

Cannabis Town Hall

CONVERSATION

**MTRA
SUMMARY**

LOCATION

**ALLOWABLE
CONSIDERATIONS**

Village of Ossining

3/30/2022

SUMMARY

Marihuana Regulation and Taxation Act (MRTA)

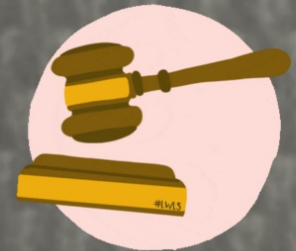
Laws and Regulations: Adult Use, Medical Cannabis, and Cannabinoid Hemp Programs

On March 31 2021, the recreational sale of cannabis was signed into law by the Governor of New York as part of the MRTA (Marihuana Regulation and Taxation Act).

The MTRA is intended to:

- Create a regulated and taxed cannabis industry in New York; and
- Provide for social & economic justice related to the sale and use of cannabis.

The NYS Cannabis Control Board & the Office of Cannabis Management will administer the state's adult use and medical use programs, promulgate rules, issue licenses, and investigate/ enforce infractions.



Cannabis Town Hall

CONVERSATION

**MTRA
SUMMARY**

LOCATION

**ALLOWABLE
CONSIDERATIONS**

Village of Ossining

3/30/2022

TIME, PLACE, MANNER

The extent to which local governments are able to restrict the activity of State-licensed establishments is limited to TIME, PLACE, AND MANNER, which can be controlled through zoning and the land use approval process.

HOWEVER:

- Notwithstanding any local regulations, retail dispensary signage is prohibited, except as authorized by the Cannabis Control Board.
- Retail dispensaries may not be located within 500 feet of school grounds* or within 200 feet of a house of worship.

*as defined by NYS Education Law

Zoning Considerations

Zoning Considerations

OPPORTUNITIES

- Increased sales tax revenue
- Clarity in zoning will enable businesses to quickly open
- Locating in a Business District will potentially promote foot traffic, support fast retail or dining
- Adding to the zoning code will allow use to be reasonably restricted, instead of allowing it as an existing non-conforming use

THREATS

- Likely to have a significant parking demand, similar to chain pharmacies
- Potential for people to linger in the area and use the product
- Likely to be viewed as a nuisance business by many

TIME, PLACE, MANNER

The extent to which local governments are able to restrict the activity of State-licensed establishments is limited to TIME, PLACE, AND MANNER, which can be controlled through zoning and the land use approval process.

HOWEVER:

- Notwithstanding any local regulations, retail dispensary signage is prohibited, except as authorized by the Cannabis Control Board.
- Retail dispensaries may not be located within 500 feet of school grounds* or within 200 feet of a house of worship.

*as defined by NYS Education Law

Zoning Considerations

Cannabis Town Hall

CONVERSATION

**MTRA
SUMMARY**

LOCATION

**ALLOWABLE
CONSIDERATIONS**

Village of Ossining

3/30/2022

Where to Zone?

- Determining proper zoning placement should begin with a focus on buffering from certain types of districts and uses, and then examining what is left, such as:
 - Religious Uses/ Houses of Worship
 - Educational Uses (Schools & Day Cares)
 - Combination
 - 1 or 2 Family Zoning Districts



