

**TOWNSHIP OF FREDON  
ORDINANCE 2023-13**

**AN ORDINANCE BY THE TOWNSHIP OF FREDON, COUNTY OF SUSSEX, AND  
STATE OF NEW JERSEY AMENDING CONDITIONAL USE REQUIREMENTS SET  
FORTH IN CHAPTER 550-78C(5)(B) AND CHAPTER 550-85C(5)(B) DECREASING  
BUFFERING REQUIREMENT FROM 750 FEET TO 200 FEET FROM A PRIVATE  
RESIDENCE IN THE MIXED-USE MARKET (MUMD) AND  
LIGHT INDUSTRIAL (LI) ZONES**

**WHEREAS**, on November 22, 2021, the Township of Fredon (“Township”) adopted Ordinance 2021-11 permitting cannabis cultivation and manufacturing as a conditionally permitted use in the Mixed-Use Market Zone District (MUMD) and Light Industrial (LI) Zones; and

**WHEREAS**, the conditional use requirements are codified in Chapter 550, Article XIII for the MUMD Zone, and Article XIV for the LI Zone; and

**WHEREAS**, the Township desires to amend the buffering requirement set forth in Chapter 550-78C(5)(b) for the MUMD Zone and Chapter 550-85C(5)(b) for the LI Zone, from 750 feet to 200 feet from a private residence, to make the permitted conditional use more practicable, given the lot sizes and existing improvements in these zones, and other protective specifications, standards, and restrictions currently in place.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of Fredon, County of Sussex, State of New Jersey, that:

**SECTION 1.**

Chapter 550-78C(5)(b) of Article XIII entitled “MUMD Mixed-Use Market Zone District” is hereby replaced in its entirety as follows:

**Article XIII MUMD Mixed-Use Market Zone District**

**§ 550-78 Conditional uses.**

C. [No change]

(5) [No change]

- (b) The building shall be located no less than 200 feet from a private residence.

## **SECTION 2.**

Chapter 550-85C(5)(b) of Article XIV entitled “LI Light Industrial Zone” is hereby replaced in its entirety as follows:

### **Article XIV LI Light Industrial Zone**

#### **§ 550-85 Conditional uses.**

C. [No change]

(5) [No change]

- (b) The building shall be located no less than 200 feet from a private residence.

## **SECTION 3.**

If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid by a Court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Ordinance. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

## **SECTION 4.**

The Township Clerk is directed to give notice at least ten 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 Planning 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 immediately after final passage and publication.

## **CERTIFICATION**

I hereby certify that the above is a true copy of an Ordinance passed second reading and was adopted by the Fredon Township Committee at a Regular Meeting of that body held on December 13, 2023.

\_\_\_\_\_  
Suzanne Boland, Clerk

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Glenn Deitz, Acting Mayor

Introduced:           October 11, 2023\_\_

Advertised:           November 10, 2023\_\_

Public Hearing:       November 29, 2023\_\_

Adopted:             \_\_\_\_\_

Published:            \_\_\_\_\_