

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF TITLE 17, CHAPTER 24 TO THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "PERFORMANCE STANDARDS GENERALLY"

No.

Passed:

Jessica M. Marino, Council President

Approved:

Kenneth J. Hopkins, Mayor

It is Ordained by the City Council of the City of Cranston as follows:

Section 1. Title 17, "Zoning", Chapter 24, "Performance Standards Generally" of the Code of the City of Cranston is hereby amended to ADD Chapter 17.24.50 as follows:

17.24.50 – Retail Sales of Cannabis.

A. Definitions.

1. The following terms shall have the definitions as set forth in this code:

Commercial day care.

Education institution.

Library.

Municipal park/playground.

Outdoor sports field.

Place of religious worship.

2. The following terms are hereby defined by this section:

Athletic and recreational facility.

Halfway house.

Cannabis Retailer

Hybrid Cannabis Retailer

Marijuana Retail Facility

Substance abuse treatment facility.

1 **Youth center.**

2 **"Athletic and recreational facility" means any athletic or recreational facility**
 3 **including, but not limited to, any playing field, ballfield, basketball court, tennis**
 4 **court, soccer field, or playground.**

5 **"Halfway house" means a licensed facility that offers services to formerly**
 6 **institutionalized individuals to adjust to life in society.**

7 **"Cannabis retailer" As defined under Sec. 21-28.11-3(16) of the Rhode**
 8 **Island Cannabis Act, an entity licensed pursuant to § 21-28.11-10.2 to purchase and**
 9 **deliver cannabis and cannabis products from cannabis establishments and to**
 10 **deliver, sell or otherwise transfer cannabis and cannabis products to cannabis**
 11 **establishments and to consumers.**

12 **"Hybrid cannabis retailer" Under Sec. 21-28.11-3(28) of the Rhode Island**
 13 **Cannabis Act, a compassion center licensed pursuant to chapter 28.6 of title 21 that**
 14 **is in good standing with the department of business regulation and that has paid the**
 15 **fee pursuant to § 21-28.11-10 and has been authorized to sell non-medical or adult**
 16 **use cannabis to consumers.**

17 **"Marijuana retail facility" Any facility that may, under state law, acquire,**
 18 **possess, supply or dispense marijuana, and/or related supplies and educational**
 19 **materials, but does not cultivate marijuana on-site, including, but not limited to,**
 20 **compassion centers, as defined in R.L. § 21-28.6-3, provided that compassion centers**
 21 **that cultivate marijuana on-site shall be considered marijuana cultivation facilities.**
 22 **Facilities in which marijuana is sold or dispensed for immediate, on-site use or**
 23 **consumption shall be considered marijuana emporiums. This shall not include a**
 24 **cannabis retailer or hybrid cannabis retailer, as defined herein.**

25 **"Substance abuse treatment facility" means a licensed facility that offers**
 26 **recovery services for substance abuse.**

27 **"Youth center" means a managed building and associated outdoor space**
 28 **where young people can meet to participate in a variety of leisure, athletic,**
 29 **educational, religious, and cultural or other activities.**

30 **B. Licensing. A Cannabis Retailer and Hybrid Cannabis Retailer shall be licensed by the**
 31 **State of Rhode Island and shall be at all times in compliance with the laws of Rhode**
 32 **Island, regulations duly promulgated thereunder, and the provisions of this code.**

33 **C. Proximity to Other Land Uses. No Cannabis Retailer and Hybrid Cannabis Retailer**
 34 **shall be located within one thousand (1,000) feet* from an educational institution.**

35 **No Cannabis Retailer and Hybrid Cannabis Retailer shall be located within five**
 36 **hundred (500) feet* from the land uses listed below:**

- 37 **1. Commercial day care.**
- 38 **2. Library.**
- 39 **3. Municipal park/playground.**
- 40 **4. Outdoor sports field.**
- 41 **5. Substance abuse treatment facility.**
- 42 **6. Halfway house.**
- 43 **7. Youth center.**
- 44 **8. Athletic and recreational facility.**

1 **9. Place of religious worship.**

2 **No Cannabis Retailer and Hybrid Cannabis Retailer shall be located within four**
3 **hundred (400) feet* from a residential zoning district or a property with a residential use.**

4 ***Distances shall be calculated by direct measurement from the nearest property line of**
5 **the land uses listed above to the nearest portion of the building being used for a medical**
6 **marijuana dispensary. Distances shall be verified by the applicant and confirmed by the**
7 **inspector of buildings.**

8 **D. Restrictions.**

9 **1. A Cannabis Retailer and Hybrid Cannabis Retailer shall be prohibited within any**
10 **zoning district other than M-1 restricted industry and M-2 general industry**
11 **zoning districts. A Marijuana Retail Facility shall be prohibited in the City.**

12 **2. Cannabis Retailer and Hybrid Cannabis Retailer sales shall only be located**
13 **within a building. The building shall be equipped with an effective odor control**
14 **system which shall at all times prevent unreasonable interference of neighbors'**
15 **use and enjoyment of their property.**

16 **3. Cannabis Retailer and Hybrid Cannabis Retailer waste shall be stored in secured**
17 **waste receptacles in the possession of and under control of the medical marijuana**
18 **dispensary or other person responsible for the site. Cannabis Retailer and Hybrid**
19 **Cannabis Retailer waste shall be managed in accordance with applicable state**
20 **laws, including but not limited to rules promulgated by the Rhode Island**
21 **Department of Health, Business Regulation, and Environmental Management in**
22 **effect and as amended from time to time hereinafter.**

23 **4. A Cannabis Retailer and Hybrid Cannabis Retailer shall provide adequate**
24 **security on the premises which meets the minimum security requirements**
25 **according to R.I.G.L. §21-28.11 et seq., the rules and regulations promulgated by**
26 **the Rhode Island Department of Business Regulation, Rhode Island State Police,**
27 **or other state agency in effect and as amended from time to time hereinafter.**

28 **5. Light cast by exterior lighting fixtures (e.g., security lights, driveway lights) shall**
29 **be downcast, shielded, and hooded, and not spill onto adjacent lots.**

30 **6. Storage and disposal of waste or any other hazardous chemical associated with**
31 **the activities of a Cannabis Retailer and Hybrid Cannabis Retailer shall comply**
32 **with local, state, and federal laws. An application for review of any use by a**
33 **Cannabis Retailer and Hybrid Cannabis Retailer shall include a floor plan**
34 **showing the location of the storage of such chemicals and shall be subject to**
35 **review and approval by the local fire Marshall.**

36 **7. An annual inspection of a Cannabis Retailer and Hybrid Cannabis Retailer may**
37 **be conducted by the inspector of buildings and any other municipal regulatory**
38 **agency with jurisdiction.**

39 **8. Outdoor display and sales of merchandise shall be prohibited.**

40 **9. The hours of operation shall be between 10:00 a.m.—7:00 p.m.**

41 **10. The minimum lot area shall be six thousand (6,000) square feet.**

42 **11. Parking requirements shall be consistent with the requirements of a C-3 zoning**
43 **district for retail use.**

12. Signage requirements for building and free-standing signs shall be consistent with the C-3 zoning district. Billboards are prohibited.

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Section 2. This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

Christopher Millea, Solicitor Date

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Sponsored by Mayor Kenneth J. Hopkins

Referred to Ordinance Committee November 16, 2023