

# Adult Recreational Cannabis, Land-use & Cornwall



## BACKGROUND

In 2021, State Legislators passed RERACA- An Act Concerning RESPONSIBLE and EQUITABLE REGULATION of ADULT-USE CANNABIS (PA 21-1), which was later amended by An Act Concerning Cannabis (PA 22-103).

This law legalized the adult-use of recreational cannabis in the State of Connecticut.

In 2012, PUMA was passed in CT, which enabled the PALLATIVE USE of MARIJUANA.

Federal law classifies marijuana as an illegal controlled substance and categorically prohibits the use of marijuana for any purpose.



## Local Background:

This legislation enabled new license types to be issued by the CT Department of Consumer Protection (DCP).

These licenses need state approvals and local zoning approvals (much like liquor licenses).

The Town of Cornwall Planning & Zoning Commission enacted a **moratorium** on all adult recreational cannabis license types for a twelve (12) month period.

That moratorium is set to expire on November 1, 2023.

# What license types have been enabled by these new laws?

The cannabis establishment license types enabled by state law include:

## **GROWING:**

Cultivator  
Micro-cultivator  
*Producer*

## **MANUFACTURING:**

Product Manufacturer  
Food & Beverage Manufacturer  
Product Packager

## **SALES:**

Retailer  
*Hybrid Retailer*  
*Dispensary Facility*

## **DELIVERY:**

Delivery Service  
Transporter

## Which license types are available?

The cannabis establishment license types enabled by state law, which are subject to local land-use decision making include:

### **GROWING:**

**Cultivator** - a person that is licensed to engage in the cultivation, growing, propagation of the cannabis plant in an establishment with not less than 15,000 square feet of grow space.

**Micro-cultivator** - A person that is licensed to engage in the cultivation, growing, propagation of the cannabis plant in an establishment containing not less than 2,000 and not more than 10,000 square feet of grow space, prior to any expansion authorized the by the Commissioner.

**Producer** - A person licensed to grow cannabis for medicinal use. No additional licenses for producers will be issued by the state at this time.

## Which license types are available?

### MANUFACTURING:

**Product Manufacturer** - A person that is licensed to obtain cannabis, extract, and manufacture products exclusive to such license type.

**Food & Beverage Manufacturer** - Person that is licensed to own and operate a place of business that acquires cannabis and incorporates it into food or beverage intended for human consumption.

**Product Packager** - A person licensed to package and label cannabis in compliance with state statutes, regulations, and policies.

## Which license types are available?

### SALES:

**Retailer** - A person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers, and food & beverage manufacturers, and to sell cannabis to consumers and research programs.

*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. No additional dispensary facility licenses will be issued at this time.

## Which license types are available?

### **DELIVERY:**

*Delivery Service* - a person that is licensed to deliver cannabis from micro-cultivators, retailers, and hybrid retailers to consumers and research subjects or delivers cannabis from cannabis establishments to qualifying patients and caregivers, as applicable.

*Transporter* - a person licensed to transport cannabis between cannabis establishments, laboratories, and research programs.



## What is the role of the local P&Z?

The new legislation authorizes local Planning & Zoning Commissions to regulate certain aspects of cannabis, including:

1. **Prohibition:** P&Z Commissions can prohibit most license types in all zones by adoption of a zoning regulation amendment. However (in accordance with PA 21-1): *No municipality shall prohibit the delivery of cannabis to a consumer and/or prohibit the transport to, from, or through any municipality by any person licensed or registered pursuant to RERACA to transport cannabis.*
2. **Restriction on hours**
3. **Restriction on signage**
4. **Place proximity restrictions** on cannabis establishments from schools, charitable organizations, hospitals, veterans' homes, and/or military barracks.

# Town of Cornwall, CT Zoning Map

