



Cultivator License Class Categorization Transition from “Facility Size” to “Canopy Size”

Effective Date: February 23, 2026

This document intends to inform Hybrid Cannabis Cultivator licensees so they may navigate the license class categorization transition from “facility size” to “canopy size.”

This is not a substitute for licensees thoroughly reviewing all new regulations to ensure compliance with updated requirements.

“Canopy” Defined

Per R.I. Gen. Laws § 21-28.11-7(e), “‘canopy’ means the total surface area within a cultivation area that is dedicated to the cultivation of mature cannabis plants.”

Updates Affecting Hybrid Cannabis Cultivators

Cultivator License Class Categorization

Per 560-RICR-10-10-1.10.2(C)(1) “[a] licensed medical marijuana cultivator approved and authorized by DBR or the Commission to participate in adult use cannabis cultivation pursuant to the Cannabis Act shall, upon the first renewal of its hybrid cannabis cultivator license following the promulgation of these regulations by the Commission, be licensed as a hybrid cannabis cultivator and transition its cultivator class categorization from facility size to a corresponding license class calculated by canopy size.

Further, per § 1(a), “the hybrid cannabis cultivator shall transition from its current facility-size license class to the equivalent canopy-size license class (i.e., from Micro-license to Micro-license or from Class A to Class A).

New Hybrid Cannabis Cultivator Annual Licensing Fee Schedule

Per 560-RICR-10-10-1.10.2(B)(4), “[a]t renewal hybrid cannabis cultivators will be subject to the licensing fee schedule categorized by canopy size as set forth in § 1.10.3 of this Part.

§ 1.10.3(A) –

License Class	Canopy Size	Annual License Fee
Micro-license	0 – 2,500 sq. ft.	\$4,500
Class A	0 – 5,000 sq. ft.	\$10,000
Class B	5,001 – 10,000 sq. ft.	\$20,000

New Hybrid Cannabis Cultivator Annual Licensing Application Requirements

Per 560-RICR-10-10-1.10.2(C)(1)(b), “[t]he hybrid cannabis cultivator shall submit an updated floor plan, showing the layout of the entire licensed premises including the boundaries/measurements of the canopy.”

The hybrid cannabis renewal application has been updated to reflect this new requirement. The corresponding application on the licensing portal has been updated accordingly. Under Section 8 – “Form 6 – Mandatory Questions” – there is a new required document in the uploads area titled “Canopy Diagram.” Facility and canopy diagrams should be submitted via this file upload.

Uploads

There is a Maximum 25 MB file upload size limit.

SECTION NAME	DOCUMENT NAME	STATUS	ACTION
Form 6 - Mandatory Questions	* Facility Diagram ⓘ	-	UPLOAD/CHOOSE FILE
Form 6 - Mandatory Questions	* Canopy Diagram ⓘ	-	UPLOAD/CHOOSE FILE
Form 6 - Mandatory Questions	Visitor Log (For new applications, please submit a template for Visitor Log that meets the requirements)	-	UPLOAD/CHOOSE FILE
Form 6 - Mandatory Questions	Pesticides List ⓘ	-	UPLOAD/CHOOSE FILE

Further, per § 1(c), “[t]he hybrid cannabis cultivator shall satisfy any other requirements, including a final inspection, as required by the Commission for transition to a license class based on canopy size.”

Determining Plant Canopy

Measuring Plant Canopy

Any and all spaces within a cultivation area that are dedicated to the cultivation of mature cannabis plants must be included when determining total canopy.

Calculation of total canopy must not include spaces within the cultivation area that are used to cultivate immature cannabis plants and seedlings and that are not used at any time to cultivate mature cannabis.

Per 560-RIC-10-10-2.2(A)(4), "...[t]he surface area of the canopy must be calculated in square feet and measured using the outside boundaries of the area and must include all of the area within the boundaries. If the surface area of the canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used in the cultivation area, the surface area of each tier or shelf must be included in calculating the area of the canopy. The canopy **does not** include the areas within the cultivation area that are used to cultivate immature cannabis plants and seedlings and that are not used at any time to cultivate mature cannabis plants."

