

ORDINANCE OF THE CITY OF PLAINFIELD, IN THE COUNTY OF UNION, AUTHORIZING AN AMENDMENT TO PLAINFIELD'S CITY CODE SECTION 17:9-24A, CANNABIS-RELATED BUSINESSES, SUBSECTION B3, DISTANCE REQUIREMENTS, PARAGRAPH A

WHEREAS, on August 21, 2021, the City Council of the City of Plainfield (the “**City**”) adopted Ordinance MC 2021-24 (the “**Original Ordinance**”) authorizing the licensure of certain cannabis businesses within the City; and

WHEREAS, the Personal Use Cannabis Rules, N.J.A.C. 17:30-1 et seq. (the “**Cannabis Regulations**”) were enacted by the State of New Jersey on August 19, 2021; and

WHEREAS, on December 13, 2021, the City adopted Ordinance 2021-39 (the “**Cannabis Ordinance**”) amending and restating the Original Ordinance to implement the Cannabis Regulations and adopt land use regulations and other requirements for cannabis businesses; and

WHEREAS, the City desires to amend the Cannabis Ordinance to provide the City with flexibility in processing its support of applications (as set forth herein, the “**Amendment**”); and

WHEREAS, the City Planning Board, at its meeting of [_____], determined that this Amendment is substantially consistent with the City’s Master Plan,

NOW THEREFORE, BE IT ORDAINED by the City of Plainfield, County of Union, New Jersey, as follows:

I. RECITALS INCORPORATED

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

II. REFERRAL TO PLANNING BOARD

The City hereby refers this Amendment to the City Planning Board requesting that it review this Amendment for consistency with the City’s Master Plan and to prepare recommendations regarding the amendments contained herein.

III. AMENDMENTS

Section 17:9-24A, Cannabis-related businesses, subsection B3, Distance requirements, paragraph a is hereby amended as follows:

3. Distance requirements.

- a. In addition to any other requirements and limitations established by the Commission from time to time, no retail cannabis business shall be located within:

- (1) A 250-foot radius of any other retail cannabis business; ~~or~~
- (2) ~~A 100-foot radius of any residential zoning district.~~

IV. PREVIOUS ORDINANCE

This Amendment amends the Cannabis Ordinance as specifically set forth above in Section III and all other terms and provisions in the Cannabis Ordinance remain valid and effective.

V. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

VI. EFFECTIVE DATE

This Ordinance shall take effect in accordance with law.