



Legislation Details (With Text)

File #: 16-1624 **Version:** 2 **Name:** Resolution to refer Revised Proposed Amendment to Zoning and Land Use Regulations to allow short term rentals.

Type: Resolution **Status:** Adopted

File created: 10/17/2016 **In control:** Economic and Housing Development

On agenda: 11/29/2016 **Final action:** 12/7/2016

Title: Dept/ Agency: Economic and Housing Development
 Action: () Ratifying (X) Authorizing (X) Amending
 Type of Service: Resolution Endorsing
 Purpose: Resolution referring a revised proposed ordinance to amend and supplement Title XLI, zoning and land use regulation, which permits short term rental use in all legally permitted dwelling units throughout the City of Newark to the Newark Central Planning Board for review and recommendation as required by N.J.S.A. 40:55D-26 in accordance with N.J.S.A. 40:55D-64.
 Additional Information:
 Amendment of Resolution 7R3- d(S) August 23, 2016
 Failed 7R2-j (s) 112916

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/7/2016	1	Municipal Council	Adopt	Pass
11/29/2016	1	Municipal Council	Adopt	Fail

..Title

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WHEREAS, the Municipal Council seeks to permit short term rental use in legally permitted dwelling units throughout the City of Newark in order to facilitate the booking of reservations for such uses through internet-based booking platforms in order to promote tourism and economic vitality in the City; 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 previously adopted Resolution 7R3-d(S) on August 23, 2016, which had the incorrect Title number for the proposed Amendment to the Zoning and Land Use Regulation; and

WHEREAS, the Municipal Council, through the Department of Economic and Housing Development and its Outside Counsel has drafted a Revised Proposed Amendment to the City's Zoning Ordinance which permits short term rental use in all legally permitted dwelling units throughout the City of Newark; 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 Revised Proposed 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 Revised Proposed Amendment to the Zoning Ordinance, attached hereto as Schedule A, which permits short term rental use in all legally permitted dwelling units throughout the City of Newark, 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 Revised Proposed Amendment (Ordinance) 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

Through this Resolution, the Municipal Council hereby refers a Revised Proposed Amendment to the Zoning and Land Use Regulation, which amendment permits short term rental use in all legally permitted dwelling units throughout the City of Newark, to the Newark Central Planning Board for review and recommendation in accordance with N.J.S.A. 40:55D-64.

