



Proximity Protected Locations Map Overview and Frequently Asked Questions

The New York State Office of Cannabis Management (Office) is excited to share the Proximity Protected Locations Map (PPLM), which can be accessed on the State of New York Open Data website [here](#).

The PPLM displays the locations of licensed cannabis dispensaries, and **the proposed cannabis dispensary locations on applications that are still under review**. The proposed locations have been afforded proximity protection because the locations have been reviewed by the Office and have been found compliant with all distancing and proximity requirements until a final determination is made on the corresponding application.

The PPLM is intended to help prospective or provisionally licensed conditional adult-use retail dispensaries (CAURD), adult-use retail dispensaries, microbusinesses with retail and registered organizations with dispensing (ROD), identify potential locations for a cannabis dispensary in accordance with the distance and proximity requirements set forth in the Cannabis Law and its associated regulations.

Pursuant to Part 119 (Municipal Rulemaking) of Title 9 of the New York Codes, Rules and Regulations (9 NYCRR § 119), the Office implemented distance and proximity requirements between licensed retail dispensaries and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR § 119) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
 - A full list of municipalities that opted out can be found on the [local government page](#) of the Office website.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
 - The two entities must be located on the same street for the 200-foot requirement to be applicable.
- A minimum straight-line measurement of 500 feet between any cannabis dispensary and a building exclusively used as a school.
 - The two entities must be located on the same street for the 500-foot requirement to be applicable.

A link to the Municipality Rulemaking regulations can be found [here](#).

Proposed cannabis dispensary locations, determined to be in accordance with the distance and proximity requirements set forth in the Cannabis Law and its associated regulations, are granted proximity protection over their proposed premises. Proximity protection grants a 1,000 or 2,000



foot radius buffer around an adult-use cannabis dispensary's retail premises, based on the population of the municipality in which the proposed premises is located. If the municipality where the retail premises will be located has a population of over 20,000 people, there is a 1,000-foot radius around the proposed premises where proximity protection applies. If the municipality where the retail premises will be located has a population less than 20,000 people, there is a 2,000-foot radius around the proposed premises where proximity protection applies. These proximity buffer distances are radiuses, meaning the 1,000- or 2,000-foot distance is applied evenly in all directions from the dispensary location and not measured by vehicle or foot traffic.

The order of review of proposed locations for proximity protection purposes is determined by either the date and time of the application submission to the Office, or the order of review determined by the [application queue](#), whichever is applicable. Proximity protection is only provided once the proposed location is reviewed and approved by the Office.

How to Submit a Proposed Retail Dispensary Location for Office Approval

All prospective and current cannabis dispensary applicants and licensees are encouraged to use the PPLM to conduct proximity checks to determine whether a proposed retail dispensary location meets the distance and proximity requirements in the Cannabis Law, and its associated regulations. Applicants and provisional licensees may refer to pages 18-20 of the [Retail Dispensary Guidance](#) for a more comprehensive overview on conducting a proximity analysis for a proposed retail dispensary location.

After conducting the distance and proximity check and determining that a proposed retail dispensary location meets the distance and proximity requirements, applicants and licensees can work to negotiate proof of control over the proposed retail dispensary location in the form of a fully executed lease, a conditional lease, or a deed in preparation to submit the location to the Office via the New York Business Express (NYBE) Portal. In order for a retail dispensary location to receive proximity protection from the Office, proof of control over the location is required. **A letter of intent will not be accepted as proof of control.**

Provisional licensees (CAURD and provisional adult-use retail dispensary licensees) will use their NYBE Portal account and submit their proposed retail dispensary location, along with other required information on the application. Provisional licensees will go through a correction process or post-selection application, to submit the required information for final licensure by following the steps outlined below:

- 1) For Adult-Use provisional licensees, wait for the deficiency email that will provide the information required and link to log in to the New York State Business Express (NYBE) Portal (at www.businessexpress.ny.gov). CAURD provisional licensees will be able to go directly to the NYBE dashboard.
- 2) Click on "My Dashboard" to find your original application.
- 3) Locate your original application ID.



