

270-40-40.155 ADULT USE CANNABIS AND MEDICAL MARIJUANA [Approved 4-14-2022, Item #35700-3]

270-40-40.155.10 PURPOSE

The purpose of this section is to regulate the location and operation of medical marijuana dispensary and production facilities and the adult use cannabis retail, production and cultivation. The intent of these regulations is to minimize any adverse impacts of such facilities, and to protect and preserve the City of New Britain's neighborhoods, commercial districts, property values and quality of life. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20 DEFINITIONS

270-40-40.155.20.10 Cannabis Establishment:

A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana) of products containing cannabis; or a manufacturer, packager, delivery service, or transporter of products containing cannabis, including cannabis-infused food and beverage products. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20.20 Cannabis Producer:

An individual or business that possesses a state or municipal license to grow, harvest, dry, trim, cure, and package cannabis. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20.30 Cannabis Cultivator:

An individual or business producing cannabis flowers. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20.40 Cannabis Micro-Cultivator:

An individual or business that produces cannabis flowers in a limited-size grow space. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20.50 Cannabis Food and Beverage Manufacturer:

An individual or business that produces cannabis-infused food or beverages. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20.60 Cannabis Product Manufacturer:

An individual or business that participates in any aspect of the cannabis extraction and infusion processes, including processing, preparing, holding, storing, packaging, or labeling of cannabis products. Cannabis

manufacturing also includes any processing, preparing, holding, or storing of components and ingredients. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20.70 Cannabis Product Packager:

An individual or business that focuses on assisting the proper and accurate packaging of cannabis products into pre-weighed containers and pre-rolled joints. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20.80 Cannabis Dispensary Facility:

Regulated locations in which a person can purchase cannabis and cannabis related items for medical or recreational use. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20.90 Cannabis Retailer:

An individual or business that sells, supplies, or offers recreational cannabis products for sale directly to consumers. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20.100 Cannabis Hybrid Retailer:

An individual or business that sells, supplies, or offers recreational cannabis and medical products for sale directly to consumers. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.20.110 Cannabis Delivery Service or Transporter:

Any number of companies or individuals that are involved in the distribution of cannabis by way of delivery. This could be either mail-order delivery, or hand delivery. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.30 APPLICABILITY

270-40-40.155.30.10

Medical marijuana dispensary facilities and production facilities shall be governed by Connecticut General Statutes Section 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70 inclusive, of the Regulations of State Agencies as they may be amended and permitted only in the below zone, subject to special exception approval in accordance with Section 270-40 of these Regulations, site plan approval in accordance with Section 280-60 of these Regulations and the requirements of this section. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.30.20

Adult use cannabis retail and hybrid-retail and production facilities shall be governed by Public Act 21-1/Senate Bill 1201, The Responsible and Equitable Regulation of Adult-Use Cannabis Act as amended inclusive of the Regulations of State Agencies as they may be amended and permitted only in the below zone, subject to special exception approval in accordance with Section 270-40 of these Regulations, site plan approval in accordance with Section 280-60 of these Regulations and the requirements of this section. Pursuant to Public Act 21-1/Senate Bill 1201, until June 30, 2024, no municipality shall grant zoning approval for more retailers or micro-cultivators than the number that would allow for one retailer and one micro-cultivator for every twenty-five thousand residents of such municipality, as determined by the most recent decennial census. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.30.30

Adult use cannabis cultivator and micro-cultivator facilities shall be governed by Public Act 21-1/Senate Bill 1201, The Responsible and Equitable Regulation of Adult-Use Cannabis Act as amended inclusive of the Regulations of State Agencies as they may be amended and permitted only in the below zone, subject to special exception approval in accordance with Section 270-40 of these Regulations, site plan approval in accordance with Section 280-60 of these Regulations and the requirements of this section. Pursuant to Public Act 21-1/Senate Bill 1201, until June 30, 2024, no municipality shall grant zoning approval for more retailers or micro-cultivators than the number that would allow for one retailer and one micro-cultivator for every twenty-five thousand residents of such municipality, as determined by the most recent decennial census. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.30.40

In the B-2, B-3 and CBD zoning districts only Medical Marijuana Dispensary Facilities and Adult use cannabis retail and hybrid-retail facilities may be permitted and only by special exception. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.30.50

In the I-1 and I-2 zoning districts only Medical Marijuana Dispensary and Production Facilities, Adult use cannabis retail and hybrid-retail and production facilities and Adult use cannabis cultivator and micro-cultivator may be permitted and only by special exception. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.40 SEPARATION AND OTHER REQUIREMENTS

270-40-40.155.40.10

No medical marijuana dispensary/Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer shall be allowed within 200 feet of a church, temple or other place of religious worship, nor within 200 feet of any public or private elementary or high school, nor any park or playground. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.40.20

No medical marijuana dispensary/ Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer shall be allowed within 100 feet along the same street front of any property that is zoned for residential use. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.40.30

No medical marijuana dispensary/ Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer shall be allowed within the same building or structure that is used for residential use or that contains another medical marijuana dispensary/Adult Use Cannabis Dispensary Facility/Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.40.40

No medical marijuana dispensary/ Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer shall be allowed within 1,000 feet of any other medical marijuana dispensary/ Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer/ Adult Use Cannabis Producer/ Adult Use Cannabis Product Manufacturer/ Adult Use Cannabis Product Packager. Distance shall be measured from the radius of the front door to front door of each establishment. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.40.50

All medical marijuana dispensary facilities/ Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana and marijuana derived or related substance utilizing commercial grade equipment meeting, as a minimum, the requirements of the State of Connecticut Regulations. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.40.60

The signage for any medical marijuana dispensary/ Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer shall be restricted to a single sign, no larger than 12 square feet in area, identifying the legal name of the business entity and the street address. Signage provisions of Section 250-30 shall not apply. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.40.70

No medical marijuana dispensary/ Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer derived product or related paraphernalia shall be visible from outside of the medical marijuana dispensary/ Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.40.80

The hours of operation for any medical marijuana dispensary/ Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer shall be limited to between 7:00 a.m. and 7:00 p.m. [Approved 4-14-2022, Item #35700-3]

270-40-40.155.40.90

Any special exception approved by the Zoning Board of Appeals for a medical marijuana dispensary/ Adult Use Cannabis Dispensary Facility/ Adult Use Cannabis Retailer and/or Adult Use Cannabis Hybrid Retailer is approved with the condition that the applicant obtains the appropriate license from the State of Connecticut Department of Consumer Protection or any other department as designated by the State. The conditional approval will become finalized upon receipt by the Director of Licenses, Permits and Inspections of a copy of the Department of Consumer Protection issued license. The conditional approval shall expire if the applicant fails to provide the Director of Licenses, Permits and Inspections with a copy of the Department of Consumer Protection issue license within six (6) months of the date of the ZBA's conditional approval. No entity shall operate without a valid, current license. [Approved 4-14-2022, Item #35700-3]

- ZONING ORDINANCES OF NEW BRITAIN, CONNECTICUT

Section 270 - THE ZONING BOARD OF APPEALS.

270-40 - Special Exception Uses.

270-40-40 - Specific Conditions and Safeguards for Certain Special Exception Uses.

270-40-40.156 MEDICAL MARIJUANA PRODUCTION FACILITY/ADULT USE CANNABIS PRODUCER/ ADULT USE CANNABIS FOOD AND BEVERAGE MANUFACTURER/ ADULT USE CANNABIS PRODUCT MANUFACTURER/ ADULT USE CANNABIS PRODUCT PACKAGER/ ADULT USE CANNABIS CULTIVATOR AND/OR ADULT USE CANNABIS MICRO-CULTIVATOR. [Approved 4-14-2022, Item #35700-3]

270-40-40.156 MEDICAL MARIJUANA PRODUCTION FACILITY/ADULT USE CANNABIS PRODUCER/ ADULT USE CANNABIS FOOD AND BEVERAGE MANUFACTURER/ ADULT USE CANNABIS PRODUCT MANUFACTURER/ ADULT USE CANNABIS PRODUCT PACKAGER/ ADULT USE CANNABIS CULTIVATOR AND/OR ADULT USE CANNABIS MICRO-CULTIVATOR. [Approved 4-14-2022, Item #35700-3]

270-40-40.156.10

No medical production facility/ Adult Use Cannabis Producer/Adult Use Cannabis Food and Beverage Manufacturer/ Adult Use Cannabis Product Manufacturer/ Adult Use Cannabis Product Packager/ Adult Use Cannabis Cultivator and/or Adult Use Cannabis Micro-Cultivator shall be allowed within 200 feet of a church, temple or other place of religious worship, nor within 200 feet of any public or private elementary or high school, nor any park or playground. [Approved 4-14-2022, Item #35700-3]

270-40-40.156.20

No medical production facility/ Adult Use Cannabis Producer/Adult Use Cannabis Food and Beverage Manufacturer/ Adult Use Cannabis Product Manufacturer/ Adult Use Cannabis Product Packager/Cannabis Cultivator and/or Adult Use Cannabis Micro-Cultivator shall be allowed within 100 feet along the same street front of any property that is zoned for residential use. [Approved 4-14-2022, Item #35700-3]

270-40-40.156.30

No medical production facility/ Adult Use Cannabis Producer/Cannabis Food and Beverage Manufacturer/ Adult Use Cannabis Product Manufacturer/ Adult Use Cannabis Product Packager/ Adult Use Cannabis Cultivator and/or Adult Use Cannabis Micro-Cultivator shall be allowed within the same building or structure that is used for residential use. [Approved 4-14-2022, Item #35700-3]

270-40-40.156.40

No medical production facility/ Adult Use Cannabis Producer/Cannabis Food and Beverage Manufacturer/ Adult Use Cannabis Product Manufacturer/ Adult Use Cannabis Product Packager/ Adult Use Cannabis Cultivator and/or Adult Use Cannabis Micro-Cultivator shall be allowed within 1,000 feet of any other medical/recreational marijuana production facility/ Adult Use Cannabis Producer/Adult Use Cannabis Food and Beverage Manufacturer/ Adult Use Cannabis Product Manufacturer/ Adult Use Cannabis Product Packager/ Adult Use Cannabis Cultivator and/or Adult Use Cannabis Micro-Cultivator. [Approved 4-14-2022, Item #35700-3]

270-40-40.156.50

All medical production facilities/ Adult Use Cannabis Producer/ Adult Use Cannabis Food and Beverage Manufacturer/ Adult Use Cannabis Product Manufacturer/ Adult Use Cannabis Product Packager/ Adult Use Cannabis Cultivator and/or Adult Use Cannabis Micro-Cultivator shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana and marijuana derived or related substance utilizing commercial grade equipment meeting, as a minimum, the requirements of the State of Connecticut Regulations. [Approved 4-14-2022, Item #35700-3]

