

ORDINANCE #1452

ORDINANCE OF THE TOWNSHIP OF HADDON, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE TOWNSHIP OF HADDON CODE AT CHAPTER 142 “LAND USE AND DEVELOPMENT”, ARTICLE I, SECTION 142-38 TO REPEAL AND REPLACE THE CANNABIS “OPT OUT” PROVISIONS OF SECTION 142-5P WITH ARTICLE V, SECTION 142-38I TO AUTHORIZE CLASS 1, 2, 3 AND 5 CANNABIS LICENSURE AS A CONDITIONAL USE IN CERTAIN ZONING DISTRICTS AND TO DEFINE THE TERM “CANNABIS MICROBUSINESS” IN ACCORDANCE WITH STATE LAW

WHEREAS, the Township of Haddon, (“Township”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, the Township desires to repeal and replace its Cannabis “opt out” ordinance, codified at Chapter 142, Article I, Section 142-5P in order to authorize Class 1, 2, 3 and 5 cannabis licensure as a conditional use within certain zoning districts of Haddon Township to promote local commerce; and

WHEREAS, the Township desires to define the term “Cannabis Microbusiness” in accordance with the Statutory requirements of *N.J.S.A. 24:6I-33*.

WHEREAS, the Haddon Township Land Use Board conducted a hearing, pursuant to *N.J.S.A. 40:55D-26*, and favorably recommended the adoption of a Zoning Ordinance Amendment to allow for Class 1, 2, 3 and 5 licensed cannabis sales as a conditional use within certain zoning districts of the Township.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Commissioners of the Township of Haddon, County of Camden, State of New Jersey, as follows:

SECTION 1. Chapter 142, Article I, Section 142-5P of the Township Code is hereby repealed and replaced by Section 142-38.I as follows:

§ 142-38.I Cannabis.

a. Class 1 (cultivation), 2 (manufacturing), 3 (wholesale) and 5 (retail) licensed cannabis businesses shall be permitted as a conditional use in the C-3 Commercial and I-1 Industrial Zones, subject to the following conditions.

(1) No more than two (2) Class 1, 2, 3 and 5 licensed cannabis microbusinesses shall be permitted in the Township as approved by the Haddon Township Land Use Board.

(2) Compliance with the bulk zoning requirements of the C-3 Commercial or I-1 Industrial Zoning District otherwise applicable to the proposed cannabis business location,

including but not limited to lighting, parking construction, buffer and signage as set forth in Sections 142-57, 142-39, 142-45 and 142-40 of the Township Code.

(3) Cannabis retail parking requirements shall be 5.5 parking spaces per 1,000 square feet of gross building area, plus one (1) parking space per employee.

(4) Cannabis cultivation, manufacturing and wholesale parking requirements shall be one (1) parking space per employee and one (1) parking space per one thousand (1,000) square foot of building space for visitor parking.

(5) Separate 10' X 20' spaces must be provided for loading and unloading with deliveries restricted to small trucks and sprinter vans, which loading/unloading area shall be sited to provide for a secure operation and not at the patron entrance, within a street or public right-of-way or within Golden Alley.

(6) Drive through features shall be prohibited.

(7) All buildings and accessory structures shall be dedicated exclusively to the business operations of an approved cannabis use.

(8) Hours of operation shall be limited from 10 AM to 10 PM, except Sundays which shall have hours from 10AM to 6 PM.

(9) A security plan shall be submitted for review and approval by the Haddon Police Department.

(10) Except for cannabis retail dispensaries, an order control plan for state of the art carbon filtration or oxidation systems shall be proposed and implemented, consistent with the standards of the New Jersey Cannabis Regulatory Commission for the operation of the proposed cannabis business.

(11) No on-site consumption shall be permitted.

(12) Applicant shall obtain either a conditional or annual licensure from the New Jersey Cannabis Regulatory Commission for the proposed cannabis business.

SECTION 2. Chapter 142, Article II, Section 142-10 of the Township Code, "Definitions" is amended and supplemented as follows:

CANNABIS MICROBUSINESS - shall mean any person or entity licensed by the New Jersey Cannabis Regulatory Commission meeting the statutory requirements for a "Microbusiness" as defined in *N.J.S.A. 24:6I-33*, including the following criteria: 1) employs no more than 10 employees; 2) operates a cannabis establishment occupying an area of no more than 2,500 square feet, and in the case of a cannabis cultivator, grow cannabis on an area no more than 2,500 square feet measured on a horizontal plane and grow above that plane not higher than 24 feet; 3) possesses no more than 1,000 cannabis plants each month; 4) acquire each month, in the case manufacturer,

no more than 1,000 pounds of usable cannabis; 5) acquires for resale each month, in the case of a cannabis wholesaler, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufacture cannabis product or cannabis resin, or any combination thereof; and 6) acquires for retail sale each month, in the case of a cannabis retailer, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufacture cannabis product or cannabis resin, or any combination thereof

SECTION 3. Nothing in this Ordinance shall in any way limit, modify, reduce or eliminate any other tax obligation otherwise imposed by law upon the cannabis license holder, the property owner or any other person or entity as a result of this Cannabis Municipal Tax.

SECTION 4. All Ordinances contrary to the provisions of this section of the Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 5. This ordinance shall take effect immediately.

SECTION 6: All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 7: If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

SECTION 8: This ordinance shall take effect immediately upon final passage and publication according to law.

THE TOWNSHIP OF HADDON

BY: _____
RANDALL W. TEAGUE, MAYOR

BY: _____
JAMES MULROY, COMMISSIONER

BY: _____
RYAN LINHART, COMMISSIONER

Introduced: 3/26/2024

Adopted:

ATTEST:

DAWN PENNOCK, RMC - TOWNSHIP CLERK

The foregoing Ordinance was adopted by the Mayor and Commissioners at the regular meeting held on April 23, 2024 after the final reading and public hearing at 7:00 p.m. in the Meeting Room, Haddon Township Municipal Building, 135 Haddon Avenue, Westmont, New Jersey.

DAWN PENNOCK, RMC – TOWNSHIP CLERK