**Religious
Uses**

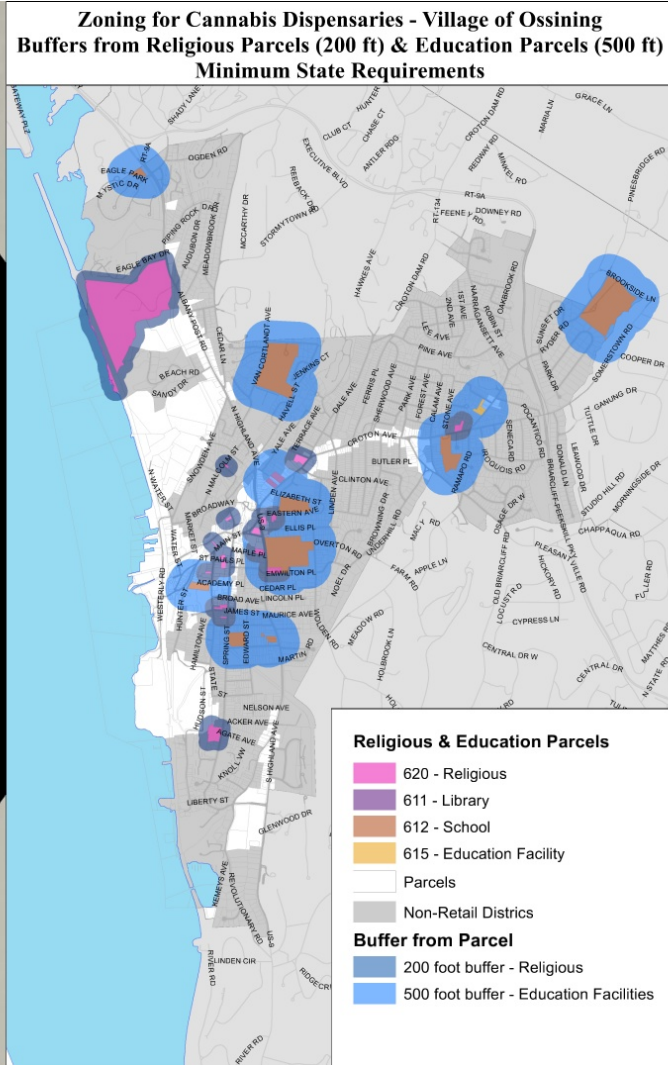
**Educational
Uses**

**Combined
Religious and
Educational Uses**

Where to Zone?

Examining proper zoning placement should begin with a focus on buffering from certain types of uses and uses, and then examining what is left, and finally:

Religious Uses/ Houses of Worship
Educational Uses (Schools & Day Cares)
Combination
for 2 Family Zoning Districts



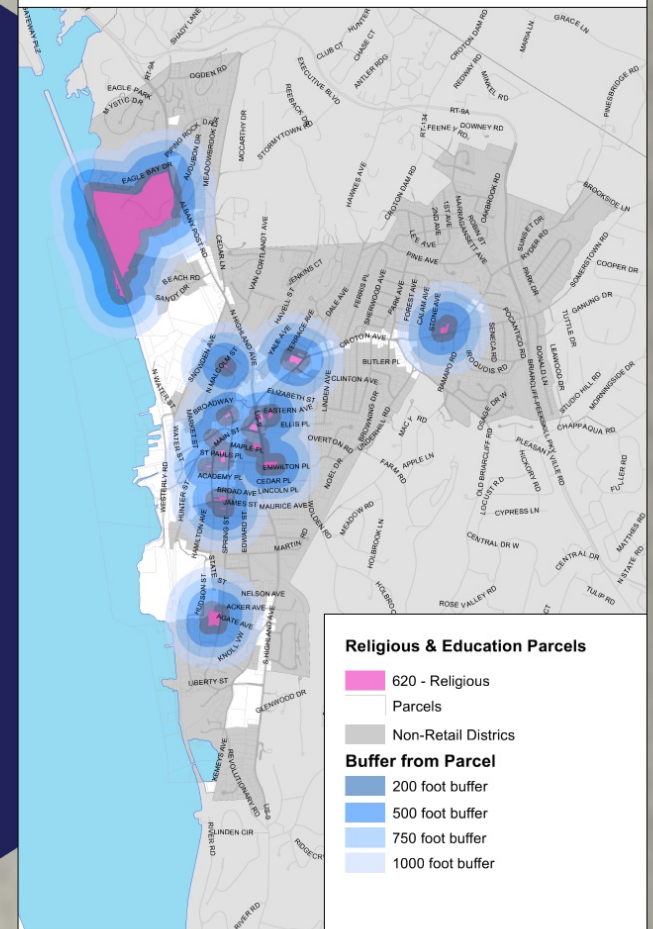
Religious
Uses

Educational
Uses

Combined
Religious and
Educational Uses

RELIGIOUS USES
 No dispensaries shall be permitted to operate within (250/ 500/ 750/ 1000) feet of a Religious Use

