

**From:** Kristin Floberg <[kfloberg@westcog.org](mailto:kfloberg@westcog.org)>  
**Sent:** Thursday, November 10, 2022 2:28 PM  
**To:** Baker, Bryan <[bbaker@norwalkct.org](mailto:bbaker@norwalkct.org)>  
**Cc:** Wrinn, Michael <[Michael.Wrinn@WILTONCT.ORG](mailto:Michael.Wrinn@WILTONCT.ORG)>; Jeremy Ginsberg (<[jginsberg@darienct.gov](mailto:jginsberg@darienct.gov)>) <[jginsberg@darienct.gov](mailto:jginsberg@darienct.gov)>; Young, Mary <[MARYYOUNG@westportct.gov](mailto:MARYYOUNG@westportct.gov)>  
**Subject:** RE: Norwalk Planning & Zoning Text Amendment Referral - Cannabis Regulations

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To: Bryan Baker, Principal Planner

From: Kristin Floberg, Senior Planner

Re: CT Statutory Referral to WestCOG from Norwalk - Attached Zoning Amendment

Date: November 10, 2022

Thank you for submitting the attached referral to WestCOG.

The opinion of WestCOG staff is that the proposal may be of interest to the surrounding municipalities of Darien, Wilton and Westport due to the context of the zoning amendment. I have copied the department heads from those municipalities for their comments, if any. Otherwise, WestCOG staff have no additional comments.

**From:** Baker, Bryan <[bbaker@norwalkct.org](mailto:bbaker@norwalkct.org)>  
**Sent:** Tuesday, November 1, 2022 3:02 PM  
**Subject:** Norwalk Planning & Zoning Text Amendment Referral - Cannabis Regulations

Good afternoon all,

The Norwalk Planning & Zoning Commission has proposed to amend the existing zoning regulations to allow for various cannabis uses in the Business No. 1, Business No. 2, Central Business District, Industrial No. 1 and Industrial No. 2 zones. A copy of the proposed regulations is available via this link: <https://www.norwalkct.org/3388/Cannabis-Zoning-Regulations>

For Commissioners, kindly add this item to your respective Commission's next agenda for a recommendation to be made and referred to the Planning & Zoning Commission. The Planning

& Zoning Commission has tentatively scheduled a public hearing on this item for December 8, 2022.

This application is being referred to you in accordance with all applicable Connecticut General Statutes.

Thanks,  
Bryan

Bryan Baker  
Principal Planner  
City of Norwalk  
203-854-7705

## Cannabis Establishments

- A. For the purposes of these regulations, the following shall constitute cannabis establishments as defined in the Connecticut General Statutes, and are allowed uses in the City of Norwalk: Cannabis Cultivator, Cannabis Dispensary Facility, Cannabis Food and Beverage Manufacturer, Cannabis Micro Cultivator, Cannabis Packager, Cannabis Retailer and Cannabis Transporter. All other cannabis uses and establishments are prohibited.

The permitted cannabis uses are allowed as follows:

	B1 & B2	CBD	I1/I2
<b>Cannabis Cultivator</b>	NP	NP	PL
<b>Cannabis Dispensary Facility</b>	SP	NP	NP
<b>Cannabis Food &amp; Beverage Mfg.</b>	PL	SP	PL
<b>Cannabis Hybrid Retailer</b>	SP	NP	NP
<b>Cannabis Micro Cultivator</b>	SP	SP	P
<b>Cannabis Packager</b>	NP	NP	PL
<b>Cannabis Retailer</b>	SP	NP	NP
<b>Cannabis Transporter</b>	PL	NP	PL

*NP – not permitted*

*P – allowed by Zoning Permit*

*PL – permitted with limitations*

*SP – allowed by Special Permit*

## B. Cannabis Establishments, General Conditions

- 1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of cannabis establishments.
- 2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.
- 3) Only one (1) cannabis establishment shall be located within a facility.
- 4) Cannabis Establishments shall only be permitted as principal uses and shall not be allowed as an accessory use to any other permitted or special permit use.
- 5) No portion of any Cannabis Establishment use shall be located in the same building or any portion thereof used for residential purposes.
- 6) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.
- 7) All signage shall comply with Article 121 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.
- 8) No cannabis establishments may be accessed by a drive-in or drive through facility by which a cannabis product in any form is dispensed to patrons within motor vehicles.
- 9) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licensor as may be sanctioned by the State of Connecticut shall be provided to the Zoning Enforcement Officer. The applicant for the Cannabis Establishment use shall be the licensee.
- 10) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

