

SPRINGFIELD LOCAL CANNABIS CONTROL COMMISSION RULES AND PROCESS

The following rules and processes will be followed for reviewing and approving applications for cannabis establishments in Springfield.

RULES

1. When a completed application for any type of Cannabis Establishment License is received, the Vermont Cannabis Control Board will send a report to the Local Control Commission of the town. The report will include the name of the cannabis establishment and the principal(s) of the cannabis establishment. The report is provided for the review of the Local Control Commission.
2. All requests to establish a cannabis business must follow the requirements as set forth in the Springfield Municipal Code Chapter 30 – Land Use Development established under 24 V.S.A. § 4414 and local ordinances regulating signs or public nuisances under 24 V.S.A. § 2291.
3. The following State permitted uses are covered by the following definitions in the Municipal Code and the applicant must comply with the rules and permit requirements for the particular use and the district in which it will be located:
 - a. Cultivators – *Agriculture* means the cultivation of soil or hydroponic technology for growing crops or rearing of animals. The indoor and outdoor cultivating and packaging of cannabis will be covered by this use definition. Districts where this use is allowed include:
 - i. Land Reserve 25-acre (exempt/notify).
 - ii. Land Reserve 10-acre (exempt/notify).
 - iii. Residential /Agricultural 5-acre (exempt/notify).
 - iv. Residential /Agricultural 2-acre (exempt/notify).
 - v. Medium Density Residential (exempt/notify).
 - vi. High Density Residential (exempt/notify).
 - vii. General Business (exempt/notify).
 - viii. Central Business (exempt/notify).
 - ix. Industrial /Commercial (exempt/notify).
 - x. Exit 7 (exempt/notify).
 - xi. Aquifer Re-Charge Protection Area (exempt/notify).
 - b. Testing Laboratories – *Research and testing laboratory* means a commercial facility or enterprise intended for the purpose of conducting scientific research and development related to manufactured or processed end products or services. This will include cannabis testing laboratories. Districts where this use is allowed include:
 - i. General Business (site plan/conditional use).
 - ii. Central Business (site plan/conditional use).
 - iii. Industrial (site plan).
 - c. Manufacturers – 1) *Agricultural product processing* means the processing and packaging or bottling of agricultural products, for sale to or consumption by

others. This will include cannabis products manufacturing. Manufacturer licensees may produce cannabis products from cannabis plants, including edibles, oils, and other such products. Districts where this use is allowed include:

- i. Land Reserve 25-acre (site plan/conditional use).
- ii. Land Reserve 10-acre (site plan/conditional use).
- iii. Residential /Agricultural 5-acre (site plan/conditional use).
- iv. Residential /Agricultural 2-acre (site plan/conditional use).
- v. Industrial /Commercial (site plan/conditional use).
- vi. Industrial (site plan).

2) *Manufacturing/processing of goods, foods and beverages* means an establishment which makes or processes raw materials into a finished or intermediate product, for commercial purposes, including fabricating facilities and large printing or publishing establishments. This will include cannabis products manufacturing. Manufacturer licensees may produce cannabis products from cannabis plants, including edibles, oils, and other such products. Districts where this use is allowed include:

- i. General Business (site plan/conditional use).
- ii. Central Business (site plan/conditional use).
- iii. Industrial / Commercial (site plan).
- iv. Industrial (site plan).

d. Wholesalers – *Warehouse/wholesale distribution* means a structure used for the purpose of storing goods and merchandise for a fee and/or distributing goods and merchandise to various retailers for resale. A warehouse/wholesale distribution establishment may include space for temporary storage of trucks, but shall not include facilities for servicing such vehicles. This will include cannabis wholesalers. Districts where this use is allowed include:

- i. General Business (site plan/conditional use).
- ii. Industrial /Commercial (site plan).
- iii. Industrial (site plan).

e. Retailers - *Retail sales* mean an establishment for the sale of goods and merchandise to direct users or consumers of such goods. This will include the retail sale of cannabis. Districts where this use is allowed include:

- i. General Business District (site plan/conditional use).
- ii. Central Business District (site plan).
- iii. Residential Commercial (less than 5,000 square feet) District (site plan/conditional use).
- iv. Industrial Commercial District (site plan).
- v. In addition to the requirements for the individual District where the establishment will be located, State Law (18 V.S.A. §4237(d)) says: "The selling or dispensing of a regulated drug to a person on property abutting school property is a violation under this section only if it occurs within 500 feet of the school property. Property shall be considered abutting school property if: (1) it shares a boundary with school property; or (2) it

is adjacent to school property and is separated only by a river, stream, or public highway." Under these laws, cannabis is considered a regulated drug. A school is a public or independent elementary or secondary school (such as a high school) or a property owned by a school. It is suggested that buffer zones be measured by measuring the distance from the nearest entrance or exit of the retail establishment to the nearest point on the school property line. See attached guidance from the State Cannabis Control Board regarding Buffer Zones.

4. Additional requirements for all cannabis permit applicants.

When a completed application for any type of Cannabis Establishment License is received, the Cannabis Control Board will send a report to the Local Control Commission of the town. The report will include the name of the cannabis establishment and the principal(s) of the cannabis establishment. The report is provided for the review of the Local Control Commission. The role of the Local Control Commission is to review and approve or deny the local license. Approval or denial of a local license may be based on the following:

- a. (For new applications) The commissioners may condition the issuance of a local control license upon compliance with any bylaw adopted pursuant to 24 V.S.A. § 4414 or ordinances regulating signs or public nuisances adopted pursuant to 24 V.S.A. § 2291.
- b. (For annual renewals) If the Cannabis Establishment has complied with conditions placed on its local license by the local commission and the owner of the property must be current with payments of local property taxes, and water/sewer payments.
- c. If the Local Control Commission approves the local license, it should return the report to the Vermont Board with details to that effect and include any conditions placed on the license.
- d. If the Local Control Commission denies the local license, it should return the report with details describing the reason the application was denied. For example, if the Cannabis Establishment has not applied for the proper permits or followed applicable zoning laws.
- e. A municipality may only condition the operation of a cannabis establishment, or the issuance or renewal of a municipal permit to operate a cannabis establishment, on the conditions stated in 4.a. in this section.
- f. A municipality may not prohibit the operation of a cannabis establishment within the municipality through an ordinance adopted pursuant to 24 V.S.A. § 2291 or a bylaw adopted pursuant to 24 V.S.A. § 4414.

PROCESS

1. The Town Clerk is primary contact person.
2. Individuals/ organizations interested in applying for any of the five permit types listed in "Rules, 3. a. through e." must contact the Zoning Administrative Officer to begin the process of securing the required zoning permits and approvals.

3. After completing the zoning permitting and approval process, applicant will be referred to the Town Clerk for instructions on how to submit application to the Vermont Cannabis Control Board.
4. The Vermont Cannabis Control Board will send a report including the permit application to the the Town Clerk for review. The Town Clerk will check the information provided to ensure it is complete and then schedule it for review and action by the Local Commission. If it is not complete (for example it has not been reviewed and approved by the Zoning Administrative Officer), it will be referred to the appropriate person/organization to resolve the missing items.
5. Once the permit application has been determined to be complete it will be forwarded to the Town Manager to be scheduled for an upcoming regularly scheduled Selectboard meeting. If there are reasonable and legitimate reasons (as determined by the Town Manager) for moving up the schedule for review and action on the permit, the Town Manager may request that the Selectboard Chair authorize the scheduling of a Special Meeting.
6. After the Selectboard convenes, it will move into the Local Cannabis Control Commission at the appropriate time as listed on the Agenda.
7. After reviewing the materials provided and providing an opportunity for the applicant to offer testimony and answer questions by the individual Selectboard Members, the Chair will ask for questions and comments from the Town Manager and others attending the meeting.
8. The Local Control Commission will then vote to approve or deny the permit application. Approval and denial must be based solely upon consideration of the factors identified in "Rules, 4. a. through f."
9. Appeals of the decision of the Local Control Commission can be made to the Superior Court under the Vermont Rules of Civil Procedure (V.R.C.P 75).
10. If the Local Control Commission approves the local license, it will return the report to the Vermont Cannabis Control Board with details to that effect and include any conditions placed on the license. If the Local Control Commission denies the local license, it will return the report to the Vermont Cannabis Control Board with details describing the reason the application was denied. For example, if the applicant has not applied for the proper permits or followed applicable zoning laws. The Local Commission may only condition the operation of a cannabis establishment, or the issuance or renewal of a municipal permit to operate a cannabis establishment, on the conditions stated in "Rules, 4. a. through f."