

# ZONING IMPLICATIONS OF THE MARIHUANA REGULATION AND TAXATION ACT



## MRTA: PREEMPTION

- Counties, cities, villages, and towns are preempted from adopting any law, rule, ordinance, regulation or prohibition pertaining to the operation or licensure of registered organizations, adult-use cannabis licenses or cannabinoid hemp licenses.

# MRTA LICENSE TYPES

## Cultivator License

- Acquisition, possession, distribution, cultivation, and sale of cannabis to licensed processors
- May apply for and obtain ONE processor's license and ONE distributor's license solely for the distribution of their own Products.
- Cannot hold a retail dispensary license.

# MRTA LICENSE TYPES

## Nursery License

- Production, sale, and distribution of clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.
- May apply for one nursery license to sell directly to other cultivators, cooperatives, microbusinesses, or registered organizations.

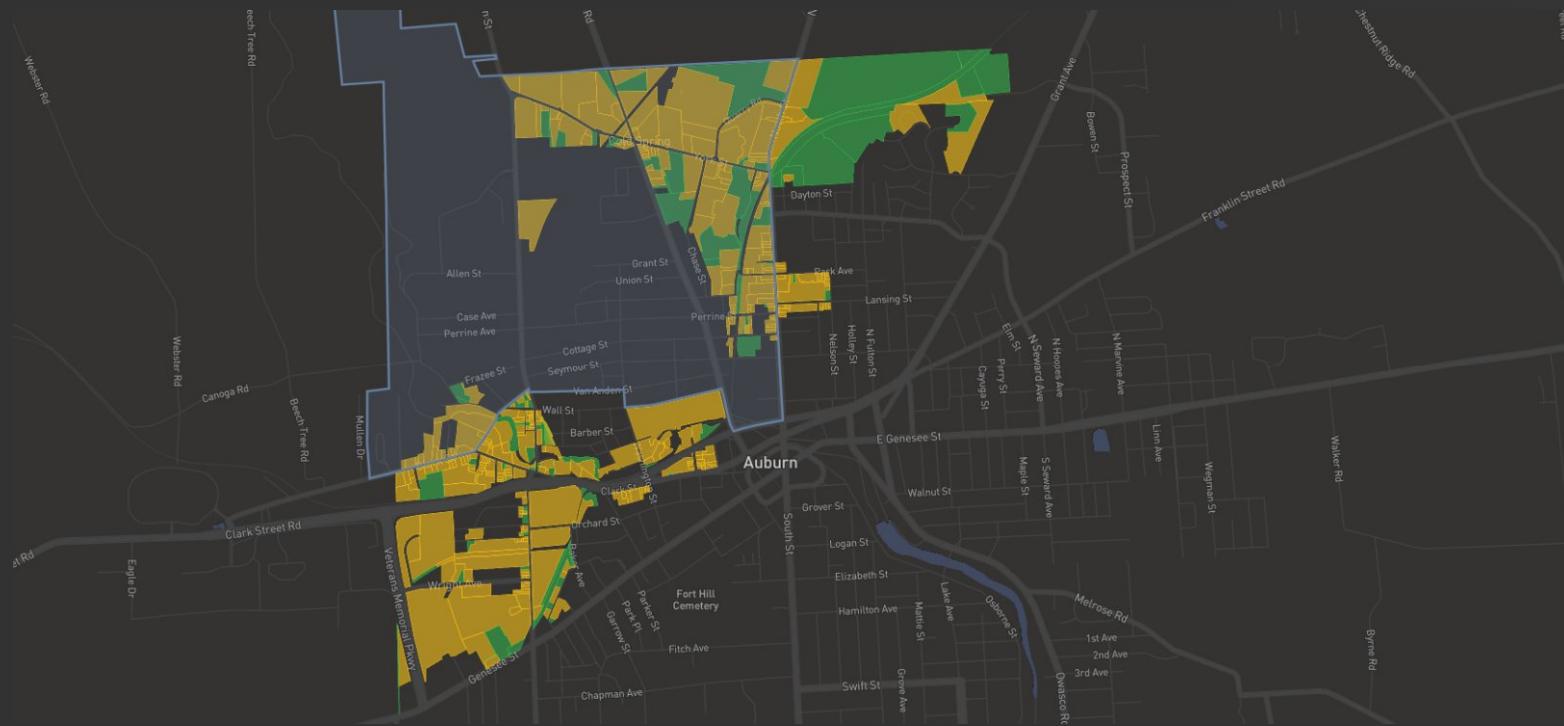


# MRTA LICENSE TYPES

## Processor License

- Acquisition, possession, processing and sale from cultivators to processors or distributors
- License may authorize processing activities at multiple locations if authorized by Cannabis Board.

