

**AN ORDINANCE IN AMENDMENT TO  
THE ZONING CODE OF THE TOWN OF WARREN**

IT IS HEREBY ORDAINED by the Town Council of Warren, Rhode Island, that the Zoning Code of the Town of Warren be amended as follows:

**ZONING**

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Art. XXIII, Sec. 32- 130 - Definitions.

*"Adult use cannabis" or "recreational cannabis"* means cannabis which may be legally possessed and consumed for non-medical purposes by a person who is at least twenty-one (21) years of age.

*"Cannabis establishment" or "marijuana establishment"* means a cannabis cultivator, cannabis testing laboratory, cannabis product manufacturer, cannabis retailer, hybrid cannabis retailer or any other type of licensed cannabis-related business.

*"Cannabis testing laboratory"* means a third-party analytical testing laboratory that is licensed annually by the commission, in consultation with the department of health, to collect and test samples of cannabis and cannabis products pursuant to regulations issued by the commission and is:

- (i) Independent financially from any medical cannabis treatment center or any licensee or cannabis establishment for which it conducts a test; and
- (ii) Qualified to test cannabis in compliance with regulations promulgated by the commission pursuant to this chapter. The term includes, but is not limited to, a cannabis testing laboratory as provided in § 21-28.11-11.

*"Cannabis retailer" or "marijuana retailer"* means an entity licensed pursuant to Rhode Island General Law § 21-28.11-10.2 to purchase and deliver cannabis and cannabis products from cannabis establishments and to deliver, sell or otherwise transfer cannabis and cannabis products to cannabis establishments and to consumers.

*Non-residential cooperative cultivation* means a use of land which is not a residence, or of a building, or a portion thereof, which is not a residence, for the cultivation of marijuana by two or

more cardholders, licensed by the Department of Business Regulation, as provided for in R.I. Gen. Laws § 21-28.6-14.

*Residential cooperative cultivation* means a use of land, or of a building, or a portion thereof, the primary use of which is a residential use, which is being used by two or more resident for the cultivation of medical marijuana, pursuant to a license from the Department of Business Regulation, as provided for in R.I. Gen. Laws § 21-28.6-14.

*Personal marijuana cultivation* means marijuana cultivation by a single registered cardholder, as defined in R.I. Gen. Laws Chapter 21-28.6, within his or her residential dwelling for medical use only. This use shall only be permitted as an accessory use to a lawfully permitted residential use. In a mixed-use building that contains residential and nonresidential uses, this use shall be contained within the residential dwelling unit only.

*Licensed Cultivator*, as defined by R.I. Gen. Laws § 21-28.6-3, means any person or entity who has been licensed by the department of business regulation to cultivate marijuana pursuant to § 21-28.6-16.

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Art. V, District Use Regulations

The permitted use table shall be amended as follows

Zoning Districts	R-40	R-20	R-15	R-10	R-6	VB	B	W	SD	M	CI	FC	RB
Section 32-46 - Agricultural uses													
Non-residential cooperative cultivation						S	S	S	S	S	S		S
Residential cooperative cultivation	P	P	P	P	P	P	P	P	P	P	P	P	P
Personal marijuana cultivation	P	P	P	P	P	P	P	P	P	P	P	P	P
Licensed cultivator						S	S		S	S	S		S
Cannabis retailer						S	S			S	S		S

Cannabis testing laboratory								S		S	S		
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Art. V, Sec. 32-31 - Criteria for specific categories of special use permits.

(C) Special use standards for, non-residential cooperative cultivation, cannabis retailers, cannabis testing laboratories and licensed cultivators of cannabis .

- (1) The application for a special use permit shall provide the legal name and address of the licensed cultivator, or non-residential cooperative cultivation, a copy of the articles of incorporation, if any, and the name, address, and date of birth of each principal officer and board member, if any.
- (2) The requested use at the proposed location will not adversely affect the use of any property used for a school, public or private park, playground, play field, youth center, licensed day-care center, or any other location where groups of minors regularly congregate.
- (3) The requested use at the proposed location will be sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.
- (4) The exterior appearance of the structure must be consistent with the exterior appearance of existing structures within the immediate neighborhood, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.
- (5) A licensed cultivator, or non-residential cooperative cultivation must not be located within:
  - a. In the B, CI, RB & W Zoning Districts: One hundred (100) feet from the nearest Residential zoning district; and
  - b. In all districts: One thousand (1,000) feet from the nearest school,
- (6) A licensed cannabis retailer must not be located within:
  - a. In the B, CI, RB & W Zoning Districts: One hundred (100) feet from the nearest Residential zoning district, and
  - b. In all districts: Five hundred (500) feet from the nearest school.
- (7) The distances specified in the immediately preceding section (5) shall be measured by a straight line from the nearest property line of the premises on which the proposed, licensed cultivator, or non-residential cooperative cultivation use is to be located to the nearest boundary line of a residential district or to the nearest property line of any of the other designated uses set forth therein.
- (8) Lighting shall be required such that will illuminate the property in order to provide proper security and the proposed use shall implement the appropriate security measures to deter

and prevent the unauthorized entrance into areas containing marijuana and shall ensure that each location has an operational security/alarm system.

- (9) No use shall be established prior to submission and approval of a site plan by the Zoning Board of Review with the technical advice of the Zoning Official. The site plan shall depict all existing and proposed buildings, parking spaces, driveways, service areas, and other open uses. The site plan shall show the distances between the proposed use and the boundary of the nearest residential zoning district and the property line of all other abutting uses as described within this section.
- (10) Prior to any retail license being issued by the Town, a cannabis establishment or marijuana establishment must submit for approval to the Warren Police Department a Security Plan. Each establishment shall have an electronic security system; intrusion detection system; access control system and other ancillary services, including designated perimeter defenses, physical and logical access control and profile management of all employees. The plan shall include provisions to provide the Warren Police Department, Rhode Island State Police and local residential and commercial neighbors within 100 feet of the retail site with the name and phone number of the Operations Manager and General Manager for notification during and after operating hours to whom they can report any issues or problems at the facility. The plan shall also include theft and diversion notification protocols.
- (11) All, non-residential cooperative cultivation, cannabis retailer, cannabis testing laboratory and licensed cultivator uses shall fully comply with all licensing requirements of the Town of Warren and the laws of the State of Rhode Island.

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This ordinance shall become effective upon passage.