

# Zoning & Regulations for Cannabis Businesses

Thursday, June 2, 2022

*Thank you for joining us.  
We'll be starting shortly!  
Please mute yourself if you have not already.*

 Malik D. Evans, Mayor



City of Rochester, NY  
Rochester City Council

# AGENDA

- Presentation
- Questions & Comments

# Presentation: Zoning and Local Regulations for Cannabis Businesses

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# Background

- Marijuana Regulation and Taxation Act, 2021
- Allows local regulation of “time, place and manner” of retail dispensaries and on-site consumption lounges
- “Time, place and manner” is the “where” and the “how”

# Background

- State Office of Cannabis Management
- State Cannabis Control Board
- License types:
  - Cultivator
  - Processor
  - Distributor
  - Dispensary
  - On-Site Consumption
  - Delivery
  - Nursery
  - Microbusiness (all phases from seed to sale)
  - Cooperative (all phases except dispensing)



# Background

- State will issue first round of adult-use dispensaries at the end of this year
- Cannabis Business Preparation Committee (CBPC) appointed by Mayor Evans to develop recommendations
- City aims to adopt zoning and regulations by Labor Day

# Background

CBPC is holding:

- Zoning and regulations meetings (5/25, 5/31 and 6/2)
- Business development meetings:

Cannabis business support open house  
July 13<sup>th</sup> from 10:00 am to 2:00 pm  
Central Library Auditorium

Cannabis workforce development event  
August 10<sup>th</sup> from 10:00 am to 2:00 pm  
Central Library Auditorium

# CBPC's Conceptual Approach

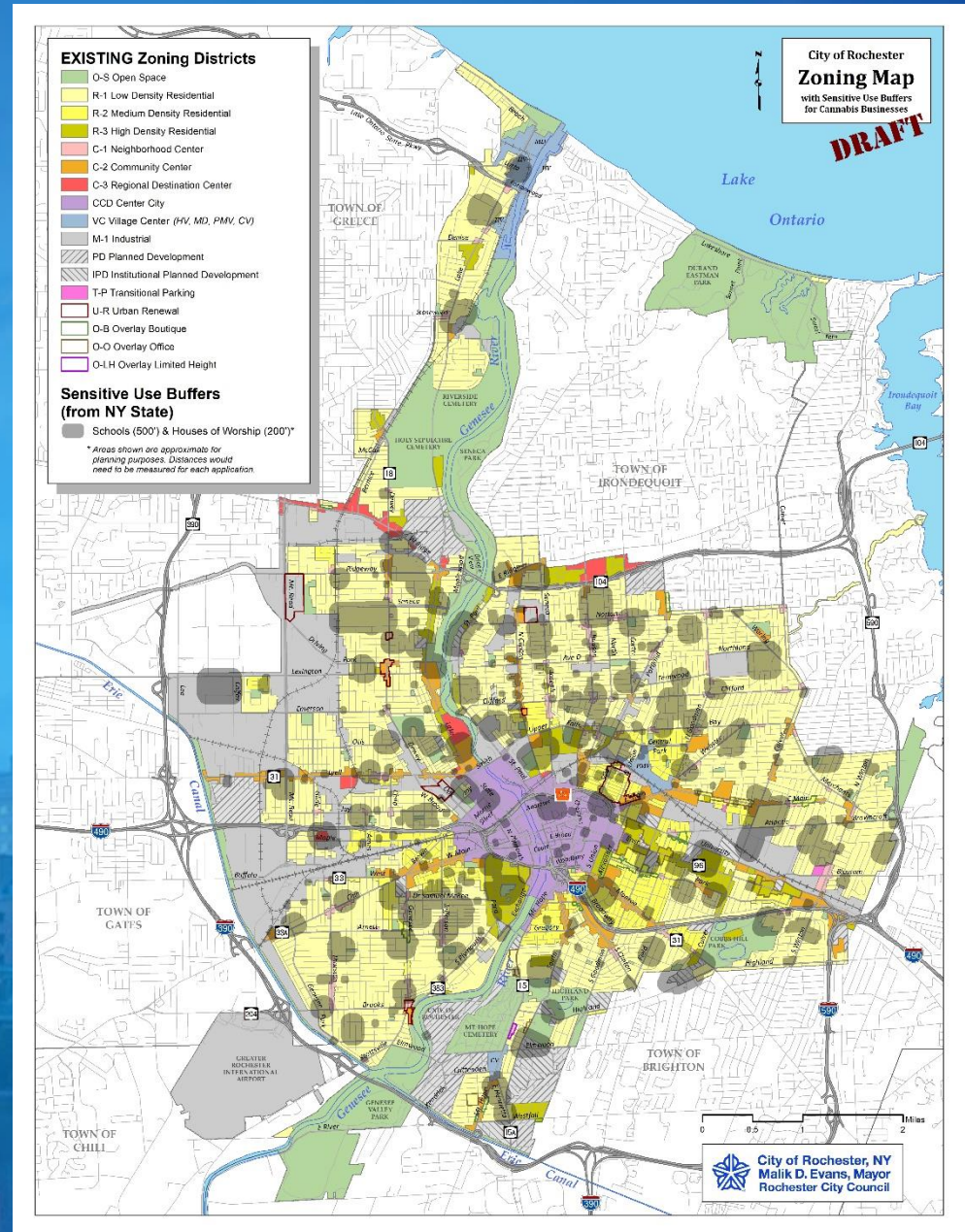
- Recommendations to Mayor still being developed
- Looking for community feedback on ideas being explored, as outlined in this presentation



