

Local Law #7 for the Village of Menands
Amending Chapter §169, “Zoning” of the Menands Village Code.

Section 1: Legislative Intent.

The Village Board finds that it is in the best interest of the Village of Menands to amend Chapter 169 of the Village Code entitled “Zoning” in order to revise certain provisions related to dispensing controlled substances.

Section 2: Broadway Business District.

Amend §169-20 – Broadway Business District (BBD) as follows:

§169-20 E. Special Uses. The following uses are authorized [only] by special use permit approval pursuant to this chapter.

Add – “Controlled Substance Dispensary”

Section 3: Neighborhood District (T4).

Amend §169-21 Neighborhood District (T4) as follows:

§169-21 D. Site plan uses. The following are uses authorized with site plan approval pursuant to this chapter.

Remove – “Medical Facility, 20,000SF”

Section 4 : Village District (T5).

Amend §169-22 Village Center District (T5) as follows :

§169-22 E. Special Uses. The following uses are authorized by special use permit approval pursuant to this chapter.

Remove – “Cannabis Retail Dispensary”

Section 5: Definitions.

Amend §169-94, Definitions as follows:

Add

[“Controlled Substance Dispensary” - A business licensed by the New York State Office of Addiction Services (OASAS) that is registered to operate in the State of New York that sells, prescribes or otherwise distributes drugs, goods, or materials that are listed as controlled substances under the Federal Controlled Substances Act or the New York State Public Health Law to persons, and under conditions, authorized by the State of New York. These uses include opioid treatment, and medically assisted treatment programs. For the purposes of this chapter, Controlled Substance Dispensary shall not include Cannabis Retail Dispensaries, defined separately in this chapter.]

Amend

“Cannabis Retail Dispensary” – A retail facility for the sale of cannabis products [licensed by the Office of Cannabis Management (OCM)] pursuant to the New York State Marijuana Regulation and Taxation Act.

Section 6: Severability:

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 7: Filing:

This local law shall take effect immediately upon filing with the New York State Secretary of State.