# MRTA LICENSES AND THE ZONING CODE PROCESSING LICENSE: C, HC, CC, I



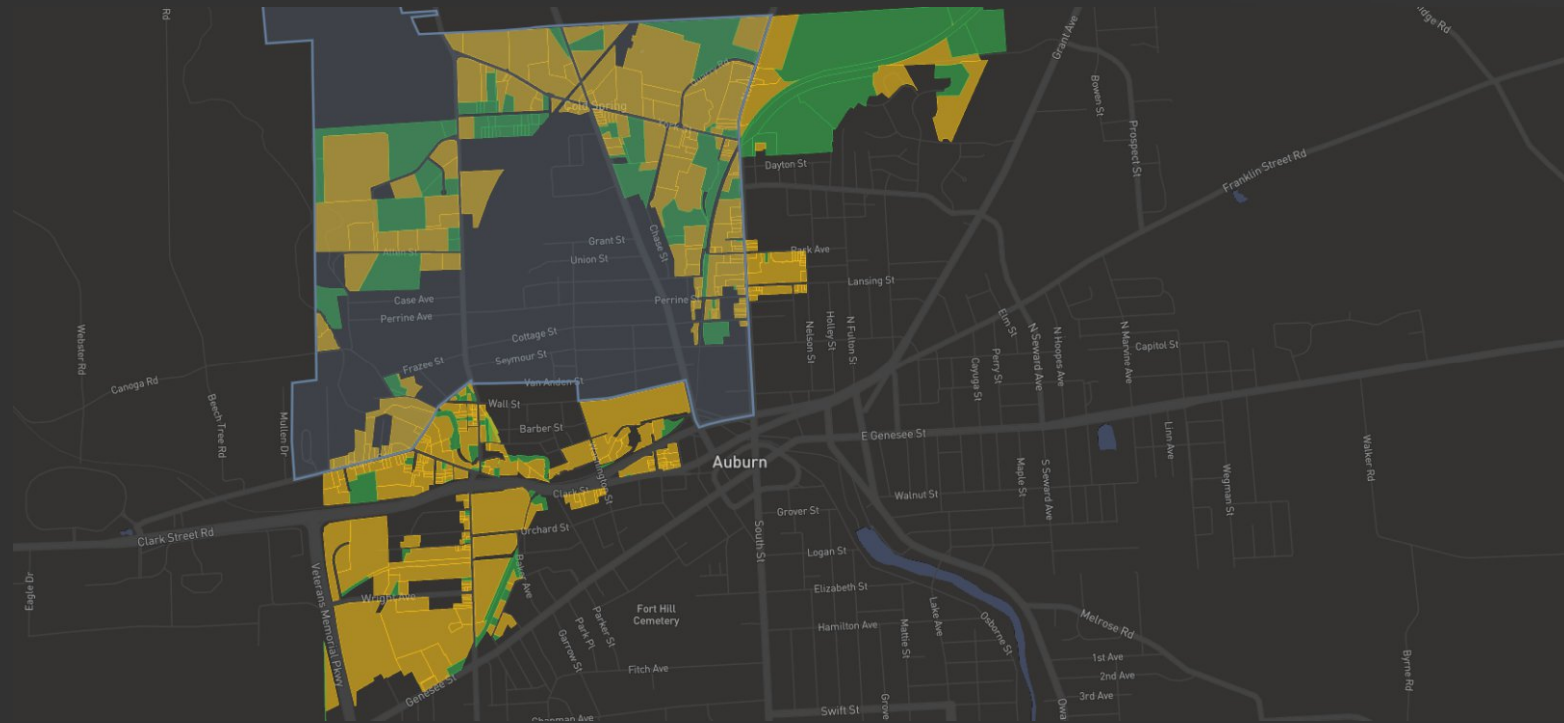
# MRTA LICENSE TYPES

## Distributor License

- Acquisition, possession, distribution and sale from cultivator, processor, cooperative, microbusiness, or registered organizations to retail dispensaries and onsite consumption sites
- Cannot have direct or indirect economic interest in microbusiness, retail dispensary, on-site consumption, or registered organization..



# MRTA LICENSES AND THE ZONING CODE DISTRIBUTION LICENSE: C, HC, CC, I, I-1



# MRTA LICENSE TYPES

## Delivery License

- Delivery of cannabis and cannabis products independent of another cannabis license
- Limited to no more than 25 individuals or equivalent thereof in providing full-time paid delivery services to consumers.

# MRTA LICENSE TYPES

## Retail Dispensary License

- Acquisition, possession, sale and delivery license shall authorize the acquisition, possession, sale, and delivery from licensed premises to cannabis consumers.
- No person can have a direct or indirect interest in more than three retail dispensary licenses, and cannot hold a cultivation, processor, microbusiness, cooperative, or distributor license, or be registered as a registered organization.
- Must be owner of premises in which retail license is applied for or demonstrate possession of premises within thirty days of final approval through lease, management agreement, or other agreement for duration of license period.

