



NEW HAVEN CITY PLAN COMMISSION
165 CHURCH STREET, NEW HAVEN, CT 06510
TEL (203) 946-6378 FAX (203) 946-7815

February 9, 2023

The Honorable Alder Tyisha Walker-Myers
President, New Haven Board of Alders
City of New Haven
165 Church Street
New Haven, CT 06510

**RE: ORDINANCE OF THE BOARD OF ALDERS AMENDING THE ZONING
ORDINANCE OF THE CITY OF NEW HAVEN SECTION 42.6 CONCERNING THE
RESPONSIBLE AND EQUITABLE REGULATION OF ADULT-USE CANNABIS TO
ADD THE 'BE' ZONE TO SECTION 42.6(C)1 AND 42.6(C)2.**

Dear President Walker-Myers:

On August 1, 2022 the Board of Alders of the City of New Haven adopted an ordinance amending the Zoning Ordinance of the City of New Haven concerning the responsible and equitable regulation of adult-use cannabis. The ordinance established the land use and criteria for the establishment of Adult-Use Cannabis licenses in a manner consistent with the Connecticut Responsible and Equitable Regulation of Adult-Use Cannabis Act of 2021.

A key aspect of this ordinance was the creation of a new Section 42.6 specifically to address and align zoning provisions with state law and licensing procedures. This section ensures that the sale, production or manufacturing of Adult-Use Cannabis occurs within certain business and industrial zoning districts with a special permit.¹ It also accounts for transporter or delivery service business licenses "As-of-Right"; where no special permit would be required. This ordinance prohibits the sale, production or manufacturing of cannabis in all residential districts and three zoning overlay districts.

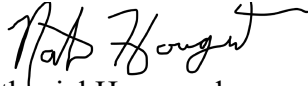
It has come to the attention of the City Plan Department that the BE Zoning District (Business E-Wholesale and Distribution) was inadvertently excluded from the list of Zoning Districts where cannabis uses are permitted, either as-of-right or by Special Permit, depending on the use (NHZO Section 42.6(C)1 and 42.6(C)2). City Plan staff finds that the BE zone is an appropriate zone to permit cannabis uses and the ordinance should be amended to include this zone.

Thank you for taking this amendment into consideration. This amendment will ensure appropriate incorporation of the recent State Law into the City's Zoning Ordinance by ensuring all Zoning Districts are captured. Further, this amendment will further the goal of the ordinance to encourage economic opportunity within the appropriate locations of cannabis establishments.

¹ Special Permit – A land use permitted when the City Plan Commission finds that the standards for the use as contained within this Ordinance have been met. (Section 64(e) of the New Haven Zoning Ordinance) - [ARTICLE VIII. - ADMINISTRATION | Zoning | New Haven, CT | Municode Library](#)

Thank you for your consideration. Should any questions, comments or concerns arise, please contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Nat Hougrand", with a stylized flourish at the end.

Nathaniel Hougrand
Deputy Director of Zoning
City Plan Department

enclosures

cc: Barbara Montalvo, Office of the Mayor
Leslie Radcliffe, Chair, City Plan Commission
file