

**RESOLUTION NUMBER: 2025-168**  
**MEETING DATE: October 21, 2025**

**Item # 13.**

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**LEGISLATION**

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ORDINANCE AMENDING SECTION 331-115.6,  
SMOKE SHOPS, OF CHAPTER 331, ZONING,  
OF THE CODE OF THE CITY OF  
NEW ROCHELLE.

WHEREAS, on March 31, 2021, New York State legalized adult-use cannabis (also known as marijuana or recreational marijuana) by passing the Marijuana Regulation & Taxation Act (MRTA); and

WHEREAS, on January 21, 2025, the City Council adopted Ordinance No. 2025-19, which amended Chapter 331, Zoning, of the Code of the City of New Rochelle regarding tobacco smoke shops, adult-use cannabis dispensaries and adult-use cannabis consumption lounges; and

WHEREAS, OCM recently identified that the process by which the agency has been assessing adult-use retail dispensary location distance requirements relative to schools, first established in 2022, is not consistent with Cannabis Law § 72 (6); and,

WHEREAS, in order to more closely align with the OCM procedures regarding the calculation of distances in relation to distancing requirements, Staff is recommending that the Code of the City of New Rochelle be amended; now therefore,

BE IT ORDAINED, by the City of the City of New Rochelle:

Section 1. The Code of the City of New Rochelle, Section 331-115.6 Smoke Shops, of Chapter 331, Zoning, is hereby amended as follows:

§331-115.6 Smoke Shops

A retailer that sells tobacco products must secure a retail dealer and vending machine registration under New York Tax Law, Section 480-a.13. To sell vapor products, a retailer must secure a vapor products dealer certificate of registration under New York Tax Law Section 1183.14. To sell tobacco products and vapor products, a retailer must secure both registrations, which are issued by the New York State Department of Taxation and Finance.

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B. All distancing measurements shall be [from primary entrance to primary entrance as per New York State Office of Cannabis Management] calculated in accordance with the procedures set forth by the New York State Office of Cannabis Management.

Matters underlined added.  
Matters [bracketed] are deleted.