



Legislation Details (With Text)

**File #:** 18-0864      **Version:** 1      **Name:** First Amendment to South Bergen Redevelopment Plan

**Type:** Ordinance      **Status:** Adopted

**File created:** 5/31/2018      **In control:** Economic and Housing Development

**On agenda:** 6/26/2018      **Final action:** 7/11/2018

**Title:** AN ORDINANCE AMENDING ORDINANCE 6PSF-b, ADOPTED ON JANUARY 5, 2017, FOR THE FIRST AMENDMENT TO THE SOUTH BERGEN REDEVELOPMENT PLAN, BY AMENDING THE PLANNING AND ZONING BOARDS JURISDICTION RESPONSIBILITIES.

**Sponsors:** John Sharpe James, Eddie Osborne

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
7/11/2018	1	Municipal Council	Close on Public Hearing and Adopt	Pass
6/26/2018	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

**AN ORDINANCE AMENDING ORDINANCE 6PSF-b, ADOPTED ON JANUARY 5, 2017, FOR THE FIRST AMENDMENT TO THE SOUTH BERGEN REDEVELOPMENT PLAN, BY AMENDING THE PLANNING AND ZONING BOARDS JURISDICTION RESPONSIBILITIES.**

**WHEREAS**, 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 the Municipal Council adopted the South Bergen Street Redevelopment Plan by Ordinance 6PSF-b on January 5, 2017, as the land use regulation for the Area, some of which properties having been designated as an area in need of redevelopment and the remainder having been designated as an area in need of rehabilitation; and

**WHEREAS**, on May 10, 2018 the Municipal Council of the City of Newark adopted Resolution 7R2-b approving the request that the Central Planning Board consider a First Amendment to the South Bergen Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7(f) (the "First Amendment"), which amended the Original Plan; and

**WHEREAS**, it has been determined that further amendments to the Original Plan, as modified by the First Amendment, relating to jurisdiction of the Planning and Zoning Boards are required; 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 of 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 May 14, 2018, a public hearing was conducted before the 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 Planning Board hearing, the Planning Board found the proposed First Amendment to the South Bergen 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 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 South Bergen Redevelopment Plan.

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

**Section 1.** The First Amendment to the South Bergen Redevelopment Plan in the form attached hereto as "Exhibit A: South Bergen Redevelopment First Amendment Ordinance " and made a part of this Ordinance, is hereby adopted in accordance with the recommendations of the Central Planning Board's May 14, 2018 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 Office of the City Clerk by the Acting 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 amends Ordinance 6PSF-b, adopted on January 5, 2017, to adopt the First Amendment to the South Bergen Street Redevelopment Plan.