



Town of  
**North Stonington**  
**Connecticut**  
**LAND USE DEPARTMENT**  
 Nathan Reichert – Planning, Development and Zoning Official

Below are the Cannabis Use Regulations as adopted by the North Stonington Planning and Zoning Commission effective July 14<sup>th</sup> 2022.

602.6 MISC. FACILITIES	C	HC	VC	ED	RC	I
Cannabis Cultivator Facility* (§ 1003)	-	SPP	-	SPP	SPP	SPP
Cannabis Retail Facility* (§ 1003)	-	SPP	-	SPP	SPP	SPP

\* = *Specific use regulations exist in sections indicated.*

**1003 CANNABIS USES**

**1003.1 Intent and Purpose**

Public Act No. 21-1, An Act Concerning Responsible and Equitable Regulation Adult Use Cannabis (" The Act") became effective July 1, 2021. The Planning and Zoning Commission has determined that the uses defined and enabled in "The Act" affect the health, safety and welfare of North Stonington's citizens, and the following restrictions and standards for the implementation of uses enabled by "The Act" are here to adopted.

**1003.2 Special Permit Requirements**

- A. A special permit pursuant to Chapter 13 Permits by Commission - 1303 Special Permit Application, approved by the Planning and Zoning Commission shall be required for all cannabis uses.
- B. Primary cannabis uses may include a cannabis cultivator facility and/or a cannabis retail facility.
- C. Accessory cannabis uses may include a cannabis manufacturer facility, cultivator, micro-cultivator, food and beverage manufacturer, product manufacturer, product packager, delivery service, transporter, retailer, or hybrid retailer and shall only be permitted as accessory to a primary use special permit.
- D. Permitted uses may not exceed the population ratio density cap quantity limitations required by state law or by section 3.14.G.1 of these regulations.
- E. A security plan for a cannabis facility shall be a part of the application. The Commission may, at the expense of the applicant, engage a security consultant to review the plan and make recommendations to the Commission.
- F. The Fire Department and Fire Marshall shall review and approve the site and operations plan to ensure compliance with fire code and firefighting feasibility of the proposed facility.
- G. The site and facility shall be served by a drinking water supply source approved by the Health District and/or the State Department of Public Health, as necessary.
- H. The growing, manufacture and/or retail sales of cannabis shall not create the emission of dust, odor, fumes, smoke, wastes, noise, vibrations, traffic, illegal discharge of wastewater to the ground or cause adverse environmental impacts to the surrounding properties.
  - 1. An environmental impact review/study shall be included as a part of the special permit application.
  - 2. The impact review / study shall include:
    - i. The facility's odor mitigation plan.



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- ii. If a septic system is being used for the facility, then a plan to keep separate manufacturing waste and wastewater treatment is required. The applicant shall secure an approved septic permit that is compliant with the state public health code and technical standards and the Department of Energy and Environmental Protection's regulations, depending on the projected wastewater and sanitary water flows from the facility. Industrial and manufacturing wastewater, other than sanitary waste discharges, will need to be evaluated to determine whether an industrial discharge permit is required by the Department of Energy and Environmental Protection to pre-treat potential wastewater discharges.
  - iii. All chemicals used in the growing, production, manufacture, and/or extraction process shall be disclosed, including Safety Data Sheets, for all chemicals used at the facility.
  - iv. A detailed plan for the proper storage and potential containment of all hazardous wastes, substances and materials shall be included as a part of the application.
- I. A Traffic control and impact study shall be included with any application for retail facilities.
  - J. A special permit shall be renewed annually and is subject to an annual inspection by the 1st Selectman or his/her appointee, the Resident Trooper, the Fire Chief, the Fire Marshall, Building Inspector, Health District Official and Zoning Official to ensure compliance with all special permit requirements, public health, fire and safety regulations. The Zoning Official may administratively renew the special permit.
    - 1. Prior to the refusal to annually renew a special permit, the facility subject to said renewal shall be given notice and a hearing before the Planning and Zoning Commission.
  - K. Town of North Stonington Law Enforcement is granted consent to access a cannabis facility's required surveillance systems as a condition of a special permit.
  - L. Annually, or upon a state license's issuance or renewal, all State issued licenses required for the operation of a cannabis facility shall be filed with the Land Use Office of the Town.

