

# **Amendment to the New Milford Zoning Regulations**

**Adopted: August 23, 2022**  
**Effective: September 9, 2022**

**New Milford Zoning Commission, Proposed Amendment to the New Milford Zoning Regulations, Chapter 15, Section 015-010, to add the following new definitions: “Cannabis”, “Cannabis Establishment”, “Cannabis Grow Space”, “Cannabis Product”, and “Medical Marijuana Product”.**

## **Part I Chapter 15, Definitions**

### ***Existing Definitions***

Medical Marijuana Dispensary: A person who is licensed to dispense pharmaceutical grade medical marijuana to qualified patients and their primary caregivers pursuant to a physician’s prescription as defined by the Connecticut General Statutes and Regulations of Connecticut State Agencies. (*Effective: February 26, 2014*)

Medical Marijuana Dispensary Facility: A place of business licensed by the Commissioner of Consumer Protection as a dispensary facility where pharmaceutical grade marijuana may be stored, dispensed and sold at retail to qualified patients and their primary caregivers pursuant to a physician’s prescription. The dispensation of pharmaceutical grade, medical marijuana shall not be considered an agricultural use under Section 025-050 of these regulations. (*Effective: February 26, 2014*)

Medical Marijuana Production Facility: A secure, indoor facility where the planting, manufacture, cultivation, harvesting, processing, compounding, packaging and labeling of pharmaceutical grade marijuana occurs and which facility is operated by a person to whom the Connecticut Commissioner of Consumer Protection has issued a producer’s license pursuant to the Connecticut General Statutes. The production of pharmaceutical grade, medical marijuana shall not be considered an agricultural use under Section 025-050 of these regulations. (*Effective: February 26, 2014*)

### ***New Definitions***

Cannabis: Cannabis shall mean marijuana, as defined in Section 21a-240 of CT General Statutes, or as amended.

Cannabis Establishment: A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, deliver service or transporter, as defined in PA 21-1, or as amended. No cannabis establishment shall be considered an agricultural use under Section 025-050 of these regulations.

- 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 15,000 sq. ft. of grow space. (*Also see definition of “Micro-cultivator”.*)
- Delivery Service: A person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in Section 21a-408 of CT General Statutes, or to hospices or other inpatient care facilities licensed by

the Department of Public Health pursuant to Chapter 368v of CT General Statutes that have a protocol for the handling and distribution of cannabis that has been approved by the Department of Consumer Protection, or a combination thereof.

- Dispensary facility”: A place of business where cannabis may be dispensed, sold or distributed in accordance with Chapter 420f of CT General Statutes.
- Food and Beverage Manufacturer: A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.
- Hybrid Retailer: A person that is licensed to purchase and sell cannabis and medical marijuana products.
- Manufacture: To add or incorporate cannabis into other products or ingredients or create a cannabis product.
- Micro-cultivator: A person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than 2,000 sq. ft. and not more than 10,000 sq. ft. of grow space, prior to an expansion authorized by the Department of Consumer Protection. (*Also see definition of “Cultivator”.*)
- Producer: A person that is licensed as a producer pursuant to section 21a-408i of CT General Statutes and any regulations adopted thereunder.
- Product Manufacturer: A person licensed to obtain cannabis, extract and manufacturer products exclusive to such license type.
- Product Packager: A person that is licensed to package and label cannabis.
- Retailer: A person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, products manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs.
- Transporter: A person licensed to transport cannabis between cannabis establishments, laboratories, and research programs.

Cannabis Grow Space: The portion of a licensed facility that is utilized for the cultivation, growing or propagation of the cannabis plant, and contains cannabis plants in an active stage of growth, measured starting from the outermost wall of the room containing cannabis plants and continuing around the outside of the room. Grow Space does not include space used to cure, process, store harvested cannabis or manufacture cannabis once it has been harvested, as defined in PA 21-1.

Cannabis Product: Cannabis that is in the form of a cannabis concentrate or a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption. As defined in PA 21-1, it does not include the raw cannabis plant.

Medical Marijuana Product. Cannabis that may be exclusively sold to qualifying patients and caregivers by dispensary facilities and hybrid retailers and which are designed by the commissioner as reserved for sale to qualifying patients and caregivers and published on the Department of Consumer Protection’s website.