

Section 1. Introduction

In conformance with Section 40:55D-26 of the New Jersey Municipal Land Use Law, the Newark Central Planning Board (CPB) hereby makes the following report to the Newark Municipal Council regarding the proposed Newark Zoning & Land Use Regulations (NZLUR).

In September 2012, the CPB adopted a revised master plan for the City of Newark, including a land use plan element and a housing plan element. In February 2013, following the classification and boundary changes recommended in this periodic general reexamination of the master plan by the CPB (40:55D-62.1), the Department of Economic & Housing Development's Planning Office began to overhaul the NZLUR, the rules for what you can build and where you can build it in Newark. After 19 months of public meetings in neighborhoods across Newark, three public drafts, and hundreds of public comments and suggestions (see "Schedule to Date" below), the most recent step of this process was the public hearing held by the Central Planning Board on the third public draft of the NZLUR on Monday, September 8, 2014, at 6:30 pm at Newark City Hall, Council Chambers.

The proposed NZLUR contains rules governing the uses and design of buildings in Newark as well as regulations for many other parts of Newark's built environment such as landscaping, parking lots, fences, signs, and storm water management. Newark's zoning has not been comprehensively revised since 1954, but many things have changed in the past 60 years. The NZLUR simplifies and modernizes the way Newark's zoning deals with the uses of buildings. It eliminates out-of-date uses like leather tanneries and pool halls and consolidates many others based on what Newark residents and businesspeople have said creates development conflicts. The NZLUR also proposes common-sense standards for how new buildings will be designed. These ideas grow from the successful 2009 implementation of zoning reforms for Newark's most common building types, two- and three-family houses, which focused on improving the quality and safety of Newark's streets by setting standards for windows, front set-backs, and the location of primary entrances that keep eyes on the street.

1-A. Schedule to Date

9/24/12	Central Planning Board adopts revised master plan
1/15/13	Department of Economic & Housing Development begins zoning revision
2/5/13	Zoning Workshop (Historic Weequahic Neighborhood Association)
2/21/13	Zoning Workshop (Clinton Hill Block Association)
2/28/13	Zoning Workshop (Heart of Vailsburg Block Club Association)
4/22/13	Zoning Workshop (Lower Broadway Neighborhood Association)
6/5/13	Zoning Workshop (Forest Hill Neighborhood Association)
8/5/13	Zoning Workshop (United Parks as One / Dr. Hanaa Hamdi)
10/21/13	Draft 1 released
1/15/14	Newark Zoning Info Session (City Hall)
1/23/14	Newark Zoning Info Session (City Hall)
1/29/14	Zoning Workshop (Ironbound Community Corporation)
1/30/14	Draft 1 public comment deadline
4/2/14	Zoning Workshop (Tri-City People's Corporation)
6/26/14	Draft 2 released
8/29/14	Draft 3 released
9/8/14	Public Hearing before Central Planning Board

1-B. Goals of Zoning Revision

1. Improve Zoning for Use

1. Prevent nuisances & improve quality of life
 - i. Update zoning map to conform with 2012 master plan
 - ii. End “cumulative zoning” and confusing zone names. For example, the current First Industrial District includes many residential areas while the new proposed Light Industrial district does not permit residential development.
 - iii. Clarify manufacturing and industrial definitions for potentially noxious uses.
2. Modernize & consolidate use list
 - i. Eliminate outdated uses such as leather tanneries and pool halls
 - ii. Incorporate contemporary uses including urban agriculture and upcycling
3. Easier to use, easier to administrate
 - i. Zoning maps produced digitally and in color
 - ii. Creation of Use Categories Finding Aid
 - iii. Use definitions tied to State & Federal standards when possible

2. Improve Zoning for Design

1. Leverage Newark’s competitive advantage as a walkable city
 - i. Build on “Box & Beyond” reforms to expand how zoning addresses building design.
 - ii. Promote in-fill and buildings that contribute to the public realm .
 - iii. Incorporate Complete Streets to make Newark’s public spaces welcoming for pedestrians, bicyclists, and vehicles.
2. Contextual & building type specific
 - i. Introduce modified “form-based zoning.”
 - ii. More predictable development rules for developers and residents.
3. Easier to use, easier to administrate
 - i. Illustrated Design Standards.

3. Improve Zoning for Sustainability

1. Maximum percentage of impervious cover to better control storm water and prevent combined sewer overflows.
2. Clarify manufacturing and industrial definitions for potentially noxious uses.
3. Include community gardens and other urban agriculture uses.
4. Accommodate solar and wind energy.

1-C. How will the NZLUR benefit Newark’s constituencies?

For **Developers**, the NZLUR modernizes and consolidates the procedures and regulations for the previously separated land use procedures (Title 37), subdivision/site plan ordinance (Title 38), and zoning regulations (Title 40) into one document. Creating a consolidated zoning code will improve predictability and clarity in the development of projects, a major concern that developers have often raised regarding the existing zoning code.