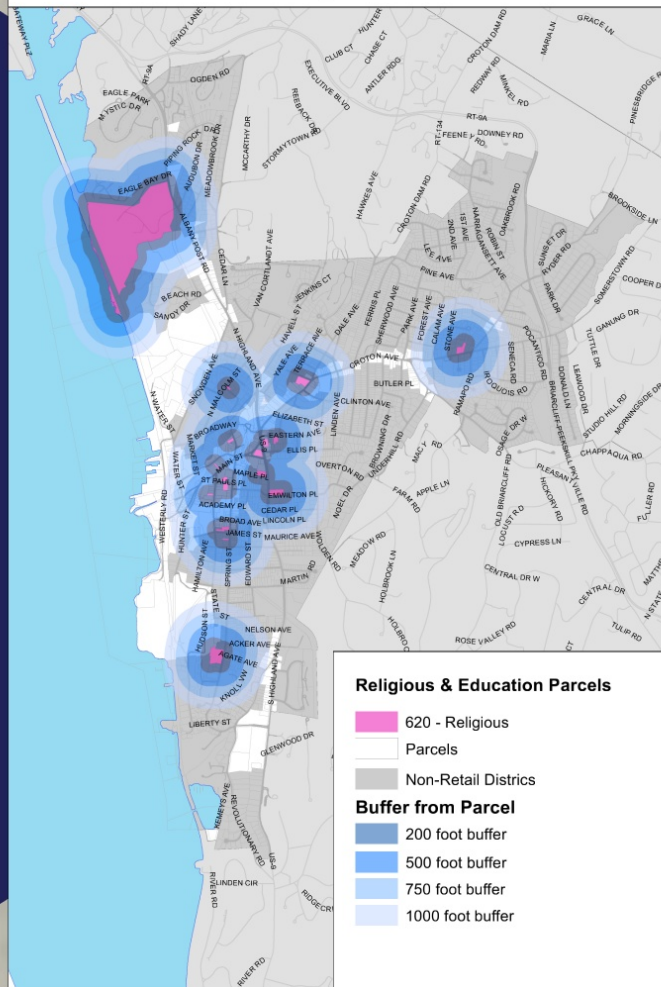
**Zoning for Cannabis Dispensaries - Village of Ossining
 Buffers from Religious Parcels (1000 ft)**



RELIGIOUS USES

no dispensaries shall be permitted to operate within (200/ 500/ 750/ 1000) feet of a Religious Use

**Zoning for Cannabis Dispensaries - Village of Ossining
Buffers from Religious Parcels (1000 ft)**



Where to Zone?

- Determining proper zoning placement should begin with a focus on buffering from certain types of districts and uses, and then examining what is left, such as:
 - Religious Uses/ Houses of Worship
 - Educational Uses (Schools & Day Cares)
 - Combination
 - 1 or 2 Family Zoning Districts



