

Town of Canaan (Falls Village)

Memorandum regarding Moratorium on Adult Recreational Cannabis

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Issued to P&Z for its Regular Meeting on May 25, 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”), the Town of Canaan (Falls Village) Planning & Zoning Commission is proposing a temporary and limited **twelve (12) month 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 Canaan (Falls Village).

Timeline & process:

A moratorium adheres to the same approval process as a text amendment to the zoning regulations. Pursuant to statutes, this proposal would need to be publicly noticed and heard and the proposed text shall include a term limit. The moratorium proposal shall be filed with the Town Clerk within ten (10) days of the public hearing as well as referred to adjoining municipalities and the Council of Governments (COG).

The proposed text to be inserted into the Town Falls Village Zoning Regulations, Article 1, Section 8 (to follow 1.7 Administrative Provisions) as follows:

1.8 TEMPORARY AND LIMITED MORATORIUM ON CANNABIS ESTABLISHMENTS

Statement of Purpose. This section has been adopted to provide the Town of Canaan (Falls Village) 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. The Connecticut General Assembly approved [PA 21-1](#) on June 22, 2021, as amended. 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 shall include all cannabis establishment license types: retailer, hybrid retailer, cultivator, micro-cultivator, product manufacturer, food and beverage manufacturer, product packager, and delivery service/transporter license.

Applicability. During this temporary and limited moratorium, cannabis establishments shall be prohibited in the Town of Canaan (Falls Village) and no applications shall be received by the Planning and Zoning Commission or its agent to permit a cannabis establishment.

Effective Date/Term. This temporary and limited moratorium shall become effective on August 1, 2022 and shall remain in effect for a period of twelve (12) months until August 1, 2023.

Next Steps. During the year that the moratorium is in place, the Town of Falls Village Planning and Zoning Commission will also be working to update the current Zoning Regulations. They will use this time to address legislative updates relative to the production and retail opportunity of cannabis in the State of Connecticut. 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.