

Introduced On: December 7, 2023			
Council	Motion	Second	Vote
Sohmer		X	X
Yoon			X
Suh			X
Drumgoole			X
Kasofsky			X
Cervieri	X		X

Adopted On: December 21, 2023			
Council	Motion	Second	Vote
Sohmer			X
Yoon			X
Suh	X		X
Drumgoole			X
Kasofsky		X	X
Cervieri			ABSENT

**BOROUGH OF FORT LEE
309 Main Street
Fort Lee, New Jersey 07024**

ORDINANCE # 2023-29

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 410, ZONING, OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE**

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Fort Lee, that Part II, General Legislation, Chapter 410, Zoning, is hereby amended as follows:

Section 1. Part II, General Legislation, Chapter 410, Zoning, Article IV, District Regulations, Subsection 410-13.1, Prohibited Uses, is hereby amended as follows:

- B. All Cannabis Establishments are prohibited, except Class 5 Cannabis Retail Establishments located in the Highway Development (C-5) Zone District, as a conditional use governed by Section 410-96.

Section 2. Part II, General Legislation, Chapter 410, Zoning, Article XXIII, Cannabis Establishments, Subsection 410-96, Cannabis Establishments as Conditional Use, Subsection 410-96, is hereby amended as follows:

- A. No more than two (2) Class 5 Cannabis Retailer shall be permitted in the Zone District, which shall include the conversion of any existing or previously approved Medicinal Cannabis Dispensary;
- C. A Medical Cannabis Dispensary, Alternative Treatment Center, and a Class 5 Cannabis Retail Establishment shall not be located within 900 feet of a preexisting primary or secondary school. Early learning centers, preschools, day care centers, residential care homes, colleges, vocational/trade centers, shall not be classified as a school for the purposes of this section. The distance shall be measured from the main entrance to the main entrance.

- i. Distances shall be measured in a straight line from the center of the entrance of the cannabis establishment to the closest point of its property line.
- ii. If the entrance is set back from the sidewalk by a walkway or doorway, the measurement is taken from the center of the line where the walkway/doorway meets the sidewalk or curb.
- iii. For an establishment in a multi-story building, the building entrance at street level is to be used to guide the measurement.
- iv. Emergency/fire exits, maintenance access, and doors to gain access to nonpublic areas are not used in the measurement.

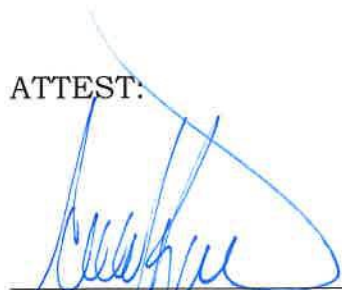
Section 2. The remainder Subsection 410 is ratified and remains in full force and effect.

Section 3. Should any section, part or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part thereof.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. This ordinance shall take effect immediately upon publication and final passage according to law.

ATTEST:



Evelyn Rosario, RMC, CMC
Municipal Clerk

BOROUGH OF FORT LEE



Mark Sokolich, Mayor