

VILLAGE OF CHESTNUT RIDGE

LOCAL LAW NO. G (v.2) OF 2022

**A LOCAL LAW REGULATING THE TIME, PLACE, AND MANNER OF THE
OPERATION OF CANNABIS RETAIL DISPENSARIES
WITHIN THE VILLAGE OF CHESTNUT RIDGE**

Be it enacted by the Village Board of Trustees of the Village of Chestnut Ridge as follows:

Section 1. Legislative Intent.

It is the intent of this local law to regulate cannabis retail establishments within the boundaries of the Village of Chestnut Ridge.

Section 2. Authority.

This Local Law is adopted pursuant to the provisions of Cannabis Law § 131, which expressly authorizes villages to pass local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries within their boundaries.

Section 3. Amend Definitions - Chapter 290, Zoning

The following definition shall be inserted into §290-116 Definitions, in alphabetical order:

CANNABIS ESTABLISHMENT

Any person or business who sells at retail any cannabis product requiring a license for an adult-use retail dispensary through the Cannabis Control Board of the State of New York. The term “cannabis establishment” shall include only retail sales and shall not include any space for the on-site consumption of any cannabis product.

Section 4. Add Special Permit Standards for Cannabis Establishment – Chapter 290, Zoning

Add the following section §290-75.A Cannabis Establishment, to Article XII, Conditional Use and Special Permit Standards:

§290-75.A Cannabis establishment.

Cannabis establishments for retail sales only are permitted with a Special Permit and subject to the following supplementary requirements:

- A. Cannabis establishments shall be licensed through the Marijuana Regulation and Taxation Act of New York State (MRTA).

- B. The New York State Marijuana Regulation and Taxation Act (MRTA) in its entirety is hereby adopted and incorporated herein by reference for the purposes and regulations set forth therein and as it may be amended from time to time.
- C. All requirements of the MRTA must be satisfied as set forth in the MRTA including, but not limited to, the notice requirement to the Village Clerk at least 30 days prior to the submission of an adult-use retail dispensary license pursuant to MRTA §76 and thereby allowing the Village to submit an opinion for or against the granting of the license.
- D. All activities associated with a cannabis establishment as defined shall be conducted indoors.
- E. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances must be provided at all times.
- F. The lot on which a cannabis establishment is located shall not be located within 500 feet of the lot line of any schools or houses of worship, as defined in this chapter, or within 500 feet of any residentially zoned areas or public recreation areas.
- G. Neon lighting and/or signage shall be prohibited.
- H. The Planning Board may require additional landscaping or other suitable screening from adjacent properties, increased lighting, limits on hours of operation, or any other applicable additional requirements consistent with the surrounding land uses, to ensure safe operation and reduce potential conflicts.

Section 5. Amend Table of General Use Requirements – Chapter 290, Zoning

Add the use “Cannabis Establishment” to the Table of General Use Requirements, for the NS District, in column D, Uses by Special Permit of the Village Board, with use group A.

Add the use “Cannabis Establishment” to the Table of General Use Requirements, for the RS District, in column D, Uses by Special Permit of the Village Board, with use group M.

Add Off-Street Parking requirement of 1 parking space for every 150 square feet of floor area. (same as neighborhood convenience) to column F.

Section 6. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5(c)(26) and (33), this Local Law is classified as a Type II Action as it involves the adoption of regulations, policies, procedures and local legislative decisions in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.

Section 7. **Severability.**

If any clause, sentence, paragraph, word, section or other part of this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be unconstitutional, illegal, invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining provisions of this Local Law or the application thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or other part thereof directly involved in the controversy in which such determination shall have been rendered and the remaining provisions of this Local Law shall not be impaired thereby and such determination. The Village Board of the Village of Chestnut Ridge hereby declares that it would have passed this Local Law or the remaining provisions thereof had such invalid provision or the application thereof been apparent at the time of enactment.

Section 8. **Effective Date.**

This Local Law shall be effective immediately upon filing with the Secretary of State.