

TOWNSHIP OF SHAMONG

ORDINANCE 2023-6

**AN ORDINANCE BY TOWNSHIP OF SHAMONG
IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY
TO AMEND THE CANNABIS OVERLAY ZONING
AT CHAPTER 110-128.5 OF THE TOWNSHIP CODE**

WHEREAS, on June 1, 2021, the Township of Shamong adopted Ordinance 2021-6 to create Cannabis Overlay Zoning to amend Chapter 110 of the Township Code and establish three separate overlay zones where the various Cannabis Use Classes (1 through 5) would be conditionally permitted and regulated; and

WHEREAS, at the time of initial review by the Pinelands Commission, the State had not yet issued its regulations and the scope of the Classes and the details of their uses were not yet available. As such, the Township was advised that two lots would need to be removed from the Township's initial overlay zoning: (1) Block 22, Lot 10.01 (the only lot zoned Agricultural Commerical Zoning District), and (2) the rear portion of Block 10, Lot 24.01 located within the Forest Area Zoning District). The Township thereafter adopted an amending ordinance to remove those two lots from the cannabis overlay zoning; and

WHEREAS, the Property owner of Block 22, Lot 10.01 expressed a desire, by letter of March 29, 2023, for that property to be zoned to permit cannabis uses on their property, and the Township Committee has long indicated that if the property owner sought such designation, the Township would support same; and

WHEREAS, the Township has revisited the issue of cannabis zoning for Block 22, Lot 10.01, and the Pinelands Commission has now advised that certain classes of cannabis uses can be permitted in the Agricultural Commercial zone in which the property already sits without the need for rezoning; and

WHEREAS, the Township desires to amend its Ordinance in order to add Block 22, Lot 10.01 into its cannabis overlay zone, as codified at Chapter 110-128.5, and to ensure continued compliance with the Pinelands Comprehensive Management Plan with respect to its zoning ordinances; and

WHEREAS, a map dated April 18, 2023 to reflect this change has been prepared by Township Planner, Scott Taylor, PP, Taylor Design Group. This map updates the revised Cannabis Overlay Zone for the Route 206 Area Cannabis Ordinance Zone Mapping only.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Shamong, in the County of Burlington, State of New Jersey, that Chapter 110-128.5 establishing "Cannabis Overlay Zoning" is hereby established as follows:

Section 1. Chapter 110-128.5 is hereby amended as follows with all other subsections remaining unchanged:

§110-128.5 Cannabis Overlay Zoning.

D. Route 206 Redevelopment Area. Classes 1 through 5 shall be conditionally permitted uses within the Route 206 Redevelopment Area as established by designation dated January 5, 2015, ~~except that Block 22, Lot 10.01 is excluded, and as reflected on the Route 206 Area Cannabis Ordinance Zone Mapping, dated February 26, 2022~~ April __, 2023, prepared by Taylor Design Group and attached hereto, except that Class 3 and Class 4 establishments shall not be permitted on Block 22, Lot 10.01.-

H. Conditional Use – Conditions Established. The conditional uses for any conditional use permitted in this Section 128.5 shall be as follows:

10. Any Class 1 or Class 2 Cannabis facility located on Block 22, Lot 10.01 shall be permitted only to the extent that cultivation and/or manufacturing activities are consistent with the definitions of “Agricultural or Horticultural Purpose or Use” and/or “Agricultural Products Processing Facility” contained in §110-4 of this Chapter.

Section 2. Any article, section, paragraph, subsection, clause, or other provision of the Township of Shamong inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. This ordinance shall take effect upon its passage and publication and filing with the Burlington County Planning Board, and as otherwise provided for by law.

TOWNSHIP OF SHAMONG

I, Susan D. Onorato, Township Clerk of the Township of Shamong, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Township Committee of the Township of Shamong on May 2, 2023.

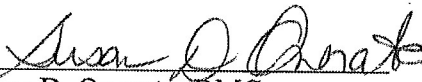

Susan D. Onorato, Township Clerk

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Notice is hereby given that the Ordinance entitled above was adopted following second reading and public hearing at the regular meeting of the Township Committee of the Township of Shamong, Burlington County, State of NJ on June 13, 2023 at 7:30 PM, held in the Municipal Building, 105 Willow Grove Road, Shamong, NJ.



Susan D. Onorato, RMC
Township Clerk

Route 206 Area

Area In Need of Redevelopment or Rehabilitation Investigation Study



Shamong Township, NJ

October 1, 2015



**Cannabis Business Classes 1-5
Conditionally Permitted Previ-
ously per §110-128.5.
(Ordinance 2021-6)**

**Cannabis Ordinance Zone Mapping
§110-128.5
April 12, 2023 to add Block 22; Lot 10.01**

**Cannabis Business Classes
1, 2 and 5 to be Conditionally
Permitted per §110-128.5**

Basis for the Investigation
On July 7th, 2015 the Township Committee of the Township of Shamong, Burlington County, New Jersey by Resolution 2015R-50, authorized the Township of Shamong Joint Land Use Board to undertake a preliminary investigation to determine whether the following areas of the Township qualify as a Non-
Condemnation Redevelopment Area(s) or Rehabilitation Area(s) according to the criteria set forth in
N.J.S.A. 40A:12A-et seq., of the Redevelopment and Housing Law (RHLL).
The "Route 206 Area" consisting of Block 23.01, Lot 10.08; Block 22, Lots 1, 2, 3, 5.02, 6, 7.01, 7.02,
8, 9 & 10.01; Block 19.01, Lots 29.01, 29.02, 29.03, 30, 31, 32, 33.01 & 33.02; and Block 24, Lot 1.
Pursuant to this assignment mandated by the Township Committee, the Joint Land Use Board engaged
the professional of the preliminary investigation to determine whether the specified areas of the Town-
ship are in fact in need of redevelopment without condemnation, or rehabilitation in the alternative.
The Planning Board has prepared the preliminary "need for Redevelopment, without Condemnation"
and/or "Rehabilitation Investigation", which contains maps showing the boundaries of the potential re-
development and/or rehabilitation areas and the location of properties included therein.
The Redevelopment Law requires that the Planning Board conduct a public hearing prior to making its
determinations on whether any of the referred Study Areas or portions thereof shall be designated as ar-
eas in need of (non-condemnation) Redevelopment and/or Rehabilitation prior to making its determina-
tion.
A public hearing will be held on Tuesday, October 20, 2015 at 7:00 p.m. at the Shamong Township Mu-
nicipal Building located at 105 Willow Grove Road, Shamong, New Jersey.

Investigation Area Map

Aerial Photograph courtesy of NJ Image Warehouse obtained on or about September 20, 2015