



## Legislation Details (With Text)

**File #:** 18-1142      **Version:** 1      **Name:**

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

**File created:** 7/10/2018      **In control:** Law

**On agenda:** 7/11/2018      **Final action:** 8/8/2018

**Title:** AN ORDINANCE AUTHORIZING DOWNTOWN DISTRICT AS AN URBAN GROWTH ZONE, AND REQUESTING THE STATE OF NEW JERSEY TO EXPLORE THE CREATION OF AN "OFFICE OF TRANSFORMATIVE PROJECTS" THAT MAY EXERCISE JURISDICTION OVER LAND USE REGULATIONS AND BUILDING PERMIT APPROVALS FOR TRANSFORMATIVE CORPORATE HEADQUARTERS PROJECTS.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:** 10: - Title X - Finance & Taxation

Date	Ver.	Action By	Action	Result
8/8/2018	1	Municipal Council	Close on Public Hearing and Adopt	Pass
7/11/2018	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

**AN ORDINANCE AUTHORIZING DOWNTOWN DISTRICT AS AN URBAN GROWTH ZONE, AND REQUESTING THE STATE OF NEW JERSEY TO EXPLORE THE CREATION OF AN "OFFICE OF TRANSFORMATIVE PROJECTS" THAT MAY EXERCISE JURISDICTION OVER LAND USE REGULATIONS AND BUILDING PERMIT APPROVALS FOR TRANSFORMATIVE CORPORATE HEADQUARTERS PROJECTS.**

**WHEREAS**, the City of Newark has the infrastructure to attract major corporate development opportunities, which can create thousands of job opportunities; and

**WHEREAS**, large corporations have approached the City with proposed development projects indicating the creation and economic development and employment opportunities for the City residents and the greater metropolitan area; and

**WHEREAS**, the Department of Economic and Housing Development has determined that it is in the City's economic interest to encourage such development opportunities within the City of Newark; and

**WHEREAS**, the City of Newark ("City") is authorized pursuant to the N.J.S.A. 40:55-21.15 to "determine that an area or areas within such municipality be designated an urban growth zone" as defined in and for all purposes of the New Jersey Economic Development Authority Act, under N.J.S.A. 34:1B-1 et seq.; and

**WHEREAS**, the Municipal Council of the City of Newark (the "Municipal Council") intends to designate the Downtown District as defined by the Newark Master Plan as an Urban Growth Zone pursuant to the "New Jersey Economic Development Authority Act," N.J.S.A. 34:1B-1 et seq.; and

**WHEREAS**, N.J.S.A. 34:1B-5(x) establishes that the New Jersey Economic Development Authority ("NJEDA"), when authorized by the Governing Body, may exercise jurisdiction over an urban growth zone, to construct, cause to be constructed, or to provide financial assistance to projects in an urban growth zone which shall be exempt from the terms and requirements of the local land use ordinances and regulations of the municipality.

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

**Section 1.** The Revised General Ordinances of the City of Newark, New Jersey 2000, as amended and supplemented, be further amended, to designate the Downtown District as an Urban Growth Zone and that the NJEDA pursuant to N.J.S.A. 34:1B-5(x) to exercise jurisdiction over land use regulations and building permits for all projects designated as a Transformative Corporate Headquarters projects within the City of Newark's Urban Growth Zone, and shall read as follows:

**Section 2.** Pending approval by the Governor of the State of New Jersey, by Executive Order, to explore the creation of an "Office of Transformative Projects" in partnership with the City of Newark, designates the Downtown District as defined by the Newark Master Plan as an Urban Growth Zone pursuant to the "New Jersey Economic Development Authority Act," N.J.S.A. 34:1B-1 et seq.

**Section 3.** Pending approval by the Governor of the State of New Jersey by Executive Order to explore the creation of an "Office of Transformative Projects" in partnership with the City of Newark, the Mayor and/or his designee, the Acting Director of the Department of Economic and Housing Development, are hereby authorized on behalf of the City of Newark, to execute any documents related to the exercise of the NJEDA jurisdiction over local land use ordinances and regulations for all projects designated as Transformative Corporate Headquarters projects within the City of Newark's Urban Growth Zone.

**Section 4.** Pending approval by the Governor of the State of New Jersey by Executive Order, to explore the creation of an "Office of Transformative Projects" in partnership with the City of Newark, authorizes the NJEDA pursuant to N.J.S.A. 34:1B-5(x) to exercise jurisdiction over local land use ordinances and regulations for all projects designated as a Transformative Corporate Headquarters project within the City of Newark's Urban Growth Zone.

**Section 5.** Transformative Corporate Headquarters is defined as the corporate headquarters of a business that is a qualified business facility at which the business intends to create at least 30,000 new full-time jobs and make at least \$3,000,000,000.00 in capital investments.

**Section 6.** Pending approval by the Governor of the State of New Jersey by Executive Order, to explore the creation of an "Office of Transformative Projects" in partnership with the City of Newark, designates that the Department of Community Affairs will be responsible for the review and approval of all post-development approval building permits which relate to Transformative Corporate Headquarters project.

**Section 7.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the Section, paragraph, Subsection, clause or provisions to be adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

**Section 8.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**Section 9.** This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

### **STATEMENT**

This Ordinance designates the Downtown District as an Urban Growth Zone and pending approval by the Governor of the State of New Jersey, the City requests the NJEDA pursuant to N.J.S.A. 34:1B-5(x) to exercise jurisdiction over land use regulations and building permits for all projects designated as a Transformative Corporate Headquarters projects within the City of Newark's Urban Growth Zone.