



## Legislation Details (With Text)

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**File created:** 2/11/2019      **In control:** Economic and Housing Development

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**Title:** Dept/ Agency: Economic and Housing Development  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Referral of Proposed Sixth Amendment to the Newark Living Downtown  
Redevelopment Plan to Central Planning Board  
Purpose: Requesting that the Central Planning Board consider a proposed Ordinance as a Sixth  
Amendment to the Newark Living Downtown Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-7  
(e).  
Name of Plan: Newark Living Downtown Redevelopment Plan  
(Address/Block/Lot/Ward)  
Additional Information:  
Ordinance 6S&Fg adopted on September 3, 2008, Newark Living Downtown Redevelopment Plan  
("Redevelopment Plan").  
Ordinance 6PSF-a(s) adopted on June 30, 2010, the First Amendment to the Newark Living  
Downtown Plan  
Ordinance 6PSF-a(s) adopted on September 21, 2010, the Second Amendment to the Newark Living  
Downtown Plan  
Ordinance 6SPSF-c adopted on December 16, 2015, the Third Amendment to the Newark Living  
Downtown Plan  
Ordinance 6SPSF-b(s) adopted on April 10, 2018, the Fourth Amendment to the Newark Living  
Downtown Plan  
Resolution 7R2-c(s) adopted on June 7, 2018, referred a proposed Fifth Amendment to the Newark  
Living Downtown Plan to the Central Planning Board for Formal Review, pursuant to N.J.S.A.  
40A:12A-7(e)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/6/2019	1	Municipal Council	Adopt	Pass

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**WHEREAS**, in order to stimulate the reinvigoration of the City, by Resolution 7Rdo (AS) adopted by the Municipal Council on June 15, 2005, the entire City of Newark was designated as an area in need of rehabilitation pursuant to the Act; and

**WHEREAS**, by Ordinance 6S&Fg dated September 3, 2008, the Municipal Council of the City of Newark (the “Municipal Council”) adopted an Ordinance approving the “Living Downtown Plan” (the “Redevelopment Plan”); and

**WHEREAS**, the 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**, the proposed Fifth Amendment to the Living Downtown Redevelopment Plan, was referred by the Municipal Council 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 Memorialization 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 said 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 the City residents and the community in general; and

**WHEREAS**, the Municipal Council wishes to amend the Redevelopment Plan to permit the HIV/AIDS Counseling and Residence Use subject to certain conditions and related amendments to the Redevelopment Plan to accommodate this use as specifically set forth on the attached Exhibit A (the “Plan Amendments”); and

**WHEREAS**, the Municipal Council wishes to have the Central Planning Board consider the proposed Sixth Amendment to the Newark Living Downtown Redevelopment Plan to the City of Newark Planning Board, in its entirety, 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).

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

1. The Municipal Council of the City of Newark refers to the Central Planning Board of the City of Newark the proposed Sixth Amendment to the Newark Living Downtown Redevelopment Plan, as set forth in Exhibit A attached hereto and made a part of this resolution, 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 directs the Central Planning Board to transmit its report on the Amendment to the Municipal Council within forty-five (45) days of referral.
2. A copy of this resolution and the Sixth Amendment to the Newark Living Downtown Redevelopment Plan shall be filed with the Office of the City Clerk by the Director of the Department of Economic and Housing Development.
3. The City Clerk shall forward a true copy of this resolution and the Sixth Amendment to the Newark Living Downtown Redevelopment Plan to the Central Planning Board.

**STATEMENT**

This resolution hereby refers the Sixth Amendment to the Newark Living Downtown Redevelopment Plan, prepared by the Department of Economic and Housing Development, Division of Planning and Community Development, to the Newark 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 directs the Central Planning Board to transmit its report on the Amendment to the Municipal Council within forty-five (45) days of referral.