



Legislation Details (With Text)

File #: 18-1652 **Version:** 1 **Name:** Zoning Code Amendments/Additions-Board of Adjustment

Type: Resolution **Status:** Adopted

File created: 10/17/2018 **In control:** Economic and Housing Development

On agenda: 1/9/2019 **Final action:** 1/9/2019

Title: Dept/ Agency: Economic and Housing Development
 Action: () Ratifying (X) Authorizing (X) Amending
 Type of Service: Referral of Proposed Ordinance to the Central Planning Board for Formal Review
 Purpose: To amend Title XLI, Chapter 12 to authorize the appointment of two (2) additional alternate members to the Zoning Board of Adjustment, a yearly schedule of thirty (30) regular meetings and ten (10) special meetings to be held by the Zoning Board of Adjustment annually, provide for an annual stipend for Zoning Board members, and create a new position of Sergeant-at-Arms for the Zoning Board.
 Additional Information:
 A copy of the proposed ordinance is attached to the file.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
1/9/2019	1	Municipal Council	Adopt	Pass

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Additional Information:
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WHEREAS, the City of Newark (the “City”) has experienced an uptick in the volume and pace of economic development and housing construction due to increased interest from business interests and developers; and

WHEREAS, due to this increased interest in the economic development of the City, the Newark Zoning Board of Adjustment (the “Zoning Board”) has also experienced an increase in the volume and complexity of cases presented to it for consideration; and

WHEREAS, the Municipal Council of the City of Newark (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 Ordinance amending Title XLI, Chapter 12, Articles 1-1, 1-2 and 3 of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, entitled “The Zoning and Land Use Regulations of the City of Newark” (“The Zoning and Land Use Regulations”) to authorize the appointment of two (2) additional alternate members to the Zoning Board of Adjustment, a yearly schedule of thirty (30) regular meetings and ten (10) special meetings to be held by the Zoning Board annually, provide for an annual stipend for Zoning Board members, and create a new position of Sergeant-At-Arms for the Zoning Board; 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 (the “Planning Board”) for 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 Amendment to the 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 Proposed Ordinance amending the Zoning and Land Use Regulation, attached hereto as Schedule A, to authorize the appointment of two (2) additional alternate members to the Zoning Board of Adjustment (the “Zoning Board”), a yearly schedule of thirty (30) regular meetings and ten (10) special meetings to be held by the Zoning Board annually, provide for an annual stipend for Zoning Board members, and create a new position of Sergeant-at-Arms for the Zoning Board for review, report and recommendation as required by N.J.S.A. 40:55D-26.

2. The Planning Board shall submit to the Municipal Council a report, within forty-five (45) 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 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 the Resolution and the Proposed Ordinance shall be filed in the Office of the City Clerk by the Director of the Department of Economic and Housing Development.

4. This Resolution shall take effect immediately.

STATEMENT

Through this Resolution the Municipal Council of the City of Newark hereby refers a Proposed Ordinance amending Title XLI of the Zoning and Land Use Regulation to authorize the appointment of two (2) additional alternate members to the Zoning Board of Adjustment (the “Zoning Board”), a yearly schedule of thirty (30) regular meetings and ten (10) special meetings to be held by the Zoning

Board annually, provide for an annual stipend for board members, and create a new position of Sergeant-at-Arms for the Zoning Board to the Central Planning Board for review, report and recommendation as required by N.J.S.A. 40:55D-26.