For **Residents and Homeowners**, the NZLUR provides common-sense rules for building quality neighborhoods, including housing and site design. For example, excessively tall fencing and blank walls are not permitted in residential districts in order to preserve a secure-feeling and welcoming environment. The use and design controls of the NZLUR respects and preserves the current fabric of Newark’s neighborhoods and guides new development to fit harmoniously with existing buildings and landscapes. Finally, the NZLUR is more understandable and user-friendly than previous regulations, with color maps and illustrated bulk and design standards.

For **Community-Based Organizations**, the NZLUR include provisions for community uses previously omitted including urban agriculture and community gardens.

For **Businesses**, the NZLUR recalibrates use, design, and density requirements to strengthen Newark’s commercial districts.

Section 2. Comments and questions received at 9/8/14 Central Planning Board hearing

Author	Comment	Response
Jacqueline Ceola, Central Planning Board	What is the goal of the new zoning code?	See “Goals of Revision” above.
Jacqueline Ceola, Central Planning Board	Will the new zoning code be distributed to every home in Newark?	The draft NZLUR has been and will continue to be available in Newark City Hall Room 112, at all branches of the Newark Public Library, and at www.planning.ci.newark.nj.us . In the coming months, we hope to launch an interactive zoning website.
Wayne Richardson, Chair, Central Planning Board	Recommend the proposed NZLUR be presented to the Zoning Board of Adjustment.	The Department of Economic & Housing Development’s Planning Office will work with the Zoning Board of Adjustment to find an upcoming presentation opportunity.
Mildred Crump, Council President	We should not lose prudence and rush to adopt these new regulations. Proposed zoning regulations are from previous administration; not current one.	Commissioner Rolley affirmed that the new administration has been intimately involved and supports the current revision.
Mildred Crump, Council President	The Council members would like to have a presentation of the zoning code before a Council hearing.	The Department of Economic & Housing Development will work with the Council President to find an appropriate presentation time and format.
Joseph Della Fave, Ironbound Community Corporation	Enhance community participation by re-noticing when an application is postponed at applicant’s request.	Agreed. Following language is incorporated into NZLUR: “It is the policy of these boards that no notices shall be reserved if an application is adjourned at the applicant's request.”

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<p>Nicole Scott Harris</p> <p>Joseph Della Fave, Ironbound Community Corporation</p>	<p>The Cumulative Impacts Ordinance should be adopted concurrently with the proposed zoning code. The Cumulative Impacts Ordinance will greatly benefit the environment and the public health of Newark's residents by assessing the potential impacts on the environment caused by a development before construction.</p> <p>Adopt the Cumulative Impacts Ordinance concurrently with the new zoning code.</p>	<p>Update from Newark Sustainability Office on Cumulative Impacts Ordinance: The Cumulative Impacts Ordinance (CIO) seeks to provide informational tools to the Planning and Zoning boards and to the public about the environmental impact of proposed projects, taking into account the pre-existing level of pollution in the neighborhood of the proposed project site. It is intended to help the City protect the health and welfare of residents and to minimize nuisances such as dust, noise, and odors. Passage of a CIO as a companion piece to the Zoning Amendment is a goal articulated in the Newark Sustainability Action Plan and in the Sustainability/Environment section of the Mayoral Transition Report.</p>
<p>Joseph Della Fave, Ironbound Community Corporation</p> <p>Arnold Cohen</p> <p>Joseph Nardone</p>	<p>ICC strongly supports the preservation and improvement of public, low-income, and affordable housing units. As one of the areas of the city with the highest rents and scarce housing units, we continue to seek ways to ensure that all people can live and thrive in our community. As such, we call for requiring onsite affordable housing in new residential and mixed use developments where use variances and density increases have been allowed.</p> <p>Include inclusionary zoning provisions to make sure that housing is affordable for current residents of Newark. Anything more than 4 stories could require inclusionary zoning.</p> <p>The proposed zoning should include inclusionary housing provisions.</p>	<p>Recognizing affordable housing as an ongoing issue in the City of Newark, potential mechanisms for production of affordable units as part of market-rate development should be further explored.</p>
<p>Joseph Nardone</p>	<p>In addition to inclusionary zoning, there should also be additional give-backs through incentivize-based zoning, such as the public space built as part of Trump Tower in New York City.</p>	<p>While the NZLUR does not propose any citywide incentive zoning mechanisms, recent special district zoning, such as <i>Newark's River: Public Access & Redevelopment Plan</i>, includes provisions whereby a development may be built with additional height with creation and dedication of additional park space.</p>

