

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK, TITLE 17 "ZONING"**

**BE IT ORDAINED** by the New Brunswick City Council, as follows:

**SECTION I**

Title 17, Chapter 17.04, Section 17.04.010, "**Schedule of Zones**" is hereby amended to **ADD** the following:

<b>OVERLAY ZONE</b>	<b>DESCRIPTION</b>
CAN-RD	Retail Cannabis Overlay Zone -- Downtown
CAN-RE	Retail Cannabis Overlay Zone -- Easton Avenue
CAN CMD	Cultivation/Manufacturing/Wholesaling/Distribution/Delivery of Cannabis Overlay Zone

**SECTION II**

Title 17, Chapter 17.04, Section 17.04.021, "**Overlay Zoning Map**" is hereby amended to read as follows:

Some areas of the City of New Brunswick are divided into overlay zoning districts as shown on the attached map entitled "2021 Overlay Zoning Map of the City of New Brunswick," dated 2021 and amended most recently in June 2021 which is hereby adopted by reference and declared to be part of this title.

**SECTION III**

Title 17, Chapter 17.04, Section 17.04.045, "**Overlay Zones**" is hereby amended to **ADD** the following:

3. CAN-RD Retail Cannabis Overlay Zone -- Downtown
  - a. Intent. The intent and purpose of this overlay district is to create a zone where retail cannabis establishments can operate and sell cannabis products as a conditional use.
  - b. Bulk standards. Bulk standards within the overlay zone shall comply with the requirements of the underlying base zone.
  - c. Permitted uses. All uses permitted under the underlying zone(s) will continue to be allowable per the same guidelines and standards of their zoning code.
  - d. Conditional uses.
    - i. Retail cannabis establishments with the following condition:
      - (a) Each establishment must have a legal license from the State of New Jersey for the retail sale of cannabis.
  
4. CAN-RE Retail Cannabis Overlay Zone – Easton Avenue
  - a. Intent. The intent and purpose of this overlay district is to create a zone where retail cannabis establishments can operate and sell cannabis products as a conditional use.
  - b. Bulk standards. Bulk standards within the overlay zone shall comply with the requirements of the underlying base zone.
  - c. Permitted uses. All uses permitted under the underlying zone(s) will continue to be allowable per the same guidelines and standards of their zoning code.
  - d. Conditional uses.
    - i. Retail cannabis establishments with the following condition:
      - (a) Each establishment must have a legal license from the State of New Jersey for the retail sale of cannabis.
  
5. CAN-CMD Overlay Zone
  - a. Intent. The intent and purpose of this overlay district is to create a zone where cultivation, manufacturing, wholesaling, distribution, and delivery of cannabis products shall be permitted as conditional uses.

- b. Bulk standards. Bulk standards within the overlay zone shall comply with the requirements of the underlying base zone.
- c. Permitted uses. All uses permitted under the underlying zone(s) will continue to be allowable per the same guidelines and standards of their zoning code.
- d. Conditional uses.
  - i. Cultivation, manufacturing, wholesaling, distribution, delivery of cannabis uses with the following condition:

(a) Each establishment must have a legal license from the State of New Jersey for the retail sale of cannabis.

**SECTION IV**

**SEVERABILITY:**

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

**SECTION V**

**REPEALER:**

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**SECTION VI**

**EFFECTIVE DATE:**

This Ordinance shall become effective 20 days following final adoption and publication as required by law.

ADOPTED ON FIRST READING  
DATED: May 19, 2021

  
COUNCIL PRESIDENT

ADOPTED ON SECOND READING  
DATED:

  
COUNCIL PRESIDENT

ATTEST:

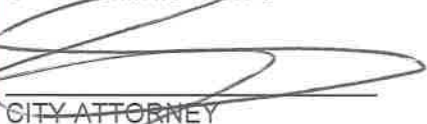
\_\_\_\_\_  
CITY CLERK

APPROVAL OF THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

APPROVALS:

  
CITY ADMINISTRATOR

  
CITY ATTORNEY

TKS/kc

COUNCILMEMBER	V	N	AB	MV	NV	N	AB
ANDERSON							
EGAN							
FLEMING, S.							

FIRST READING VOTE ON MAY 19, 2021 M=MOVED S= SECOND NV= NO VOTE AB= ABSENT