

Article 39

Zoning Bylaw Amendment

Medical Marijuana Treatment Center

OVERVIEW

How did we get here?

- In the 2012 election, 63% of Massachusetts voters voted in favor of the Medical Marijuana ballot initiative.
- Similarly, in Concord, a majority of voters supported the law, which will allow:
 - A maximum of 35 treatment facilities state-wide;
 - 1 to 5 facilities per County;
 - A “hardship cultivation registration” for any patient who can prove that no facility exists within a reasonable distance of his or her residence.

OVERVIEW

Intended Results of this Bylaw:

- Prevent claims for “hardship cultivation registrations” by providing patients with **the potential for** convenient access to a Medical Marijuana Treatment Center;
- Define and allow Medical Marijuana Treatment Center as a use within the **Medical Professional Zoning District**:

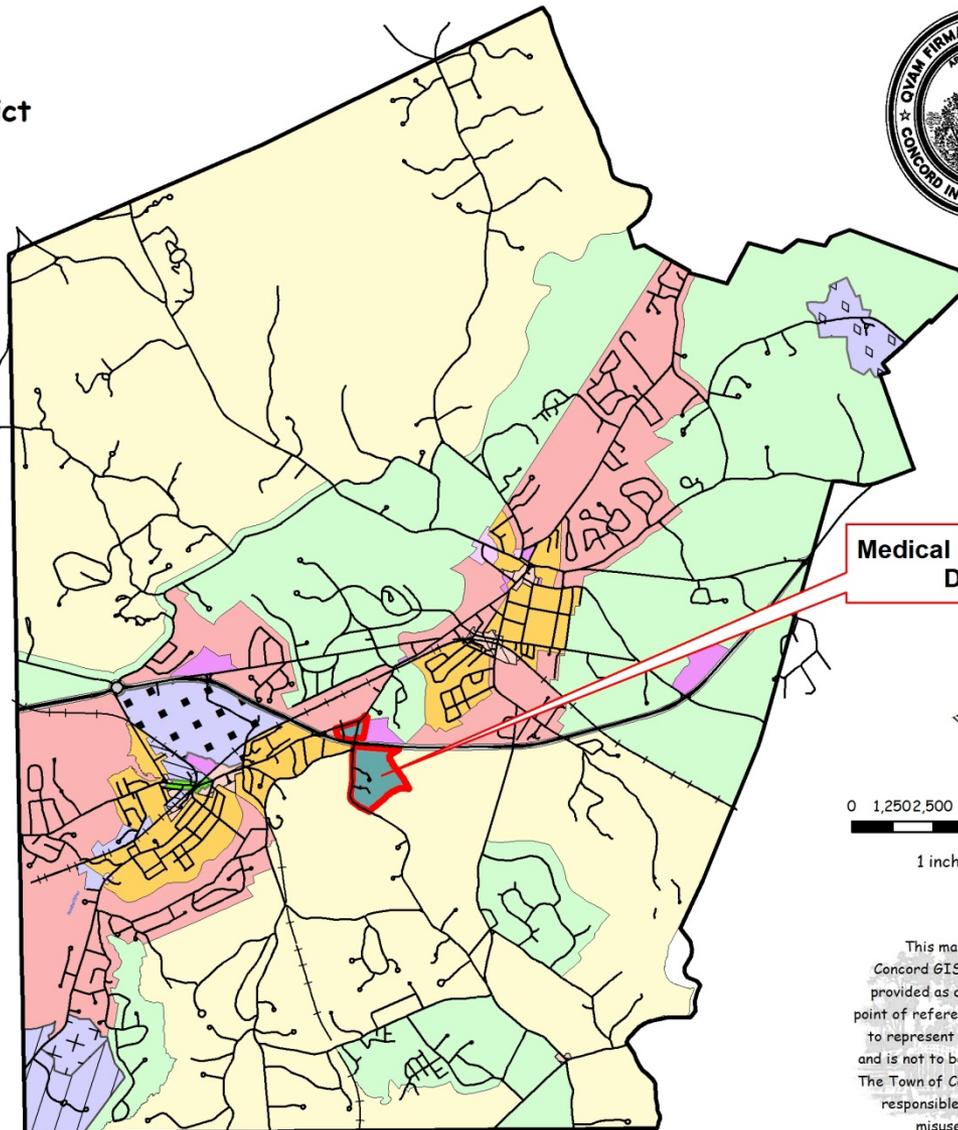
Zoning Map with Medical Professional District outlined

March 1, 2013



Key to Map Features

- Industrial Park A
- Industrial Park B
- West Concord Village
- West Concord Industrial
- West Concord Business
- Concord Center Business
- Thoreau Depot Business
- Nine Acre Corner Business
- Business
- By-Pass
- Industrial
- Limited Business
- Limited Industrial Park 1
- Limited Industrial Park 2
- Medical Professional**
- Residence A
- Residence AA
- Residence B
- Residence C
- Railroad



**Medical Professional
District**



0 1,250 2,500 5,000 7,500
Feet

1 inch = 4,750 feet

This map was created by Concord GIS. The information is provided as a reasonably accurate point of reference, but is not intended to represent authoritative location, and is not to be used for conveyances. The Town of Concord shall not be held responsible for the accuracy or misuse of these data.



