

Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 04/17/23 07:00 PM

2023 RESOLUTION APPROVAL

2023 RESOLUTION DIRECTING THE TOWNSHIP OF BLOOMFIELD PLANNING BOARD TO PREPARE AMENDMENTS TO THE PERMITTED USE STANDARDS WITHIN THE BLOOMFIELD CENTER REDEVELOPMENT PLAN - PHASE I

WHEREAS, in or about October 2008, the Mayor and Council of the Township of Bloomfield adopted the Bloomfield Center Redevelopment Plan - Phase I ("BCRP-I") to guide development of certain parcels located in Blocks 220, 225, 227, 228, 242, 243 and 255 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 BCRP-I is known as the "Bloomfield Center Redevelopment District - Phase I" ("BCRD-I"); and

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, on January 24, 2022, the Township Council adopted an amendment to the Bloomfield Center Redevelopment District - Phase I Ordinance permitting cannabis retail within the Commercial Corridor of the Bloomfield Center Redevelopment District - Phase I (the "BCRD-I Commercial Corridor"); and

WHEREAS, on January 24, 2022, the Township Council adopted an amendment to the Bloomfield Center Redevelopment District - Phase I Ordinance permitting cannabis retail within the Commercial Corridor of the Bloomfield Center Redevelopment District - Phase I (the “BCRD-I Commercial Corridor”); and

WHEREAS, the Mayor and Council wish to clarify any inconsistencies regarding the total number of Cannabis Retail Establishments permitted throughout the Township that may exist between the Bloomfield Center Redevelopment Plan - Phase I and Chapter 315, Section 39(B), Subsection (9)(A) of the Township Code; and

WHEREAS, concurrent with the introduction of an amending ordinance, Chapter 315, Section 39(B), Subsection (9)(A) of the Township Code will be amended to make clear that the numerical limits on Cannabis Retail Establishments within the Township set forth therein are applicable to the Phase I and Phase II plans, and

WHEREAS, Chapter 315, Section 39(B), Subsection (9)(A) dictates that a total of eight (8) Cannabis Retailers are permitted throughout the Township, but the concurrent ordinance amending Subsection (9)(A) will increase the number of Cannabis Retail Establishments permitted in any one of the three geographic regions identified in the ordinance from three to four; and

WHEREAS, inclusive in the aforementioned limits within each Sector and throughout the Township, there shall be no more than three (3) Cannabis Retailers permitted within the Phase I Plan Area. This clarification shall not increase the maximum number of Cannabis Retailers permitted either within any of the specified Sectors of the Township or the total number of Cannabis Retailers permitted throughout the Township; and

WHEREAS, this amending ordinance also clarifies how distance measurements are calculated and the standard of review for applications deviating from the Cannabis Retail Establishments regulatory scheme under the Phase I Plan; and

WHEREAS, the LRHL, and specifically N.J.S.A. 40A:12A-7(f), authorizes the Governing Body to direct the Planning Board to prepare amendments or revisions to a redevelopment plan.

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

1.. The Mayor and Council for the Township of Bloomfield hereby directs the Township of Bloomfield Planning Board to review the Bloomfield Center Redevelopment District - Phase I (the “Phase I Plan”) and to prepare any amendments or revisions it deems appropriate to The Bloomfield Center Redevelopment Plan - Phase I to amend the permitted use standards as follows:

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

Table 1. Permitted Uses

BCRP-I Permitted Uses	Commercial Corridor
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 Code of the Twp. of Bloomfield §315-39B(9)(c). Any deviation from these criteria shall require relief under N.J.S.A. 40:55D-70(c).	X
• <u>There shall be no more than three (3) Cannabis Retailers permitted within BCRP-I.</u>	
*	*
• <u>No Cannabis Retailer’s premises shall be located within 250 feet of another Cannabis Retailer’s premises</u>	

<u>located within the Township of Bloomfield. Distance shall be measured consistent with the state statute controlling the sale of alcoholic beverages.</u>	
*	*
• <u>No Cannabis Retailer shall be located within 200 feet of a public or private elementary school or secondary school or Bloomfield Board of Education home athletic venues. Distance shall be measured consistent with the state statute controlling the sale of alcoholic beverages.</u>	

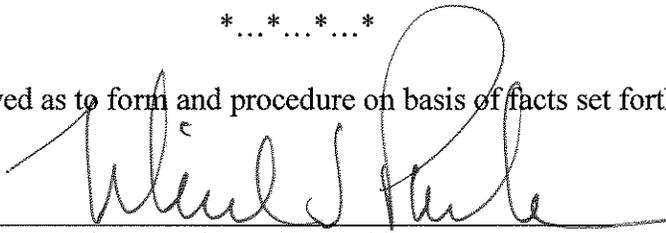
; and

2. The Township of Bloomfield Planning Board shall transmit the proposed amendments to the Mayor and Council for their consideration in accordance with the provision of N.J.S.A. 40A:12A-7(f); and

3. This Resolution shall take effect immediately.

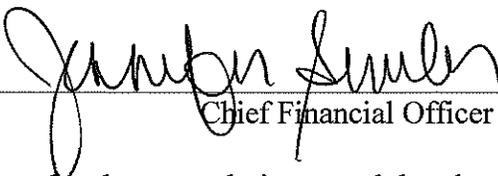
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Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

I do hereby certify that the funding will be legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of New Jersey Local Public Contract Law and the Code of the Township of Bloomfield.



Chief Financial Officer

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on April 17, 2023.



Municipal Clerk of the Township of Bloomfield

ME Zyr

Mayor of the Township of Bloomfield

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