# MRTA LICENSE TYPES

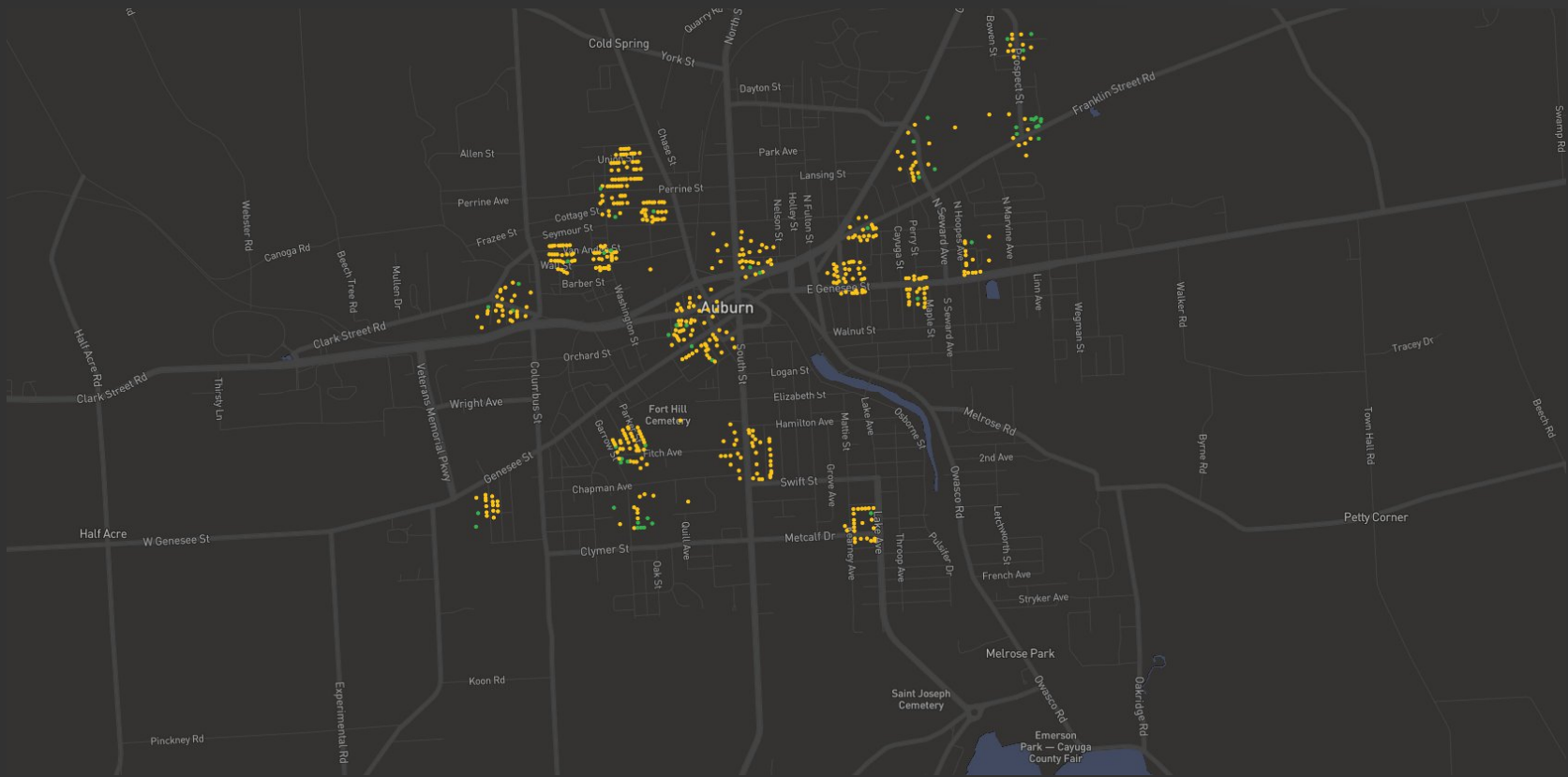
## On-Site Consumption License

- Areas licensed solely for the purpose of recreational cannabis use.
- Cannot hold interest in more than three on-site consumption licenses.
- Must be owner of premises in which retail license is applied for or demonstrate possession of premises through lease for duration of license period unless leased from gov't agency.
- Cannot hold any other cannabis licenses.

