



City of Middletown

Department of Planning, Conservation & Development

245 deKoven Drive
Middletown, CT 06457
www.MiddletownPlanning.com

MEMORANDUM

TO: The Planning & Zoning Commission

FROM: Marek Kozikowski, AICP, City Planner

DATE: June 28, 2021

RE: **Proposed Zoning Text Amendments**
Sections 16, 40, 44, & 61: Cannabis Micro-Cultivation and Cannabis Retail

Planning, Conservation & Development Staff proposes the following amendments to the Middletown Zoning Code pursuant to Section 71 of the Middletown Zoning Code.

Bold Text: Added

Strikethrough Text: Deleted

xx: Section Number TBD

16.0 DEFINITIONS

16.06.xx CANNABIS MICRO-CULTIVATION

An establishment for cultivation, growing and propagation of the cannabis plant, containing not less than two thousand (2,000) square feet and not more than ten thousand (10,000) square feet of grow space, prior to any expansion authorized by the Commissioner of Consumer Protection up to twenty-five thousand (25,000) square feet, operated by a micro-cultivator, as defined in the Responsible and Equitable Regulation of Adult-Use Cannabis Act, as amended.

16.06.xx CANNABIS RETAIL

An establishment selling cannabis to consumers and research programs operated by a retailer, as defined in the Responsible and Equitable Regulation of Adult-Use Cannabis Act, as amended.

40.04 QUANTITY OF PARKING SPACES

40.04.xx CANNABIS MICRO-CULTIVATION

One (1) parking space for each three hundred (300) sq. ft. of gross building area per floor dedicated to retail sales on the premises and five hundred (500) sq. ft.

of gross building area dedicated for grow space, warehousing, common space or other support space per floor.

40.04.xx

CANNABIS RETAIL

One (1) parking space for each three hundred (300) sq. ft. of gross building area per floor.

44.08

STANDARDS FOR SPECIAL EXCEPTION

44.08.xx

CANNABIS MICRO-CULTIVATION

1. Pursuant to the terms of the Responsible and Equitable Regulation of Adult-Use Cannabis Act, as amended, a special exception shall not be granted for a Cannabis Micro-Cultivator that would result in an amount that (1) until June 30, 2024, exceeds the density cap of one Cannabis Micro-Cultivator for every twenty-five thousand residents, and (2) on and after July 1, 2024, exceeds any density cap determined by the Commissioner of Consumer Protection.
2. A vegetative or fencing screening buffer shall be provided between the establishment and any abutting residential use.
3. A traffic management plan shall be provided that demonstrates adequate safety measures for vehicular and pedestrian traffic in response to the site conditions and conditions along adjacent streets.
4. Consumption either orally, topically or by inhalation of any cannabis products outdoors on the premises is prohibited.
5. Any deliveries of cannabis products leaving the establishment and sold directly to the consumer shall occur between the hours of 8:00am and 10:00 pm daily.

44.08.xx

CANNABIS RETAIL

1. Pursuant to the terms of the Responsible and Equitable Regulation of Adult-Use Cannabis Act, as amended, a special exception shall not be granted for a Cannabis Retail Establishment that would result in an amount that (1) until June 30, 2024, exceeds the density cap of one Cannabis Retail Establishment for every twenty-five thousand residents, and (2) on and after July 1, 2024, exceeds any density cap determined by the Commissioner of Consumer Protection.
2. The establishment shall be located along a state highway.
3. The site plans shall provide a landscaped or fencing screening buffer from any abutting residential use.
4. A traffic management plan shall be provided that demonstrates adequate safety measures for vehicular and pedestrian traffic in response to the site conditions and conditions along adjacent streets.

5. Consumption either orally, topically or by inhalation of any cannabis products outdoors on the premises is prohibited.
6. Any deliveries of cannabis products leaving the establishment and sold directly to the consumer shall occur between the hours of 8:00am and 10:00 pm daily.

61.02 SPECIAL EXCEPTION USES
61.02.xx Cannabis Micro-Cultivation (44.08.xx)
ZONES: I-1 I-2 I-4 TD IT IRA

61.02.xx Cannabis Retail (44.08.xx)
ZONES: B-2 NPC