

## ORDINANCE CONCERNING ZONING REGULATIONS FOR CANNABIS ESTABLISHMENTS

**WHEREAS**, in 2021 the State of Connecticut adopted comprehensive cannabis legislation that authorized, among other things, the cultivation, production, and sale of adult-use recreational cannabis; and

**WHEREAS**, in 2022, prior to the start of adult retail sale of recreational cannabis in Connecticut, the Town Council adopted temporary zoning regulations for cannabis establishments, and these regulations are scheduled to expire on June 30, 2024; and

**WHEREAS**, the Town Council wishes to establish permanent zoning regulations for cannabis establishments.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT:**

**Section One.** *Section 177-16.10 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:*

§ 177-16.10. Cannabis establishments.

Cannabis establishments shall be permitted subject to the following conditions:

A. [No cannabis establishment] The sale of cannabis under any class of permit listed in Chapter 420h of the general statutes, as may be amended or recodified from time to time, shall not be permitted [on a site that is] within 500 feet of any school, municipal park or municipal recreational facility, or library. Said distance requirement shall be measured [by taking the nearest straight line between the respective lot boundaries of said sites] as follows: beginning at the center of the main entrance to the portion of the building where said cannabis is proposed to be sold, thence to the center of the address street by the shortest distance without intersecting a structure, thence along the center line of said street or streets to the address street of any of the above cited uses, and thence to a point opposite the nearest portion of a lot used for any of the above-cited uses on the address street thereof, thence to the nearest portion of the lot.

B. No cannabis retail establishment shall be permitted on a site that is within 5,000 feet of another cannabis retail establishment. Said distance requirement shall be measured by taking the nearest straight line between the respective lot boundaries of said sites.

[B]C. Cannabis retail establishments, including retailer, hybrid retailer or dispensaries, shall be restricted to the BN, [BND,] BS[, BG, BC, CBDH] and BG Zones.

[C]D. Cannabis production facilities, including producers, cultivators, micro-cultivators, food and beverage manufacturers, product manufacturers and product packagers, shall be restricted to the IE, IG, IP and IR Zones.

[D]E. No cannabis establishment shall be permitted unless a site plan approval has been obtained therefor in accord with the provisions of § 177-42B of this Code of Ordinances. No site plan approval shall be granted unless the petitioner or applicant has been awarded a provisional license for the license type that such petitioner or applicant has sought site plan approval for and has demonstrated to the satisfaction of the Town Planner compliance with all state laws and regulations concerning cannabis establishments. The Town Planner shall not grant site plan approval for more than three cannabis retail establishments.

[E. Notwithstanding the provisions of Subsection D, until June 30, 2024, the Town Planner shall not grant site plan approval for more retailers or micro-cultivators than would result in one retailer and one micro-cultivator per 25,000 residents.]

**Section Two.** *Section 177-6 (B) of the West Hartford Code of Ordinances entitled Schedule of Permitted Main Uses is hereby amended in accordance with the attached amended zoning table.*

(LEDWITH)  
March 26, 2024