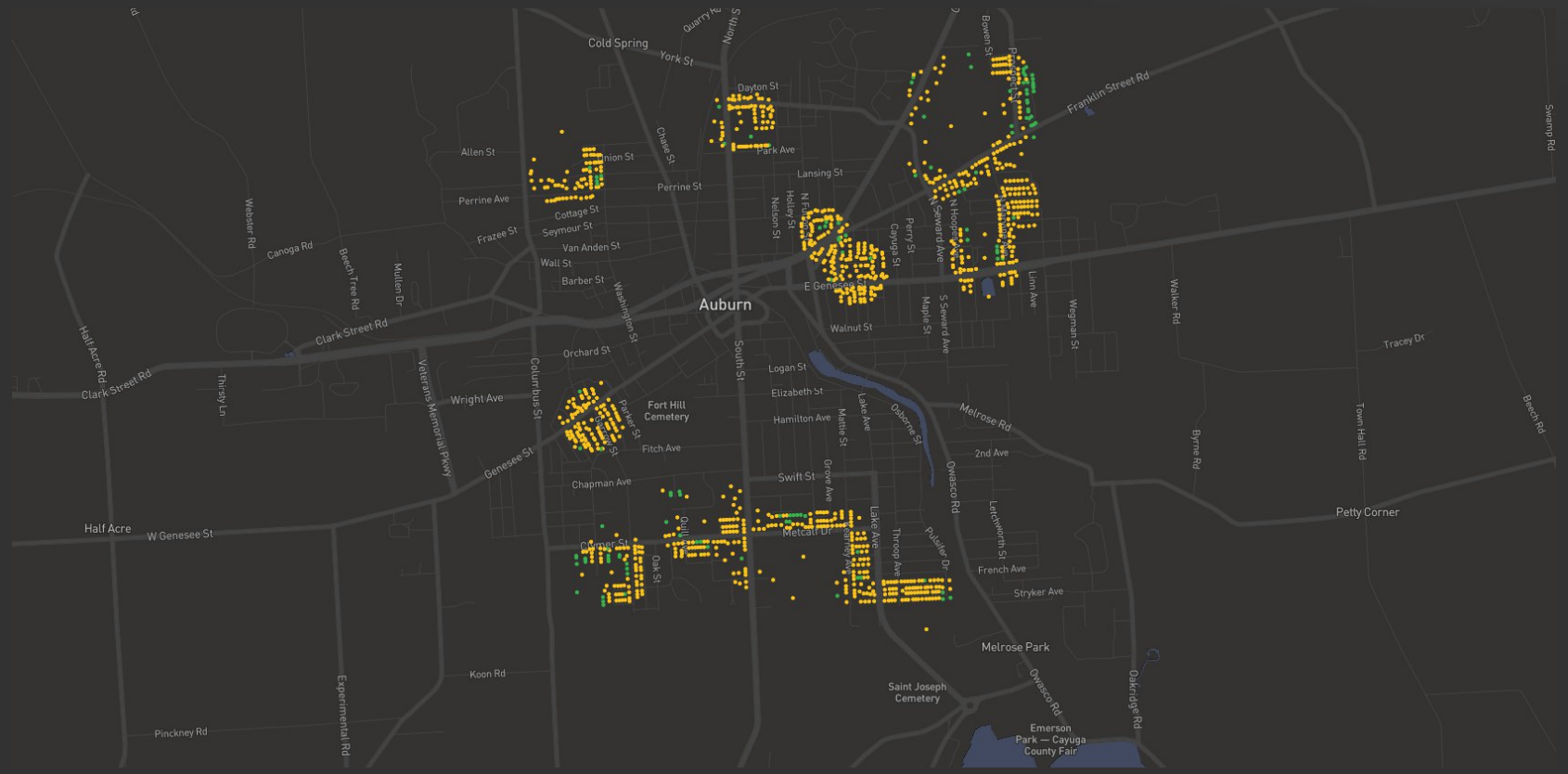
## MRTA: ADDITIONAL SITING RESTRICTIONS

- Retail dispensary signage is prohibited except as authorized by the Cannabis Control Board.
- Neither retail dispensaries nor on-site consumption establishments may be located within:
  - 500 feet of school grounds as such term is defined in the NYS Education Law or
  - 200 feet of a house of worship.

