

CHAPTER 270 OF THE CODE OF THE BOROUGH OF LAUREL SPRINGS ENTITLED ZONING – CANNABIS

§270-31 Conditional uses

Any use listed as a conditional use may be permitted by the Board, but only after the Board has determined that the development proposal complies with the conditions and standards set forth in this chapter for the location and operation of such use.

All proposed structures, equipment or material shall be readily accessible for fire and police protection.

The proposed use shall be so located and of such size and character that, in general, it shall be in harmony with the existing development in the general area and in which it is proposed to be situated, and shall not materially affect property values of the adjacent lands and buildings.

The following conditional uses shall be permitted in this zone, subject to application and approval by the Board, and compliance with the standards set forth herein:

- A. Public day schools of elementary and/or high school grade licensed by the State of New Jersey.
- B. Microbreweries, craft and limited breweries, craft distilleries and limited distilleries (subject to Federal and State licensing, rules and regulations).
- C. Cannabis
 1. Cannabis retail establishments, referred to as Class 5 business facilities (“Authorized Recreational Marijuana Facility”) involving the sale of marijuana and related paraphernalia for recreational purposes to the general public, and cannabis delivery services, providing for courier services for consumer purchases that are fulfilled by a licensed cannabis retailer, referred to as Class 6 businesses, in the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act (the “Act”), P.L. 2021, c. 16, N.J.S.A. 24:62-31, subject to the following requirements and limitations:
 - a. An Authorized Recreational Marijuana Facility shall be permitted only in the White Horse Pike Corridor Redevelopment District.
 - b. No Authorized Recreational Marijuana Facility shall be located within 200 feet of any property used for Borough school purposes or which is owned by or leased to any Borough elementary school, secondary school, or school board.
 - c. No Authorized Recreational Marijuana Facility shall be located within 50 feet of the Residential District or an adjacent community’s residential-only zoning district.
 - d. No Authorized Recreational Marijuana Facility shall be located within 200 feet of another similar facility.
 - e. Notice of the application has been given, and publication made, pursuant to N.J.S.A. 40:55D-12.
 - f. A site plan application has been made for the lot, and the Board has approved such conditional use, and the requirements and conditions of the site plan/conditional use have been met.
 - g. The proposed facility shall be so located and of such size and character that, in general, it shall be in harmony with the existing development in the general area in which it is proposed to be situated, and the use shall be free of nuisance characteristics detectable to normal senses beyond the boundaries of the property (including noise, vibration, dust, odor, light, and sanitation).
 - h. In addition to the above:
 - 1) The location, size, activity, site layout, street access, pedestrian and vehicular movement and possible assembly of people shall be harmonious with surrounding land uses.
 - 2) The location and height of buildings, fences and landscaping shall not discourage the appropriate development and use or materially affect property values in the adjacent properties.
 - i. Hours of operation shall be restricted to 9:00 a.m. to 10:00 p.m.
 - j. Use or consumption of marijuana is permitted on the premises of an authorized recreational marijuana retail facility only if it is used or consumed indoors and only if the

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product is purchased at that retail facility. No outside purchases may be consumed on the premises.

k. Persons under the age of 21 years of age are not permitted to be on the premises of any authorized recreational marijuana retail facility at any time.

l. Advertisements, displays of merchandise, signs, or any other exhibit depicting the activities of the facility placed within the interior of the building or premises shall be arranged or screened to prevent public viewing from outside the building or premises.

m. Outdoor loudspeakers or other outdoor sound equipment advertising or directing attention to a retail facility, including but not limited to prerecorded or live music or sounds, are prohibited.

2. Local Cannabis Taxation

a. Transfer Tax - A tax in the amount of two percent (2%) is hereby imposed on all receipts from the sale of cannabis or cannabis items from one cannabis establishment to another cannabis establishment and on all receipts from the retail sales by a cannabis retailer to retail customers who are 21 years of age or older.

b. Users Tax - A tax in the amount of two percent (2%) is hereby imposed on any concurrent license holder operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis items not otherwise subject to transfer tax imposed pursuant to Subsection C2a above from the license holder's establishment that is located in the municipality to any other license holder's establishments, whether located in the municipality or another municipality.