



OFFICE OF THE MAYOR  
FRAMINGHAM, MA.

2018 SEP 28 AM 11:44

[www.framinghamma.gov/CityCouncil](http://www.framinghamma.gov/CityCouncil)

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Framingham, MA 01702  
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## FRAMINGHAM CITY COUNCIL

ORDER NO. 2018-063-002

REQUEST OF THE RECREATIONAL MARIJUANA TASK FORCE

UPON THE REQUEST OF THE RECREATIONAL MARIJUANA TASK FORCE, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

that the City Council voted to approve the proposed amendments of the Framingham Zoning By-Law/Ordinance and the Framingham Zoning Map, as prepared by the Marijuana Establishment Task Force, recommended by the Planning Board, and further amended by the City Council. Such amendments to the Framingham Zoning By-Law/Ordinance and Framingham Zoning Map include:

- **Amendments to the Framingham Zoning Map** - To amend the Framingham Zoning Map to establish a new Marijuana Retail Establishment Overlay District as modified on September 25, 2018 at the City Council public hearing (second read) to include the parcels of land to the centerline of the way that fronts the parcel of land shown on the map prepared by the Marijuana Task Force, dated June 11, 2018.
- **Framingham Zoning By-Law/Ordinance** – To amend the Framingham Zoning By-Law/Ordinance to add a new footnote (12) to Section II.B.5.D regarding Marijuana Retailers.
- **Framingham Zoning By-Law/Ordinance** – To amend the Framingham Zoning By-Law/Ordinance by adding a new footnote (13) to the Table of Uses at Section II.B.6.A. to include Marijuana Independent Testing Laboratory in the Community Business (B-2), General Business (B-3 and B-4), Central Business (CB), Business (B), Light Manufacturing (M-1), General Manufacturing (M), and Technology Park (TP) Zoning Districts.
- **Framingham Zoning By-Law/Ordinance** – To amend the Framingham Zoning By-Law/Ordinance by adding a new footnote (14) to the Table of Uses at Section II.B.6.C to include Marijuana Cultivator and Marijuana Product Manufacturer within the Light Manufacturing (M-1), General Manufacturing (M), and Technology Park (TP) Zoning Districts.
- **Framingham Zoning By-Law/Ordinance** – To amend the Framingham Zoning By-Law/Ordinance by adding a new footnote (15) to the Table of Uses at Section II.B.6.C to the R relative to Marijuana Cultivator and Marijuana Product Manufacturer on parcels in the R-4 Zoning District greater than 15 acres and engaged in active farming.
- **Framingham Zoning By-Law/Ordinance** – To amend the Framingham Zoning By-Law/Ordinance by adding a new Section VI.F.2.a.6 to require Site Plan Review for Marijuana Retailers, Marijuana Cultivators, and Marijuana Product Manufacturers.



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- **Framingham Zoning By-Law/Ordinance** – To amend the Framingham Zoning By-Law/Ordinance, Section VI.G.1 by adding language regarding variances within the Marijuana Retail Overlay Zoning District, Marijuana Cultivators, and Marijuana Product Manufacturers.
- **Framingham Zoning By-Law/Ordinance** – To amend the Framingham Zoning By-Law/Ordinance by adding a new Section IX. requiring the City Council to review the Marijuana Retail Establishment Overlay District, which shall commence by July 1, 2020 and conclude by December 31, 2020.

The full Ordinance language is attached to this Order.

FIRST READING:

YEAS: Cannon, Giombetti, Grove, King, Rossi, Richardson, Shepard, Sisitsky, Steiner, Torres, Tully Stoll

NAYS: None

ABSTAIN: None

ABSENT: All Council Members were present

PASSED IN COUNCIL: SEPTEMBER 6, 2018

SECOND READING:

YEAS: Cannon, Giombetti, Grove, King, Richardson, Rossi, Shepard, Sisitsky, Steiner, Tully Stoll

NAYS: Torres

ABSTAIN: None

ABSENT: All Members were present

PASSED IN COUNCIL: SEPTEMBER 25, 2018

A True Record, Attest:

9/28/2018  
Date Approved

Lisa A. Ferguson  
Lisa A. Ferguson, City Clerk

10/5/18  
Date Approved

Yvonne M. Spicer  
Yvonne M. Spicer, Mayor

# FRAMINGHAM MASSACHUSETTS

CITY OF FRAMINGHAM - MEMORIAL BUILDING  
150 CONCORD STREET, FRAMINGHAM, MA 01702

**Table of Use – New Footnote relative to Marijuana Retailers** Amend the Table of Uses (Section II.B.5.D) to include a footnote relative to Marijuana Retailers

Use Category	R	G	B-1	B-2	B-3 B-4	CB	B	P	PRD	M-1	M	OSR	TP	Parking Code
<b>5. Commercial</b>														
<b>D. Retail Services</b> <sup>12</sup>	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.