Examples

Indoor Space with Clearly Demarcated Walking Paths

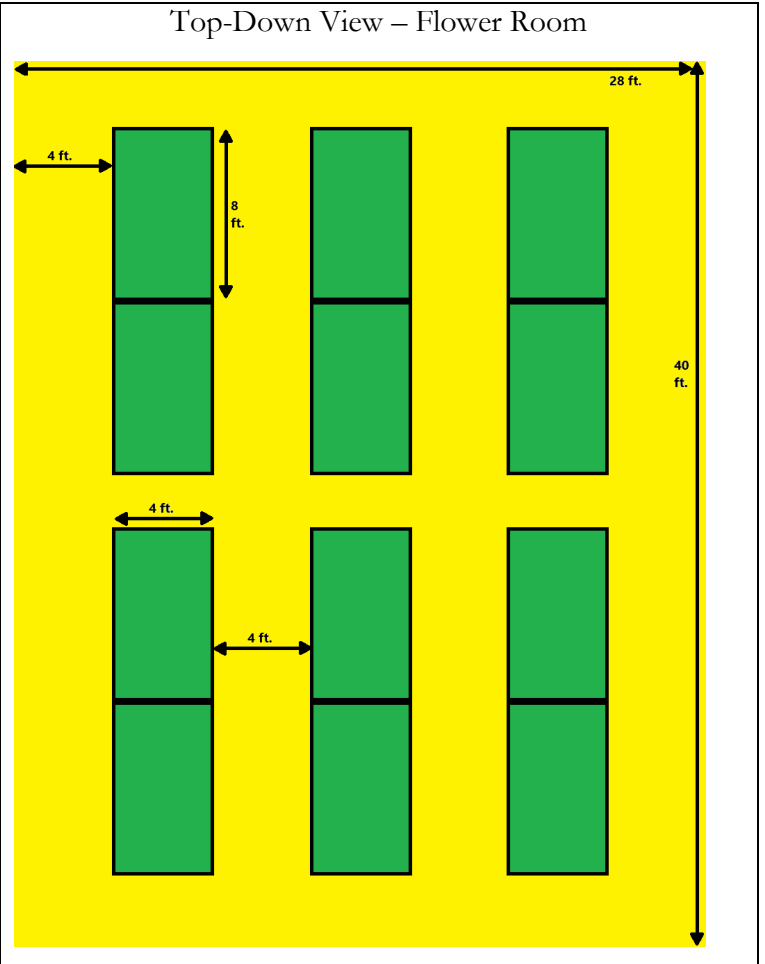
Example calculation:

$4' \times 8' = 32$ sq. ft. per plant table

32 sq. ft. \times 12 beds = 384 sq. ft. of canopy

While the total square footage of the room is $1,120$ sq. ft., the total canopy is 384 sq. ft. due to the presence of clearly demarcated walking paths.

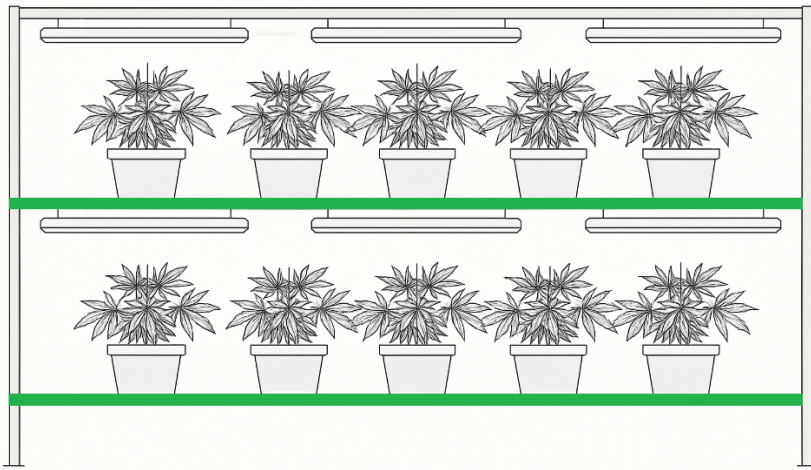
All areas in green are included in canopy calculation.
All areas in yellow are excluded.