# WITHIN 200 FEET OF A HOUSE OF WORSHIP



# 500 FEET OF A SCHOOL

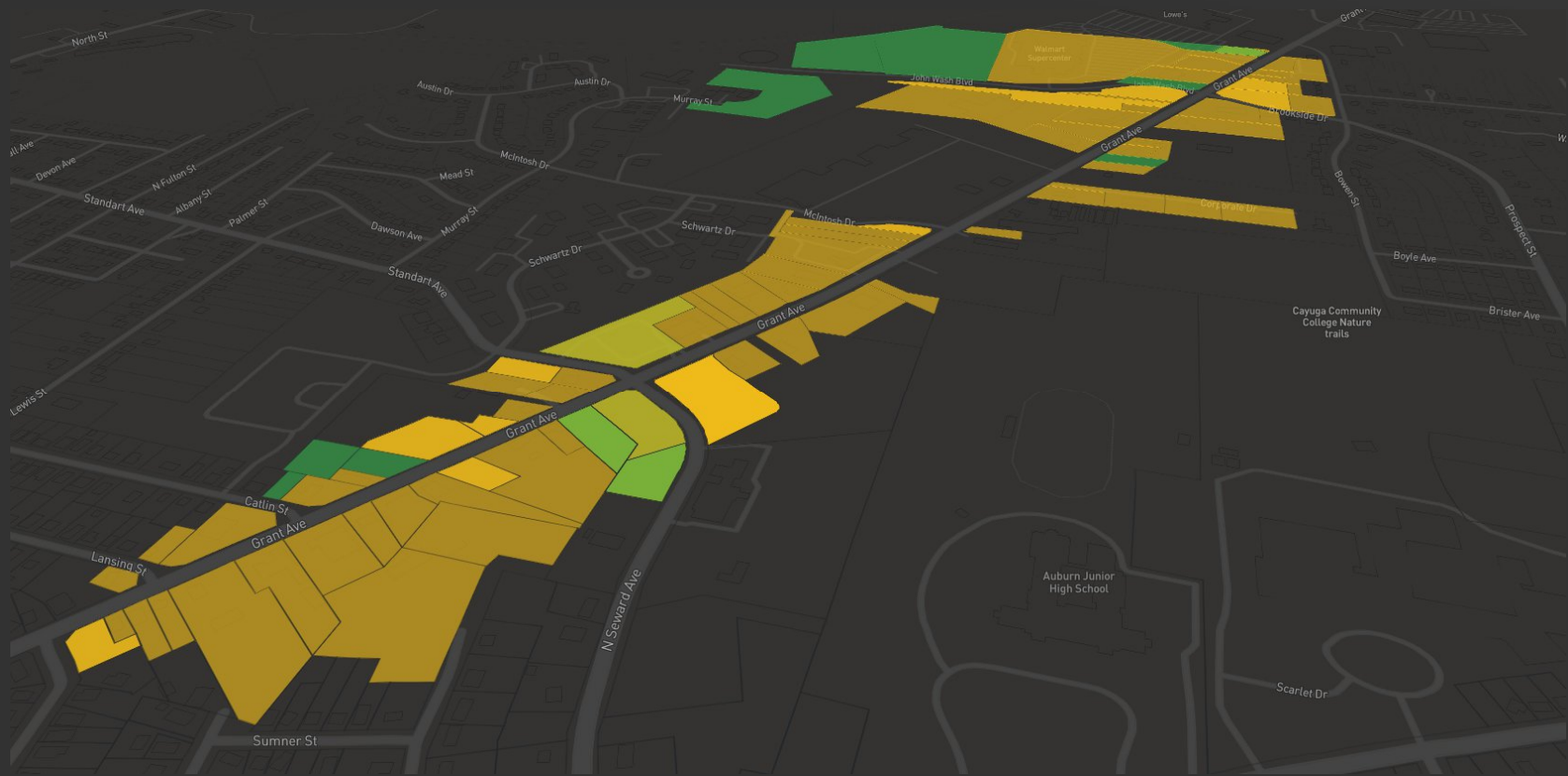


# PERMISSIBLE RETAIL AND ONSITE CONSUMPTION LOCATIONS IN DOWNTOWN ZONE WITH BID OVERLAY