270-40-40.156.60

No medical production facility/ Adult Use Cannabis Producer/ Adult Use Cannabis Food and Beverage Manufacturer/ Adult Use Cannabis Product Manufacturer/ Adult Use Cannabis Product Packager/ Adult Use Cannabis Cultivator and/or Adult Use Cannabis Micro-Cultivator shall occupy a building area of less than 25,000 square feet. [Approved 4-14-2022, Item #35700-3]

270-40-40.156.70

The signage for any medical production facility/ Adult Use Cannabis Producer/ Adult Use Cannabis Food and Beverage Manufacturer/ Adult Use Cannabis Product Manufacturer/ Adult Use Cannabis Product Packager/ Adult Use Cannabis Cultivator and/or Adult Use Cannabis Micro-Cultivator shall be restricted to a single sign, no larger than 12 square feet in area, identifying the legal name of the business entity and the street address. Signage provisions of Section 250-30 shall not apply. [Approved 4-14-2022, Item #35700-3]

270-40-40.156.80

Any special exception approved by the Zoning Board of Appeals for a Medical Marijuana Production Facility/ Adult Use Cannabis Producer/ Adult Use Cannabis Food and Beverage Manufacturer/ Adult Use Cannabis Product Manufacturer/ Adult Use Cannabis Product Packager/ Adult Use Cannabis Cultivator and/or Adult Use Cannabis Micro-Cultivator is approved with the condition that the applicant obtains the appropriate license from the State of Connecticut Department of Consumer Protection or any other department as designated by the State. The conditional approval will become finalized upon receipt by the Director of Licenses, Permits and Inspections of a copy of the Department of Consumer Protection issued license. The conditional approval shall expire if the applicant fails to provide the Director of Licenses, Permits and Inspections with a copy of the Department of Consumer Protection issue license within six (6) months of the date of the ZBA's conditional approval. No entity shall operate without a valid, current license. [Approved 4-14-2022, Item #35700-3]

6.16.1. Purpose. The purpose of this section is to regulate the location and operation of medical marijuana dispensary facilities, medical and production marijuana production facilities, and adult-use cannabis retail and cultivation. The intent of these regulations is to minimize any adverse impacts of such facilities, and to protect and preserve Newington's neighborhoods, commercial districts, property values and quality of life.

6.16.2 Definitions. For use in this section of the Regulations:

- A. "Cannabis" means marijuana, as defined in section 21a-240 of the general statutes;
- B. "Cannabis product" means cannabis that is in the form of a cannabis concentrate or a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption.
- C. "Consumer" means an individual who is twenty-one years of age or older.
- D. "Cultivation" has the same meaning as provided in section 21a-408 of the general statutes;
- E. "Cultivator" means a person that is licensed to engage in the cultivation, growing, and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.
- F. "Dispensary facility" means a place of business where medical marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit under CGS Sec. 21a-408 et seq. as they may be amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended;
- G. "Hybrid retailer" means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products;
- H. "Micro-cultivator" means a person licensed to engage in the cultivation, growing, and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the Commissioner of Consumer Protection;
- I. "Production facility" means a secure, indoor facility where the production of medical marijuana occurs and is operated by a person to whom the Connecticut Department of Consumer Protection has issued a production facility permit under CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended.
- J. "Retailer" means a person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufactures and food and beverage manufacturers and to sell cannabis to consumers and research programs.

6.16.3 Applicability:

- A. Medical marijuana dispensary facilities and production facilities shall be governed by CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended and permitted only in the following zone, subject to special permit approval in accordance with Section 5.2 of these Regulations, site plan approval in accordance with Section 5.3 of these Regulations, and the requirements of this section.
- B. Cannabis retail and hybrid-retail facilities shall be governed by The Responsible and Equitable Regulation of Adult-Use Cannabis Act ("RERACA"), the Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and permitted only in the following zone, subject to special permit approval in accordance with Section 5.2 of these Regulations, site plan approval in accordance with Section 5.3 of these Regulations, and the requirements of this section.

C. Adult-use cannabis cultivator and micro-cultivator facilities shall be governed by the RERACA, the Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and permitted only in the following zone, subject to special permit approval in accordance with Section 5.2 of these Regulations, site plan approval in accordance with Section 5.3 of these Regulations, and the requirements of this section.

1. I Industrial Zone for Dispensary facilities and/or Production facilities and/or Production facilities;
2. I Industrial Zone for Adult – Use Cannabis Cultivator and Micro-cultivator facilities;
3. PD Zone for Adult – Use Cannabis Cultivator facilities and Micro-cultivator facilities; and Adult – Use Cannabis Retailer and Hybrid-retailer; and
4. B-BT zone for Adult-Use Cannabis Retailer, Hybrid-retailer and Medical Marijuana Dispensary facility only.

6.16.4 Separation Requirements. Uses identified in this section shall be subject to the following separation restrictions:

- A. No medical marijuana production, or adult-use cannabis cultivator or micro-cultivator facility shall be allowed within 100 feet of a church, temple or other place used primarily for religious worship, public building, private recreation area, or a school, playground, park or child day care facility;
- B. No medical marijuana production facility, or adult-use cannabis cultivator or micro-cultivator facility shall be allowed on a site that is less than 100 feet from any property that is zoned for single-family residential use as a permitted use;
- C. No medical marijuana dispensary facility or production facility, or adult use cannabis retailer, hybrid-retailer, cultivator, or micro-cultivator facility shall be allowed within the same building, structure or portion thereof that is used for residential purposes, or that contains another medical marijuana dispensary, production facility, or adult use cannabis retail, hybrid retail, cultivator or micro-cultivator facility;
- 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.

6.16.5 Minimum Floor Area Requirements.

- A. No medical marijuana production facility shall be allowed in a building with less than 25,000 square feet of gross floor area.

6.16.6 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. Section 6.2.3b shall not apply.

6.16.7 Off-Street Parking requirements:

- A. Required off-street parking shall be in compliance with Section 6.1 of these regulations.

6.16.8 Security Requirements:

- A. All medical 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 Sec. 21a-408-62 of the State of Connecticut Regulations;
- B. The hours of operation for medical marijuana dispensary facilities shall be limited to between 7:00 a.m. and 7:00 p.m., all days of the week;

- C. There shall be no limitation on the hours of operation for medical marijuana production facilities, all days of the week.

6.16.9 Conditional Approval:

- A. Special Permits shall be approved with the condition that the applicant obtains the appropriate Dispensary or Production Facility 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 Town Planner of a copy of the Department of Consumer Protection-issued license;
- C. The conditional approval shall expire if the applicant fails to provide the Town Planner with a copy of the Department of Consumer Protection-issued license within six months of the date of the TPZ's conditional approval;
 - 1. A six month extension of such conditional approval shall be granted to the applicant upon written notification to the Town Planner 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.

6.16.10 Connecticut Department of Consumer Protection Approval:

- A. The applicant shall provide the Town Planner with a copy of the appropriate Dispensary or Production Facility license issued by the State of Connecticut Department of Consumer Protection, and any subsequent renewed license.

6.16.11 Concentration of Retail and Micro-Cultivator Uses

- A. So as to prevent the over concentration of cannabis retailers and micro-cultivators, until June 30, 2024, the Town Plan & Zoning Commission shall not grant zoning approval resulting in more than total of two combined "retailers" and "hybrid retailers" as defined herein in the town of Newington, or which will result in more than one "micro-cultivator" as defined herein in the town of Newington.

**Proposed Amendments to the Old Saybrook Zoning Regulations
Cannabis**

Petitioner: Old Saybrook Zoning Commission

Text Revised to 4.6.2022 by the Planning Commission with suggested edits in RED.

Public Hearing Date: May 2, 2022

New text is underlined

~~Deleted text in strikethrough~~

Notes in Segoe Print

The proposed text amendment is intended to achieve the following:

- 1. Complete prohibition of all new cannabis facilities for retail, manufacturing and cultivation of cannabis and cannabis products in Old Saybrook.*
- 2. Allow for existing cannabis retail dispensaries that have obtained an approved application for Certificate of Zoning Compliance prior to January 1, 2022 to expand as a Special Exception Use (not by variance).*
- 3. Create regulations to prohibit trading and party venues where cannabis and cannabis related products are not sold at retail and are swapped or exchanged.*

Proposed Regulations:

Section 9 – New Definitions:

Cannabis. Marijuana, as defined in section 21a-240 of the 24 general statutes.

Cannabis Cultivator. A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet (15,000 s.f.) of grow space as defined in Public Act No. 21-1.

Cannabis dispensary facility (adult-use). A place of business that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to an individual who is twenty-one years of age or older and research programs (as defined in section 21a-408 of the general statutes).

Cannabis dispensary facility (medical use). A place of business where cannabis may be dispensed, sold or distributed by prescription in accordance with chapter 420f of the general statutes and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under chapter 420f of the general statutes and any regulations adopted thereunder. A medical cannabis dispensary facility does not include the retail sale of cannabis approved by the Federal Drug Administration (FDA) by prescription at a retail pharmacy.

Cannabis establishment. A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter;

Cannabis Manufacturing, Indoor. A facility that adds or incorporates cannabis into other products or ingredients or create a cannabis product.

Cannabis Micro-cultivation facility. A cannabis establishment operated by a person (as defined in Public Act No. 21-1) licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet (2,000 s.f.) and not more than ten thousand square feet (10,000 s.f.) of grow space.

Cannabis product. Cannabis that is in the form of a cannabis concentrate or a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption. "Cannabis product" does not include the raw cannabis plant.

Pharmacy – A retail store where medicinal drugs are dispensed and sold including over the counter medications, tests, vaccinations, and other convenience items such as groceries and gifts. The retail sale of prescription medications approved by the Federal Drug Administration (FDA) is required for a retail store to be considered a pharmacy in accordance with these regulations.

Section 11 – Prohibitions – New

Section 11.4 Cannabis

The sale, production, processing, dispensing of all cannabis and products for which the CT Department of Consumer Protection issues licenses under C.G.S. Sections 21a-408 through 21a-408q.

PC comments and suggested edits in red. Cannabis can be ingested by other means other than smoking. Remove section 11.6 as it repeats the content of section 11.5. 11.6 is vague and seems to edit behaviors like smoking, mass gathering.

