

Cannabis Regulations - edits from 7/27/22 meeting:

- Created subsections 5.3-A Uses Permitted and 5.3-B Special Permit.
- Removed 5.3-A #10, created 5.3-B #1 to allow Cannabis Food and Beverage Manufacturer.
- Removed 7.2 Uses Permitted #9 and #10.
- Edited 7.3 Special Permit #13 to allow Cannabis Cultivator, Cannabis Micro-Cultivator, Cannabis Product Manufacturer, Cannabis Food and Beverage Manufacturer, and Cannabis Product Packager (of any size).
- Edited 5.7-2-J #3, 6.3-10 #3, and 7.3-14 #3 “Require plans for...” to include hours of operation.

To do:

- Amend LSIA to remove FD and AC.
- Add State definitions to regulations.

Colchester Planning and Zoning Commission
Proposed Cannabis Regulation Amendments - V2

5.0 TOWN CENTER AND WESTCHESTER VILLAGE DISTRICTS (TC OR WV)

5.3-A USES PERMITTED

The following uses shall be permitted in the TC or WV Districts subject to all applicable requirements of these Regulations:

1. Single-family, two-family or multi-family residential development and associated accessory structures and uses;
2. Commercial development except auto related uses (sales, service, repair, parts) and oil, propane sales/service;
3. Office development except construction/landscaping service that stores equipment and materials. Administrative offices of construction/landscaping operations are permitted.
4. Service Development;
5. Religious facilities and Educational Institutions;
6. Family day care homes, as defined by CGS Section 19a-77(a)(3) and licensed pursuant to CGS Section 19a-87b, are permitted in all Single-Family, Two-Family or Multi-Family Dwellings. Other day care and nursery school uses are permitted through the approval of a Special Permit.
7. Municipal facilities;
8. Hotel/Motel;
9. Mixed uses, provided that the ground floor of a mixed use Building (any combination of retail, office, and residential) shall be occupied by non-residential uses only. Parcels registered as historic can utilize rear sections of the ground floor for residential uses

5.3-B SPECIAL PERMIT

The following uses are eligible for Special Permit in the TC or WV Districts after consideration and approval from the Commission:

1. Cannabis Food and Beverage Manufacturer

5.7 WESTCHESTER VILLAGE DISTRICT

This district is intended to recognize and encourage development and redevelopment of the commercial patterns at the intersection of RT 16 and 149. This district is intended to meet many of the village needs for basic retail shopping, tourism, and local services. The district also recognizes and reflects the significant rural Commercial Use of the Village. Uses in this district will utilize the standards in Section 5.7 only and not the other requirements of Section 5.

The following standards apply to development in the Westchester Village District:

1. Permitted Uses, subject to all applicable requirements of these Regulations:
 - A. Single-family, two-family or multi-family residential development and associated accessory structures and uses.

2. Special Permit Uses

The following are eligible for Special Permit after consideration and approval from the Commission:

- A. Commercial development excepting auto related uses (sales, service, repair, parts) and oil, propane sales/service.
- B. Automobile gasoline stations
- C. Automobile service/repair
- D. Marine dealership and repair
- E. Office development except construction/landscaping services that store equipment and materials. Administrative offices of construction/landscaping operations are permitted.
- F. Service Development
- G. Religious facilities and Educational Institutions
- H. Municipal facilities
- I. Mixed uses, provided that the ground floor of a mixed use Building (any combination of retail, office, and residential) shall be occupied by non-residential uses only. Parcels registered as historic can utilize rear sections of the ground floor for residential uses.

J. Cannabis Retailer and Hybrid Retailer, subject to the following provisions:

- 1. Establishment shall be no less than 500 linear feet from a school, daycare or playground measured from the nearest property line of such establishment to the area reasonably considered to be a functional use of the school, daycare or playground as determined by the Commission.
- 2. On-site consumption is prohibited.
- 3. Require plans for traffic management, security, hours of operation and any additional information reasonably necessary to determine the suitability of the proposed site for the use.

- 3. Minimum Lot size – 40,000 square feet
- 4. Maximum Height – Thirty (30) feet or two (2) stories
- 5. Maximum residential Density – Four (4) Dwelling Units/acre unless serviced by centralized sewer/water that is shown to have capacity to support development proposed. If the capacity of water/sewer is demonstrated, the Density can exceed four (4) Dwelling Units/acre to a maximum of six (6) Dwelling Units/acre.
- 6. Minimum Lot Frontage – Seventy-five (75) feet
- 7. Minimum side and rear Yard – No side or rear Yard is required between abutting Lots where both are used for commercial purposes. Where a Lot abuts a strictly residential use and not a mixed or non-residential use, ten (10) foot yard shall be maintained, which Yard shall not be used for parking, loading or storage.
- 8. Maximum Building Coverage – Thirty-five percent (35%) of the Buildable Area
- 9. Maximum Impervious Coverage – Fifty percent (50%) of the Buildable Area
- 10. Performance Requirements – The following standards relate to features/approaches that must be addressed in permitting development within the Westchester Village District.

