

***Proposed Zoning Amendment #6***  
***(Include only if Proposed Amendment #1 is not referred for public hearing)***

**PAPER \_\_\_\_-22:**

ORDER: That Title 12 of the Code of the City of Malden be amended for purposes of amending special permit use regulations for marijuana establishments re: relief required to update regulations to reflect current protocol and administration of zoning ordinance to render the language in the ordinance consistent with current interpretation and application.

To further amend the following sections of Title 12, Code of City of Malden as follows:

**Section 12.12.190.A** amend as follows:

“A. For construction of new buildings, compliance with the dimensional controls and parking requirements of this Ordinance. A variance shall be required to grant relief from any noncompliance with dimensional controls, parking requirements, and buffer zones of this Ordinance.”

**Section 12.12.190. B** amend as follows:

“B. For Marijuana Establishment use of a building lawfully existing or begun prior to the first publication of notice of the public hearing on this Ordinance, or for alteration, conversion or other change to a Marijuana Establishment use lawfully existing or begun prior to the first publication of notice of the public hearing on any amendment to this Ordinance, the City Council must find that any creation or increase in violations of dimensional controls and parking requirements will not be more detrimental to the neighborhood; and if the City Council makes the finding that any creation or increase in violations of dimensional controls and/or parking requirements will not be more detrimental to the neighborhood, then any new or increased violations of dimensional controls or parking requirements may be allowed by the special permit granted by the City Council and shall not require a variance. A variance shall be required to grant relief from any noncompliance with buffer zones of this Ordinance.”