Section 11. 5 Cannabis Gifting

The gifting of cannabis of cannabis products as a free gifted item included with the retail of sale of another item or gifting at gatherings, parties, ~~smoking~~ events for the purpose of cannabis ingestion and fundraisers where a cover charge, raffle or other type of lottery is used to gift cannabis products is expressly prohibited in all zoning districts.

Section 11.6 Cannabis Smoking Lounges/Parties

~~The mass gathering of people to smoke cannabis in any structure or enclosed area other than a single-family residential dwelling.~~

Section 34 – Gateway Business B-4, Special Exception Uses – New

34.2.16 Expansion or change to a non-conforming retail cannabis dispensing facility.

Section 53 – Special Standards – New text to allow for expansion of non-conforming cannabis dispensing facilities by Special Exception Permit.

Cannabis Dispensary, Non-conforming.

An existing, or proposed, adult use and/or medical cannabis dispensary facility may be expanded, enlarged or changed by Special Exception Permit subject to the following standards:

- A. The existing, or proposed adult use and/or medical *cannabis dispensary facility* obtained an approved application for Certificate of Zoning Compliance (CZC) prior to January 1, 2022.
- B. The *lot* size has not increased or decreased in size since the original CZC application approval prior to January 1, 2022.
- C. Use changes will be limited to types of retail uses only (medical, adult or hybrid sales).
- D. The addition of Cannabis Manufacturing/Growing is not proposed.

15B Regulation Relating to the Location of Places for Medical & Adult-Use Marijuana & Producers

15B.1. Authority; purpose; application.

The use of marijuana for medicinal and adult-use purposes has been authorized by the Connecticut General Statutes and is regulated by the State Department of Consumer Protection. It is the intent of these zoning regulations to accommodate the production and dispensing of such marijuana, with appropriate limitations to acceptable locations, conditions and standards applicable within the Town of Stratford. The purpose of this section is to regulate the location and operation of marijuana dispensary facilities and production facilities, for either medicinal or adult-use, in such a manner as to minimize any adverse impacts of such facilities, and to protect and preserve Stratford's public safety and health, residential neighborhoods, commercial districts, property values and quality of life. Such limitations are in addition to all applicable requirements, criteria and standards set forth for the use in the state statutes. In determining whether or not an application would comply with the stated purpose of this section, the Commission shall take into consideration the proximity of the premises to residential areas, religious institutions, schools, playgrounds, parks, public or private recreation areas, substance abuse disorder treatment facilities, community centers, libraries, child day-care facilities or any place primarily frequented by minors. When submitting a Special Case application to the Zoning Commission for approvals, applicants must disclose distances to residential areas, religious institutions, schools, playgrounds, parks, public or private recreation areas, child day-care facilities or any place frequented by minors. A site plan, indicating the proposed location of the marijuana facility, the location of all other land uses identified in this ordinance, within a one-half-mile radius of the proposed location and the setbacks to those land uses is required. It is the responsibility of the applicant to research the uses on the surrounding properties and accurately identify the distances and separations as required. Failure to accurately document surrounding uses may result in the revocation of any zoning compliance. The applicant shall provide information explaining what methods were used to identify the surrounding uses and distances. This review is necessary to determine the effect that an approval may have on the immediate of general neighborhood or the community.

15B.2. Definitions.

For purposes of this section of the Regulations, the terms "dispensary facility" and "production facility" shall mean as described in the Statutes, which currently define them as follows:

- a) "Dispensary facility" means a place of business where cannabis may be dispensed, sold or distributed in accordance with SB 1201 of the general statutes and any regulations adopted thereunder and to which the department has issued a dispensary facility license under chapter 420f of the general statutes and any regulations adopted thereunder.*
- b) "Producer" means a person that is licensed as a producer pursuant to section 21a-408i of the general statutes and any regulations adopted thereunder.*

15B.3. Applicability.

- a) *Marijuana dispensary facilities shall be permitted only in the following zoning districts, subject to special case approval in accordance with Section 20 of these Regulations, and the requirements of this section: LBB, CA, CF as allowed under Section 7.5.1.4.2 CNC, MA and MB.*
- b) *Marijuana production facilities shall be permitted only in the following zoning district, subject to special case approval in accordance with Section 20 of these Regulations, and the requirements of this section: MA, MB*

15B.4. Separation requirements.

Uses identified in this section shall be subject to the following separation requirements:

- a) *No marijuana dispensary or production facility shall be permitted on a site that is less than 1,500 feet from any other site containing a marijuana dispensary or production facility measured by taking the nearest straight line between the respective lot boundaries of each site.*
- b) *No marijuana dispensary or production facility shall be permitted within the same building structure or portion thereof that is used for residential purposes.*
- c) *No marijuana dispensary or production facility shall be permitted any closer than 700 feet from any municipal boundary line.*

15B.5. Signage.

Exterior and interior outward facing signage shall be restricted to a single sign no larger than 24 inches by 36 inches. No graphics of any kind will be allowed, and the text will be limited to the street address of the facility and/or any such other information as may be mandated by the State of Connecticut. Sandwich boards, A-frames, twirlers, flag or other similar forms of signage are prohibited at such establishments.

15B.6. Off-street parking requirements.

Required off-street parking shall be in compliance with Section 12 of these Regulations.

15B.7. Security requirements.

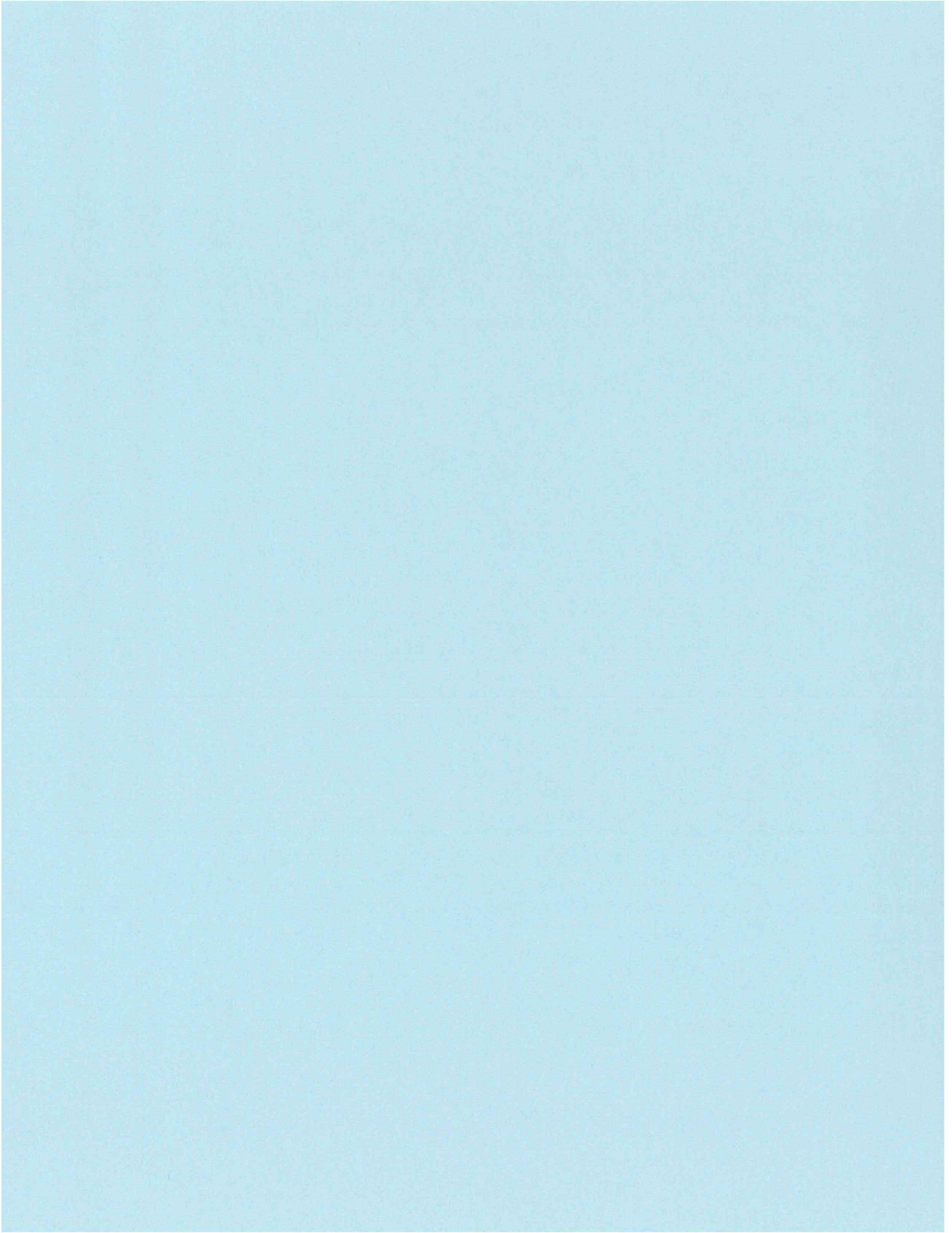
- a) *All marijuana dispensary facilities and production facilities shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana, utilizing commercial grade equipment meeting at least the minimum requirements of Section 21a-408-62 of the State of Connecticut Regulations.*
- b) *A marijuana dispensary shall be located in a permanent building and shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle. "Building" shall mean: A structure having a roof supported by columns, posts, or walls and intended for the shelter, housing, or enclosure of any person, entity, animal, process, equipment, goods, or materials of any kind or nature.*
- c) *The permitted hours of operation of a ~~medical~~ marijuana dispensary shall be from 7:00 a.m. to 10:00 p.m.*

- d) *A ~~medical~~ marijuana dispensary shall not have a drive-through service.*
- e) *A ~~medical~~ marijuana dispensary shall not have outdoor seating areas.*

15B.8. Conditional approval.

