



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtnj.com>

Meeting: 05/22/23 07:00 PM

2023 ORDINANCE AMENDMENT

AN ORDINANCE APPROVING AMENDMENTS TO THE BLOOMFIELD CENTER REDEVELOPMENT PLAN - PHASE I TO CLARIFY CANNABIS RETAIL SALES AS A PERMITTED USE

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 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 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, 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 this 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, establishment of the distance measurement calculations under the Phase I Plan recognizes and distinguishes the concentrated layout of the BCRD-I Commercial Corridor; 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 I shall be amended 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	X

under N.J.S.A. 40:55D-70(c).	
• <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 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>	

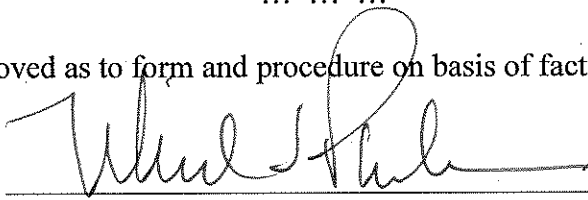
Section 4. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

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.

* * * * *

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.

Francis H. Pellegrino
Municipal Clerk of the Township of Bloomfield

Meix
Mayor of the Township of Bloomfield

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☐ Withdrawn	Nicholas Joanow	☒	☐	☐	☐	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

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