

**Town of Cornwall, CT**

**Memorandum regarding Commission petitioned 12-month Moratorium on Adult Recreational Cannabis**

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Issued to P&Z for its Regular Meeting on October 11, 2022

Background:

Due to the recent legalization of adult-recreational cannabis in Connecticut ([PA 21-1](#)) provided by the Responsible and Equitable Regulation of Adult Recreational Cannabis Act (“RERACA”) and a later amendment [Public Act 22-103](#), An Act Concerning Cannabis, the Town of Cornwall Planning & Zoning Commission is proposing a **temporary and limited moratorium on cannabis establishments**. The purpose of the moratorium is to give the Planning & Zoning Commission time to discuss and develop specific regulations related to the potential sale and cultivation of adult recreational cannabis in the Town of Cornwall. During a moratorium, applicants cannot apply for local zoning approvals associated with adult recreational cannabis. A moratorium acts as a short-term “freeze” on a particular type of development while the P&Z determines what steps should be taken to amend their regulations in response to the new state legislation.

Timeline & process:

Procedurally, the passing of a moratorium follows the same approval process as Commission-petitioned text amendment. Pursuant to statutes, the P&Z proposal to enact a limited and temporary moratorium was publicly noticed and is subject to a public hearing. The proposed moratorium shall include an effective date and a date that it expires. The moratorium proposal shall be filed with the Town Clerk. If it gets enacted, the Town of Cornwall shall report this action to the Office of Policy & Management (OPM) within fourteen (14) days of its action.

The proposed text to be inserted into the opening of the Town of Cornwall Zoning Regulations (before Article I), is as follows:

**TEMPORARY AND LIMITED MORATORIUM ON CANNABIS ESTABLISHMENTS**

**Statement of Purpose.** This section has been adopted to provide the Town of Cornwall Planning & Zoning Commission with the time necessary to consider adoption of potential changes to the Zoning Regulations pursuant to Chapter 124 Section 8-2 of the Connecticut General Statutes and more specifically Public Act 21-1, as amended. The Connecticut General Assembly approved [PA 21-1](#) on June 22, 2021 and subsequently released [Public Act 22-103](#). Said Act contains provisions allowing municipalities to prohibit or place reasonable restrictions on cannabis establishments.

This temporary and limited moratorium will be adopted to provide the Town with the time necessary to develop regulations for cannabis establishments that meet statutory responsibilities and promote the public’s general health, safety, and welfare.

**Definitions.** The terms cannabis and cannabis establishments shall have the meanings established in Section 1 of Public Act 21-1: An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis and Public Act 22-103, as amended. The moratorium shall include all cannabis establishment license types (14) associated with growing, manufacturing, sales, and delivery transportation, which are as follows:

***Growing***

- [Cultivator](#) – Grows cannabis for medical and adult use. At least 15,000 square feet of grow space is required for this license type.

- [Micro-cultivator](#) – Grows cannabis for medical and adult use. Between 2,000 and 10,000 square feet of grow space, prior to any expansion authorized by the commissioner. May apply for an expansion of grow space in increments of 5,000 square feet per year.
- [Producer](#) – Grows cannabis for medicinal use. No additional licenses for producers will be issued at this time. Producers interested in growing cannabis for adult-use may apply to convert their license to an expanded producer license.

### ***Manufacturing***

- [Product Manufacturer](#) – Performs cannabis extraction, chemical synthesis and permitted manufacturing activities.
- [Food and Beverage Manufacturer](#) – Incorporate cannabis into food or beverage intended for human consumption.
- [Product Packager](#) – Labels and packages cannabis in compliance with state statutes, regulations and policies.

### ***Sales***

- [Retailer](#) – Sells cannabis only to consumers for adult-use.
- [Hybrid Retailer](#) – Sells cannabis to consumers for adult-use and to qualifying patients and caregivers for medical use.
- [Dispensary Facility](#) – Sells cannabis only to qualifying patients and caregivers for medical use. No additional dispensary facility licenses will be issued at this time. Existing dispensary facilities may apply to convert their license to a hybrid retail license to allow for the sale of both adult-use and medical marijuana.

### ***Delivery and Transportation***

- [Delivery Service](#) – Delivers cannabis from cannabis establishments to consumers, qualifying patients and caregivers, as applicable.
- [Transporter](#) – Delivers cannabis between cannabis establishments, laboratories, and research programs.

**Applicability.** During this temporary and limited moratorium, cannabis establishments shall be prohibited in the Town of Cornwall and no applications shall be received by the Planning & Zoning Commission or its agent to permit a cannabis establishment of any kind.

**Effective Date/Term.** The Commission favors a twelve (12) month moratorium, which shall become effective on Nov 1, 2022 and shall remain in effect for a period of twelve (12) months until Nov 1, 2023.

**Next Steps.** During the months that the moratorium is in place, the Planning & Zoning Commission will be working to update its current Zoning Regulations to respond to the adult recreational cannabis legislation. They will use this time to address legislative updates relative to the production and retail opportunity of cannabis. The new legislation authorizes municipal governments to regulate certain aspects of cannabis locally, including:

- Prohibition of cannabis establishments
- Establishment of reasonable restrictions on hours and signage
- Placement of proximity restrictions on cannabis establishments from schools, charitable institutions, hospitals, veteran’s homes, and/or military barracks.

Legal cannabis establishments will be licensed by the CT Department of Consumer Protection but must also receive municipal zoning approval.