- a) *A Special Case application shall be approved with the condition that the applicant obtains the appropriate dispensary or production facility permit issued by the State of Connecticut Department of Consumer Protection (or other state agency as regulatory changes occur). In addition to the Special Case criteria, the Commission shall pay close attention to odor control, distances to uses mentioned in 15.1 and landscape buffers to adjoining uses.*
- b) *The conditional approval shall become automatically finalized upon the receipt by Zoning Commission of a copy of the appropriate permit(s) issued by the Department of Consumer Protection.*
- c) *If the applicant fails to provide the Zoning Commission with a copy of the required permit(s) from the Department of Consumer Protection within six months of the date of the Commission's conditional approval, such conditional approval shall automatically expire without further action by the Commission.*
- d) *A six-month extension of such conditional approval shall be granted to the applicant upon written notification to the Zoning Commission that an application for a Department of Consumer Protection permit has been filed, indicating the expected decision date of the Department of Consumer Protection on said permit.*

(Effective April 14, 2022)



TORRINGTON

- D. Deed Guarantees. Regardless of the method employed, the instrument of the open space conveyance must include provisions suitable to the Commission and its Legal Counsel for guaranteeing the following:
1. Continuity of proper maintenance for those portions of the common open space land requiring maintenance;
 2. When appropriate, the availability of funds required for such maintenance; and
 3. Recovering of loss sustained by casualty, condemnation or otherwise.

Section 4.16 Alternate Incarceration, Medical Marijuana Dispensary Overlay Zone (AM Zone) (Amended 4/2/13)

4.16.1 Purpose

The purpose of the Alternate Incarceration, Medical Marijuana Dispensary Overlay Zone (AM Zone) is to provide an overlay zone (floating zone) where alternate incarceration facilities and medical marijuana dispensaries can be located. The overlay zone will provide conditions and safeguards to protect the public health, safety and welfare of the citizens of Torrington. The overlay zone will guide the development of new alternate incarceration facilities and medical marijuana dispensaries in Torrington. The intent is to minimize the impact of such development on neighbors and abutters in adjacent more restrictive zones while at the same time recognizing the important services these facilities may provide to the residents of Torrington.

4.16.2 Applicability

This overlay zone may not be applied to any lots located in the Downtown District (DD Zone), R-6, R10, R-10S, R-15, R-15S, R-25 Zone, R-40, R-60 or R-WP Zones.

4.16.3 Permitted Uses

The following uses shall be permitted within the overlay zone:

- A. Alternate Incarceration Facilities.
- B. A Medical Marijuana Dispensary licensed by the State of Connecticut.

4.16.4 Changes in Use, Enlargement or Expansion

No changes in the approved use, enlargement, expansion of existing structures, or construction of an additional structure shall be permitted on the premises unless: a) approved by the Planning and Zoning Commission under this section or; b) subsequently as a Special Exception approval. Any application submitted for initial approval, and any change in the approved use, enlargement or expansion for which approval is sought, shall include a statement of the square footage of space to be utilized, the proposed uses of the property in specific terms, and the number of clients to be served and the type of services to be provided. Any approval shall be conditioned upon the information provided in this statement.

4.16.5 Yard and Height, Maximum Impervious Surface Ratio Requirements

Lot width, front yard, side yard, rear yard, maximum height and maximum impervious

surface ratio shall be the same as the requirements for the underlying zone.

4.16.6 Building and Site Requirements

- A. All site plans shall be approved by the Planning and Zoning Commission and shall be submitted simultaneously with the application to apply for the AM Zone;
- B. Any improvements to the exterior of existing buildings and all new buildings shall be reviewed by the Architectural Review Committee in accordance with Section 8.5 of the Zoning Regulations. A report of such review from the Architectural Review Committee must be submitted before any approval can be issued;
- C. The location of the facility shall be compatible with the neighborhood in terms of traffic, noise, illumination and number of patients/clients served. The facility shall be compatible with its setting in terms of scale, materials and design;
- D. In addition to the landscaping requirements contained in Section 5.11 of the Zoning Regulations, the Planning and Zoning Commission may require additional buffering from adjoining uses including but not limited to landscape plantings, fences and earthen berms; and
- E. The Planning and Zoning Commission may impose such additional conditions and modifications as it finds necessary to protect the public health, safety and welfare.

4.16.7 Lighting and Signage

- A. Exterior lighting shall be in accordance with Section 5.17 of the Zoning Regulations.
- B. In the AM Zone one free standing sign at a maximum height of 5 feet and maximum sign area of 20 sq ft shall be allowed.

END OF SECTION 4

2.16A Cannabis:

Marijuana, as defined in Section 21a-240 of the Connecticut General Statutes.

(Appl. PZ-2021-11, 11-18-2021)

2.16B Cannabis Establishment:

A cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, dispensary, producer and delivery service. For the purpose of this definition, Cannabis establishments shall be regulated by zoning district in a manner consistent with similar uses, except for Cannabis Retailers, which has been identified in specific districts and in Section 17.

(Appl. PZ-2021-11, 11-18-2021)

2.16C Cannabis Cultivator:

An establishment, not less than 15,000 square feet, which engages in the cultivation, growing, and propagation of the cannabis plant.

(Appl. PZ-2021-11, 11-18-2021)

2.16D Cannabis Micro-Cultivator:

A cultivator, limited in size between 2,000 and 10,000 square feet.

(Appl. PZ-2021-11, 11-18-2021)

2.16E Cannabis Manufacturer:

An establishment whose license permits them to own and operate a place of business that acquires cannabis and extracts cannabis for a variety of cannabis products, including food and beverages.

(Appl. PZ-2021-11, 11-18-2021)

2.16F Cannabis Product Packager:

An establishment licensed to package and label Cannabis products.

(Appl. PZ-2021-11, 11-18-2021)

2.16G Cannabis Retailer:

An establishment licensed to sell cannabis to consumers. For the purposes of this definition a hybrid retailer (one which sells cannabis products to consumers and medical marijuana products) shall be considered a cannabis retailer.

(Appl. PZ-2021-11, 11-18-2021)

4.9.4 Special Permits:

The following uses may be permitted when granted a Special Permit by the Planning and Zoning Commission.

- 4.9.4.1 Mixed residential/commercial uses where the current use of the property is residential and less than fifty (50) percent of the structure will continue to be used residentially.

Mixed Commercial and Multi-Family Uses provided a parcel contains a minimum of five (5) acres and at least twenty five (25%) of the total lot area is reserved for commercial development, then multi-family development shall be permitted on said parcel subject to the following:

- a. The portion of the lot devoted to multi-family use must comply with Sec. 4.7.5 and Section 4.7.6 of the Vernon Zoning Regulations.
- b. The site shall be entirely serviced by public sewers and by public water.

- 4.9.4.2 Funeral homes.

- 4.9.4.3 Hotels or motels.

- 4.9.4.4 Hospitals, places of worship, schools, public libraries, public utility structures, governmental buildings, cemeteries, golf courses, country clubs, non-profit recreational facilities.

- 4.9.4.5 Any retail outlet dealing in merchandise or service similar to the items listed above as permitted uses.

- 4.9.4.6 Commercial education or recreational activities.

- 4.9.4.7 Telecommunication towers.

- 4.9.4.8 Residential facilities for special education.

- 4.9.4.9 Deleted.

- 4.9.4.10 Cannabis Retailer, subject to section 17.1.

- 4.9.4.11 Seller or server of alcoholic beverages unless considered an excluded establishment as stated in section 17.1.1.

- 4.9.4.12 Deleted.

- 4.9.4.13 Commercial kennel, as defined in Section 2, provided that such a facility is located no closer than three hundred (300) feet from a residence or residential district. The three hundred (300) feet separation requirement shall not apply to veterinary facilities housed inside a building.

- 4.9.4.14 General automotive repairing and servicing. The sale of gasoline and/or used vehicles is not permitted with this use.

- 4.9.4.15 In addition to any other required permits or approvals, a Special Permit shall be required for any use or development in this zone when any of the following thresholds are met for any parcel or development.

- 4.9.4.15.1 More than forty (40) off-street spaces are required or;

- 4.9.4.15.2 The proposed structure is within two-hundred (200) feet of a residential structure or;

- 4.9.4.15.3 The proposed development has any off-street parking or loading spaces within one-hundred (100) feet of a residential structure or;

- 4.9.4.15.4 The aggregate square footage for all structures on any parcel exceeds twenty-five (25) thousand;

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- 4.9.4.15.5 This section shall not apply to developments or subsequent modifications to projects approved by the Commission when said original approvals were obtained prior to March 1, 1992.
- 4.9.4.15.6 Lot coverage of sixty (60) percent or more. In order to grant this Special Permit the Commission must find that this additional coverage will not increase the off site storm water runoff or it is the written opinion of the Town Engineer that all storm water runoff should be discharged off site.
- 4.9.4.15.7 A structure with a height exceeding two (2) stories or thirty-five (35) feet. In order to grant this Special Permit, the Commission must receive a written opinion from the Fire Marshal as to the fire safety aspects the increased height would involve.
- 4.9.4.15.8 Deleted.
- 4.9.4.15.9 Outside displays by retail sales establishments when said displays occupy an area greater than ten (10) percent of the gross floor area of the individual business utilizing the display.
- 4.9.4.16 Redemption center for used beverage containers.
- 4.9.4.17 Drive-up service window by approval of both a Site Plan and a Special Permit.
- 4.9.4.18 Motor vehicle washing facility by Site Plan and Special Permit provided:
- The facility shall service only automobiles, pick-up trucks, and small vans.
 - The entrance to the facility shall not exceed 12 feet in height.
 - The car wash shall be fully automated enabling the driver to remain in the vehicle as it is washed.
 - The car wash shall be in a completely enclosed building.
 - Automotive repairs are not conducted on the site.
- 4.9.4.19 Any establishment, which sells gasoline or diesel fuel.
- 4.9.4.20 Electronic or mechanical games. In any commercial establishment in which the principal use or activity is not the playing of electronic or mechanical games, no more than three (3) such games or devices shall be placed for public or private use in or on the premises, without a Special Permit from the Planning & Zoning Commission. These games are not classified as a commercial recreational activity.
- 4.9.4.21 Deleted.
- 4.9.4.22 A non independent massage area or establishment: In order to grant a Special Permit, the PZC must find the following:
- 4.9.4.22.1 All massage services must be carried out in clearly marked rooms within the establishment, and such rooms shall provide privacy to the patron while allowing for the capability to inspect all activity within the room for the purposes of determining that the provisions of these regulations are complied with. Such rooms shall be provided with continuous white lighting, which shall remain on at all time that such room is in use, and sufficient to light the entire room.
- 4.9.4.22.2 For all massage therapists who will be employed in the establishment, evidence of a valid license from the State of Connecticut must be presented to the PZC.
- 4.9.4.22.3 A massage area or establishment shall not constitute the principle use of any business or building but shall be strictly an accessory use to another business contained in said building.

4.9.4.22.4 The massage area shall not occupy more than ten (10) percent of the gross floor area of the business to which it (the massage area) is an accessory use.

