



## Legislation Details (With Text)

**File #:** 19-0204      **Version:** 2      **Name:**  
**Type:** Ordinance      **Status:** Adopted  
**File created:** 1/31/2019      **In control:** Economic and Housing Development  
**On agenda:** 3/12/2019      **Final action:** 4/3/2019  
**Title:** AMENDING ORDINANCE 6PSF-I, ADOPTED ON AUGUST 7, 2013, TO ADOPT THE THIRD AMENDMENT TO NEWARK'S RIVER PUBLIC ACCESS AND REDEVELOPMENT PLAN, BY REVISING CERTAIN REQUIREMENTS RELATING TO LOTS 30, 31, 34, 40, 42, 45, 80, AND 82 IN BLOCK 447, AN AREA BOUNDED BY MOUNT PLEASANT AVENUE, CLAY STREET, AND MCCARTER HIGHWAY (CENTRAL WARD).  
**Sponsors:** Council of the Whole  
**Indexes:**  
**Code sections:**

| Date      | Ver. | Action By         | Action                            | Result |
|-----------|------|-------------------|-----------------------------------|--------|
| 4/3/2019  | 2    | Municipal Council | Close on Public Hearing and Adopt | Pass   |
| 3/20/2019 | 2    | Municipal Council | Adopt on First Reading            | Pass   |
| 3/12/2019 | 2    | Municipal Council | Advance to First Reading          | Pass   |

**AMENDING ORDINANCE 6PSF-I, ADOPTED ON AUGUST 7, 2013, TO ADOPT THE THIRD AMENDMENT TO NEWARK'S RIVER PUBLIC ACCESS AND REDEVELOPMENT PLAN, BY REVISING CERTAIN REQUIREMENTS RELATING TO LOTS 30, 31, 34, 40, 42, 45, 80, AND 82 IN BLOCK 447, AN AREA BOUNDED BY MOUNT PLEASANT AVENUE, CLAY STREET, AND MCCARTER HIGHWAY (CENTRAL WARD).**

**WHEREAS**, on June 15, 2005, through Resolution 7Rdo(AS), the City of Newark ("City") utilized the powers of Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to designate the entire City of Newark as an area in need of rehabilitation; and

**WHEREAS**, on August 7, 2013, the Municipal Council of the City of Newark adopted Ordinance 6PSF-i approving the Newark's River: Public Access and Redevelopment Plan (the "Original Plan"); and

**WHEREAS**, on October 11, 2017, the Municipal Council of the City of Newark adopted Ordinance 6PSF-a(S) approving the First Amendment to the Newark's River: Public Access and Redevelopment Plan (the "First Amendment"), which amended the Original Plan; and

**WHEREAS**, on February 27, 2018, the Municipal Council of the City of Newark adopted Ordinance 6PSF-a(S) approving the Second Amendment to the Newark's River: Public Access and Redevelopment Plan (the "Second Amendment"), which further amended the Original Plan; and

**WHEREAS**, it has been determined that further amendments to the Original Plan, as modified by the First and Second Amendments, relating to Lots 30, 31, 34, 40, 42, 45, 80, and 82 in Block 447 are required; and

**WHEREAS**, the Municipal Council adopted Resolution 7R2-a on January 9, 2019, referring the Third Amendment to the Newark's River: Public Access and Redevelopment Plan to the Newark Central Planning Board to prepare a report to determine if such an amendment is consistent with the City's Master Plan and for recommendations pursuant to N.J.S.A. 40A:12A-7, et seq.; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-7(f), "[t]he Governing Body, when considering the proposed plan, may amend or revise any portion if the proposed redevelopment plan by an affirmative vote of the majority of its full authorized membership and shall record in its minutes the reasons for each amendment or revision," and

**WHEREAS**, on January 28, 2019, a public hearing was conducted before the Central Planning Board to report to the Municipal Council pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and

**WHEREAS**, based on the testimony presented at the Central Planning Board hearing, the Central Planning Board found the proposed Third Amendment to The Newark's River: Public Access and Redevelopment Plan to be consistent with the Master Plan and recommends that the Municipal Council adopt the proposed amendment; and

**WHEREAS**, it has been determined by the Central Planning Board and the Department of Economic and Housing Development that the Redevelopment Area and the economic vitality of the City will be enhanced by this proposed amendment to The Newark's River: Public Access and Redevelopment Plan.

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

**Section 1.** The Third Amendment to the Newark's River: Public Access and Redevelopment Plan in the form attached hereto as "Exhibit A: Third Amendment to The Newark's River: Public Access and Redevelopment Plan" and made a part of this Ordinance, is hereby adopted in accordance with the recommendations of the Central Planning Board's January 28, 2019 resolution.

**Section 2.** To the extent that any previous ordinance is inconsistent with or contradictory hereto, said ordinance is hereby amended to the extent necessary to make it consistent herewith.

**Section 3.** The provisions of this Ordinance are severable to the extent any clause, phrase, sentence, paragraph or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

**Section 4.** A copy of this Ordinance and the Redevelopment Plan shall be filed with the City Clerk by the Director of the Department of Economic and Housing Development.

**Section 5.** This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

**STATEMENT**

This Ordinance further amends Ordinance 6PSF-i, adopted on August 7, 2013, to adopt the Third Amendment to the Newark's River: Public Access and Redevelopment Plan by revising certain requirements relating to Lots 30, 31, 34, 40, 42, 45, 80, and 82 in Block 447 (Central Ward).