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<p>Joseph Della Fave, Ironbound Community Corporation</p>	<p>No industrial uses should be permitted within the Ironbound. Within the Ironbound, MX-2 should be mapped instead of I-1, and outside the Ironbound, an I-1 buffer should be introduced before heavier industrial zones such as I-2 and I-3.</p> <p>Specifically: Area around East Ferry Street between Manufacturer's Place and Waydell Street, currently zoned I-1, should be rezoned MX-2. Area around Foundry and Roanoke Streets, currently zoned I-3 should be rezoned I-1 given its extremely close proximity to residential areas such as Hyatt Court. Area east of Wheeler Point Road and south of Backus Street should be designated MX-2, due to close proximity to residential units and the Ironbound Little League Field. South Ironbound borders along Wright, Emmet, Avenue B, Astor, Avenue C, Parkhurst, Thomas, and South need to include a better step down from MX-2 uses to I-1 and I-2.</p>	<p>The NZLUR's revised non-cumulative zones are intended to dramatically reduce future development conflicts between residential and industrial uses. Remapping all I-1 zones in the Ironbound as MX-2 would reintroduce potential conflicts. As residential is not permitted in the revised I-1 zone, it will prevent future residential construction in these areas. In contrast, the MX-2 zone allows for continued coexistence of industrial and residential uses that cannot be avoided, while buffering residential uses from noxious industrial uses. Some uses that are allowed in I-1 are not allowed in MX-2.</p> <p>In addition to Ironbound boundary map changes introduced in previous public drafts, new revisions have made to the zoning map in response to this comment:</p> <ol style="list-style-type: none"> 1. Block bounded by Magazine Street, Kossuth Street, Saint Charles Street, and Rome Street is remapped to MX-2 from I-1. 2. Block bounded by Wheeler Point Road, Ferdon Street, Backus Street, and Avenue I, is remapped to MX-2 from I-2. 3. Lots immediately abutting Route 1 and 9 are remapped to I-2 from I-3. 4. Lots between Waydell and Market Streets, Flemming Ave and near the NJ Transit Facility are remapped to I-1 from I-2 and I-3. 5. Block bounded by Wheeler Point Road, Ferdon Street, Backus Street, and Avenue I, is remapped to MX-2 from I-2.
<p>Joseph Della Fave, Ironbound Community Corporation</p>	<p>Pathmark shopping center on Ferry and Niagara Streets should be downzoned from C-3 to C-2, as this will be more conducive to the existing character of our neighborhood and its commercial uses.</p>	<p>Change has been incorporated.</p>

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Joseph Della Fave, Ironbound Community Corporation	Change area bordered by Union, Edison, NJ Railroad, and Green Streets from R-5 to MX-1 to allow for more walkable streets with active first floors and also a height that is conducive to the existing neighborhood.	<p>A very small portion of the city is zoned to allow 8- story buildings. This area near Penn Station is zoned to allow 8 stories in recognition of the value and benefit of denser development near this transportation hub. We wholeheartedly agree that walkable streets and active ground floors are important in this area, so in response to previous public comments the following changes have been incorporated:</p> <ul style="list-style-type: none"> • “Ground Floor Retail, Office or Service Uses” are now permitted in all buildings in R-4, R-5, and R-6 zones. • To create “eyes on the street,” apartment buildings in these zones must have 50% transparent windows and a primary entrance on their primary street-facing facade. • R-5 now permits active and passive recreation parks, community gardens, child care centers (with conditions) and primary and secondary schools (with conditions). <p>See Public comments & responses on 10/21/13 draft</p>
Joseph Della Fave, Ironbound Community Corporation	Bulk standards should be changed for the industrial uses, for C-3, and for MX-2 zones to limit heights from the existing ten stories to a more community conducive 4 stories.	Agreed. Industrial building types will be limited to 4 stories in MX-2 areas and 8 stories in all Industrial (I-1, I-2, I-3) and Airport Support (EWR-S) areas. Industrial buildings are not permitted in C-3 zones.
Joseph Della Fave, Ironbound Community Corporation	An amortization ordinance should be included in zoning code that allows for the phasing out of non-conforming uses over time. There should be an increased inspection of non-conforming uses that are particularly noxious to ensure that they are in compliance with existing City codes and have not illegally expanded or modified their operations without proper permitting and planning board review.	The New Jersey Municipal Land Use Law prohibits the amortization of nonconforming land uses under “40:55D-68. Nonconforming structures and uses” as follows: “Any nonconforming use or structure existing at the time of the passage of an ordinance may be continued upon the lot or in the structure so occupied and any such structure may be restored or repaired in the event of partial destruction thereof.”
Joseph Della Fave, Ironbound Community Corporation	Warehousing and distribution uses should be eliminated from MX-2 and I-1 uses	Warehousing and distribution is one of the most common light industrial uses that provides job opportunities and tax revenue to Newark and its residents, and prohibiting these uses from Light Industrial zones would be detrimental.
Joseph Della Fave, Ironbound Community Corporation	Passive and Active Park Recreation should be allowed in MX-2 zones	Agreed.

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Joseph Della Fave, Ironbound Community Corporation	Enhance community participation by online posting of agendas	Agreed. The Newark Zoning and Land Use Regulations will now require that agendas be posted on the Department of Economic & Housing Development's Planning Office website.
Joseph Della Fave, Ironbound Community Corporation	<p>Enhance community participation by advanced notice to property owners, the Ward Councilman/woman, Newark Public Library branches, and community-based organizations</p> <p>Enhance community participation by notice to tenants as well as property owners</p> <p>Enhance community participation by mandating approvals of applications by both the affected community prior to being presented the appropriate board</p>	The Central Planning Board and Zoning Board of Adjustment maintain email distribution lists for all agendas.

