ZONING REGULATIONS AMENDMENT

Amend the Zoning Regulations as follows. Additions are underlined and deletions are [bracketed] and have a strikethrough. REVISIONS IN RED FROM PH 7.12.2022

SECTION 2. DEFINITIONS

2.B. DEFINITIONS.

Cannabis. Marijuana, as defined in section 21a-240 of the general statutes.

Cannabis establishment. A cannabis producer, cannabis dispensary facility, cannabis cultivator, cannabis micro-cultivator, cannabis retailer, cannabis hybrid retailer, cannabis food and beverage manufacturer, cannabis product manufacturer, cannabis product packager, cannabis delivery service, cannabis transporter or medical marijuana dispensary facility. Cannabis establishments shall be licensed by the State of Connecticut Department of Consumer Protection pursuant to June Special Session Public Act 21-1, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut.

Cannabis cultivator. A facility in which there is a person that is licensed by the State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, to engage in the cultivation, growing and propagation of the cannabis plant indoors within/at an establishment with not less than fifteen thousand square feet of grow space.

Cannabis delivery service. A facility in which there is a person that is licensed by the State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, to deliver cannabis from (A) cannabis micro-cultivators, cannabis retailers and cannabis hybrid retailers to consumers and research program subjects, and (B) cannabis hybrid retailers and cannabis dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in section 21a-408 of the Connecticut General Statutes, or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to chapter 368v of the Connecticut General Statutes that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.

Cannabis dispensary facility. A place of business where cannabis may be dispensed, sold or distributed in accordance with chapter 420f of the Connecticut General Statutes and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the [department] State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, has issued a dispensary facility license under chapter 420f of the Connecticut General Statutes and any regulations adopted thereunder.
Cannabis food and beverage manufacturer. A facility in which there is a person that is licensed by the State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, to own and operate a place of business that acquires cannabis and creates food and beverages.

Cannabis hybrid retailer. A facility in which there is a person that is licensed by the State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, to purchase cannabis and sell cannabis and medical marijuana products.

Cannabis micro-cultivator. A facility in which there is a person licensed by the State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the commissioner. All cultivation, growing, propagation, and storage of the cannabis plant at a micro-cultivator facility shall occur indoors in a fully enclosed building. Cannabis micro-cultivators shall not sell directly to consumers from the facility.

Cannabis producer. A facility in which there is a person that is licensed by the State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, as a producer pursuant to section 21a-408i of the Connecticut General Statutes and any regulations adopted thereunder.

Cannabis product manufacturer. A facility in which there is a person that is licensed by the State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, to obtain cannabis, extract and manufacture products exclusive to such license type.

Cannabis product packager. A facility in which there is a person that is licensed by the State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, to package and label cannabis.

Cannabis retailer. A facility in which there is a person, excluding a dispensary facility and hybrid retailer, that is licensed by the State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, to purchase cannabis from cannabis producers, cannabis cultivators, cannabis micro-cultivators, cannabis product manufacturers and cannabis food and beverage manufacturers and to sell cannabis to consumers and research programs.

Cannabis transporter. A facility in which there is a person licensed by the State of Connecticut Department of Consumer Protection, or other department(s) or licensing board(s) as may be sanctioned by the State of Connecticut, to transport cannabis between cannabis establishments, laboratories and research programs.
SECTION 3. DISTRICT REGULATIONS


Notwithstanding other provisions of these Regulations, the following restrictions shall apply to any use which dispenses or produces medical marijuana, as defined herein.

a. Medical marijuana dispensary facility.

The dispensing or sale at retail of medical marijuana, as defined herein as a medical marijuana dispensary facility, shall be considered a special exception use subject to all provisions of these Regulations governing special exception uses and limited to the CG-20 and CA 80 Zoning Districts in accordance with the Specific Use Regulations specified therein and the following additional requirements. All Connecticut state regulations and laws on the dispensing of medical marijuana shall be adhered to and form the basis for local regulation of medical marijuana sales.

