ORDINANCE 0012-2026

WASHINGTON TOWNSHIP
GLOUCESTER COUNTY

ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY AMENDING CHAPTER 285 (ZONING), ARTICLE XLV, SECTION 285-342, ENTITLED "CLASSES OF LICENSES CONDITIONALLY PERMITTED WITHIN THE TOWNSHIP; MAXIMUM LICENSES PERMITTED"

WHEREAS, the Township of Washington ("Township") is a municipal entity organized and existing under the laws of State of New Jersey and located in Gloucester County; and

WHEREAS, in 2020 New Jersey voters approved Public Question No.1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c.16 known as the "New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act" ("CREAMMA"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use, and possession; and

WHEREAS, CREAMMA establishes six specific types of cannabis establishments that may be licensed by the state, and allows each municipality to determine whether or not each of these license classes shall be permitted within their municipal boundaries:

Class 1: Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;

Class 2: Cannabis Manufacturer license, for facilities involved m the manufacturing, preparation, and packaging of cannabis items;

Class 3: Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;

Class 4: Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;

Class 5: Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and

Class 6: Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of

a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer; and

WHEREAS, CREAMMA authorizes municipalities to adopt by ordinance regulations governing whether any class of cannabis establishment may operate within its municipal boundary, including applicable zoning regulations, local licensing procedures, and the total number of any such class of cannabis establishments which may operate within its municipal boundary, except for the delivery of cannabis items and related supplies by a licensed cannabis delivery service which is located outside of the municipality; and

WHEREAS, CREAMMA authorizes municipalities to prohibit by ordinance the operation of any one or more classes of cannabis establishments anywhere in the municipality, except for the delivery of cannabis items and related supplies by a licensed cannabis delivery service which is located outside of the municipality; and

WHEREAS, on May 12, 2021, the Township Council of the Township of Washington adopted an Ordinance 0011-2021 prohibiting all medical and recreational cannabis establishments from operating anywhere in the Township of Washington, except for the delivery of cannabis items and related supplies by a licensed cannabis delivery service which is located outside of the municipality; and

WHEREAS, on May 15, 2022, the Township of Washington adopted its Master Plan Reexamination Report and Master Plan Amendment as recommended by the Planning Board; and

WHEREAS, the Master Plan Reexamination Report and Master Plan Amendment state that in light of state legislation (*i.e.*, CREAMMA) that permits the use of cannabis for recreational and medical use, the Township should explore various ways to regulate and address the appropriate site locations and operation of cannabis facilities in a way which promotes the public health, safety, and welfare of the Township; and

WHEREAS, on September 14, 2022, the Township adopted Ordinance 0017-2022 which governs the manner in which certain cannabis establishments, as defined by CREAMMA, may operate within the Township; and

WHEREAS, the Township determined that the purchasing or otherwise obtaining, storing, selling, or transferring, of cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers, under a Class 3 license shall be a conditionally permitted use in all Commercial Industrial (CI) and Planned Industrial (PI) districts subject to satisfying the conditions set forth in any applicable zoning ordinance; and

WHEREAS, the Township determined that the selling of cannabis and cannabis items to consumers from a retail store by a cannabis retailer under a Class 5 license shall be a conditionally permitted use in all Highway Commercial (HC), Neighborhood Commercial (NC), and Shopping Center (SC) districts subject to satisfying the conditions set forth in any applicable zoning ordinance; and

WHEREAS, the Township determined that all cannabis establishments under Class 1, Class 2, and Class 4 licenses shall be prohibited from operating within the Township, except for the delivery of cannabis items and related supplies by licensed delivery services; and

WHEREAS, ordinance 0017-2022 also determined the number of each class of cannabis establishments which would be permitted to operate within the Township, limiting the number of Class 3 and Class 5 cannabis establishments to a total of three (3) of each class within the Township, with an additional three (3) Class 3 licenses permitted within the Washington Square Redevelopment Area and Delsea Drive Redevelopment Area; and

