



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

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

<http://www.bloomfieldtwpnj.com>

Meeting: 05/22/23 07:00 PM

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24

**2023 ORDINANCE AMENDMENT**

**AN ORDINANCE TO AMEND CHAPTER 315, "LAND DEVELOPMENT", SECTION 39(B), SUBSECTION (9)(A), "CANNABIS ESTABLISHMENTS, CANNABIS DISTRIBUTORS AND CANNABIS DELIVERY SERVICES" WITHIN THE TOWNSHIP CODE.**

**WHEREAS**, on August 16, 2021, the Mayor and Council of the Township of Bloomfield adopted an Ordinance amending Chapter 315, Land Development, of the Township Code, permitting Class 5, Cannabis Retail Establishments as conditional uses in the Central Business District and the B-2, Neighborhood Business District; and

**WHEREAS**, the Mayor and Council have made periodic amendments to the Ordinance to reflect developing State regulations and local market conditions and demands; and

**WHEREAS**, one purpose of the following amendments to the regulatory scheme governing Cannabis Retail Establishments in the Township is to clarify ambiguities that have been identified during applications seeking approval of Cannabis Retail Establishments in both the two zoning districts and under the Phase II Plan; and

**WHEREAS**, this amending ordinance will also eliminate the requirement that half of the eight Cannabis Retail Establishments permitted in the Township be classified as 'microbusinesses' due to the lack of applications to the Township seeking licensure as a microbusiness.

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

**Section 1.** Chapter 315, Section 39(B), Subsection (9)(a) shall be amended as follows:

Cannabis cultivators, cannabis distributors, cannabis manufacturers, cannabis wholesalers and cannabis delivery services are not permitted in any zoning district. Cannabis retailers are permitted conditional uses in the CBD, Central Business District, and the B-2 Neighborhood Business District. Cannabis retail sales are also a permitted use in the Bloomfield Center Redevelopment District - Phase I Commercial Corridor and the Bloomfield Center Redevelopment District - Phase II, subject to a regulatory scheme different from the conditional use standards set forth herein. Deviation from the Phase I Redevelopment Plan and the Phase II Redevelopment regulatory scheme shall be reviewed under the criteria set forth in N.J.S.A. 40:55D-70(c), except no deviation from site plan approval requirements shall be permitted. The numerical limits and all submission requirements applicable to applications in the CBD Zone or the B-2 Zone set forth herein shall be also applicable to applications for properties governed by either the Phase I Plan or the Phase II Plan. There are 11 noncontiguous B-2 Zones established in the Township and three noncontiguous CBD Zones. Four B-2 Zones are located north of Bay Avenue (the "Northern Sector"); one B-2 Zone is bifurcated by Bay Avenue, with a portion north and a portion south of the Bay Avenue center line; two B-2 Zones are entirely south of Bay Avenue and north of the Norfolk-Southern Railway Line (the "Central Sector"); and four B-2 Zones are located south of the Norfolk-Southern Railway Line (the "Southern Sector"). The three CBD Zones are all located in the Southern Sector. As dictated by the Township's enabling Ordinance, a total of eight Cannabis Retailers are permitted throughout the Township, with no more than four permitted in the Northern Sector of the Township (including the portion of the B-2 Zone north of the Bay Avenue centerline); no more than four permitted in the Central Sector (including the portion of the B-2 Zone south of the Bay Avenue centerline); and no more than four permitted in the Southern Sector, irrespective of which of the two zones they may be located in. No variance shall be granted permitting any greater number of cannabis retailers or

microbusinesses either throughout the Township or in any individual sector, whether to be located in a zoning district or a redevelopment area. Any such increase must be by an amending ordinance. Deviations from the conditional use standards set forth in Subsection B(9)(c), below, shall require variances pursuant to N.J.S.A. 40:55D-70(d)(3).

\* \* \*

**Section 2.** Chapter 315, Section 39(B), Subsection (9)(e)[4] shall be amended as follows:

[4] No cannabis retailer shall be located within 200 feet of a public or private elementary or secondary school, and Bloomfield Board of Education Home athletic venues. Distance shall be measured from the closest points of the two properties.

\* \* \* \* \*

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 May 22, 2023.

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	Jenny Mundell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Deny	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table						
<input type="checkbox"/> Not Discussed						
<input type="checkbox"/> First Reading						

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

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