(1) The number of medical marijuana dispensary facilities in Danbury shall be limited to two (2).
(2) Medical marijuana dispensary facilities in Danbury shall not engage in the retail sale of recreational marijuana.
(3) Prior to issuance of a Zoning Permit, the applicant must provide to the Zoning Enforcement Officer a copy of the medical marijuana dispensary facility license issued to the applicant under the authority of the State of Connecticut Commissioner of the Department of Consumer Protection.
(4) No medical marijuana dispensary facility shall be located within 500 feet of a municipal building, public park, public recreation area, licensed adult or child day care center, dependency treatment center, or place of worship, which such use(s) are in existence as of the effective date of this Regulation.
(5) No medical marijuana dispensary facility shall be located within 1,000 feet of any nursery/pre-kindergarten, kindergarten, elementary or secondary school, college or university, whether supported by public or private funds, which such use(s) are in existence as of the effective date of this Regulation.
(6) Vehicular access onto the site shall be provided solely from a collector or arterial street.
(7) Distance requirements are measured as a straight line from the main pedestrian entrance of the proposed medical marijuana dispensary facility to the nearest main pedestrian entrance of said use so referenced in (4) and (5) above.
(8) All other provisions of these Regulations shall be met.

b. Medical marijuana production facility.
The growing of marijuana or the production or manufacture of marijuana products is prohibited in the City of Danbury, regardless of whether such use or activity has received a producer license from the CT Department of Consumer Protection as a medical marijuana production facility.

e. Section 10.J of these Regulations is repealed upon the effective date of the enactment of this Section 3.C.4.

3.C.4. Cannabis Establishments. Cannabis establishments allowed in the City of Danbury shall include cannabis dispensary facilities, cannabis hybrid retailers, cannabis retailers, and cannabis micro-cultivators, as defined in these Regulations. Such cannabis establishments shall be subject to the following additional use requirements. All other cannabis establishments are prohibited.

a. Cannabis establishments herein allowed shall be considered special exception uses subject to all the provisions in this section, Section 10.C., and otherwise provided for within these Regulations.

b. Cannabis establishments shall only be permitted as principal uses and shall not be allowed as an accessory use to any other permitted, special exception, or special permit use.

c. Only one (1) cannabis establishment shall be located within a facility.

d. 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.

e. Cannabis dispensary facilities, cannabis hybrid retailers, and cannabis retailers shall be allowed subject to the requirements of this section and the following additional use restrictions.

(1) In the City of Danbury there shall be approved and/or operating no more than the following uses, including any such nonconforming uses.

(a) Two (2) cannabis hybrid retailers; or

(b) A combination of one (1) cannabis dispensary facility, one (1) cannabis hybrid retailer, and one (1) cannabis retailer.

(2) A cannabis dispensary facility, cannabis hybrid retailer, and cannabis retailer shall only be permitted in the CA-80 and CG-20 Zoning Districts.

(3) Vehicular access onto a lot upon which is located a cannabis dispensary facility, cannabis hybrid retailer, or cannabis retailer shall be provided solely from a collector or arterial street.

(4) 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 3:00 PM.

(5) Distance requirements for cannabis dispensary facilities shall be as follows.

(a) No cannabis dispensary facility shall be located within five-hundred (500) feet of a municipal building, public park, public recreation area, licensed adult or child 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 dispensary facility.

(b) No cannabis dispensary facility shall be located within one-thousand (1,000) feet of any nursery/pre-kindergarten, kindergarten, elementary or secondary school, college or university, or charitable institution including any offices thereof, whether supported by public or private funds. 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 dispensary facility.

(c) No cannabis dispensary facility shall be located within five-hundred (500) feet of a school bus stop. The distance shall be measured in a straight line from the nearest legal parcel boundary line of the land used for the cannabis dispensary facility to the bus stop.

(6) Distance requirements for cannabis hybrid retailers or cannabis retailers shall be as follows.

(a) No cannabis hybrid retailer or cannabis retailer shall be located within one-thousand (1,000) feet of a municipal building, public park, public recreation area, licensed adult or child 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.

(b) No cannabis hybrid retailer or cannabis retailer shall be located within one-thousand (1,000) feet of a nursery/pre-kindergarten, kindergarten, elementary or secondary school, college or university, charitable institution including any offices thereof, whether supported by public or private funds. 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.

(c) No cannabis hybrid retailer or cannabis retailer shall be located within five-hundred (500) feet of a school bus stop. The distance shall be measured in a straight line from the nearest legal parcel boundary line of the land used for the cannabis hybrid retailer or cannabis retailer to the bus stop.

(d) The nearest legal parcel boundary line of the land proposed to be used for a cannabis hybrid retailer or cannabis retailer shall be no closer than two hundred (200) feet from any residential zoning district boundary.
f. Cannabis micro-cultivators shall be allowed subject to the requirements of this section and the following additional use restrictions.

