



Town of Middletown Planning Department

350 East Main Rd., Middletown RI 02842 (401) 849-4027

To: Hon. Robert J. Sylvia, President
Town Council Members

From: Paul A. Croce, Chairman
Middletown Planning Board

Date: February 25, 2021

Re: Recommended Zoning Ordinance amendment – Marijuana related uses

During a special public workshop meeting held on February 24, 2021, the Planning Board voted unanimously to recommend that the Town Council approve amendments to the Middletown Zoning Ordinance, Town Code Chapter 152, Article 7 to address marijuana related uses (attached).

The Planning Board was charged by the Town Council to develop ordinance amendments to provide appropriate regulation of such uses, particularly in light of anticipated legalized sale and use of recreational marijuana, currently under consideration by the Rhode Island General Assembly. The Board established a subcommittee of members to work with the Town Solicitor and legal/planning consultant Dwight Merriam to draft the amendments. Following several publicly posted meetings, the subcommittee completed the draft that was presented and approved during the meeting on February 24th. This meeting was also publicly posted and advertised in the newspaper and via the Town's website and social media accounts.

In summary, if adopted, the proposed amendments will result in the following:

1. Prohibit compassion centers, marijuana emporiums, and marijuana stores in all zoning districts
2. Allow by special use permit, marijuana cultivation centers in the Light Industrial (LI) zoning district
3. Allow by special use permit, marijuana testing providers in the Office Park (OP) zoning district
4. Require that cultivation centers and testing providers be more than 200ft from house of worship, school, park, playground, play field, youth center, or day-care property lines; and more than 100ft from residential zone or use property lines (see attached map).
5. Require certain standards for exterior lighting, facility security, and odor control measures
6. Allow for patient cultivation by right in residential, commercial, and industrial zoning districts subject to state and local requirements
7. Allow for caregiver cultivation by right in residential, commercial, and industrial zoning districts subject to state and local requirements
8. Allow residential cooperative cultivation by special use permit in all residential zoning districts subject to state and local requirements

9. Allow for non-residential cooperative cultivation by special use permit only in the Light Industrial district subject to state and local requirements

In making its recommendation the board made the following findings:

- (1) The proposed amendment is generally consistent with the Middletown Comprehensive Community Plan, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and
- (2) This recommendation is made in recognition and consideration of each of the applicable purposes of zoning, as presented in § 45-24-30 RIGL

Thank you for your consideration of this recommendation. Please contact me if you have any questions regarding this matter.



Paul A. Croce, Chairman
Middletown Planning Board

cc. Town Solicitor
Town Clerk