

Approved Amendment to Hebron Zoning Regulations

Approved 10/24/2023; Effective 1/1/2024

NOTE: Approved wording is bold and underlined.

2.C.5. OTHER PRINCIPAL USES	R-1	R-2	AL
1. Day care center (child or adult) as a principal use of property provided: a. the property is located on an arterial street; b. the residential character of the area will be maintained; and c. the use is in accordance with Section 2.G.4.	Special Permit (PZC)	Special Permit (PZC)	x
2. Veterinarian services as a principal use of property provided: a. the property is located on an arterial street; and b. the residential character of the area will be maintained.	Special Permit (PZC)	Special Permit (PZC)	x
3. Grooming of dogs and cats as a principal use of property provided: a. the property is located on an arterial street; and b. the residential character of the area will be maintained.	Special Permit (PZC)	Special Permit (PZC)	x
4. Adaptive re-use of an existing residential building as a principal use in accordance with Section 2.G.10.	Special Permit (PZC)	Special Permit (PZC)	x
5. Cemetery.	Special Permit (PZC)	Special Permit (PZC)	Special Permit (PZC)
6. Utility facilities, infrastructure facilities, and related facilities as a principal use.	Special Permit (PZC)	Special Permit (PZC)	Special Permit (PZC)
7. Rural Business Uses in accordance with Section 6.B.3.7.	Special Permit (PZC)	Special Permit (PZC)	Special Permit (PZC)
8. Excavation and/or filling of earth products as a principal use (not associated with construction otherwise authorized by a valid zoning approval) in accordance with Section 5.M.	Special Permit (PZC)	Special Permit (PZC)	x
9. <u>Cannabis Establishment as defined in Section 6.C.5.</u>	<u>x</u>	<u>x</u>	<u>x</u>

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3.A.3.4. RESIDENTIAL-TYPE USES	HG
1. A single family dwelling	Zoning Permit (Staff)
2. A Two Family Dwelling, provided that: <ul style="list-style-type: none"> a. both dwellings are contained within a single building; b. there shall be at least one-quarter (1/4) acre of land for each dwelling unit; c. the proposed residential uses will not disrupt the pedestrian activity along Main Street in the Hebron Green (HG) District; d. the applicant demonstrates that the architectural details of the building will be compatible with the prevailing scale, charm and architectural detail of surrounding Hebron Green (HG) properties; and e. the residential units shall be provided with individual outdoor private space (for example: patio, deck, or yard). 	Special Permit (PZC)
3. Residential units attached to or within a non-residential building provided that: <ul style="list-style-type: none"> a. the proposed residential uses will not disrupt the pedestrian activity along Main Street in the Hebron Green (HG) District; b. the applicant demonstrates that the architectural details of the building will be compatible with the prevailing scale, charm and architectural detail of surrounding Hebron Green (HG) properties; c. the proposed residential units will not be located on the first floor of the building facing Main Street where pedestrian oriented, retail and similar store-front business uses are strongly encouraged; and d. the residential units shall be provided with individual outdoor private space (for example: patio, deck, or yard). 	Special Permit (PZC)
4. Development in accordance with the Mixed Use Overlay District as provided in Section 4.C.	Special Permit (PZC)
5. Housing for the Elderly in accordance with Section 2.F.3.	Special Permit (PZC)

3.A.3.5. OTHER USES	HG
1. Governmental services	Special Permit (PZC)
2. Bed and Breakfast establishment as per Section 2.G.6.	Special Permit (PZC)
3. Other uses considered by the Commission to be similar and compatible to the uses listed above when compared to scale, traffic generation, hours of operation, and other similar standards.	Special Permit (PZC)
4. Excavation and/or filling of earth products as a principal use (not associated with a valid zoning approval) in accordance with Section 5.M.	Special Permit (PZC)
5. <u>Cannabis Establishments as defined in Section 6.C.5.</u>	<u>x</u>

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3.B.2.3. INSTITUTIONAL-TYPE USES	MS
1. (reserved)	Special Permit (PZC)

3.B.2.4. RESIDENTIAL-TYPE USES	MS
1. Development in accordance with the Mixed Use Overlay District as provided in Section 4.C.	Special Permit (PZC)

