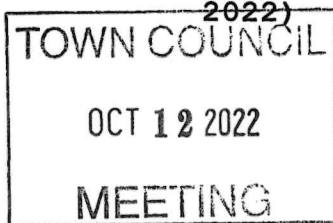
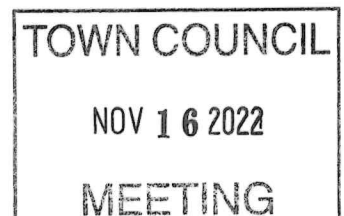


C1. Ordinance #2022-12 Chapter 28, Zoning, Article I:
Section 28-1 Definitions; Article III: Section 28-82
Use Regulations; Article V: Section 28-150 Special Use
Permit Standards for Various Uses; (Zoning Ordinance
Amendment Regarding Cannabis Related Uses) **(1st**
Reading and Call for Public Hearing on November 16,



Sweeney/Teixeira- Voted unanimously to
consider this action to constitute the first
reading of Ordinance #2022-12 and to call
for a public hearing to consider the said
matter for Second Reading to be held on
November 16, 2022.





Town of Bristol, Rhode Island

Department of Community Development

10 Court Street
Bristol, RI 02809
www.bristolri.us
401-253-7000

September 14, 2022

TO: Town Council
FROM: Diane M. Williamson, Director
RE: Proposed Revision to Zoning Ordinance Regarding Cannabis Related Uses

Diane W.

2022 SEP 14 PM 4:07

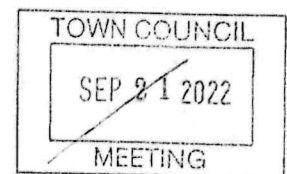
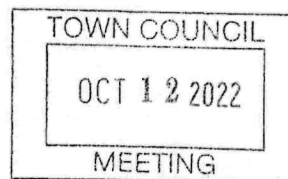
TOWN CLERK'S OFFICE
BRISTOL, RHODE ISLAND

The Planning Board reviewed the proposed revision to the Zoning Ordinance regarding cannabis related uses at their September 8, 2022 regular Planning Board meeting.

A motion was passed to recommend that the ordinance be approved subject to the edits as discussed at the meeting which the Town Solicitor's Office is preparing.

The proposed ordinance amendment is consistent with the General Purposes of Zoning because it provides for a range of uses and intensities of use appropriate to the character of the Town and that reflect current and expected future needs. The proposed ordinance amendment is also consistent with the Comprehensive Plan because it implements the Land Use Element policy of maintaining the character of Bristol and making sure that new development does not adversely impact the integrity of the Town.

It is requested that the Town Council place this on the next agenda for a first reading and to schedule a public hearing after the required 3 weeks of advertising.



LEGAL NOTICE

TOWN OF BRISTOL PUBLIC HEARING PROPOSED ZONING ORDINANCE AMENDMENTS - CANNABIS FACILITIES NO. 2022-12

The Bristol Town Council will hold a second reading and public hearing on November 16, 2022, at 7:00 pm.

AN ORDINANCE IN AMENDMENT TO

CHAPTER 28 - ZONING

These amendments are proposed by the Town of Bristol Department of Community Development. Proposed amendments are numerous and occur throughout Chapter 28, Zoning, Article I: Section 28-1 Definitions; Article III: Section 28-82 Use Regulations; Article V: Section 28-150 Special Use Permit Standards for Various Uses. The proposed amendments to the Zoning Ordinance would establish regulations for cannabis facilities, including cannabis cultivators, cannabis product manufacturers, cannabis retailers, and cannabis testing laboratories. The amendments would establish the zoning districts in which those uses would be prohibited or allowed by special use permit. The amendments would not take effect unless a majority of the Town's electors vote to approve the issuance of cannabis licenses in the Town. This question will be on the ballot for the general election on November 8.

Proposed amendments are available at the Town Hall in the Town Clerk's Office and may be viewed or downloaded from the Town of Bristol website at www.bristolri.gov

The proposal may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study, or because of the views expressed at the public hearing. Any such alteration must be presented for comment during the said hearing.

Per Order of the Town Council,
Melissa Cordeiro
Council Clerk

NOTE: INDIVIDUALS REQUESTING INTERPRETIVE SERVICES FOR THE DEAF OR HARD OF HEARING MUST NOTIFY THE TOWN CLERK'S OFFICE AT 253-7000, 72 HOURS IN ADVANCE OF THE HEARING DATE.

October 27, November 3 & 10, 2022

2nd reading

IT IS HEREBY ORDAINED by the Town Council of Bristol, Rhode Island, that Chapter 28 of the Zoning Code of the Town of Bristol be amended as follows:

CHAPTER 28 ZONING

ARTICLE I. - IN GENERAL

Sec. 28-1. - Definitions.

* * *

Cannabis cultivator means, as defined under Sec. 21-28.11-3(11) of the Rhode Island Cannabis Act, an entity licensed to cultivate, process and package cannabis, to deliver cannabis to cannabis establishments and to transfer cannabis to other cannabis establishments, but not to consumers.

Cannabis product manufacturer means, as defined under Sec. 21-28.11-3(14) of the Rhode Island Cannabis Act, an entity licensed to obtain, manufacture, process and package cannabis and cannabis products, to deliver cannabis and cannabis products to cannabis establishments and to transfer cannabis and cannabis products to other cannabis establishments, but not to consumers.

Cannabis retailer means, as defined under Sec. 21-28.11-3(16) of the Rhode Island Cannabis Act, an entity licensed pursuant to § 21-28.11-10.2 to purchase and deliver cannabis and cannabis products from cannabis establishments and to deliver, sell or otherwise transfer cannabis and cannabis products to cannabis establishments and to consumers.

