

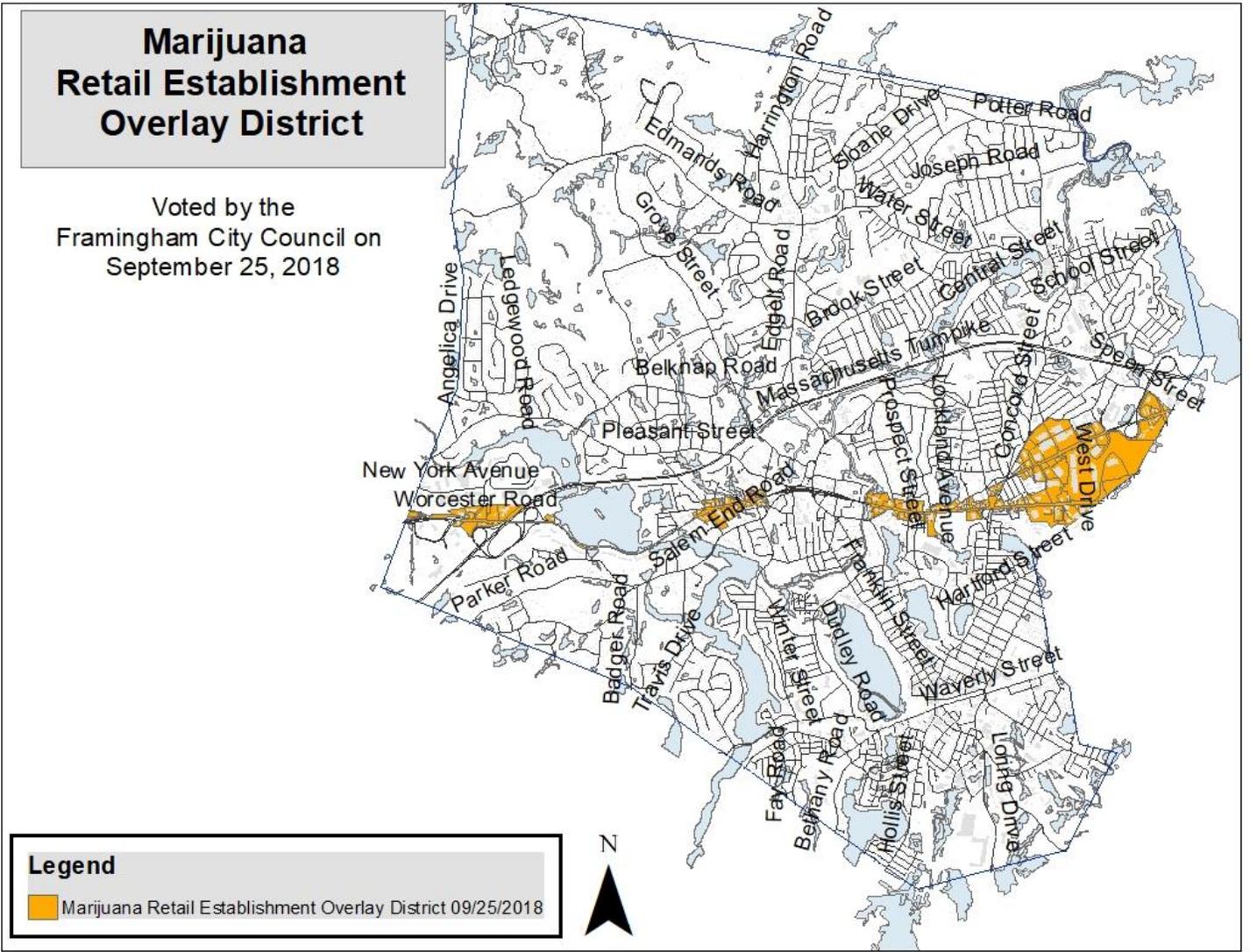


RE: Update to the Framingham Zoning By-Law, October 2018 and Framingham Zoning Map
Date: October 31, 2018