   (1) At no time in the City of Danbury shall there be approved and/or operating more than one (1) cannabis micro-cultivator.
   (2) A cannabis micro-cultivator shall only be permitted in the IL-40 and IG-80 Zoning Districts.
   (3) Cannabis micro-cultivators shall be considered an industrial use for the purpose of calculating the required number of off street parking spaces pursuant to Section 8.C.4 of these Regulations.
   (4) Distance requirements for cannabis micro-cultivators shall be as follows.
       (a) No cannabis micro-cultivator shall be located within one-thousand (1,000) feet of a municipal building, public park, public recreation area, licensed adult or child day care center, dependency treatment center, shelter, 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 micro-cultivator.
       (b) No cannabis micro-cultivator shall be located within one-thousand (1,000) feet of any nursery/pre-kindergarten, kindergarten, elementary or secondary school, college or university, or charitable institution including any offices thereof, whether supported by public or private funds. 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 micro-cultivator.
       (c) No cannabis micro-cultivator shall be located within one-thousand (1,000) feet of a school bus stop. The distance shall be measured in a straight line from the nearest legal parcel boundary line of the land used for the cannabis micro-cultivator to the bus stop.
       (d) The nearest legal parcel boundary line of the land proposed to be used for a cannabis micro-cultivator shall be no closer than one-thousand (1,000) feet from any residential zoning district boundary.

   g. No lot upon which is located a cannabis establishment shall be closer than one (1) mile from a lot upon which there is another cannabis establishment. 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.
   h. All signage shall comply with Section 8.E. of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection.
   i. Site lighting, including lighting on the cannabis establishment, shall comply with Section 8.C.7 of these Regulations.
   j. Refuse areas for cannabis establishments shall be screened from view pursuant to Section 3.G.6. of these Regulations. Refuse areas and containers shall be locked to prevent unauthorized entrance.
k. Off-street loading spaces for cannabis establishments shall comply with Section 8.C.5 of these Regulations.

l. No portion of any cannabis establishment use shall be located in the same building or any portion thereof used for residential purposes.

m. Cannabis establishments shall not be permitted on lots which, in whole or in part, border on Main Street/State Route 53 in Danbury.

n. 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.

o. No cannabis shall be applied, ingested, or consumed inside or on the premises of a cannabis dispensary facility, cannabis hybrid retailer, cannabis retailer, or cannabis micro-cultivator.

p. In addition to the site plan requirements in Section 10.D., applications for cannabis establishments must comply with the following requirements.

1. No waiver to site plan requirements shall be allowed for any cannabis establishment.

2. All transfers of ownership or license issued by the State of Connecticut Department of Consumer Protection shall also require special exception and site plan approval from the Planning Commission. For all transfers of State-issued existing licenses or new licenses, which transfer does not result in a change in the site plan for the underlying special exception approval, the transferee shall provide written notification of the State approval of the transfer to the Planning Commission. That notification shall be provided no later than 15 days after approval of the license transfer or issuance. The notification shall include the following: (1) a written statement, on a form provided by the Commission, signed by the transferee, stating that the transferee has reviewed the applicable regulations and the terms and conditions of the grant of special exception and site plan approval and agrees to be bound thereby; and (2) a copy of the final license to the transferee to operate the cannabis establishment from the State or its sanctioned licensing board. If a bond or other security obligation is in place, the transferee shall also submit proof acceptable to the Commission that the transferee has assumed such obligation, or shall provide such substitute security as may be acceptable to the Commission. Any changes in the site plan shall be governed by Section 10.D.7.

3. 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.

4. 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, cannabis retailer, or cannabis micro-cultivator and identify, by name and address, any of the uses to which said distance restrictions apply. The area plan shall include the name, address and seal of the individual or firm preparing the 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 Planning Commission.
Commission to determine compliance with Section 10.C.4.a. 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 Department of Planning and Zoning prior to submission.

(5) To ensure that the safety and cleanliness of the cannabis establishment premises and vicinity are maintained and that the operation of the use does not result in any detectable impacts beyond the physical limits of the building or structure containing the cannabis establishment, application for cannabis establishments shall also include:

(a) 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.

(b) A written property management program to ensure that all such outdoor space on the premises, including parking areas, and all abutting public sidewalks are kept clear of litter and cleaned daily within four (4) hours of closing.

(c) 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 his/her 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 10 Article III of the Code of Ordinances, as amended.

