

WEB VERSION

FOR PUBLICATION: THE ADVOCATE – ONE INSERTION – THURS, JULY 13, 2023

**LEGAL NOTICE
ZONING BOARD – CITY OF STAMFORD**

Application 223-17-(MOD)- Notice is hereby given that the Zoning Board of the City of Stamford, CT at its regular meeting held on Monday, July 10, 2023 APPROVED AS MODIFIED the application of the City of Stamford Zoning Board for a Text change to establish use regulations for marijuana and cannabis related uses and to protect the welfare and safety in particular of children and adolescents. To that end, changes to the Smoke Shop or Tobacco Store regulations are also proposed to include minimum distance requirements from schools and signage limitations. All proposed marijuana and cannabis-related use regulations align with the licensing requirements of the State of Connecticut.

**Proposed Amendments to the Zoning Regulations for Marijuana and Cannabis
Related Uses, and Smoke Shops or Tobacco Stores**

ADD Definition “Adult Use Cannabis Retailer” to Section 5.E., Use Definitions

Adult-Use Cannabis Retailer, including Hybrid Retailers

Adult-Use Cannabis Retailer means a place of business licensed by the State of Connecticut where Adult-Use Cannabis may be sold at retail directly to qualifying customers. The regulations for Adult-Use Cannabis Retailer shall also apply to Hybrid Retail facilities where both Medical Marijuana and Adult-Use Cannabis products are sold at retail directly to qualifying customers and/or patients.

Standards

Adult-Use Cannabis Retailers are allowed by *Special Permit* approval of the Zoning Board only within certain commercial and manufacturing Zoning Districts of the City of Stamford, as shown in Appendix A, Table II of these Regulations. Such uses must comply with the requirements of the Zoning Regulations and meet the following additional standards:

- a. In Stamford there shall be no more than one Adult - Use Cannabis Retailer for every 25,000 residents.
- b. Adult - Use Cannabis Retailers must possess a current license from the State of Connecticut Department of Consumer Protection. Evidence of proper licenses must be

provided in connection with a Building Permit application. Failure to maintain proper licenses shall be deemed an immediate violation of the City of Stamford Zoning Regulations.

c. No Adult-Use Cannabis Retailers shall be located within a 3,000 feet radius of any other Dispensary, or within 1,000 feet of public or non-public schools.

d. Signage for Adult-Use Cannabis Retailers shall be the more restrictive of either (1) the requirements of the State of Connecticut relating to signage for Adult-Use Cannabis Retailers or (2) the sign regulations for the respective zoning district as prescribed in Section 13 of these regulations. In addition, the following limitations shall apply:

- (1) There shall be no illumination of a Sign advertising adult-use cannabis products at any time;
- (2) There shall be no signage that advertises adult use cannabis brand names or utilizes graphics related to marijuana or paraphernalia on the exterior of the Dispensary or the Building in which the Dispensary is located;
- (3) There shall be no display of adult use cannabis or paraphernalia within the facility which is clearly visible from the exterior of the facility; and
- (4) There shall be no signage on the exterior of the facility which advertises the price of its adult-use cannabis.

e. Parking shall be provided according to Section 12 of the Zoning Regulations, following the parking standard for Retail Store.

SEE also: Medical Marijuana Dispensary Facility

AMEND Appendix A, Table 2 by ADDING a line for “Adult Use Cannabis Retailer” and the letter B in the columns of the C-N, C-B, C-L, C-I, M-L and M-G Districts. ADD to the letter B in the C-N column the following note: Except for the districts where it is permitted, Adult Use Cannabis Retailers are expressly prohibited in all other Districts that allow uses allowed in the C-N District. ADD “-“ to all other district columns.

AMEND Section 4.B.10.b (NX-District Regulations) by ADDING “Adult Use Cannabis Retailer” as a Special Permit Use.

AMEND Section 9.D.3.b (DWD-D District Regulations) by ADDING “Adult Use Cannabis Retailer” as a Special Permit Use.

AMEND Section 9.F.4 (TCD-D) by ADDING “Adult Use Cannabis Retailer” as a Special Permit Use.

AMEND Section 9.H.2 (M-D) by ADDING “Adult Use Cannabis Retailer” as a Special Permit Use.

Hybrid Retailer for Marijuana or Cannabis

A Hybrid Marijuana or Cannabis Retailer means a place of business licensed by the State of Connecticut where medical marijuana and adult-use cannabis are sold at retail to directly qualifying customers and patients. For Hybrid Marijuana or Cannabis Retailer the same regulations as for Adult-Use Cannabis Retailer shall apply.