<p>Joseph Della Fave, Ironbound Community Corporation</p>	<p>The following uses should be eliminated from all zones:</p> <ul style="list-style-type: none"> - Waste transfer, treatment, incineration or processing facilities - Sewage, sludge disposal and treatment - Chemical and plastics manufacturing - Hazardous or medical waste processing (autoclaving, crushing or preparing or treating) - Power plants over 150 MW based on coal, natural gas, waste or waste by-products, such as tires, cars, sludge, cement, or biofuels - Oil and gas refineries - Animal fat rendering, live animal markets, animal processing plants (poultry, etc) - Scrap metal yards - Fiber and Steel drum storage, distribution and manufacturing 	<p>Currently, the NZLUR prohibits all but three of these uses as follows:</p> <p>1. In Chapter 2, the definition of "Manufacturing, Heavy" states:</p> <p>"The following processes are not permitted under Heavy Manufacturing: Vittrification, Plasma Gasification, Pyrolysis, Cement Kilns, Automobile Shredder Residue (ASR), Medical Waste Autoclaving & Shredding, Animal Rendering, Electronic De-Manufacturing, Computer & Circuit Board Recycling, Thermal Depolymerization, Sludge Processing and Incineration, Sewage Disposal, Sediment Treatment Plants (i.e. Thermal/Chemical Processing, Cement Lock Technology, Sediment Washing, Biogenesis, Sediment Dewatering, Tire Derived Fuel Plants, Biomass Incineration, Chrome Plating and Metals Plating Facilities, Hazardous or Medical Waste Processing (autoclaving, crushing, preparing, or processing, sorting), Oil and Gas Refineries, and Power Plants over 150 megawatts using coal, natural gas, waste or waste byproducts including tires, sludge, cement, and biofuels."</p> <p>2. If a specific use is not listed in the "Permitted Uses by District" list in Chapter 4 (page 80), then it is prohibited. For example, "waste treatment" does not appear in this list; thus, it is prohibited.</p> <p>3. Scrap metal operations are only permitted as Materials Salvage or Junk Facility, and must be contained within enclosed facilities.</p> <p>Waste Transfer and Live Animal Markets are only permitted in I-3 zones, located away from residential and commercial areas of the city. Animal processing and fiber and steel drum storage, distribution, and manufacturing require more detail on site operations, layout, and permitting for evaluation.</p>
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Section 3: Relationship to Master Plan

The Newark Central Planning Board finds that the *Master Plan of the City of Newark* recommends that Newark prioritize and advance economic development with a focus on job growth, that Newark leverage growth to create safe and healthy neighborhoods, and that Newark become a desirable city where people want to live, work, learn and play by improving environmental quality and connecting Newark to broad commercial, educational, cultural, and social possibilities. The Newark Zoning and Land Use Regulations (NZLUR) is substantially consistent with these goals and with the strategies and policies contained in the

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Master Plan. The NZLUR is substantially consistent with the Land Use and Housing elements of the Master Plan.

The Newark Central Planning Board finds that the NZLUR conforms to the overall goals and objectives set forth in the *Land Use Element of the Master Plan of the City of Newark*, and that the NZLUR revises Title 40 of the Municipal Code of the City of Newark (Zoning Ordinance), Title 37 of the Municipal Code of the City of Newark (Land Use Procedures), and Title 38 of the Municipal Code of the City of Newark (Subdivision/Site Plan Ordinance) in ways that further the fundamental goals of the Master Plan. The NZLUR provides for enhanced economic development opportunities in Newark with a focus on job growth. The NZLUR provides for healthy and safe neighborhoods. The NZLUR provides regulatory support for Newark's desirability as a city.

The Newark Central Planning Board finds that the NZLUR will further accomplish the goals of the Master Plan by superseding all development regulations in the following redevelopment plans without retiring them:

1. 109-119 Broad Street Redevelopment Plan (CW): 6S+FH 10/21/1991
2. 224-238 McWhorter Redevelopment Plan (EW): 6S+FX 10/7/1987
3. 254-260 Broadway Redevelopment Plan (CW): 6S+FK 2/17/1988
4. 261-269 University Ave & 1280 Raymond Red Plan (CW): 6S+FQ 10/4/1989
5. 275 Montclair Avenue Redevelopment Plan (NW): 6S+FBA 5/3/1988
6. 293-297 North 13th Street Redevelopment Plan (NW): 6S+FP 4/6/1988
7. 320-332 Orange Street Redevelopment Plan (CW): 6S+FU 9/7/1988
8. 337-339 Orange Street Redevelopment Plan (CW): 6S+FK: 3/1/2000
9. 40-42 North 10th Street Redevelopment Plan (NW): 6S+FE 5/18/1988
10. 576-586 North 6th Street Redevelopment Plan (NW): 6S+FE 5/18/1988
11. 712-736 Broadway Redevelopment Plan (NW): 6S+FG 5/20/1987
12. 99-145 Clinton Avenue Redevelopment Plan (CW): 6S+FBB 10/17/1990
13. Alyea Street Redevelopment Plan (EW): 6S+FF 10/20/1982
14. Archdiocese Office Building Redevelopment Plan (CW): 6/5/1989
15. Bayonne Barrel Redevelopment Plan (EW): 6S+FH 3/1/2000
16. Bellemead Seton Hall Redevelopment Plan (EW) 6S+FJ 7/13/1988
17. Bergen Clinton Redevelopment Plan (SW): 6S+FD 12/8/2004
18. Bergen South Redevelopment Plan (SW): 6S+FH 12/3/2008
19. Bergen Street Park Redevelopment Plan (WW): 6S+FA 10/24/1989
20. Bergen/Hunterdon Redevelopment Plan (CW): 6S+FI 4/3/1996
21. Block 317-South Orange Avenue Redevelopment Plan (WW): 6S+FD 2/7/2007
22. B3791 Redevelopment Plan (SW): 6S+FM 5/21/1986
23. Block 538 Redevelopment Plan (NW): 6S+FT 4/20/1988
24. Block 560 Redevelopment Plan (NW): 6S+FH 4/19/1989
25. Block 613 Redevelopment Plan (NW): 6S+FN 9/2/1987
26. Bridge Street Area Redevelopment Plan (CW): 6S+FD 9/2/1981
27. Broad-Tichenor Redevelopment Plan (EW): 6S+FC 2/5/2003
28. Broad Street/Murray Street Redevelopment Plan (EW): 6S+FD 5/16/2001
29. Broad Street Station District Redevelopment Plan (CW): 6S+FA 1/21/2009
30. Brookdale Avenue Area Redevelopment Plan (WW): 6S+FD 1/4/1978
31. Central Ward Urban Renewal Plan (CW): 6S+FK 1/17/2001
32. Central/Fairmount Redevelopment Plan (WW): 6S+FK 1/17/2001
33. Chancellor/Wainwright Redevelopment Plan (SW): 6S+FE 6/20/1990
34. Clinton Avenue & South 15th Street Redevelopment Plan (SW): 6S+FE 6/20/1990
35. Custer/Elizabeth Redevelopment Plan (SW): 6S+FL 8/1/1996
36. Dock Street Redevelopment Plan (EW): 6S+FF 5/2/1990
37. Downtown Core District Redevelopment Plan (EW): 6S+FF 10/6/2004

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38. Dr Martin Luther King Jr. Blvd/Baldwin St Red Plan (CW): 6S+FA 11/2/1994
39. Edison Place East Redevelopment Plan (EW): 6S+FG 9/17/2003
40. Education center NJR-50 Urban Renewal Plan (CW/EW): 7Rbk 5/20/1964
41. Elizabeth & Renner Avenue Redevelopment Plan (SW): 6S+FJ 10/20/1993
42. Elizabeth Avnue Redevelopment Plan (SW): 6S+FH 3/4/1987
43. Elizabeth/Mapes Redevelopment Plans (SW): 6S+FK 8/1/1996
44. Essex County Improvement Authority Red Plan (CW/WW): 6S+FT 9/17/1986
45. Essex Heights Urban Renewal Plan (CW): 6S+FD 8/30/1977
46. Fairmount Neighborhood Scattered Site Red Plan (WW): 6S+FA 12/3/2008
47. Fairmount Renewal Project Redevelopment Plan (WW): 6S+FG 9/11/1988
48. Former Bed of Morris Canal Redevelopment Plan (EW): 6S+FH 12/18/1986
49. Frelinghuysen Ave (Airport Support Zone) Red Plan (SW): 6S+FK 7/14/2004
50. Frelinghuysen/McClellan Redevelopment Plan (SW): 6S+FC 12/21/2000
51. Halleck Street Study Area Redevelopment Plan (NW): 6S+FO 9/16/1987
52. Hawthorne/Leslie Area Redevelopment Plan (SW): 6S+FR 7/11/1990
53. Heller Parkway Redevelopment Plan (NW): 6S+FJ 3/1/2000
54. Huntington/Shephard Redevelopment Plan (SW): 6S+FA 6/20/1990
55. Ironbound Urban Renewal Plan (EW): 7RBE 6/15/1977
56. J P Affordable Redevelopment Plan (WW): 6S+FJ 6/20/1990
57. Jackson/ Downing Redevelopment Plan (EW): 6S+FG 8/1/2001
58. Johnson/Hillside Avenue Redevelopment Plan (SW): 6S+FK 12/20/1989
59. Keer Avenue 2 Redevelopment Plan (CW/SW): 6S+FK 4/5/1989
60. Kent/Brenner/Springfield Redevelopment Plan (CW/SW): 6S+FK 4/5/1989
61. Lister Avenue Redevelopment Expansion Area Plan (EW): 7RL 6/1/2005
62. Littleton/South 6th Street Redevelopment Plan (WW): 6S+FM 11/19/1990
63. Living Downtown Redevelopment Plan (CW/EW): 6S+FG 9/3/2008
64. Lower Clinton NJR-38 Hill Urban Renewal Plan (SW): 6S+FA 12/23/1991
65. Medical Center Renewal Plan (CW): 7Rbe 3/20/1968
66. Miller Street/Wright Street Redevelopment Plan (EW): 6S+FF 8/3/2005
67. Mt. Prospect Avenue Redevelopment Plan (NW): 6S_FB 9/20/1989
68. New Community Development Area Red Plan (CW): 6S+FI 1/4/1978
69. Newark Beth Israel Redevelopment Plan (SW): 6S+FJ 4/20/1994
70. Newark College NJR-45 Expansion Urban Renewal Plan (CW): 7RJ 1/3/1962
71. Newark Plaza NJR-58 Urban Renewal Plan (EW): 7RH 10/16/1963
72. NJ2-42-“C” Redevelopment Plan (CW): 6S+FG 2/17/1993
73. NJ2-42-“E” Redevelopment Plan (WW): 6S_FM/2/17/2993
74. NJ2-42-“H” Redevelopment Plan (WW): 6S+FH 2/17/1993
75. NJ2-42-“N” Redevelopment Plan (WW): 6S+FF 2/17/1993
76. NJ2-42-“P” Redevelopment Plan (WW): 6S+FK 2/17/1993
77. NJ2-42-“Q” Redevelopment Plan (WW): 6S+FL 2/17/1993
78. NJ2-42-“S” Redevelopment Plan (WW): 6S+FI 2/17/1993
79. NJ2-42-“U” Redevelopment Plan (WW): 6S+FJ 2/17/1993
80. NJ2-42-“V” Redevelopment Plan (CW): 6S+FE 2/17/1993
81. NJR-121 Industrial River Urban Renewal Project (EW): 7Raa 6/18/1964
82. North 5th Street Redevelopment Plan (NW): 6S+FO 4/6/1988
83. North Ward Redevelopment Plan (NW): 6S+FG 1/5/2000
84. Old Third Ward NJR-6 Urban Renewal Plan (CW): 7Rb 6/15/1960
85. Oliver St Redevelopment Area Redevelopment Plan (EW): 6S+FD 6/8/1984
86. Passaic Street/Clay Street Redevelopment Plan (CW): 6S+FD 6/8/1984
87. Raymond Blvd. Office Redevelopment Plan (EW): 6S+FG 2/21/1990
88. Raymond Boulevard Redevelopment Plan (EW): 6S+FB 11/16/1998
89. Riverside Avenue/McCarter Highway Red. Plan (NW): 6S+FI 10/3/2001

