

MAP or TEXT AMENDMENT APPLICATION

WESTPORT PLANNING AND ZONING COMMISSION

Amendment # 726

OFFICE USE ONLY

Application # 16-056
Submission Date: 12-14-16
Receipt Date: 12-15-16
Amount Fee Paid: \$

- TEXT** – AMENDMENT TO ZONING REGULATIONS
 MAP – AMENDMENT TO ZONING REGULATIONS
- TEXT** – AMENDMENT TO TOWN PLAN CONSERVATION AND OF DEVELOPMENT
 MAP – AMENDMENT TO TOWN PLAN CONSERVATION AND OF DEVELOPMENT

1. Applicant's Name: Planning and Zoning Commission Daytime Tel: 203-341-1030
Applicant's Address: 110 Myrtle Avenue E-mail: pandz@westportct.gov
2. For Text Change Only: Section: 31-14 Medical Marijuana Dispensaries and Producers

MAP CHANGES

3. Property Address: N/A
4. Property ID# (9 Digits - staff will provide) N/A
5. Existing Zoning District/Plan Designation: N/A
6. Proposed Zoning District/ Plan Designation: N/A
7. Lot Area: N/A
8. Property Owner: N/A Daytime Tel: N/A
Owner's Address: N/A E-mail: N/A
9. Agent's Name (if different): Mary Young, P & Z Director Daytime Tel: 203-341-1078
Agent's Address: same E-mail: myoung@westportct.gov
10. Zoning Board of Appeals Case # (if any): N/A
11. Metes and Bounds Description of Property: N/A
12. A previous zone change/land use designation has has not been requested for this property
If change was previously requested, indicate date (s) 10/25/13(12m), 10/24/14(9m), 12/25/16(6m), 7/25/16(6m)
13. A List or A Map showing each ZBA Variance Case Number for all lots within 250' of subject property.
14. This property is is not within 500' of an adjoining municipality.
15. Estimated time needed for presentation: 10 minutes

I hereby certify that the above information is correct and that I have submitted herewith all of the pertinent documentation required by the regulations;
In accordance with the P&Z bylaws.

Applicant's Signature (If different than owner)

Owner's Signature (Must be signed)

1. If the applicant is unable to obtain the signature of the property owner, a letter of authorization signed by the property owner may be submitted instead, as per §43-3.3

Town of Westport Zoning Regulations

Amendment #726

Submitted: 12/13/16

Received: 12/15/16

Public Hearing: 1/19/17

Adopted: _____

Effective date: _____

Deleted language is [~~struck out and in brackets~~]; New language is underlined.

31-14 *Medical Marijuana Dispensaries and Producers*

For a period of twelve (12) months commencing from the effective date (10/25/2013) of this section no applications will be accepted, considered or approved and no zoning permits will be issued to permit the establishment of Medical Marijuana Dispensaries and/or Producers within any zoning district within the Town of Westport. For the purposes of this section Dispensary, Licensed Dispensary, Producer and Licensed Producer are defined in Public Act #12-55. The expiration date of this Moratorium shall be (10/25/2014) unless extended by the Planning & Zoning Commission. The Moratorium is hereby extended for a period of nine (9) months until July 25, 2015. The Moratorium is hereby further extended for a period of six (6) months until January 25, 2016. The Moratorium is hereby further extended for a period of six (6) months until July 25, 2016. The Moratorium is hereby further extended for a period of six (6) months until January 25, 2017. The Moratorium is hereby further extended for a period of six (6) months until July 25, 2017.



TOWN of WESTPORT

Planning & Zoning Commission
Town Hall, 110 Myrtle Avenue
Westport, Connecticut 06880
(203) 341-1030 - Fax (203) 454-6145

MEMORANDUM

TO: Planning & Zoning Commission
FROM: MARY YOUNG, PLANNING & ZONING DIRECTOR
DATE: December 13, 2016
SUBJECT: Amendment # 726 - "Medical Marijuana – 5th Extension of Moratorium"

Brief Description/Purpose:

On October 17, 2013 Planning & Zoning Commission enacted a 12 month moratorium on Medical Marijuana Dispensaries and Producers in the Town of Westport. That moratorium went into effect on October 25, 2013. Since that time the Commission has established a subcommittee to review the issues surrounding a potential Zoning Regulation for dispensaries and producers. The Commission approved (4) extensions where the latest will expire on January 25, 2017. In this time there have been significant changes in staff including a new Director and Deputy Planning Director that required a major shift in attention and subsequently the work of this subcommittee is still not yet completed. Therefore, a further extension of the moratorium is in order.

In May 2012, Public Act #12-55 went into effect that allows the palliative use of marijuana for medical purposes. Since the passage of this act, the Department of Consumer Protection (DCP) has been working on establishing regulations for the establishment of Dispensaries and Producers of Medical Marijuana. In August 2013, the DCP adopted the final regulations as required by PA #12-55. The Planning & Zoning Commission is seeking to extend its existing Moratorium on any applications or permits associated with the establishment of Dispensaries and Producers as defined in PA #12-55.

The purpose of this regulation is:

- a) To allow the Town of Westport additional time to study the newly released DCP regulations to determine how best to integrate these facilities into the Westport Zoning Regulations.
- b) To examine how these uses might impact the Comprehensive Plan of the Town of Westport.
- c) To determine how Medical Marijuana Dispensaries and Producers may impact the general health, safety and welfare of the Town of Westport.
- d) To evaluate how these uses are or are not consistent with the goals and objectives of the 2007 Plan of Conservation and Development (POCD). And if necessary how the POCD may need to be amended.

Summary of Regulation Changes

§31-14 Medical Marijuana Dispensaries and Producers The moratorium would be extended again for period of six (6) months from January 25, 2017 to July 25, 2017.