3.B.2.5. OTHER USES	MS
1. Governmental services	Special Permit (PZC)
2. Motel	Special Permit (PZC)
3. Commercial laundry or laundromat provided such use is served by public water and public sewer.	Special Permit (PZC)
4. Amusement arcade	Special Permit (PZC)
5. Parks -- public and private	Special Permit (PZC)
6. Any use, not specifically mentioned in Section 3.B.2 but, which, in the judgment of the Commission, is determined to be similar to or compatible with the category of uses mentioned above, may be permitted by the Commission under the Special Permit procedures, provided however, any such use: <ol style="list-style-type: none"> a. meets the Performance Standards of Sections 5.M.; and b. where the architectural appearance of the building(s) housing such use is entirely compatible with the architecture of the buildings in the immediate vicinity. 	Special Permit (PZC)
7. Excavation and/or filling of earth products as a principal use (not associated with a valid zoning approval) in accordance with Section 5.M.	Special Permit (PZC)
8. <u>Cannabis Establishments as defined in Section 6.C.5.</u>	<u>X</u>

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3.C.2.5. INDUSTRIAL-TYPE USES	Village Square Center	Village Square General	Village Square Edge
1. Technology incubator spaces for new business development and job creation.	x	Special Permit (PZC)	x
2. Light manufacturing	x	Special Permit (PZC)	x
3. Assembly / Packaging / Small scale distribution	x	Special Permit (PZC)	x

3.C.2.6. OTHER USES	Village Square Center	Village Square General	Village Square Edge
1. Residence inns	x	Site Plan (PZC)	x
2. Bed and Breakfast establishment as per Section 2.G.6.	Site Plan (PZC)	x	x
3. Funeral home	x	Site Plan (PZC)	x
4. Municipal facilities	Site Plan (PZC)	Site Plan (PZC)	Site Plan (PZC)
5. Community centers	Site Plan (PZC)	x	x
6. Civic buildings and uses	x	Site Plan (PZC)	Site Plan (PZC)
7. Open space areas	Site Plan (PZC)	Site Plan (PZC)	Site Plan (PZC)
8. Recreational areas	x	x	Site Plan (PZC)
9. Additional uses that are considered similar and compatible to the uses listed above when compared to scale, traffic generation, hours of operation, and other similar standards which may be used by the Commission.	Special Permit (PZC)	Special Permit (PZC)	Special Permit (PZC)
10. Alcoholic Beverages as an accessory use in accordance with Section 5.O.	Special Permit (PZC)	Special Permit (PZC)	x
11. Excavation and/or filling of earth products as a principal use (not associated with a valid zoning approval) in accordance with Section 5.M.	Special Permit (PZC)	Special Permit (PZC)	Special Permit (PZC)
12. Outside storage and/or display of goods and merchandise as an accessory use in accordance with Section 5.K.	Special Permit (PZC)	Special Permit (PZC)	Special Permit (PZC)
13. <u>Cannabis Establishments as defined in Section 6.C.5.</u>	<u>x</u>	<u>x</u>	<u>x</u>

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3.D.2.6. OTHER USES	NC
1. Public utility or service building and/or substation. No service yards or outside storage or supplies.	Special Permit (PZC)
2. Other uses, which in the opinion of the Commission, are similar to and compatible to the list of uses listed in this Section.	Special Permit (PZC)
3. Excavation and/or filling of earth products as a principal use (not associated with a valid zoning approval) in accordance with Section 5.M.	Special Permit (PZC)
4. <u>Cannabis Establishments as defined in Section 6.C.5.</u>	<u>X</u>

ACCESSORY USES AND STRUCTURES

1. Uses and structures which are customary, subordinate, and incidental to a permitted principal business use are permitted provided they are shown on the Site Plan approved by the Commission or are considered by the Director of Planning to be minor in nature.
2. A drive-through facility may, by Special Permit, be authorized an accessory use provided the drive-through facility is in accordance with the design guidelines incorporated in Section 5.A of these Regulations.
3. Outdoor dining accessory to a restaurant may be permitted by Special Permit.
4. Uses and structures which are customary, subordinate, and incidental to a principal residential use are permitted as provided in Section 2D.
5. Alcoholic Beverages are permitted as an accessory use in accordance with Section 5.O.
6. Outside storage and/or display of goods and merchandise in accordance with Section 5.K.

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3.E.2.5. INDUSTRIAL-TYPE USES	AV
1. Warehouse and storage	Special Permit (PZC)
2. Wholesale trade	Special Permit (PZC)

3.E.2.6. OTHER USES	AV
1. Farming and/or agricultural uses in accordance with generally accepted agricultural practices as established by the Connecticut Department of Agriculture.	No Zoning Permit Required
2. Parks, public and private	Special Permit (PZC)
3. Governmental Services	Special Permit (PZC)
4. Recreation uses, nonprofit	Special Permit (PZC)
5. Utility -- electric, gas, water	Special Permit (PZC)
6. Additional principal uses consistent with the purposes of the zoning district.	Special Permit (PZC)
7. Excavation and/or filling of earth products as a principal use (not associated with a valid zoning approval) in accordance with Section 5.M.	Special Permit (PZC)
8. Other uses, which in the opinion of the Commission, is similar to and compatible to the list of uses listed in this Section.	Special Permit (PZC)
9. <u>Cannabis Establishments as defined in Section 6.C.5.</u>	X