**1003.3 Setback Requirements**

- A. Any cannabis use must be a minimum of 500' from an elementary or secondary school ground, a house of worship, recreation center or facility, childcare center, playground, public park, library, charitable institution, hospital, veteran's home or military establishment.
- B. Once a cannabis use is permitted and established, an elementary or secondary school ground, a house of worship, recreation center or facility, childcare center, playground, public park, library, charitable institution, hospital, veteran's home or military establishment may not be established within 500' of a permitted cannabis use.
- C. Any cannabis use must have a 200' setback from a residential home or apartment, except for a caretaker apartment permitted in conjunction with a cannabis facility.
- D. All sales, growing, production and storage of cannabis shall be conducted indoors.
- E. Cannabis products may not be consumed on the grounds of a permitted retail, manufacturer, or cultivator facility.
- F. Any proposed retail use shall be subject to the requirements of a cannabis retailer and hybrid retailer.



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**1003.4 Hours of Operation**

- A. The hours of operation for a cannabis retail facility shall be:
1. 8:00 A.M. to 10:00 P.M. on Monday through Saturday.
  2. 10:00 A.M. to 6:00 P.M. on Sunday.
  3. The facility shall remain closed for retail sales, delivery or production on Thanksgiving, Christmas, and New Year's Day.
- B. Zoning Districts
1. Zoning Districts of permissible use are pursuant to use chart 602.7.
  2. Cannabis facilities shall be strictly prohibited within the R-40, R-60, R-80, C, VC, VPO, and SUO zoning and overlay districts.

**1003.5 Special Permit Limit**

- A. The Town of North Stonington, being less than 25,000 in population, shall not issue a final special permit for more than one (1) cannabis retailer license and one (1) micro-cultivator or cultivator license prior to June 30<sup>th</sup> 2024.
- B. After July 1<sup>st</sup> 2024 the Town of North Stonington shall not issue a final special permit for a cannabis retailer license or micro-cultivator or cultivator license which exceeds the population ratio density cap as defined by the Commissioner of Consumer Protection as posted on the Department of Consumer Protection's Internet web site.

**1003.6 Delivery Service**

- A. A licensed delivery service or transporter domiciled within North Stonington shall obtain a special permit as an accessory use to an approved primary use special permit.
- B. A licensed delivery service may deliver products to recreational cannabis consumers and may deliver medical marijuana to qualifying patients.
- C. A licensed transporter may transport cannabis products between cannabis establishments, laboratories, and research programs.

**1003.7 Signage**

- A. Signage shall comply with all aspects of section §312 Signs of the North Stonington Zoning Regulations and must be compliant with all aspects of state law.
- B. Signage shall be located:
1. On the cannabis establishment's premises, regardless of whether such cannabis establishment leases or owns such premises; or
  2. On any commercial property occupied by multiple tenants including such cannabis establishment.
  3. Five hundred (500) feet from an elementary or secondary school ground, house of worship, recreation center or facility, childcare center, playground, public park, library, charitable institution, hospital, veteran's home or military establishment.
- C. Signs permitted in conjunction with a cannabis retail or cultivator facility shall be limited to the following standards:
1. Freestanding Sign: No more than 1, no greater than 48 square feet and no taller than 10 feet.
  2. All additional signs: Total of all additional signs 48 square feet, with 8' (eight foot) clearance over pedestrian walkway and a 13' (thirteen foot) clearance over a roadway / ally.
  3. "Sandwich Board" or "A-frame" signs are not permitted.



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**1003.8 Notification of the State**

If zoning regulations are amended in regard to cannabis establishments, the zoning official must notify the Secretary of the Connecticut Office of Policy and Management no more than 14 days from the adoption of the changes (Sec. 148 (b)). The zoning official must also notify the Connecticut Department of Consumer Protection.

**1003.9 Repeal and Effective Date**

The existing 3.14 Cannabis Uses section of the Zoning Regulations is hereby repealed and replaced by this text amendment which shall take effect immediately upon passage.

