

**Township Council**  
1 Municipal Plaza  
Bloomfield, NJ 07003

**Louise M. Palagano**  
*Municipal Clerk*

<http://www.bloomfieldtwpnj.com>

Meeting: 08/15/22 06:30 PM

**2022 ORDINANCE AMENDMENT**

**ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, AMENDMENT TO CHAPTER 315, LAND DEVELOPMENT, SECTION 39B, "REQUIREMENTS FOR CONDITIONAL USES" OF THE TOWNSHIP CODE**

**WHEREAS**, on August 16, 2021, the Township Council of the Township of Bloomfield 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 Township of Bloomfield's residents and members of the public who visit, travel, or conduct business in Township of Bloomfield, 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**, Pursuant to N.J.A.C. 17:30-7.1, N.J.A.C. 17:30-7.8, and N.J.A.C. 17:30-7.10 Alternative Treatment Centers ("ATC") and applicants for cannabis business licenses need to submit proof of local support in the form of municipal approval as part of either their certification or application and, if the municipality has a governing body, the applicant shall submit a resolution of local support from that governing body; and

**WHEREAS**, the Mayor and Council believe it to be in the best interests of the Township of Bloomfield to require all ATC's and cannabis retailers applying for site plan approval to first obtain a resolution of support from the governing body before their application will be deemed complete; and

**WHEREAS**, should the Mayor and Council adopt a resolution of support and grant it to an ATC or cannabis retailer applying for site plan approval, said resolution of support is non-transferrable to a successor business, owner or subsequent operator at the approved site; and

**WHEREAS**, similarly, should the Mayor and Council adopt a resolution of support and grant it to an ATC or cannabis retailer applying for site plan approval, said resolution of support is non-transferrable to another site in Bloomfield controlled by the same ATC or retailer; and

**WHEREAS**, the Mayor and Council believe it to be in the best interests of the Township of Bloomfield to require that all ATC's and cannabis retailers applying for site plan approval shall have obtained, at minimum, conditional approval from the New Jersey Cannabis Regulatory Commission ("CRC") before the Planning Board will have jurisdiction to consider their application; and

**WHEREAS**, the Mayor and Council believe it to be in the best interests of the Township of Bloomfield to require that all ATC's and cannabis retailers applying for site plan approval must present their security plan to the Bloomfield Police Department for review and approval before their application will be deemed complete; and

**WHEREAS**, the Mayor and Council previously approved these amendments on First Reading at its May 23, 2022 Meeting, but typos were inadvertently present in the Ordinance and erroneously adopted on June 27, 2022; and

**WHEREAS**, the Municipal Land Use Law ("**MLUL**") requires in N.J.S.A. 40:55D-26 that all ordinances constituting a development regulation must be referred to the Planning Board for review to determine whether there are any inconsistencies between the proposed ordinance and the Township Master Plan and for any other recommendations the Planning Board may have with respect to the proposed ordinance; and

**WHEREAS**, concurrent with this Ordinance's introduction on First Reading, the Mayor and Council adopted a Resolution referring this Ordinance to the Planning Board for review pursuant to N.J.S.A. 40:55D-26; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Bloomfield, Essex County, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Chapter 315, Section 39(B), 9(b) and (c) shall be amended as follows:

9) Cannabis establishments, cannabis distributors and cannabis delivery services.

(b) All cannabis retailers shall be subject to site plan review prior to offering personal use cannabis sales. Submitted site plan applications shall include a Resolution of Support from the

Governing Body; approval of a Security Plan, as described in Section 5 below, from the Bloomfield Police Department; and proof of conditional or annual license approval by CRC. No site plan application shall be deemed complete, and the Planning Board, or the Zoning Board of Adjustment, as jurisdictional requirements may dictate, shall not have jurisdiction to hear an application, without the foregoing.

i. Any Resolution of Support adopted by the Governing Body and granted to an applicant is non-transferrable to a successor business, owner or subsequent operator at the approved site specified in said resolution.

ii. Any Resolution of Support adopted by the Governing Body and granted to an applicant is non-transferrable to any other site in Bloomfield not specified in said resolution that may be controlled by the same ATC or retailer.

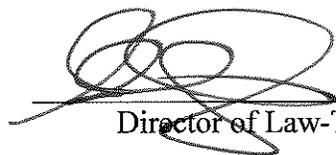
(c) Submitted plans shall depict parking and loading areas, floor plans, building elevations, signage, landscaping, and an exterior queuing area for customers sufficient to accommodate a number of people equal to the number of on-site parking spaces, which queuing area shall not interfere with on-site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

(d) Any applicant for a dispensary shall coordinate with the Chief of Police or his or her designee, regarding the measures to be taken to ensure the security of the facility and the safety of the public and facility employees. Such measures may include, but are not limited to, facility access controls, surveillance systems, site lighting, and on-site security personnel. Said coordination shall occur in conjunction with any application for a zoning permit or variance relief for a dispensary, and no application shall be deemed complete by the zoning officer without a security plan approved by the Chief of Police, or his or her designee. Said coordination shall be ongoing, as needed, to address any security or safety issues.

(e) Cannabis retailers shall be permitted in the CBD Zone and B-2 Zone, subject to the numerical limitations set forth in Subsection **B(9)(a)**, and provided any such business conforms with the following standards:

\*...\*...\*...\*

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

  
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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 August 15, 2022.

  
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Municipal Clerk of the Township of Bloomfield

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 Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
<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 <input type="checkbox"/> Approve <input type="checkbox"/> Veto by Mayor <input type="checkbox"/> Discussion <input type="checkbox"/> Defeated <input type="checkbox"/> Discussion No Vote			Yes/Aye	No/Nay	Abstain	Absent
	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"/>
	Wartyna Davis		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Ted Gamble		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Richard Rockwell		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Michael J. Venezia		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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