



Legislation Text

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AN ORDINANCE ADOPTING THE SIXTH AMENDMENT TO THE NEWARK DOWNTOWN CORE DISTRICT REDEVELOPMENT PLAN AND AMENDMENT TO THE NEWARK PLAZA URBAN RENEWAL PLAN.

WHEREAS, on July 14, 2004, as amended and extended on September 7, 2005, the City of Newark (the “City”) utilized the powers of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to designate over thirty-nine (39) acres of land within the Downtown Newark area as an “area in need of redevelopment,” commonly known as the Newark Downtown Core District Redevelopment Area (“Redevelopment Area”); and

WHEREAS, on October 6, 2004, the Municipal Council adopted Ordinance 6S&Ff adopting the Newark Downtown Core District Redevelopment Plan and Amendment to the Newark Plaza Urban Renewal Plan (the “Original Redevelopment Plan”), which controlled the zoning for the Redevelopment Area; and

WHEREAS, the Original Redevelopment Plan has been amended five (5) times, since its initial passage by the Municipal Council including the First Amendment by Ordinance 6S&FG adopted on September 7, 2005, the Second Amendment by Ordinance 6PSF-h adopted on May 5, 2010, the Third Amendment by Ordinance 6PSF-a(S) adopted on February 24, 2015, the Fourth Amendment by Ordinance 6PSF-b adopted on September 2, 2015, and the Fifth Amendment by Ordinance 6PSF-a(S) adopted on June 7, 2017, (the Original Redevelopment Plan and amendments one (1) through five (5) shall collectively be referred to as the “Amended Redevelopment Plan”); and

WHEREAS, on September 26, 2022, the Newark Central Planning Board (“Central Planning Board”) adopted a new City of Newark Master Plan (the “Master Plan”) that made certain recommendations related to the Amended Redevelopment Plan; and

WHEREAS, specifically the Master Plan recognized that while the Amended Redevelopment Plan encouraged high-density, mixed-use development in the Redevelopment Area, it set forth development regulations predominantly based on specific redevelopment concepts for block-scale parcels, and recommended that the Amended Redevelopment Plan be amended to provide more general, and less restrictive regulatory programs; and

WHEREAS, the Municipal Council has determined that it would be beneficial to eliminate the block-scale development standards for Parcel O identified in the Amended Redevelopment Plan and to provide more general, less restrictive development standards for development of Parcel O, and the Redevelopment Area in accordance with the recommendations of the Master Plan; and

WHEREAS, on March 6, 2024, the Municipal Council adopted Resolution 7R2-g, referring the proposed Sixth Amendment to the Amended Redevelopment Plan, to address the recommendations

(“Amendment”) of the Master Plan, to the Central Planning Board, 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(e) and directed the Central Planning Board to transmit its report on the Sixth Amendment to the Municipal Council within forty-five (45) days of referral; and

WHEREAS, the Central Planning Board adopted a Memorialization Resolution on March 25, 2024, after public hearing, recommending that the Municipal Council adopt the Proposed Sixth Amendment, without changes, as it is consistent with the Master Plan; and

WHEREAS, the Municipal Council has considered the recommendations of the Central Planning Board and has determined that it is appropriate and in the best interest of the public to adopt the Sixth Amendment in the proposed form referred to the Central Planning Board pursuant to Resolution 7R2-g adopted on March 6, 2024, finding the Sixth Amendment to generally conform to the overall goals and objectives set forth in the Master Plan, and the specific recommendations detailed in the Master Plan related to the Redevelopment Area; and

WHEREAS, the Sixth Amendment shall amend the Amended Redevelopment Plan as set forth below. Text presented herein is to replace the existing text of each applicable section of the Original Redevelopment Plan and the Amended Redevelopment Plan, with the resulting Redevelopment Plan prospectively to be in effect for the Redevelopment Area. Text presented with a strikethrough [~~thus~~] is to be deleted, and text presented in italics [*thus*] is to be added.