Religious
Uses

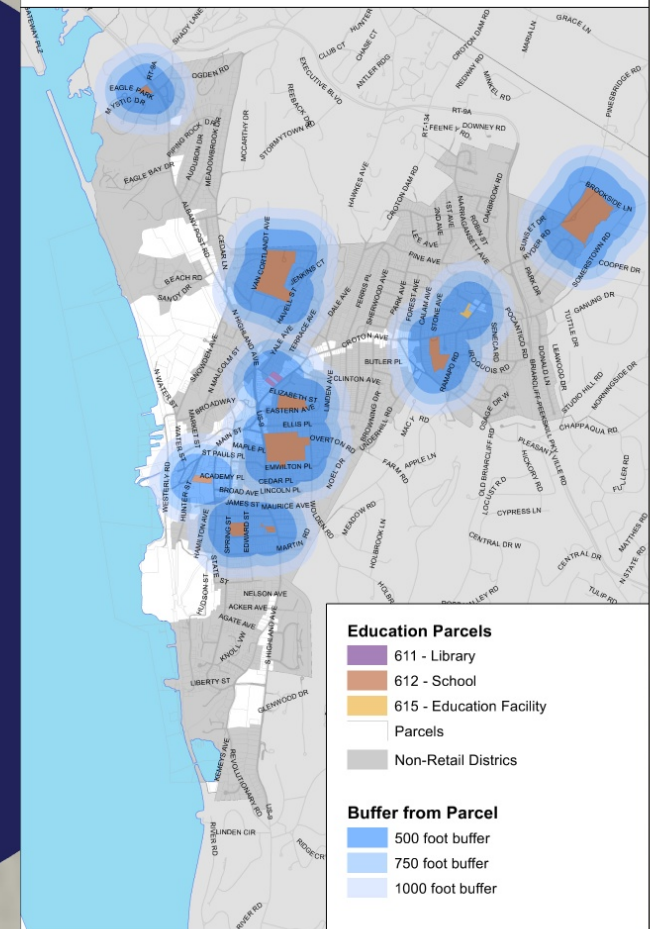
Educational
Uses

Combined
Religious and
Educational Uses

Educational Uses

No dispensaries shall be permitted to operate within (500/ 750/ 1000) feet of an Educational Use

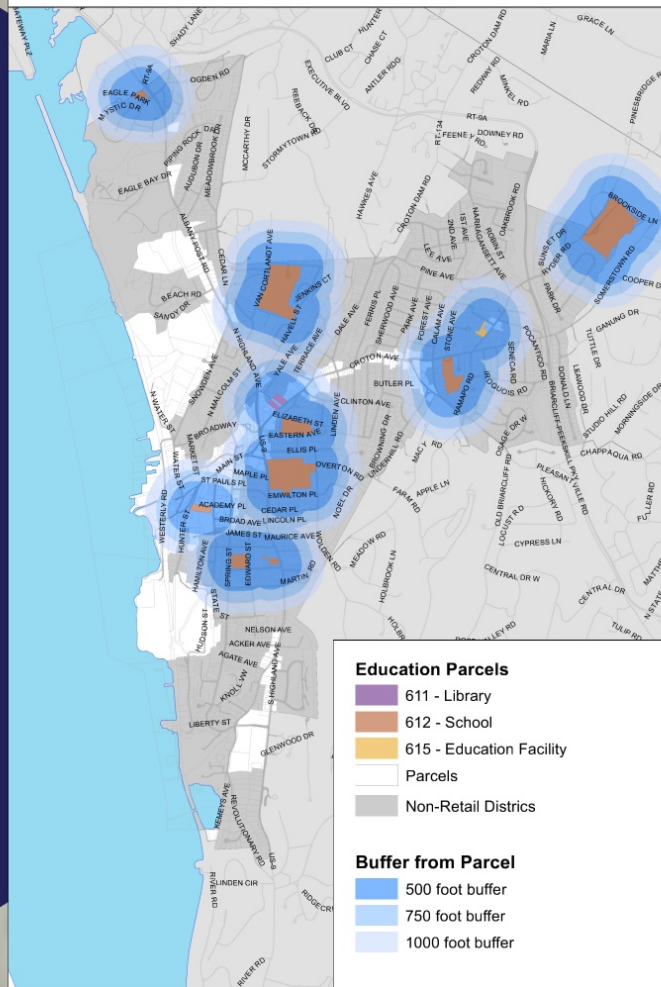
**Zoning for Cannabis Dispensaries - Village of Ossining
Buffers from Education Parcels (1000 ft)**



Educational Uses

No dispensaries shall be permitted to operate within (500/ 750/ 1000) feet of an Educational Use

Zoning for Cannabis Dispensaries - Village of Ossining Buffers from Education Parcels (1000 ft)



Where to Zone?

