

Amendment to the New Milford Zoning Regulations

Adopted: July 12, 2016

Effective: August 1, 2016

New Options Healing, LLC, Application to the Amend the New Milford Zoning Regulations, Chapter 45, General Business Zone, Section 045-020(3): Special Permit Uses, to add subsection (v) “Medical Marijuana Dispensary Facility, provided the proposed location is not within 1,000 feet of any school, daycare, place of worship, or single or multifamily dwelling” as a permitted use in the B-2 zone.

CHAPTER 45 GENERAL BUSINESS ZONE (B-2)

Section 045-010 Purpose

The purpose of this zone is to provide for general business uses, including those uses permitted in the B-1 Restricted Business Zone, as well as general commercial and light industrial uses.

Section 045-020 Permitted Uses

No building or other structure shall be constructed, reconstructed, expanded or altered, and no use of land, buildings or other structures shall be established, altered or expanded except in conformity with these regulations.

1. All uses as noted in Section 040-020 may be permitted subject to the same conditions as noted in that section.
2. The following additional uses are allowed as a matter of right in the B-2 zone subject to site plan approval in accordance with the provisions of Chapter 175, and issuance of a zoning permit by the zoning enforcement officer.
 - a. Wholesale sales office or sample room.
 - b. Garage for auto customizing, with all vehicles to be customized stored inside.
 - c. Garage for the repair of motor vehicles, with no outside storage of motor vehicles which have been brought to the facility for repair.
3. Special Permit Uses: The following uses or substantial additions or changes to existing uses may be permitted subject to acquisition of a special permit and site plan approval in accordance with the provisions of Chapters 175 and 180 of these regulations.
 - a. Garage for auto customizing with the accessory use of outside storage of motor vehicles.
 - b. Garage for the repair of motor vehicles with the accessory use of outside storage of motor vehicles.
 - c. Building for the sales of new and used motor vehicles with or without outside storage of vehicles.

- d. Building for the sales of new and used motor equipment with or without outside storage of equipment.
- e. Building or garage for the sales and repair of new and used boats, jet skis or other watercraft.
- f. Research laboratories
- g. Carpentry, woodworking and millwork manufacture.
- h. Manufacturing.
- i. Newspaper and printing establishments.
- j. Bookbinding and photoengraving establishments.
- k. Blueprinting, photography and similar reproduction services.
- l. Buildings for monument and stone cutting.
- m. Tool and die making shops.
- n. Shops for assembling or finishing of articles to be sold at wholesale.
- o. Shops for manufacturing.
- p. Warehousing.
- q. Construction Yards with outside storage of construction equipment and construction materials.
- r. Shop and storage area used by a contractor or building tradesman such as a plumber, electrician, painter, landscaper and similar occupations.
- s. Outside storage of any material associated with assembly, manufacturing or research facilities shall be by special permit only.
- t. Medical marijuana production facilities (*Effective: February 26, 2014*)
- u. Gasoline Service stations with or without a convenience market (*Effective: June 13, 2014*)
- v. Medical marijuana dispensary facility, provided the proposed location is not within 1,000 feet of any school, daycare, place of worship, or single or multifamily dwelling, as measured by a 1,000 foot radius from the outermost boundary of the property on which a medical marijuana dispensary facility is proposed to be located to the outermost boundary of a lot containing any of the above listed uses. (*Effective: August 1, 2016*)

Section 045-030 Standards

1. All of the standards outlined in Section 040-030 shall apply to this section, with the exception that the references to section 020-010 shall refer to the B-2 requirements found in that section.
2. Exception to maximum lot coverage:
 - a. If a lot is proposed to have as an accessory use to a motor vehicle sales building, the outside storage and display of motor vehicles, in that instance the lot coverage of the building may not exceed the maximum lot coverage standards outlined in Section 020-010, and the combined maximum lot coverage of building plus outside vehicle inventory may not exceed 60% of the lot area, regardless of the size of the lot.
 - b. If a lot is proposed to have as an accessory use to a construction yard, the outside storage of construction equipment and materials, in that instance the lot coverage of the building may not exceed the maximum lot coverage standards outlined in Section 020-010, and the combined maximum lot coverage of building plus outside storage of construction equipment and materials may not exceed 60% of the lot area, regardless of the size of the lot.

(Chapter Amended Effective: September 1, 2006; February 26, 2014; June 13, 2014; August 1, 2016)