

CITY OF WORCESTER

In Committee

November 19, 2013

The Committee on Economic Development to whom was referred September 17, 2013 the Report of the Planning Board Upon the Communication of the City Manager transmitting informational communication relative to a proposed Ordinance Amendment for Registered Medical Marijuana Dispensaries; having considered the same, most respectfully reports recommending to amend the Planning Board Report on a roll call of 2 Yeas and 1 Nay (Yeas - Rushton, O'Brien) and (Nay - Russell) and approval of the Zoning Ordinance as amended.

For the Committee



Clerk

**AN ORDINANCE AMENDING THE WORCESTER ZONING
ORDINANCE ADOPTED APRIL 2, 1991, RELATIVE TO
REGISTERED MARIJUANA DISPENSARIES**

Be it ordained by the City Council of the City of Worcester as follows:

SECTION 1. The City of Worcester Zoning Ordinance is hereby amended by inserting in Article I, Section 2 after the definition of “REFUSE TRANSFER STATION FACILITY,” the following new definition:

REGISTERED MARIJUANA DISPENSARY (RMD) – A building or structure used for a medical marijuana treatment center approved and licensed by the Massachusetts Department of Public Health pursuant to 105 CMR 725.000, owned and operated by a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including development of related products such as marijuana-infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

SECTION 2. The City of Worcester Zoning Ordinance is hereby amended by inserting in Article IV, Section 2, Table 4.1 – Business Uses, the following new line 30. Registered Marijuana Dispensary:

30. Registered Marijuana Dispensary (provided, not within 300 feet of a residential district in BG and MG districts. See, Notes to Table 4.1, Note 13)

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
N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N

SECTION 3. The City of Worcester Zoning Ordinance is hereby amended by inserting in Article IV, Section 2, Table 4.1 – Business Uses, the following new line 31. Registered Marijuana Dispensary, without cultivation operations:

31. Registered Marijuana Dispensary, without cultivation operations and within 300 feet of a residential district (See, Notes to Table 4.1, Note 13)

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
N	N	N	N	N	N	N	SP	SP	SP	SP	Y	Y	Y	SP	SP	SP	N	N	Y	N

SECTION 4.

The City of Worcester Zoning Ordinance is hereby amended by inserting in Article IV, Section 2, Table 4.1, Notes to Table 4.1, the following new Note 13:

Note 13. No Registered Marijuana Dispensary, with or without cultivation operations shall be sited within a radius of three hundred feet of a public or private, primary or secondary school, licensed daycare center, public library, public park or playground, or another RMD. The 300' distance under this note shall be measured in a straight line from the nearest point of the facility in question to the nearest point of the proposed RMD.