



Office of Cannabis Management

KATHY HOCHUL

Governor

TREMAINE WRIGHT

Cannabis Control Board Chair

JESSICA GARCIA

Board Member

HOPE KNIGHT

Board Member

CRYSTAL J. RODRIGUEZ DABNEY

Board Member

JENNIFER GILBERT JENKINS

Board Member

FELICIA A.B. REID

Acting Executive Director

No. 2024-105
October 10, 2024

RESOLUTION TO APPROVE THE PROPOSED LOCATION OF CERTAIN CONDITIONAL ADULT-USE RETAIL DISPENSARY APPLICANTS

WHEREAS, pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is charged with the responsibility of overseeing activities related to adult-use cannabis;

WHEREAS, pursuant to Section 64(1)(g)(x) of the Cannabis Law, the Board is charged with developing regulations which establish factors for determining if granting an applicant’s adult-use cannabis license would promote public convenience and advantage;

WHEREAS, pursuant to Section 119.4(b) of Title 9 of the New York Codes, Rules and Regulations (9 NYCRR), the Board may determine that granting a license would promote public convenience and advantage as described in paragraphs [9 NYCRR 119.4(a)(1) and 119.4(a)(2)] by considering the following factors, which include: (1) the number, classes, and character of other licenses in proximity to the premises and in the particular municipality or subdivision thereof; (2) evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies; (3) whether there is a demonstrated need for such license, (4) effect of the grant of the license on pedestrian or vehicular traffic, and parking, in proximity to the premises; (5) the existing noise level at the premises and any increase in noise level that would be generated by the proposed premises; (6) the history of cannabis violations and reported criminal activity at the proposed premises; and (7) any other factors specified by law or regulation that are relevant to determine granting a license would promote public convenience and advantage of the community;

WHEREAS, at the Board’s September 10, 2024 meeting, via Resolution No. 2024-96, the Board directed the Office of Cannabis Management (Office) to file with the New York State Department of State to issue for public comment proposed adult-use regulation amendments to 9 NYCRR 119.4(b) (proposed regulations) in accordance with the State Administrative Procedure Act;

WHEREAS, the proposed regulations are different than the current version of 9 NYCRR 119.4(b);

WHEREAS, applicant identified in Attachment A (applicant) submitted a request to the Office that it’s proposed conditional adult-use retail dispensary location be approved as it would promote public convenience and advantage under the current factors enumerated in 9 NYCRR 119.4(b);

WHEREAS, the Office reviewed the applicant’s above-mentioned request by analyzing the current factors enumerated in 9 NYCRR 119.4(b);



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WHEREAS, the Office’s analysis of public convenience and advantage under the current factors enumerated in 9 NYCRR 119.4(b) will only pertain to requests for public convenience and advantage received prior to the approval of Resolution No. 2024-96.

WHEREAS, in light of the above, the Office has prepared the information related to this public convenience and advantage request for the Board’s consideration;

RESOLVED, that the Board approve applicant’s proposed conditional adult-use retail dispensary location identified in Attachment A, and that this determination of public convenience and advantage in this resolution does not bind any future determinations of public convenience and advantage under the proposed regulations in the near future.

[Attachment A]



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Attachment A

Application Number	Business Name	Address
OCMCAURD-2022-000090	TAOZEN LLC	52 W 27th St. New York, NY 10001