

**LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2018-18

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, SECTIONS 13-8.2 AND 13-14.B, REGULATIONS GOVERNING CONDITIONAL USES, TO PERMIT CANNABIS GROWING, PRODUCTION AND MANUFACTURING AS A CONDITIONALLY PERMITTED USES IN THE R-5 ZONE

BE IT ORDAINED by the Township Committee of the Township of Lafayette that Chapter XIII of the Revised General Ordinances of the Township of Lafayette, being the Zoning Chapter, shall be and is hereby amended to allow cannabis growing, production and manufacturing, as follows:

Section 1. Section 13-8.2, Conditional Uses Permitted, shall be revised by the addition of a new subparagraph 13-8.2(g) as follows:

g. Cannabis Growing, Production and Manufacturing, in the R-5.0 Zone only, subject to the requirements of Section 13-14.b.9.

Section 2. A new Section 13-14.b.9 Cannabis Growing, Production and Manufacturing, shall be adopted as follows:

9. Cannabis Growing, Production and Manufacturing, in the R-5.0 Zone only.

- (a) Minimum lot size: Fifteen (15) acres
- (b) Access and Setback: Access shall be provided via a driveway located on a County or State road, with all growing, production and/or manufacturing structures setback a minimum of four hundred (400') feet from the road.
- (c) Visibility: No structure shall be visible from any State or County road.
- (d) Landscaped Buffer: A minimum landscaped buffer at least one hundred (100') feet in width shall be established and maintained, adjacent to any County and State 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 buffer to be consistent with Township Ordinance 12-8.3(e)(4).
- (e) Fencing: All structures utilized for any growing, production or manufacturing shall be enclosed by a fence at least seven (7') feet high.
- (f) 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.
- (g) Maximum number of buildings: Ten (10)
- (h) Maximum building height: Thirty-five (35') feet
- (i) Compliance: All growing, production and manufacturing shall be in compliance with all applicable New Jersey State requirements, licenses and permits.
- (j) Noise: All Cannabis Growing, Production and Manufacturing operations shall operate in compliance with State and local noise laws and regulations.
- (k) Odor: All Cannabis Growing, Production and Manufacturing operations shall utilize available technology to recirculate air, so that odors are not emitted outside of any structure(s).
- (l) Location: All Cannabis Growing or manufacturing buildings shall be located at least four hundred (400') feet from the nearest dwelling unit located on a neighboring lot and a minimum of one thousand (1,000') feet from a school building.
- (m) R-5.0 Zone Requirements: All newly constructed Cannabis Growing, Production and Manufacturing structures shall abide by all setback and Code requirements in effect for the R-5.0 Zone.
- (n) Generator: All Cannabis Growing, Production and Manufacturing operations shall have a backup generator, which shall maintain all electronic security systems in the event of a power failure.

- (o) Signs: 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 R-5.0 Zone.
- (p) Lighting: No light generated by any 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 Board engineer night lighting test.

Section 2. 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 3. 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 4. The Township Clerk is directed to give notice at least ten (10) 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 5. This Ordinance shall take effect after publication and passage according to law.

NOTICE

The above entitled Ordinance was introduced and passed at first reading by the Lafayette Township Committee at a meeting on August 7, 2018 and after publication and a public hearing was finally adopted by the Lafayette Township Committee at a meeting held on September 18, 2018.

Mayor:

Municipal Clerk: