

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY CONSENTING TO THE CITY OF ATLANTIC CITY'S GREEN ZONE REDEVELOPMENT PLAN PERMITTING THE OPERATION AND CONSUMPTION CLASSES OF RECREATIONAL CANNABIS WITHIN THE TOURISM DISTRICT

WHEREAS, pursuant to P.L. 2011, c. 18 (the "Act"), the Casino Reinvestment Development Authority (the "Authority" or "CRDA") designated by Resolution 11-25 adopted April 19, 2011, the Atlantic City Tourism District and further by Resolution 11-34 adopted April 19, 2011 approved procedures for land use administration within the Tourism District; and

WHEREAS, on February 1, 2012 in accordance with the Act, the Authority adopted the Tourism District master plan by Resolution 12-14 and as re-adopted by Resolution 12-23 dated February 21, 2012, which plan seeks to advance the goals, policies, needs, and improvements of the Tourism District, the implementation of clean and safe initiatives, and the expansion of the Atlantic City boardwalk area to reflect an authentic New Jersey boardwalk experience, while emphasizing: (i) private investment in the Tourism District that promotes economic development, (ii) maximization of marina-based facilities to increase economic activity, and (iii) the development of the boardwalk, Marina District and nongaming, family centered tourism related activities; and

WHEREAS, the Tourism District master plan adopted and re-adopted pursuant to Resolution 12-14 and Resolution 12-23, respectively, became effective upon the adoption of design, development and land use regulations consistent therewith, and in accordance with N.J.S.A 5:12-220a, the Atlantic City Master Plan dated September of 2008 (as adopted by the Authority pursuant to Resolution 11-34) shall remain effective for development applications received by the Authority until adoption of such regulations; and

WHEREAS, pursuant to the Act, the city of Atlantic City (the "City") shall not designate the tourism district or any portion thereof as an area in need of redevelopment or an area in need of rehabilitation, or adopt a redevelopment plan for any property within the tourism district pursuant to the "Local Redevelopment and Housing Law," P. L. 1992, c. 79 (C.40A:12A-1 et al.) without the consent of the Authority; and

WHEREAS, on August 17, 2022, the Council of City of Atlantic City introduced Ordinance No. 8-E, which, subject to the consent of the Authority, proposes a Green Zone Redevelopment Plan (the "Redevelopment Plan") to allow the permissible operation and consumption classes of recreational cannabis within the Redevelopment Area. The second reading is scheduled for September 21, 2022; and

WHEREAS, the entire Green Zone Redevelopment Area is located within the jurisdiction of the CRDA including the Tourism District, Resort Commercial District and Central Business District Zones; and

WHEREAS, there are six (6) operation and consumption classes of recreational cannabis licenses. These include: Class 1 (Cannabis Cultivator), Class 2 (Cannabis Manufacturer), Class 3 (Cannabis Wholesaler), Class 4 (Cannabis Distributor), Class 5 (Cannabis Retailer), and Class 6 (Cannabis Delivery); and

WHEREAS, the proposed Redevelopment Plan highlights the reasoning behind the appropriate development including diversifying the local economy, increasing opportunities for private investment, anticipated revenue streams in the billion-dollar range, increasing pedestrian traffic, with collateral reduction in crime, and will reduce the existing commercial vacancy rate and abandoned commercial space along Atlantic Avenue and Pacific Avenue and in the Orange Loop. The industry is regulated at the state and local levels to provide safe operation of each class of the recreational cannabis; and

WHEREAS, the Redevelopment Plan will implement Design Guidelines which will promote improvements to existing storefront facades and continued property maintenance by requiring façade and building design standards. The guidelines determine that no retail cannabis operation will be permitted to be located within a structure that abuts the Boardwalk. The standards for the property will affect the color, lighting, windows, cornices, doors, windows, awnings, signage, and security. All factors aim to improve the existing conditions and maintain consistency along the corridors of the Redevelopment Plan; and

WHEREAS, the Authority's Planner, Environmental Resolutions, Inc. ("ERI"), conducted a planning consistency review and issued a Report dated September 2, 2022, reporting that, subject to a few caveats identified in the report, it finds the Redevelopment Plan consistent with the New Jersey CRDA Atlantic City Tourism District Master Plan, Volume 4, dated April 18, 2017, and associated master plan documents, and with the CRDA's Tourism District Land Development Rules (N.J.A.C. 19:66) that have been adopted after a finding of master plan consistency; and

WHEREAS, the City has represented that the caveats identified in the September 2, 2022 ERI Report will be incorporated into the Redevelopment Plan prior to adoption; and

WHEREAS, the Authority, based on the ERI Report, finds that the Redevelopment Plan is consistent with the land use planning goals and purposes of the Act and the Authority desires to consent to the adoption of the Green Zone Redevelopment Plan by the City of Atlantic City for the area including Atlantic & Pacific Avenues, the area being bounded at the western edge by Boston Avenue at the eastern edge by Maryland Avenue and the Orange Loop (Tennessee & New York Avenues); and

WHEREAS, the Authority reserves its right to review any future amendments to the Redevelopment Plan proposed by the City; and

WHEREAS, the Atlantic City Development and Project Review Committee has reviewed this action and recommends approval.

NOW THEREFORE, BE IT RESOLVED by the Casino Reinvestment Development Authority that:

1. The above recitals are incorporated herein, as if set forth in full.
2. The Authority consents to the Green Zone Redevelopment Plan to allow the permissible operation and consumption classes of recreational cannabis in the redevelopment area including Atlantic and Pacific Avenues bounded at the western edge by Boston Avenue at the eastern edge by Maryland Avenue and the Orange Loop - Tennessee Avenue and New York Avenue bounded by St. James Place, New York Avenue, Pacific Avenue, Tennessee Avenue and the Boardwalk.

3. The Authority's consent is expressly made subject to its right to review any proposed modifications or amendments to the Green Zone Redevelopment Plan.
4. A copy of this Resolution shall be immediately transmitted to the Governor. This Resolution shall take effect immediately but no action authorized herein shall have force and effect until the earlier of the passage of ten (10) days, Saturdays, Sundays and public holidays excepted, after the delivery of the copy to the Governor, or the Governor's approval.

I hereby certify that this document is a true and correct copy of Resolution 22-112 of the Casino Reinvestment Development Authority.

Michael Beson
MICHAEL BESON, SECRETARY

MEETING OF SEPTEMBER 20, 2022

**REQUEST FOR ACTION BY MEMBERS OF
CASINO REINVESTMENT DEVELOPMENT AUTHORITY
BOARD MEETING OF SEPTEMBER 20TH, 2022**

<p>GREEN ZONE REDEVELOPMENT PLAN</p>

REQUESTED BY:

Lance Landgraf, Director of Planning and Development

REQUESTING DIVISION:

Planning and Development

SUMMARY OF REQUEST:

Approval to provide Authority consent to the City of Atlantic City's ("City") Green Zone Redevelopment Plan which would allow the permissible operation and consumption classes of recreational cannabis.

FUND RESERVATION AND/OR CONTRACT AMOUNT:

n/a

SOURCE OF FUNDS:

n/a

BACKGROUND:

The City of Atlantic City has proposed a Redevelopment Plan to allow the permissible operation and consumption classes of recreational cannabis. The Redevelopment Area includes Atlantic and Pacific Avenues bounded at the western edge by Boston Avenue at the eastern edge by Maryland Avenue and the Orange Loop - Tennessee Avenue to New York Avenue bounded by St. James Place, New York Avenue, Pacific Avenue, Tennessee Avenue, and the Boardwalk.

The entire Green Zone Redevelopment Area is located within the jurisdiction of the Casino Reinvestment Development Authority including the Tourism District, Resort Commercial District and Central Business District Zones. .

The Redevelopment Plan was presented before the City Council of Atlantic City on August 17th, 2022, and the City introduced Ordinance No. 8-E, which, subject to the consent of the Authority, proposes a Green Zone Redevelopment Plan (the "Redevelopment Plan") to allow the permissible operation and consumption classes of recreational cannabis within the Redevelopment Area. The second reading is scheduled for September 21st, 2022.

There are six (6) operation and consumption classes of recreational cannabis licenses. These include: Class 1 (Cannabis Cultivator), Class 2 (Cannabis Manufacturer), Class 3 (Cannabis Wholesaler), Class 4 (Cannabis Distributor), Class 5 (Cannabis Retailer), and Class 6 (Cannabis Delivery).

The proposed Redevelopment Plan highlights the reasoning behind the appropriate development including diversifying the local economy, increasing opportunities for private investment, anticipated revenue streams in the billion-dollar range, increasing pedestrian traffic, with collateral reduction in crime, and will reduce the existing commercial vacancy rate and abandoned commercial space along Atlantic Avenue and Pacific Avenue and in the Orange Loop. The industry is regulated at the state and local levels to provide

safe operation of each class of the recreational cannabis.

The Redevelopment Plan will implement Design Guidelines which will promote improvements to existing storefront facades and continued property maintenance by requiring façade and building design standards. The guidelines determine that no retail cannabis operation will be permitted to be located within a structure that abuts the Boardwalk. The standards for the property will affect the color, lighting, windows, cornices, doors, windows, awnings, signage, and security. All factors aim to improve the existing conditions and maintain consistency along the corridors of the Redevelopment Plan.

The Authority's Planner, Environmental Resolutions, Inc. ("ERI"), conducted a planning consistency review and issued a Report dated September 2, 2022 ("ERI Report"), reporting that, subject to a few caveats identified in the report, it finds the Redevelopment Plan consistent with the New Jersey CRDA Atlantic City Tourism District Master Plan, Volume 4, dated April 18, 2017, and associated master plan documents, and with the CRDA's Tourism District Land Development Rules (N.J.A.C. 19:66) that have been adopted after a finding of master plan consistency.

The City has represented that the caveats identified in the September 2, 2022 ERI Report will be incorporated into the Redevelopment Plan prior to adoption.

The Authority, based on the ERI Report, finds that the Redevelopment Plan is consistent with the land use planning goals and purposes of the Act and the Authority desires to consent to the adoption of the Green Zone Redevelopment Plan by the City of Atlantic City for the area including Atlantic and Pacific Avenues, bounded at the western edge by Boston Avenue at the eastern edge by Maryland Avenue and the Orange Loop - Tennessee & New York Avenues bounded by St. James Place, New York Avenue, Pacific Avenue, Tennessee Avenue, and the Boardwalk.

RECOMMENDATION:

Staff recommends the approval of the Green Zone Redevelopment Plan.

ATTACHMENTS:

ATTACHMENT 1: REDEVELOPMENT PLAN

ATTACHMENT 2: PLANNING CONSISTENCY REVIEW

ATTACHMENT 3: CITY OF ATLANTIC CITY ORDINANCE 8-E

SUPPLEMENTAL DOCUMENTS (not attached):

None

PREPARED BY:

Liza Barrick 8/23/2022

Liza Barrick 9/7/2022

ADMINISTRATIVE REVIEW BY:

Lisa Britt (8/18/22)

Lisa Britt (9/2/22)

LEGAL REVIEW BY:

Jane Fontana (8/22/22)

Jane Fontana (9/2/22)

Jane Fontana (FINAL 9/7/22)

Green Zone Redevelopment Plan



August 2022

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1.0 Introduction

The purpose of the Green Zone Redevelopment Plan is to create additional incentives for private investment and tourism in Atlantic City with the introduction of recreational cannabis, and to support the revitalization, economic diversification, and the investment of private capital in the City's main commercial and tourism corridors. The adoption of the Green Zone Redevelopment Plan will allow for the strategic enhancement and diversification of the retail and tourism-based economy. The goal of the redevelopment plan is to increase economic development through the establishment of permitted classes of recreational cannabis and to recapture disposable income, sales and property taxes, development fees and employment opportunities for local residents. The Plan also requires significant design standards for all cannabis businesses.

The Green Zone Redevelopment Area includes Atlantic Avenue, Pacific Avenue, and the Orange Loop District. The Area is bounded at the western edge by Boston Avenue and at the eastern edge by Maryland Avenue. The Orange Loop District is bounded by Pacific Avenue, Tennessee Avenue, 200 feet from the Boardwalk, and New York Avenue. The tax lots abutting both sides of each boundary street are included in the Redevelopment Area. Attached is the list of tax blocks and lots that are included in the Green Zone Redevelopment Area.

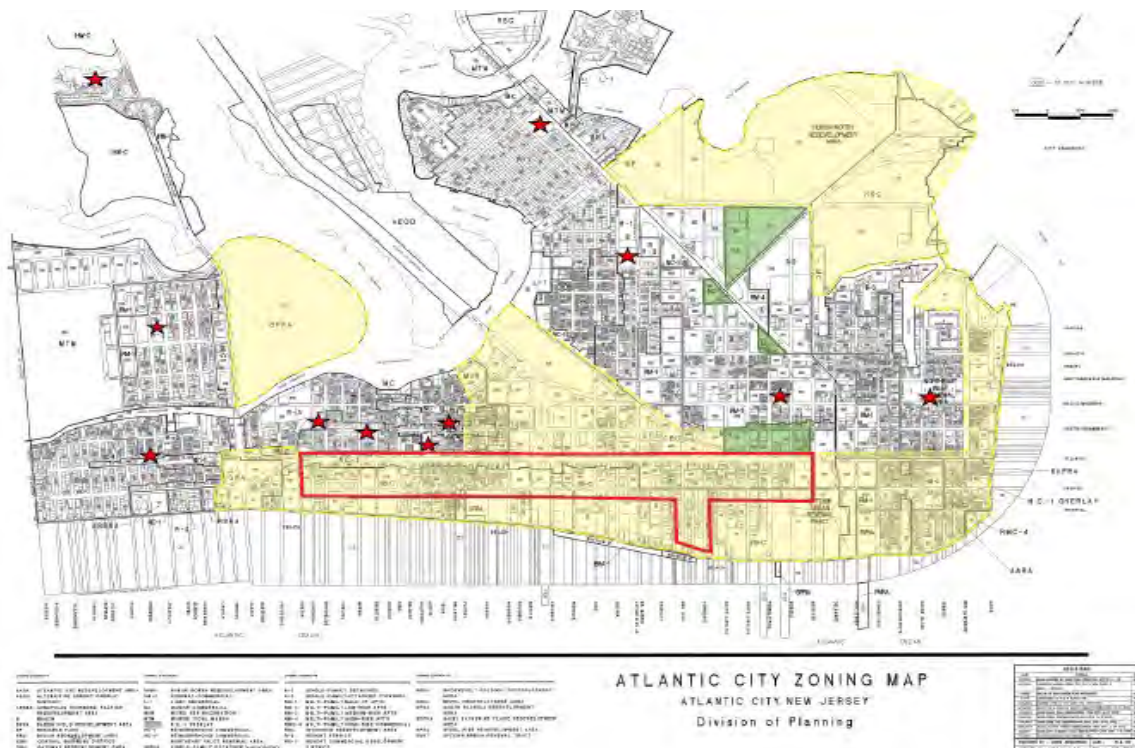


Figure 1: Green Zone Redevelopment Area Boundaries

The entire Green Zone Redevelopment Area is located within the Casino Reinvestment and Development Authority (CRDA) jurisdiction, also known as the Tourism District and includes sections of the Resort Commercial District (RC) and Central Business District

(CBD) zones. The Green Zone Redevelopment Area includes the two (2) blocks in the Orange Loop District, which are bounded by St. James Place, New York Avenue, Pacific Avenue, Tennessee Avenue, and 200 feet from the Boardwalk.

The proposed redevelopment for the area includes the classes of cannabis licenses for Class 1 (Cannabis Cultivator), Class 2 (Cannabis Manufacturer), Class 3 (Cannabis Wholesaler), Class 4 (Cannabis Distributor), Class 5 (Cannabis Retailer) and Class 6 (Cannabis Delivery).

There are several reasons as to why this is an appropriate redevelopment plan for the area:

- The permissible operation of various classes of recreational cannabis will enhance the City's position as a premier tourist destination, providing a full complement to its historic resort amenities.
- The introduction of recreational cannabis in the redevelopment area will help to diversify the local economy, increasing opportunities for private investment and the recapture of disposable income.
- This Plan will assist the City of Atlantic and the CRDA to promote and attract private investment and tourists into the Tourism District.
- Recreational cannabis is a growth industry with anticipated revenue streams in the billion-dollar range.
- Revenue streams from recreational cannabis include fees and tax generated from business establishments for the sale and distribution of the product.
- The industry is regulated at the state and local levels to provide safe operation of each class of the recreational cannabis.
- State legislation has integrated the need and opportunity to promote economic equity, especially in designated Impact Zones, creating business opportunities that will help the City to achieve a shared prosperity.
- The Redevelopment Plan will reduce the existing commercial vacancy rate and abandoned commercial space along Atlantic Avenue and Pacific Avenue and in the Orange Loop.
- Increased commercial occupancy will increase pedestrian traffic, with collateral reduction in crime.
- The Redevelopment Plan will promote improvements to existing storefront facades and continued property maintenance by requiring façade and building design standards.

1.1 Background and Authorization

The Green Zone Redevelopment Area is within the jurisdiction of the Casino Reinvestment and Development Authority ("CRDA") and the designated Tourism District. The 2012 Casino Reinvestment and Development Authority (CRDA) Master Plan

"seeks to reinvigorate the Atlantic City experience by... creating an improved street-level experience...[and] offering new and dynamic retail offerings... The plan offers strategies for the formation of inspired districts, contemporary entertainment and enthralling attractions that activate and energize the entire Tourism District. Atlantic City always has been, and will continue to be, the top choice for those seeking unique events, exciting food

and beverage, vibrant retail and, above all, the intangible quality of spontaneity and excitement.”

The CRDA sets forth the following in its Master Plan Statement of Objectives:

“To provide, further and promote tourism industries in New Jersey and especially Atlantic County... [and] To provide a zoning scheme that will catalyze appropriate, highly functional, exciting, and ratable-producing development in the Tourism District.

Section 163-58(a) of the City code provides the following description of the underlying Resort Commercial District (RS-C):

The RS-C Resort Commercial District is intended to apply to established resort areas in the City. Its purpose is to provide for the City’s main industry, consisting predominantly of transient and tourist-oriented uses, at such intensity as is justified by the City’s limited land resources, high land values and infrastructure capacity. Residential development is also encouraged for the purpose of preserving and enhancing the family-resort character of the City and integrating the specialized activities of the Resort Commercial District with the rest of the community.

The objectives for the Tourism District Master Plan include the following:

- Develop an economically viable and sustainable tourism district;
- Cause an expansion of Atlantic City’s tourism and economic bases;
- Allow the City to gain economic strength, attract new corporate residents, develop new and expanded attractions, or other physical improvements of the Tourism District that will appeal to the target markets and the Atlantic City community; and
- Identify goals and policies to implement clean and safe initiatives.

The 2016 Master Plan Re-Examination Report for the City of Atlantic City states that the City should “provide a vibrant and diverse economic environment which will protect and enhance the long term economic and social interests of present and future residents in order to maintain and improve the City’s overall quality of life.” Some of the objectives include:

- Promote the continued redevelopment of the Central Business District as a mixed-use pedestrian-oriented core with a concentration of commercial and residential uses in close proximity to mass transit.
- Support existing businesses by facilitating development approvals; advertising new business opportunities locally first; and City use of local vendors whenever possible.
- Continue to re-brand the City to reflect a more diverse destination;
- Pursue additional commercial uses that provide diversification of the economy and jobs.
- Create an attractive physical and economic environment to bring back professional services such as medical professionals and lawyers to locate within the City.
- Provide a business-friendly environment that encourages opportunities for existing businesses and local contractors to succeed by providing a supportive environment for those wishing to grow or expand.

The City of Atlantic City is an area in need of rehabilitation and that determination, required under the Local Housing and Redevelopment Law, has been made. Pursuant to N.J.S.A. 40A:12A-1 et seq., the City Council of Atlantic City did by Resolution No. 889 of 1994 declare the entirety of the City of Atlantic City as an “Area in Need of Rehabilitation.” This determination authorizes the City of Atlantic City to adopt a redevelopment plan for the Green Zone Redevelopment Area (GZRA). Notwithstanding, § 19:66-9.1 Consent to Atlantic City redevelopment proposals states the following:

(a) The Casino Reinvestment and Development Authority (CRDA) may consent to the request of Atlantic City to designate an area within the Tourism District as an area in need of redevelopment or an area in need of rehabilitation, or to the adoption of or amendment to a redevelopment plan for any area within the Tourism District in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (LRHL), upon the finding that such a designation or adoption of a redevelopment plan would further the purposes granted to the Authority pursuant to the Act. The Authority may grant its consent on whatever terms and conditions it deems necessary or convenient. In considering the City’s request to exercise its powers under the LRHL, the Authority shall consider the request at a regular public meeting of the CRDA.

1.2 Purpose and Goals

The purpose of the Green Zone Redevelopment Plan is to create additional incentives for private investment and tourism in Atlantic City with the introduction of recreational cannabis, and to support the revitalization, economic diversification, and the investment of private capital in the City’s main commercial and tourism corridors.

1.3 Project Area Context

The Green Zone Redevelopment Area (GZRA) or “Green Zone” is located in the CRDA Tourism and Special Improvement Districts in Atlantic City. This Green Zone Redevelopment Plan seeks to establish the Green Zone boundaries. The boundaries of the Green Zone Redevelopment Area shall be the area bounded by Pacific Avenue, Atlantic Avenue, Boston Avenue, and Maryland Avenue. Within these boundaries, the Green Zone Redevelopment Area will include all properties with frontage along Atlantic Avenue, Pacific Avenue, Boston Avenue, and Maryland Avenue.

The Green Zone also includes the Orange Loop which is comprised of three City streets: South New York Avenue, St. James Place, and South Tennessee Avenue within a two-block area. The Green Zone extends from Pacific Avenue to the north and 200 feet from the Boardwalk to the south. The Orange Loop has a total coverage of twelve and one half (12.5) acres. Properties in the Orange Loop include a mix of mostly commercial uses with a smaller percentage of residential units. The area is also characterized by a large percentage of blight, including vacant buildings and lots, and under-utilized properties.

1.4 Historical Overview

Prior to the legalization of gambling and the concentration of the hotel and casino industry in Atlantic City, beginning in 1978, the twenty-five (25) block long stretch between

Atlantic Avenue and Pacific Avenue from Boston Avenue to the west, and Maryland Avenue to the east, formed the commercial and entertainment corridors of the City. The cluster of retail, entertainment, and service industries thrived from the local and tourist populations that patronized the concentration of establishments along these corridors. The businesses were primarily small and medium sized enterprises that provided a variety of marketable goods and services to the public. The decade-long boom of the hotel and casino industry had an inadvertent effect on the City's retail service and entertainment industries, in general; and, along the Pacific Avenue and Atlantic Avenue commercial corridors in particular. The loss of consumer patronage (tourists providing a large share of the revenue) resulted in the closing of businesses, increased vacancy and the homogenization of retail and service enterprises. Contributing factors of this decline included the wholesale demolition of commercial properties, creating lower density, single use improvements.



Figure 2: Margate-bound Brilliner on Atlantic Avenue, looking east of South Carolina Avenue, 1954

1.5 The Redevelopment Plan for The Green Zone

The redevelopment plan to create a Green Zone incorporating all properties with frontage on Atlantic Avenue, Pacific Avenue, Boston Avenue, and Maryland Avenue, within the boundaries of Atlantic Avenue and Pacific Avenue, from Boston Avenue to Maryland Avenue, will include the introduction and facilitation of permissible classes of recreational cannabis, including micro-enterprises. The Green Zone also includes the area described above as the Orange Loop. The redevelopment plan is designed to complement the existing

Central Business District (CBD) and Resort Commercial (RC) Zoning District in the CRDA Tourism District, by permitting the establishment of cannabis retail shops, consumption lounges and facilities for the growth and distribution of recreational cannabis. The plan allows for the two commercial corridors, without the selective identification of any single property or group of properties, in the Green Zone Redevelopment Area to be used as an establishment for any of the permissible classes of recreational cannabis.



Figure 3: Period photo showing Atlantic Avenue, looking eastbound, 1950s

The Green Zone Redevelopment Area acknowledges the following characteristics favoring the redevelopment plan for the commercial corridors:

- Atlantic Avenue continues to be the major commercial corridor in the City of Atlantic City.
- Pacific Avenue provides walkable access from the hotel and casino clusters and other resort tourist attractions.
- The introduction of recreational cannabis along the twenty-five (25) block long area of Atlantic Avenue and Pacific Avenue Area will help to diversify the retail mix, attracting private investment and creating new employment opportunities.
- Increased commercial activity will be complemented with enhanced public safety and quality of life improvements.

- The proposed Green Zone includes the Orange Loop, providing a full range of retail, entertainment, and recreational activities to complement the CRDA Tourism District and the City’s Central Business District.
- The area has a significant inventory of commercial properties, both improved and unimproved, that are vacant and abandoned.

2.0 Intent of the Green Zone Redevelopment Plan

The Green Zone Redevelopment Plan is in the Central Business and Resort Commercial Districts of Atlantic City. It is also within the CRDA’s Tourism District. For decades, the subject area corridors have been, and remain in large part, under-performing; with vacant commercial space, limited diversity in retail and service offerings, mixed quality of goods and services, quality of life issues and the illegal commerce of controlled substances. Notwithstanding the foregoing, there is vitality and traffic that supports the retail commercial and entertainment activities along the corridors. Recent investments in the acquisition and redevelopment of properties in the Orange Loop, Atlantic Avenue and Pacific Avenue, encourage additional private investments, energizing the two commercial corridors, and enhancing the area as a destination point for tourists, shoppers, and residents. The intent of the Green Zone Redevelopment Plan is to expand and diversify the resort commercial uses in the CRDA Tourism District, south of Atlantic Avenue, including the Orange Loop. In turn, pedestrian traffic, and the recapture of disposable income in the area will increase. The proposed use will confer several advantages to the City:

- Support the expansion of existing, local business in the City’s Central Business, Resort Commercial and Tourism Districts.
- Increase the value of existing real estate in the area.
- Return additional revenue to the City through taxes, licensing, and development fees.
- Increase the perception and reality of safety along the commercial corridors, generating increased patronage and pedestrian traffic.
- The opportunity for strategic leveraging of redevelopment projects through the designated Opportunity Zone, a federal designation providing financial incentives in exchange for private investment and economic development.
- Increase training and employment opportunities for local residents.

3.0 Definitions

For the purposes of the Green Zone:

- The term ‘City’ shall refer to the City of Atlantic City, a body corporate and politic, including the Governing Body, elected officials, officers, and staff thereof.

- The term ‘Redevelopment Entity’ shall mean the City of Atlantic City, acting as the implementing entity for the Green Zone Redevelopment Area in accordance with and under the provisions of N.J.S.A. 40A:12A, et. seq.; and
- The term ‘Redeveloper’ shall mean the Corporation, partnership or any other entity named by the Redevelopment Entity as Redeveloper, as defined by N.J.S.A. 40A:12A-3 and having entered or having been chosen to enter into a redeveloper’s agreement with the Redevelopment Entity for the purposes of advancing the Green Zone Redevelopment Plan.
- The term ‘Developer’ shall mean the Corporation, partnership or any other entity having received the necessary approvals and permits required to develop property in the Green Zone, who may or may not be required to enter into a developer’s agreement, which determination shall be made at the sole discretion of the City of Atlantic City

4.0 Description of the Project

The following sections describe the physical attributes of the area:

4.1 Location

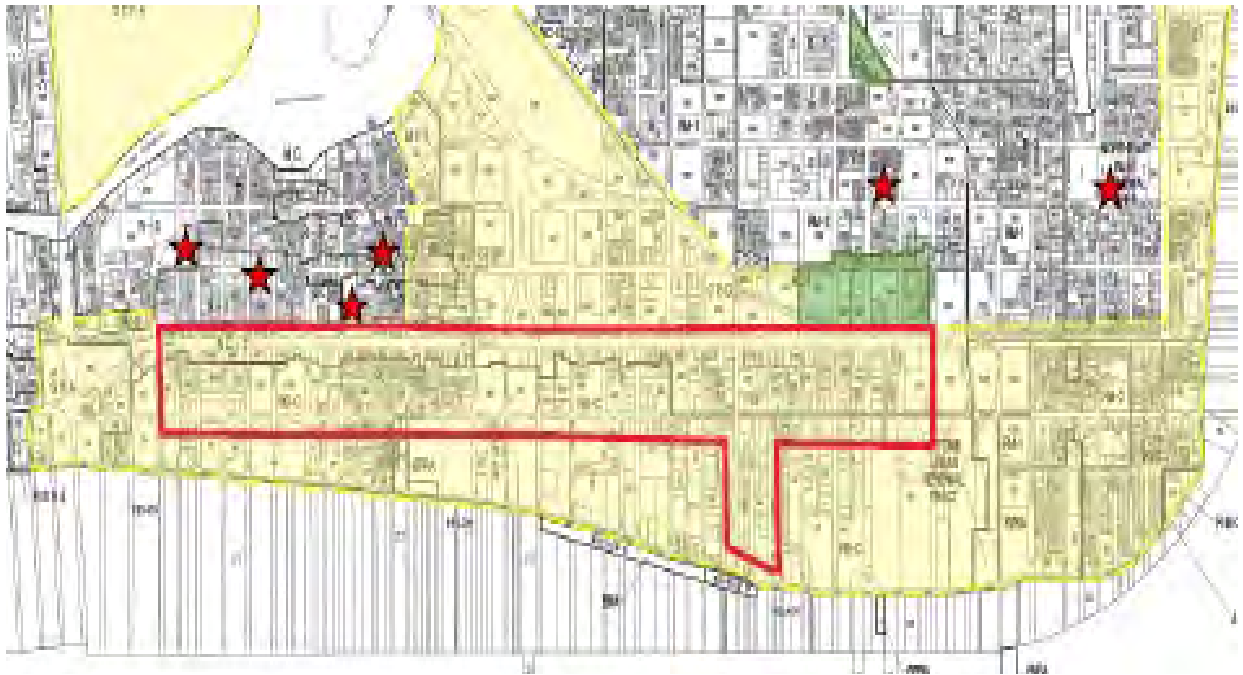


Figure 4: Map showing GZRA with some existing established business locations (CRDA, Engage)

The Green Zone Redevelopment Area is located on Atlantic Avenue and Pacific Avenue, from Boston Avenue to Maryland Avenue and applies to all properties within these boundaries with frontage along Atlantic Avenue, Pacific Avenue, Boston Avenue and Maryland Avenue. Atlantic and Pacific Avenues comprise a twenty-five (25) block long commercial corridor in the CRDA Tourism District, encompassing the City’s Central

Business District and the Resort Commercial District. The corridors are characterized by a mix of commercial, institutional, and residential uses; including retail, upstairs/downstairs (residential/commercial), medical, professional, residential, hotel and governmental space. The Green Zone Redevelopment Area also contains clusters and pockets of un-improved, vacant land at strategic locations along the corridors. The area, however, is also experiencing significant public and private investments in capital projects, including infrastructure, residential and institutional construction. The entire Green Zone Redevelopment Area is a federally designated Opportunity Zone. There are no known environmental issues other than historic land fill, as the clusters of vacant land were retail/commercial and residential uses. Further site investigation may determine if there are any underground storage tanks present.

4.2 Boundaries of the Redevelopment Area

The GZRA is bounded by the following:

Atlantic Avenue forms the northern boundary of the GZRA. Pacific Avenue forms the southern boundary, including the Orange Loop. The GZRA extends from Boston Avenue at the western boundary, to Maryland Avenue, at the eastern boundary. Atlantic Avenue and Pacific Avenue form the east-bound and west-bound corridors of the redevelopment area. The redevelopment area boundary includes the properties facing the commercial corridors of Atlantic Avenue, Pacific Avenue, Boston Avenue, and Maryland Avenue. In addition, the Green Zone Redevelopment Area includes all of the properties in the Orange Loop which extends from New York Avenue to Tennessee Avenue, from Pacific Avenue to 200 feet from the Boardwalk. Boardwalk fronting properties are not included in the Redevelopment Area.

4.3 Descriptions of Parcels

The purpose of the Green Zone Redevelopment Plan is to encourage economic development and industry diversification in the main commercial corridors of the city, by expanding the introduction of permissible classes of recreational cannabis.

Redevelopment along the Atlantic Avenue corridor of the Green Zone Redevelopment Area primarily includes the purchase and/or rental of existing vacant and under-productive commercial retail space, for the purpose of conducting permissible classes of recreational cannabis uses, including retail and micro-businesses.

The redevelopment plan for the Pacific Avenue corridor is similar to the Atlantic Avenue commercial corridor, mirroring the retail and micro-business classes of recreational cannabis. In addition, the Pacific Avenue corridor provides an opportunity for other permissible classes of recreational cannabis enterprises.

The Orange Loop is similar with several new businesses, and vacant land and buildings.

Adoption of the Green Zone Redevelopment Plan for Atlantic Avenue, Pacific Avenue, and the Orange Loop will accomplish several planning and development goals, including:

- Accelerate the infill redevelopment of blighted lots, in an area experiencing a gradual renaissance.
- Private investment to either rent and/or purchase existing vacant commercial/retail space.
- Diversification of the corridor economy.
- Long term, additional ratables to Atlantic City's tax base.
- Increased pedestrian circulation.
- Reduction in the illegal sale of controlled substances.
- Increase opportunities for employment of local residents.

4.4 Public Policy Goals

The adoption of the Green Zone Redevelopment Plan will advance the following public policy goals:

- Implement recent State legislation legalizing the regulated use of recreational cannabis (see referenced NJSA).
- Reduce the underground marketplace for the growth, sale, and distribution of cannabis.
- Establish a standard and consistency of quality, reducing the illegal market penetration of inferior and/or potentially dangerous products.
- Create a manageable district for the introduction and operation of recreational cannabis enterprises.
- Increase the opportunity for economic equity and a shared prosperity for Atlantic City residents.
- Support the CRDA Master Plan vision for Pacific Avenue to become a destination area and corridor with high-energy activity.
- Increase the retail/commercial occupancy rate in the Atlantic Avenue and Pacific Avenue commercial corridors.
- Redevelop vacant, blighted, and under-performing properties.
- Increase existing property values in the Central Business District and Resort Commercial District of the Tourism District.

4.5 Redevelopment Plan Objectives

The Green Zone constitutes a redevelopment plan under the provisions of the applicable State statutes; specifically, N.J.S.A. 40A:12A-7. In addition to the public policy goals stated earlier, the Green Zone Redevelopment Plan will achieve such specific objectives as:

- Reduce and/or eliminate inventory of vacant, blighted, and under-performing properties.
- Encourage private investment to acquire, construct and/or adaptively re-use properties, increasing property values and tax revenue.
- Increase area density, pedestrian circulation, and the recapture of disposable income through the acquisition and redevelopment of corridor properties.
- Create industry specific employment opportunities.
- Clearly depict where cannabis retail businesses can be located.
- Eliminate the need for cannabis retailers in the Green Zone to secure use variances by making cannabis retail a permitted use.
- Set forth design standards for cannabis retail uses to ensure that the new uses will improve the business district.

4.6 Types of Proposed Redevelopment Actions

The redevelopment action proposed for the Green Zone Redevelopment Area consists of a plan that will permit and facilitate uses that are deemed complementary to those in the Central Business District and Resort Commercial District. The implementation of compatible land use controls enabling the development of responsible classes of recreational cannabis, including the cultivation, retail, and distribution of recreational cannabis, will support CRDA and City of Atlantic City goals to increase commercial activity in the area. In addition to land uses, the plan anticipates the investment of private capital to acquire and redevelop corridor properties, increasing density and property values.

5.0 **Land Use Plan**

The land use plan is comprised of the existing land use provisions and design guidelines for the Central Business District (CBD) and Resort Commercial District (RC) within the CRDA Tourism District.

5.1 Land Use Provisions

- 5.1.1 Permitted Uses The purpose of the various zoning districts within the Green Zone Redevelopment Area, including the Central Business District, the Resort Commercial District and the CRDA Tourism District, is to provide an array of land uses that will capitalize on the zoning district's geographical advantages, proximity

to the Boardwalk, resorts, and casinos, ‘The Walk,’ the AC Convention Center and other key attractions. These districts also offer the highest intensity of pedestrian traffic flow, facilitating ready access to a variety of supportive retail, entertainment, recreational and medical services. The vision is to create an environment where these offerings can seamlessly integrate in support of the introduction of recreational cannabis. Permitted uses in the CBD zone include various types of stores, hotels and more. Permitted uses in the RS-C District include indoor and outdoor restaurants, sidewalk cafes, parks, and others, including, but not limited to the following:

Class 1 (Cannabis Cultivator), Class 2 (Cannabis Manufacturer), Class 3 (Cannabis Wholesaler), Class 4 (Cannabis Distributor), Class 5 (Cannabis Retailer) and Class 6 (Cannabis Delivery); Entertainment; Recreation; and other uses customarily incidental to the principle permitted uses and on the same lot.

5.1.2. Design Guidelines

Design guidelines shall be consistent with N.J.A.C. 19:66-7.1 and the 2012 CRDA Tourism District Master Plan, Section 4.8. In addition, the following storefront & façade design standards will be required.

5.1.2.a. Scope and Purpose. It is the purpose of this section to establish reasonable design standards for retail cannabis businesses, whether the business will be located within a new building or occupy an existing storefront. These standards are also intended to promote consistency in urban development as it relates to storefront facades in order to improve and preserve the aesthetic quality of the City.

5.1.2.b. General Standards.

1. The regulations contained in this section are supplementary to those regulations contained in the existing code for the applicable zoning districts. All bulk, use and other development standards contained in the existing code shall apply to all cannabis businesses, except where otherwise noted. All businesses shall adhere to all applicable general building codes.

2. Same or compatible material and design shall be used across any singular storefront system.

3. Design features and elements must be reviewed by the City’s Planning Offices and reviewed and approved by the CRDA.

5.1.2.c. Distance Requirements.

No retail cannabis operation will be permitted to be located within 200 feet of the Boardwalk.

5.1.2.d. Design Standards. All cannabis businesses must present a modern, modest, and creative appearance in accordance with the following design standards.

1. Color.

- a. All businesses shall utilize a muted color scheme and coordinate the colors of all storefront components. The use of colors to accentuate architectural details and storefront elements such as dentils, rosettes and cornice lines is encouraged.
- b. Business owners are encouraged to use at least three colors or three shades of one color, but no more than five colors or five shades of one color.
- c. Individual businesses within a larger building shall select paint colors that complement the color of the larger building.
- d. Colors should not detract from the overall image of the storefront and building.
- e. Masonry, such as brick facades, which have not been painted before, shall not be painted.
- f. Paint or other colored storefront elements shall be maintained and faded colors, peeling, or flaking due to weather or age shall be repaired.
- g. Using neon or reflective colors is prohibited aside from certain instances relating to signage as further described in Section 7(p).
- h. Pre-painted metal windows, door frames and lighting fixtures that fit with the business's brand and color theme may be installed.

2. Lighting.

- a. Light emanating from the building should be balanced with street lighting.
- b. Decorative lighting features are required. When utilizing exterior façade lighting, gooseneck fixtures are strongly recommended. However, exterior mounted light fixtures, such as sconces or downlights, should be used selectively.
- c. When installing lighting fixtures to the building, damage to masonry or other façade material should be avoided.
- d. Light sources should be concealed as much as possible.
- e. Interior display areas may be illuminated with focused recessed or track lighting.
- f. Lighting may be used to illuminate signage or special architectural details.
- g. Flashing, pulsating, or moving lights or lights that cause significant glare are prohibited.
- h. Fluorescent tubing on either the exterior or interior of the storefront is prohibited.
- i. Using neon tubing to border windows, doors and storefronts is prohibited.
- j. Non-commercial lighting fixtures are prohibited.

3. Windows.

- a. All windows shall be no less than 70% transparent.
- b. Translucent windows with etching pattern(s) or design(s) in the glass are permitted.
- c. New businesses utilizing existing storefronts shall replace dark tinted or textured glass with clear glass.
- d. Preventing visibility into window display areas by covering, tinting, or blocking a display window, or otherwise obstructing views into a business by using glass block, woodwork, paint, signage, lowered ceilings, shelves, refrigeration units, cases, posters, or other items is prohibited.
- e. New windows installed into existing storefronts shall match the style of the existing windows, or existing windows shall be replaced to match the style of the new windows.
- f. Window heights shall be aligned, and window sizes shall be unified.
- g. New businesses utilizing existing storefronts shall repair chipped paint on window frames and maintain the paint.
- h. New businesses utilizing existing storefronts shall repair and maintain any broken or boarded window display, transom windows and window bases.
- i. New businesses utilizing existing storefronts shall repair and maintain any original pattern of transom windows and upper story windows.
- j. New businesses utilizing existing storefronts shall restore stained glass panes in transom windows and upper story windows where appropriate and feasible.
- k. All interior items shall be kept at least eight (8) inches behind or away from transom windows in order to allow transom windows to act as a distinctive architectural element.
- l. Filling or covering display windows, transom windows or upper story windows with paint, signs, awnings, wood panels, masonry, glass block, ventilation/mechanical systems, or other non-transparent materials such as blinds or curtains is prohibited.
- m. Covering or obscuring existing window trim with metal or other materials is prohibited.
- n. Concealed mechanical systems in a ceiling should be dropped no lower than the height of the display area or windows.
- o. When restoration and maintenance is possible, removing historic windows or window components is prohibited. Historic features on windows such as frames, special glazing, and decorative moldings, shall be preserved.
- p. The use of aluminum or wood frame windows to provide thermal insulation and prevent condensation shall be permitted.
- q. New window bases shall use sturdy, easy-to-maintain materials such as brick, concrete, hardwoods, metal panels, ceramic tiles, and other

masonry materials. Non-durable materials, such as low-grade plywood, are discouraged.

- r. Window bases for multiple storefronts in a singular building shall have a consistent height (not elevation) and use consistent material.
- s. Window bases shall measure no higher than two (2) feet from the ground.
- t. Existing window bases that were part of the original building or that were also used to conceal any portion of a business's mechanical systems shall not be removed.
- u. Painting of any window sashes and trims should be done with accent colors that coordinate with the storefront, cornices, and any other existing architectural details.

4. Doors.

- a. All new door installations must follow the existing building codes and accessibility requirements.
- b. Storefront doors shall be recessed from the storefront wall when possible.
- c. New businesses utilizing existing storefronts shall replace residential-style doors with appropriate commercial doors.
- d. Storefront doors shall utilize non-tinted glass and contain significant clear glass to allow additional visibility into the business.
- e. Loading or service entrances shall be located on the side or rear of a building where possible.
- f. Durable wood or metal framed doors shall be utilized.
- g. Folding or sliding doors that allow the activity of a business to be opened up to the sidewalk should be permitted only by express written approval by the Planning and Development Department.
- h. Additional doors that are not required by code or that are inconsistent with the building or storefront image are not permitted.
- i. Sealing or closing off existing entrances or doorways with any material is prohibited.
- j. Blocking doors with merchandise, or any other obstruction is prohibited.
- k. Doors which swing out directly onto sidewalks are prohibited.
- l. Covering or replacing glass door panels with any opaque substance or material that would prevent or limit visibility is prohibited.
- m. Covering doorways with signage, interior cases or woodwork is prohibited.

5. Awnings.

- a. The use of awnings over openings at the front(s) and side(s) of the building are encouraged. Awnings must be constructed of durable cloth material.

- b. The use of individual awnings for individual storefronts in a building should be designed so that the structural frame, detail, and rhythm are readable.
- c. For a single building with multiple storefronts, awnings should be of a consistent size, profile, and location, although font style may vary from business to business.
- d. Creative awning shapes that are complementary to the overall building are permitted.
- e. Both retractable and fixed type awnings are permitted.
- f. Storefronts and sidewalks may be lit from beneath an awning.
- g. Backlighting or internally illuminating awnings is prohibited.
- h. Signage about the business's products or service may be displaced on the valance of the awning.
- i. Applying large signage on the sloped portion of an awning is prohibited.
- j. Concealing architectural details including transoms and cornices with awnings is prohibited.

6. Cornices.

- a. New businesses utilizing existing storefronts shall restore and maintain historic cornices and are encouraged to add replica cornices if the original cornices have been removed.
- b. Cornices that have been previously painted may be painted over using colors that tie into the storefront to highlight the cornice unless it is made from masonry. Cornices that have not been painted before shall not be painted.
- c. Historic cornices shall not be removed.
- d. Placing signage or other objects hiding existing cornices is prohibited.

7. Signage.

- a. The word "cannabis" shall not be displayed in any exterior signage.
- b. Exterior signage shall be complementary of the overall design of the storefront or larger building.
- c. Signage shall be appropriately scaled for the building, storefront, and nature of the business.
- d. New businesses utilizing existing storefronts shall replace or restore and maintain existing signs.
- e. New businesses utilizing existing storefronts shall restore and maintain historic signs.
- f. Letters indicating the name and address of the facility should be slightly raised when utilizing an opaque material such as wood or metal.
- g. Graphics and materials should maintain high standards of legibility and character.

- h. Signs may be installed on the frieze or sign band, windows, doors, awnings, or other architecturally appropriate location.
- i. Sign bands may be established on buildings that may not have a clearly demarcated area for signs.
- j. Signs should use durable wood, painted plastics, painted metals, or prefabricated pin mounted letters.
- k. Fin or blade signs, projecting from the building wall is permitted.
- l. Bold and vibrant colors that fit with the traditional cultural styles of the community, still according to good graphic design practice, are permitted.
- m. Painted window signs should be limited to store hours.
- n. Three-dimensional, fixed signs that include an icon of the business type or are the business name and/or logo are permitted; however, the image of the cannabis leaf is prohibited.
- o. Signs may be illuminated from above or below. Backlit box signs and other internally lit plastic or plastic faced signs are prohibited.
- p. Neon signs, if appropriate to the business type, to indicate a business name or trade may be used. Neon signs may not be used to advertise products or sales.
- q. The number of signs on site shall not exceed two (2) signs.
- r. Signs shall not be used to cover windows, cornices, or other architectural decorative details.
- s. Signs shall not block visibility into the storefront.
- t. Signs shall not advertise branded alcoholic, tobacco, cannabis, or other merchandise in general.
- u. Obsolete advertisements or other temporary signs shall be removed at the time the product, sale or service is no longer available.
- v. Signs shall not be painted directly onto the building surface.
- w. Signs shall not be installed above the rooftop.
- x. If a frieze or sign band exists, installing or replacing storefront signage shall be within the original frieze or sign band location.
- y. The visibility of a frieze or sign band should be maintained by not covering it with awnings or other additions to the façade or storefront.
- z. Air conditioning, ventilation equipment or other obstructions should not obstruct the frieze or sign band.
- aa. Signage may be used to cover HVAC units or ventilation equipment.
- bb. The frieze or sign band area of the façade shall not be covered with anything other than an acceptable sign.

8. Security.

- a. Solid rolling security gates covering the storefront or openings at the front(s) and side(s) of the building are prohibited.
- b. Exterior roll-down grates and grate boxes shall be removed and replaced with open wire-mesh type security grates with a minimum of 70% transparency.

- c. Concealing existing grate systems with an awning is only permissible when circumstances would make removal of the grate prohibitive.
- d. Where possible, exterior wire-mesh grates should be built into the storefront itself.
- e. Where a display window exists, wire mesh grates must have the grate box or mechanical unit installed into the interior ceiling of the display window.
- f. Where a display window exists, vertical and horizontal guide tracks should be installed parallel to a display window's vertical and horizontal framing elements.
- g. Colors for all roll-down elements should be painted or purchased as black or brown to decrease their visibility.
- h. Old single-pane storefront windows shall be replaced with clear laminated safety glass.
- i. An electronic alarm system that automatically notifies the police and the business owner shall be installed.
- j. Ornamental grates to secure entry areas in front of storefront doors are encouraged.

