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NARRAGANSETT TOWN COUNCIL AGENDA ITEM REPORT

DATE: June 19, 2023

FROM: Michael DeLuca, Community Development Director

DEPARTMENT: Community Development

SUBJECT:

A MOTION TO RECEIVE AND ACCEPT the Planning Board report and recommendation related to zoning text amendments in regard to various sections of the Zoning Ordinance to comply with recent authorization by the electorate for retail sale of cannabis and cannabis products.

SUGGESTED ACTION:

The Town's Zoning ordinance currently regulates the use of medical marijuana but does not regulate retail sales of cannabis, cannabis products and accessories. On May 25, 2022 the RI General Assembly adopted the "Rhode Island Cannabis Act" (RIGL 21-28.11 et seq), which made recreational use of marijuana legal subject to local authorization. On November 8, 2022, Narragansett voters, passed a referendum approving the legal sales of cannabis and cannabis products. In total, voters in 25 RI municipalities approved similar referenda.

Under RIGL 21-28.11 local regulations may impose reasonable safeguards on the operation of cannabis establishments provided they are not unreasonable and impracticable and not in conflict with the statute. Municipalities are authorized to govern the time, place and manner of cannabis establishment operations and any business dealing in cannabis accessories, which also includes regulation of signage and restrictions on smoking or vaporizing in public places. Local civil penalties for violation of an ordinance enacted pursuant to the statute are also authorized under the statute.

Community Development staff, working with the Building Official, Fire Marshal and Assistant Town Solicitor has drafted an ordinance that will allow retail cannabis establishments to be located in BB-General Business Zones, subject to a variety of restrictive criteria. The Planning Board took this item under consideration at their May 16, 2023 meeting voting to recommend approval with 2 minor corrections.

ATTACHMENTS:

[PB rec to TC - initialed.pdf](#)