1. Section 8.4 (Permitted Uses) shall be amended to add a new permitted use of *child care centers*.
2. Section 8.4 (Permitted Uses) the relevant language following the enumerated permitted uses shall be amended to delete the prohibition of retail uses on ground level frontages within Parcel O as follows:

“Retail uses are required at the ground level along such frontages as indicated in Appendix C.2. Retail uses are optional at ground level along such frontages as indicated in Appendix C.2., and, notwithstanding anything to the contrary, retail uses at ground level shall be permitted, but optional, on and within Parcel R and Parcel L *and Parcel O*.”

3. Section 8.7 (Table), and Appendix C.4.15, shall be amended to modify the bulk standards for development within Parcel O as follows:

| Block Face | Min. Height (floors) | Max. Building Height (floors) | Min. Build-to-Line | Min. floors height before 1 st stepback | Max Floor before 1 st stepback | Min floors before 2 nd stepback | Max. floors height before 2 nd stepback |
|----------------------------------|----------------------|-------------------------------|--------------------|--|---|--|--|
| McCarter Highway Columbia Street | 6 or 8* floors | 10 floors <i>54 floors</i> | 5 ft | 4 floors <i>60 feet</i> | | 6 floors <i>N/A</i> | <i>NA</i> |

| | | | | | | | |
|-------------------------------|----------|-----------------------|------|------------------|----------|--------------|-----|
| Columbia Street | 6 floors | 10 floors | 5 ft | 4 floors | 6 floors | NA | NA |
| Green Street Lafayette Street | 6 floors | 12 (14*) 54 floors | 5 ft | 6 floors 60 feet | | 6 floors N/A | N/A |

*On corner of Lafayette and McCarter

4. Section 8.8 (Parking Requirements) shall be amended to modify the parking requirements for new construction of residential and office/commercial as follows:

| Use | Minimum | Maximum |
|-------------------|-----------------------------------|----------------|
| Residential | 1 per d.u. 0.5 per d.u. | 2 per d.u. |
| Office/Commercial | 1 per 1,000 s.f. 1 per 2,000 s.f. | 3 per 1,000 sf |

5. Appendix A.2 (Additions to Redevelopment Plan and Program) shall be amended for Parcel O, and further clarified that the below standards are recommendations for Parcel O and not mandatory:

| Parcel | Use | Square Footage Range | Unit Range |
|--------|-------------|--------------------------------------|-----------------|
| O | Parking | 75,000-127,000 --- | 199-339 --- |
| | Retail | 23,000 - 24,000sf 7,500-50,000 sf | --- |
| | Residential | 179,000 -305,000 500,000 | 317-402 600 max |
| | Commercial | 0 sf - 425,000 sf | ---- |

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

SECTION 1. The aforementioned recitals are incorporated herein as though fully set forth at length herein.

SECTION 2. The Sixth Amendment to the Amended Renewal Plan is hereby adopted and shall supersede all previous zoning standards and development regulations for the Redevelopment Area, and prospectively, the Redevelopment Plan shall be in effect for the Redevelopment Area.

SECTION 3. The Municipal Council hereby amends the Zoning District Map of the City of Newark to reflect the rezoning of the Redevelopment Area properties affected by the Sixth Amendment.

SECTION 4. All Ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. A copy of this Ordinance shall be available for public inspection at the office of the City Clerk during regular business hours.

SECTION 6. The City Clerk is hereby directed to file a copy of the Sixth Amendment with the minutes of the Municipal Council meetings here it is considered.

SECTION 7. If any section, paragraph, subdivision, clause or provision of the Sixth Amendment or this Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision and the remainder of this Redevelopment Plan and Ordinance shall be deemed valid and effective.

SECTION 8. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

SECTION 9. Codification. This Ordinance shall be a part of the Code of the City of Newark as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Newark in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

STATEMENT

This Ordinance adopts the Sixth Amendment to the “Newark Downtown Core District Redevelopment Plan and Amendment to the Newark Plaza Urban Renewal Plan”, as previously amended, for the Newark Downtown Core District Redevelopment Area, which adds an additional permitted use, modifies the bulk standards for Parcel O and modifies certain parking standards for new construction.