**Amend the Table of Use – New footnote relative to Marijuana Independent Testing Laboratory**

Amend the Table of Uses (Section II.B.6.A) to include a footnote relative to reviewing Marijuana Independent Testing Laboratories the same as Research, Development & Laboratories

USE CATEGORY	R	G	B-1	B-2	B-3 B-3 B-4	CB <sup>4</sup>	B <sup>3</sup>	P <sup>3</sup>	PRD <sup>5</sup>	M-1 <sup>3</sup>	M <sup>3</sup>	OSR <sup>6</sup>	TP <sup>7</sup>	Parking code
<b>6. MANUFACTURING AND INDUSTRIAL</b>														
<b>A. Research, Development &amp; Laboratories</b> <sup>13</sup>	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

**Amend the Table of Use – New footnote relative to Marijuana Cultivator and Product**

**Manufacturer** Amend the Table of Uses (Section II.B.6.C) to include a footnote relative to reviewing Marijuana Independent Testing Laboratories the same as Research, Development & Laboratories

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

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.

**Amend Section VI.F.2.a Site Plan Review** Amend the Framingham Zoning By-Law, Section VI.F, Site Plan Review to require Marijuana Retail Establishments to require Minor Site Plan Review

**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

**Amend Section VI.G Variances, Framingham Zoning By-Law** Amend the Framingham Zoning By-Law, Section VI.G, Variances to not allow Marijuana Retail Establishments to be located outside of the proposed overlay district.

**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.

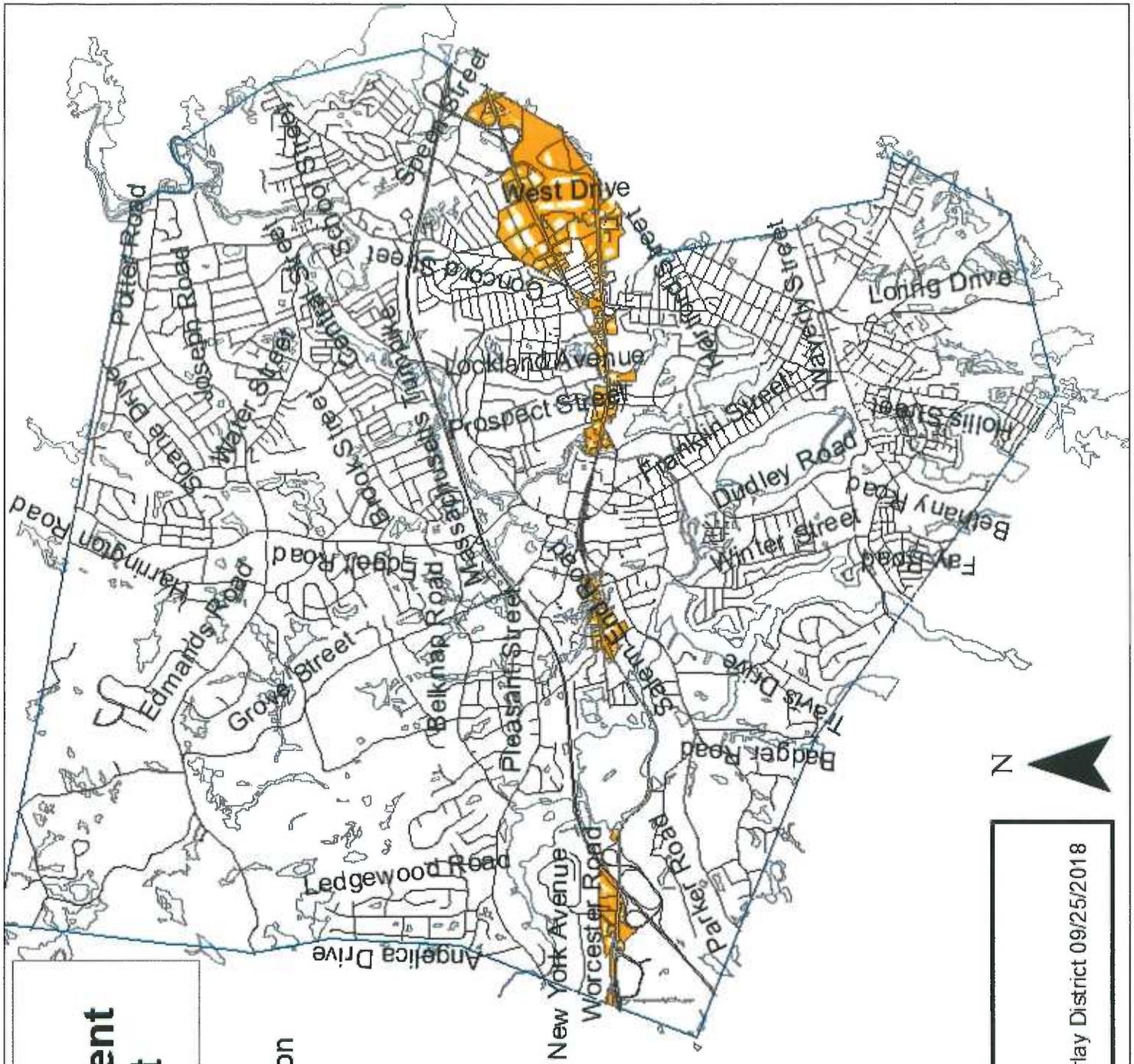
A variance authorizing a Marijuana Retail Establishment outside of the Marijuana Retail Overlay Zoning District shall not be permitted by the Zoning Board of Appeals. Nor shall a variance for the locating of a Marijuana Cultivator and Marijuana Product Manufacture outside of the identified areas specified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