(6) Each application for a grant of special exception and site plan approval shall include a Traffic Impact Analysis prepared in accordance with Section 10.D.11. Trip generation for cannabis dispensaries, hybrid retailers, and retailers shall be calculated for Land Use Code 882 from the Institute of Traffic Engineers Trip Generation Manual 10th edition, as may be amended. Trip generation for cannabis micro-cultivators shall be calculated pursuant to Section 10.D.11.

q. 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.

r. The Planning Commission in approving a special exception may impose such reasonable conditions as will ensure compliance with these Regulations.

s. All other conditions of these Regulations shall be met.

t. No variance shall be granted to allow a cannabis establishment in any other zoning district.
u. No variance shall be granted from any of the general or specific use regulations pertaining to a cannabis establishment as noted in this section or as may be applicable pursuant to said use as contained in any other section of these Zoning Regulations.

SECTION 5. COMMERCIAL DISTRICTS

5.A. GENERAL COMMERCIAL DISTRICT: CG-20


b. Special Exception Uses.

(1) Adult business uses. See Section 5.A.5.a.
(2) Automobile service station; service garage. See Section 3.E.9.
(3) Bus station.
(6) Congregate housing. See Section 5.A.5.c.
(7) Continuing care facility. See Section 5.A.5.d.
(8) Contractor’s offices, including general, building, electrical, HVAC, landscaping, and mechanical. See Section 3.E.4.
(9) Convenience market.
(10) Day care center.
(11) Driving school.
(12) Hospital.
(13) Indoor theater.
(14) Medical marijuana dispensary facility in accordance with Sections 3.C.4. and 5.A.5.f.
[Eff. 6/17/2020]
(15) Medical office.
(16) Nursing home. See Section 5.A.5.e.
(17) Restaurant, fast food.
(18) Water storage facility.

5.A.5.

[f. Medical marijuana dispensary facility. [Eff. 06/17/20]}

(1) Medical marijuana dispensary facilities shall not be permitted on lots which, in whole or in part, border on Main Street/State Route 53 in Danbury.
(2) No medical marijuana dispensary facility use may be accessed by a drive-in or drive through facility by which said medical marijuana is dispensed to patrons within motor vehicles.]
5.B. ARTERIAL COMMERCIAL DISTRICT: CA-80

5.B.2. Uses.

b. Special Exception Uses.

(1) Automobile service station; service garage. See Section 3.E.9.
(2) Bus or limousine terminal.
(3) Bus Station.
(6) Congregate housing. See Section 5.B.5.b.
(7) Continuing care facility. See Section 5.B.5.c.
(8) Contractor’s offices, including general, building, electrical, HVAC, landscaping, and mechanical. See Section 3.E.4.
(9) Convenience Market.
(10) Day care center.
(11) Driving school.
(12) Hospital.
(13) Indoor shooting range. See Section 5.B.5.d. [Eff. 10/20/2011]
(14) Indoor theater, stadium, auditorium. [Rev. 5/2/2015]
(15) Medical marijuana dispensary facility in accordance with Sections 3.C.4. and 5.B.5.f. [Eff. 06/17/2020]
(16) Medical office.
(17) Nursing home. See Section 5.B.5.e.
(18) Storage or sale of building materials or landscape materials. See Section 3.E.4.
(20) Truck terminal, warehouse, moving and storage establishment; self-service storage. See Section 6.C.3.
(21) Water storage facility.
(22) Wholesale distributor. See Section 6.C.3.

5.B.5. Specific Use Regulations: Special Exception Uses

[f.—Medical marijuana dispensary facility. [Eff. 06/17/2020]

(1) Notwithstanding the provisions of Section 5.B.3.b., no medical marijuana dispensary facility use may be accessed by a drive-in or drive-through facility by which said medical marijuana is dispensed to patrons within motor vehicles.]
SECTION 6. INDUSTRIAL DISTRICTS

6.A. LIGHT INDUSTRIAL DISTRICT: IL-40


b. Special Exception Uses

(1) Airport.
(2) Airport passenger terminal, aircraft hanger and storage space, aircraft maintenance shops, rental facilities, or flight instruction facilities. See Section 6.A.5.a.
(4) Bus terminal; school bus terminal. See Section 6.A.5.c.
Renumber all other uses consecutively.

6.B. GENERAL INDUSTRIAL DISTRICT: IG-80


b. Special Exception Uses

Renumber all other uses consecutively.

