

CHAPTER

No. **AN ORDINANCE IN AMENDMENT OF ZONING ORDINANCE SECTION 1202 “PRINCIPAL USE STANDARDS”, AMENDING PARAGRAPH EE “COMPASSION CENTER/CULTIVATION CENTER”**

Be it ordained by the City of Providence:

SECTION 1: Section 1202 “Principal Use Standards”, Section EE “Compassion Center/Cultivation Center” is hereby amended by making the following changes, with additions underlined:

EE. Compassion Center/Cultivation Center

1. No more than the square footage for which the applicant is licensed shall be permitted for the use. The Zoning Board of Review may, in its discretion, limit the use to less square footage than that for which the applicant is licensed.
2. Any square footage in the property not devoted to the use must be segregated from the facility by a wall or similar structure.
3. The applicant must submit evidence of the following:
 - a. That it has obtained a license or registration to cultivate, acquire and/or dispense in the State of Rhode Island, subject to zoning approval and final inspection of the property by the licensing/registering entity.
 - b. All measures undertaken to contain noise and odors shall demonstrate that it has taken all reasonable measures to contain noise and odors.
 - c. The security plan(s) for the property and the facility.
 - d. Staffing numbers for all hours of each day.
 - e. The number of vehicles that will access the facility on a daily or weekly basis.
4. A Compassion Center or Cultivation Center may not be located within ¾ mile from the property line of another compassion center or cultivation center.
5. A Compassion Center or Cultivation Center may not be located within 1,000 feet from the property line of a preexisting public or private school.
6. Setbacks under this section shall be measured from the nearest property line of the Compassion Center or Cultivation Center using a direct line to the nearest property line of the school, other Compassion Center or Cultivation Center.

SECTION 2: This ordinance shall take effect upon passage.

Providence City Plan Commission

May 19, 2020



AGENDA ITEM 1 ■ AMENDMENT OF ORDINANCE

OVERVIEW

SPONSOR:	City Councilmen Nicholas J. Narducci and John J. Iglizzi	RECOMMENDATION:	Recommend approval of the proposed amendment
CASE NO./PROJECT TYPE:	CPC Referral 3471 Zoning Ordinance Amendment		
PROJECT DESCRIPTION:	Amendment of zoning ordinance to clarify location of Compassion/Cultivation Centers	PROJECT PLANNER:	Choyon Manjrekar

Discussion

The sponsors are proposing to amend Section 1202.EE of the ordinance pertaining to Compassion/Cultivation Centers. The amendment adds language pertaining to the location of Compassion/Cultivation Centers, and their measurement relative to other structures. Per the amendment, a Compassion/Cultivation Center shall be separated at least 3/4 of a mile from another Compassion/Cultivation Center, and may not be located within 1,000 feet from the property line of a school.

It is the DPD's opinion that the amendment would have a positive effect on the health and welfare of the community by requiring appropriate spacing between the subject use and incompatible uses. By including a method for measurement from neighboring structures, the amendment provides clarity for future development.

The amendment would conform to objective LU-1 Strategy B.4 of the comprehensive plan, which encourages updating regulations to mitigate impacts of non-residential uses. By regulating the locations of compassion centers, the change would be in conformance with the purposes of zoning by promoting general public health, safety and general welfare and promoting implementation of the comprehensive plan.

Recommendation

Based on the foregoing discussion, the DPD recommends that the CPC recommend approval of the amendment, finding the change to be in conformance with the comprehensive plan and purposes of zoning.