

ORDINANCE NO. 2019-10
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF GREEN, SECTIONS 30-50.3 AND 30-82.18, TO PERMIT MEDICAL CANNABIS GROWING, PRODUCTION AND MANUFACTURING AS A CONDITIONALLY PERMITTED USE IN THE AI-10 ZONE

BE IT ORDAINED by the Township Committee of the Township of Green that Chapter 30 of the Revised General Ordinances of the Township of Green, being the Zoning Chapter, shall be and is hereby amended to allow medical cannabis growing, production and manufacturing in the AI-10 Zone, as follows:

Section 1. Section 30-50.3, Conditional Uses, shall be revised by addition of a new subparagraph 30-50.3(h) as follows:

(h) Medical Cannabis Growing, Production and Manufacturing, in the AI-10 Zone only, subject to the requirements of Section 30-82.18.

Section 2. A new Section 30-82.18, Medical Cannabis Growing, Production and Manufacturing shall be adopted as follows:

30-82.18 Medical Cannabis Growing, Production and Manufacturing in the AI-10 Zone only

- (a) Minimum lot size: Fifteen (15) acres
- (b) Access and Setback: Access shall be provided via a driveway located on a County road, with all growing, production and/or manufacturing structures setback a minimum of four hundred (400') feet from the road.
- (c) Landscaped Buffer: A minimum landscaped buffer at least one hundred (100') feet in width shall be established and maintained, adjacent to any County road. In addition, a landscaped buffer shall be required in the event that there is not a natural buffer between the property and any dwelling unit such natural buffer to be consistent with Township Ordinance 30-15(c)(5) and 30-17.3C, Landscape Standards;
- (d) Fencing: All structures utilized for any growing, production or manufacturing shall be enclosed by a fence at least seven (7') feet high.
- (e) Security: All structures shall be designed, using safety and security barriers, to prevent the unlawful and unauthorized entry into the structures.
 - a. 24-hour human security shall be provided on site.
 - b. There shall be no direct sales to the public from the property.
 - c. There shall be controlled access to the site, with on-site video monitoring.
- (f) Maximum number of buildings: Ten (10). Each greenhouse shall be considered a separate building.
- (g) Maximum building height: Thirty-five (35') feet
- (h) Compliance: All growing, production and manufacturing shall be in compliance with all applicable New Jersey State requirements, licenses and permits. All medical

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cannabis grown shall be cultivated organically.

- (i) Noise: All Medical Cannabis Growing, Production and Manufacturing operations shall operate in compliance with State and local noise laws and regulations.
- (j) Odor: All Medical Cannabis Growing, Production and Manufacturing operations shall utilize available technology to recirculate air, so that odors are not emitted outside of any structure(s).
- (k) Location: All Medical Cannabis Growing or manufacturing buildings shall be located at least four hundred (400') feet from the nearest dwelling, and a minimum of one thousand (1,000) feet from a school building.
- (l) AI-10 Zone Requirements: All newly constructed Medical Cannabis Growing, Production and Manufacturing structures shall abide by all setback and Code requirements in effect for the AI-10 Zone.
- (m) Generator: All Medical Cannabis Growing, Production and Manufacturing operations shall have a backup generator, which shall maintain all operating, manufacturing and electronic security systems in the event of a power failure.
- (n) Signs: Medical Cannabis Growing, Production and Manufacturing operations shall only be permitted to have one sign, displaying the site address only, in compliance with sign requirements for the AI-10 Zone.
- (o) Lighting: No light generated by any Medical Cannabis Growing, Production or Manufacturing structures shall result in measurable light changes at the nearest property boundary to each structure. Interior light shades may be required by the Board on greenhouse structures to manage potential lighting impacts. Lighting shall be subject to a Township Engineer night lighting test.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 5. The Township Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Township Clerk is further directed to refer this Ordinance to the Township Land Use Board, pursuant to N.J.S.A. 40:55D-64. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

Section 6. This Ordinance shall take effect after publication and passage according to law.

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ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX

Mark Zschack, Township Clerk

Daniel Conkling, Mayor

Record of Vote - Introduction:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip			√			
Mrs. Phillips	√		√			
Mr. Qarmout			√			
Mrs. Raffay		√	√			
Mr. Conkling			√			

Record of Vote - Adoption:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip						
Mrs. Phillips						
Mr. Qarmout						
Mrs. Raffay						
Mr. Conkling						

INTRODUCED: May 20, 2019
ADVERTISED INTRODUCTION:
PUBLIC HEARING: June 17, 2019

ADOPTED:
ADVERTISED ADOPTION: