

# Zoning Regulation pertaining to Adult Use Marijuana Establishments



Economic Development Subcommittee

May 14, 2018

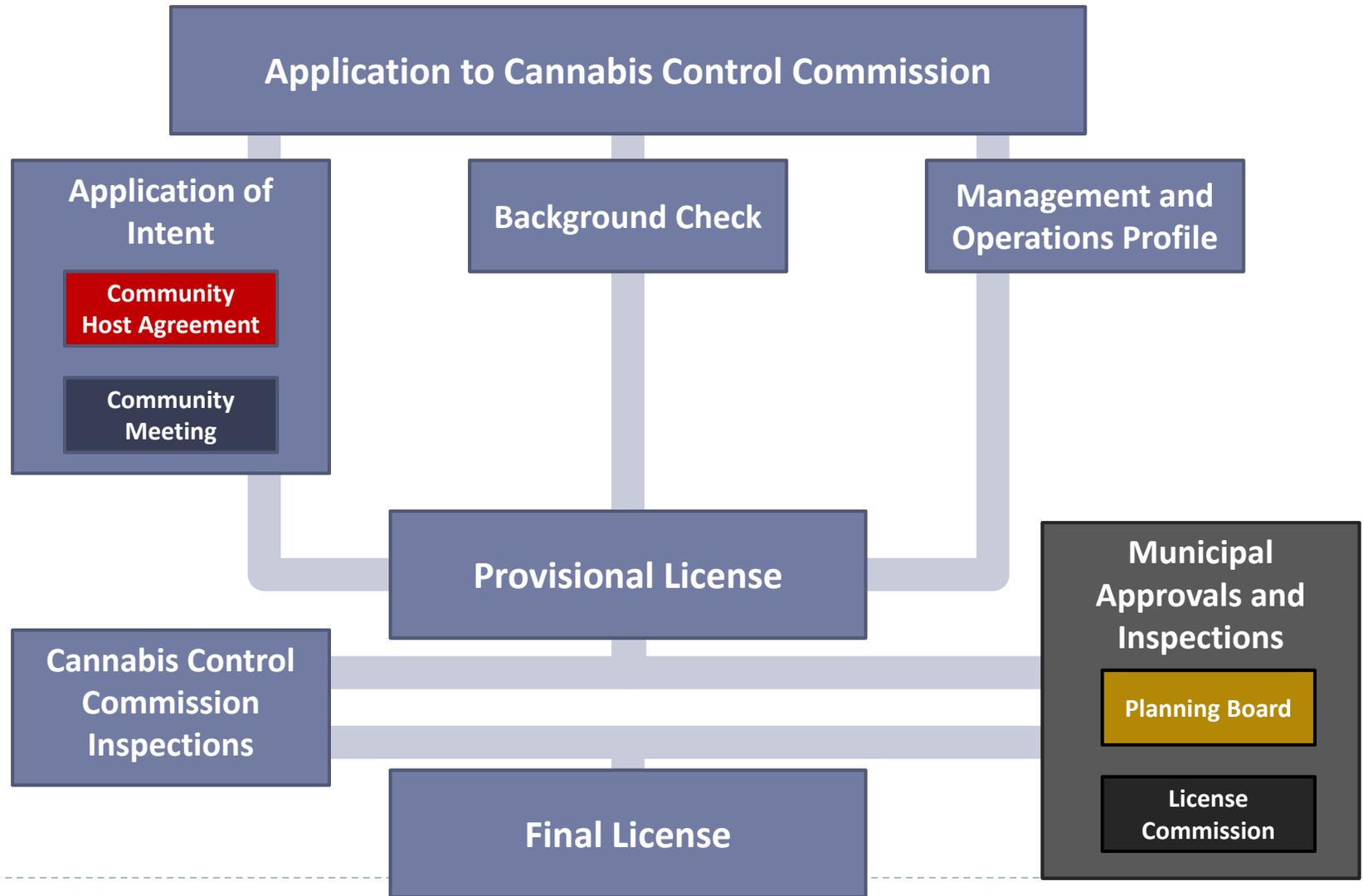
# Regulatory Background

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- ▶ Voters approved a measure legalizing marijuana for recreational use in December 2016. The resulting law, MGL Chapter 94G, was subsequently amended by the legislature in 2017.
- ▶ A State Cannabis Control Commission has been established.
  - ▶ Approved final regulations on March 9, 2018.
  - ▶ Scheduled to begin accepting applications on April 1, 2018.
  - ▶ Licenses will be issued beginning June 2018.
- ▶ Municipalities may establish local ordinances and licensing regulations, with certain limitations.
  - ▶ Local ordinances may not be “unreasonably impracticable.”



# Multiple Steps in the Approval Process



# Zoning Objectives

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- ▶ Provide sufficient opportunities for the location of retail establishments and other allowed uses.
- ▶ Prevent clustering of retail establishments in close proximity.
- ▶ Prevent location of establishments in locations proximate to schools, daycares, and parks.
- ▶ Provide sufficient oversight and control through land use permitting.



# Proposed Regulations - Uses

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- ▶ Marijuana Cultivator
- ▶ Marijuana Delivery-Only-Retailer
  - ▶ State is not currently licensing this category of use
- ▶ Marijuana Independent Testing Laboratory
- ▶ Marijuana Product Manufacturer
- ▶ Marijuana Research Facility
- ▶ Marijuana Storefront Retailer
  - ▶ Limited to 15 sites currently (20% of the number of off-premises alcohol licenses the City is authorized to issue).
- ▶ Marijuana Transporter
- ▶ Micro-Business
- ▶ Club, lodge, other private grounds (non-profit and private) allowing on-site consumption of marijuana.
  - ▶ NOT a social consumption operator.



# Proposed Regulations - Use Table

	RS 10	RS 7	RL 7	RG 5	BO 1	BO 2	BL 1	BG 2	BG 3	BG 4	BG 6	ML 0.5	ML 1.0	ML 2.0	MG 0.5	MG 1.0	MG 2.0	IP .33	IN S	IN H	A 1
Marijuana Transporter												SP	SP	SP	SP	SP	SP				
Cultivator												SP	SP	SP	SP	SP	SP				SP
Product Manufacturer												SP	SP	SP	SP	SP	SP				SP
Micro-Business												SP	SP	SP	SP	SP	SP				SP
Testing Lab / Research Facility							SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP			SP	SP
Storefront Retailer / Delivery Only Retailer							SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP				
Club, lodge, allowing on-site consumption							SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP				



# Planning Board Hearing

## Recommended Revisions to Use Table

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- ▶ Allow **Micro-Businesses**, which have small-scale cultivation, manufacturing, and delivery co-located at a single site, by Special Permit in the **BG-2.0, BG-3.0, BG-4.0, & BG-6.0** zoning districts. (Planning Board also recommended BL-1.0).
- ▶ Allow **Product Manufacturers** by Special Permit in the **BG-2.0, BG-3.0, BG-4.0, & BG-6.0** zoning districts – provided that they are limited in size to **5,000 SF or less**.



# Proposed Regulations - Use Table

	RS 10	RS 7	RL 7	RG 5	BO 1	BO 2	BL 1	BG 2	BG 3	BG 4	BG 6	ML 0.5	ML 1.0	ML 2.0	MG 0.5	MG 1.0	MG 2.0	IP .33	IN S	IN H	A 1
Marijuana Transporter												SP	SP	SP	SP	SP	SP				
Cultivator												SP	SP	SP	SP	SP	SP				SP
Product Manufacturer								SP	SP	SP	SP	SP	SP	SP	SP	SP	SP				SP
Micro-Business								SP	SP	SP	SP	SP	SP	SP	SP	SP	SP				SP
Testing Lab / Research Facility							SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP			SP	SP
Storefront Retailer / Delivery Only Retailer							SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP				
Club, lodge, allowing on-site consumption							SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP				



## Proposed Regulations - Buffers

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- ▶ No Marijuana Establishment shall be sited within a radius of five hundred (500) feet of:
  - ▶ A public or private, primary or secondary school;
  - ▶ Licensed daycare center;
  - ▶ Public library;
  - ▶ Public park or playground, or;
  - ▶ Another Marijuana Storefront Retailer.