- **Framingham Zoning Map – Establishment of an Overlay District**
 - **Establishment of an Overlay District for Marijuana Retail Establishments** – establishment of a Marijuana Retail Establishment Overlay District. **Exhibit A**
- **Framingham Zoning Ordinance**
 - **Update Section I.E Definitions** – new definitions, which include
 - **Craft Marijuana Cultivator** Comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth. A cooperative is licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to Marijuana Establishments, but not to consumers.
 - **Marijuana Independent Testing Laboratory** a laboratory that is licensed by the Commission and is:
 1. accredited to the International Organization for Standardization 17025 (ISO/IEC 17025: 2017) by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Commission;
 2. independent financially from any Medical Marijuana Treatment Center (RMD), Marijuana Establishment or licensee for which it conducts a test; and
 3. qualified to test cannabis or marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94C, § 34.
 - **Marijuana Cultivator** An entity licensed to cultivate, process and package marijuana, and to transfer marijuana to other Marijuana Establishments, but not to consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator.
 - **Marijuana Establishment** A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a medical marijuana treatment center.
 - **Marijuana Product Manufacturer** An entity licensed to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers.
 - **Marijuana Retailer** An entity licensed to purchase and transport cannabis or marijuana product from Marijuana Establishments and to sell or otherwise transfer this product to Marijuana Establishments and to consumers. Retailers are prohibited from delivering cannabis or marijuana products to consumers; and from offering cannabis or marijuana products for the purposes of on-site social consumption on the premises of a Marijuana Establishment.
 - **New Footnote 12** – Limits Marijuana Retail Establishments to the Marijuana Retail Establishment Overlay District. **Exhibit B**
 - **New Footnote 13** – Views Marijuana Independent Testing Laboratory the same as Research, Development & Laboratories relative to allowed locations and shall be regulated in the same manner. **Exhibit C**

- New Footnote 14** - Views Marijuana Cultivator and Marijuana Product Manufacturer the same as Processing, assembly, and manufacturing relative to allowed locations and shall be regulated in the same manner. **Exhibit D**
- New Footnote 15** – Allows for Marijuana Cultivator and Marijuana Product Manufacture to located on a parcel of land within the Single Family Residential (R-4) Zoning District, with a 100’ lot line setback, a minimum of the 25’ wide buffer and 60’ buffer around the use. Such parcel must be over 15 acres and engaged in Farming or agriculture in accordance with the M.G.L c. 128, Section 1A. **Exhibit E**
- Amend Section VI.F.2.a** – Requires Marijuana Retailers, Marijuana Cultivators, and Marijuana Product Manufacturers to undergo Minor Site Plan Review, which includes review by the Technical Review Team (TRT) and the Planning Board. **Exhibit F**
- Amend Section VI.G.1** – Prohibits the granting of a use variance for Marijuana Retail Establishments outside of the Marijuana Retail Establishment Overlay District. Additionally, this addition prohibits the granting of a use variance for Marijuana Cultivator and Marijuana Product Manufacture. **Exhibit G**
- New Section IX** – New section that requires the City Council to conduct a review of the Marijuana Retail Overlay District, which shall commence by July 1, 2020 and conclude by December 21, 2020 **Exhibit H**
- **Framingham General By-Laws**
 - Establish a new Section Article V, Health, a new Section 1.5 Prohibition of Consumption or Ingestion of Marijuana or Tetrahydrocannabinol (as defined in G.L. c. 94C, § 1, as amended), Cannabinoids or Products Containing the same in Public Places
 - Establish a new Article VIII, Business and Commerce Provisions, a new Section 9, MARIJUANA ESTABLISHMENTS

Exhibit A



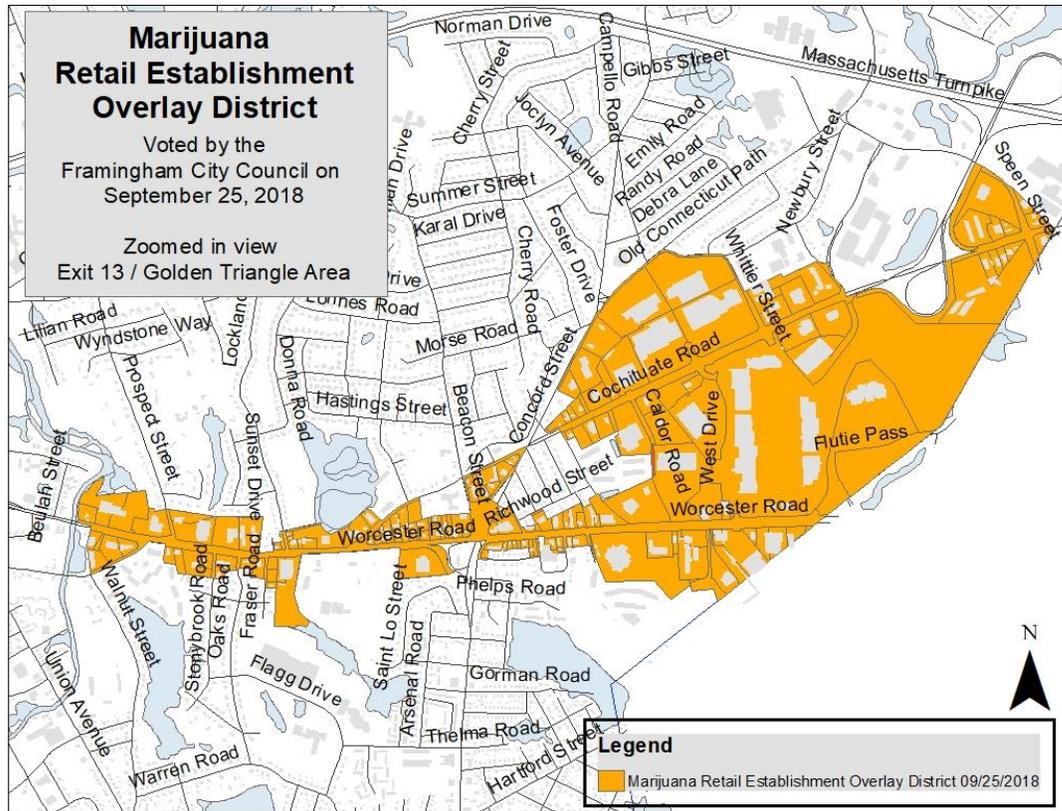
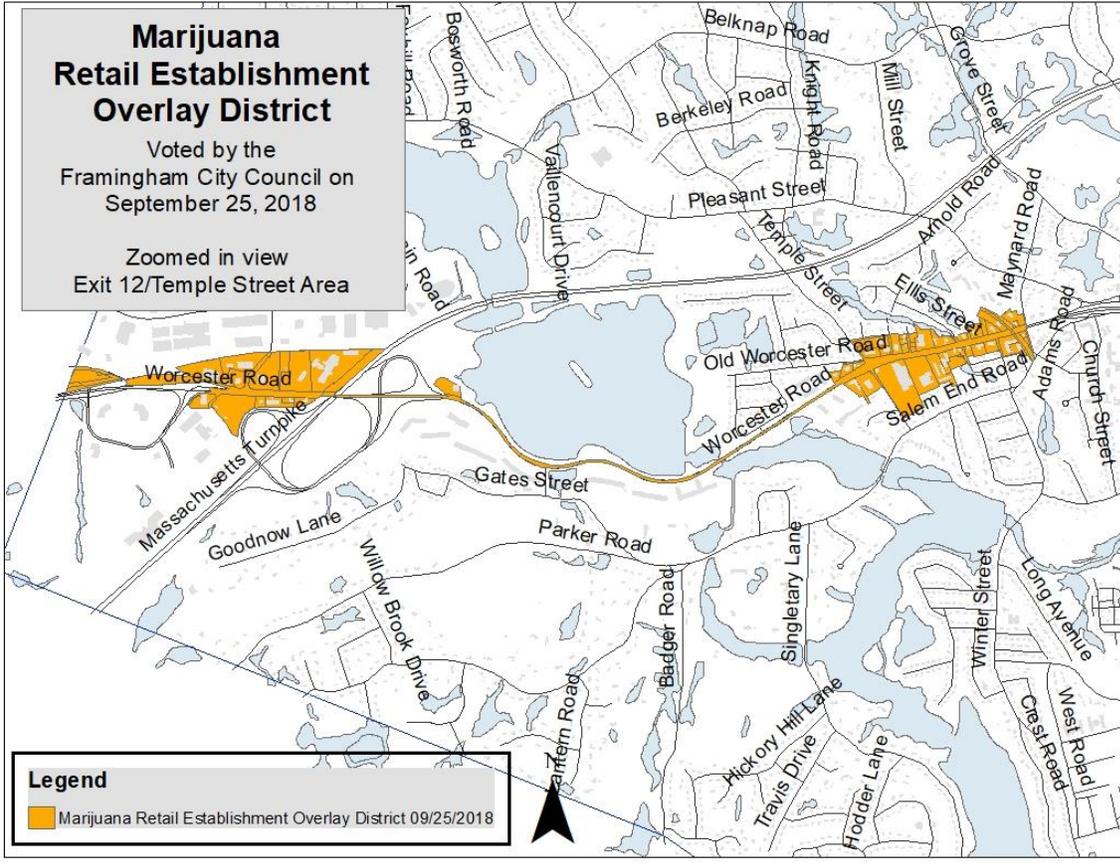


Exhibit B

Use Category	R	G	B-1	B-2	B-3 B-4	CB	B	P	PRD	M-1	M	OSR	TP	Parking Code
5. Commercial														
D. Retail Services ¹²	N	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N	-	19

(12) Marijuana Retailers shall only be permitted within the Marijuana Retail Overlay District. Such Marijuana Retailer shall not be located within a 500’ buffer of schools, which shall be measured from boundary line of the school owned property to the boundary line the proposed location.