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Indoor Space with Tiered Rack Setup

Side View – Tiered Plant Shelf



Example calculation:

$4' \times 8' = 32 \text{ sq. ft. per plant table, per tier}$

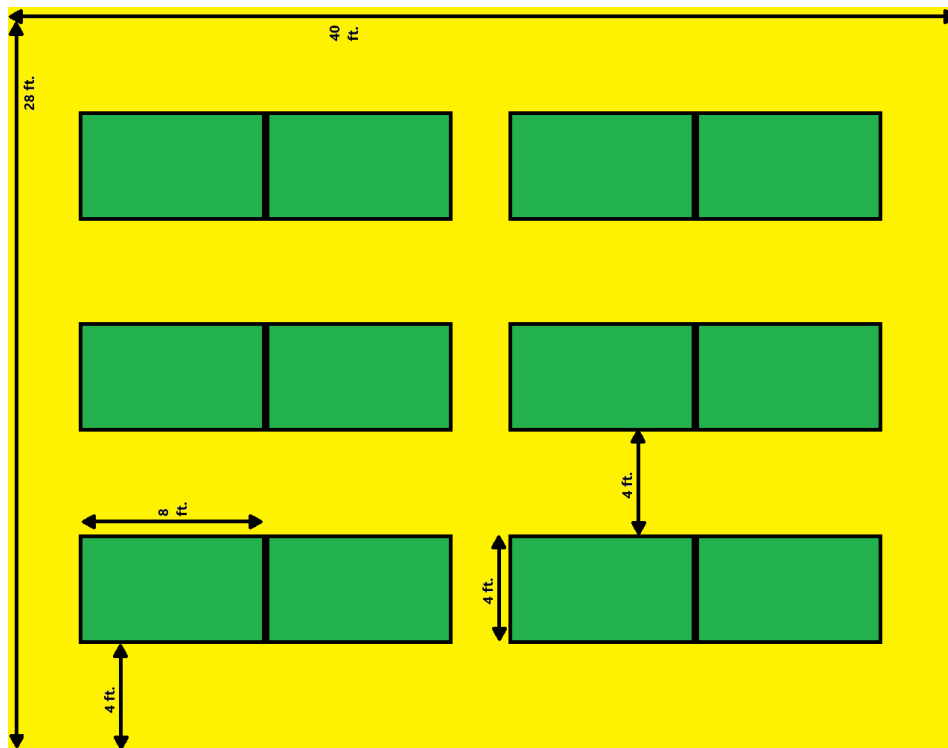
$32 \text{ sq. ft.} \times 12 \text{ beds} = 384 \text{ sq. ft. of canopy, per tier}$

$384 \text{ sq. ft.} \times 2 \text{ tiers} = 768 \text{ sq. ft. of canopy}$

When calculating total canopy, if a tiered or shelving system is used in the cultivation area, the surface area of each tier or shelf must be included in calculating the area of the canopy.

All areas in green are included in canopy calculation. All areas in yellow are excluded.

Top-Down View – Flower Room



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FAQs

- 1) What is a mature cannabis plant?

Per 560-RICR-10-10-2.2(3)(e), “Mature cannabis plant’ means a cannabis plant that has reached a height of eight inches (8”) or taller or that has flowers or buds that are readily observable by an unaided visual examination.

- 2) What is an immature cannabis plant?

Per 560-RICR-10-10-2.2(3)(d), “Immature cannabis plant’ means a cannabis plant that is less than eight inches (8”) in height, whether rooted or unrooted, with no observable flowers or buds.

- 3) May I increase the size of my cannabis establishment’s canopy?

Per 560-RICR-10-10-1.3.3(A)(4)(j)(2) – “[a]ny requests to increase the cannabis establishment’s canopy as defined by R.I. Gen Law 21-28.11-7(e), must be preapproved by the Commission.”

Further, per §1.10.4(C)(3), “[a]pplicants must contact the Commission prior to submitting an application for a proposed canopy size or facility size over ten thousand (10,000) sq. ft..”

- 4) As a licensed cannabis cultivator, would I need Commission approval to decrease canopy size or facility size?

Yes. Per 560-RICR-10-10-1.3.3(A)(4)(j)(3) – “[a] licensed cannabis cultivator may request to decrease canopy or facility size and subsequently change to a lower license class and pay a lower fee upon their next renewal.”

- 5) What does the facility and canopy diagram entail?

The facility and canopy diagram documentation should, at a minimum, meet the requirement outlined in 560-RICR-10-10-1.10.5(D)(3): “[d]ocumentary evidence of the licensed premises, floor plan, and canopy, including the location where within the premises cannabis will be cultivated, stored, processed, packaged, manufactured, and stored, and where security cameras, alarms, and surveillance recording storage will be located.”

Further, areas excluded from canopy measurement must be clearly demarcated on the facility and canopy diagram.

- 6) I’ve determined my total canopy, and it eclipses the total canopy permitted by my license class, or, eclipses 10,000 sq. ft. What should I do?

Please contact the Commission directly for further targeted guidance. Thank you.