



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 18-0192, Version: 1

Dept/ Agency: Economic and Housing Development

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Referral of Proposed South Bergen Redevelopment Plan to Central Planning Board

Purpose: Requesting that the Central Planning Board consider a First Amendment to the South Bergen Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-7(f)

Name of Plan: South Bergen Redevelopment Plan

(Address/Block/Lot/Ward)

Additional Information:

Ordinance 6PSF-b adopted on January 5, 2017

WHEREAS, the Municipal Council previously adopted Resolution 7Rdo(AS) on June 15, 2005, designating the entire City 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 Municipal Council adopted the South Bergen Street Redevelopment Plan by Ordinance 6PSF-b on January 5, 2017, as the land use regulation for the Area, some of which properties having been designated as an area in need of redevelopment and the remainder having been designated as an area in need of rehabilitation; and

WHEREAS, upon further review of the development standards set forth in the Redevelopment Plan, the Municipal Council finds that it is appropriate to amend the procedural regulations within the Plan to restore the Zoning Board of Adjustment’s jurisdiction to grant “d” variance relief in order to provide additional flexibility to potential developers; and

WHEREAS, it is the Municipal Council’s desire to amend the Redevelopment Plan as follows (additions in **bold**, deletions in ~~strike-through~~):

Page 65 of the Redevelopment Plan, shall be amended in part to read:

Any deviation that would result in a “d” variance pursuant to ~~N.J.S.A. 40:55D-70~~ shall be addressed as an amendment to the Plan. Neither the Planning Board nor the Board of Adjustment shall have authority to allow deviations which would result in a “d” variance. **The Planning Board shall have jurisdiction over the site plan and subdivision applications to the same extent as set forth in N.J.S.A. 40:55D-37.** The Planning Board shall have power to grant relief from other bulk and dimensional requirements of this Plan to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to the N.J.S.A. 40:55D-70c. All exceptions or waivers from design standards from the requirements for site plan or subdivision approval shall be within the jurisdiction of **may be granted by the Planning Board to the same extent as the Board may grant exceptions pursuant to**

N.J.S.A. 40:55D-51.

The Zoning Board of Adjustment shall have jurisdiction over any deviation that would result in a “d” variance pursuant to N.J.S.A. 40:55D-70d. The Board of Adjustment shall also retain its ability to grant to the same extent as the Planning Board, subdivision or site plan approval in conjunction with a “d” variance as set forth in N.J.S.A. 40:55D-76.

All development, with the exception of one and two family homes where permitted, must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D-1, et seq.

WHEREAS, the Municipal Council requests that the Central Planning Board consider a First Amendment to the South Bergen Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7(f).

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

1. The Municipal Council hereby directs the Central Planning Board to consider the following changes to the South Bergen Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7(f):

Page 65 of the South Bergen Redevelopment Plan shall be amended to read:

Any deviation that would result in a “d” variance pursuant to N.J.S.A. 40:55D-70 shall be addressed as an amendment to the Plan. Neither the Planning Board nor the Board of Adjustment shall have authority to allow deviations which would result in a “d” variance. **The Planning Board shall have jurisdiction over the site plan and subdivision applications to the same extent as set forth in N.J.S.A. 40:55D-37.** The Planning Board shall have power to grant relief from other bulk and dimensional requirements of this Plan to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to the N.J.S.A. 40:55D-70c. All exceptions or waivers from design standards from the requirements for site plan or subdivision approval shall be within the jurisdiction of **may be granted by the Planning Board to the same extent as the Board may grant exceptions pursuant to N.J.S.A. 40:55D-51.**

The Zoning Board of Adjustment shall have jurisdiction over any deviation that would result in a “d” variance pursuant to N.J.S.A. 40:55D-70d. The Board of Adjustment shall also retain its ability to grant to the same extent as the Planning Board, subdivision or site plan approval in conjunction with a “d” variance as set forth in N.J.S.A. 40:55D-76.

All development, with the exception of one and two family homes where permitted, must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D-1, et seq.

2. This Resolution shall take effect immediately.

STATEMENT

This Resolution requests that the Central Planning Board consider a First Amendment to the South Bergen Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7(f).