90. Saint Lucy's Area Phase II Redevelopment Plan (CW): 6S+FF 2/3/1982
91. Schuyler Avenue Redevelopment Plan (SW): 6S+FL 12/20/1989
92. Shanley/Clinton Area Redevelopment Plan (SW): 6S+FF 12/6/1989
93. South Broad-Valley Community Redevelopment Plan (SW): 6S+FM 4/6/1977
94. South Broad NJR 52 Urban Renewal Project (CW): 7RL 1/3/1962
95. South Orange Avenue Community Redevelopment Area (WW): 6S+FF 3/7/1979
96. South Orange Avenue/West End Avenue Red. Plan (WW): 6S+FC 10/17/2001
97. South Ward Industrial Park Redevelopment Plan (SW): 6S+FS 3/6/1996
98. Springfield/Hayes Redevelopment Plan (CW): 6S+FO 11/20/2001
99. Springfield/VE/Sayre Street Redevelopment Plan (CW): 6S+FA 22/20/2001
100. St. Benedicts Renewal Redevelopment Plan (CW): 6S+FE 3/15/1989
101. Symphony Hall West Redevelopment Plan (CW): 6S+FD 10/20/2004
102. Thomas Street Redevelopment Plan (EW): 6S+FZ 10/16/1996
103. United Cerebral Palsy Redevelopment Plan (CW): 6S+FE 2/20/1991
104. University Heights Redevelopment Area Red. Plan (CW): 6S+FC 10/20/2004
105. UPS Springfield Avenue Station Redevelopment Plan (CW): 6S+FB 5/1/1996
106. US 1&9 Commercial/Industrial Plaza Area Red. Plan (EW): 6S+FH 5/18/1983
107. Vailsburg Area Redevelopment Plan (WW): 6S+FC 1/4/1978
108. Vantage Urban Renewal Plan (CW): 6S+FI 8/15/1987
109. Walnut Street Area Redevelopment Plan (EW): 6S+FA 8/11/2006
110. Waverly Yard Redevelopment Plan (EW/SW): 6S+FA 3/10/1989
111. West Market Street Block 1894 Redevelopment Plan (WW): 6S+FO 5/5/1993
112. Port/Airport Support Scattered Site Redevelopment Plan (WW/EW) 6PSFC(s) 01/13/2010

Section 4. Recommended Revisions to Newark Zoning and Land Use Regulations (NZLUR) and 2012 Newark Master Plan

4-A. Recommended Revisions to Newark Zoning and Land Use Regulations (NZLUR)

Change or Correction	Page	Edit Type	Detail
NOTE: Correction shall correct typographical errors, document format, and other minor edits. Changes shall include all changes or additions to the substance of the document.			
Correction	3	Typo	Changed "59 years" to "60 years"
Correction	40:3-2 Zoning Maps	Boundary changes	Corrected errors on zoning area boundaries
Correction	4,5	Text	Pages on Table of Comments were updated
Correction	69	Text	Changed "Passive Recreation Park" definition to "See 'Park: Recreation Park, Passive"
Correction	50	Text	Added "Active Recreation Park" in definitions
Change	Sec 8.4	Substance	Inserted Section 8.4 on Structured Parking Design Requirements in Chapter 8 Design Requirements for Off-Street Parking & Loading Areas
Correction	Chapter 17	Reference updates	Updated References to Title 38 of Municipal Code to New Title Numbers
Change	108	Industrial Building Type	MX-2: max 4 stories; I-1, I-2, I-3, EWR-S: max 8 stories
Change	122-127	Image	Changing bulkhead to architectural feature

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Change	40:3-2 Zoning Maps	Map	A block bounded by Magazine Street, Kossuth Street, Saint Charles Street, and Rome Street was I-1 and is now changed to MX-2. The block bounded by Wheeler Point Road, Ferdon Street, Backus Street, and Avenue I, is changed from I-2 to I-1.
Change	40:3-2 Zoning Maps	Map	The block bounded by Wheeler Point Road, Ferdon Street, Backus Street, and Avenue I, is changed from I-2 to MX-2.
Change	40:3-2 Zoning Maps	Map	Area around East Ferry Street between Manufacturer's Place and Waydell Street, which was zoned I-1, is re-zoned MX-2.
Change	40:3-2 Zoning Maps	Map	Lots immediately abutting Route 1 and 9 will change from I-3 to I-2. Lots between Waydell and Market Streets, Flemming Ave and near the NJ Transit Facility will be changed to I-1 from I-2 and I-3.
Change	40:3-2 Zoning Maps	Map	The Pathmark shopping center on Ferry and Niagara Streets was downzoned from C-3, regional commerce, to C-2, community commercial.
Change	108-109	Building Bulk & Design	Industrial building types will be limited to 4 stories in MX-2 areas and 8 stories in all industrial (I-1, I-2, I-3) and airport support use (EWRS) areas. Industrial buildings are not allowed in C-3 so it should not be an issue.
Change	108-109	Building Bulk & Design	Detached Commercial Building type will be limited to 4 stories, or 48 feet, only in MX-1 areas; in other areas the maximum building height shall remain at 8 stories, or 96 feet.
Change	98	Building Bulk & Design	The building type, "University, Hospital or Medical Institution, & Schools" shall be broken up into three types: "University," "Hospital or Medical Institution," and "Schools"
Change	98	Building Bulk & Design	University building types will only be allowed in the Institutional zones (INST)

Change	98	Building Bulk & Design	School (elementary, middle, & high schools) building types shall only be allowed in the following zones: R-2, R-3, R-4, R-5, R-6, C-1, C-2, C-3, MX-1, INST
Change	98	Building Bulk & Design	Hospital or Medical Institution building types shall only be allowed in the Institutional zones (INST). Please note that doctors' offices do not fall under these building types and instead fall under a commercial building type.
Change	110-111	Building Bulk & Design	The Bulk & Design Standards for the "University, Hospital or Medical Institution, & Schools" shall apply to the new building type "University," except for the maximum building height, which shall be 20 stories, or 210 feet
Change	110-111	Building Bulk & Design	The Bulk & Design Standards for the "University, Hospital or Medical Institution, & Schools" shall apply to the new building type "Hospital or Medical Institution," except for the maximum building height, which shall be 20 stories, or 210 feet

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Change	110-111	Building Bulk & Design	The Bulk & Design Standards for the "University, Hospital or Medical Institution, & Schools" shall apply to the new building type "Schools," except for the maximum building height, which shall be 5 stories, or 55 feet
Change	110-111	Building Bulk & Design	The building type, "Community Center & Standalone Daycare or Preschool in a non-residential area, and other civic uses" shall have the max building height of 3 stories, or 35 feet, instead of 2 stories (30 feet).
Change	129	Illustrated Bulk & Design Requirements	Delete blue callout with content: "Below-building parking and standalone parking structures shall be screened from adjacent uses by either one or a combination of permitted uses including ground floor retail or office uses; or architectural detailing."
Correction	135	Illustrated Bulk & Design Requirements	Place of Worship diagrams: Blue callout "The front yard setback is 10 feet" shall be changed to "The front yard setback is 5 to 10 feet."
Correction	140	Illustrated Bulk & Design Requirements	"Community Center & Standalone Daycare or Preschool in a non-residential area, and other civic uses" Diagrams: Delete blue callouts "Maximum building height for a University or Hospital is 8 stories and 55 feet" and "Maximum building height for a School is two stories and 30 feet" and their accompanying building diagrams. Insert a new building diagram that matches a new blue callout: "Maximum building height for a community center & standalone daycare or preschool or other civic uses shall be 3 stories and 35 feet."
Change	Illustrated Bulk & Design Guidelines	Illustrated Bulk & Design Requirements	Create new illustrate Building Bulk & Design Requirements spreads for the following building types "Hospital or Medical Institution," "University," and "Schools" with the new changes, based off of the revised tables

Change	89	Permitted Uses by District	In the MX-2 zone, the Passive and Active Park Recreation uses are allowed.
Change	Ch.15	Text	the Newark Zoning and Land Use Regulations will now require that agendas be posted online; this requirement will be included in Chapter 15, section 11.
Change	Ch.15 section 11-4-14	Text	It is the policy of these boards that no notices shall be reserved if an application is adjourned at the applicant's request. Thus, the adjacent property owners will be notified of the adjourned hearing. This will be included in the Newark Zoning and Land Use Regulations, under 40:15-11-4(14).