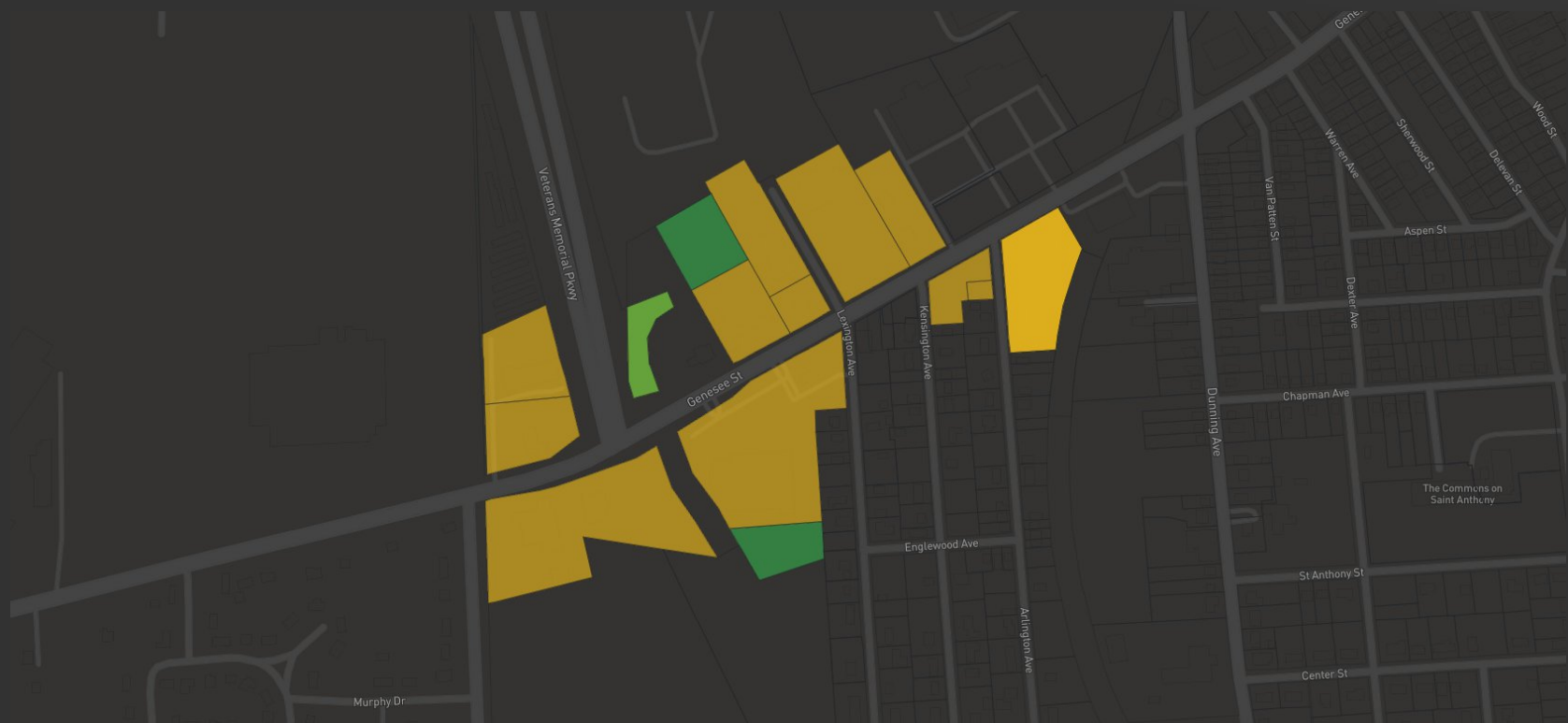




# PERMISSIBLE RETAIL AND ON-SITE LOCATIONS ON GRANT AVE



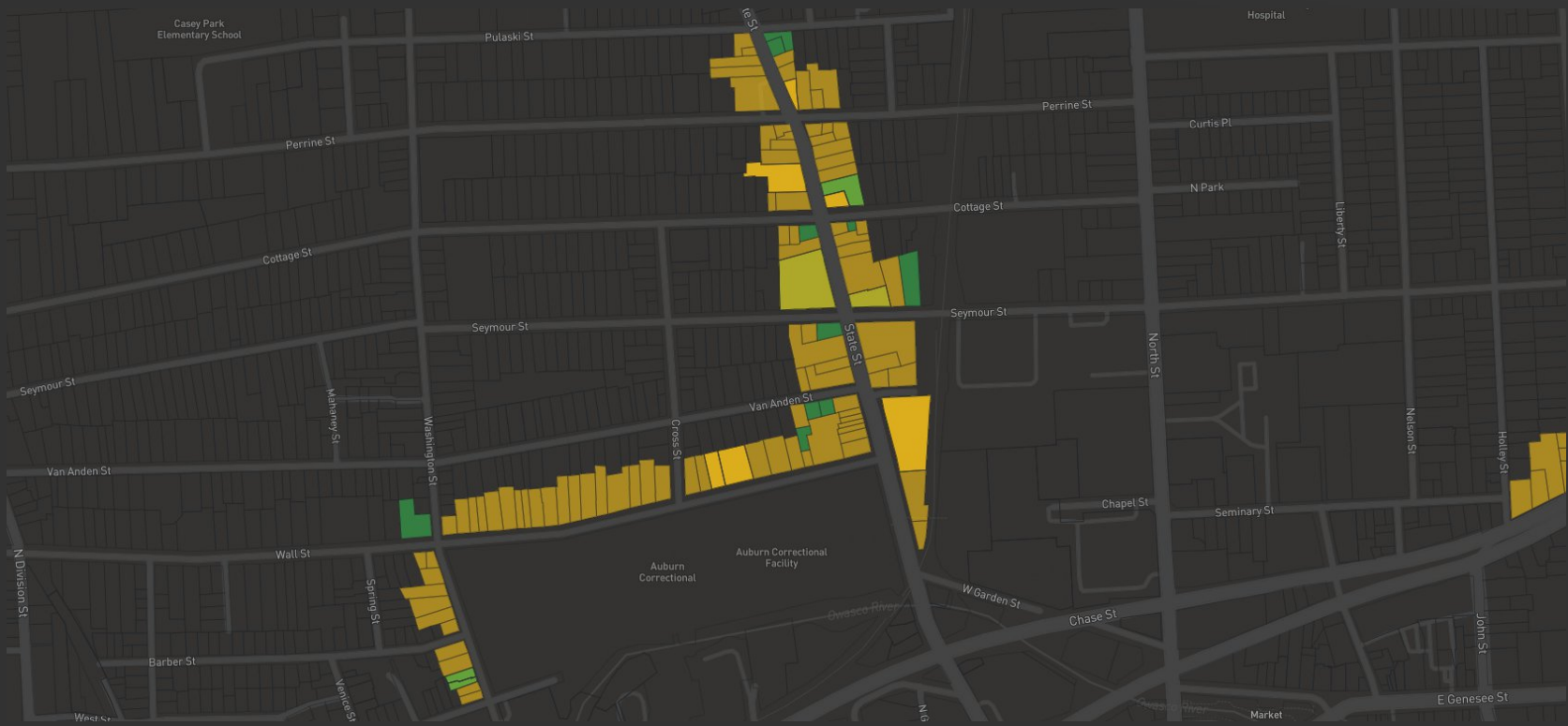
# PERMISSIBLE WEST END RETAIL AND ON-SITE SITE LOCATIONS