5.2 Building Limit Controls

- 5.2.1 Physical Development: The following regulations, controls and restrictions are designed to provide guidelines for the physical development of the GZRA. The City encourages redevelopment(s) to exercise maximum ingenuity, creativity, and freedom of design, consistent with the objectives of CRDA and the Tourism District.
- 5.2.2 Controls and Regulations: The controls and regulations governing land use and structural form within the Project Area are designed to promote the redevelopment of the Green Zone in accordance with the objectives of the Green Zone Redevelopment Plan.
- 5.2.3 Development Concept: The development concept and general design plan for proposed uses and improvements in the Project Area will be reviewed and approved by the Redevelopment Entity in accordance with the Developer's Agreement, if one exists, or in accordance with any submitted plans, renderings, studies, and other planning documents if a Developer's Agreement does not exist

6.0 **Standards and Controls of General Applicability**

6.1 Codes and Regulations

Developer shall comply with all applicable laws, codes, rules, and regulations adopted by the City of Atlantic City, in the redevelopment of the Green Zone Redevelopment Area. Whenever the codes or regulations contain comparable but less restrictive provisions or requirements than set forth by these Land Use provisions, the standards set forth herein, shall prevail.

6.2 Equal Opportunity

No covenant, lease, agreement, conveyance or other instrument shall be affected or executed by the Redevelopment Entity or by a Redeveloper/developer (or by any successors in interest) whereby the use of the land in the Project Area is restricted, either by the Redevelopment Entity or the Redeveloper/developer (or by any successors of interest) upon the basis of race, creed, color, ancestry, sex, national origin, family status, sexual preference, disability or religion in the sale, lease or occupancy thereof. The foregoing restrictions as well as the provisions of N.J.S.A. 40:12A-9 shall be supplemented by appropriate covenants or provisions, including local hiring, in the developer's agreement and/or any other disposition instruments as covenants running with the land.

7.0 Other Provisions Necessary to Meet State and Local Requirements

This document constitutes a Redevelopment Plan under the provisions of the applicable State and local requirements, as detailed below:

7.1 Acquisition and Relocation

7.1.1 The Redevelopment Entity does not contemplate the public acquisition of private parcels within the Project Area. Therefore, no public displacement of families, individuals or businesses shall occur in the effectuation of the Green Zone Redevelopment Plan. Therefore, no Relocation Plan is necessary.

7.1.2 Section 7.1.1 notwithstanding, the Green Zone Redevelopment Plan does recognize that parcels within the Project Area may be desirable from a development standpoint. Acquisition of additional parcels and development rights shall be the sole responsibility of the Developer, at his own initiative and expense. Any and all acquisition and/or relocation responsibilities shall be subject to the private negotiations between the Developer and the owner/seller of said properties.

7.2 Local Redevelopment and Housing Law (N.J.S.A. 40:12A) Requirements

7.2.1 Designated 'Area in Need of Redevelopment' The governing body of the City of Atlantic City did, by Resolution No. 889 of 1994 (attached) declare the City of Atlantic City in its entirety, to be an "Area in Need of Rehabilitation", pursuant to N.J.S.A. 40:12a-1 et. seq. Subsequently, the Governing Body reaffirmed said designation for the entire City, by Ordinance No. 96 of 1994. The finding of an "Area in Need of Rehabilitation" is requisite for the advancement of a redevelopment plan and or redevelopment project pursuant to N.J.S.A. 40:12A-7.

7.2.2 Redevelopment Plan Content Pursuant to N.J.S.A. 40:12A-7, the Redevelopment Plan shall include an outline for the planning, identification, development and redevelopment or rehabilitation of the project area for the introduction of various class of recreational cannabis in

the Green Zone Redevelopment Area. The Green Zone Redevelopment Plan addresses these requirements, below:

7.2.2.1 Relationship to defined local objectives Local objectives were identified through review and consideration of local planning documents including the City of Atlantic City 2008 Master Plan, the 2016 Master Plan Re-examination Report, the 2012 CRDA Tourism District Master Plan, and the subsequent CRDA Master Plan amendments or volumes. Additionally, a review of the planning history and long-term local objectives to implement recreational cannabis, have been factored in and have been reflected in the redevelopment policies and provisions contained in the Green Zone Redevelopment Plan.

7.2.2.2 Appropriate Land Uses The proposed redevelopment of the Project Area and the proposed land uses are consistent with local planning objectives. The City of Atlantic City’s most recent planning document, the 2016 Master Plan Re-Examination Report, includes the following statements and objectives:

- “Provide a balance of land uses and development patterns based on traffic generation and density/intensity characteristics while maintaining the character and grid pattern of the community.”
- “encourage the re-use of vacant lands in the downtown area...”

Development pursuant to the Green Zone Redevelopment Plan to introduce the various classes of State and locally regulated recreational cannabis, will meet all of the objectives of the 2016 Master Plan Re-Examination Report in order to promote economic development. As well, it will meet the recommendations of the 2012 CRDA Tourism District Master Plan.

7.2.2.3 Traffic and Public Transportation The City of Atlantic City identifies the following objectives relative to traffic and transportation:

- Revitalize or create identifiable pedestrian-oriented neighborhood areas with focal points, mixed-use centers and employment areas that are linked with/to each other.
- Minimize impacts of traffic on Atlantic City residents and businesses, while encouraging an increase in pedestrian traffic.
- The Redevelopment Plan does not propose new modes of transportation or new transportation infrastructure within the City, thus, having a zero impact on the existing carbon footprint.
- The Redevelopment Plan encourages the use of existing public and private transportation infrastructure and transportation options available within the City, encouraging further definition of the Green Zone as a walkable district.

7.2.2.4 Proposed Land Uses and Building Requirements in the Project Area

The proposed land uses and building requirements in the Project Area are defined in Section 5 titled Land Use Plan.

As discussed in Section 7.1 temporary and/or permanent relocation of residents or businesses is neither necessary nor proposed.

The Green Zone Redevelopment Plan is anticipated to generate private investment to redevelop corridor properties, increasing the economic viability of the corridor and strengthening the local economy with tax revenues, permitting and licensing fees and employment opportunities.

7.2.2.5 Relationship of the Green Zone to the CRDA Tourism District Master Plan and Atlantic County Master Plan

As outlined in Section 7.2 the Green Zone Redevelopment Plan is compatible with the 2012 CRDA Tourism District Master Plan objectives and recommendations. As well, the Green Zone Redevelopment Plan is consistent with the Atlantic County Master Plan in the following areas:

- For new development, encourage attractive and modern design that align with the goals and desires of the communities in which they are built. The recreational cannabis industry will introduce and improve existing commercial properties with district-specific design standards;
- Support Atlantic City's efforts to reinvest in its economic base; and
- Encourage municipalities to pursue redevelopment and rehabilitation projects when appropriate.

The Green Zone Redevelopment Plan will achieve all of the above objectives, providing new retail and other classes of recreational cannabis use to existing and new construction properties.

- 7.2.3 Requirements of N.J.S.A. 40:12A-7(c) The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the Municipal Land Use Law, P.L. 1975, c.291 (C 40:55D-1 et. Seq.)

Pursuant to N.J.S.A. 40:12A-13 all applications for development or redevelopment of the Project Area or a designated portion or portions thereof, shall be submitted to the City of Atlantic City Planning Board for Subdivision Plan review in accordance with the provisions of N.J.S.A. 40:55D-1 and the CRDA Board, pursuant to NJSA 5:12-173.1 Findings, declarations relative to redevelopment in Atlantic City.

- 7.2.4 Developer's Obligation to Commence and Complete Development

In addition to the provisions of N.J.S.A. 40A:12A-9 the Developer shall be required to commence and complete the development for the uses specified in the Green Zone Redevelopment Plan and the construction of improvements within a reasonable period of time after receiving all building permits and approvals necessary to commence construction. The schedule of performance shall be made part of the developer's agreement if a developer's agreement is deemed necessary by the City. The Green Zone Redevelopment Plan envisions multiple developers in the introduction of recreational cannabis classes in the redevelopment area. No tax abatement will be used in connection with development occurring pursuant to this Plan. As such, developers are not required to enter into a redevelopment agreement with the City of Atlantic City. However, such developers are not exempted from entering into a developer agreement with the City of Atlantic City, should such an agreement be required as a condition of any development approval.

7.3 Rehabilitation and Conservation The City recognizes the possibility of underground storage tanks at vacant land in the Green Zone. The Developer shall comply with all applicable federal and State environmental regulations and shall be responsible for addressing all issues regarding same.

7.4 Duration of Provisions and Effective Date The GZRP, as it may be amended, will be in effect for a period of five years from the date of adoption and, upon review of its intended economic impact, may be renewed.

7.5 Authority and Plan Implementation

7.5.1 The Green Zone Redevelopment Plan and pursuant to the provisions to be negotiated, as part of the developer's agreement if one exists, the Redevelopment Entity shall approve the development concept and general plan for all undertakings proposed for the Green Zone Redevelopment Area.

7.5.2 The Redevelopment Entity shall have the authority to determine conformance of a Developer's concept and permissible recreational cannabis classes in the Redevelopment Plan

7.5.3 The Redevelopment Entity shall have authority for the interpretation or classification of any provisions of the Green Zone Redevelopment Plan.

7.6 General Construction and Application of Plan Provisions All provisions of the Green Zone Redevelopment Plan, including all building controls, regulations and/or restrictions imposed shall be applicable to all real property and improvements within the Green Zone

7.7 Procedures for Amending the Approved Redevelopment Plan

7.7.1 The Green Zone Redevelopment Plan may be amended within the timeframe outlined in Section 7.4, upon compliance with all applicable laws and statutes and the Governing Body of the City of

Atlantic City. Mutual agreement between the City and the Developer where a developer's agreement is in place, and where such amendment would change the controls governing the use of land under the developer's agreement.

7.7.2 The City of Atlantic City Planning Board may, at the time of the Green Zone Plan Review and without formal amendment to the Green Zone Redevelopment Plan, approve any modifications or changes to the building controls specified herein, provided said modifications are consistent with the applicable provisions specified in P.L. 2011, c.18(C5: 12-218 et.al).