- Determining proper zoning placement should begin with a focus on buffering from certain types of districts and uses, and then examining what is left, such as:
 - Religious Uses/ Houses of Worship
 - Educational Uses (Schools & Day Cares)
 - Combination
 - 1 or 2 Family Zoning Districts

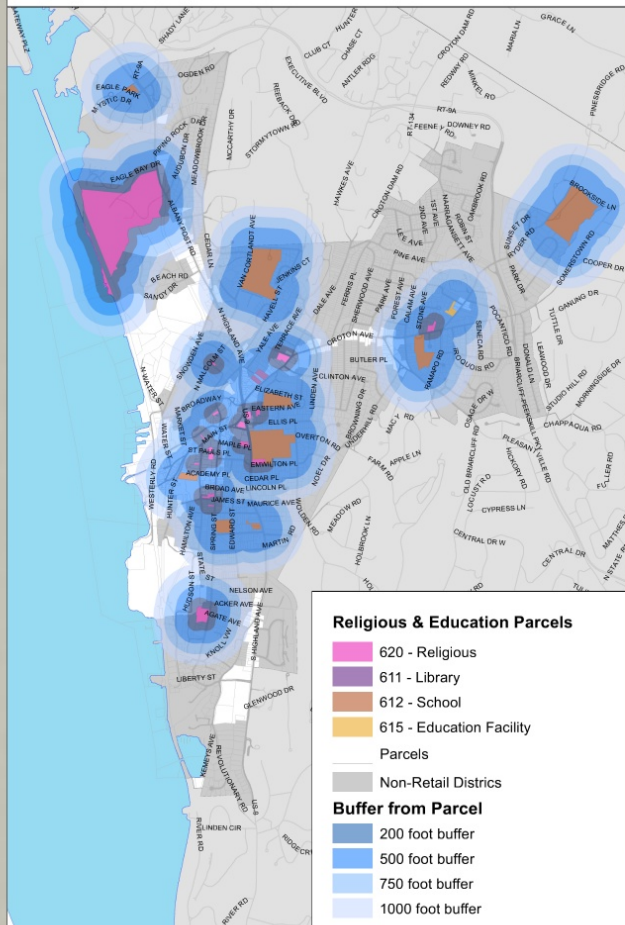


**Religious
Uses**

**Educational
Uses**

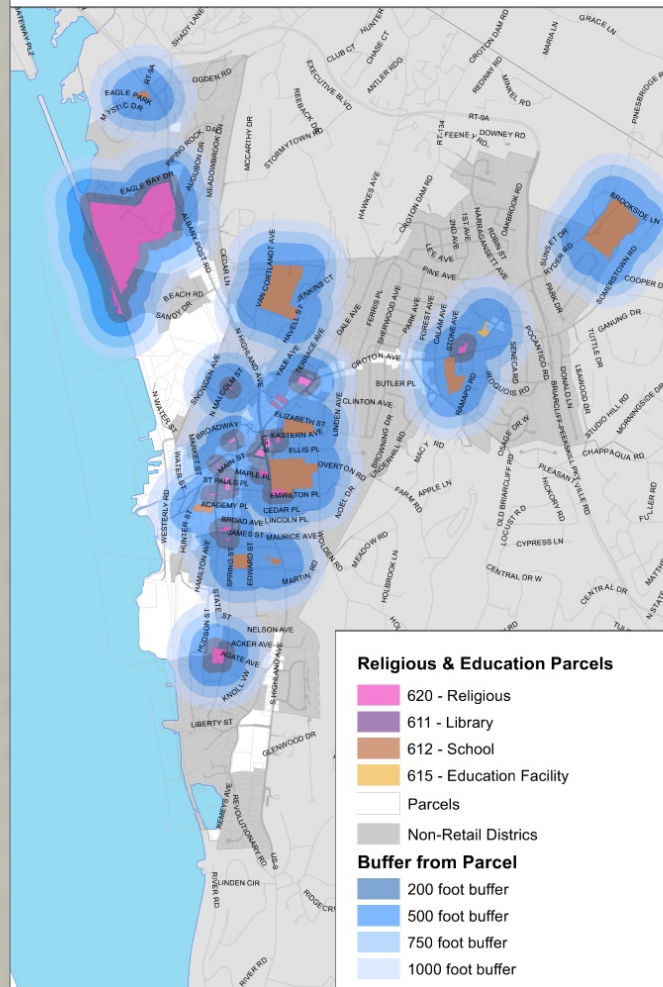
**Combined
Religious and
Educational Uses**

