



Town of Hampden
Town Planner

Memorandum

To: Town Council – For Workshop
From: Karen M. Cullen, AICP, Town Planner *KME*
Date: June 4, 2020
RE: Amendments to Marijuana Ordinance

The attached draft of the Marijuana Ordinance reflects changes made based on comments from the public forum held in January as well as discussions with the Planning & Development Committee in December.

The Ordinance is proposed to include provisions for medical marijuana, including performance standards and local licensing. Administrative articles for indemnification and amendments are also being added. A number of new definitions are proposed as well. Three articles are reserved for provisions pertaining to adult use marijuana, which is a more complex and controversial topic and while I don't believe the Town is ready to completely abandon the idea of including those uses, I also don't believe this is the right time to include them.

For medical marijuana, since state law now allows municipalities to regulate registered caregivers, new provisions are included to do that in Hampden. Section 4.24 of the current Zoning Ordinance includes performance standards for medical marijuana registered dispensaries, medical marijuana cultivation facilities, and methadone clinics. The first two uses are no longer consistent with state law for medical marijuana, and are being deleted from the Zoning Ordinance. Performance standards for methadone clinics remain in the Zoning Ordinance, since that use is not a marijuana use.

The current state law covers dispensaries and cultivation differently than the old law, and the proposed amendments to the Marijuana Ordinance include provisions for medical marijuana dispensaries, manufacturing facilities, and testing facilities that are consistent with current state law. Note that Article 10 of the proposed amendments to the Marijuana Ordinance covers performance standards that are applicable to all uses regulated by the ordinance.

As you may recall, previous discussions regarding the number of registered caregivers operating on a single property resulted in a decision to keep some level of a sliding scale, but to simplify it to some degree. The proposed amendments do that. In addition, the maximum number of caregivers operating on a single property was reduced as we had discussed, basically by half.

The adoption process for these amendments must occur in coordination with proposed amendments to the Zoning Ordinance due to the elimination of those provisions in §4.24.