
Town of Skaneateles
Local Law No. B of the Year 2022
A Local Law Establishing Zoning Requirements for
Cannabis Retail Dispensaries Within the Town of Skaneateles

Be it enacted by the Town Board of the Town of Skaneateles (the “Town Board”) as follows:

Section 1. Legislative Intent

It is the intent of this local law is to establish regulations governing the time, place and manner of the operation of Cannabis Retail Dispensaries in the Town of Skaneateles.

Section 2. Authority

This local law is adopted pursuant to the New York Town Law and the New York Municipal Home Rule Law.

Section 3. Purpose

The purpose of this Proposed Local Law is to amend Sections 148-4-4 and 148-12-2, and add Section 148-5-9 to the Code of the Town of Skaneateles, more commonly known as the Zoning Law of the Town of Skaneateles (the “Zoning Law”), related to the regulation of the time, place and manner of the operation of Cannabis Retail Dispensaries in the Town of Skaneateles.

Section 4. Amendments to Code

See the attached proposed amendments to Sections 148-4-4 and 148-12-2 of the Zoning Law and the addition of a new Section, 148-5-9.

Section 5. State Environmental Quality Review Act (SEQRA)

The Town Board has considered the provisions of Article 8 of the Environmental Conservation Law (“SEQRA”) and the regulations adopted thereunder at 6 NYCRR Part 617 and finds that the proposed amendments to the Zoning Code will not result in any significant adverse environmental impacts. Therefore, no further review is required under SEQRA.

Section 6. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 7. Effective date

This Local Law shall take effect upon filing with the Secretary of State.

Proposed Amendments
(additions are underlined in bold red type)

Section 148-4-4(B)(2) (Highway Commercial District Regulations) of the Zoning Law shall be amended as follows:

Use Category	Permit	Notes and References
Business Uses		
Agriculture	P	
Automobile service station	S	See §148-4-4.E.3
Cannabis Retail Dispensary	S	See §148-5-9
Forestry	P	
Home occupation, small-scale	P	See §148-5-5.B.2.a.
Home occupation, large-scale	S	See §148-5-5.B.2.b.
Junkyard		See §148-5-1.E.2 and Chapter 86 of the Code of the Town of Skaneateles.
Light industry	S	
Lodging facility	S	
Office	S	
Recreational business	S	For recreational business, see §148-5-5.G
Restaurant	S	
Retail business	S	See § 148-4-4.E
Service business	S	See § 148-4-4.E
Solar energy systems	Varies	See §148-5-8
Storage Building	P	
Utility facility	S	
Veterinary hospital	S	
Warehouse	SPR	

Section 148-5-9 shall be added to the Zoning Law as follows:

148-5-9. Cannabis Retail Dispensaries.

- A. Special Permit Requirement. A Special Permit shall be required for all Cannabis Retail Dispensaries. The Planning Board shall apply the standards set forth in Section 148-10-7 of the Zoning Law when considering whether to issue a special use permit. An applicant shall adhere to the procedures set for in Section 148-10-8 of the Zoning Law governing the process to apply for a special use permit, including the requirement for a public hearing to allow for comment from members of the community.**
- B. Lot Area. A Cannabis Retail Dispensary must be located on a lot no smaller than 2.5 Acres that is located entirely within the Highway Commercial Zoning District.**

- C. Minimum Parking Requirements. For each 75 square feet devoted to merchandising within a Cannabis Retail Dispensary: one parking space shall be required.
- D. Impact on Neighboring Properties. The Planning Board shall consider the unique potential for excessive traffic, noise, light, glare or other nuisances associated with the Retail Sale of Cannabis Products, due to the anticipated high intensity of the use, potential for crowds and long lines. The Planning Board may require additional buffers and screening in excess of the minimums set forth in the Zoning Law in order to mitigate the above referenced impacts.
- E. On-site consumption. On-site consumption of Cannabis Products is not permitted at a Cannabis Retail Dispensary.

Section 148-12-2 (Definitions) of the Zoning Law shall be amended as follows:

“Cannabis” means all parts of the plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. It does not include hemp, cannabinoid hemp or hemp.

“Cannabis Products” means cannabis, concentrated cannabis, and cannabis-infused products for use by a consumer.

“Cannabis Retail Dispensary” means any person or business that engages in the Retail Sale of Cannabis Products, the sale of which requires the issuance of a license under the provisions of New York State Law.

“Retail sale of Cannabis Products” means to solicit or receive an order for, to keep or expose for sale, and to keep with intent to sell, made by any licensed person, whether principal, proprietor, agent, or employee, of any Cannabis or Cannabis Products.

**RESOLUTION
OF THE TOWN BOARD
OF THE TOWN OF SKANEATELES**

Proposed Zoning Law Amendment Related to Cannabis Retail Dispensaries

WHEREAS, pursuant to Municipal Home Rule Law Section 20(4), Board Member Alexander has introduced for consideration Local Law No. B of 2022 entitled "A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries Within the Town of Skaneateles" (the "Proposed Local Law"); and

WHEREAS, the purpose of the Proposed Local Law is to amend Sections 148-4-4 and 148-12-2, and add Section 148-5-9 to the Code of the Town of Skaneateles, more commonly known as the Zoning Law of the Town of Skaneateles (the "Zoning Law"), related to the regulation of the time, place and manner of the operation of Cannabis Retail Dispensaries in the Town of Skaneateles; and

WHEREAS, New York State Cannabis Law§ 131 expressly authorizes the Town Board to adopt reasonable regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries; and

WHEREAS, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617, and Section 239 of the General Municipal Law, with respect to these proposed amendments to the Zoning Law.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby declares its intent to serve as lead agency for purposes of a coordinated review under SEQRA of the Proposed Local Law;

BE IT FURTHER RESOLVED that the Town Board hereby preliminarily classifies the Proposed Local Law as a Type 1 Action under SEQRA, and the Town Board hereby directs the Town Clerk to send Part 1 of the Full Environmental Assessment Form and the Proposed Local Law to all interested agencies to request their comments thereon;

BE IT FURTHER RESOLVED that the Town Clerk shall refer the Local Law to Onondaga County Planning for its review pursuant to General Municipal Law Section 239;

BE IT FURTHER RESOLVED that the Town Clerk shall refer the Proposed Local Law to the Town of Skaneateles Planning Board for its review and report pursuant to Section 148-10- 11 of the Zoning Law, no later than thirty (30) days from the date of this resolution; and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing to receive comments about the proposed amendments on August 1, 2022 at 7 : 0 0 pm.