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4-B. Corrections to the 2012 Newark Master Plan Future Land Use Map to Eliminate Inconsistencies between NZLUR and 2012 Newark Master Plan Future Land Use Map

- Minor and non-substantive formatting changes including titles, labels and line and boundary thickness.
- Corrections to Redevelopment Areas including boundary corrections and labels.
- The following lots were mislabeled and now will be labeled correctly as lots that are “to be added to Living Downtown Redevelopment Area”:

Address	Block Number	Lot Number
588-594 Martin Luther King Boulevard	102	1
582-588 Martin Luther King Boulevard	102	5
574-580 Martin Luther King Boulevard	102	8
101-105 Shipman Street	102	63
186 Market Street	164	13
188 Market Street	164	14
190 Market Street	164	15
192 Market Street	164	16
814-824 Broad Street	165	4
20 Green Street	865	103
326-352 Market Street	152	1
740-742 McCarter Highway	158	18
744-750 McCarter Highway	158	8
752-754 McCarter Highway	158	10
756-760 McCarter Highway	158	13
762 McCarter Highway	158	14
764 McCarter Highway	158	16
766 McCarter Highway	158	17
136 Edison Place	158	30
138-142 Edison Place	158	21

- Properties fronting on Bergen Street between Vasser Avenue and Goldsmith Avenue that were R-2F are now changed to R-1F.
- Several areas that were R-HM along Elizabeth Avenue and changing them to reflect existing conditions:
 - Parcels along Weequahic Ave changed from R6 to R-1F
 - Parcels at SW corner of Mapes Ave changed from R6 to R-2F

- Parcels at NW corner of Meeker Ave changed from R6 to C-C
- All properties that were I-M internal to the blocks bounded by Chapel Street to the west, Lister Avenue to the north, Lockwood Street to the east and Raymond Blvd to the south are now changed to I-L.
- All properties that were I-M internal to the blocks bounded by Rte. 1&9 to the north and east, Avenue L to the east, Wilson Ave to the south, Avenue K to the east, and Delancey Street/South Street to the south are now changed to I-L.
- All properties that were C-R that have frontage along Springfield Avenue and are between Bergen Street and Irvine Turner Blvd. are now changed to C-C.
- All properties that were C-R that have frontage on Morris Avenue or Bruce Street and are between Springfield Avenue and 15th Avenue are now changed to R-LM.
- All properties that were C-C internal to the blocks bounded by the East Orange City Boundary to the west, West Market Street to the north, I-280 to the south and S. 12th Street to the east are now changed to MX-1.
- All properties that were R-3F that have frontage along the eastern side of West Market Street between Dickerson Street and I-280 are now changed to MX-1.
- All properties that were C-C that have frontage along the eastern side of West Market Street between Dickerson Street and S. 6th Street are now changed to MX-1.
- All properties that were R-3F that have frontage along the southern side of Central Avenue Street between S. 7th Street and S. 8th Street are now changed to C-C.
- All properties that were R-3F that have frontage along the southern side of Central Avenue Street between S. 2nd Street and S. 4th Street and also properties that were R-3F that have frontage along the northern side of West Market between S. 2nd Street and S. 4th Street are now changed to C-C.
- All properties that were MX-2 between Frelinghuysen Avenue and Dayton Street south of Foster Street are now changed to MX-1.
- All properties with frontage on Dayton Street between Foster Street and Frelinghuysen Avenue that were R-3F are now changed to R-2F.
- All properties that were C-R between Frelinghuysen Avenue and Dayton Street including properties that were C-R fronting on both streets are now changed to C-C.
- All properties that were R-3F between Eastern Parkway and Manor Drive are now changed to R-2F.
- All properties fronting on Sanford Avenue that were C-C between the Irvington City Boundary and Ivy Street are now changed to C-N.
- All properties that were C-C between E. Runyon and Concord Street adjacent Elizabeth Avenue are now changed to C-R.
- All properties that were MX-2 that had frontage on NJRR Avenue between Pennington Street and Lafayette Street are now changed to MX-1.
- All properties that were R-MM bounded by Clinton Avenue and S. 15th Street are now changed to R-LM.
- All properties that were I-M adjacent Fabyan Place south of Selvae Street are now changed to MX-2.
- All properties that were C-R with frontage on Brunswick Street are now changed to C-C.
- All properties between Hudson Street and Norfolk Street with immediate adjacency to Orange Street that were R-LM are now changed to R-3F.
- All properties that were I-M with frontage on S. 15th Street north of 9th Avenue are now changed to I-L.
- All properties between S. 15th Street and S.14th Street that were I-M are now changed to I-L.
- All properties with frontage on Sylvan Avenue between Summer Avenue and Mt. Prospect Avenue that were MX-1 are now changed to R-3F.
- All properties with frontage on Verona Avenue between Summer Avenue and Mt. Prospect Avenue that were MX-1 are now changed to MX-2.

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- All properties with primary frontage on Mt. Prospect Avenue between Verona Avenue and Sylvan Avenue are now changed to C-C.
- All properties that were R-MM between Park Avenue and 3rd Avenue are now changed to MX-2.
- All properties between Abington Avenue and Bloomfield Avenue that were R-LM are now changed to INST.