**Zoning for Cannabis Dispensaries - Village of Ossining
Buffers from Religious & Education Parcels (1000 ft)**



**Combined Religious and
Educational Uses**

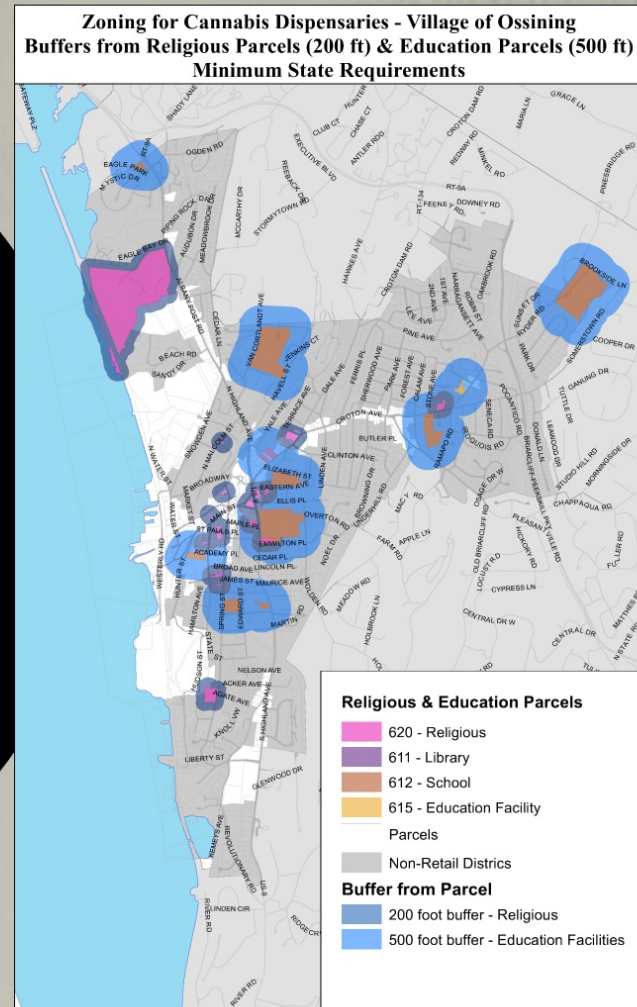
Zoning for Cannabis Dispensaries - Village of Ossining Buffers from Religious & Education Parcels (1000 ft)



**Combined Religious and
Educational Uses**

Where to Zone?

- Determining proper zoning placement should begin with a focus on buffering from certain types of districts and uses, and then examining what is left, such as:
 - Religious Uses/ Houses of Worship
 - Educational Uses (Schools & Day Cares)
 - Combination
 - 1 or 2 Family Zoning Districts



Religious
Uses

Educational
Uses

Combined
Religious and
Educational Uses

Cannabis Town Hall

CONVERSATION

**MTRA
SUMMARY**

LOCATION

**ALLOWABLE
CONSIDERATIONS**

Village of Ossining

3/30/2022

**The Board of Trustees
wants to hear from you:
Where should we encourage Adult-Use Cannabis
Dispensaries to locate?**



Please raise your virtual hand to be recognized. Once admitted to the meeting, you will have (3) minutes to address the Board of Trustees. We will allow one opportunity to speak per person and will take additional questions if time allows.

**Contact the BOT:
BOT@villageofossining.org**

Cannabis Town Hall

CONVERSATION

**MTRA
SUMMARY**

LOCATION

**ALLOWABLE
CONSIDERATIONS**

Village of Ossining

3/30/2022