

ORDINANCE MC- 5427
On Motion Of: Sheila Davis
APPROVED: November 10th, 2022
ADOPTED: December 13th, 2022

O-1
Revised

**ORDINANCE AMENDING MC-5371, ADOPTED ON FEBRUARY 8, 2022, AND
FURTHER AMENDING MC- 5414, ADOPTED ON OCTOBER 11, 2022,
GOVERNING THE ESTABLISHMENT AND CONTROL OF RECREATIONAL
CANNABIS LICENSES IN THE CITY OF CAMDEN**

WHEREAS, the City Council of the City of Camden, on February 8, 2022 adopted Ordinance MC-5371, which established and controls recreational cannabis licenses in the City of Camden; and

WHEREAS, by MC- 5414, adopted on October 11, 2022, the City Council of the City of Camden amended MC-5371, adopted on February 8, 2022, to increase the location of licenses and distance requirements as follows:

D. Licensing

4. Location of Licenses: The following State classified cannabis classes are permitted in the corresponding zoning districts:

- a. Class 1; Cultivator – Commercial 3 and Light Industrial 2
- b. Class 2; Manufacturer – Light Industrial Zone – LI-1
- c. Class 3; Wholesale – Light Industrial Zones, LI-1 and LI-2
- d. Class 4; Distributor – Light Industrial Zone – LI-1
- e. Class 5; Retail – permitted in the following zones:
 - i. C-2 Zone – Gateway/Waterfront South
 - ii. C-3 Zone – Old Pathmark Area
 - iii. C-4 Zone – Admiral Wilson Boulevard
 - iv. US Zone – University Services
 - v. CC Zone - Center City
 - vi. C-1 Zone - Haddon Avenue from Kaighn Avenue to Atlantic Avenue
- f. Any other properties outside the specific zones described in subsections (a) through (e) above, provided that the applicant/petitioner obtains a use variance, inclusive of any conditions, from the Zoning Board of Adjustment.
- g. Class 6: Delivery – In accordance with the Act, delivery of cannabis products within the City is authorized where permitted by State law.
- h. Any Delivery Service Provider seeking to establish a business in the City of Camden must comply with all applicable City of Camden Ordinances.

I. Distance Requirements

1. Cannabis Businesses; All Classes.

- a. Same.
- b. In addition to any other requirements and limitations established by the Commission from time to time, no cannabis business, including an Alternative Treatment Center seeking Class 1 through Class 5 licenses herein shall be located in any residential zone unless otherwise permitted in this Chapter.

WHEREAS, the City Council of the City of Camden is now seeking to further amend MC-5371, adopted on February 8, 2022 and MC- 5414, adopted on October 11, 2022, to increase the number and locations of recreational cannabis licenses; now therefore

BE IT ORDAINED by the City Council of the City of Camden that MC-5371, adopted on February 8, 2022 and MC- 5414, adopted on October 11, 2022, is hereby further amended as follows:

870-38 – PERMITTED USES IN CERTAIN DISTRICTS – CANNABIS LICENSED
BUSINESSES – ISSUANCE OF LICENSES AND PERMITS

D. Licensing

3. Maximum number of licenses. The City may issue a maximum of the following licenses:

- e. A maximum of 20 standard or microbusiness retail cannabis business licenses operating under Class 5 shall be permitted within the City in the commercial zones specified below; with no more than six (6) per zone. A Micro-business shall not acquire for retail sale more than 1000 pounds of useable cannabis or its equivalent per month.

4. Location of Licenses: The following State classified cannabis classes are permitted in the corresponding zoning districts:

- a. Class 1; Cultivator – Commercial 3 and Light Industrial 2
- b. Class 2; Manufacturer – Light Industrial Zone – LI-1
- c. Class 3; Wholesale –
 - i. Light Industrial Zones, LI-1 and LI-2;
 - ii. GI-1, North 4th Street, north of Erie Street; for non- residential structures meeting all zoning and building code requirements
- d. Class 4; Distributor –
 - Light Industrial Zone – LI-1;
 - ii. GI-1, North 4th Street, north of Erie Street; for non- residential structures meeting all zoning and building code requirements
- e. Class 5; Retail – permitted in the following zones:
 - i. C-2 Zone – Gateway/Waterfront South
 - ii. C-3 Zone – Old Pathmark Area
 - iii. C-4 Zone – Admiral Wilson Boulevard
 - iv. US Zone – University Services
 - v. CC Zone - Center City
 - vi. C-1 Zone - Haddon Avenue from Kaighn Avenue to Atlantic Avenue
 - vii. C-2 Zone – Vine Street from North Front Street to North 3rd Street
 - viii. TOD District - White Horse Pike from Haddon Avenue to Ferry Avenue
- f. Any other properties outside the specific zones described in subsections (a) through (e) above, provided that the applicant/petitioner obtains a use variance, inclusive of any conditions, from the Zoning Board of Adjustment.
- g. Class 6: Delivery – In accordance with the Act, delivery of cannabis products within the City is authorized where permitted by State law.
- h. Any Delivery Service Provider seeking to establish a business in the City of Camden must comply with all applicable City of Camden Ordinances.