# “Where?”

## NY State distancing requirements

- Schools: 500'
- Houses of worship: 200'







## EXISTING Zoning Districts

- O-S Open Space
- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- C-1 Neighborhood Center
- C-2 Community Center
- C-3 Regional Destination Center
- CCD Center City
- VC Village Center (HV, MD, PMV, CV)
- M-1 Industrial
- PD Planned Development
- IPD Institutional Planned Development
- T-P Transitional Parking
- U-R Urban Renewal
- O-B Overlay Boutique
- O-O Overlay Office
- O-LH Overlay Limited Height

## Sensitive Use Buffers (from NY State)

- Schools (500') & Houses of Worship (200')\*

*\* Areas shown are approximate for planning purposes. Distances would need to be measured for each application.*

# “Where?”

## Zoning, other cities

- Residential zones: prohibited, or prohibited except in limited circumstances (such as high density)
- Commercial: allowed
- Industrial: prohibited, prohibited except in limited circumstances, or allowed



# “Where?”

## Zoning, similar uses in Rochester

### **Dispensary** → Retail Sales and Services:

- Residential zones: prohibited in R-1 and R-2; Prohibited in R-3 except on ground floor of mixed-use building w/ more than 20 housing units
- Commercial: permitted
- Industrial: permitted only in limited circumstances

# “Where?”

## Zoning, similar uses in Rochester

### **On-Site Consumption** → Bars and Restaurants:

- Residential zones: prohibited in R-1 and R-2; Prohibited in R-3 except on ground floor of mixed-use building w/ more than 20 housing units
- Commercial: permitted
- Industrial: permitted only in limited circumstances

# “Where?”

Potential distancing requirements  
beyond NY State requirements

- R-Centers: 500’



# “How?”

## General requirements:

- Business permit (like bars & smoking establishments)
- Outdoor lighting plan
- For on-site consumption lounges, a ventilation plan

# “How?”

Operating & performance standards:

- License(s) must be visibly posted
- Odors shall not be detectable from outside of the building
- Businesses must be in fully enclosed building
- Hours of operation
- For on-site consumption lounges, staff at the entrance to check IDs

# “How?”

- Security
- Community: Good Neighbor Agreement



# Zoning and Local Regulations Questions & Comments

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