



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 04/11/22 07:00 PM

2022 ORDINANCE NEW ORDINANCE

2022 ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY APPROVING AMENDMENTS TO THE BLOOMFIELD CENTER REDEVELOPMENT PLAN - PHASE II TO PERMIT CANNABIS RETAIL SALES AS A PERMITTED USE

BE IT ORDAINED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, as follows:

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1, et seq. (the "Redevelopment Law"), on August 19, 2002, the Mayor and Council (the "Mayor and Council") of the Township of Bloomfield (the "Township") adopted a Resolution designating all land within the municipal boundaries of the Township of Bloomfield as an area in need of rehabilitation (the Rehabilitation Area"); and

WHEREAS, in or about November 2009, the Mayor and Council adopted the Bloomfield Center Redevelopment Plan - Phase II (the "Phase II Plan") to guide development of certain parcels located in Blocks 153, 225, 226, 241, 244, 253, 301, 302 and 311, which had been designated as either an Area in Need of Redevelopment or an Area in Need of Rehabilitation pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. ("LRHL"). The area governed by the Phase II Plan is known as the "Bloomfield Center Redevelopment District - Phase II" ("BCRD-II"); and

WHEREAS, The Vision Plan cited in the Phase II Plan identifies "Place Making Themes" that are based on the town's historical uses, current uses and future aspirations. the "Place Making Themes" districts included in the redevelopment plan are: The Commercial Corridor, Washington Street South. Main Street Campus and Civic District; and

WHEREAS, The Phase II Plan established certain land use regulations and permitted uses, recognizing Bloomfield Avenue will remain as the traditional retail spine of the Downtown and Washington Street as the focus of the Transit Village, and included “Retail stores, service and financial establishments” amongst the permitted uses in each of the four districts: and

WHEREAS, on August 16, 2021, the Mayor and Council adopted an Ordinance allowing and regulating one or more classes of cannabis business within Bloomfield, finding it to be in the best interest of the health, safety and welfare of Bloomfield’s residents and members of the public who visit, travel, or conduct business in the Township, and amending the Township of Bloomfield’s zoning regulations to permit those cannabis-related activities, including land use and development, within certain geographic boundaries within Bloomfield; and

WHEREAS, the Mayor and Council determined that the selling of cannabis and cannabis items to consumers from a retail store by a cannabis retailer shall be a conditional use in all B2, AND CBD with Planning Board approval required, subject to meeting the conditions set forth in any applicable zoning ordinance or receiving a variance from one or more of those conditions in accordance with the “Municipal Land Use Law,” P.L.1975, c.291 (C.40:55D-1 et seq.); and

WHEREAS, on January 24, 2022, the Mayor and Council adopted two Ordinances concerning the retail sale of cannabis: An Ordinance Approving Amendments to the Bloomfield Center Redevelopment District - Phase I to permit Cannabis Retail Sales as a Permitted Use within the Commercial Corridor, and an Ordinance amending Chapter 315 of the Township Code to permit Certain Classes of Cannabis Businesses in the Bloomfield Center Redevelopment District - Phase I; and

WHEREAS, Chapter 315, Section 39(B) Subsection (9) (b) of the Township Ordinance mandates “(A)ll Cannabis Retailers shall be subject to site plan review prior to offering personal

use cannabis sales. Submitted plans shall depict parking and loading areas, floor plans, building elevations, signage, landscaping, and an exterior queuing area for customers sufficient to accommodate a number of people equal to the number of on-site parking spaces, which queuing area shall not interfere with on-site parking and circulation and shall be located at least ten (10) feet from any public right-of-way.”; and

WHEREAS, the Mayor and Council recognize that further permitting cannabis retail within the BCRD-II would provide added stimulus to the economic vitality of the area as well as increased opportunity for new businesses, microbusinesses and property owners in the area; and

WHEREAS, the Mayor and Council believe it is in the best interest of the Township to include in the amendments permitting cannabis retail as a permitted use within BCRD-II; and

WHEREAS, concurrently with the introduction on first reading of this Ordinance, the Mayor and Council have adopted a Resolution pursuant to N.J.S.A. 40A:12A-7(f), directing the Township of Bloomfield Planning Board to review this ordinance and prepare amendments or revisions to the redevelopment plan.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Bloomfield, New Jersey, as follows:

Section 1. The above WHEREAS paragraphs are hereby incorporated herein by reference as though specifically set forth herein below.