4.9.4.23 Independent Massage Therapy Practice. In order to grant a Special Permit the PZC must find the following:

4.9.4.23.1 All massage services must be carried out by licensed massage therapist in clearly marked establishments. Such establishments shall provide rooms with professional lighting which shall remain on at all times that the room is in use and sufficient to light the entire room.

4.9.4.23.2 For all massage therapists, a valid license from the State of Connecticut and either valid active membership in the AMTA or evidence of Professional Liability insurance equal to that provided by AMTA membership must be presented to the PZC.

4.9.4.23.3 The valid Connecticut Massage Therapy License must be displayed in plain view in the place of business.

4.9.4.24 Message board sign by approval of both a Site Plan and Special Permit.

(Appl. PZ-2019-04(2), 7-18-2019; Appl. PZ-2018-11, 11-1-2018; Appl. PZ-2020-15, 1-21-2021; Appl. PZ-2021-11, 11-18-2021)

4.17 HISTORIC DISTRICT—RESIDENTIAL COMMERCIAL

4.17.1 Area and Yard Requirements:

- 4.17.1.1 Minimum lot area: 20,000 square feet
- 4.17.1.2 Minimum lot width: 120 feet
- 4.17.1.3 Minimum front yard: 30 feet
- 4.17.1.4 Minimum side yard: 10 feet
- 4.17.1.5 Minimum rear yard: 20 feet
- 4.17.1.6 Minimum floor area: 1,000 square feet

4.17.2 Permitted uses:

- 4.17.2.1 Single family and two-family dwellings.
- 4.17.2.2 Accessory uses customarily incidental to the above permitted uses, provided that such accessory use shall not include any activities conducted for gain.
- 4.17.2.3 One sign, per business, not larger than fourteen (14) square feet, provided this sign meets all the other requirements of Section 16. Additional signage and/or signs in excess of fourteen (14) square feet and otherwise in compliance with Section 16 may be permitted when granted a Special Permit by the Planning & Zoning Commission.

4.17.3 Special Permits:

The following uses may be permitted when granted a Special Permit by the Planning & Zoning Commission:

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- 4.17.3.1 Multi-family dwellings, and accessory uses customarily incidental to them, provided that such accessory uses shall not be conducted for gain. Multi-family units are subject to the requirements of Section 10.1.1 and Sections 4.7.5, 4.7.6, and 4.7.7 of these Zoning Regulations.
 - 4.17.3.2 Professional or business offices, banks or other financial institutions.
 - 4.17.3.3 Convalescent homes or nursing homes and assisted living facilities when connected to public water and sanitary sewer.
 - 4.17.3.4 Indoor movie theaters.
 - 4.17.3.5 Church buildings, schools, public libraries, public utility structures, cemeteries, hospitals, and governmental buildings.
 - 4.17.3.6 Residential facilities for special education.
 - 4.17.3.7 Funeral homes.
 - 4.17.3.8 Buildings, which have previously been used industrially, and existing industrial operations located within the residential commercial zone may be allowed. Existing industrial buildings and operations are not subject to Section 11 of the regulations. These existing industrial buildings may be extended, enlarged or rebuilt only after a Special Permit is obtained. All industrial buildings and operations are subject to the requirements set forth in Section 4.19—Historic District—Industrial.
 - 4.17.3.9 Retail sale of food, non-alcoholic beverages, drugs, clothing, jewelry, hardware, stationery, specialty items, household appliances or furnishings.
 - 4.17.3.10 Personal convenience services limited to barbershops, beauty shops and dry cleaning establishments.
 - 4.17.3.11 Full service restaurant with or without alcoholic beverage permit.
 - 4.17.3.12 Seller or server of alcoholic beverages unless considered an excluded establishment as stated in section 17.1.1.
 - 4.17.3.13 Public parks and public recreational areas.
 - 4.17.3.14 Hospitals, medical offices, laboratories and similar health care facilities.
 - 4.17.3.15 Commercial parking facility.
 - 4.17.3.16 Drive-up service window by approval of both a Site Plan and a Special Permit.
 - 4.17.3.17 Additional signage and/or signs in excess of fourteen (14) square feet. These signs are also subject to the requirements of Section
 - 4.17.3.18 Cannabis Retailer, subject to section 17.1.
 - 4.17.3.19 Deleted.
 - 4.17.3.20 Commercial, educational or recreation services.
 - 4.17.3.21 Any retail outlet dealing in merchandises or services which the Commission finds to be similar in nature to the above use.
 - 4.17.3.22 Child Day Care Centers.
 - 4.17.3.23 Multiple single-family dwellings subject to the requirements of Section 4.7.5.2, 4.7.6, 4.7.7, and 17.3.3, and to a finding to be made by the Commission that the construction of, or conversion to, multiple single-family dwellings will not reduce the availability of existing habitable rental housing in the Rockville section of the Town of Vernon.

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- 4.17.3.24 In addition to any other required permits or approvals, a Special Permit shall be required for any use or development in this zone when any of the following thresholds are met for any parcel or development.
- 4.17.3.24.1 More than forty (40) off-street parking spaces are required or;
- 4.17.3.24.2 The proposed structure is within two-hundred (200) feet of a residential structure or;
- 4.17.3.24.3 The proposed development has any off-street parking or loading spaces within one-hundred (100) feet of a residential structure or;
- 4.17.3.24.4 The aggregate square footage for all structures on any parcel exceeds 25,000;
- 4.17.3.24.5 This section shall not apply to developments or subsequent modifications to projects approved by the Commission when said original approvals were obtained prior to March 1, 1992.
- 4.17.3.24.6 Lot coverage of forty-five (45) percent or more. In order to grant this Special Permit, the Commission must find that this additional coverage will not increase the off-site storm water runoff or it is the written opinion of the Town Engineer that all storm water runoff should be discharged off site.
- 4.17.3.24.7 A structure with a height exceeding two and a half (2 ½) stories or thirty-five (35) feet. In order to grant this Special Permit, the Commission must receive a written opinion from the Fire Marshal as to the fire safety aspects the increased height would involve.
- 4.17.3.24.8 Deleted.
- 4.17.3.24.9 Outside displays by retail sales establishments when said displays occupy an area greater than ten (10) percent of the gross floor area of the individual business utilizing the display.
- 4.17.3.25 Emergency shelter for the homeless when conducted by a non-profit organization.
- 4.17.3.26 Bed & Breakfast.
- 4.17.3.27 Home occupations in single-family homes.
- 4.17.3.28 Outside displays by retail sales establishments when said displays occupy an area greater than ten (10) percent of the gross floor area of the individual business utilizing the display.
- 4.17.3.29 A parking lot or parking facility as a principal use on a lot to provide for an allowed use(s), which allowed use(s) is located on another lot(s) that is located within sixteen hundred (1,600) feet of the lot on which the parking lot or parking facility is located. The parking lot or parking facility shall be reserved to provide parking exclusively for the aforementioned allowed use(s).
- 4.17.3.30 Radio and television masts and towers in residential zones. Any mast or tower in excess of one-hundred (100) feet in height in a residential zone or any mast or tower permitted by variance or pre-existing use to be operated for financial gain in a residential zone.
- 4.17.3.31 Adaptive Re-use per Sections 2.96 & 3.26
- 4.17.3.32 Message board sign by approval of both a Site Plan and Special Permit.
- (Appl. PZ-2019-04(2), 7-18-2019; Appl. PZ-2020-15, 1-21-2021; Appl. PZ-2021-11, 11-18-2021)

4.17.4 Protective provision concerning front yard compatibility:

- 4.17.4.1 When seventy-five (75) percent or more of the structures on one side of a street, measured between two intersecting streets, have front yards of less depth than the required front yard in this

zoning district, the Commission when considering a Special Permit request, may allow new structures built on the same side of the street to conform to the average established setback. In no case may the front yard be reduced to less than ten (10) feet.

- 4.17.4.2 When seventy-five (75) percent or more of the structures on one side of a street, measured between two intersecting streets, have front yards of less depth than the required front yard in this zoning district, the Building Inspector when issuing a building permit for single or two-family structures, may allow these structures, if built on the same side of the street, to conform to the average established setback. In no case may the front yard be reduced to less than ten (10) feet.

4.17.5 Use Variances:

Under no circumstances shall the Zoning Board of Appeals grant a variance to allow a use in this zoning district that is specifically allowed by the Planning and Zoning Commission under Section 4.17.3.

4.21 PLANNED COMMERCIAL ZONE

4.21.1 The Planned Commercial Zone (PCZ) has been designed in accordance with Town Master Plan, to regulate commercial and office space development along Route 83 (Talcottville Road) from its intersection with Wilshire Road to the area adjacent to Dart Hill Road. The intent of the regulations is to:

- 4.21.1.1 Encourage the development of commercial/office space uses, which have the least potential for generating additional traffic to the Route 83 daily and peak hour volumes existing as of March 1, 1983.
- 4.21.1.2 Insure that the traffic ingress and egress patterns for new developments under these regulations takes place in a manner which is safe and which minimize traffic conflicts resulting from turning movements of vehicles entering or leaving the property being developed.
- 4.21.1.3 Encourage development of medium or large-scale commercial buildings rather than small structures on individual parcels.
- 4.21.1.4 Encourage development, which provides adequate buffering between residential areas, and encourage site layout, parking areas, landscaping and signage, which will serve to enhance area property values.

4.21.2 Area and Yard Requirements:

- 4.21.2.1 Minimum lot area: 3 acres
- 4.21.2.2 Minimum front yard: 50 feet
- 4.21.2.3 Minimum rear yard: 50 feet
- 4.21.2.4 Minimum side yard: 50 feet
- 4.21.2.5 Minimum floor area: 7 percent of land area Per P.O.D.
- 4.21.2.6 Minimum lot width: 180 feet

4.21.3 Permitted Uses:

- 4.21.3.1 Professional office buildings, general office buildings, office parks.

4.21.4 Special Exceptions:

None.

