

STAFF REPORT

TOWN PLAN AND ZONING COMMISSION

Meeting Date: March 28, 2024

Prepared By: Jon Colman, Interim Director of Building and Land Use

Application Type: Text Amendment to Zoning Regulations

Applicant: TPZ

The TPZ has petitioned for a Text Amendment to the Zoning Regulations Section 7.17 Recreational and Medical Cannabis Cultivation and Sale, for a proposed moratorium on the uses in Section 7.17.

The text amendment would add the following section to the zoning regulations:

7.17.1.a Moratorium. A moratorium on the uses in Section 17.7 of these regulations is in place until November 1, 2024. Until that date, no applications for the uses described in this Section 7.17 will be considered by the Town Plan and Zoning Commission.

Following the close of the public hearing on this petition, the Commission may take action.

D. No adult-use cannabis retail or hybrid-retail shall be located less than 500 feet from another adult-use cannabis retail or hybrid-retail. Distance shall be measured from the radius of the front door to front door of each establishment.

E. All distances contained in this section, other than those specified in the subsection "D" above shall be measured by taking the nearest straight line between the respective lot boundaries of each site.

7.17.5 Sign and exterior display requirements:

A. Exterior signage shall be restricted to a single sign no larger than 16" x 18" containing the legal name of the entity and the street address of the facility.

7.17.7 Off-Street Parking requirements:

A. Required off-street parking shall be in compliance with Section 6.2 of these regulations.

7.17.8 Security Requirements:

A. All marijuana dispensary facilities and production facilities shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana utilizing commercial grade equipment meeting at least the minimum requirements of the State of Connecticut Regulations:

B. The hours of operation for retail marijuana, medical marijuana dispensary facilities, and hybrid facilities shall be limited to between 8:00 a.m. and 10:00 p.m., Monday through Saturday and 12 p.m. to 6:00 p.m. on Sundays.

C. There shall be no limitation on the hours of operation for marijuana production or cultivation facilities.

7.17.9 Conditional Approval:

A. Special Permits shall be approved with the condition that the applicant obtains the appropriate license issued by the State of Connecticut Department of Consumer Protection (or other State agency as regulatory changes occur):

B. The conditional approval shall become finalized upon the receipt by the Director of Planning of a copy of the Department of Consumer Protection-issued license;

C. The conditional approval shall expire if the applicant fails to provide the Director of Planning with a copy of the Department of Consumer Protection-issued license within six months of the date of the Town Plan and Zoning Commission's (TPZ) conditional approval;

1. A six month extension of such conditional approval shall be granted to the applicant upon written notification to the Director of Planning that an application for a Department of Consumer Protection license has been filed, indicating the expected decision date of the Department of Consumer Protection license.

D. No entity shall operate without a valid, current license

7.17.10 Connecticut Department of Consumer Protection Approval:

A. The applicant shall provide the Director of Planning with a copy of the appropriate license issued by the State of Connecticut Department of Consumer Protection, and any subsequent renewed license.

7.17.11 Additional Requirements – In addition to the requirements for Special Permit and Site Plan submission the following shall be required:

A. Applicants for Production, Cultivator and Micro-cultivator facilities shall submit an odor control plan as part of their application.

B. All production, manufacturing, retail and storage of cannabis shall be conducted indoors

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- C. A security plan that meets or exceeds State of Connecticut requirements shall be submitted with the application for any type of cannabis facility permitted under these regulations.
- D. Applicants for Production, Cultivator and Micro-cultivator facilities shall submit plans for the storage of fertilizers used in the operation which shall detail fire safety measures that will be in place once the facility is in operation.