WHEREAS, the Township Council of the Township of Washington have determined that in light of the foregoing it is in the best interest of the Township to adopt and implement this Ordinance that is in keeping with goals of the amended Master Plan, and that the amendments proposed within this Ordinance are within the best interests of the Township and the health, safety, and welfare of its residents and visitors.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Washington, County of Gloucester and State of New Jersey, that Chapter 285 (Zoning), Article XLV, Section 285-342, Entitled "Classes Of Licenses Conditionally Permitted Within The Township; Maximum Licenses Permitted" is hereby amended as follows, with matter proposed for deletion stricken ~~thus~~, and proposed new matter underlined **thus**:

Section 1. Amend Article XLV, Section 285-342 as follows:

§285-342 Classes of Licenses Conditionally Permitted within the Township; Maximum permitted licenses

Cannabis Establishments licensed under Class 3 and Class 5 shall be conditionally permitted in the following districts:

A. Cannabis Establishments involved in obtaining and selling cannabis items for later resale by other licensees licensed under Class 3 shall be **a** conditionall**y permitted** use in CI Commercial Industrial and PI Planned Industrial districts. No more than ~~three (3)~~ **two (2) total** Cannabis Wholesale facilities licensed under Class 3 shall be permitted **between these Zoning Districts**. ~~An~~ **A total of two (2)** additional ~~three (3)~~ Class 3 licenses shall be permitted ~~within~~ **between** the Washington Square Redevelopment Area and Delsea Drive Redevelopment Area in the Township.

B. Cannabis Establishments involved in selling cannabis items and related supplies to consumers licensed under Class 5 shall be **a** conditionall**y permitted** use in HC Highway Commercial, NC Neighborhood Commercial, and SC Shopping Center districts. No more than ~~**three (3)**~~ **two (2)** Cannabis Retail facilities licensed under Class 5 ~~**is**~~ **are** permitted within the Township.

Section 2. It is hereby found and determined that the Cannabis Establishment Ordinance, as amended, conforms to the Master Plan of the Township of Washington.

Section 3. It is hereby found and determined that the Ordinance gives due consideration to the provision of appropriate allowable uses within the areas within Township with special consideration for the health, safety, and welfare of the residents of the area and the Township of Washington.

Section 4. In order to facilitate the implementation Ordinance, it is hereby found and determined that this action must be taken by the Township Council to amend the Township of Washington Zoning Ordinance and take appropriate action upon proposals and measures designed to effectuate the same.

Section 5. Except as set forth in Section 1 above, the balance of the Code of the Township of Washington shall not be affected by this Ordinance. All Ordinances contrary to the provisions of this section of the Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 6. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Section 7. This Ordinance shall be referred to the Township Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed Ordinance.

Section 8. Upon adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board and other agencies to the extent required by law.

Section 9. This Ordinance shall take effect thirty (30) days after final passage by Township Council or twenty (20) days after approval by the Mayor, whichever comes first.

INTRODUCTION: April 8, 2026

Members	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Yerkes		X	X				
Harris	X		X				
Pasqualone			X				
Brown			X				
Del Borrello			X				

TOWNSHIP OF WASHINGTON

By: Donald C. Brown, Jr.
Donald C. Brown, Jr., Council Vice President

I do hereby attest the above Ordinance **0012-2026** was introduced at the Township of Washington Meeting of the Township Council on April 8, 2026. A public hearing and adoption will occur on May 6, 2026 at 6:00 PM.

ATTEST:

By: Christine Ciallella
Christine Ciallella, RMC, CMR
Township Clerk

ADOPTION: May 6, 2026

Members	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Yerkes	X			X			
Harris			X				
Pasqualone		X	X				
Brown			X				
Del Borrello			X				

I do hereby attest the above Ordinance **0012-2026** was adopted at the Township of Washington Meeting on May 6, 2026 by Township Council after a public hearing on May 6, 2026. Said Ordinance shall take effect in accordance with law.

ATTEST:

By: _____
Christine Ciallella, RMC, CMR
Township Clerk

On this 7 day of MAY 2026, I hereby approve the above Ordinance **0012-2026.**

_____
Anthony DellaPia, Mayor