- A. Pedestrian and Bicycle Access – Provision for safe and convenient pedestrian access shall be incorporated into plans for new construction of Buildings, enlargement or substantial redevelopment/renovation and development of improved parking areas and should be designed in concert with landscaping plans as required.
- B. Landscaping – Landscaping shall be incorporated into new and redeveloped properties in such a way as to create visual diversity and interest, to provide shade for pedestrian areas and to screen parking and loading areas. As the Westchester Village District is a small location within a rural area, landscaping and the treatment of Open Space on all developed sites are important. Landscape plans shall be prepared by a registered landscape architect or may be accepted, where the plans submitted are found to be consistent with the intent of this Regulation and meet the specific guidelines as set forth herein. Landscape plans shall show the location, type, and size of all proposed plantings as well as enough of the surrounding context such that the Commission may determine the plan's appropriateness. A landscaping maintenance agreement may be required as a condition of approval.
- C. Side Yard Treatment
 - 1. Where the distance between structures on adjacent Lots is ten (10) feet or less, the side Yard shall be screened by a solid fence, wall or Landscape treatment of Evergreen plantings at a height not to exceed three (3) feet.
 - 2. Where the distance between structures on adjacent Lots is greater than ten (10) feet, landscaping shall consist of a combination of materials sufficient to break up the view into the side Yard.
 - 3. Side Yards may, in the alternative, be established as pedestrian walkways to access parking areas to the rear of the Building. Such walkways shall be landscaped and lighted for safety.

11. Design Regulations

- A. Articulation – New and redeveloped Buildings should reinforce the rural character of the existing streetscape by utilizing Open Spaces and landscaping.
- B. Parking associated with an individual use shall, to the greatest extent feasible, be located behind structures or otherwise fully screened from Street view.
- C. Low impact development drainage and paving schemes are encouraged.

6.0 FUTURE DEVELOPMENT DISTRICT (FD)

6.3 SPECIAL PERMIT

The following uses are permitted by Special Permit in the FD District provided they are served by public water and public sewer, derive access from internal Roads rather than existing Collector or Arterial Roads, and use best management practices to protect water quality.

- 1. Warehouse, storage and distribution facilities, except not to include Mini Storage Facilities.
- 2. Light Manufacturing or assembly conducted entirely within a Building, such as computer or electronic components and equipment, and light industrial machinery or equipment and sub-assemblies for commercial applications.

3. Hotel, Motel or banquet facility.
4. Retail businesses with a total gross floor area that exceeds 200,000sf.
5. Mixed Use Development including multi-family residential development of no more than seventy-five (75) total units on a Parcel. No more than four hundred (400) additional residential units will be permitted in all of the FD District. When the total of Multi-Family Dwelling Units permitted meets this threshold, there shall be no additional residential units permitted under this Section.
6. Movie Theater.
7. Municipal facilities.
8. Day care and nursery school uses in accordance with Section 8-9 of these Regulations.
- ~~9. Cannabis Cultivator, Cannabis Micro-Cultivator, Cannabis Product Manufacturer, Cannabis Food and Beverage Manufacturer, and Cannabis Product Packager~~
- ~~10. Cannabis Retailer and Hybrid Retailer, subject to the following provisions:~~
 - ~~1. Establishment shall be no less than 500 linear feet from a school, daycare or playground measured from the nearest property line of such establishment to the area reasonably considered to be a functional use of the school, daycare or playground as determined by the Commission.~~
 - ~~2. On-site consumption is prohibited.~~
 - ~~3. Require plans for traffic management, security, hours of operation and any additional information reasonably necessary to determine the suitability of the proposed site for the use.~~

7.0 ARTERIAL COMMERCIAL USE (AC)

7.2 USES PERMITTED – The following uses are permitted in the AC, subject to all applicable requirements of these Regulations:

1. Agriculture
2. Public or private recreation and Open Space
3. Retail uses under 20,000 square feet
4. Business Services
5. Repair services including auto, boat and truck without outdoor storage or activity that utilize no more than two (2) acres
6. Light industrial under 20,000 square feet
7. Restaurant without drive through
8. Bed and Breakfast

7.3 SPECIAL PERMIT USES IN ARTERIAL COMMERCIAL DISTRICT

The following uses are permitted by Special Permit in the AC, subject to all applicable requirements of these Regulations:

1. Construction Services including staging and equipment storage (except salvage and wrecking services)
2. Auto dealership and repair including outdoor storage and/or activity
3. Manufacture and assembly
4. Retail uses over 20,000 square feet if serviced by municipal water and sewer
5. Public utility structures
6. Private Warehousing and storage including Mini Storage Facilities
7. Wholesale storage and distribution uses if serviced by municipal water
8. Light industrial uses over 20,000 square feet
9. Hotel/Motel
10. Banquet, conference and convention facilities
11. Restaurant with drive through
12. Gasoline stations provided that the site is adjacent to a transportation interchange and no portion of the lot is within the Town Aquifer Protection Area, in accordance with Section 9.2.1, and/or within the Town Aquifer Protection Zone. See Section 9.2.2.
- ~~13. Cannabis Cultivator, Cannabis Micro-Cultivator, Cannabis Product Manufacturer, Cannabis Food and Beverage Manufacturer, and Cannabis Product Packager~~
- ~~14. Cannabis Retailer and Hybrid Retailer, subject to the following provisions:
 - ~~1. Establishment shall be no less than 500 linear feet from a school, daycare or playground measured from the nearest property line of such establishment to the area reasonably considered to be a functional use of the school, daycare or playground as determined by the Commission.~~
 - ~~2. On-site consumption is prohibited.~~
 - ~~3. Require plans for traffic management, security, hours of operation and any additional information reasonably necessary to determine the suitability of the proposed site for the use.~~~~