BE IT FURTHER ORDAINED that following introduction and prior to adoption, the Clerk shall cause a copy of this ordinance to be referred to the City of Camden Planning Board for review pursuant to *N.J.S.A.* 40:55D-26.

BE IT FURTHER ORDAINED that any portion of the MC-5371, adopted on February 8, 2002, and MC- 5414, adopted on October 11, 2022, not herein amended and supplemented shall remain in full force and effect.

BE IT FURTHER ORDAINED that that any portion of the Camden City Code not herein amended and supplemented shall remain in full force and effect.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency only.

BE IT FURTHER ORDAINED that if any provision of this ordinance is declared invalid, such invalidity shall not affect the other provisions of this ordinance. Furthermore, the other provisions of this ordinance are deemed to be severable and remain in full force and effect.

BE IT FURTHER ORDAINED that this ordinance shall take effect twenty (20) days after its final passage and publication as provided by law.

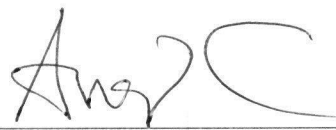
BE IT FURTHER ORDAINED that pursuant to N.J.S.A. 52:27BBB-23 and N.J.S.A. 40:69A-41, a true copy of this Ordinance shall be forwarded to the Mayor, who shall have ten (10) days from the receipt thereof to approve or veto this Ordinance. Additionally, pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Ordinance shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Ordinance, and the action by the Commissioner regarding this Ordinance shall supersede any action by the Mayor on the same Ordinance. All notices of approval and/or veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: November 10, 2022

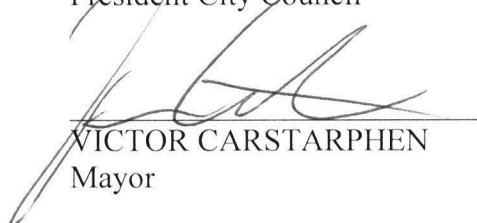
The above has been reviewed
and approved as to form.



DANIEL S. BLACKBURN
City Attorney



ANGEL FUENTES
President City Council



VICTOR CARSTARPHEN
Mayor

ATTEST:



LUIS PASTORIZA
Municipal Clerk

Angel Fuentes, President
Councilperson-at-Large

Sheila Davis, Vice-President
Councilperson-at-Large

Nohemi Soria-Perez
Councilperson-at-Large

Luis Pastoriza, RMC, CMR
Municipal Clerk

Yenise E. Valdez
Assistant Municipal Clerk

Howard McCoach
Counsel-To-Council

Shaneka Boucher
Councilperson, 1st Ward

Chris Collins
Councilperson, 2nd Ward

Marilyn Torres
Councilperson, 3rd Ward

Felisha Reyes
Councilperson, 4th Ward



**MUNICIPAL CLERK
CITY OF CAMDEN
NEW JERSEY**

PO Box 95120
Room 105, City Hall
Camden, NJ 08101
Tele: (856) 757-7223 / Fax: (856) 757-7220
Email: clerk@ci.camden.nj.us Website: www.ci.camden.nj.us

MEMORANDUM

DATE: *December 16, 2022*

TO: *Victor Carstarphen, Mayor*

FROM: *Luis Pastoriza, Municipal Clerk*

RE: *Ordinance Final Passage – (MC-5427)*

**ORDINANCE AMENDING MC-5371, ADOPTED ON FEBRUARY 8TH,
2022 AND FURTHER AMENDING MC-5414, ADOPTED ON
OCTOBER 11, 2022, GOVERNING THE ESTABLISHMENT AND
CONTROL OF RECREATIONAL CANNABIS LICENSES IN THE
CITY OF CAMDEN**

In accordance with Rule XIX of the Administrative Code of the City of Camden (Rules of Procedure governing the City Council), I am delivering to you the attached ordinance adopted by City Council at a **Regular** meeting held on **12-13-22**. Said article provides that "each ordinance shall be returned by the Mayor to the Municipal Clerk after the Mayor has affixed his /her signature thereto or after the expiration of **ten (10) days** from the date of its delivery to the Mayor in any event."

OFFICE OF THE MAYOR

Received by: *Keyanna Watkins* Date: *12-16-22*

Date of Approval: *12/21/22*