7.7.3 Modifications or Changes in the Land Use or Building Limit Controls which are inconsistent with the intent of the Green Zone Redevelopment Plan shall require a formal plan amendment.

7.7.4 The City of Atlantic City Planning Board may grant all deviations or variances except for use variances.

7.7.5 The Green Zone supersedes local zoning.

8.0 References

City of Atlantic City Master Plan, 2008

City of Atlantic City Master Plan Re-Examination Report, 2016

Casino Redevelopment and Development Authority, Tourism District Master Plan, 2012

Casino Reinvestment Development Authority, Article 12, [cca-article12.pdf \(nj.gov\)](#)

[NJ's Framework for Social Equity Within the Adult-Use Recreational Cannabis Industry | New Jersey Law Journal](#)

New Jersey Department of Community Affairs. "Storefront & Façade Design Standards, 2022.

9.0 Exhibits

Property Data Spreadsheet

Green Zone Redevelopment Area

Blocks within the Boundary of Boston Avenue, Atlantic Avenue, Pacific Avenue and Maryland Avenue and Orange Loop District

Block 185, Lots 4, 9 (Abuts Boston Ave boundary line)

All of Block 184

All of Block 183

All of Block 182

All of Block 181

All of Block 180

All of Block 179

All of Block 178

All of Block 177

All of Block 176

All of Block 175

All of Block 174

All of Block 173

All of Block 171

All of Block 172

All of Block 170

All of Block 169

All of Block 168

All of Block 167

All of Block 165

All of Block 166

All of Block 164

All of Block 163

All of Block 162

All of Block 161

All of Block 160

All of Block 159

All of Block 158

All of Block 157

All of Block 156

All of Block 155

All of Block 154

All of Block 152

All of Block 151

All of Block 149

All of Block 146

All of Block 147

All of Block 148

All of Block 145

All of Block 144

All of Block 143

All of Block 142

All of Block 141

All of Block 140
All of Block 139
All of Block 138
All of Block 137
All of Block 136
All of Block 135
Block 134, Lot 1 (Abuts Maryland Ave boundary line)
All of Block 51 except for Lots 20-23, 26, 27, (Located in Orange Loop)
All of Block 52 except for Lots 21-25 (Located in Orange Loop)
All of Block 53 except for Lot 14 (Located in Orange Loop)
Block 54, Lots 1-6, 9-13, 15-30, 63, 64 (Located in Orange Loop)

Additional Properties with Frontage along Atlantic Avenue

Block 262, Lots 1, 6-11
Block 263, Lots 15-20
All of Block 265
All of Block 266
All of Block 269
Block 270, Lots 17, 22, 24
Block 271, Lots 18-21
Block 273, Lots 15, 19, 20, 23, 24
Block 274, Lots 28, 30, 43
Block 275, Lot 27
All of Block 276
Block 279, Lots 47-53, 57, 58
Block 280, Lots 39-50
Block 281, Lots 1, 9-11
Block 282, Lot 1
Block 283, Lot 10
Block 284, Lot 1
Block 285, Lots 2, 4
Block 287, Lot 12
Block 288, Lots 19-21
Block 289, Lots 1, 9, 12, 14, 23-27, 29, 32-36
Block 290, Lots 2-9
Block 291, Lots 18-22
Block 292, Lot 1
Block 294, Lot 1
Block 295, Lots 3-4
Block 296, Lot 1
Block 298, Lot 6
Block 299, Lot 6
Block 300, Lots 2.01, 12, 13
Block 301, Lots 55-64, 66, 67

Additional Properties with Frontage along Pacific Avenue

Block 26, Lot 1
Block 27, Lots 1, 2
Block 28, Lot 1
Block 29, Lots 1, 2
Block 30, Lots 1, 2
Block 31, Lot 1
Block 32, Lots 1-3
Block 34, Lots 1, 2
Block 35, Lots 14-23
Block 36, Lots 1, 53-58
Block 37, Lots 1, 28, 29
Block 38, Lots 1, 3
Block 39, Lots 1, 2
Block 40, Lots 1, 28-32
Block 41, Lot 1
Block 42, Lot 1
Block 43, Lot 1
Block 44, Lot 1
Block 46, Lots 1, 2
Block 47, Lots 1-8
Block 48, Lots 1-5
Block 49, Lots 1, 3
Block 51, Lots 1, 6, 7, 12-16
Block 52, Lot 1
Block 53, Lots 1, 26
Block 54, Lots 1-3, 63, 64
Block 56, Lots 1, 2, 60, 61
Block 57, Lots 1, 25
Block 58, Lot 1
Block 60, Lots 1-3, 38
Block 61, Lots 1, 33, 6, 9-11

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President & CEO

Barbara J. Fegley, AICP, PP
Sec./Treas. & Sr. Vice President

William H. Kirchner, PE, CME, N-2
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September 2, 2022
31623 30

Re: Master Plan Consistency Review

Green Zone Redevelopment Plan

All those properties in the Tourism District:

- Between Atlantic and Pacific avenues from Maryland to Boston avenues;
- Fronting on those four avenues; and
- Between Tennessee and New York avenues from Pacific Avenue to 200' from the Boardwalk

Lance B. Landgraf, Jr., AICP, PP, Director of Planning & Development
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Dear Mr. Landgraf:

The following document has been submitted for consistency with the Atlantic City Tourist District Master Plan, dated April 18, 2017:

Green Zone Redevelopment Plan, August 2022 (Redevelopment Plan), prepared by anonymous.

The Redevelopment Plan concerns the creation of a redevelopment overlay zone within a specifically defined area of the Tourism District where all six classes of State recreational cannabis licenses: Class 1 (Cannabis Cultivator), Class 2 (Cannabis Manufacturer), Class 3 (Cannabis Wholesaler), Class 4 (Cannabis Distributor), Class 5 (Cannabis Retailer) and Class 6 (Cannabis Delivery), would be permitted as a permitted principal use. Atlantic City Ordinance 51-22 indicates that if a cannabis license or permit application is located within the boundaries of the Tourism District, then its approval may be required from the Casino Reinvestment Development Authority.

This master plan consistency review is based on the New Jersey CRDA Atlantic City Tourism District Master Plan Volume 4 (Master Plan) dated 04/18/17 which comprises a Statement of Objectives, Land Use Plan, and Housing Plan elements, as well as the relevant data, information, and policy positions contained in the prior three volumes.

Completeness Review

We have reviewed the above document for completeness with the mandatory components of a redevelopment plan per N.J.S.A. 40A:12A-7a to 7d and other statutes. We offer the following comments:

1. N.J.S.A. 45:14A-1 indicates that no person shall engage in the practice of professional planning, as defined by N.J.A.C. 45:14A-2 unless the person is a licensed professional planner. ***The Redevelopment Plan may be found complete when it is signed and sealed by a licensed professional planner, or an otherwise qualified professional employed by the City of Atlantic City, which is the owner of the redevelopment area properties, or by the contracted lessee.***

2. N.J.S.A. 40A-12A-7a indicates that the Redevelopment Plan must specify a delineated project area. The Redevelopment Plan indicates that it applies to all those properties in the Tourism District: between Atlantic and Pacific avenues from Maryland to Boston avenues; fronting on those four avenues; and between Tennessee and New York avenues from Pacific Avenue to 200' from the Boardwalk, as described on pages 3, 6, and 10 identified on maps on pages 3 and 10, and listed in an inventory in the appendix.

We recommend that the words “within these boundaries” in paragraph 1.3 on page 6 and in paragraph 4.1 on page 10 be removed because it is a typographical error that implies that the Redevelopment Plan only applies to those properties fronting the Green Zone’s boundary streets. We would also encourage the author to cite the source of the map used on pages 3 and 10, which is from Atlantic City Ordinance 51-22, and to make it more legible. In addition, we would recommend that the description of the proposed Green Zone be amended to indicate that it also included portions of the Tourism District’s Gateway, Kentucky Avenue Renaissance District, and Ducktown Arts zoning districts. ***The Redevelopment Plan can be found complete when these issues are resolved.***

3. ***The Redevelopment Plan does not include two mandatory components per N.J.S.A. 40A:12A-7a. The Redevelopment Plan can be found complete when the following issues are resolved:***
 - a. N.J.S.A. 40A:12A-7a.(1) requires the redevelopment plan to indicate: *Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.* Stating that the Redevelopment Plan complies with a master plan’s objectives does not respond to the statutory requirement for identifying its “relationship to definite local objectives” identified in the LRHL. We recommend that the Redevelopment Plan be amended to indicate that it will have no substantial impact on local objectives related to density of population, and public utilities, recreational and community facilities, and other public improvements.
 - b. N.J.S.A. 40A:12A-7a.(7) requires the redevelopment plan to indicate: *Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.* We recommend that the Redevelopment Plan be amended to indicate that such infrastructure shall be installed as required by law, i.e., P.L. 2021, c.171.
4. **Summary Recommendation:** *With the above caveats, we recommend that the Redevelopment Plan is COMPLETE for the Approving Authority’s its review and consideration on the understanding that the above missing mandatory elements and typographical issues are corrected.*

Master Plan Consistency Review of Proposed Uses and Building Requirements

The Redevelopment Plan provides a thorough description of how its redevelopment objectives, land use plan, standards and controls, and other provisions correlate with the Tourism District Master Plan. We offer the following comments:

1. Redevelopment Project Area

As indicated in our Completeness Review, the Redevelopment Plan includes a small typographical error that is easily remedied. *We recommend that the Redevelopment Plan is CONSISTENT with the Master Plan, which identifies the use of redevelopment are plans to implement its goals and objectives.*

2. Land Uses

Because the focus of the Redevelopment Plan concerns the creation of a redevelopment overlay zone within a specifically defined area where all six classes of State recreational cannabis licenses would be permitted as a permitted principal use, it is important to understand these license types and how they may correlate to the production / light manufacture, warehousing / wholesale trade / bulk distribution, and retail / customer delivery of other commodities, as defined by the State regulations relating to licensed recreational cannabis businesses.

