

DRAFT 12-14-21

PZC Sponsored amendment to address Hybrid-Use Marijuana Dispensary Facility and Marijuana Production Facility

Delete: Section 2.24 – One year Moratorium on cannabis sales

Modify Table 4.1.1A Permitted Commercial and Industrial Uses to allow Hybrid-Use Marijuana Dispensary by Special Exception/Site plan in the General Commercial Zone and allow Marijuana Production Facilities in the Industrial zone by Site plan

Add Section 7.24 Hybrid-Use Marijuana Dispensary and Production Facilities

ARTICLE 7 SPECIAL REGULATIONS

Section 7.24 Hybrid-Use Marijuana Dispensary and Production Facilities.

7.24.1 Marijuana Dispensary and Production Facilities Definitions

Adult-Use Marijuana Dispensary Facility. A place of business where marijuana may be dispensed or sold at retail to qualifying adult-use consumers, and for which the CT Department of Consumer Protection has issued a dispensary facility license to an applicant under C.G.S. Sections 21a-408 through 21a-408q, inclusive.

Adult-Use Marijuana Production Facility. A secure, indoor facility where the production of adult-use marijuana occurs, and that is operated by a person to whom the CT Department of Consumer Protection has issued a producer license under C.G.S. Sections 21a-408 through 21a-408q, inclusive, and in accordance with Section 21a-408-20 of the Regulations of Connecticut State Agencies.

Hybrid-Use Marijuana Dispensary Facility. A place of business where marijuana may be dispensed or sold at retail to qualifying medical patients, primary caregivers, and to qualifying adult-use consumers, and for which the CT Department of Consumer Protection has issued a dispensary facility license to an applicant under C.G.S. Section 21a-408 through 21a-408q, inclusive.

Hybrid-Use Marijuana Production Facility. A secure, indoor facility where the production of medical and adult-use marijuana occurs, and that is operated by a person to whom the CT Department of Consumer Protection has issued a producer license under C.G.S. Sections 21a-408 through 21a-408q, inclusive, and in accordance with Section 21a-408-20 of the Regulations of Connecticut State Agencies.

Medical Marijuana Dispensary Facility. A place of business where marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers, and for which the CT Department of Consumer Protection has issued a dispensary facility license to an applicant under C.G.S. Sections 21a-408 through 21a-408q, inclusive, and in accordance with Section 21a-408-14 of the Regulations of Connecticut State Agencies.

Medical Marijuana Production Facility. A secure, indoor facility where the production of marijuana occurs, and that is operated by a person to whom the CT Department of Consumer Protection has issued a producer license under C.G.S. Sections 21a-408 through 21a-408q, inclusive, and in accordance with Section 21a-408-20 of the Regulations of Connecticut State Agencies.

7.24.1 Hybrid-Use Marijuana Dispensary Facility Permitted by Special Exception.

The dispensing or sale at retail of Medical and/or Adult-Use Marijuana, as defined herein as a Hybrid- Use Marijuana Dispensary Facility, shall be considered a special exception use subject to all provisions of these Regulations governing special exception uses and limited to the General Commercial zone. All Connecticut state regulations and laws on the dispensing of marijuana shall be adhered to and form the basis for local regulation of marijuana sales.

1. The number of Hybrid-Use Marijuana Dispensary Facilities in South Windsor shall be limited to one.
2. Prior to issuance of a Zoning Permit, the applicant must provide to the Zoning Enforcement Officer a copy of the Hybrid-Use Marijuana Dispensary Facility license issued to the applicant under the authority of the State of Connecticut Commissioner of the Department of Consumer Protection.
3. No Hybrid-Use Marijuana Dispensary Facility shall be located within 500 feet of a municipal building, public park, public recreation area, licensed adult or child day care center, dependency treatment center, or place of worship (each a “Protected Use”), which are in existence as of the effective date of the application for a special exception. A Marijuana Dispensary Facility shall not become non-conforming by the later establishment of a Protected Use within 500 feet and may be enlarged, renovated, and rebuilt, in accordance with all other applicable laws and regulations.
4. No Hybrid-Use Marijuana Dispensary Facility shall be located within 1,000 feet of any nursery/prekindergarten, kindergarten, elementary or secondary school, college, or university, whether supported by public or private funds (each a “School Use”), which are in existence as of the date of application for a special exception. A Marijuana Dispensary Facility shall not become non-conforming by the later establishment of a School Use within 1,000 feet and may be enlarged, renovated, and rebuilt, in accordance with all other applicable laws and regulations.

5. All business transactions and deliveries shall be conducted in strict accordance with State law.
6. All advertising for Hybrid-Use Marijuana Dispensary Facility shall comply with the regulations specified in Section 33 of RERACA.
7. Vehicular access onto the site shall be provided solely from a collector or arterial street.
8. Distance requirements are measured as a straight line from the main pedestrian entrance of the proposed Hybrid-Use Marijuana Dispensary Facility to the nearest main pedestrian entrance of said use so referenced in 1. and 2. above.
9. All other provisions of these Regulations shall be met.

7.24.2 Adult-Use and/or Medical Marijuana Production Facility.

The growing of marijuana or the production or manufacturing of marijuana products is allowed in the Industrial zone subject to site plan approval. The operator must receive a producer license from the CT Department of Consumer Protection as Marijuana Production Facility.