Medical Professional District

Key to Map Features

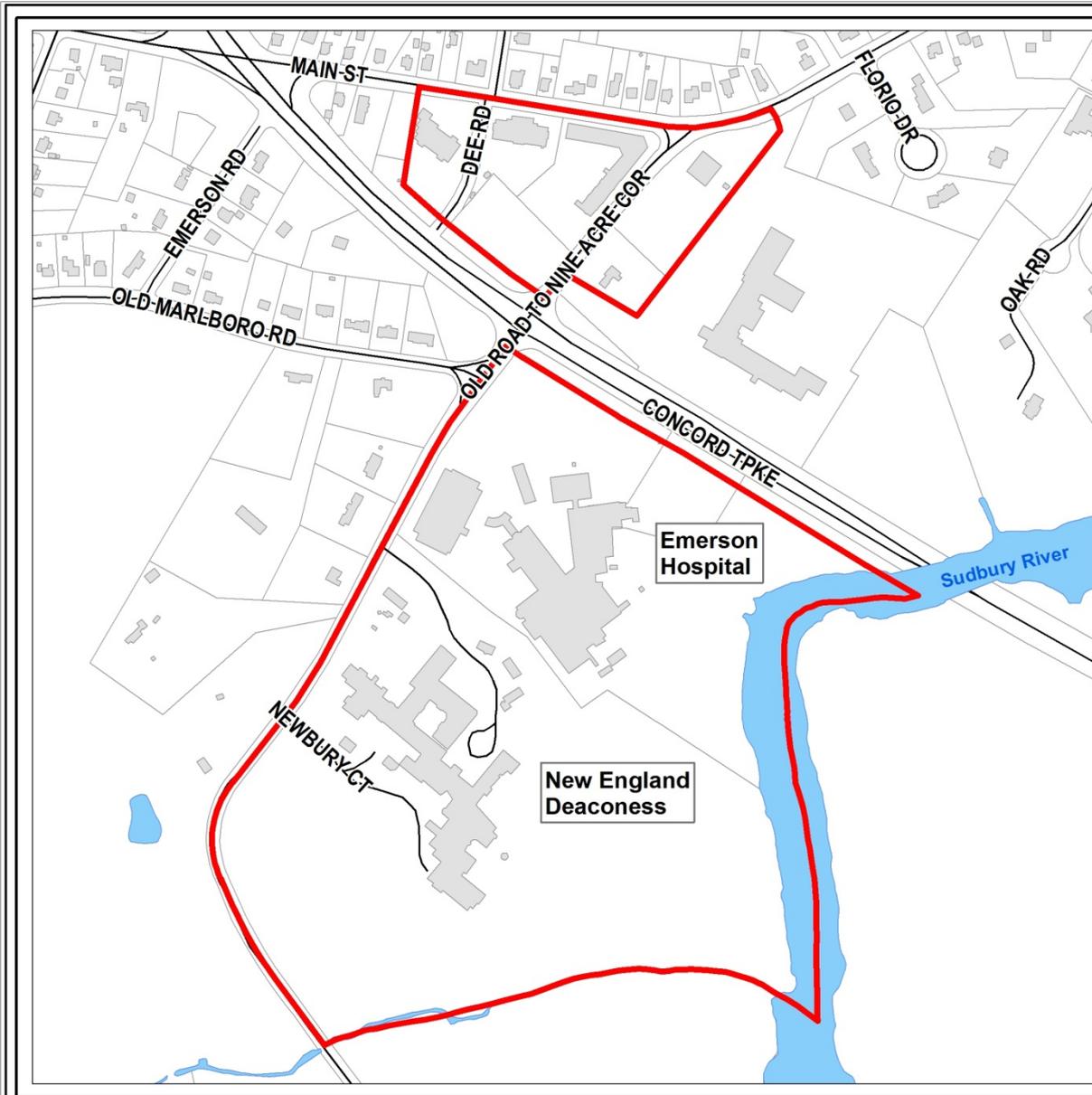
-  Medical Professional District
-  Rivers & Ponds
-  Buildings
-  Town Parcels



0 100 200 400 600
Feet
1 inch = 400 feet

March 1, 2013

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OVERVIEW

Why Here?

- Medical Professional District is:
 - Centrally located within Town;
 - Comprised of Emerson Hospital & New England Deaconess (and other properties);
 - Proximate to Concord Healthcare Center;
 - Accessible from Route 2.

ARTICLE 39. ZONING BYLAW AMENDMENT
MEDICAL MARIJUANA TREATMENT CENTER

Add **Medical Marijuana Treatment Center**
as a **use** in **Section 4.3 Institutional**
Uses as follows:

4.3.9 Medical Marijuana Treatment Center: A non-profit facility or location that has been registered by the Department of Public Health where medical marijuana is grown, processed and/or made available to a qualifying patient or a personal caregiver

ARTICLE 39. ZONING BYLAW AMENDMENT
MEDICAL MARIJUANA TREATMENT CENTER

**With minimum distance requirements
from schools and libraries:**

4.3.9.1 A medical marijuana treatment center **shall not be located within three thousand feet (3,000')** of an elementary school, middle school, high school, or public library in existence at the time of enactment of the zoning bylaw amendment establishing this use.

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ARTICLE 39. ZONING BYLAW AMENDMENT
MEDICAL MARIJUANA TREATMENT CENTER

Amend Table I – Principal Use Regulations
to allow the Medical Marijuana Treatment Center
use **ONLY** within the Medical Professional District:

Principal Uses	Residential Districts				Commercial Districts					Industrial Districts						Site Plan Approval	
	A	A	B	C	B	<u>CCB, WCB, TDB, NACB</u>	<u>WCV</u>	LB	MP	WCI	I	IPA	IPB	LIP1	LIP2		
4.3 <u>4.3.9 Medical Marijuana Treatment Center</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>yes</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>R</u>

**Site Plan Approval by the Planning Board
is REQUIRED**