4.21.5 Special Permits:

The following may be permitted when granted a Special Permit by the Planning & Zoning Commission:

- 4.21.5.1 Full service restaurants.
- 4.21.5.2 Research and experimental laboratories.
- 4.21.5.3 Banks or other financial institutions without drive-up windows.
- 4.21.5.4 Governmental facility.
- 4.21.5.5 Retail sale of food, non-alcoholic beverages, drugs, clothing, jewelry, hardware and building materials, stationery, household appliances or furnishings, specialty items, and general merchandise.
- 4.21.5.6 Recreational and educational facilities.
- 4.21.5.7 Personal convenience services excluding weight studios, counseling and therapy services, and encounter groups, other than those performed in a professional office.
- 4.21.5.8 Nursing or convalescent homes and assisted living facilities.
- 4.21.5.9 Hotels or motels.
- 4.21.5.10 Accessory uses customarily incidental to the above uses.
- 4.21.5.11 In addition to any other required permits or approvals, a Special Permit shall be required for any use or development in this zone when any of the following thresholds are met for any parcel or development.
 - 4.21.5.11.1 More than forty (40) off-street parking spaces are required or;
 - 4.21.5.11.2 The proposed structure is within two-hundred (200) feet of a residential structure or;
 - 4.21.5.11.3 The proposed development has any off-street parking or loading spaces within one hundred (100) feet of a residential structure or;
 - 4.21.5.11.4 The aggregate square footage for all structures on any parcel exceeds twenty-five (25,000) thousand;
 - 4.21.5.11.5 This section shall not apply to developments or subsequent modifications to projects approved by the Commission when said original approvals were obtained prior to March 1, 1992.
 - 4.21.5.11.6 Lot coverage of fifty-five (55) percent or more. In order to grant this Special Permit, the Commission must find that this additional coverage will not increase the off-site storm water runoff or it is the written opinion of the Town Engineer that all storm water runoff should be discharged off-site.
 - 4.21.5.11.7 A structure with a height exceeding three (3) stories or forty (40) feet. In order to grant this Special Permit, the Commission must receive a written opinion from the Fire Marshal as to the fire safety aspects the increased height would involve.

4.21.5.11.8 Deleted.

4.21.5.11.9 Outside displays when said displays occupy an area greater than 10% of the gross floor area of the individual business utilizing the display.

4.21.5.12 Retail sale of food with alcoholic beverages permit.

4.21.5.13 Day care centers.

4.21.5.14 Drive-up service window by approval of both a Site Plan and a Special Permit.

4.21.5.15 Message board sign by approval of both a Site Plan and Special Permit.

4.21.5.16 One sign, per business, not larger than fourteen (14) square feet, provided this sign meets all the other requirements of Section 16. Additional signage and/or signs in excess of fourteen (14) square feet and otherwise in compliance with Section 16 may be permitted when granted a Special Permit by the Planning & Zoning Commission.

4.21.5.17 Indoor movie theaters.

4.21.5.18 Funeral homes.

4.21.5.19 Seller or server of alcoholic beverages subject to Section 17.1, Alcoholic Liquors.

4.21.5.20 Hospitals, medical offices, laboratories and similar health care facilities.

4.21.5.21 Cannabis retailer, subject to Section 17.1.

(Appl. PZ-2019-04(2), 7-18-2019; Appl. PZ-2020-15, 1-21-2021; Appl. PZ-2021-11, 11-18-2021)

4.21.6 Protective Provisions:

4.21.6.1 To protect the traffic flow and improve the aesthetic character of the area, the parking of vehicles shall not be allowed within the first thirty-(30) feet of the front yard.

4.21.6.2 For each existing subdivided lot of record as of March 1, 1983, subject to PC zoning only, one (1) curb cut for access and egress onto Route 83 shall be permitted for all future development of the parcel. The width, turning radii, and location of this curb cut with respect to each individual lot shall be established at the time of initial Plan of Development application so as to accommodate future planned development of each parcel. The Planning & Zoning Commission may require the submission of a schematic development plan for undeveloped portions of the property to assist in determining the best location of the curb cut. If warranted by traffic flow and/or safety consideration, this requirement may be waived at the sole discretion of the Planning & Zoning Commission.

4.21.6.3 The complete Site Plan as required in Section 14 shall be submitted to the Planning & Zoning Commission as part of the submission of the application for development.

4.21.6.4 To provide landscaped outdoor spaces and attractive buffers between adjacent uses in the zone and between the rear parcel boundaries and adjacent zones, the following general landscaping criteria are required:

All setback areas shall be landscaped at a minimum with sod, ground cover and/or low-level shrubbery, or natural buffering shall be preserved.

Where a parcel in the PC zone abuts a residential zone and in the setback area between parcels, the Planning & Zoning Commission may at its discretion, and where topographical conditions permit, require the construction of an earth berm within the side or rear yard setback whose minimum dimensions will be three (3) feet in height and ten (10) feet wide with a 2:1 slope and require that such berm be landscaped with an impervious coniferous hedge and/or comparable planting of

deciduous trees and low-level shrubbery. Where such buffering is required, the minimum requirements are:

Trees (deciduous or coniferous) must be three (3) inches in caliper—planted within four (4) feet of each other.

In the front yard setback area, the Planning & Zoning Commission may require the construction of a berm to shield large expanses of parking located in the area between the building and the street line. If a berm is required, the Commission will first take into consideration the visibility of the building from the street line and the effect of the berm on sight distances from the parcel's curb cut. At a minimum the front yard setback area must be landscaped with low-level shrubbery, ground cover and/or sod.

4.21.6.5 Signage of the commercial and office uses permitted in the zone shall conform to the following criteria:

One (1) all-purpose sign per parcel to be located at the ingress/egress point shall be permitted per lot of record. The sign shall not exceed one hundred (100) square feet in area and shall not exceed ten (10) feet in height, nor be located less than fifteen (15) feet from the edge of pavement. The sign may be illuminated either internally or by spotlights. Each individual business located upon a lot of record may have one (1) parallel sign affixed to the building/store façade. The maximum area of the sign shall be determined by multiplying the length of the building/store façade times 1 (e.g., thirty (30) foot façade results in thirty (30) square foot sign area).

No neon, movable, temporary or banner type signs are permitted.

4.21.7 Use Variances:

Under no circumstances shall the Zoning Board of Appeals grant a variance to allow a use in this zoning district specifically allowed by the Planning and Zoning Commission under Section 4.21.5.

4.23 HISTORIC DISTRICT—DOWNTOWN BUSINESS & RESIDENTIAL (DBR)

4.23.1 The purpose of this district is to foster the economic revitalization of downtown Rockville by attracting a variety of new retail and residential uses and promoting growth and expansion of existing uses, all in a manner that is compatible with the character of the existing downtown area.

4.23.2 Area and Yard Requirements:

4.23.2.1 Minimum lot area: 5,000 square feet

4.23.2.2 Minimum lot width: 50 feet

4.23.2.3 Minimum front yard: No minimum, but shall be equal to or exceed the median average front yard of the buildings on either side of the lot.

4.23.2.4 Minimum rear yard: Where the lot does not abut the RC or PND district, the rear yard shall be equal to five feet (5'). Where the lot does abut the RC or PND district, the rear yard must be twenty feet (20').

4.23.2.5 Minimum side yard: Where the lot does not abut the RC or PND district, the minimum side yard shall be five feet (5') unless a common firewall is constructed in which case there shall be no minimum side yard. Where the lot does abut the RC or PND district, the side yard must be ten feet (10').

4.23.2.6 Minimum floor area: 1,000 square feet.

4.23.3 Permitted uses:

4.23.3.1 Retail sale of food, non-alcoholic beverages, drugs, clothing, jewelry, hardware, stationery, specialty items, household appliances, and furnishings.

4.23.3.2 Restaurants, non-full service and full service, subject also to the provisions of Section 17.1

4.23.3.3 Professional or business offices; governmental offices and facilities; clinics; dental, medical and health offices, provided none of the aforementioned uses is to be located on the ground floor of a building. For purposes of these regulations, "ground floor" shall be defined as the floor of the building that is entered from street level.

4.23.3.4 Places of worship or religious facilities, provided the same are not to be located on the ground floor of a building, unless the building was originally constructed for such purpose.

4.23.3.5 Banks or other financial institutions.

4.23.3.6 Hospitals.

4.23.3.7 Commercial recreational facilities.

4.23.3.8 Cultural, arts, crafts and education facilities; libraries; galleries; studios; and workshops.

4.23.3.9 Personal convenience services limited to barbershops, beauty shops nail salons and dry cleaning establishments, provided the dry cleaning is performed off the premises.

4.23.3.10 Single and two-family dwellings.

4.23.3.11 Accessory uses customarily incidental to the above permitted uses.

4.23.3.12 One parallel sign, i.e., signs affixed to and parallel to the façade of the building, per business conducted within the building upon the premises, provided that the total area for all parallel signs on a given wall of a building shall not exceed two square feet (2 SF) per linear foot of that wall, and further provided that the parallel sign(s) meet all other requirements of Section 16. Additional signs complying with the provisions of Section 16 may be permitted when granted a Special Permit by the Planning & Zoning Commission.

4.23.4 Special Exceptions:

The following uses may be permitted when granted a Special Exception by the Zoning Board of Appeals (ZBA).

4.23.4.1 Laundromats serviced by public sewers.

4.23.4.2 Roadside selling, subject also to the provisions of Section 3.19.

4.23.5 Special Permits:

The following uses may be permitted when granted a Special Permit by the Planning & Zoning Commission (PZC) subject also to the provisions of Section 17.3:

4.23.5.1 Massage therapy establishments, subject also to the provisions of Sections 4.9.4.22 and 4.9.4.23.

-
- 4.23.5.2 Facilities containing three (3) or more electronic, mechanical, video or similar games or devices.
 - 4.23.5.3 Sellers and servers of alcoholic beverages when not accessory to a full service restaurant. This use shall also be subject to the provisions of Section 17.1.
 - 4.23.5.4 Veterinary offices, provided there shall be no over-night facilities for animals.
 - 4.23.5.5 Manufacturing, storing, processing, fabricating, packaging or assembling activities wholly within a building or a unified complex of buildings.
 - 4.23.5.6 Wholesale distribution or warehousing.
 - 4.23.5.7 Printing or publishing establishments.
 - 4.23.5.8 Indoor movie theatres; performing arts theatres, auditoriums.
 - 4.23.5.9 Multi-family dwellings, subject also to the provisions of Sections 10.1, 4.7.5, and 4.7.7. However, there shall be no increase permitted in the number of separate dwelling units within existing multi-family residential buildings.
 - 4.23.5.10 Mixed non-residential and residential uses upon a single parcel.
 - 4.23.5.11 Conversion of residential to non-residential use, conversion of non-residential to residential use.
 - 4.23.5.12 Bed and Breakfast (B&B); hotels, motels.
 - 4.23.5.13 Day care establishments.
 - 4.23.5.14 Emergency shelters for the homeless.
 - 4.23.5.15 Home based businesses of Major—Type 2.
 - 4.23.5.16 Professional or business offices; governmental offices and facilities, clinics; dental, medical and health offices, tattoo studio, any of which are to be located on the ground floor of a building.
 - 4.23.5.17 Places of worship or religious facilities to be located on the ground floor of a building that was not originally constructed for that purpose.
 - 4.23.5.18 Retail sales of merchandise similar in nature, as determined by the Commission, to the items permitted in Section 4.23.3.1.
 - 4.23.5.19 Additional signs other than those permitted in Section 4.23.3.12, subject also to the provision of Section 16.
 - 4.23.5.20 Laboratories and research facilities.
 - 4.23.5.21 In addition to any other permits or approvals, a special permit is required for development in this zone when any of the following thresholds are met:
 - 4.23.5.21.1 The proposed development has off-street parking area or loading spaces located within fifty feet (50') of a residence.
 - 4.23.5.21.2 Lot coverage of eighty percent (80%) or more. In order to grant this Special Permit, the Planning and Zoning Commission (PZC) must find that the additional lot coverage will not increase the off-site storm water run-off or it is the opinion, in writing, of the Town Engineer that all storm water run off should be discharged from the site.
 - 4.23.5.21.3 A structure exceeding three (3) stories or forty feet (40') of height. In order to grant this Special Permit, the Planning & Zoning Commission (PZC) must receive a written opinion from the Fire Marshal in regard to the fire safety aspect related to the increased height.