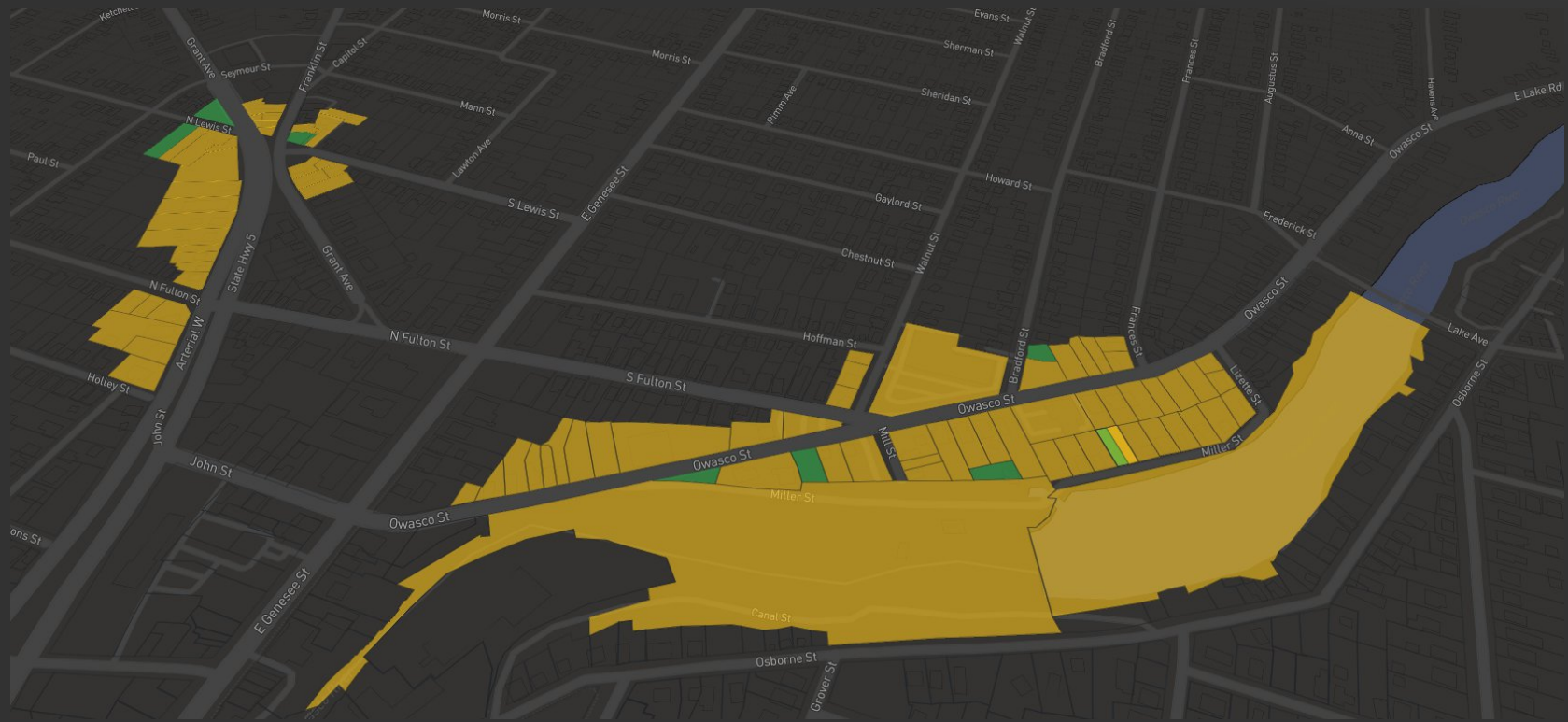
# PERMISSIBLE RETAIL LOCATIONS WEST END COMMERCIAL



