



Engineering
& Design

2022 Master Plan Amendment

April 14, 2022

Borough of Roselle

Prepared for:

Borough of Roselle
210 Chestnut Street
Roselle, NJ 07203

Prepared by:

A blue ink signature of Darlene A. Green, written in a cursive style.

Darlene A. Green, PP, AICP
License No. 33LI00611400

A blue ink signature of Austin Bejin, written in a cursive style.

Austin Bejin, PP, AICP
License No. 33LI00648500

Colliers Engineering & Design
Shelbourne at Hunterdon
53 Frontage Road Suite 110
Hampton, New Jersey 08827

Main: 908 238 0900
Colliersengineering.com

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Union County, New Jersey

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I. Introduction

On February 22, 2021, Governor Murphy signed into law Assembly Bill Number 21 entitled “An Act concerning the regulation and use of cannabis, and amending and supplementing various parts of the statutory law”, which legalized the personal recreational use of cannabis for adults. Additionally, municipalities were given 180 days from the date the law was signed to prohibit or establish zoning provisions regulating the six classes of cannabis as defined in the law – cultivation, manufacturing, wholesaling, distribution, retail, and delivery. Municipalities that did not adopt any legislation within 180 days were “locked-in” for a five-year period to standards established by the law.

The Borough of Roselle was proactive and adopted Ordinance Number 2659-21 on July 26, 2021, which amended the Land Use Ordinance (Chapter 650 of the Borough Code) to permit certain cannabis uses, as either a principally permitted use or conditionally permitted use, in several zones and redevelopment areas. The Ordinance permitted the following classes of cannabis:

- Cannabis delivery service
- Cannabis manufacturer
- Cannabis wholesaler
- Cannabis distributor
- Cannabis retailer

Roselle seeks to permit cannabis cultivation, as agricultural uses and indoor greenhouses are not currently permitted in the Borough. The purpose of this 2022 Master Plan Amendment (hereinafter “2022 Amendment”) is to recommend areas where cannabis cultivation should be permitted within the Borough. The following chapters of this 2022 Amendment detail the need to modify the Borough’s Land Use Element of the 2010 Master Plan & Reexamination Report, the planning justifications for the cannabis cultivation use, and the zoning recommendations for the use.

II. Need to Modify the 2010 Master Plan & Reexamination Report

As noted in Chapter I, in 2021 Governor Murphy legalized the personal recreational use of cannabis for adults and permitted six classes of cannabis to be regulated by local municipal ordinance. The Borough seeks to add the cultivation of cannabis as a permitted use in certain zones, which has triggered the need to modify the 2010 Master Plan & Reexamination Report, as agriculture and indoor greenhouses were not contemplated land uses in the 2010 report. This 2022 Amendment would allow for an ordinance to be written to allow cannabis cultivation as a permitted use, which would be consistent with the amended Master Plan.

III. Planning Justifications for Cannabis Cultivation

While the State legislation legalizing the recreational use of cannabis allows cultivation as a permitted use in industrial zones for towns that did not act prior to the 180-day deadline, Roselle chose to defer the potential approval of cultivation until after the 2021 Master Plan & Development Regulations Reexamination was adopted. The Borough of Roselle contains three industrial zones

and one zone that contains several industrial businesses. The 2021 Master Plan & Development Regulations Reexamination recognized the new legislation and recommended that the Land Use Plan Element within the 2010 Master Plan & Reexamination Report be amended to permit cultivation as a permitted or conditionally permitted use in the Industrial Zone, the Commercial-Industrial Zone, and the Central Roselle Revitalization Plan Flex Industrial Sub-Zone.

Permitting cannabis cultivation within the Borough would advance the following goals:

Land Use

2. Guide commercial and industrial development into non-residential zones and redevelopment areas and prohibit non-residential development in single- and two-family zones.
3. Encourage reuse and repurposing of underutilized properties.

Economic Development

1. Leverage the Urban Enterprise Zone program designation to foster economic development, stimulate investment, and create jobs. (Note that many of the existing industrial areas within the Borough are in the Urban Enterprise Zone. Permitting cannabis cultivation would generate economic development in the Borough and create jobs.)

This 2022 Amendment would directly address the recommendation within the 2021 Master Plan & Development Regulations Reexamination to permit cultivation within the Borough. Furthermore, permitting cannabis cultivation within the Borough's business and industrial zones would be consistent with the new goals and recommendations outlined in the 2021 report.

IV. Zoning Recommendations

The Borough should craft an ordinance permitting cannabis cultivation as a conditionally permitted use in the following zones:

- Business/Commercial Zone
- Industrial Zone
- Commercial-Industrial Zone
- Flex Industrial Sub-Zone of the Central Roselle Revitalization Plan

This ordinance should also include a definition for "cannabis cultivation".

V. Conclusion

This amendment to the Land Use Element of the 2010 Master Plan & Reexamination Report is necessary to establish a foundation for creating and adopting an ordinance to permit cannabis cultivation within certain zones of the Borough of Roselle. This 2022 Amendment is consistent with

the goals of the 2021 Master Plan & Development Regulations Reexamination and its specific recommendation to permit cannabis cultivation in the Borough as a conditional use.