4.23.5.21.4 Outside displays by retail sales establishments when said displays occupy an area greater than ten percent (10%) of the gross floor area of the individual business utilizing the display and continue for a period in excess of seventy-two (72) hours.

4.23.5.21.5 Drive-up service window by approval of both a Site Plan and a Special Permit.

4.23.5.22 Adaptive Re-use per Sections 2.96 & 3.26

4.23.5.23 Message board sign by approval of both a Site Plan and Special Permit.

4.23.5.24 Convalescent homes or nursing homes and assisted living facilities when connected to public water and sanitary sewer.

4.23.5.25 Residential facilities for special education.

4.23.5.26 Cannabis retailer, subject to Section 17.1.

(Appl. PZ-2020-15, 1-21-2021; Appl. PZ-2021-11, 11-18-2021)

4.23.6 Use variances:

Under no circumstances shall the Zoning Board of Appeals grant a variance to allow a use in this zoning district specifically allowed by the Planning and Zoning Commission under Section 4.23.5.

17.1 Alcoholic liquors and Cannabis Retailers:

In those districts, which permit sellers and/or servers of alcohol and, or cannabis retailers, the standards to be applied are as follows and are in addition to the requirements of Section 17.3.

17.1.1 The following separating distances shall be applied to all establishments seeking to permit the sale of alcoholic liquors, excluding;

1) full service restaurants as defined under Section 2 and;

2) the sale of beer by an establishment, chiefly engaged in the sale of groceries under a grocery store beer permit (as defined in the State Liquor Control Act) and

3) the sale of alcoholic liquor to be consumed on the premises of a commercial bowling establishment containing ten (10) or more lanes under a bowling establishment permit (as defined in the State Liquor Control Act).

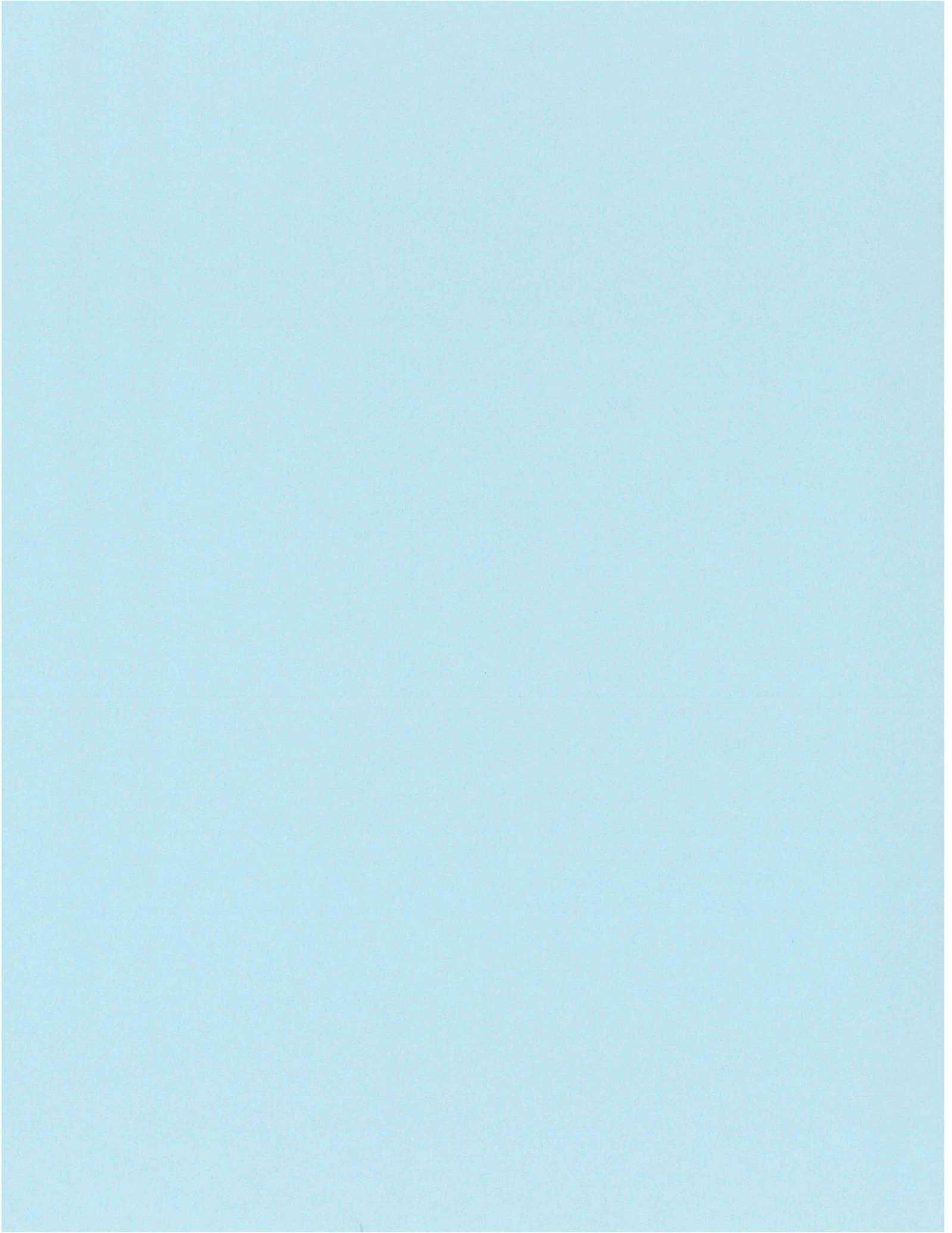
4) manufacturer of alcoholic liquors with on-site selling of their product as accessory to the manufacturing component, for consumption on-site or off-site (as permitted in the State Liquor Control Act).

17.1.2 Separating distances shall be measured from the main public access door of an establishment to the main public access door of any other establishment in a straight line.

	FEET
Seller to seller	3,000
Server to server	2,000
Seller/server to public institution 1,000 except for distance to any high school, which shall be	2,000

-
- 17.1.2.1 Upon the change of primary use within either class (example, convenience store with a beer permit to a package store) of sellers or servers.
- 17.1.2.2 Upon a change from seller to server or vice versa (example, a package store to a restaurant).
- 17.1.3 In addition to this paragraph, all sales or serving of alcoholic liquors are subject to the requirements of the Liquor Control Act of the State of Connecticut.
- 17.1.4 The following separating distances shall be applied to all establishments seeking to permit the retail sale of Cannabis (cannabis retailer):
- Cannabis retailer to a public or parochial school: 3,000 feet.
- 17.1.5 The separating distance shall be measured from the main public access door of each establishment
- 17.1.6 Hours of operation shall be limited to 8 a.m. to 10 p.m. Monday to Saturday. Sunday 10 a.m. to 6 p.m.
- 17.1.7 An operations plan, including but not limited to a description of all on-site activities, a floor plan, a security plan, and a traffic and access plan shall be submitted with each special permit application.
- 17.1.8 Cannabis shall not be consumed, ingested or smoked on the premises.
- 17.1.9 Retail Cannabis sales shall not be considered an accessory use: It shall only be permitted as a primary use.

(Appl. PZ-2021-11, 11-18-2021)



AMENDED ORDINANCE REGULATING ADULT-USE CANNABIS

WHEREAS, Public Act 2021-1, June 2021 Special Session, *An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis* ("RERACA") allows individuals age 21 or older to possess, use, or otherwise consume cannabis and cannabis products; and

WHEREAS, RERACA will create new commercial opportunities through the cultivation, production, and retail sale of cannabis products; and

WHEREAS, the Town of West Hartford wishes to regulate the cultivation, production, and sale of cannabis products in a manner that prioritizes public health and safety while creating local conditions for the development of new businesses in this emerging industry.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD.

Section One. *Section 177-2B of the Code of the Town of West Hartford is hereby amended by adding the following new definition:*

Cannabis Establishment

A cannabis establishment shall have the same meaning as set forth in the Responsible and Equitable Regulation of Adult-Use Cannabis Act ("RERACA"), Public Act 21-1, and inclusive of the Regulations of Connecticut State Agencies.

Section Two. *Section 177-2B of the Code of the Town of West Hartford establishing the definition of "Medical Marijuana Dispensary Facility" is hereby repealed.*

Section Three. *Section 177-2B of the Code of the Town of West Hartford establishing the definition of "Medical Marijuana Production Facility" is hereby repealed.*

Section Four. *Section 177-16.10 of the Code of the Town of West Hartford is hereby repealed and the following is substituted in lieu thereof:*

§ 177-16.10 Cannabis establishments

Cannabis establishments shall be permitted subject to the following conditions:

- A. No cannabis establishment shall be permitted on a site that is within 500 hundred feet of any school, municipal park or municipal recreational facility, or library. Said distance requirement shall be measured by taking the nearest straight line between the respective lot boundaries of said sites.

