

8.4 Standards for Specific Uses

Q. Adult Use Cannabis and Medical Marijuana

1. **Purpose** - The purpose of this section is to regulate the location and operation of medical marijuana dispensary facilities, production facilities, and adult-use cannabis retail, and cultivation. The intent of these regulations is to minimize any adverse impacts of such facilities, and to protect and preserve East Hampton's neighborhoods, commercial areas, property values, and quality of life. All uses shall remain compliant with Section 21a-420 of the Connecticut General Statutes as amended from time to time.
2. **Definitions** - For the purpose of this section, all terms referred to herein shall be defined and used in accordance with Section 21a-420 of the Connecticut General Statutes as amended from time to time. Selected definitions are included below for ease of reference.

CANNABIS - Marijuana, as defined in section 21a-240 of the general statutes;

CANNABIS ESTABLISHMENT - Producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter as defined.

CULTIVATOR – Person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space;

DISPENSARY FACILITY- A place of business where medical marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit under CGS Sec. 21-a408 et seq. as may be amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended;

FOOD AND BEVERAGE MANUFACTURER - Person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages;

HYBRID RETAILER - Person that is licensed to purchase cannabis and sell cannabis and medical marijuana products;

MANUFACTURE - To add or incorporate cannabis into other products or ingredients or create a cannabis product;

MEDICAL MARIJUANA PRODUCT - Cannabis that may be exclusively sold to qualifying patients and caregivers by dispensary facilities and hybrid retailers and which are designated by the commissioner as reserved for sale to qualifying patients and caregivers and published on the department's Internet web site

MICRO-CULTIVATOR - A person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the commissioner;

PRODUCER - A person that is licensed as a producer pursuant to section 21a-408i of the general statutes and any regulations adopted thereunder;

PRODUCT MANUFACTURER - A person that is licensed to obtain cannabis, extract and manufacture 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, product 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

3. Special Permit Required - The sales, cultivation and production of cannabis or cannabis products as described herein shall require a Special Permit, which may be authorized in accordance with Section 9.2 provided the use is allowed in the zone and all requirements of this regulation are met.

4. Zones Where Permitted - The following chart details the zones in which cannabis establishments may be allowed. For the purposes of reading this chart: **SP** = Special Permit Use, **NA** = Not Allowed

License Type	Commercial	Industrial	DD	Village Center	PO/R	MUDD	Residential (R1,R2, R3,R4, HOD)
Hybrid Retailer	SP	SP	NA	SP	NA	NA	NA
Retailer	SP	SP	NA	SP	NA	NA	NA
Dispensary	SP	SP	NA	SP	NA	NA	NA
Cultivator	NA	SP	SP	NA	NA	NA	NA
Micro-Cultivator	NA	SP	SP	NA	NA	NA	NA
Food & Beverage Manufacturer	NA	SP	SP	NA	NA	NA	NA
Producer	NA	SP	SP	NA	NA	NA	NA
Product Manufacturer	NA	SP	SP	NA	NA	NA	NA
Product Packager	NA	SP	SP	NA	NA	NA	NA

5. General Requirements for all Cannabis and Medical Marijuana Uses

1. All regulated activities shall be located within an enclosed permanent building and may not be located in a trailer, cargo container, motor vehicle, or other similar nonpermanent enclosure.
2. Marijuana plants, products, and paraphernalia shall not be clearly visible to a person from the exterior of the facility. No outside storage of cannabis or cannabis products shall be permitted.
3. There shall be no on-site consumption.
4. In addition to those found in Sections 9.1 and 9.2, the following shall be submitted with an application:
 - A. An Operational Plan which includes the following:
 - i. Hours of operation
 - ii. Security and access plan
 - iii. Proposed signage
 - iv. Odor management plan – monitoring and mitigation

6. Retailers, Hybrid Retailers, and Dispensaries- All retailer, hybrid retailer, or dispensary of cannabis or medical marijuana uses shall comply with the following standards:

1. Hours of operation shall not extend beyond 8:00am to 10:00pm Monday – Saturday, and 10:00am to 6:00pm on Sundays. Site specific hours shall be set by the Commission.
2. Shall not be located inside a building containing residential units, including transient housing such as motels or dormitories.
3. Parking shall be in accordance with retail store requirements in Section 7.2 unless modified by the Commission.

4. Shall not be located less than 1500 feet from another regulated use in this section as measured from property line to property line at their closest point.
5. No building or structure shall be used if such is located:
 - A. Within five hundred (500') feet (measured from the nearest property lines) of a:
 1. church,
 2. school or other institution for the purpose of caring for children,
 3. library, or
 4. charitable institution, public or private.

7. **Cultivators, Micro-Cultivators, Food & Beverage Manufacturers, Producers, Product Manufacturers, and Products Packagers** – All applications for Cultivators, Micro-Cultivators, Food & Beverage Manufacturers, Producers, Product Manufacturers, and Products Packagers shall comply with the following standards:
 1. State of Connecticut license shall be obtained and filed on the East Hampton Land Records prior to beginning operations.
 2. Submission of a Resources Plan to demonstrate best management practices for the use of energy, water, waste disposal, and other common resources and to ensure there will be no undue damage to the natural environment.
 3. Properties used for regulated activities shall be located not less than 1,000 feet from the property line of a residential property.
 4. Parking shall be in accordance with industrial and manufacturing requirements in Section 7.2 unless modified by the Commission.

8. **Abandonment or Discontinuance of Use**
 1. A Special Permit shall lapse if not exercised within one year of issuance. The Commission shall file a notice on the Land Records in such a case.
 2. A cannabis establishment shall be required to remove all material, plants, equipment, and other paraphernalia prior to surrendering its state issued licenses or permits; or within six months of ceasing operations, whichever comes first.