



Legislation Details (With Text)

File #: 13-1044 **Version:** 1 **Name:** Ordinance adopting Newark's River: Public Access & Redevelopment Plan
Type: Ordinance **Status:** Filed
File created: 5/24/2013 **In control:** Economic and Housing Development
On agenda: 7/23/2013 **Final action:** 8/7/2013

Title: ORDINANCE ADOPTING NEWARK'S RIVER: PUBLIC ACCESS & REDEVELOPMENT PLAN (THE "REDEVELOPMENT PLAN") IN ORDER TO: (I) PROVIDE APPROPRIATE LAND USE REGULATIONS TO REDEVELOP NEWARK'S RIVERFRONT; (II) AMEND ZONING TO SUPPORT RIVERFRONT REDEVELOPMENT INCLUDING HOUSING, OFFICES, RETAIL, INDUSTRY, AND OPEN SPACE; (III) CONNECT EXISTING NEIGHBORHOODS TO THE RIVERFRONT THROUGH HARMONIOUS AND WALKABLE DEVELOPMENT; (IV) PROVIDE DESIGN GUIDANCE TO PROTECT VIEW CORRIDORS AND CREATE APPROPRIATE SETBACKS FROM THE RIVER'S EDGE; AND (V) ENSURE INCLUSION OF PUBLIC ACCESS TO, ALONG, AND ONTO THE RIVER IN ALL REDEVELOPMENT PROJECTS IN ORDER TO IMPLEMENT THE PUBLIC TRUST DOCTRINE.

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
8/7/2013	1	Municipal Council	Close on Public Hearing and Adopt	Pass
8/7/2013	1	Municipal Council	adopted on second reading and final passage	Pass
7/23/2013	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

ORDINANCE ADOPTING NEWARK'S RIVER: PUBLIC ACCESS & REDEVELOPMENT PLAN (THE "REDEVELOPMENT PLAN") IN ORDER TO: (I) PROVIDE APPROPRIATE LAND USE REGULATIONS TO REDEVELOP NEWARK'S RIVERFRONT; (II) AMEND ZONING TO SUPPORT RIVERFRONT REDEVELOPMENT INCLUDING HOUSING, OFFICES, RETAIL, INDUSTRY, AND OPEN SPACE; (III) CONNECT EXISTING NEIGHBORHOODS TO THE RIVERFRONT THROUGH HARMONIOUS AND WALKABLE DEVELOPMENT; (IV) PROVIDE DESIGN GUIDANCE TO PROTECT VIEW CORRIDORS AND CREATE APPROPRIATE SETBACKS FROM THE RIVER'S EDGE; AND (V) ENSURE INCLUSION OF PUBLIC ACCESS TO, ALONG, AND ONTO THE RIVER IN ALL REDEVELOPMENT PROJECTS IN ORDER TO IMPLEMENT THE PUBLIC TRUST DOCTRINE.

WHEREAS, the entire City of Newark has been designated as an area in need of rehabilitation under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); 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 City wishes to adopt *Newark's River: Public Access & Redevelopment Plan* (the "Redevelopment Plan") in order to: (i) provide appropriate land use regulations to redevelop Newark's riverfront; (ii) amend zoning to support riverfront redevelopment including housing, offices, retail, industry, and open space; (iii) connect existing neighborhoods to the riverfront through harmonious and walkable development; (iv) provide design guidance to protect view corridors and create appropriate setbacks from the river's edge; and (v) ensure inclusion of public access to, along, and onto the river in all redevelopment projects in order to implement the Public Trust Doctrine; and

WHEREAS, the adoption of this Redevelopment Plan will further the goals of the City's master plan and the LRHL; and

WHEREAS, pursuant to Resolution 7R3-e (AS), adopted on June 6, 2013, the Municipal Council referred the proposed Newark's River: Public Access and Redevelopment Plan to the Newark Central Planning Board for review and recommendation in accordance with N.J.S.A. 40A:12A-7e so that the Central Planning Board may review the Redevelopment Plan and provide a report to the Municipal Council in accordance with N.J.S.A. 40A:12A-7e prior to the adoption of this Ordinance; and

WHEREAS, more than 45 days has passed since the Redevelopment Plan was referred to the Central Planning Board and the Board has not provided a report or any comments concerning the Redevelopment Plan; and

WHEREAS, failure of the Planning Board to transmit its report within the required 45 days shall relieve the Governing Body from the requirements of N.J.S.A. 40A:12A-7e with regard to the pertinent proposed redevelopment plan or reversion of amendment thereof; and

WHEREAS, the Municipal Council now wishes to adopt the Redevelopment Plan in the form attached hereto.

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

1. The Municipal Council hereby finds and determines that the Redevelopment Plan is substantially consistent with and generally conforms to the City's Master Plan and that it provides the maximum opportunity consistent with the needs of the rehabilitation area for the orderly rehabilitation of the properties that are governed by the plan.

2. The Municipal Council hereby adopts the Redevelopment Plan in the form attached hereto.

3. The Redevelopment Plan shall serve as superseding zoning to all properties which are governed by its provisions and the Zoning Map shall be and hereby is amended to designate and refer to the redevelopment zone.

4. The City Clerk is hereby directed to file a copy of the Redevelopment Plan with the minutes of this meeting.

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

STATEMENT

This Ordinance adopts *Newark's River: Public Access & Redevelopment* Plan in order to: (i) provide appropriate land use regulations to redevelop Newark's riverfront; (ii) amend zoning to support riverfront redevelopment including housing, offices, retail, industry, and open space; (iii) connect existing neighborhoods to the riverfront through harmonious and walkable development; (iv) provide design guidance to protect view corridors and create appropriate setbacks from the river's edge; and (v) ensure inclusion of public access to, along, and onto the river in all redevelopment projects in order to implement the Public Trust Doctrine.