Cannabis testing laboratory means, as defined under Sec. 21-28.11-3(17) of the Rhode Island Cannabis Act, a third-party analytical testing laboratory that is licensed annually by the commission, in consultation with the department of health, to collect and test samples of cannabis and cannabis products pursuant to regulations issued by the commission and is: (i) Independent financially from any medical cannabis treatment center or any licensee or cannabis establishment for which it conducts a test; and (ii) Qualified to test cannabis in compliance with regulations promulgated by the commission pursuant to this chapter. The term includes, but is not limited to, a cannabis testing laboratory as provided in § 21-28.11-11.

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

* * *

Compassion center means, as defined in R.I. Gen. Laws § 21-28.6-3, a not-for-profit corporation, subject to the provisions of chapter 6 of title 7, and registered under § 21-28.6-12, that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies or dispenses marijuana, and/or related supplies and educational materials, to patient cardholders and/or their registered caregiver cardholder, who have designated it as one of their primary caregivers.

* * *

Medical marijuana cultivation center means any entity that, under state law, may acquire, possess, cultivate, manufacture, deliver, transfer, transport, or supply marijuana to a registered compassion center, or other entity authorized to dispense marijuana.

Medical marijuana emporium means any retail or commercial establishment, or club, whether for-profit, non-profit, or otherwise, at which the sale or use of medical marijuana takes place. This shall include without limitation any so-called “vape lounge,” “vapor lounge,” or any other establishment at which medical marijuana is consumed in vaporized form. This shall not include a compassion center regulated and licensed by the State of Rhode Island, as defined herein.

* * *

ARTICLE III. - PERMITTED USES

* * *

Section 28-82. - Use regulations

* * *

(d) Permitted use table. The permitted use table shall be as follows:

TABLE A. PERMITTED USE TABLE

ZONING DISTRICTS	R-80	R-40	R-20	R-15	R-10 R-10 SW R-8	R-6	LB	GB	D	W†	M	OS	EI	HPC	MMU
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* * *

MEDICAL MARIJUANA/CANNABIS RELATED USES															
Compassion center	N	N	N	N	N	N	N	S*	N	N	N	N	N	N	S* N
Medical marijuana cultivation center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Medical marijuana emporium	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Non-medical marijuana retail sales	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
<u>Cannabis retailer/hybrid cannabis retailer</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S*</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Cannabis cultivator</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Cannabis product manufacturer</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Cannabis testing laboratory</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>

* * *

ARTICLE V. - SUPPLEMENTARY REGULATIONS

* * *

Sec. 28-150. - Special use permit standards for various uses.

* * *

(k) *Special use standards for compassion centers and cannabis retailers/hybrid cannabis retailers.*

I. Compassion centers by special permit use in certain zones as set forth in Section 28, shall be subject to the requirements of subsection 28-409(c)(2), and all of the following additional requirements:

- (1) The application for a special use permit shall provide the legal name and address of the compassion center, a copy of the articles of incorporation, and the name, address, and date of birth of each principal officer and board member of the compassion center. The application shall also include a site plan, which shall also show the distances between the proposed use and the boundary of the nearest residential zoning district and the property line of all other abutting uses as described within this section.
- (2) The requested use at the proposed location will not adversely affect the use of any property used for a school, public or private park, playground, play field, youth center, licensed day-care center, or any other location where groups of minors regularly congregate.
- (3) The requested use at the proposed location will be sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.
- (4) The exterior appearance of the structure must be consistent with the exterior appearance of existing structures within the immediate neighborhood, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.
- (5) The compassion center must not be located within:
 - a. One thousand (1,000) feet from the nearest Residential zoning district; or
 - b. One thousand (1,000) feet from the nearest house of worship, school, public or private park, playground, play field, youth center, licensed day-care center, or any other location where groups of minors regularly congregate; or
 - c. Two thousand (2,000) feet from any other compassion center.
- (6) The distances specified in the immediately preceding section (5) shall be measured by a straight line from the nearest property line of the premises on which the proposed compassion center use is to be located to the nearest boundary line of a residential district or to the nearest property line of any of the other designated uses set forth therein.
- (7) Hours of operation for a compassion center shall be limited to 8:00 a.m. to 8:00 p.m.
- (8) Lighting shall be required such that will illuminate the compassion center, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk.
- (9) The proposed compassion center shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing marijuana and shall ensure that each location has an operational security/alarm system.
- (10) Development Plan Review shall be conducted by the Planning Board.
- (11) All compassion center uses shall fully comply with all other licensing requirements of the Town of Bristol and the laws of the State of Rhode Island.

II. Cannabis retailers/hybrid cannabis retailers by special permit use in certain zones as set forth in Section 28, shall be subject to the requirements of subsection 28-409(c)(2), and all of the following additional requirements:

- (1) Pursuant to Sec. 21-28.11-17.1(b)(3) of the Cannabis Act, the cannabis facility must not be located within five hundred (500) of a pre-existing public or private school providing education in kindergarten or any of grades one through twelve (12). This distance shall be measured by a straight line from the nearest property line of the premises on which the proposed cannabis facility is to be located to the nearest property line of the parcel on which the school is located.
- (2) The proposed facility shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing cannabis and shall ensure that each location has an operational security/alarm system.
- (3) Development Plan Review shall be conducted by the Planning Board.
- (4) All cannabis facilities shall fully comply with all other licensing requirements of the town and the laws of the state.

* * *

This ordinance shall take effect upon its passage.

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