

Section 6.05 Cannabis (Retail Sale, Production and Cultivation, Medical Marijuana Dispensary Facilities and Production facilities)

~~101~~ A. **Applicability:**

1. 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~~ 7.04 of these Regulations, and the requirements of this section.
2. Cannabis retail and hybrid-retail facilities shall be governed by The Responsible and Equitable Regulation of Adult-Use Cannabis Act (“RERACA”), the Connecticut (CT) Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and permitted ~~by only in the following zone,~~ subject to ~~special permit approval in accordance with these Regulations,~~ Site Plan approval in accordance with ~~Appendix C~~ Section 7.04 of these Regulations, and the requirements of this section.
3. Adult-use cannabis cultivator and micro-cultivator facilities shall be governed by the RERACA, the CT 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 these Regulations,~~ to Site Plan approval in accordance with Section ~~XX~~ 7.04 of these Regulations, and the requirements of this section.

~~102~~ B. **Separation Requirements.** Uses identified in this section shall be subject to the following separation restrictions:

1. No medical marijuana production, or adult-use cannabis cultivator or micro-cultivator facility shall be allowed within 500 feet of a church, temple or other place used primarily for religious worship, public building, public school, public playground, public park or public child day care facility, except if such facility is located within the Town’s Industrial Park, then there shall be no minimum separation distance requirement.
2. No medical marijuana production, or adult-use cannabis cultivator or micro-cultivator facility shall be allowed on a site where such facility is located less than 500 feet from an existing single-family or multi-family residential use, except if such facility is located within the Town’s Industrial Park, then there shall be no minimum separation distance requirement.
3. No medical marijuana dispensary or production, 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.

4. No adult-use cannabis retail or hybrid-retail shall be located less than 5,000 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, except if such facility is located within the Town's Industrial Park, then there shall be no minimum separation distance requirement.
5. All distances contained in this section, shall be measured by taking the nearest straight line between the respective lot boundary of the property subject to the separation requirement and the proposed building/structure containing the proposed cannabis facility.

103 C.

Design Standards.

1. Any retail facility shall be designed to match the residential typology of the immediate area and shall be located on a State Road with direct fee-simple deeded frontage on the State Road it abuts.
2. Any production facility outside of the Town's Industrial Park shall be defined to match the typology of Sterling's traditional agricultural architecture if visible from an existing road/street and/or abutting residential property.
3. All facilities (retail, production and/or cultivation) shall submit a plan to control odor
4. All cultivation shall occur within a building. Outdoor grow and/or growing is prohibited.

104 D.

Minimum Floor Area Requirements.

1. No medical marijuana production facility shall be allowed in a building with less than 10,000 square feet of gross floor area.

105 E.

Sign and exterior display requirements:

1. 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.

106 F.

Off-Street Parking requirements:

1. Required off-street parking shall be in compliance with the Zoning Regulations. Parking for the facility shall be contained on the same property associated with the proposed activity. A parking plan and traffic analysis shall be submitted with every application associated with Medical Marijuana and/or cannabis retail and/or production facility.

107 G.

Security Requirements:

1. All cannabis or 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.
2. The hours of operation for cannabis (retail) or medical marijuana dispensary facilities shall be limited to between 7:00 a.m. and 7:00 p.m., all days of the week.
3. There shall be no limitation on the hours of operation for cannabis or medical marijuana production facilities, all days of the week.

108 H.

Conditional Approval:

1. All site plan approvals/zoning permits shall be approved with the condition that the applicant obtains the appropriate license issued by the State of Connecticut Department of Consumer Protection (or other State agency as regulatory changes occur).
2. The conditional approval shall become finalized upon the receipt by the Town Planner and/or Zoning Enforcement Officer (ZEO) of a copy of the Department of Consumer Protection-issued license.
3. The conditional approval shall expire if the applicant fails to provide the Town Planning and/or Zoning Enforcement Officer (ZEO) with a copy of the Department of Consumer Protection-issued license within six months of the date of the Planning and Zoning Commissions conditional approval.
4. 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.
 - a. No entity shall operate without a valid, current license.

109 I

Connecticut Department of Consumer Protection Approval.

1. The applicant shall provide the Town Planner and/or Zoning Enforcement Officer (ZEO) with a copy of the appropriate license issued by the State of Connecticut Department of Consumer Protection, and any subsequent renewed license.