

### **TEMPORARY AND LIMITED MORATORIUM ON CANNABIS ESTABLISHMENTS**

The following amendment to the Glastonbury Building Zone Regulations is proposed to establish a temporary and limited moratorium on cannabis establishments, as defined by Public Act 21-1 (June 2021 Special Session), an Act Concerning Responsible and Equitable Regulation of Adult Use Cannabis (hereinafter referred to as "Act"), which took effect July 1, 2021. Section 148 of the Act authorizes municipalities to enact certain zoning regulations or ordinances for cannabis establishments. Without specific zoning regulations, such uses *must* be regulated as any similar uses would be.

Given limited time to review and update the Building Zone Regulations before state licensure of cannabis establishments is expected to begin, the Town of Glastonbury proposes a temporary and limited 18-month moratorium on cannabis establishments. The moratorium will provide time for the Town Council and Town Plan and Zoning Commission to consult with one another, other boards and commissions, and the community on the development of new regulations governing cannabis establishments or prohibiting the establishment of cannabis establishments.

#### **Proposed Amendment to Section 3 of the Glastonbury Building Zone Regulations**

##### *New Section 3.27 Cannabis Establishments Temporary and Limited Moratorium*

- a) Statement of Purpose. This section has been adopted to provide the Zoning Authority with the time necessary to consider adoption of potential changes to the Zoning Regulations pursuant to Section 8-2 of the Connecticut General Statutes and the Act. Said Public Act contains provisions allowing municipalities to prohibit or place reasonable restrictions on cannabis establishments.

This temporary and limited term moratorium has been adopted to provide the Town with the time necessary to develop regulations for cannabis establishments that meet statutory requirements and promote the public's general health, safety and welfare or develop regulations prohibiting the establishing of cannabis establishments.

- b) Definitions. For the purposes of this section, the following terms are defined as:

1. "Cannabis" means marijuana as defined in Section 21a-240, C.G.S.
2. "Cannabis Establishment" means " means a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter.
3. "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 fifteen thousand square feet of grow space.
4. "Food and Beverage Manufacturer" means a person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.

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Referred to Town Plan & Zoning Commission**

5. "Grow space" means the portion of a premises owned and controlled by a producer, cultivator or micro-cultivator 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 the cannabis has been harvested.
  6. "Hybrid Retailer" means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.
  7. "Micro-cultivator" means 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.
  8. "Person" means an individual, partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof.
  9. "Product Manufacturer" means a person that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type.
  10. "Product Packager" means a person that is licensed to package and label cannabis.
  11. "Retailer" means 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 to sell cannabis to consumers and research programs.
  12. "Sale" or "sell" has the same meaning as provided in section 21a-240 of the Connecticut General Statutes.
- c) Applicability. During this temporary and limited-term moratorium, cannabis establishments shall be prohibited in the Town of Glastonbury and no applications shall be received by the Town Plan and Zoning Commission or the Office of Community Development to establish a cannabis establishment.
- d) Effective Date/Term. This temporary and limited moratorium shall become effective on September 1, 2021 and shall remain in effect for a period of 18 months until March 1, 2023.