ACCESSORY USES AND STRUCTURES

1. Uses and structures which are customary, subordinate, and incidental to a permitted principal business use are permitted provided they are shown on the Site Plan approved by the Commission or are considered by the Director of Planning to be minor in nature.
2. A drive-through facility shall not be considered a permitted accessory use.
3. Outdoor dining accessory to a restaurant may be permitted by Special Permit.
4. Uses and structures which are customary, subordinate, and incidental to a permitted principal residential use are permitted as provided in Section 2.D.
5. Alcoholic Beverages are permitted as an accessory use in accordance with Section 5.O.
6. Outside storage and/or display of goods and merchandise in accordance with Section 5.K.

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3.F.2.5. INDUSTRIAL-TYPE USES	C-I
1. Construction services except salvage and wrecking services	Special Permit (PZC)
2. Manufacture and assembly of miscellaneous goods	Special Permit (PZC)
3. Warehousing and storage	Special Permit (PZC)
4. Wholesale trade	Special Permit (PZC)

3.F.2.6. OTHER USES	C-I
1. Farming and/or agricultural uses in accordance with generally accepted agricultural practices as established by the Connecticut Department of Agriculture.	No Zoning Permit Required
2. Recreation and open space	No Zoning Permit Required
3. Governmental services	Special Permit (PZC)
4. Utility -- electric, gas, water	Special Permit (PZC)
5. Excavation and/or filling of earth products as a principal use (not associated with a valid zoning approval) in accordance with Section 5.M.	Special Permit (PZC)
6. <u>Cannabis Establishments as defined in Section 6.C.5.</u>	<u>X</u>

ACCESSORY USES AND STRUCTURES

1. Uses and structures which are customary, subordinate, and incidental to a permitted principal business use are permitted provided they are shown on the Site Plan approved by the Commission or are considered by the Director of Planning to be minor in nature.
2. Outside storage and/or display of goods and merchandise in accordance with Section 5.K.

6.C.5 CANNABIS ESTABLISHMENTS

1. **Statement of Purpose.** Cannabis establishments, as defined in this section, shall be prohibited in the Town of Hebron, and no applications shall be approved by the Planning and Zoning Commission to establish a cannabis establishment. This prohibition does not apply to the delivery of cannabis to consumers or qualifying medical marijuana patients or their caregivers or the transport of cannabis to, from, or through the municipality by anyone licensed or registered to do so.

Public Act 21-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (the "Act"), effective on July 1, 2021 contains provisions allowing municipalities to prohibit or place certain restrictions on cannabis establishments with the exception of existing dispensary facilities and producers for medical marijuana as defined in Chapter 420f, C.G.S., Palliative Use of Marijuana – legislation passed in 2012 authorizing the use of medical marijuana.

2. **Definitions.**

- a. **Cannabis.** Marijuana as defined in Section 21a-240, C.G.S.
- b. **Cannabis Establishment.** Producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager and or delivery service.
- c. **Cultivator.** 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.
- d. **Delivery Service.** A person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in Section 21a-408, C.G.S., or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to Chapter 368v, C.G.S. that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.
- e. **Dispensary Facility.** Means a place of business where cannabis may be dispensed, sold or distributed in accordance with Chapter 420f, C.G.S. and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under Chapter 420f, C.G.S. and any regulations adopted thereunder.
- f. **Food and Beverage Manufacturer.** A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.
- g. **Hybrid Retailer.** A person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.
- h. **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.

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- i. **Person. 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.**
 - j. **Product Manufacturer. A person, excluding a producer, that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type and who may sell or transfer cannabis and cannabis products to laboratories, research programs and cannabis establishments.**
 - k. **Product Packager. A person that is licensed to package and label cannabis and cannabis products.**
 - l. **Retailer. A person, excluding a dispensary facility that is licensed to purchase cannabis and cannabis products from producers, cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis and cannabis products to consumers and research programs.**
 - m. **Transporter. Means a person licensed to transport cannabis between cannabis establishments, laboratories and research programs.**
3. **Applicability. Cannabis establishments shall be prohibited in the Town of Hebron, and any and all applications submitted for the approval of any cannabis establishment shall be denied by the Planning and Zoning Commission or Zoning Enforcement Officer, as may be appropriate.**
 4. **Effective Date. This prohibition shall become effective on January 1, 2024.**