Section 2. The Bloomfield Center Redevelopment Plan - Phase II shall be amended as follows:

- (a) “Table 1. Permitted Uses” in Section 4.1 on Page 22 of the Phase II Plan is hereby amended as follows:

Table 1. Permitted Uses

BCRP-II Permitted Uses	Commercial Corridor	Main St. Campus	Washington St. South	Civic District
CANNABIS RETAILER -as defined in P.L. 2021, c. 16, and shall include Medical Cannabis Dispensaries, subject to the following and not subject to the conditional use standards set forth in the	X	X	X	X

Code of the Twp. of Bloomfield §315-39B(9)(c)				
<ul style="list-style-type: none"> • All Cannabis Retailers shall be subject to site plan review prior to offering personal use cannabis sales. Submitted plans shall depict parking and loading areas, floor plans, building elevations, signage, landscaping. 				
<ul style="list-style-type: none"> • No Cannabis Retailer’s premises shall be located within 250 feet of another Cannabis Retailer’s premises located within the Township of Bloomfield 				
<ul style="list-style-type: none"> • A cannabis retailer's premises shall not be located in or upon any premises in which operates a grocery store, delicatessen, indoor food market, or other store engaging in retail sales of food, or in or upon any premises in which operates a store that engages in licensed retail sales of alcoholic beverages. 				
<ul style="list-style-type: none"> • No cannabis retailer shall be located within 200 feet of a church, synagogue or other house of worship; and public or private elementary or secondary school, consistent with the state statute controlling the sale of alcoholic beverages. 				
<ul style="list-style-type: none"> • No cannabis retailer shall be located within an historic district. 				
<ul style="list-style-type: none"> • Cannabis consumption areas are prohibited, both indoors and outdoors. 				
<ul style="list-style-type: none"> • Drive-through services are prohibited. 				
<ul style="list-style-type: none"> • No cannabis-related products shall be visible from the exterior of the building. Notwithstanding anything to 				

<p>the contrary in the Township's Land Development Ordinance,¹³¹ https://ecode360.com/12002360 a cannabis retailer may cover any exterior glazing in a manner which effectuates this limitation, provided such window coverings are aesthetically appropriate and depicted on the plans submitted for site plan review.</p>				
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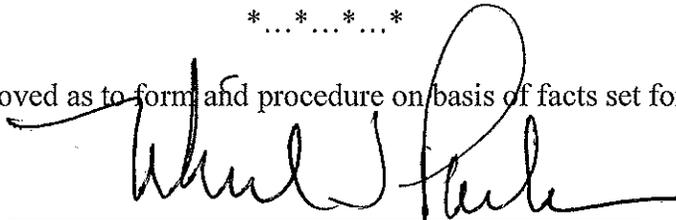
Section 4. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 5. All ordinances and resolutions or parts thereof inconsistent with the ordinance are hereby rescinded.

Section 6. This ordinance shall take effect in accordance with applicable law.

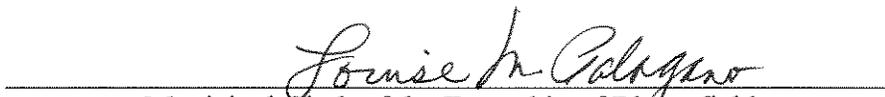
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Approved as to form and procedure on basis of facts set forth.



 Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on April 11, 2022.



 Municipal Clerk of the Township of Bloomfield



 Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopt						
<input type="checkbox"/> Deny						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Table						
<input type="checkbox"/> Not Discussed						
<input type="checkbox"/> First Reading						
<input type="checkbox"/> Table with no Vote						
	Jenny Mundell		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nicholas Joanow		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sarah Cruz		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Ordinance (ID # 10012)

Meeting of April 11, 2022

<input type="checkbox"/> Approve	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Veto by Mayor	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussion	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussion No Vote					

✓ Vote Record - Ordinance						
<input type="checkbox"/> Adopt			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Deny	Jenny Mundell		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Nicholas Joanow		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Table	Sarah Cruz		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Not Discussed	Wartyna Davis		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> First Reading	Ted Gamble		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Table with no Vote	Richard Rockwell		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approve	Michael J. Venezia		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Veto by Mayor						
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						