# NEIGHBORHOOD COMMERCIAL: RETAIL AS OF RIGHT, ON-SITE BY SPECIAL USE PERMIT-STATE STREET



# NEIGHBORHOOD COMMERCIAL: 5 POINTS AND OWASCO



# NEIGHBORHOOD COMMERCIAL: WEST END



# CENTRAL CORRIDOR: RETAIL ONLY

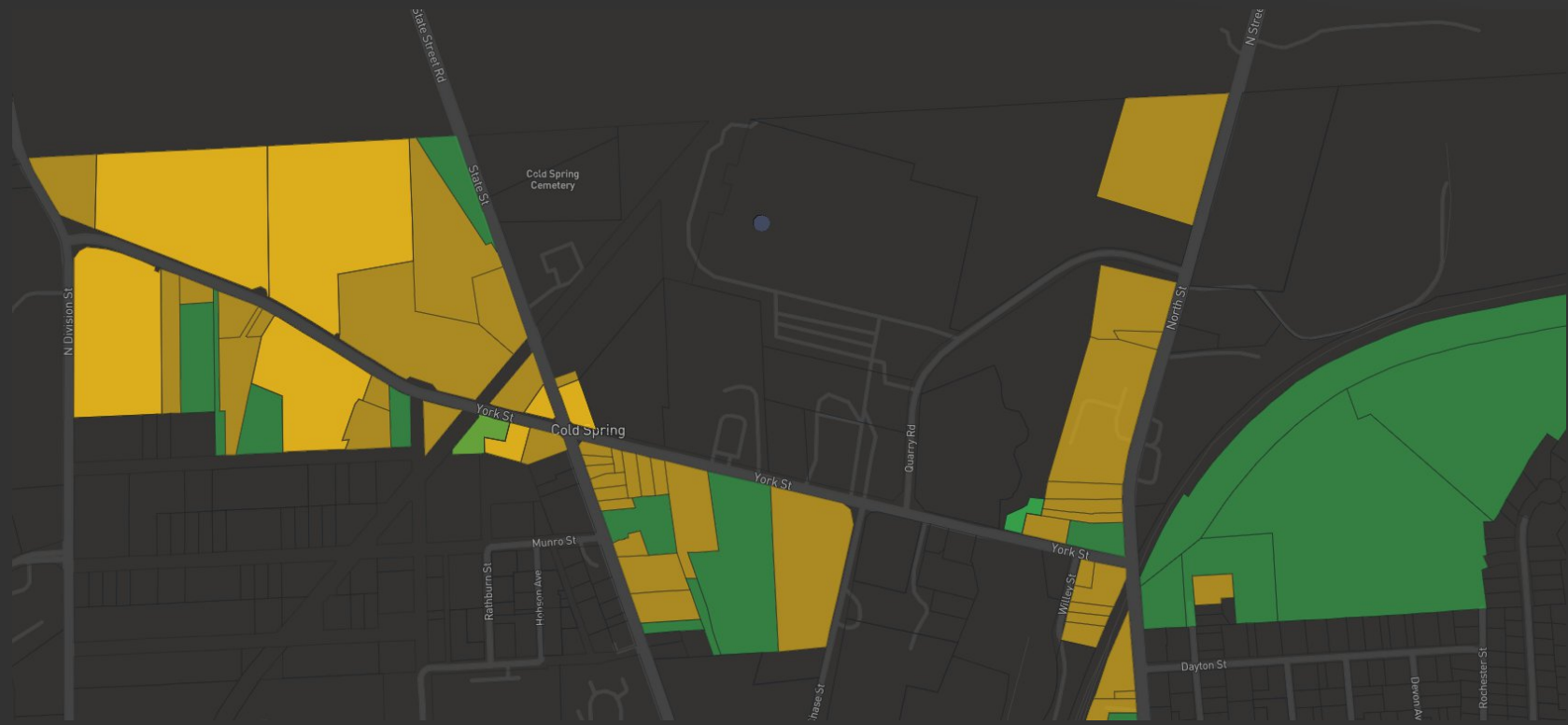


# GENERAL COMMERCIAL: RETAIL ONLY NORTH STREET





# GENERAL COMMERCIAL: YORK STREET



## MRTA: TIME PLACE AND MANOR RESTRICTIONS

- Cities, villages, and towns may nonetheless pass local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries and/or on-site consumption site, provided such laws or regulations do not make the operation of such licensed retail dispensaries or on-site consumption sites unreasonably impracticable as determined by the Cannabis Board. All adult-use licensees must comply with local zoning regulations

## POTENTIAL REASONABLE TIME PLACE AND MANNER RESTRICTIONS

- Adding the permitted uses of Commercial Greenhouse to I-1 and clarifying Light Industry to include Cannabis Processor would allow for economy of scale in the City's only Opportunity Zone.
- Adding the 'Adult Use Marihuana Dispensary' and limiting that use to Downtown, General Commercial and Highway Commercial zones.