

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

to amend the Springfield Zoning Ordinance by amending Article 4, Table 4-4 (Use Table), Section 13.4(1) and (2) (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary), amending Article 4, Section 4.7.114(A)(2) (Adult Use Marijuana Establishments/Use Requirements) and amending Article 4, Section 4.7.100 (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary) by including a new Section 4.7.105, as set forth in the proposed amendment attached hereto:

SEE ATTACHED DOCUMENT(S)

Mailing Address:

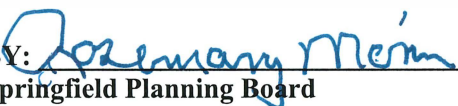
36 Court Street
Springfield, MA 01103

Petitioner:

Springfield Planning Board

BY: 
Springfield Planning Board

BY: 
Springfield Planning Board

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Springfield Planning Board

BY: _____
Springfield Planning Board

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Springfield Planning Board

PROPOSED AMENDMENTS:

- 1) ARTICLE 4, TABLE 4-4 USE 13.4(1) & (2) (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary) shall be amended as follows:**

Current language:

Table 4-4 Use Table																		
Use	Residential Districts				Commercial and Business Districts										Industrial Districts			Additional Regulations
	OS	Res A/A1	Res B/B1	Res C-1	Res C/C2	Office A	Com P	Com A	Bus A	Bus B	Bus B1	Bus C	Bus D	RF	MUI	IA	IP	
13.4 Medical Marijuana																		
1. Registered Marijuana	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3	N	4.7.100
2. Off-Site Registered Medical Marijuana Dispensary (OMMD)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3	N	4.7.100

Proposed language:

Table 4-4 Use Table																		
Use	Residential Districts				Commercial and Business Districts										Industrial Districts			Additional Regulations
	OS	Res A/A1	Res B/B1	Res C-1	Res C/C2	Office A	Com P	Com A	Bus A	Bus B	Bus B1	Bus C	Bus D	RF	MUI	IA	IP	
13.4 Medical Marijuana																		
1. Registered Marijuana	N	N	N	N	N	N	N	N	3	3	N	3	3	3	3	3	3	4.7.100
2. Off-Site Registered Medical Marijuana Dispensary (OMMD)	N	N	N	N	N	N	N	N	3	3	N	3	3	3	3	3	3	4.7.100

- 2). ARTICLE 4, Section 4.7.114(A)(2) shall be amended as follows:**

Current language:

2. No ADULT USE MARIJUANA ESTABLISHMENT shall be located within five hundred (500) feet of pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12), in operation at the time of application for a special permit. Distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the ADULT USE MARIJUANA ESTABLISHMENT is or will be located. In any case where the measurement is determined to be in question, the City Council may require verification of distances by a Registered Land Surveyor.

Proposed language:

3. No ADULT USE MARIJUANA ESTABLISHMENT shall be located within five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12), in operation at the time of application for a special permit. The distance shall be measured in accordance with 935 CMR 500.110(3), using a straight line from the geographic center of the ADULT USE MARIJUANA ESTABLISHMENT entrance to the geographic center of the nearest school entrance, unless there is an impassable barrier within those five hundred (500) feet; in these cases, the distance shall be measured along the center of the shortest publicly accessible pedestrian travel path from the geographic center of the ADULT USE MARIJUANA ESTABLISHMENT entrance to the geographic center of the nearest school entrance. In any case where the measurement is determined to be in question, the City Council may require verification of distances by a Registered Land Surveyor.

3.) ARTICLE 4, SECTION 4.7.100 shall be amended to include a new Section 4.7.105, as follows:

4.7.105 ADULT USE MARIJUANA ESTABLISHMENT CO-LOCATION

Where an RMD/OMMD is co-located with an ADULT USE MARIJUANA ESTABLISHMENT with a marijuana operating permit issued pursuant to Section 245 of the General Ordinances of the City of Springfield, as amended, and with an approved Tier 3 Special Permit, the use requirements of Article 4, Section 4.7.110 of these Zoning Ordinances will govern and only a Tier 1 Administrative Site Plan Review shall be required for the RMD/OMMD use.