- 11) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.
  - 12) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.
  - 13) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.
  - 14) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.
  - 15) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.
  - 16) Off-street loading spaces for cannabis establishments shall comply with Article 120 of these Regulations.
- C. Cannabis Cultivators, Cannabis Food and Beverage Manufacturers, Cannabis Micro Cultivators and Cannabis Packagers shall be allowed subject to the following additional conditions:
- 1) Said facilities comply with all applicable Site Plan and/or Special Permit standards as indicated in Section 118-1450 and Section 118-1451 of these regulations.
  - 2) Cannabis Cultivators, Cannabis Food and Beverage Manufacturers, Cannabis Micro Cultivators and Cannabis Packagers shall be considered a manufacturing use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.
  - 3) A written odor abatement program describing all odor control and abatement measures installed on the site and within the structure to ensure that cannabis odors do not emanate from the proposed facility.
- D. Cannabis Retailers, Dispensary Facilities and Hybrid Retailers shall be allowed subject to the following additional conditions:
- 1) Within the City, there shall be a maximum of:
    - a. Three (3) Cannabis Retailers; or
    - b. Two (2) Cannabis Retailers and one (1) Cannabis Hybrid Retailer.
  - 2) Said facilities shall be located and accessed from a collector or arterial street.
  - 3) Said facilities shall be located on a parcel that has a minimum lot area of 0.5 acres and a minimum of 100' of lot width.
  - 4) Said facilities shall not be located within a structure that is closer than two hundred (200) feet from any residential zoning district boundary.
  - 5) Said facilities comply with all applicable Special Permit standards as indicated in Section Article 118-1450 of these regulations.
  - 6) Cannabis Retailers, Cannabis Dispensary Facilities and Hybrid Retailers shall be considered a retail use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.
  - 7) Cannabis Dispensary Facilities, Cannabis Hybrid Retailers, and Cannabis Retailers shall operate only between the hours of Monday through Saturday 9:00 AM to 8:00 PM, and on Sundays from 9:00 AM to 5:00 PM.

- 8) No Cannabis Dispensary Facilities, Cannabis Hybrid Retailer, or Cannabis Retailer shall be located within one-thousand (1,000) feet of a child day care center, nursery/pre-kindergarten, kindergarten, elementary or secondary school, college or university, or within five hundred (500) feet of any charitable institution, *including any offices thereof, whether supported by public or private funds*, healthcare facility, municipal building, public park, public recreation area, licensed adult day care center, dependency treatment center, shelter for the homeless, transitional housing facility, or place of worship. The distance shall be measured in a straight line from the nearest legal parcel boundary line of the land used for said purpose to the main pedestrian entrance of the cannabis hybrid retailer or cannabis retailer.

To comply with the distance restrictions in this section, the applicant shall submit an area plan showing the location of the proposed Cannabis Dispensary Facility, Cannabis Hybrid Retailer or Cannabis Retailer, indicating the name and address of any of the uses to which said distance restrictions apply. The area plan shall also include the name, address, and seal of the individual or firm preparing said plan; north point or arrow; graphic scale; and intervening lot lines, roads, driveways, and intersections in sufficient detail for orientation to the area, and any additional information deemed necessary by the Commission to determine compliance with this section. The area plan shall be prepared, signed and sealed by a land surveyor licensed and registered in the State of Connecticut, at a scale of 1" equals 60' or smaller (1"=>60') and drawn in accordance with an applicable Class A-2 Survey which complies with the 1976 code adopted by the CT Association of Land Surveyors, as amended. Area plans shall be drawn on standard sheet sizes of 24"x36" unless otherwise authorized by the Planning and Zoning Department prior to submission.

- 9) No lot, upon which contains a Cannabis Dispensary Facility, Cannabis Hybrid Retailer, or Cannabis Retailer, shall be closer than one (1) mile from another lot, which contains a Cannabis Dispensary Facility, Cannabis Hybrid Retailer, or Cannabis Retailer. The distance shall be measured in a straight line from the nearest legal parcel boundary line of one lot to the nearest legal parcel boundary line of the other lot.
- 10) For up to thirty days after the opening of a Cannabis Retailer or Cannabis Hybrid Retailer, the Commission may require the applicant reimburse the City for reasonable costs incurred for the provision of public safety services in relation to the grand opening of the facility, including, but not limited to, public safety costs incurred to direct traffic, not to exceed fifty thousand dollars.

E. Cannabis Transporters are subject to the following additional conditions:

- 1) Cannabis Transporters located within an industrial zone shall be permitted and subject to the same conditions as Commercial Vehicle parking.
- 2) Said facilities comply with all applicable Site Plan standards as indicated in Article 118-1451 of these regulations.
- 3) Cannabis Transporters shall be considered a warehousing use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.