordance with N.J.S.A. 40:55D-64.

CERTIFIED TO BY ME THIS

JUN 26 2017

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#### RECORD OF COUNCIL VOTE ON FINAL PASSAGE

| Council Member     | AYE | NAY | NV | AB | Council Member      | AYE | NAY | NV | AB | Council Member   | AYE | NAY | NV | AB |
|--------------------|-----|-----|----|----|---------------------|-----|-----|----|----|------------------|-----|-----|----|----|
| Amador, Vice Pres. | ✓   |     |    |    | Chaneyfield Jenkins |     |     |    | ✓  | Quintana         | ✓   |     |    |    |
| Gonzalez           | ✓   |     |    |    | McCallum, Jr.       | ✓   |     |    |    | Ramos, Jr.       |     |     |    | ✓  |
| James              | ✓   |     |    |    | Osborne             | ✓   |     |    |    | Crump, President | ✓   |     |    |    |
| ✓ Indicates Vote   |     |     |    |    | AB - Absent         |     |     |    |    | NV - Not Voting  |     |     |    |    |

Adopted at a meeting of the Municipal Council of the City of Newark, N.J.,

*Michael C. Crump*

President of the Council

JUN 21 2017

*Kenneth*

018

17-1131  
City Clerk