File #: 19-0880, **Version:** 1

AN ORDINANCE ADOPTING THE FIFTH AMENDMENT TO "THE NEWARK LIVING DOWNTOWN REDEVELOPMENT PLAN", TO CORRECT CERTAIN ERRORS IDENTIFIED IN THE THIRD AMENDMENT OF "THE NEWARK LIVING DOWNTOWN REDEVELOPMENT PLAN" BY REMOVING CERTAIN PROPERTIES.

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 ("Newark Living Downtown Plan") was adopted by the Newark Municipal Council on September 3, 2008, by Ordinance 6S&Fg; and

WHEREAS, the Newark Living Downtown Plan was amended four (4) times since initial passage by the Newark 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; and

WHEREAS, due to errors that have been identified since the passage of the Third Amendment to the Newark Living Downtown Plan, the Municipal Council adopted Resolution 7R2-c(S) on June 7, 2018, referring the Fifth Amendment to the Newark Living Downtown Redevelopment Plan to the Newark Central Planning Board to prepare a report 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, et seq.; and

WHEREAS, after a public hearing on June 25, 2018, the Newark Central Planning Board adopted a Memorialization Resolution dated July 23, 2018, recommending that the Newark Municipal Council adopt the proposed Fifth Amendment to the Newark Living Downtown 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..

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

Section 1. The Fifth Amendment to the Newark Living Downtown Redevelopment Plan ("Newark Living Downtown Plan"), in the form attached hereto as Exhibit A and made a part of this Ordinance, is hereby adopted in accordance with the recommendations of the Central Planning

Board's July 23, 2018, resolution, but reflecting the deletion of language concerning issues that were alternatively resolved in the time since the Central Planning Board's resolution was adopted.

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 Fifth 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 Fifth Amendment to the Newark Living Downtown Plan to correct certain errors identified since the passage of the Third Amendment, more specifically that certain properties referenced in Exhibit A were erroneously moved to The Newark Living Downtown Plan.

powered by Legistar™