

Ordinance

No. 9-2026

**AN ORDINANCE BY THE BOROUGH OF WESTVILLE IN
GLOUCESTER COUNTY, NEW JERSEY AMENDING CHAPTER 205,
LAND USE DEVELOPMENT, ARTICLE VIII, C-3 BUSINESS DISTRICT,
SECTION 205-48, USE REGULATIONS, SECTION A, PERMITTED AND
CONDITIONAL USES, SUBSECTION 2, CONDITIONAL USES OF THE
CODE BOOK OF THE BOROUGH OF WESTVILLE**

BE IT ORDAINED by the Mayor and Council of the Borough of Westville, in the County of Gloucester and State of New Jersey that Chapter 205, Land Use and Development, Article VIII, C-3 Business District, Section 205-48, Use Regulations, Section A, Permitted and conditional uses, Subsection (2), Conditional Uses be amended as follows:

Section 1. Chapter 205, Land Use and Development, Article VIII, C-3 Business District, Section 205-48, Use Regulations, Section A, Permitted and conditional uses, Subsection (2), Conditional Uses, is hereby amended by adding a new Subsection (d) to read as follows:

- (d) Cannabis establishments of Class 1, Class 2, Class 3, Class 4 and Class 5 are conditional uses subject to:
 - (a) Class 1, Class 2, Class 3, Class 4 and Class 5 may be combined on the same site or within the same building.
 - (b) May not located within 1,000 feet of the property line of a public, private, or parochial school or day-care center.
 - (c) Not permitted on any site that abuts a residential district. A minimum fifty-foot planted buffer is required along all other property lines.

(d) Area, setback, and coverage requirements:

(1) Minimum setback from a tract perimeter: 75 feet.

(2) Minimum parking or paved area setback from all property lines: 25 feet.

(3) Maximum building coverage shall not exceed 50%.

(4) Maximum impervious coverage shall not exceed 80 %.

(e) Parking, loading and access requirements shall conform to Section 205-77. Off-street parking.

(f) The facility shall meet the requirements for licensure and approval by the Cannabis Regulatory Commission, the Borough of Westville pursuant to Chapter 130, "Cannabis Establishments" of the Code Book of the Borough of Westville and the Westville Land Use Board.

(g) Facilities for cultivation or production must be in indoor, enclosed and secure buildings, which include electronic locking systems, electronic surveillance and other features required. Cultivation or production facilities shall not be located in a trailer, cargo container, mobile unit, mobile home, recreational vehicle or other motor vehicle.

(h) Sufficient space must be set aside for secure storage of marijuana seeds, related finished product, and marijuana-related materials used in production or for required laboratory testing.

(i) The applicant shall submit an odor control and mitigation plan to control, neutralize or eliminate odors from cannabis products and ensure that any odors generated inside the facility are not detectable outside the facility.

(j) There shall be no emission of dust, fumes, vapors, odors or waste into the environment from any facility where medical marijuana growing, processing or testing occurs.

- (k) Facilities that grow, process or store cannabis shall meet industry best practices for odor control.
- (l) By-products from indoor cultivation or production facilities shall be secured and property disposed of and shall not be placed within any unsecure exterior refuse containers.
- (m) Green building design techniques are required to reduce the energy consumption and heat generation associated with cultivation and production facilities, which are using systems such as hydroponics. These techniques may include, but are not limited to, solar screening, green or vegetative roofs, highly reflective and emissive roofing material, greywater or condensate reclamation systems, and light emitting diode (LED) lighting. These techniques shall be designed to the satisfaction of the Planning Board.
- (n) Cultivation and production facilities are required to use renewable energy sources, such as solar or wind, to offset the substantial energy production requirements of systems such as hydroponics. The renewable energy source does not need to be located on-site.
- (o) All accesses must secure the appropriate highway occupancy permit (state, county and/or Borough).

Section 2. Repealer

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. Severability

Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

Section 4. Effective date

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced: July 27, 2026

Adopted:

BOROUGH OF WESTVILLE

**Fritz H. Sims, Jr.
MAYOR**

ATTEST:

**Ryan J. Giles
MUNICIPAL CLERK**

CERTIFICATION

I, Ryan J. Giles, Municipal Clerk, of the Borough of Westville, in the County of Gloucester, State of New Jersey do hereby certify that the foregoing Ordinance No. 9-2026 was presented and duly adopted by the Governing Body at a meeting of the Borough of Westville held on Monday, July 27, 2026.

Ryan J. Giles, Municipal Clerk