

**GENERAL CODE PUBLISHERS CORP.
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**LEGISLATION INFORMATION AND HISTORY
TOWN OF CHARLESTOWN**

Type of enactment (ordinance, resolution, bylaw, local law):

**ORDINANCE NO. 401
AMENDING CHAPTER 218 – ZONING**

Action	Date
Introduction	April 10, 2023
Publication	April 17, 2023 – in full April 24 and May 1, 2023 – by reference
Public Hearing	May 8, 2023. Continued and ordered readvertised.
Publication	May 22, 2023 – in full
Public Hearing	June 12, 2023
Adoption	June 12, 2023
Publish Notice of Adoption	June 19, 2023

Date copy sent to General Code Publishers for codification: June 14, 2023

The legislative history will be compiled as the ordinance passes through the required procedures. A copy of the form should be sent with the ordinance to General Code for them to keep with the code files, the original being retained as a record in the Town Clerk's files.

**PUBLIC NOTICE
TOWN OF CHARLESTOWN**

Notice is hereby given that the following ordinance was adopted by the Town Council of the Town of Charlestown after a public hearing, duly advertised and posted, opened on May 8, 2023, readvertised, and continued to June 12, 2023.

**ORDINANCE NO. 401
AN ORDINANCE AMENDING CHAPTER 218 – ZONING**

Section 1. The Town Council of the Town of Charlestown hereby ordains that Chapter 218 of the Code of Ordinances, Town of Charlestown entitled Zoning is amended as follows:

See Exhibit A for a full version of the proposed amendments. These amendments will provide for the use and regulation of retail cannabis sales in the Town. See the entire provisions set forth in Exhibit A for a full understanding of the proposed amendments.

Note: Words set as ~~strikeover~~ are to be **deleted** from the ordinance; words set in underline are to be **added** to the ordinance. Words set as ~~double-strikeover~~ are to be **deleted** from the ordinance as a result of changes made during the public hearing; words set in double underline are to be **added** to the ordinance as a result of changes made during the public hearing.

Section 2. The Town Clerk is hereby authorized to cause said changes to be made to the Town of Charlestown’s Code of Ordinances.

Section 3. This ordinance shall take effect immediately upon passage.

Attested To By:

Passed By Town Council On:

Amy Rose Weinreich, CMC Town Clerk

June 12, 2023

EXHIBIT A

218-5 Word usage and definitions.

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B. Terms defined. Words...Ordinance.

ABATTOIR ...

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CANNABIS

As used in this ordinance, cannabis or marijuana means all parts of any plant of the genus cannabis, including but not limited to the seeds, resin, compound, salt, derivative, mixture, or use containing any amount of tetrahydrocannabinol.

CANNABIS RETAIL STORE

An establishment authorized to sell or otherwise transfer cannabis or marijuana products to consumers for use off the premises, but not to cultivate, manufacture, process, or package cannabis or marijuana products, in accordance with applicable state laws and regulations. A Cannabis Retail store must be licensed to operate as a Cannabis or Marijuana Retailer in accordance with applicable state laws and regulations.

CANNABIS RETAILER

An entity licensed by the Rhode Island Cannabis Control Commission as a Cannabis Retailer or a Marijuana Retailer to purchase or deliver cannabis or marijuana products from Cannabis or Marijuana Establishments and to sell or otherwise transfer these products to Cannabis Marijuana Establishments and to consumers. Unless licensed, retailers are prohibited from delivering cannabis or marijuana products to consumers; and from offering cannabis or marijuana products for the purposes of on-site social consumption on the premises of a Cannabis or Marijuana Establishment.

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218 Attachment 1
Town of Charlestown
Land Use Table

Principal Use	R-20	R-40	R-2A	R-3A	C-1	C-2	C-3	I	PD	GWP	OSR	M	TVD
Commercial Uses													
<u>Cannabis Retail Store*</u>						<u>S</u>	<u>Y</u>			<u>U</u>			

Notes:

Y = Permitted Uses

S = Special Use Permit

U = Consult underlying district

* = See 218-35 District use Allowances.

218-37 Specific Land Use Standards and Conditions.

I. Standards for Individual Uses

(31) Cannabis Retail Store

Location Standards

- (a) A Cannabis Retail Store shall be permitted by right in the C-3 District and by the issuance of a special use permit by the Zoning Board of Review in the C-2 District as set forth in §218 Attachment 1, Land Use Table, as amended.
- (b) A Cannabis Retail Store shall not be permitted within one thousand (1,000) feet of:
 - (1) A pre-existing public or private daycare or school providing education in pre-school, kindergarten, or any grades one through twelve; or
 - (2) A pre-existing children's playground; or
 - (3) A pre-existing church or house-of-worship; or
 - (4) A municipal building.

Site Development Criteria

- (a) Parking shall be clearly defined with one space required for every two hundred (200) square feet of retail.
- (b) ~~A minimum twenty five (25) foot buffer, consisting of both opaque fencing and evergreen vegetative screening, shall be provided along the entire perimeter where the use abuts a residential zone or residential use. Landscaping and perimeter buffers shall comply with all applicable provisions set forth in § 218-74, as amended.~~
- (c) A Cannabis Retail Store shall comply with any and all dimensional provisions set forth in §218 Attachment 2, Dimensional Table, as amended, as applicable for the specific district.

Use Criteria

- (a) Signs shall comply with all applicable provisions ~~of~~ set forth in §218-63, as amended.

(b) All exterior lighting shall comply with all applicable provisions of Chapter 155 Article III of this code.

(c) A plan for the mitigation of cannabis odor outside of the retail establishment must be included as part of the permit application and such odor emanating from the retail establishment shall not create a public nuisance.

(d) Safety, Security, and Emergency Response

[1] An initial Safety and Security plan shall be created in conjunction with the Chief of Police or his/her designee and shall be filed with the police department, and building/zoning department as part of the application process and shall include, but not limited to, the following;

- i. Proposed location of and types of security devices employed; and
- ii. At least one security alarm system; and
- iii. Planned measures to secure every entrance to the establishment to prevent unauthorized entrance; and
- iv. Access into areas containing cannabis is restricted to employees and others permitted by the cannabis establishment to access the area and to agents of the Rhode Island Cannabis Control Commission or state and local law enforcement officers and emergency personnel; and
- v. Secure inventory and equipment during and after operating hours to deter and prevent theft of cannabis, cannabis products, and cannabis accessories; and
- vi. Employee-instruction manual, including security policies, personal safety, and crime prevention techniques.

[2] Annually the safety and security plan shall be presented for review to the Chief of Police or his/her designee and filed with the police department and Building/Zoning Department ~~within thirty (30) days.~~

[3] An emergency response plan shall be filed with the police and fire departments pursuant to rules and regulations promulgated by the Rhode Island Cannabis Control Commission.