

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 B, PARAGRAPH 2, MAXIMUM NUMBER OF FACILITIES

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 amending and restating the Original Ordinance to implement the Cannabis Regulations and adopt land use regulations and other requirements for cannabis businesses (as has been further amended by Ordinances 2022-10 and 2022-27, the “**Cannabis Ordinance**”); 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 October 20, 2022, 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 B, paragraph 2, Maximum Number of Facilities, is hereby amended to read as follows:

- a. A maximum total of seven cannabis facilities operating under Classes 1, 2, 3, 4 and/or 6 shall be permitted within the City. By way of clarification, seven licenses total are permitted under this section, not seven licenses with

respect to each class, and microbusinesses shall not count against the total number of licenses.

- b. A maximum of seven retail cannabis business establishments, operating under Class 5, shall be permitted within the City. Microbusinesses shall not count against the total number of licenses.

IV. PREVIOUS ORDINANCE; REDEVELOPMENT PLAN AMENDMENTS

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.