Exhibit C

USE CATEGORY	R	G	B- ₁	B- ₂	B-3 B- ₃ B- ₄	CB ⁴	B ³	P ³	PRD ⁵	M- ₁ ³	M ³	OSR ⁶	TP ⁷	Parking code
6. MANUFACTURING AND INDUSTRIAL														
A. Research, Development & Laboratories ¹³	N	N	N	SP	SP	SP	SP	N	N	Y	Y	N	Y	25

13 Marijuana Independent Testing Laboratory shall be classified under Research, Development & Laboratories for the purposes of Section II.B.2 of the Framingham Zoning By-Law

Exhibit D

USE CATEGORY	R	G	B- ₁	B- ₂	B-3 B- ₃ B- ₄	CB ⁴	B ³	P ³	PRD ⁵	M- ₁ ³	M ³	OSR ⁶	TP ⁷	Parking code
6. MANUFACTURING AND INDUSTRIAL														
C. Processing, assembly and manufacturing ¹⁴	N ¹⁵	N	N	N	N	N	N	N	N	SPP	Y	N	Y	25

14 Marijuana Cultivator and Marijuana Product Manufacturer shall be classified under Processing, Assembly and manufacturing for the purposes of Section II.B.2 of the Framingham Zoning By-Law

Exhibit E

USE CATEGORY	R	G	B- ₁	B- ₂	B- ₃ B- ₃ B- ₄	CB ⁴	B ³	P ³	PRD ⁵	M- ₁ ³	M ³	OSR ⁶	TP ⁷	Parking code
6. MANUFACTURING AND INDUSTRIAL														
C. Processing, assembly and manufacturing ¹⁴	N ¹⁵	N	N	N	N	N	N	N	N	SPP	Y	N	Y	25

15 Cultivation of marijuana by a duly licensed Marijuana Cultivator, which may be a sole licensee or co-located with a licensed Marijuana Product Manufacturer under the same ownership, shall be permitted within the R-4 Zoning District only on a parcel of land or one or more contiguous parcels of land in common ownership, consisting of 15 acres or more, and engaged in “farming” or “agriculture” as defined in M.G.L. c. 128 §1A.. Such use(s) shall require Site Plan review pursuant to Section VI.F. A Marijuana Product Manufacturer that is not co-located with a Marijuana Cultivator shall not be allowed in the R-4 district. A Marijuana Cultivation facility, or a Marijuana Cultivation facility co-located with a Marijuana Product Manufacturer, shall not be located any closer than 100’ from any residential lot line and shall have a 25’ wide buffered screen no more than 60’ from the edge of the structure to allow the facility to blend with its landscape.

Exhibit F

Section VI.F.2 Applicability

The Planning Board shall conduct site plan review and approval. Site Plan Review applies to all construction, reconstruction, and/or site redevelopment projects which include any increase in impervious surface except for: single and two-family detached dwelling on its own individual lot; multi-family residential dwellings requiring fewer than nine parking spaces; alterations that do not increase the required number of off-street parking spaces by more than five; or commercial construction, reconstruction, and/or site redevelopment projects that do not exceed 3,000 gross square feet.

- a. The following types of activities and uses require **minor** site plan review by the Planning Board unless the activity or use also falls into a category which requires major site plan review, in which case major site plan review shall prevail:

6) All Marijuana Retailers, Marijuana Cultivators, and Marijuana Product Manufacturers

Exhibit G

Section VI.G.1 Limitation of Use Variances

A variance authorizing a use or activity not otherwise permitted in the district in which the land is located shall be prohibited in Geriatric Care/Elderly Housing Districts, Central Business (CB) Zoning District, single residence and general residence districts, but may be allowed by the Board of Appeals in other zoning districts in accordance with G.L. c. 40A, §10 except as otherwise prohibited in Section II.C of this By-law.

A variance authorizing a Marijuana Retail Establishment outside of the Marijuana Retail Overlay Zoning District shall not be permitted by the Zoning Board of Appeals. Nor shall a variance for the locating of a Marijuana Cultivator and Marijuana Product Manufacture outside of the identified areas specified in Section II.B.6.C of these Ordinances.

Exhibit H

Section IX. Review of Marijuana Retail Establishment Overlay Districts

The City Council shall cause a review of the Marijuana Retail Overlay Zoning District, which shall commence by July 1, 2020 and conclude by December 31, 2020.