Classes 1 and 2 are comparable to the production / light manufacture of other agricultural commodities. Classes 3 and 4 relate to the warehousing, wholesale trade, and bulk distribution of those commodities. Classes 5 and 6 relate to the retail trade and customer delivery of other retail goods. The difference between New Jersey's recreational cannabis industry and other agricultural commodities is that every part of the industry, from seedling to sale, is regulated and oversight by state license, comparable to that of the casino industry.

Although the Tourism District's Master Plan Land Use Plan Element does not specifically mention recreational cannabis, all six classes of State recreational cannabis licenses are compatible with its overarching vision:

The Master Plan seeks to reinvigorate the Atlantic City experience by enhancing the Boardwalk, beach and nearby streets through extensive entertainment and event programming; creating an improved street-level experience on major thoroughfares; offering new and dynamic retail offerings and increasing cleanliness and safety. The plan offers strategies for the formation of inspired districts, contemporary entertainment and enthralling attractions that activate and energize the entire Tourism District. Atlantic City always has been, and will continue to be, the top choice for those seeking unique events, exciting food and beverage, vibrant retail and, above all, the intangible quality of spontaneity and excitement.

Put simply, New Jersey's recreational cannabis regulations provide sufficient safeguards to Atlantic City residents and visitors, and perhaps more so, than other traditional recreational drugs, e.g., sugar, alcohol, caffeine, and tobacco, which are part of Tourism District experience. Under state regulation, the production and light manufacture of recreational cannabis and cannabis products (Classes 1 and 2) will be comparable to craft breweries and distilleries permitted in several parts of the Tourism District. The retail trade and customer delivery of recreational cannabis (Classes 5 and 6) is like that of beer, wine, and spirit sales in liquor stores, which are also permitted in many parts of the Tourism District.

Finally, based on similar experience in New Jersey and in other states, the warehousing, wholesale trade, and bulk distribution of recreational cannabis and cannabis products (Classes 3 and 4) will not be unlike that for other recreational drugs, such as alcohol and tobacco. Local real estate forces and accessibility to highway corridors, in addition to state regulation factors, will determine whether and where such businesses will locate in the proposed Green Zone redevelopment area. Because safe and efficient truck circulation is a vital component to the success of Tourism District's casino, entertainment, and hospitality industries, we are confident that the CRDA's land development review and approval procedures will address any potential site-specific locational concerns.

Given the above, we recommend that the Redevelopment Plan is CONSISTENT with the Master Plan's Land Use Plan.

3. Building Requirements

The Redevelopment Plan's design guidelines, design standards for color, lighting, windows, doors, awnings, cornices, signage, and security, and building limit controls on pages 14 through 20 appear to be

CONSISTENT with the District Design Principals in Section 4.8 of Master Plan Volume 3. The Redevelopment Plan's building requirements for minimum / maximum lot area, bulk, and height dimensions of any underlying zones, the Approving Authority previously found consistent with the Master Plan.

4. Summary Recommendation: *With the above caveats, we recommend that the Approving Authority find the Redevelopment Plan is CONSISTENT with the New Jersey CRDA Atlantic City Tourism District Master Plan (Master Plan) dated 04/18/17 and associated master plan documents and with the CRDA's Tourism District Land Development Rules (Rules, or N.J.A.C. 19:66) that have been adopted after a finding of master plan consistency.*

If you require any additional information or have any questions, please contact the undersigned. We are pleased to be of service.

Sincerely,



G Jeffrey Hanson, PE, CME
CRDA Land Use Board Engineer and
Planning Consultant

Sincerely,



Edward Fox AICP PP

Cc: Scott Collins, Esq., CRDA Land Use Attorney via email scollins@riker.com

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Ordinance

Ordinance No. 8-E

OF THE
CITY OF ATLANTIC CITY, N.J.

Date...8-17-2022....
Date to Mayor.....

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor/ Karl Timbers

Jacques Howard /s/Asst. Director Planning & Development

Prepared by the City Solicitor's Office

Council Members RANDOLPH, SHABAZZ & MORSHED Present the following Ordinance:

ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE GREEN ZONE REDEVELOPMENT AREA INCLUDING ATLANTIC AVENUE, PACIFIC AVENUE, AND THE ORANGE LOOP

WHEREAS, pursuant to N.J.S.A. 40A:12A-1, et. seq., Resolution No. 889 of 1994 of the City Council of Atlantic City ("City Council") declared the entirety of the City of Atlantic City as an "Area in Need of Rehabilitation"; and

WHEREAS, in accordance with N.J.S.A. 52:27BBBB-19(f), the City was declared a blighted area and an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a Governing Body may adopt, revise or amend a redevelopment plan; and

WHEREAS, in order to facilitate the redevelopment of Atlantic Avenue, Pacific Avenue bounded at the western edge by Boston Avenue and at the eastern edge by Maryland Avenue, and the Orange Loop bounded by Pacific Avenue, 200 feet from the Boardwalk, and New York Avenue and (as shown on the Redevelopment Plan attached) (the "Property"); and

WHEREAS, the City has determined that it is in the best interest of the City to adopt a Redevelopment Plan to effectuate the redevelopment of the Property to include the classes of cannabis licenses for Class 1 (Cannabis Cultivator), Class 2 (Cannabis Manufacturer), Class 3 (Class Wholesaler), Class 4 (Cannabis Distributor), Class 5 (Cannabis Retailer) and Class 6 (Cannabis Delivery); and

WHEREAS, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented provides for a process for redevelopment entities to enter into agreements with redevelopers to carry out and effectuate the terms of a redevelopment plan; and

WHEREAS, the entirety of the Redevelopment Area is located within Casino Reinvestment and Development Authority (CRDA) jurisdiction, also known as the Tourism District, the Redevelopment Area will need to be consented to by the CRDA.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Atlantic City, State of New Jersey, as follows:

Section 1. The City hereby adopts the “Green Zone Redevelopment Plan” for Atlantic Avenue and Pacific Avenue, bounded at the western edge by Boston Avenue, and at the eastern edge by Maryland Avenue, and the Orange Loop bounded by Pacific Avenue, 200 feet from the Boardwalk, and New York Avenue, attached hereto, to facilitate the redevelopment of the City of Atlantic City.

Section 2. Council declares and determines that said plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the redevelopment of the Property in the designated area and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq.

Section 3. The Governing Body of the City of Atlantic City shall have, be entitled to, and is hereby vested all power and authority granted by the aforementioned statutory provisions to effectuate the Redevelopment Plan.

Section 4. The Redevelopment Plan shall supersede any other local development regulation and City of Atlantic City Zoning Map is hereby amended to conform with the provisions of the Redevelopment Plan.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. In the event any clause section or paragraph of the Ordinance is deemed invalid or unenforceable for any reason, it is the intent of City Council that the balance of the Ordinance remains in full force and effect to the extent it allows the City to meet the goals of the Ordinance.

Section 7. The Casino Reinvestment Development Authority must consent to this Redevelopment Plan before final adoption as required by law.

Section 8. This Ordinance shall take effect after final adoption and publication according to law.

Kc August 23, 2022 9:14 AM 8-E

DO NOT USE SPACE BELOW THIS LINE

RECORD OF COUNCIL VOTE ON FIRST PASSAGE

COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
DUNSTON	X						RANDOLPH	X					X
KURTZ	X						SHABAZZ	X				X	
MARSHALL	X						WEEKES	X					
MORSHED	X						ZIA	X					
							TIBBITT, PRESIDENT	X					
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

Adopted on first reading at a meeting of the Council of the City of Atlantic City, N.J. on ...AUGUST 17, 2022.....

Tally

ATLANTIC CITY PROJECT REVIEW COMMITTEE

DATE: September 6, 2022

GREEN ZONE REDEVELOPMENT AREA - Approval to provide Authority consent to the City of Atlantic City's ("City") Green Zone Redevelopment Plan which would allow the permissible operation and consumption classes of recreational cannabis. (LB)

Motion: MB

Second: DC

Michael Beson	Y
Daniel Cosner	Y
Brett Matik	Y
Kim Holmes for Lt. Governor and DCA Commissioner	Y
James Plousis	A
Mayor Marty Small, Sr.	Y
Karen Worman	ABSTAINED
Modia Butler, Chairman	Y

CRDA BOARD TALLY

September 20, 2022

**GREEN ZONE REDEVELOPMENT AREA – RESOLUTION OF THE CASINO
REINVESTMENT DEVELOPMENT AUTHORITY CONSENTING TO THE CITY OF ATLANTIC
CITY’S GREEN ZONE REDEVELOPMENT PLAN PERMITTING THE OPERATION AND
CONSUMPTION CLASSES OF RECREATIONAL CANNABIS WITHIN THE TOURSIM
DISTRICT**

MOTION

MS

SECOND

EG

Michael Beson	<u> A </u>
Daniel Cosner	<u> Y </u>
Debra DiLorenzo	<u>ABSTAINED</u>
Ed Gant	<u> Y </u>
Michael Hanley	<u> Y </u>
Gary Hill	<u> Y </u>
Brett Matik	<u> Y </u>
William Mullen	<u> Y </u>
Lt. Governor and DCA Commissioner Sheila Oliver	<u>ABSTAINED</u>
James Plousis	<u> Y </u>
Dave Rebeck for the State Attorney General	<u>ABSTAINED</u>
Bob Shaughnessy for the State Treasurer	<u> Y </u>
Mayor Marty Small	<u> Y </u>
William Sproule	<u> Y </u>
Karen Worman	<u>RECUSED</u>
Chairman, Modia Butler	<u> Y </u>