SEE: Adult-Use Cannabis Retailer

ADD Definition “Marijuana or Cannabis Cultivator” to Section 5.E., Use Definitions

Marijuana or Cannabis Cultivator

Marijuana or Cannabis Cultivator means a facility licensed by the State of Connecticut where marijuana or cannabis is grown for medical or adult-use and which exceeds an area of 15,000 sf of grow space. A Marijuana or Cannabis Cultivator shall not sell product directly or through a delivery service to consumers.

AMEND Appendix A, Table 2 by ADDING a line for “Marijuana or Cannabis Cultivator” and “B” in the columns of the M-L and M-G Districts. Add “-“ in the columns of all other districts.

AMEND Section 9.H.2 (M-D) by ADDING “Marijuana or Cannabis Cultivator” as a Special Permit Use.

ADD Definition “Marijuana or Cannabis Micro-Cultivator” to Section 5.E., Use Definitions

Marijuana or Cannabis Micro-Cultivator

Marijuana or Cannabis Micro-Cultivator means a facility licensed by the State of Connecticut where marijuana is grown for medical or adult-use with an area of at least 2,000 sf but no more than 25,000 sf of grow space, provided that any expansion beyond 10,000 sf up to 25,000 sf shall require administrative approval by the Zoning Board. A Marijuana or Cannabis Micro-Cultivator may sell product to consumers only through a delivery service.

AMEND Appendix A, Table 2 by ADDING a line for “Marijuana or Cannabis Micro-Cultivator” and “B” in the columns of the M-L and M-G Districts. Add “-“ in the columns of all other districts.

AMEND Section 9.H.2 (M-D) by ADDING “Marijuana Micro-Cultivator” as a Special Permit Use.

ADD Definition “Marijuana Producer” to Section 5.E., Use Definitions, and DELETE current Definition for “Medical Marijuana Production Facility”.

Marijuana Producer

Marijuana Producer means a facility licensed by the State of Connecticut where marijuana is grown exclusively for medical purposes for sale and distribution of product to qualified medical patients at Dispensaries and/or Hybrid Retail facilities.

AMEND Appendix A, Table 2 by ADDING a line for “Marijuana Producer” and “B” in the columns of the M-L and M-G Districts. Add “-“ in the columns of all other districts.

AMEND Section 9.H.2 (M-D) by ADDING “Marijuana Producer” as a Special Permit Use.

ADD Definition “Marijuana or Cannabis Processing Facility” to Section 5.E., Use Definitions

Marijuana or Cannabis Processing Facility

Marijuana or Cannabis Processing Facility means a facility licensed by the State of Connecticut where products derived from marijuana plants are produced through extraction, chemical synthesis and other processes. Marijuana or Cannabis Processing Facility shall also include facilities where products derived from marijuana plants are added to foods or beverage for human consumption or other products. Marijuana or Cannabis Processing Facility shall also include facilities where marijuana products are packaged. A Marijuana or Cannabis Processing Facility shall not sell product directly or through a delivery service to consumers. A Marijuana or Cannabis Processing Facility may be located within the same facility as other Cannabis Establishments.

AMEND Appendix A, Table 2 by ADDING a line for “Marijuana or Cannabis Processing Facility” and “B” in the columns of the M-L and M-G Districts. Add “-“ in the columns of all other districts.

AMEND Section 9.H.2 (M-D) by ADDING “Marijuana or Cannabis Processing Facility” as a Special Permit Use.

ADD Definition “Marijuana Transport Facility” to Section 5.E., Use Definitions

Marijuana or Cannabis Transport Facility

Marijuana or Cannabis Transport Facility means a facility licensed by the State of Connecticut where an entity that transports medical marijuana, adult-use cannabis or products containing marijuana or cannabis between state approved cannabis licensed entities, including Marijuana or Cannabis Cultivators, Marijuana or Cannabis Micro-Cultivator, Marijuana or Cannabis Processing Facilities, Marijuana Producer and Medical Marijuana Dispensaries, Adult-Use Cannabis Retailers or Hybrid Retailers. Direct sale or distribution to consumers or patients shall not be permitted from a Transport Facility.

AMEND Appendix A, Table 2 by ADDING a line for “Marijuana or Cannabis Transport Facility” and “B” in the columns of the C-I, M-L and M-G Districts. Add “-“ in the columns of all other districts.

AMEND Section 4.B.10.b (NX-District Regulations) by ADDING “Marijuana or Cannabis Transport Facility” as a Special Permit use.

AMEND Section 9.D.3.b (DWD-D District Regulations) by ADDING “Marijuana or Cannabis Transport Facility” as a Special Permit Use.

