



## Legislation Text

---

File #: 19-0675, Version: 1

---

### **AN ORDINANCE ADOPTING THE SIXTH AMENDMENT TO “THE NEWARK LIVING DOWNTOWN PLAN” TO INCLUDE HIV/AIDS COUNSELING AND RESIDENCE USE.**

**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; and

**WHEREAS**, the Newark Living Downtown Redevelopment Plan has been amended four (4) times since its initial passage by the Municipal Council including the First Amendment by Ordinance 6PSF-a(S) adopted on June 30, 2010, the Second Amendment by Ordinance 6PSF-a(S) adopted on September 21, 2010, the Third Amendment by Ordinance 6PSF-c adopted on December 16, 2015, and the Fourth Amendment by Ordinance 6PSF-b(S) adopted on April 10, 2018; and

**WHEREAS**, on June 7, 2018, the Municipal Council referred the proposed Fifth Amendment to the Newark Living Downtown Redevelopment Plan, to the Newark Central Planning Board by Resolution 7R2-c(S) on June 7, 2018; the Central Planning Board recommended that the Municipal Council adopt the proposed amendments by the Memorializing Resolution of July 23, 2018, and is pending adoption by the City of Newark Municipal Council; and

**WHEREAS**, the Municipal Council has since determined that the Redevelopment Plan does not permit certain counseling services and residential uses and offices for staff to support HIV/AIDS Counseling and Residence Use services (the “HIV/AIDS Counseling and Residence Use”) anywhere within the redevelopment area; and

**WHEREAS**, the Municipal Council recognizes the importance of the HIV/AIDS Counseling and Residence Use to the City and the public benefit that such a use provides to the health, welfare and safety of City residents and the community in general; and

**WHEREAS**, the Municipal Council adopted Resolution 7R2-b March 6, 2019, referring the Sixth Amendment to the Newark Living Downtown Redevelopment Plan to the Newark Central Planning Board to prepare a report to determine if an amendment to permit HIV/AIDS Counseling and Residence Use subject to certain conditions and related amendments to the Redevelopment Plan is consistent with the City’s master plan and for recommendations pursuant to N.J.S.A. 40A:12A-7, et seq.; and

**WHEREAS**, after a public hearing on March 18, 2019, the Central Planning Board adopted a memorializing resolution dated April 1, 2019, recommending the adoption of the Sixth Amendment to the Newark Living Downtown Redevelopment Plan as it conforms to and is consistent with the overall goals and objectives set forth in the Master Plan of the City of Newark; and

**WHEREAS**, the Newark Living Downtown Redevelopment Plan dated May 23, 2008, and amended on June 30, 2010, September 21, 2010, December 16, 2015, April 10, 2018, will remain as adopted and amended but with the addition of language allowing for HIV/AIDS Counseling and Residence Use.

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

Section 1. The Sixth 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 April 1, 2019, resolution.

Section 2. Upon final adoption hereof, the City of Newark Zoning Map, as may have been amended from time to time, shall be amended by the Sixth Amendment to the Newark Living Downtown Plan which shall supersede the zoning designation shown on the City of Newark Zoning Map for the Redevelopment Area.

Section 3. 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 4. 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 5. A copy of this Ordinance and the Redevelopment Plan shall be filed with the City Clerk by the Interim Deputy Mayor/Director of the Department of Economic and Housing Development.

Section 6. 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 Sixth Amendment to the Newark Living Downtown Redevelopment Plan to include HIV/AIDS Counseling and Residence Use.