



CITY OF WARWICK

FRANK J. PICOZZI, MAYOR

MEMORANDUM

TO: Phil Slocum, Planning Board, Chairman

FROM: Tom Kravitz
Administrative Officer
Planning Director

DATE: November 1, 2022

SUBJECT: Planning Board Recommendation,

1. Proposed Amendment to the City's Zoning Ordinance to Reflect Changes in RI State Law, S2430 aka the RI Cannabis Act. Defining retail sales of cannabis and related amendments to Appendix A, Section 300, Table 1 Use Regulations of the Zoning Ordinance
2. Proposed Amendment to Appendix A, Section 601 of the City Zoning Ordinance regarding Yard Sales.

INTENT OF AMENDMENT # 1 above

The intent of this amendment is to direct the future location of retail marijuana sales by confining such to select areas of the City's General Business Zone district along portions of Route 2, Bald Hill Rd, as well as provide for retail at existing commercial grow facilities within Industrial Zones by special use permit. Special use permit affords neighboring properties due notice of such industrial use conversions to retail while also allowing ZBR's to request vehicle traffic and circulation impacts. By right use is only considered for areas of Bald Hill Rd that offer substantial vehicle carrying capacity that exists to support big box retail developments, while also leveraging the retail marijuana market to perhaps fill vacant plaza stores in this area.

Recommendations to the City Council

1. An Ordinance Amending the Zoning Ordinances of the City of Warwick to Permit Retail Sale of Marijuana and Marijuana Related Products.

Generally consistent with the City of Warwick, *Comprehensive Plan 2033*, (Comprehensive Plan) which finds that land development in the future will increasingly involve redevelopment of previously used sites.

Over 60 percent of City residents who responded to a Comprehensive Plan survey, indicated that improving the appearance of major roads and commercial corridors is “very important”.

That *Chapter 12* of the Comprehensive Plan, the *Future Land Use, Zoning and Urban Design* element, states as a Goal, that Warwick has sufficient diversity of land uses to support a strong and stable tax base, and to continue to balance land uses, particularly between regional retail and non-retail commercial uses.

The Planning Board also found this proposal to be generally consistent with the following purposes of the City’s Zoning Ordinance, as presented in Section 100, “Title and Purpose.”

- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.

- 103.3 Provides for orderly growth and development, which recognizes:
 - A) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.
 - E.) The availability and capacity of existing and planned public and/or private services and facilities;
 - F.) The need to shape and balance urban and suburban development;

- 103.10 Promote a high level of quality in design in the development of private and public facilities.

- 103.11 Promote the implementation of the Warwick Comprehensive community plan, as amended.

INTENT OF AMENDMENT # 2 above

The intent of the amendment is to increase the number of yard sales a property owner may conduct per year from two to four.

While such an amendment may seem insignificant with respect to the purpose and intent of zoning and place in the Comprehensive Plan, one can argue yard sales represent perhaps the most micro-levels of local commerce amongst private parties. Also, they allow residents to dispose of artifacts or possessions that will otherwise accumulate on their properties and potentially become a nuisance to neighbors, or violate building/property codes.

There appear to be no inconsistencies with the Comprehensive Plan, and this change is consistent with Zoning Purpose 103.1 Promote the public health, safety, and general welfare of the city.