



City of Newark

City Hall
920 Mayor Kenneth A.
Gibson Boulevard
Newark, New Jersey 07102

Legislation Text

File #: 26-0339, Version: 1

Dept/ Agency: Economic and Housing Development

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

Type of Service: Referral of Proposed Third Amendment to the West Ward Model Neighborhood Initiative Redevelopment Plan

Purpose: Requesting the Newark Central Planning Board to conduct a formal review of a Proposed Third Amendment to the West Ward Model Neighborhood Initiative Redevelopment Plan, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., that changes the Permitted Uses in the Commercial Districts to allow two-, three- and four-family in the Neighborhood Commercial (C-1) and Community Commercial (C-2) Districts, and additionally allow town houses in the Community Commercial (C-1).

Additional Information:

Ordinance 6PSF-f adopted on September 8, 2016, adopted the West Ward Model Neighborhood Initiative Redevelopment Plan.

Ordinance 6PSF-h adopted on July 10, 2019, adopted the First Amendment to the West Ward Model Neighborhood Initiative Redevelopment Plan.

Ordinance 6PSF-d adopted on February 15, 2023, adopted the Second Amendment to the West Ward Model Neighborhood Initiative Redevelopment Plan.

WHEREAS, on June 15, 2005, the Newark Municipal Council (“Municipal Council”) adopted Resolution 7Rdo(AS) designating the entire City of Newark (“City”) as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law (“LRHL”); and

WHEREAS, on January 13, 2015, the Municipal Council adopted Resolution 7R3-b(s) directing the Newark Central Planning Board to conduct an investigation to determine if the West Ward Model Neighborhood Initiative Area (the “Area”) consisting of the entirety of Blocks 317-337 in the West Ward of the City qualified as an area in need of redevelopment under the LRHL; and

WHEREAS, thereafter on April 6, 2016 the Municipal Council adopted Resolution 7R3-a designating 113 parcels investigated in the Area as a Condemnation Area in Need of redevelopment under the LRHL and instructed the Central Planning Board to prepare a Redevelopment Plan; and

WHEREAS, the LRHL authorizes municipalities to adopt redevelopment plans and to make revisions and amendments thereto in order to implement and establish standards for the rehabilitation and redevelopment of all or any part of an area in need of redevelopment or area in need of rehabilitation; and

WHEREAS, on September 8, 2016, the Municipal Council adopted Ordinance 6PSF-f, thereby adopting the West Ward Model Neighborhood Initiative Redevelopment Plan (“the Redevelopment Plan”), pursuant to N.J.S.A. 40A:12A-7, et seq.; and

WHEREAS, on January 29, 2019, the Municipal Council adopted Resolution 7R2-a(s) referring a proposed First Amendment to the Redevelopment Plan to the Central Planning Board, pursuant to N.J.S.A. 40A:12A-7(e), to determine whether the amendment was consistent with City's Master Plan, in order to stimulate additional development and investment within the Area; and

WHEREAS, on July 10, 2019, the Municipal Council adopted Ordinance 6PSF-h, adopting the First Amendment to the Redevelopment Plan; and

WHEREAS, on October 25, 2022, the Municipal Council adopted Resolution 7R2-a(s), referring a proposed Second Amendment to the Redevelopment Plan, to the Central Planning Board, pursuant to N.J.S.A. 40A:12A-7(e), to consider whether such an amendment was consistent with the City's Master Plan and transmit a report within forty five (45) days of referral including its recommendations; and

WHEREAS, on February 15, 2023, the Municipal Council adopted Ordinance 6PSF-d, adopting the Second Amendment to the Redevelopment Plan; and

WHEREAS, the Municipal Council wishes to further amend the Redevelopment Plan by adopting a Third Amendment to the Redevelopment Plan ("Third Amendment"), which includes:

- Permitted Uses in the Commercial Districts to allow two- , three- and four-family in the Neighborhood Commercial (C-1) and Community Commercial (C-2) Districts, and additionally allow town houses in the Community Commercial (C-1); and
- Permit two-, three-, and four-family in the Community Commercial (C-2) only on streets that are not designated as collector or arterial roads; and
- Include General Bulk and Design Standards for four-family dwelling; and

WHEREAS, the Municipal Council, requests that the Central Planning Board consider the Proposed Third Amendment in its entirety, to determine if the such amendments are consistent with the City's Master Plan, transmit its recommendations regarding consistency with the City's Master Plan, and other matters 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 Newark Municipal Council hereby refers the Proposed Third Amendment to the West Ward Model Neighborhood Initiative Redevelopment Plan ("Third Amendment"), as recited herein, to the Newark Central Planning Board ("Central Planning Board"), for its review as required by N.J.S.A. 40A:12A-7(e).