- 4) Click on “Resume Application” or” “Start Correction” button.
- 5) Once you click “Resume Application”, CAURD provisional licensees will be able to complete their post-selection application. For provisional adult-use licensees, once you click on “Start Correction” you will be guided to your original application summary which allows you to edit the sections and provide the required information the Office requested via email.

Limitations of the Proximity Protection Location Map

The PPLM will be updated on a biweekly basis as the Office continues to review applications and grant proximity protection to new proposed retail dispensary locations. Locations on the map that are “pending” have been reviewed and granted proximity protection, but the final application associated with the location is still under review. If the application is not awarded a license, the location will lose proximity protection and be removed from the map.

Additionally, provisional licensees and applicants should be aware that other provisional licensees and applicants may be pursuing the same or nearby retail dispensary locations and submitting them for Office approval via the NYBE portal and these locations may not be represented on the map. The timing of the post-selection application submissions via NYBE portal will be used to resolve location conflicts among provisional licensees. Receiving proximity protection for a proposed location that appears to meet the proximity requirements on the map is not guaranteed.

If you need assistance or have any questions about the PPLM, please contact the Adult-use Cannabis Program by phone at 1-888-OCM-5151 (1-888-626-5151) or by e-mail at AULicensing@ocm.ny.gov with your application number, applicant entity name, and specific questions, and we will respond as soon as we are able.

Sincerely,

Office of Cannabis Management

Website: <https://cannabis.ny.gov>

E-mail: AULicensing@ocm.ny.gov

Phone: 1-888-OCM-5151 (1-888-626-5151)

Frequently Asked Questions (FAQ)

Q: Where can I find the Proximity Protected Location Map (PPLM)?

A: The PPLM is available on the New York State Open Data website: <https://data.ny.gov/d/tuiq-k9f8>.

Q: Where can I find instructions on how to use the Proximity Protected Location Map (PPLM)?

A: Please refer to this communication and the [Retail Dispensary Guidance](#) which provides a comprehensive overview on conducting a proximity analysis for a proposed retail location.

Q: Are there any locations on the Proximity Protection Location Map (PPLM) that are not proximity protected?

A: No. All locations on the PPLM, no matter status of pending or active, have been granted proximity protection.

Q: What does the reference of ‘pending’ or ‘active’ mean for locations represented on the map?

A: Pending locations are depicted by a “white cannabis leaf with a yellow border” and it represents a location that has been reviewed and determined to meet the distance and proximity requirements, but the final application associated with that location is still under review. Pending locations can change as it is dependent on whether the application receives final approval.

Active locations are depicted by a “white cannabis leaf with a green border” and it represents a location where a final license has been issued. Please note, not all active locations have opened their dispensaries for adult-use sales and are still working to become operational.

Q: Do locations on the Proximity Protected Location Map (PPLM) ever change?

A: Yes. The PPLM will be updated on a biweekly basis as the Office continues to review applications in the queue and grant proximity protection to new proposed retail locations. Locations that were previously on the map could be removed and new proximity protected locations could be added.

Q: What does it mean if my proposed retail dispensary location is listed on the Proximity Protected Location Map (PPLM)?

A: Locations that are listed in the PPLM have been granted proximity protection from other applicants or licensees proposing to locate their cannabis dispensaries closer than the minimum distance required between licensed adult-use retail dispensaries pursuant to 9 NYCRR §119.

Locations are either displayed as “active” meaning a final license has been issued by the Office, or “pending” meaning the final application associated with that location is under review, but the location has been reviewed by the Office. A “pending” location only becomes an “active” location upon successful completion of the application process and a final license being issued.

Q: What does it mean if my proposed retail dispensary location is not listed in the Proximity Protected Location Map (PPLM)?

A: Locations that are not listed in the PPLM may be pending location review by the Office or have failed to meet the proximity requirements in accordance with the Cannabis Law and its associated regulations. Please note that the Office is actively reviewing locations and the map will be updated on a biweekly basis.

