

## Recommended Changes to Whately Zoning Bylaws for Marijuana

1. Define agriculture on the table of use to incorporate the state's exclusion of marijuana.

Principal Use	Agriculture/ Residential 1	Agriculture/ Residential 2	Commercial	Commercial - Industrial	Industrial
<b>Agricultural Uses</b>					
Consistent with the provisions of G.L. c.40A, §3, farm, orchard, nursery, market garden, forestry, sugarhouse, greenhouse or other use of land for agricultural, horticultural, floricultural, aquacultural, silvicultural, or viticultural production. The use may include retail sale of agricultural products, consistent with the provisions of G.L. c.40A, §3, and the retail space is less than 300 square feet. [Amended ATM 4-29-2014, Art. 29A]	Y	Y	Y	Y	Y

2. Clarify that marijuana cultivation is not agriculture and simplify the location requirements in the Medical Marijuana bylaw by editing paragraphs A (a) and B (a)

### ~ 171-28.6

#### A. Use

- a) RMD and ORMD facilities may only be involved in the uses permitted as approved by the DPH and consistently with this Bylaw and may not include or engage in other businesses or services. For the purposes of the Table of Use, ~ 171-8 A., marijuana is not agriculture.

#### B. Physical Requirements

- a) All aspects of the use/facility relative to the acquisition, cultivation, possession, processing, sales, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials must take place at a fixed location within a fully enclosed, building and shall not be visible from the exterior of the business.