

TOWN OF NEWINGTON

200 Garfield Street Newington, Connecticut 06111

Town Planner

Memorandum

To: Town Plan and Zoning Commission
From: Town Planner Renata Bertotti, AICP
Date: January 05, 2022
Subject: **Petition #50 – 21, Zoning Text Amendment (Sec. 6.16) to allow medical marijuana dispensary facilities and production facilities, adult-use cannabis cultivator, and micro-cultivator in the PD zone and to allow adult-use cannabis retailer, hybrid retailer, and medical marijuana dispensary facilities in the PD and B zones, Applicant/Contact: Newington TPZ**

We are proposing an amendment to the Town of Newington Zoning Regulations to allow, under the provisions currently governing sale and production of medical marijuana (Section 6.16 of the zoning regulations), medical marijuana dispensary facilities and production facilities, adult-use cannabis cultivator, and micro-cultivator in the PD zone and to allow adult-use cannabis retailer, hybrid retailer, and medical marijuana dispensary facilities in the PD and B zones.

The TPZ had requested we review other areas of town in which we could consider expanding recently adopted cannabis uses listed above. During our recent conversations some of the suggested zones were the PD (Planned Development) and B (Business) zones.

Few things to consider:

1. The property zoned PD at 1170 Main Street which lies within the center of Town. This parcel is mainly surrounded by the B-TC (Business Town Center) zone but is also quite close to residential properties as well. Some of these potential issues may be resolved by the separation requirements as currently in effect in section 6.16.4. Currently no production, cultivator, or micro-cultivator facility is allowed on a site that is less than 100' from any residential zoned property. Our regulations define Cultivator and Micro-Cultivator as follows:

“Cultivator” means a person that is licensed to engage in the cultivation, growing, and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.

“Micro-cultivator” means a person licensed 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 of Consumer Protection.

2. Separation distances: if we are expanding the uses into B and PD zone, are the below separation distances still appropriate?

6.16.4 Separation Requirements. Uses identified in this section shall be subject to the following separation restrictions:

- A. No medical marijuana production, or adult-use cannabis cultivator or micro-cultivator facility shall be allowed within 100 feet of a church, temple or other place used primarily for religious worship, public building, private recreation area, or a school, playground, park or child day care facility;
- B. No medical marijuana production facility, or adult-use cannabis cultivator or micro-cultivator facility shall be allowed on a site that is less than 100 feet from any property that is zoned for single-family residential use as a permitted use;
- C. No medical marijuana dispensary facility or production facility, or adult use cannabis retailer, hybrid-retailer, cultivator, or micro-cultivator facility shall be allowed within the same building, structure or portion thereof that is used for residential purposes, or that contains another medical marijuana dispensary, production facility, or adult use cannabis retail, hybrid retail, cultivator or micro-cultivator facility;
- D. No adult-use cannabis retail or hybrid-retail shall be located less than 500 feet from another adult-use cannabis retail or hybrid-retail. Distance shall be measured from the radius of the front door to front door of each establishment.
- E. All distances contained in this section, other than those specified in the subsection “D” above shall be measured by taking the nearest straight line between the respective lot boundaries of each site.

Some of the PD and B zone parcels do fall within the “Key Opportunity” areas as shown in the POCD in the Economic Development section. Expanding this type of use into these

zones would, in my opinion, meet goals of economic development as noted in the POCD such as;

“Support development of a wide range of commercial / industrial uses to maintain a strong tax base without adversely impacting residential area”

“Promote reuse and redevelopment of existing properties, where appropriate, to take advantage of good locations and utility services” (page 55)

“Continue efforts to attract new businesses and industries to Newington” (page 56)

cc:
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