**Add a new Section IX. Review of Marijuana Retail Establishment Overlay Districts** Amend the Framingham Zoning By-Law to add a new 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.

# Marijuana Retail Establishment Overlay District

Voted by the Framingham City Council on September 25, 2018



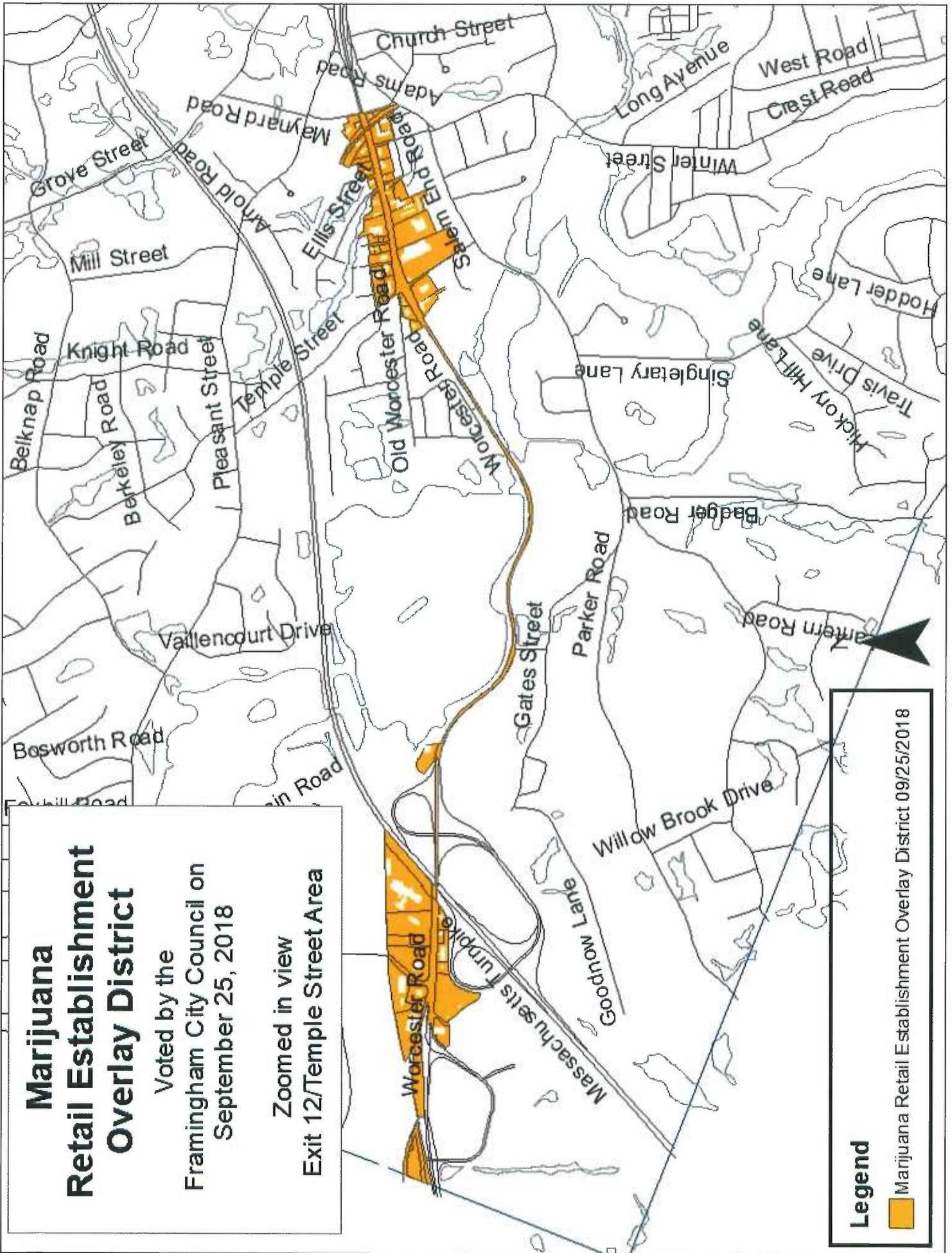
## Legend

 Marijuana Retail Establishment Overlay District 09/25/2018