Note: Additions are shown as **underlined and bold**. Deletions are shown as ~~strikethroughs~~.

V. SPECIFIC LAND USE REGULATIONS

B. Land Use Categories

Table 3: Permitted Uses in the Commercial Districts

P = Permitted - = Not Permitted C = Conditional Use		
Principal Uses	Neighborhood Commercial (C-1)	Community Commercial (C-2)
<u>Single-Family Dwelling</u>	-	-
<u>Two-Family Dwelling</u>	P	P*
<u>Three-Family Dwelling</u>	P	P*
<u>Four-Family Dwelling</u>	P	P*
<u>Town House, Dwelling</u>	P	-

***Not permitted on a property with frontage on a collector or arterial road.**

VI. BULK AND DESIGN STANDARDS

A. Bulk Standards

Table 9: General Bulk and Design Standards, 4-Family Dwelling

	<u>Min. Lot Size for Subdivision</u>	<u>Min. Lot Width for Subdivision</u>	<u>Max. Building Height</u>	<u>Front Yard</u>	<u>Side Yard (3)</u>	<u>Rear Yard (3)</u>
<u>4-Family</u>	<u>3,500 square feet</u>	<u>35 feet</u>	<u>4 stories and 48 feet</u>	<u>Front setback shall match the shorter front setback of the two closest principal buildings on each side of the project site on the same block as the site or 6 ft. if no prevailing setback</u>	<u>3 feet minimum</u>	<u>30% of lot depth</u>
<u>Min. Lot Area per Dwelling</u>	<u>Max. Lot Coverage</u>	<u>Max. Impervious Yard Area</u>	<u>Min. Building Transparency</u>	<u>Orientation of Primary Entrance</u>		

<p><u>875 sf/du</u></p>	<p><u>55%</u></p>	<p><u>Front Yard: 55%</u> <u>Rear Yard: 75%</u> <u>Only one driveway no wider than 10 feet permitted in the front yard area A paved walkway is permitted along one side of a dwelling at the side yard</u></p>	<p><u>Primary Front Façade - 30%</u> <u>Street-Facing Facades - 20%</u> <u>Non-Street Facing Facades - 10% or the maximum allowed by construction code, whichever is lesser. All transparent glazing areas on door panels count towards this requirement, but door panels themselves do not count towards this requirement.</u></p>	<p><u>Primary street-facing façade must include primary entrance</u> <u>All units must be accessible from front or side façade. Rear primary entrances are prohibited.</u></p>		
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Table 9 **10**: General Bulk & Design Standards, Townhouse

Notes from Chapter 5 of the Newark Zoning and Land Use Regulations for Table 1 through 15:

- (1) Side yard setback is allowed to be 0 instead of 3 feet if the closest building on the adjacent lot has 3 feet of setback. The side yard setback may be 0 feet if the closest building on the adjacent lot has a 0 foot setback and the new structure's wall can be built flush with the adjacent building's wall.**
- (2) Side yard setback is allowed to be 0 instead of 5 feet if the closest building on the adjacent lot has 3 feet of setback. The side yard setback may be 0 feet if the closest building on the adjacent lot has a 0 foot setback and the new structure's wall can be built flush with the adjacent building's wall.**
- (3) No new construction shall encroach within 3.5 feet of another building's windows or other fenestrations nor block emergency access to those fenestrations. No side yard shall be a distance between 0 and 3.5 feet.**

Table 10 **11**: General Bulk & Design Standards, Low-Rise Multifamily

Table 11 **12**: General Bulk & Design Standards, Ground Floor Commercial w/Commercial or Residential Above

Table 12 **13**: General Bulk & Design Standards, Schools (Elementary, Middle and High School)

Table 13 **14**: General Bulk & Design Standards, Place of Worship

Table 14 **15**: General Bulk & Design Standards, Community Center, Stand-Alone Daycare or Preschool in a Non-Residential Area, Other Civic Buildings

2. The Municipal Council refers the Third Amendment to the Central Planning Board, to determine if such amendments are consistent with the City's Master Plan and for recommendations, including those concerning any such inconsistencies as well as any other matters it deems appropriate, pursuant to N.J.S.A. 40A:12A-7(e), and directs the Central Planning Board to submit its report, to the Municipal Council within forty -five (45) days after referral.
3. A copy of this Resolution and the Proposed Third Amendment shall be filed with the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.
4. The Municipal Clerk shall forward a true copy of this Resolution and the Proposed Third Amendment to the Central Planning Board.

STATEMENT

This Resolution hereby refers the proposed Third Amendment of the West Ward Model Neighborhood Initiative Redevelopment Plan, to the Newark Central Planning Board, to determine if such 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.