

(Proposed): Section 8.16 Supplementary Regulations: Cannabis Establishments

8.16.1 Purpose

The purpose of this section is to allow for a comprehensive review and appropriate siting of cannabis establishments to ensure any such establishment is in harmony with and will not have a detrimental effect upon the surrounding area, and that both the operation and location of any such establishment is protective of the public health and welfare.

8.16.2 Definition of Terms:

For the purpose of this Section only, the terms referred to herein shall be defined and used as outlined and defined in C.G.S §21-420h (as amended).

8.16.2.1 Cannabis Establishment:

a non-profit, person(s) or business entity otherwise engaged in an activity which would be defined as a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, and product packager.

8.16.2.2 Cannabis Hybrid Retailer:

A person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.

8.16.2.3 Cannabis Retailer:

A person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and sell cannabis to consumers and research programs.

8.16.2.4 Cultivator:

A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with no less than fifteen thousand square feet of grow space.

8.16.2.5 Micro-cultivator:

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 any expansion authorized by the Commissioner of DCP.

8.16.2.6 Food and Beverage Manufacturer:

A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.

8.16.2.7 Producer:

A person that is licensed as a producer pursuant to section 21a-408i of the general statutes and any regulations adopted thereunder.

8.16.2.8 Product Manufacturer:

A person that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type.

8.16.2.9 Product packager:

A person that is licensed to package and label cannabis.

8.16.3 Cannabis Retailers and Hybrid Retailers:

Retailers and Hybrid Retailers may be permitted via Special Exception in the Village District, the Village Commercial Overlay District, and the Major Development District subject to the standards specified herein in addition to the standards set forth below.

8.16.3.1 All Cannabis Retailers shall meet the following criteria:

1. Shall not be located within five hundred (500) feet of any other cannabis establishment as defined herein or, within 500ft of any licensed child day-care facility, church, public playground or public or private school in existence at the time of Special Exception application, when measured using a direct line between any part of the permit premises and any part of a lot used as such.
2. Hours of operation will be limited to no earlier than 8:00 AM or later than 10:00 PM Monday through Saturday and 10:00 AM to 6:00 PM on Sunday.
3. No consumption of any cannabis product may take place on site.
4. Signage shall be in accordance with Section 11 of these Regulations and C.G.S §21-420h (as amended) whichever is more restrictive.

8.16.3.2 Any application for a Cannabis Retailer approval shall include:

1. An operational plan to indicate, at a minimum, how the facility will be managed related to:
 - a. Hours of operation
 - b. Security and Access
 - c. Signage to be installed
 - d. Odor monitoring and mitigation
 - e. Parking, Traffic and Circulation

8.16.4 Cannabis Micro-Cultivators:

Cannabis Micro-Cultivators may be permitted in any Zoning District via Special Exception subject to the standards specified herein in addition to the standards set forth below.

8.16.4.1 All Cannabis Micro-Cultivator shall meet the following criteria:

1. Minimum parcel size for Cannabis Micro-Cultivator shall be five (5) acres
2. All cultivation shall be conducted within an enclosed building
3. State of Connecticut Micro-Cultivators License shall be obtained from the State of Connecticut and filed on the Voluntown Land Records
4. There shall be a minimum of one thousand feet (1000') separation distance to all residential structures existing at the effective date of this regulation. The Commission may consider increasing the separation distance based on site topography, height of proposed building and adjacent buildings, Odor Dispersion Analysis, and any other factors specific to the proposed site.
5. No consumption of any cannabis product may take place on site.
6. Signage shall be in accordance with Section 11 of these Regulations and C.G.S §21-420h (as amended) whichever is more restrictive.

8.16.4.2 Any application for a Cannabis Micro-Cultivator approval shall include an operational plan to indicate, at a minimum, how the facility will be managed related to:

- a. Hours of operation
- b. Security and Access
- c. Signage to be installed
- d. Odor monitoring and mitigation
- e. Parking, Traffic and Circulation

8.16.5 Conditional Approval:

In addition to any conditions imposed pursuant to these Regulations, all special exceptions for cannabis establishments shall be subject to the following conditions:

- 8.15.5.1 Special Exceptions shall be approved with the condition that the applicant continuously maintains all necessary approvals required by the State of Connecticut for the duration of the operation.
- 8.15.5.2 A conditional approval issued by the Commission shall not be considered fully executed until a copy of the State issued license has been provided to the Land Use Department. A fully executed approval, including the State issued license must be filed with the Voluntown Town Clerk within six (6) months of the issuance of the Special Exception.
- 8.15.5.3 The Commission may issue not more than two (2) six-month extensions to this requirement provided the applicant can demonstrate that an application has been filed with the Department of Consumer Protection and the expected decision date will fall within the timeframe of the extension.
- 8.15.5.4 No entity shall commence operations, sales or advertisements without a valid, current license from the State of Connecticut and fully executed Special Permit from the Town filed on the Voluntown Land Records.

Table of Uses for Section 5: Village District; Section 5A: Village Commercial Overlay District; Section 6: Rural District; and Section 7: Major Development District will be amended to reflect the permit path for Cannabis Facilities and will reference Section 8.16