Additionally, in certain circumstances, pending locations will be removed from the map due to the application being denied or voided which will allow another applicant’s location further down the queue to become eligible. To check on the status of your application, please login to the

New York State Business Express (NYBE) Portal (at www.businessexpress.ny.gov) and click on “My Dashboard” to find your original application.

Q: My proposed retail dispensary location has been approved for proximity protection, but I am unable to find it in the Proximity Protected Location Map (PPLM). Who can I reach out to about this?

A: The PPLM will be updated on a biweekly basis as the Office continues to review applications and grant proximity protection to new proposed retail locations. If your proposed retail dispensary location has been approved for proximity protection and you are unable to locate it on the map more than two weeks after you have received approval, please email the Office at AULicensing@ocm.ny.gov stating the issue with your application number, applicant entity name, and proposed location, and we will respond with an update as soon as possible.

Q: I submitted a potential retail dispensary location to the Office for review via e-mail but I do not see the location on the map?

A: The Office will not review potential retail dispensary locations received from applicants or provisional licensees via e-mail. In order for a proposed retail dispensary location to be reviewed, the location must be submitted via the post-selection application or through the correction process on the New York Business Express (NYBE) platform, with the proof of control over the location in the form of a lease, conditional lease or deed attached. If you are having trouble submitting your retail dispensary location to the Office, please contact AULicensing@ocm.ny.gov including your application number and business name.

Q: Are there any other helpful resources when conducting a proximity check of my proposed retail dispensary location?

A: Yes, provisional licensees are encouraged to research the viability of locations based on the criteria listed above before submitting through NYBE. Additional zoning information can be found on the Retail Dispensary Guidance (pages 18-20): [Retail Dispensary Guidance](#). Publicly available tools to check proximity are [Google Maps](#) and the New York State Liquor Authority LAMP system: <https://lamp.sla.ny.gov/>.

Q: Is a Letter of Intent (LOI) sufficient to submit a retail dispensary location via the NYBE portal for the Office to review?

A: No. In order for a retail dispensary location to receive proximity protection from the Office, proof of control over the location is required. **A letter of intent will not be accepted as proof of control.** To prove proof of control, the provisional licensee must submit a fully executed lease (or a conditional lease), or deed for the retail dispensary location.

Q: How is this different than the State Liquor Authority LAMP System?

A: The NYS Liquor Authority Mapping Project (LAMP) is a complete mapping solution that includes various mapping layers and advanced functionality. The PPLM only displays proximity protected locations and information about each retail dispensary location that includes the status, entity name, location type, application number, license number (if applicable), street, city, and zip code. There is functionality to conduct an address search and filter based on city, zip code, status, and type. The PPLM will neither produce a proximity report within a certain distance threshold, populate nearby schools or houses of worship, and nor project municipal boundaries.



Frequently Asked Questions for Municipalities:

Q: If a location is on the map, does that mean it complies with all local zoning requirements?

A: No. The PPLM represents proposed retail dispensary locations that have been reviewed pursuant to the proximity and distance requirements set forth in the Cannabis Law and Part 119 of Title 9 of New York Code Rules, and Regulations (9 NYCRR § 119). The Office reviews the following distance requirements:

- The opt-out status of the municipality in which the proposed dispensary is located;
- The distance from any existing or proposed adult-use dispensaries;
- Whether there is a house of worship on the same road and within 200-feet; and
- Whether there is a school on the same road and within 500-feet.

Q: What if I see a location on the PPLM but I do not have a Notification to Municipality for that location?

A: The municipality should have a Notification to Municipality form submitted by the applicant or provisional licensee which corresponds with the proposed location on the PPLM. The Office will not approve an application that has failed to complete the Notice to Municipality requirement in accordance with Section 76 of the Cannabis Law.

Q: Will all the locations identified on the map become retail dispensaries?

A: No. Not all locations on the map will eventually open as retail dispensaries. Locations that are yellow and labeled as “pending” still have applications under review by the Office. In order for the locations to be fully approved, the application must be approved and a final license must be issued.