

# MEMORANDUM

JULY 16, 2013

**TO:** BOSTON REDEVELOPMENT AUTHORITY AND  
PETER MEADE, DIRECTOR

**FROM:** KAIROS SHEN, CHIEF PLANNER  
RICHARD MCGUINNESS, DEPUTY DIRECTOR FOR WATERFRONT  
PLANNING  
JEFFREY M. HAMPTON, SENIOR LAND USE PLANNER III  
MARYBETH PYLES, SENIOR LAND USE COUNSEL

**SUBJECT:** MEDICAL MARIJUANA TREATMENT CENTERS

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**SUMMARY:** This Memorandum requests authorization for the Director to petition the City of Boston Zoning Commission ("Zoning Commission") to amend the Boston Zoning Code ("Code") with respect to the definition and use of medical marijuana treatment centers.

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In December 2012, the Boston Redevelopment Authority ("BRA") Board authorized the Director to petition the Boston Zoning Commission to approve a text amendment defining Medical Marijuana Treatment Centers and use regulations associated with it.

The Commonwealth's regulations for these treatment centers went into effect on May 24, 2013.

After reviewing the regulations, it was discovered that the state definition was different than the one adopted by the Zoning Commission on January 24, 2013. The proposed amendment will amend the definition to mirror that of the Commonwealth.

Also, the adopted amendment did not address the Downtown Districts as areas where a Medical Marijuana Treatment Center is a conditional use. Inadvertently omitting these areas from the amendment automatically made the use a Forbidden Use under the existing language within the Downtown Districts. This was not the intent of the BRA or the Zoning Commission. The proposed amendment corrects this omission, making this use a conditional use in the Downtown Districts.

## **RECOMMENDATION**

Based on the foregoing, BRA staff recommends that the Board approve the proposed text amendment to the Code, relative to the definition and use of Medical Marijuana Treatment Centers.

An appropriate vote follows:

**VOTED:** That the Director be, and hereby is, authorized to petition the City of Boston Zoning Commission to amend the Boston Zoning Code relative to the definitions and Use of Medical Marijuana Treatment Centers, in substantial accord with the text amendment presented to the Boston Redevelopment Authority at its meeting on July 16, 2013.