

Web Version

FOR PUBLICATION: THE ADVOCATE – TWO INSERTIONS – WED, JULY 10, 2024
WED, JULY 17, 2024

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

Application 224-14- Notice is hereby given that the Zoning Board of the City of Stamford, CT will conduct a Public Hearing on Monday, **July 22, 2024** at **6:30pm** through a web and phone meeting to consider the application of the City of Stamford’s Zoning Board for a Text Change to more tightly regulate Cannabis Retailers and Smoke Shop and Tobacco Stores in order to better protect the public health and welfare in particular of children and adolescents.

~~Strikethrough~~ Text to be deleted.

Underline Text to be added.

Regular Existing text to be retained.

AMEND Section 5.E., Use Regulations by adding a new definition for Cannabis Sales

Cannabis or Marijuana Sales

Cannabis Sales is the sale of any product containing THC to a consumer. Cannabis Sales shall only be permitted by Adult Use Cannabis Retailers, Hybrid Retailers or Medical Marijuana Dispensary Facilities. Cannabis or Marijuana Sales shall only be permitted within a *Building*.

AMEND Section 5.E., Use Regulations by amending the definition for Adult Use Cannabis Retailer as follows:

Adult-Use Cannabis Retailer, including Hybrid Retailers (223-17(MOD))

Adult-Use Cannabis Retailer means a place of business licensed by the State of Connecticut where Cannabis Sales are conducted. ~~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 I of these Regulations. Such uses must comply with the requirements of the Zoning Regulations and meet the following additional standards:

1. In Stamford there shall be no more than one Adult - Use Cannabis Retailer for every 30,000 residents.
2. 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.~~
3. No Adult-Use Cannabis Retailers shall be located within a 3,000 feet radius of any other Dispensary, within 1,000 feet of Public or Non-public Schools or a Community Center regularly providing services to persons under the age of 21 years, or within 500 feet of City parks or beaches.
4. In zoning districts where Adult Use Cannabis Retailers or Hybrid Retailers are permitted, no such establishment shall be permitted on Lots that:
 - a. Directly abut on a Lot in any of the following zoning districts: RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂, R-6, R-5, RM-1, R-MF or R-HD; or
 - b. Are directly across the street from any Lot in any of the following zoning districts: RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂, R-6, R-5, RM-1, R-MF, R-H, or R-HD.
 - c. Notwithstanding these regulations, the operations of any Adult Use Cannabis Retailer or Hybrid Retailer approved by the Zoning Board prior to [INSERT EFFECTIVE DATE] are considered conforming with these regulations at such approved locations.
5. 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.
6. 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 Section 5.E., Use Regulations by adding a cross-reference for Hybrid Retailer:

Hybrid Retailer

A place of business licensed by the State of Connecticut where both Medical Marijuana and Adult-Use Cannabis products are sold at retail directly to qualifying customers and/or patients.

AMEND Section 5.E., Use Regulations by adding a new definition for Tobacco Sales:

Tobacco Sales

Tobacco Sales is the sale of tobacco, or any products derived from or including tobacco or nicotine, or synthetic nicotine, regardless of the delivery system (including, but not limited to, smoking, smokeless, or electronic delivery systems), or any paraphernalia or accessories (collectively, “Tobacco Products”), and areas for the on-site consumption of such products. The sale of Cannabis and Marijuana and products derived therefrom shall be explicitly prohibited from sale in a Smoke Shop or Tobacco Store unless licensed to do so by the State of Connecticut. Tobacco Sales shall only be permitted within a *Building*.

AMEND Section 5.E., Use Regulations by amending the definition for Smoke Shop or Tobacco Store as follows:

Smoke Shop, Tobacco Store (223-17(MOD))

A Smoke Shop or Tobacco Store is a retail establishment where ~~10%~~ 50% or more of the retail area is dedicated to the sale of Tobacco Products, or the sale of cannabis-related paraphernalia, either as a stand-alone Uses or in combination with another retail Uses. ~~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 prohibited from sale in a Smoke Shop or Tobacco Store unless licensed to do so by the State of Connecticut.

A Smoke Shop or Tobacco Store is only allowed by *Special Permit* approval of the Zoning Board within certain commercial and manufacturing Zoning Districts of the City of Stamford, as shown in Appendix A, Table I, and the District Regulations 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, or within 1,000 feet of a Community Center regularly providing services to persons under the age of 21 years;
2. In zoning districts where Smoke Shops or Tobacco Stores are permitted, no such establishment shall be permitted on Lots that:
 - a. Directly abut a Lot in any of the following zoning districts: RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂, R-6, R-5, RM-1, R-MF, R-H or R-HD; or
 - b. Are directly across the street from any Lot in any of the following zoning districts: RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂, R-6, R-5, RM-1, R-MF, R-H, or R-HD.

3. 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.

ADD Definition for Community Center to Section 5.E., Use Regulations

Community Center

A Community Center is a facility operated by the City of Stamford or a non-profit community-based organization for the provision of recreational, social, or educational services to the general public.

AMEND Section 13.C.5., Sign Regulations, as follows:

13.C.5. Signs Exempt from Permit Requirements

The following *Signs* and *Flags* do not require a *Zoning Permit*, but must comply with all standards of this Section and all other provisions of these Regulations:

- a. *Signs* that are not illuminated and have a *Sign Area* of sixteen (16) square feet or less.
- b. *Flags*.
- c. *Signs* installed flush with or on the interior of a window and designed for viewing from the outside of the premises and not exceeding fifteen percent (15%) ~~thirty (30)~~ of the available window area. Such *Signs* shall not advertise any Cannabis or Tobacco Products. Postings required by law shall be exempt from this limitation.
- d. Public Notice *Signs* required pursuant to these Regulations ~~Section 20.C.~~

AMEND Appendix A, Table I Land Use Schedule as follows:

Use	C-N	C-B	C-L	C-G	C-C	C-I	M-L	M-G
[...]								
Adult Use Cannabis Retailer ¹⁾	B ¹⁾	B	B	B	B	B	B	B
[...]								
Smoke Shop, Tobacco Store	B	B	B	B	B	B	B	B
[...]								

AMEND footnote 1 in Appendix A as follows:

~~1) Medical Marijuana Dispensary Facility: This use is expressly not permitted in other Districts that allow uses allowed in the C-N District. [DELETED]~~

ATTEST: DAVID STEIN

CHAIRMAN, ZONING BOARD
CITY OF STAMFORD, CT

Dated at the City of Stamford, CT, this 10th day of July 2024