# Planning Board Hearing

## Recommended Revisions to Buffers

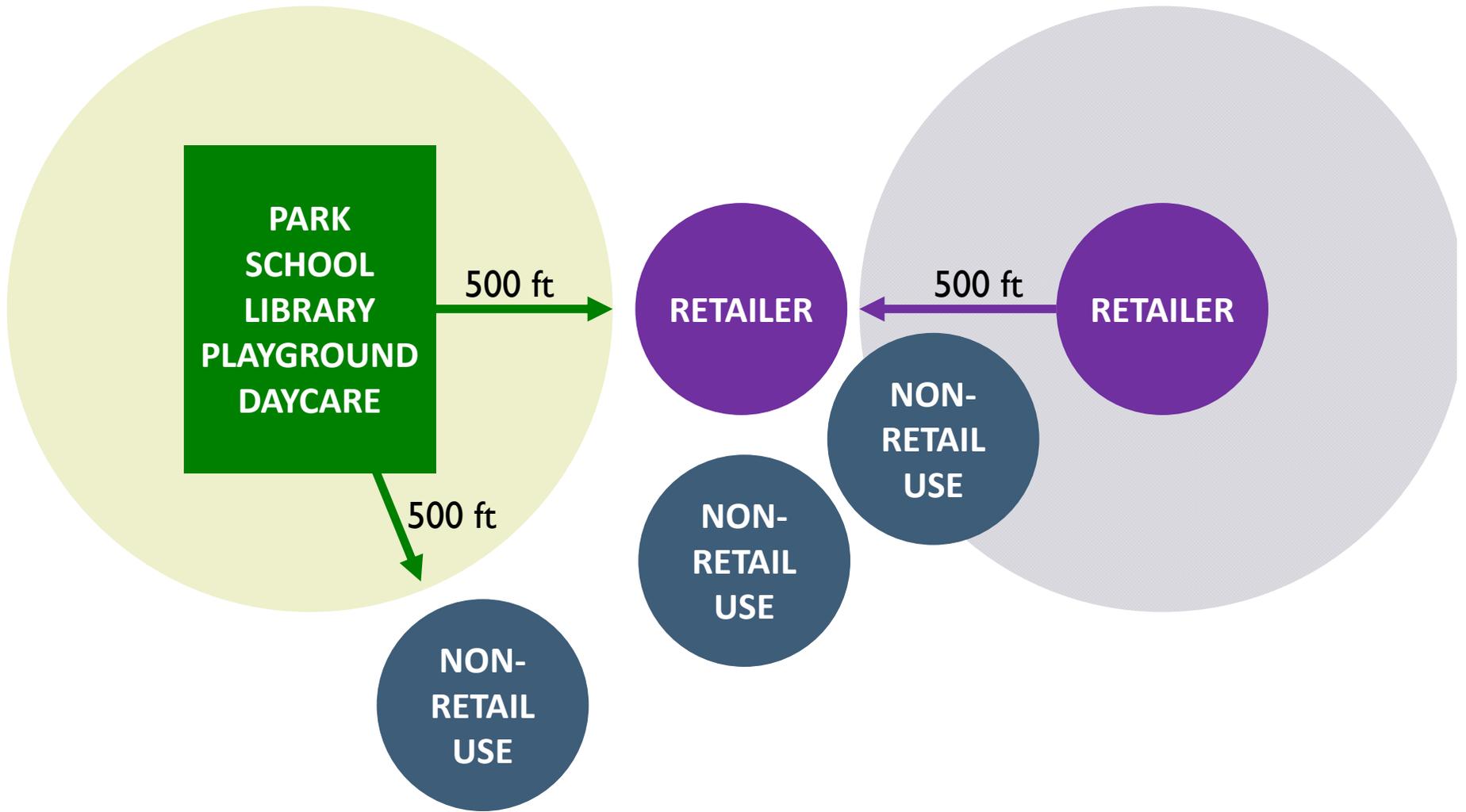
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- ▶ Revise the proposed **500 foot buffer from a Marijuana Storefront Retailer** so that it pertains only to other Marijuana Storefront Retailer uses.



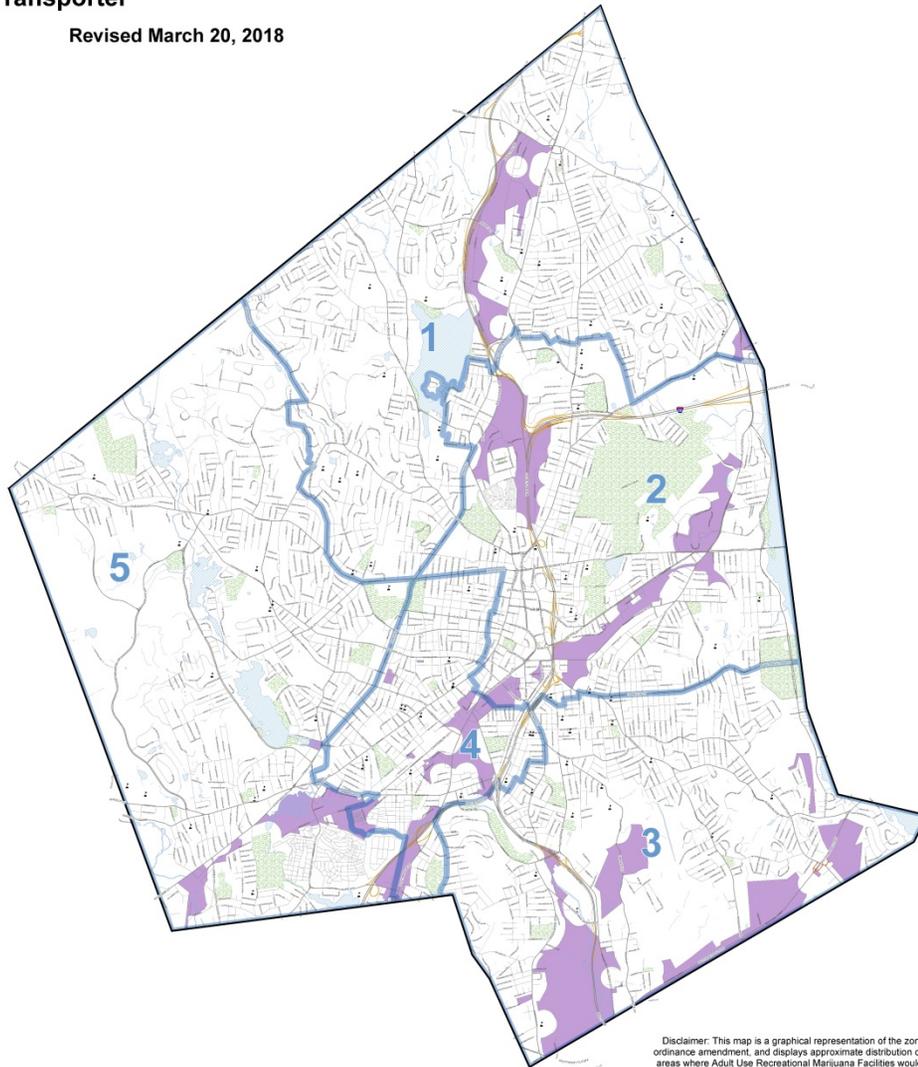
# Explanation of Buffers

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# Analysis Map: Estimated Areas Eligible for Siting Transporter

Revised March 20, 2018



Disclaimer: This map is a graphical representation of the zoning ordinance amendment, and displays approximate distribution of the areas where Adult Use Recreational Marijuana Facilities would be allowed by Special Permit. Therefore, this map is not a substitute for case-by-case determination of each parcel's applicability.

**Legend**

- Estimated extent of potentially compliant locations
- Schools
- Parks
- Interstate
- U.S.
- State
- Major City Streets
- Streets
- Streams and Brooks
- Rivers, Ponds, and Lakes
- Council Districts



March 21, 2018  
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 TOWN OF CHICAGO  
 DEPARTMENT OF PLANNING AND EQUITY SERVICES



## Extent of Eligible Locations - Transporters

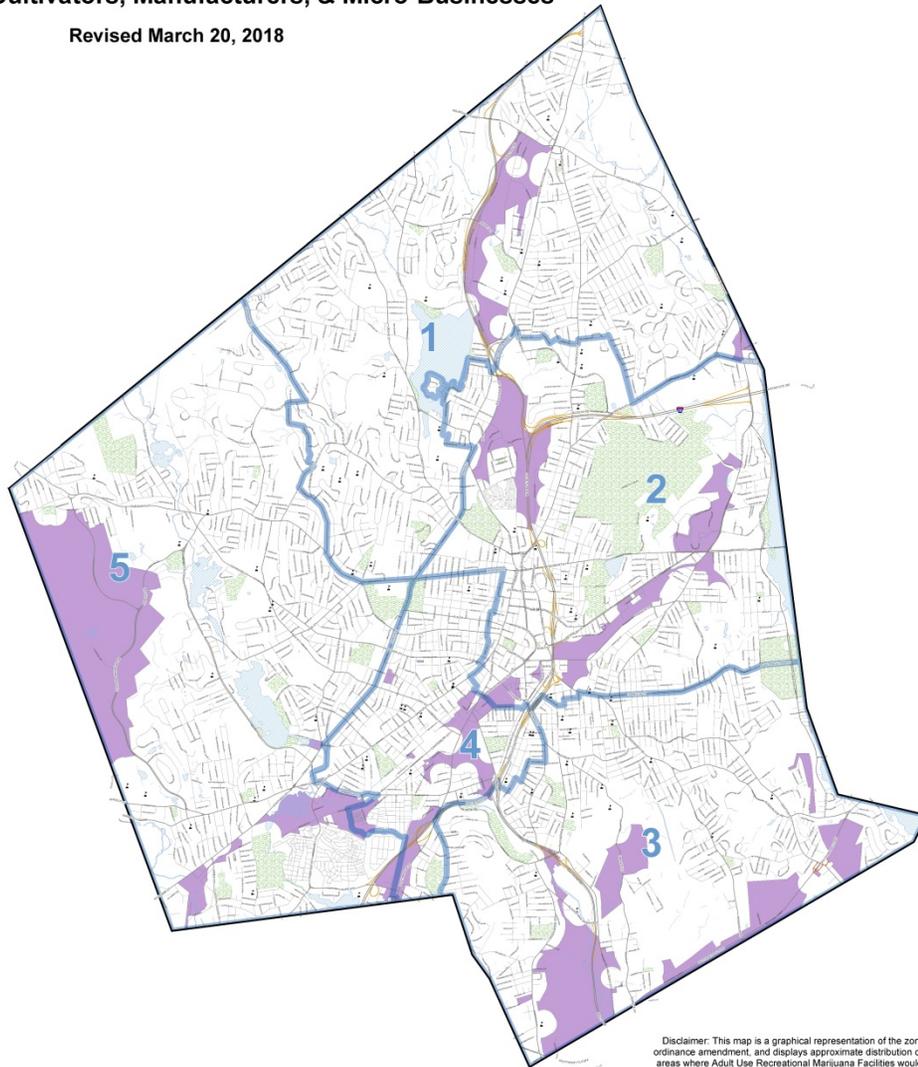
ML and MG zones

1,935 acres excluding buffers.

The number of parcels located within the estimated eligible area is between 451-563 parcels.

# Analysis Map: Estimated Areas Eligible for Siting Cultivators, Manufacturers, & Micro-Businesses

Revised March 20, 2018



Disclaimer: This map is a graphical representation of the zoning ordinance amendment, and displays approximate distribution of the areas where Adult Use Recreational Marijuana Facilities would be allowed by Special Permit. Therefore, this map is not a substitute for case-by-case determination of each parcel's applicability.

**Legend**

- Estimated extent of potentially compliant locations
- Schools
- Parks
- Interstate
- U.S.
- State
- Major City Streets
- Streets
- Streams and Brooks
- Rivers, Ponds, and Lakes
- Council Districts



March 21, 2018  
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 Prepared by City of Worcester  
 Department of Planning and Economic Services



## Extent of Eligible Locations

- Cultivator
- Manufacturer
- Micro-Business

ML and MG zones

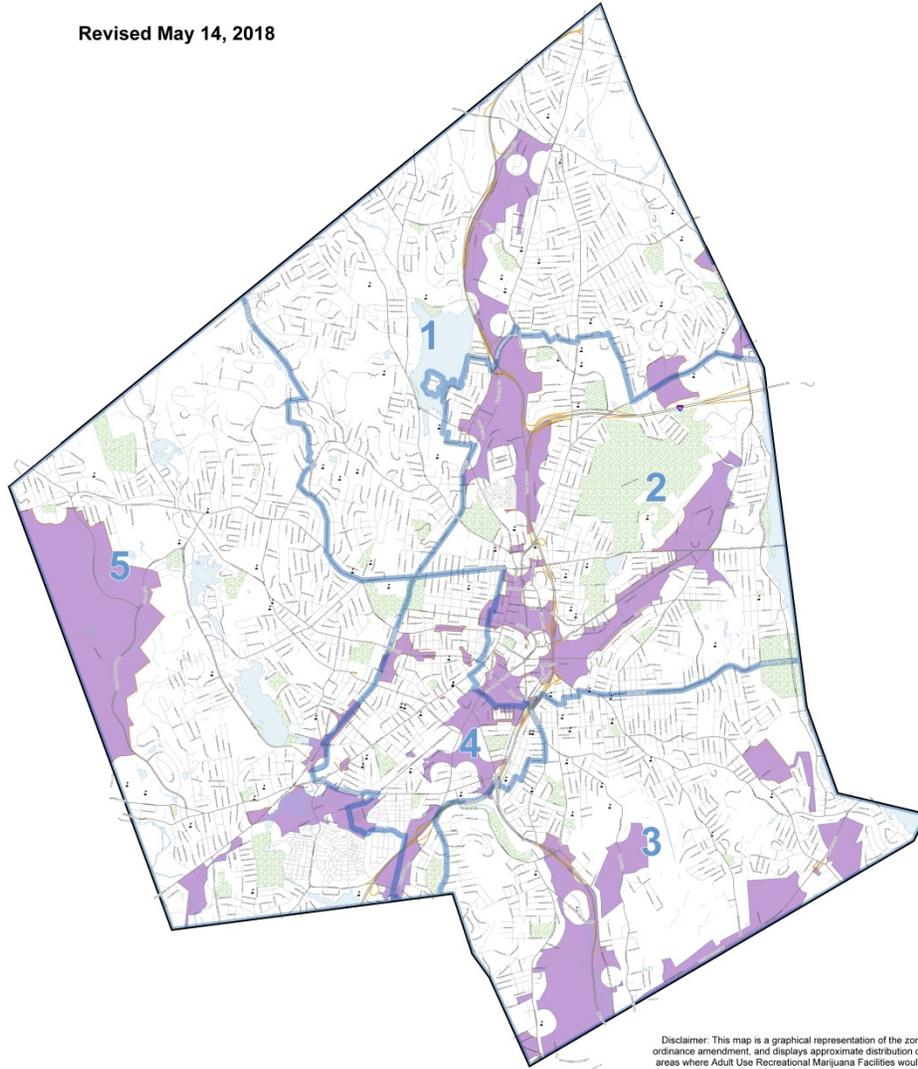
Airport zone

2,728 acres excluding buffers.

The number of parcels located within the estimated eligible area is between 474-605 parcels.

# Revised Proposal for Small Scale Manufacturing & Micro-Businesses

Revised May 14, 2018



Disclaimer: This map is a graphical representation of the zoning ordinance amendment, and displays approximate distribution of the areas where Adult Use Recreational Marijuana Facilities would be allowed by Special Permit. Therefore, this map is not a substitute for case-by-case determination of each parcel's applicability.

## Extent of Eligible Locations

- Manufacturer, < 5,000 sf
- Micro-Business

### Planning Board Recommendations

- ML and MG zones
- Airport zone
- BG zones

**Legend**

Estimated extent of potentially compliant locations	Interstate	Streams and Brooks
Schools	U.S.	Rivers, Ponds, and Lakes
Parks	State	Council Districts
	Major City Streets	
	Streets	

**WORCESTER**

May 14, 2018

Scale: 1 inch = 1.000 feet

0 1/2 1 1 1/2 2 Miles

0 1/2 1 1 1/2 2 Kilometers

DATE: 05/14/2018

PROJECT: ZONING ORDINANCE AMENDMENT

PREPARED BY: CITY OF WORCESTER

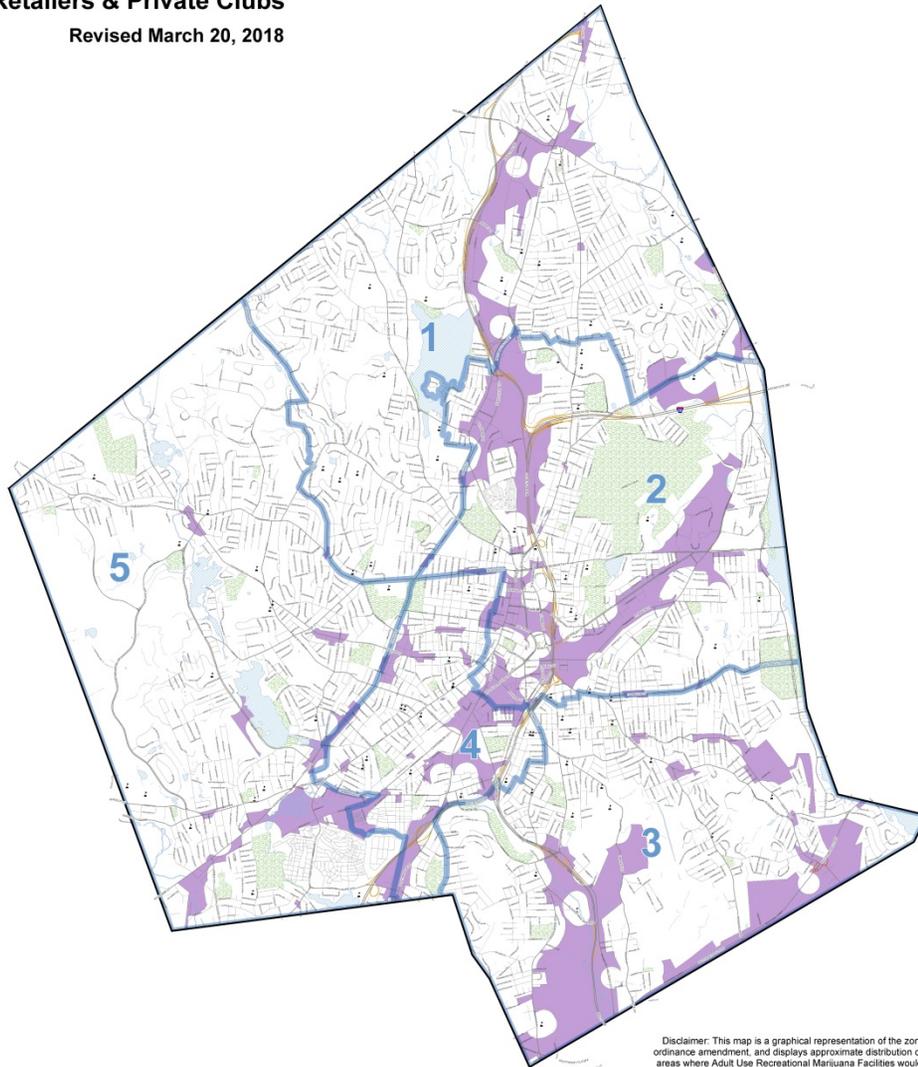
APPROVED BY: CITY COUNCIL





# Analysis Map: Estimated Areas Eligible for Siting Retailers & Private Clubs

Revised March 20, 2018



## Extent of Eligible Locations

- Retailers
- Private Clubs

ML and MG zones

BL and BG zones

3,071 acres excluding buffers.

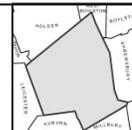
The number of parcels located within the estimated eligible area is between 1,349-1,679 parcels.

**Legend**

Estimated extent of potentially compliant locations	Interstate	Streams and Brooks
Parks	U.S.	Rivers, Ponds, and Lakes
Schools	State	Council Districts
	Major City Streets	
	Streets	



March 21, 2018  
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 Prepared by City of Worcester  
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## Other clarifying recommended changes.

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- ▶ Clarify that buffers do not apply to conversion of a licensed Registered Marijuana Dispensary to an Adult Use Marijuana Establishment.
- ▶ Clarify that a executed host agreement is required to apply for a Special Permit.