- B. Cannabis retail establishments, including retailer, hybrid retailer or dispensaries, shall be restricted to the BN, BND, BS, BG, BC, CBDH and BG zones.
- C. Cannabis production facilities, including producers, cultivators, micro-cultivators, food and beverage manufacturers, product manufacturers and product packagers, shall be restricted to the IE, IG, IP and IR zones.
- D. No cannabis establishment shall be permitted unless a site plan approval has been obtained therefor in accord with the provisions of § 177-42B of this Code of Ordinances. No site plan approval shall be granted unless the petitioner or applicant has been awarded a provisional license and has demonstrated to the satisfaction of the Town Planner compliance with all state laws and regulations concerning cannabis establishments.
- E. Notwithstanding the provisions of Section D, until June 30, 2024, the Town Planner shall not grant site plan approval for more retailers or micro-cultivators than would result in one retailer and one micro-cultivator per twenty-five thousand residents.

Section Five. *Section 177-6 (B) of the West Hartford Code of Ordinances entitled Schedule of Permitted Main Uses is hereby amended in accordance with the attached Amended zoning table.*

(LEDWITH)
May 24, 2022

Approved as to form and legality:

Dallas C. Dodge, Corporation Counsel

ADOPTED BY THE WEST HARTFORD TOWN COUNCIL AT ITS MEETING ON MAY 24, 2022.

Schedule of Permitted Main Uses

	One-Family Residence Districts										Multi-Family Residence Districts										Business Districts										Industrial Districts				
Permitted Main Uses	R-40		R-10	R-13	R-20	R-6	EP	RM-4		RM-3	RM-3K	RM-2	RM-1	RO	RM-MS	RCO and RM/O	RP	BOL¹	BO	RI	BN	BND²	BS	BC & CBDH	BG	IP	IE	IR	IG						
	P	P		P	P	P		P	P	P	P	P	P	P	P	P	P		P	P	P	P													
1. One-family house, 1 per lot	P	P		P	P	P		P	P	P	P	P	P	P	P	P	P		P	P	P	P													
2. Places of worship	A	A		A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A						
3. Public, parochial, or private school or college	A	A		A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										
4. Nursery school, child day-care center, group day-care home	A	A		A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A						
5. Library, museum	A	A		A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A											
6. Religious institution	A	A		A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										
7. Charitable institutions for the care of the aged, homeless and handicapped, convalescent homes operated by a charitable institution (except group-care facilities)	A	A		A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A													
8. Public park, reservation golf course, golf course restaurant or recreation facility	A	A		A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										
9. Private, nonprofit membership club	A	A		A	A	A		A	A	A	A	A	A	A	A	A	A	A	A		A		A	A											
10. Water supply and sewage disposal system and facility	A	A		A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B	B						
11. Utility transmission lines and substations. (See also §§ 177-7 and 177-17.)	P	P		P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						

KEY:
A = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42A.
B = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42B.
C = Permitted use subject to approval of Town Council pursuant to § 177-42B and subject to § 177-42B.
P = Permitted use subject to issuance of a building and/or zoning permit.
Not marked = Not a permitted use in the particular zoning district.

NOTES:
¹For detailed use regulations in the BOL District, see § 177-7.
²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.

Permitted Main Uses	One-Family Residence Districts							Multi-Family Residence Districts								Business Districts							Industrial Districts					
	R-80	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-3R	RM-2	RM-1	RO	RM-MS	RCO and RM/O	RP	BOL¹	BO	RI	BN	BND²	BS	BC & CBDH	BG	IF	IE	IR	IG
12. Hospital, nursing and convalescent home, intermediate-care facility, rest home with nursing supervision and home for the aged (except group-care facilities)								A	A	A	A	A	A	A	A	A		A	A									
13. Governmental and municipal use	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A					
14. Farm use, provided that storage of manure and other dust- or odor-producing substance is so located and confined that odor and dust will not reach beyond the limits of the property	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P												
15. Nurseries and greenhouses, including sales area— goods pertinent thereto	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		B		B	B						B	B
16. Multifamily dwellings, except that a lot with 3 or fewer dwelling units shall not require site plan approval								B	B		B	B	B	B	B	B		B		B	B		B				B	B
16A. Multifamily dwellings restricted to 2 dwelling units per lot shall not require site plan approval.								P	P	P	P	P	P	P	P	P		P	P	P	P		P					
17. Parking of motor vehicles on the ground or within or on a structure																		B		B	B		B		B	B	B	B
18. Office building for professional use													B															
19. Office building for general business and professional use																	B	B		B	B		B		B	B	B	B
																	B	B		B	B		B		B	B	B	B

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NOTES:

- ¹For detailed use regulations in the BOL District, see § 177-7.
²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.

Permitted Main Uses	One-Family Residence Districts							Multi-Family Residence Districts										Business Districts							Industrial Districts			
	R-40	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-3R	RM-2	RM-1	RO	RM-MS	RCO and RM/O	RP	BOL ¹	BO	RI	BN	BND ²	BS	BC & CBDH	BG	IP	IE	IR	IG
20. Research laboratories																	B	B		B	B	B	B	B	B			
21. Bank, including drive-in facilities																												
22. Retail business dealing with the consumer on the premises, except retail firearms stores																												
23. Establishment performing personal services																												
24. Restaurants with or without alcoholic drink and other establishments serving food and nonalcoholic drink																												
25. Hotel, motel																												
26. Funeral home																												
27. Cemetery	A	A	A	A	A	A	A	A	A	A	A	A	A	A														
28. Crematorium	A	A	A	A	A	A	A																					
29. Outdoor recreation area operated for profit																												
30. Theater [and other indoor recreation or amusement facility, excluding amusement arcades] ⁴																												
31. Telephone exchange, electric substation and other public utility use																		B										
32. Radio and television studio																												

KEY:

A = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42A.
 B = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42B.
 C = Permitted use subject to approval of Town Council pursuant to § 177-42B and subject to § 177-42B.
 P = Permitted use subject to issuance of a building and/or zoning permit.
 Not marked = Not a permitted use in the particular zoning district.

NOTES:

¹For detailed use regulations in the BOL District, see § 177-7.
²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.
³See § 177-3D (6).
⁴This use is not permitted in the BC District.

Permitted Main Uses	One-Family Residence Districts							Multi-Family Residence Districts							Business Districts							Industrial Districts							
	R-40	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-3R	RM-2	RM-1	RO	RM-MS	RCO and Rch/o	RP	BOL¹	BO	RI	BN	BND²	BS	BC & CBDH	BG	IP	IE	IR	IG	
33. Radio and television broadcasting	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	B	B	B	B	B	
34. Motor vehicle sales, service and repair and gasoline service stations, excluding car wash facilities																								B			B	B	
35. Wholesale business and storage warehouse use																								B	B	B	B	B	
36. Printing																								B			B	B	
37. Any industrial or manufacturing use, including fabrication, converting, processing, altering, assembly or other handling of products, provided that such use does not emit dust, odor, gas, fumes, noise, glare or vibration beyond the boundaries of the district in which it is located																								B	B	B	B	B	
38. Outdoor storage of material and equipment other than junkyards, provided that such use does not emit dust, odor, gas, fumes, noise, glare or vibration beyond the boundaries of the district in which it is located																								B	B	B	B	B	
39. Contractor's yard																													
40. Junkyard																													
41. Railroad terminal and yard																									B	B	B	B	B

KEY:

A = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42A.

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C = Permitted use subject to approval of Town Council pursuant to § 177-42B and subject to § 177-42B.

P = Permitted use subject to issuance of a building and/or zoning permit.

Not marked = Not a permitted use in the particular zoning district.

NOTES:

¹For detailed use regulations in the BOL District, see § 177-7.

²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.

Permitted Main Uses	One-Family Residence Districts										Multi-Family Residence Districts										Business Districts										Industrial Districts				
	R-40	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-3R	RM-2	RM-1	RO	RM-MS	RCO and RMO	RP	BOL¹	BO	RI	BN	BND²	BS	BC & CBDH	BG	IP	IE	IR	IG							
42. Veterinary Facility	A	A	A	A	A	A		A	A	A	A	A	A	A	A		A	A	A	A	A	A	B	B	B	B	B	B							
43. Kennel																		A		A		A													
44. Group-care facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A	A														
45. Monuments or statutes on public land	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C				
46. Retail firearms stores																																			
47. Vehicle-intensive business																																			
48. Passenger automobile rental agency																																			
49. One-family house, 1 per lot on rear lot	A	A	A	A	A	A	A																												
50. Certain professional offices, defined pursuant to §177-16.3 (first floor only)															A																				
51. Adult-oriented establishments																									A										
52. Car Wash Facilities																									A										
53. Adult Day-Care Center																									A	B	B	B	B						
54. Adult Group Day-care Facility																				A	A	A	A												
55. [Medical Marijuana] Cannabis Production, Manufacturer, Packagers, or Cultivator Facility																																			
56. [Medical Marijuana] Cannabis Retail, Hybrid Retail or Dispensary Facility																									<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	
57. Alternative Energy Systems permitted as main uses pursuant to § 177-37.3																				<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>												
58. Manufacturing of Alcoholic Liquor, including retail sales where permitted by Connecticut law³																																			

KEY:

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B = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42B.

C = Permitted use subject to approval of Town Council pursuant to § 177-42B and subject to § 177-42B.

P = Permitted use subject to issuance of a building and/or zoning permit.

Not marked = Not a permitted use in the particular zoning district.

NOTES:

¹For detailed use regulations in the BOL District, see § 177-7.

²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.

³For detailed use regulations see § 177-36D.

⁴This use is not permitted in the BC District.

Permitted Main Uses	One-Family Residence Districts								Multi-Family Residence Districts								Business Districts								Industrial Districts			
	R-80	R-40	R-20	R-13	R-10	R-6	EP	RM-4	RM-3	RM-3R	RM-2	RM-1	RO	RM-MS	RCO and RM/O	RP	BOL ¹	BO	RI	BN	BND ²	BS	BC & CEDH	BG	IP	IE	IR	IG
59. Food Truck Park as specified in § 177-37.4.																												
60. Indoor recreation or amusement facility, excluding nightclubs, dance halls or dance clubs ⁴																												A
61. Drive-through Facilities as specified in § 177-16.12																							A					A
																								A		B	B	B

KEY:

- A = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42A.
- B = Permitted use subject to issuance of a building and/or zoning permit and subject to § 177-42B.
- C = Permitted use subject to approval of Town Council pursuant to § 177-42B and subject to § 177-42B.
- P = Permitted use subject to issuance of a building and/or zoning permit.
- Not marked = Not a permitted use in the particular zoning district.

NOTES:

- ¹For detailed use regulations in the BOL District, see § 177-7.
- ²Certain BND uses are subject to additional requirements of § 177-16.4 of this chapter.
- ³For detailed use regulations see § 177-36D.

⁴This use is not permitted in the BC District.