Be it hereby ordained by the Malden City Council that Chapter 12 of the Revised Ordinances of 1991 as amended be and the same are hereby further amended as follows:

Summary of Proposed Amendment: To establish use regulations, dimensional controls, parking requirements and a definition for a Medical Marijuana Treatment Center.

- Amend Section 300.3.4.27 Table of Use Regulations to add the following:
  Section 300.3.4.27 Medical Marijuana Treatment Center
  A  B  C  RO  BN  BC  BH  I1  I2
  No  No  No  No  No  No  No  SP  SP

- Amend Section 400.1 Table of Intensity Regulations to add the following:
  Section 400.1.4.22 Medical Marijuana Treatment Center
  Area  Frontage  Front Side  Both  Rear  Min.  Open  Coverage  Coverage  Density  Max.  Height
  20,000  100’  20’  20’  40’  20’  --  50%  15%  --  30’ and 2 stories

-Amend Section 500.1 Table of Offstreet Parking and Loading Regulations to add the following:
  Minimum Number  Minimum Number  Minimum Number
  of Parking Spaces  of Loading Bays  of Loading Spaces
  500.1.4.25 Medical  5.5 per 1,000 sq ft  Section 500.3.5  Section 500.3.5
  Marijuana  Treatment Center

Amend Section 800.6 Definitions to add the following:
  Section 800.6.2.XX Medical Marijuana Treatment Center: An entity, however, organized, as defined by Massachusetts law only, registered under this law licensed by the state Department of Public Health or other applicable state entity, that routinely acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana products containing marijuana, related supplies, or educational material to qualifying patients or their personal caregivers, or who prescribes or prepares a written or other recommendation, certificate or other documentation used to obtain a registration card, or an unmanned machine that dispenses marijuana products. No Medical Marijuana Treatment Center shall be located within 400 feet of the property line of a property used for a residential dwelling, public or non-profit school or public park or playground. A special permit issued to a Medical Marijuana Treatment Center is non-transferable and nonassignable. A Medical Marijuana Treatment Center shall not be located as an accessory use to any other use. A Medical Marijuana Treatment Center may not be classified as, or a type or kind of, any other business, institutional or other use set forth by this Ordinance.

Amend Section 800.6.2.49 definition of Medical Center to specifically exclude "Medical Marijuana Treatment Center" from this definition.
No special permit application will be accepted by the City until such time as the state DPH enacts regulations for medical marijuana treatment centers.

JAMES M. NESTOR, WARD FOUR
BARBARA MURPHY, WARD FIVE

Paper # 399 of 2012, of which the above is a true copy

Enrolled & Ordained, January 22, 2013, by the City Council, by yea (11) and nay (0) vote, the City Council consisting of eleven members.

Approved, January 23, 2013, by His Honor, Mayor Gary J. Christenson.

Attest:

[Signature]

City Clerk