



Malden, MA

Date : January 23, 2013

His Honor the Mayor has approved Paper #399 of 2013

Below please find a copy

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 Sides	Rear	Min.	Open Space	Coverage Principal	Coverage Accessory	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 of Parking Spaces	Minimum Number of Loading Bays	Minimum Number of Loading Spaces
500.1.4.25 Medical Marijuana Treatment Center	5.5 per 1,000 sq ft of gross floor area	Section 500.3.5
		Section 500.3.5

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 allowed 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:**

A handwritten signature in cursive script that reads "Karen Anderson".

**City Clerk**