AMEND Section 9.H.2 (M-D) by ADDING “Marijuana or Cannabis Transport Facility” as a Special Permit Use.

ADD Definition “Marijuana or Cannabis Delivery Facility” to Section 5.E., Use Definitions

Marijuana or Cannabis Delivery Facility

Marijuana or Cannabis Delivery Facility means a facility licensed by the State of Connecticut where an entity that delivers medical marijuana, adult-use cannabis, or products containing marijuana or cannabis directly to where consumer is located. A Marijuana or Cannabis Delivery Facility may be located within the same facility as other Cannabis Establishments.

AMEND Appendix A, Table 2 by ADDING a line for “Marijuana or Cannabis Delivery Facility” and “B” in the columns of the C-I, C-B, C-G, C-L, C-N, M-L and M-G Districts. Add “-“ in the columns of all other districts.

AMEND Section 4.B.10.b (NX-District Regulations) by ADDING “Marijuana or Cannabis Delivery Facility” as a Special Permit use.

AMEND Section 9.D.3.b (DWD-D District Regulations) by ADDING “Marijuana or Cannabis Delivery Facility” as a Special Permit Use.

AMEND Section 9.H.2 (M-D) by ADDING “Marijuana or Cannabis Delivery Facility” as a Special Permit Use.

Marijuana or Cannabis Delivery Service

A Marijuana or Cannabis Delivery Service means a business licensed by the State of Connecticut that is permitted to deliver medical marijuana, adult-use cannabis or products containing marijuana or cannabis directly to patients or consumers. A Marijuana or Cannabis Delivery Service shall only deliver cannabis between cannabis establishments and end consumers, and each individual delivery order of cannabis must be delivered (or returned to the originating establishment) within a 24-hour period. A Marijuana or Cannabis Delivery Service can be located within the same facility as other Cannabis Establishments.

AMEND Appendix A, Table 2 by ADDING a line for “Marijuana or Cannabis Delivery Service” and “B” in the columns of the C-I, C-B, C-L, C-N, M-L and M-G Districts. Add “-” in the columns of all other districts.

AMEND Section 4.B.10.b (NX-District Regulations) by ADDING “Marijuana or Cannabis Delivery Service” as a Special Permit use.

AMEND Section 9.D.3.b (DWD-D District Regulations) by ADDING “Marijuana or Cannabis Delivery Service” as a Special Permit Use.

AMEND Section 9.H.2 (M-D) by ADDING “Marijuana or Cannabis Delivery Service” as a Special Permit Use.

Smoke Shop, Tobacco Store

A Smoke Shop or Tobacco Store is a retail establishment where 50% or more of the retail area is dedicated to the sale of tobacco and products containing tobacco or nicotine (including “e-cigarettes”) and paraphernalia, and areas for the consumption of any smokeable products. The sale of Cannabis and Marijuana and products derived therefrom shall be explicitly excluded from sale in Smoke Shops or Tobacco Stores unless licensed to do so by the State of Connecticut.

Smoke Shops or Tobacco Stores are allowed by *Special Permit* approval of the Zoning Board only within certain commercial and manufacturing Zoning Districts of the City of Stamford, as shown in Appendix A, Table II of these Regulations. Such uses must comply with the requirements of the Zoning Regulations and meet the following additional standards:

1. No Smoke Shop or Tobacco Store shall be located within a 3,000 feet radius of any other such store or any Medical Marijuana Dispensary, Adult Use Cannabis

Retailer or Hybrid Retailer, or within 1,000 feet of a public or non-public school;

2. Signage for Smoke Shops or Tobacco Stores shall meet all sign regulations for the respective zoning district as prescribed in Section 13 of these Regulations. In addition, the following regulations shall apply:
 - a. There shall be no illumination of a Sign advertising tobacco or other products containing nicotine at any time;
 - b. There shall be no signage that advertises tobacco or other products containing nicotine brand names or utilizes graphics related to tobacco, other products containing nicotine or paraphernalia on the exterior of the Building in which the store is located;
 - c. There shall be no display of tobacco, other products containing nicotine or paraphernalia within the facility which is clearly visible from the exterior of the facility; and
 - d. There shall be no signage on the exterior of the facility which advertises the price of tobacco or other products containing nicotine.

AMEND Appendix A, table II by replacing “x” and “XM” with “B” for all districts listed for the “Smoke Shop, Tobacco Store” use.

Effective date of this Decision: July 25, 2023.

ATTEST: DAVID STEIN
CHAIRMAN, ZONING BOARD
CITY OF STAMFORD, CT

Dated at the City of Stamford this 13th day of July 2023.