**Cannabis Related Terms**

**Backer** – A licensed Backer is an individual with a financial interest in a cannabis establishment, and either (1) owns 5% or more of the cannabis establishment, including in the aggregate with a spouse, parent, and child, or (2) participates directly or indirectly in the control, management, or operation of the cannabis establishment. Cannabis Cultivator Facility – A licensed cultivator or micro-cultivator may cultivate, grow, and propagate cannabis and is licensed to sell cannabis to food and beverage manufacturers, product manufacturers, and/or cannabis retail facilities. A cannabis cultivator facility may include licensed food and beverage manufacturer, product manufacturer, product packager and transporter accessory use.

**Cannabis Manufacturer Facility** - A manufacturer facility is a licensed food and beverage manufacturer or product manufacturer who is permitted to purchase cannabis from a licensed cultivator, then manufacture products, food and/or beverages and sell them to a licensed retailer. A cannabis manufacturer facility may be an accessory use to a cannabis cultivator facility.

**Cannabis Retail Facility** - Retailers are licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs. A cannabis retail facility may include additional licensed accessory uses including product hybrid retailer, transporter, delivery service, and/or product packager.

**Cultivator** - A licensed cultivator may cultivate, grow, and propagate cannabis at an establishment containing not less than 15,000 square feet of grow space.

**Delivery Service** - A licensed delivery service may deliver cannabis and cannabis products from certain cannabis establishments to consumers or qualifying patients and caregivers.

**Employee** - An employee is anyone that is a member of the board of a company with an ownership interest in a cannabis establishment, and anyone who is directly employed by a cannabis establishment or has routine access to the establishment and its products.

**Food and Beverage Manufacturer** - A licensed food and beverage manufacturer may incorporate cannabis into foods or beverages as an ingredient. Licensed food and beverage manufacturers may not sell directly to consumers or qualifying patients or caregivers, and may only sell, transfer, or transport its own products to licensed cannabis establishments, laboratories, or research programs.

**Hybrid Retailer** - A licensed hybrid retailer may sell cannabis and cannabis products to adult consumers over 21 years of age as well as medical marijuana products to qualifying patients and caregivers.



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**Key Employee** - an employee with one of the following management positions, or an equivalent title in the cannabis establishment:

**President or chief officer**, or the top-ranking individual at the cannabis establishment responsible for all staff and overall direction of business operations.

**Financial Manager**, or the individual who reports to the president or chief officer and who is generally responsible for oversight of the financial operations of the cannabis establishment, including, but not limited to, revenue generation, distributions, tax compliance and budget implementation.

**Employee**, An employee is anyone that is a member of the board of a company with an ownership interest in a cannabis establishment, and anyone who is directly employed by a cannabis establishment or has routine access to the establishment and its products.

**Compliance Manager**, or the individual who reports to the president or chief officer and who is generally responsible for ensuring the cannabis establishment complies with all laws, regulations and requirements related to the operation of the cannabis establishment

**Micro-cultivator** - Micro-cultivators are licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment that is between 2,000 square feet and 10,000 square feet of grow space, prior to any expansion authorized by the Department of Consumer Protection Commissioner. Once licensed, the micro-cultivator may expand up to 25,000 square feet or convert to a cultivator if they expand to more than 25,000 square feet of grow space.

**Product Manufacturer** - A licensed product manufacturer may perform cannabis extractions, chemical synthesis, and all other manufacturing activities. A product manufacturer may sell, transfer, or transport its own products to a cannabis establishment, laboratory or research program, provided such transportation is performed by utilizing its own employees or a transporter. A product manufacturer may not deliver any cannabis to a consumer, qualifying patient, or caregiver directly or through a delivery service.

**Product Packager** - A licensed product packager shall be responsible for ensuring that cannabis products are labeled and packaged in compliance with all state laws, regulations, and policies.

**Retailer** - licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs. A licensed retailer may sell cannabis and cannabis products to adult consumers over 21 years of age.

**Transporter** - A licensed transporter may deliver cannabis and cannabis products between cannabis establishments.