

**MANHATTAN COMMUNITY BOARD FIVE  
GUIDELINES ON CANNABIS LICENSING  
(revised 4/15/25)**

Manhattan Community Board Five (“CB5”) hereby establishes these "GUIDELINES ON CANNABIS LICENSING" or “GCL” to govern the Board’s consideration of all cannabis license applications within our district.

**Distance**

Any application for a cannabis license within CB5 may only be approvable provided that the proposed location is no less than:

- 1) 500 feet from an existing cannabis establishment; and
- 2) 500 feet from school grounds; and
- 3) 500 feet from a public youth facility; and
- 4) 200 feet from a place of worship; and

Further, applications that meet the following minimum distances will be viewed more favorably:

- 5) 1,000 feet from an existing cannabis establishment; and
- 6) 500 feet from a harm reduction facility; and

For retail establishments only:

- 7) 500 feet from a park or a public space; and
- 8) 1,000 feet from a playground; and

**Public Convenience and Advantage (PCA) Waiver Support Requests** for eligible applicants will be fielded only if the applicant is willing to undergo an accelerated community engagement and review process. (Note: Undergoing this process does not guarantee approval); and

**Distance Measurement** between a cannabis establishment and a facility is taken in a straight line and on the same road, except for the distance between cannabis establishments, which is measured “as the crow flies” (i.e. by radius), all in accordance with State methods; and

**Facility Types and Definitions** can be found in Part 118 of the Adult-Use Cannabis Regulations. CB5 considers a facility in a mixed-use or multi-tenant building to qualify as long as it meets the State definition for the facility otherwise (typically dependent on being officially registered or recognized by the County or State). For individual facilities or facility types not acknowledged by the State, CB5 will note them to the Cannabis Control Board, but such facilities will not be considered disqualifying factors; and

**Parks and Public Spaces** in CB5 shall include Bryant Park, Madison Square Park (including the Police Officer Moira Ann Smith Playground), Union Square Park, and Central Park, as well as the following plazas: Grand Army Plaza, Father Duffy Square, Times Square Plaza, Vanderbilt Plaza, Pershing Square Plaza, Broadway Boulevard Plaza, Herald Square, Herald Square Plaza,

33<sup>rd</sup> St Plaza, Greeley Square Park, Madison/Worth Square Plazas, Flatiron Plaza, Worth Square, and Union Square Plaza. Privately Owned Public Spaces (POPS) shall not be considered unless concerns about a specific location are raised by the community; and

### **Noise and Odor Mitigation**

Cannabis applicants shall provide noise and odor mitigation plans demonstrating how their establishments will minimize noise and odor pollution. All applicants must minimize noise and odor pollution and its adverse impact on the community; and

### **Hours of Operation**

Retail dispensary hours shall align with those of the establishment's commercial neighbors in the immediate vicinity and operate no later than 12:00 a.m. (midnight), with additional hours negotiable depending on proximity to residences and neighborhood character; and

No establishment for the retail sale, delivery, or on-site consumption of cannabis shall operate later than 2:00 a.m.; and

No establishment for the on-site consumption of cannabis, which is located within 500 feet of a residence, shall have hours of operation later than:

- Sunday through Wednesday nights: closure no later than 1:00 a.m.; and
- Thursday through Saturday nights: closure no later than 2:00 a.m.; and

### **Restricted Licensing Areas**

When a proposed cannabis license is located within any existing or future "Restricted Licensing Area" of CB5 (an "RLA"), to the extent that any requirements applicable within such RLA are more restrictive than those provided in these guidelines (including but not limited to hours of operation, size of the premises, etc.), the application shall comply with the more restrictive requirements of such RLA; and

### **Outdoor Space**

Consumption of cannabis products must not be permitted outdoors, including in sidewalk sheds, rooftops, terraces, and other outdoor areas within which the business operates; and

### **Community Engagement and Process**

1) Cannabis applicants must provide a timely response to a questionnaire provided by CB5, providing information including but not limited to details about the proposed premises, the description of the proposed method of operation, hours of operation, product lists, operational plans, and other information requested in the questionnaire; and

2) Cannabis applicants shall engage with local co-op and condo boards, resident and block associations, business improvement districts and/or other community organizations within the vicinity as part of a good faith effort to preserve the quality of life of the surrounding residents, businesses, and other local stakeholders; and

3) Cannabis applicants shall correspond with members of CB5's State Licenses and Permits (SLAP) committee, respond to community concerns, and attend community meetings and SLAP committee hearings as requested. CB5 cannabis licensee applicants must actively engage in this process, tailoring its method of operation as appropriate for the specific location being licensed; and

4) CB5 will evaluate applications in a fair and impartial manner utilizing these guidelines and the Method of Operations Approval Matrix included herein as Exhibit A; and

5) Cannabis applicants shall execute and deliver a legally-binding affidavit, whereby the applicant shall:

a) Represent, for each area of the proposed licensed premises (i) the square footage, (ii) the capacity, (iii) the "method of operation," and (iv) other details that the committee considers relevant; and

b) Agree to all conditions and stipulations as required by CB5 as a condition to approval of the application; and

c) Incorporate all the conditions and restrictions into the "method of operation" included as part of the cannabis license application submitted by the applicant to the Cannabis Control Board, a copy of which shall be simultaneously submitted to CB5.

**Exhibit A**  
**Method of Operation Matrix**

Community Board Five Cannabis Licensee Application Evaluation Matrix							
KEY ISSUES	Less desirable features	1	2	3	4	5	More desirable features
<b>Time/Hours of Operation</b>							
Appropriate hours	Hours significantly differ from neighborhood retail and other businesses.						Hours aligns with neighborhood retail and other businesses.
<b>Place</b>							
Where is the cannabis dispensary located? Residential, Mixed Use, Commercial	Residential						Commercial
<b>Manner/Method of Operation</b>							
Accommodation for lines/crowds	No control						Crowd control plan
Security plan	No security plan						Security plan
Noise and odor	No control						Equipment, meters for control measures
Community engagement and relationship (e.g., co-op board; BID, block association)	No engagement or relationship						Active engagement or relationship