



Legislation Text

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AN ORDINANCE ADOPTING THE SECOND AMENDMENT TO THE SOUTH BERGEN STREET REDEVELOPMENT PLAN, BY REVISING THE RELEVANT MAPS IN THE PLAN TO CREATE A NEW PUBLIC SAFETY DISTRICT THAT WILL PROVIDE OPPORTUNITIES FOR THE CONSTRUCTION OF CITY-OWNED AND/OR CITY-OPERATED PUBLIC HEALTH AND SAFETY FACILITIES AND PROMOTE THE REDEVELOPMENT OF THE AREA.

WHEREAS, June 15, 2005, through Resolution 7Rdo(AS), the City of Newark ("City") utilized the powers of Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to designate the entire City of Newark as an area in need of rehabilitation; 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, on May 10, 2018 the Municipal Council of the City of Newark adopted Resolution 7R2-b(S) approving the request 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) (the "First Amendment"), which amended the Original Plan; and

WHEREAS, on July 11, 2018 the Municipal Council of the City of Newark adopted Ordinance 6PSF-e approving the First Amendment to the South Bergen Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7(f) (the "First Amendment"), which amended the Original Plan; and

WHEREAS, on January 14, 2020 the Municipal Council of the City of Newark adopted Resolution 7R2-b approving the request that the Central Planning Board consider a Second Amendment to the South Bergen Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7(f) (the "Second Amendment"), which amended the Original Plan; and

WHEREAS, it has been determined that further amendments to the Original Plan, as modified by the Second Amendment, relating to jurisdiction of the Planning and Zoning Boards are required; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(f), "[t]he Governing Body, when considering the proposed plan, may amend or revise any portion of the proposed redevelopment plan by an affirmative vote of the majority of its full authorized membership and shall record in its minutes the reasons for each amendment or revision;" and

WHEREAS, on January 27, 2020, a Public Hearing was conducted before the Planning Board to report to the Municipal Council pursuant to the Local Redevelopment and Housing Law, N.J.S.A.

40A:12A-1 et seq.; and

WHEREAS, based on the testimony presented at the Central Planning Board hearing, the Planning Board found the proposed Second Amendment to the South Bergen Redevelopment Plan to be consistent with the Master Plan and recommends that the Municipal Council adopt the proposed amendment; and

WHEREAS, this amendment adds a new Zoning District within the Redevelopment Plan Area entitled "Public Safety District" wherein the construction of Public Safety Facilities owned and/or operated by the City of Newark will be permitted; and

WHEREAS, said Public Safety Facilities projects shall be exempt from site plan review and shall be subject only to a courtesy review by the Central Planning Board as set forth in N.J.S.A. 40:55D-31; and

WHEREAS, this amendment updates the maps in the Plan and expands the Plan Area to include certain additional properties in need of rehabilitation; and

WHEREAS, it has been determined by the Planning Board and the Department of Economic and Housing Development, that the Redevelopment Area and the economic vitality of the City will be enhanced by this proposed amendment to the South Bergen Redevelopment Plan.

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

Section 1. The Second Amendment to the South Bergen Redevelopment Plan in the form attached hereto as "Exhibit A: Second Amendment to South Bergen Redevelopment Plan (Maps)" and "Exhibit B: Second Amendment to South Bergen Redevelopment Plan (Edited Pages)" and made a part of this Ordinance, is hereby adopted in accordance with the recommendations of the Central Planning Board's January 27, 2020 Resolution.

Section 2. 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 3. 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 4. The Director of the Department of Economic and Housing Development shall file a copy of this Ordinance and the Redevelopment Plan with the Office of the City Clerk.

Section 5. 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 Second Amendment to the South Bergen Street Redevelopment Plan to revise the relevant maps in the Plan, to create a new Public Safety District that will enhance opportunities for the construction of public health and safety facilities, and promote the general redevelopment of the area.