# Marijuana Retail Establishment Overlay District

Voted by the Framingham City Council on September 25, 2018

Zoomed in view of Exit 12/Temple Street Area



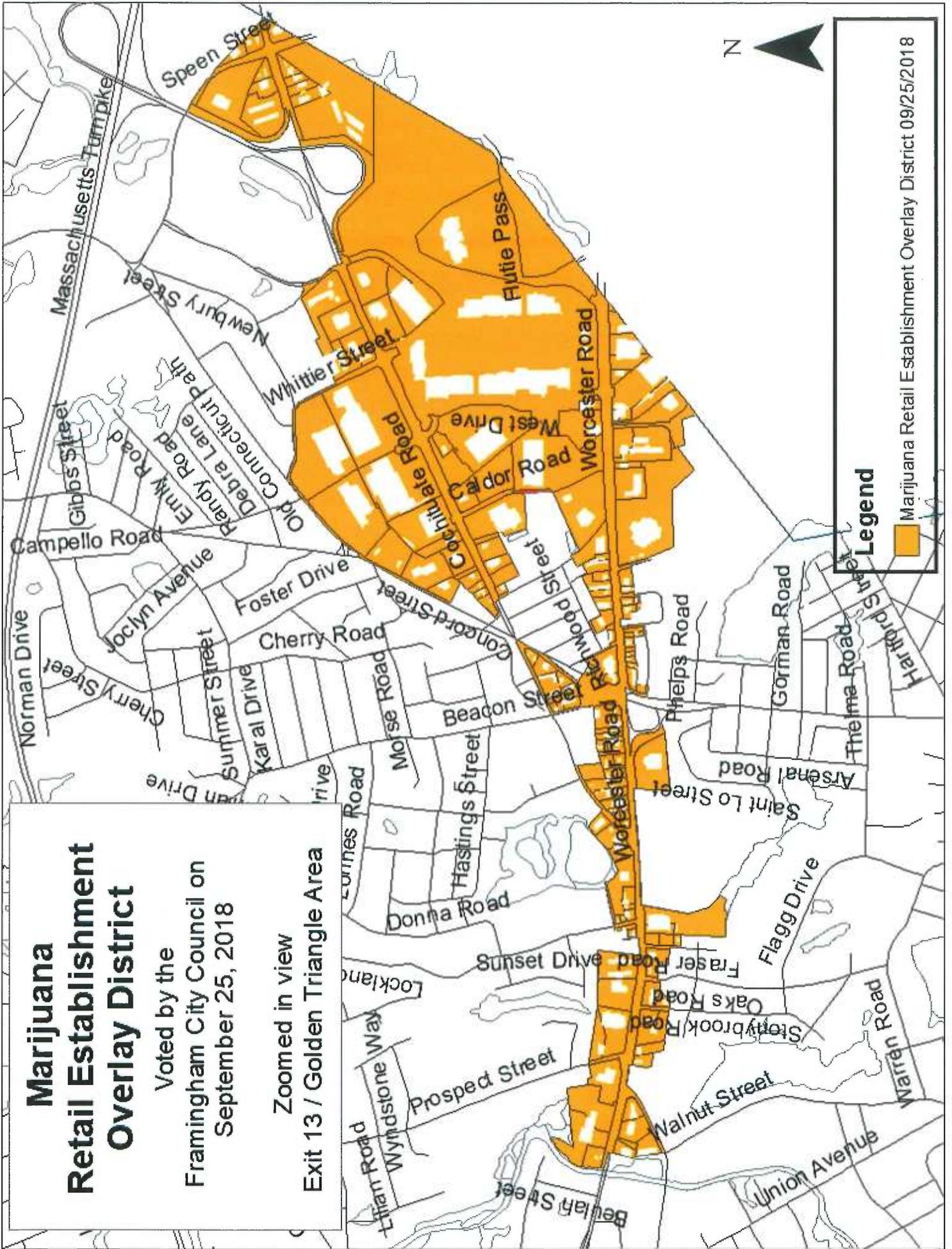
## Legend

 Marijuana Retail Establishment Overlay District 09/25/2018

# Marjuana Retail Establishment Overlay District

Voted by the  
Framingham City Council on  
September 25, 2018

Zoomed in view  
Exit 13 / Golden Triangle Area



## Legend

Marjuana Retail Establishment Overlay District 09/25/2018