SECTION 8. SUPPLEMENTAL REGULATIONS

8.C OFF-STREET PARKING AND LOADING

8.C.4. Amount of Parking Required

c. Business Uses, except automotive, institutional uses.

(15) Cannabis dispensary facility, cannabis hybrid retailer, cannabis retailer
1 per 140 sq. ft. of usable gross floor area

SECTION 10. ADMINISTRATION AND ENFORCEMENT

10.J. [TEMPORARY MORATORIUM]
A. The Zoning Commission has determined that the following uses may have the potential to impair the health, safety and welfare of the residents of Danbury, and that a temporary limited moratorium is needed to properly consider the development of restrictions and standards for the implementation, establishment and/or prohibition of these uses.

B. Identified Uses Subject to the Moratorium.

1. Cannabis establishment
2. Cannabis cultivator
3. Cannabis delivery service
4. Cannabis dispensary facility
5. Cannabis food and beverage manufacturer
6. Cannabis hybrid retailer
7. Cannabis micro-cultivator
8. Cannabis producer
9. Cannabis product manufacturer
10. Cannabis product packager
11. Cannabis retailer
12. Cannabis transporter
13. Medical marijuana dispensary facility

C. Justification.

On June 22, 2021, Governor Lamont signed legislation entitled the “Responsible and Equitable Regulation of Adult-Use Cannabis Act” (“RERACA”), Public Act “pending, to be inserted,” effective in all pertinent respects on July 1, 2021, regulating the cultivation, production, processing, distribution, sale, possession and use of cannabis.

RERACA comprises 297 pages and 175 sections, and sets forth, among other things, detailed requirements strictly controlling administration of Connecticut’s program for adult-use cannabis purposes.

Section 148(b) of RERACA provides:

(b) Any municipality may, by amendment to such municipality’s zoning regulations or by local ordinance, (1) prohibit the establishment of a cannabis establishment, (2) establish reasonable restrictions regarding the hours and signage within the limits of such municipality, or (3) establish restrictions on the proximity
of cannabis establishments to any of the establishments listed in subsection (a) of subdivision (1) of section 30.46 of the general statutes. The chief zoning official of a municipality shall report, in writing, any zoning changes adopted by the municipality regarding cannabis establishments pursuant to this subsection to the Secretary of the Office of Policy and Management and to the department not later than fourteen days after the adoption of such changes.

—— Section 148(c) of RERACA provides:

(c) Unless otherwise provided for by a municipality through its zoning regulations or ordinances, a cannabis establishment shall be zoned as if for any other similar use, other than a cannabis establishment, would be zoned.

—— Section 148(e) of RERACA provides that until June 30, 2024, no municipality shall grant zoning approval for more retailers or multi-cultivators than a number that would allow for one retailer and one micro-cultivator for every twenty-five thousand residents of such municipality, as determined by the most recent decennial census.

—— In order for the Zoning Commission to properly evaluate RERACA and to consider the adoption of amendments to the Zoning Regulations of the City of Danbury for local control of these uses, with a goal of maintaining and protecting the public health, safety and welfare of the residents of the community, a moratorium on the acceptance of any application, amendment, petition or permit for or relating to the uses or establishments described above is proposed.

—— The complexity of RERACA and the controls adopted therein to carefully regulate these uses at the state level supports the premise that such uses also should be carefully controlled at the local level. The proposed moratorium is therefore justified.

—— D. Application or Petition for Zoning Approval.

—— No application or petition for a cannabis establishment as defined in these Regulations or for any amendment to these Regulations pertaining to a cannabis establishment shall be accepted, and no zoning permit or other zoning approval for any such establishment or amendment shall be issued, in any zoning district in the City of Danbury during the effective period specified in subsection E. below.

—— E. Effective Date and Expiration.

—— The effective date of this moratorium is the date of publication of the adoption of this amendment to the Zoning Regulations of the City of Danbury by the Zoning Commission together with the filing of this amendment with the Town Clerk, beginning on July 29, 2021, and the moratorium shall expire one calendar year later ending on July 29, 2022, or upon future action by the Zoning Commission, whichever date comes first.

—— F. Exclusions.

—— There are no exclusions under this amendment.]
11.B. VARIANCES

   f. No variance shall be granted to allow a cannabis establishment in any zone other
      than noted in Section 3.C.4.

   c. No variance shall be granted by the Zoning Board of Appeals for any provision of
      Section 3.C.4.

May 16, 2022
REV 7.13.2022