



## Legislation Text

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**AN ORDINANCE ADOPTING THE FOURTH AMENDMENT TO “THE NEWARK LIVING DOWNTOWN PLAN” TO INCLUDE BLOCK 125, LOT 96 (FORMERLY LOTS 84-88, 91-94, 96, AND 108), COMMONLY KNOWN AS 22-34 EAST PARK STREET. (CENTRAL WARD)**

***PUBLIC HEARING WILL BE HELD ON THE SPECIAL MEETING OF TUESDAY, APRIL 10, 2018.  
Deferred 6PSF-b 040418***

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (“LRHL”) on June 15, 2005 the Municipal Council adopted Resolution 7Rdo(AS) designating the entire City of Newark as an area in need of rehabilitation; and

**WHEREAS**, the LRHL authorizes municipalities to adopt redevelopment plans in order to implement and establish standards for the rehabilitation of all or of any part of a rehabilitation area; and

**WHEREAS**, the Newark Living Downtown Redevelopment Plan was adopted by the Municipal Council on September 3, 2008 by Ordinance 6S&Fg (08-0942); and

**WHEREAS**, the “Newark Living Downtown Plan” was amended three times since initial passage by the Municipal Council including the First Amendment by Ordinance 6PSF-a(S) (10-0867), adopted on June 30, 2010, the Second Amendment by Ordinance 6PSF-a(S) (10-1250), adopted on September 21, 2010, and the Third Amendment by Ordinance 6PSF-c (15-1974), adopted on December 16, 2015; and

**WHEREAS**, it has become apparent that this plan’s beneficial qualities need to be bolstered through the use of the financing and planning tools that are available through the LRHL; and

**WHEREAS**, Block 125, Lot 96 (formerly Lots 84-88, 91-94, 96, and 108), commonly known as 22-34 East Park Street has been declared as an Area in Need of Redevelopment by way of Resolution 7R2-l(AS) dated April 5, 2017, in accordance with the LRHL enabling this property to be eligible for enhanced financing and planning tools; and

**WHEREAS**, in accordance with N.J.S.A. 40A:12A-7e, the Newark Central Planning Board upon referral from the Governing Body and after a public hearing on March 13, 2017, adopted a resolution on March 13, 2017 recommending that the Municipal Council designate the Property as an Area in Need of Redevelopment and adopt the Fourth Amendment to the “Newark Living Downtown Plan” to include Block 125, Lot 96 (formerly Lots 84-88, 91-94, 96, and 108), commonly known as 22-34 East Park Street; and

**WHEREAS**, Block 125, Lot 96 is uninhabited, and no low or moderate income households would be affected by the adoption of the proposed plan amendment; and

**WHEREAS**, the “Living Downtown Plan” needs to be amended in order to acknowledge the designation of the aforementioned property as an area in need of redevelopment and to include language in the plan to enable that property to be redeveloped using the tools afforded by the LRHL; and

**WHEREAS**, the “Living Downtown Plan” dated May 23, 2008, and amended on June 30, 2010, September 21, 2010, and December 16, 2015, will remain as adopted and amended but with the addition of language indicating that the aforementioned property in an area in need of redevelopment; and

**WHEREAS**, the inclusion of this plan amendment does generally conform to the overall goals and objectives set forth in the Land Use Element of the Master Plan of the City of Newark in that it encourages development for the area.

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

Section 1. The Fourth Amendment to the “Newark Living Downtown Plan”, in the form attached hereto in Exhibit A and made a part of this Ordinance, is hereby adopted in accordance with the recommendations of the Central Planning Board’s March 13, 2017 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 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 adopts the Fourth Amendment to the “Living Downtown Redevelopment Plan” by including in the Plan 22-34 East Park Street (Block 125, Lot 96).(Central Ward)