

RECOMMENDATION:

The Office of Economic Development respectfully requests the placement of the attached Ordinance on the agenda for the March 14, 2022 City Council Meeting.

BACKGROUND:

On August 21, 2021, the City enacted Ordinance MC 2021-24 authorizing the licensure of certain cannabis businesses within the City (the “**Original Ordinance**”) in accordance with the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:61-31 et seq., (the “**Act**”) signed into law on February 22, 2021, which provides for the legalization of a cannabis market. 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.

The City now desires to amend the Cannabis Ordinance to provide the City with flexibility in processing its support of applications (as set forth herein, the “**Amendment**”). It is anticipated that on March 17, 2022 the Planning Board will consider the Amendment and on April 7, 2022 the Planning Board will adopt a resolution finding the Amendment consistent with the City’s Master Plan and recommending passage of the same.

FISCAL IMPACT: None

Kindly present this matter at the Council Meeting on March 14, 2022. If you have any questions or require additional information, please contact me at ext. 2519.

ATTACHMENTS

A. Ordinance

**AN 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 A, LICENSE
REQUIREMENTS, PARAGRAPH 3, EVIDENCE OF CITY SUPPORT**

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 A, License Requirements, paragraph 3, Evidence of City Support, is hereby amended as follows:

Evidence of City Support: In order to obtain a license from the Commission, a prospective licensee must secure support of the City with respect to such application. ~~Such support shall be evidenced in writing from the Mayor of the City.~~

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.

Scheduled by the City Council

March 14, 2022