



City of Somerville Planning Division

Recreational Adult-Use Marijuana Policy

This presentation and other documents will be available at:
www.somervillema.gov/departments/planning-and-zoning/adult-marijuana

Background

- Adult Use, or “recreational” marijuana was approved statewide in 2016, with the anticipation that the industry would be running in 2018.
- Each community in Massachusetts is tasked with creating a regulatory system for marijuana establishments or to ban it.
- In Somerville, **we are seeking to create a regulatory system** for marijuana businesses so we can begin to issue permits.
- This follows the 2012-2018 effort that permitted medical marijuana sales.

Medical Marijuana



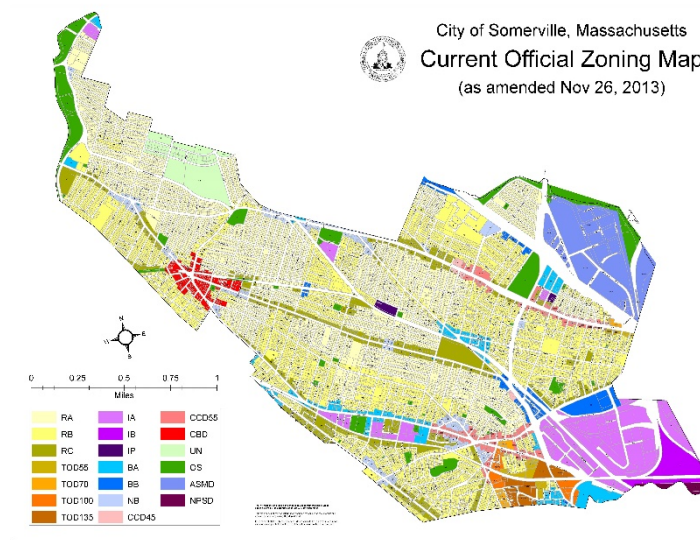
- It has been 5 ½ years since the voters in Massachusetts approved medical marijuana establishments.
- As of March 2018, Massachusetts has 22 medical marijuana dispensaries (called RMD's) operating in 21 communities.
- Somerville is the only community with **more than one operating RMD.**

RMDs: Letters of Non-Opposition

- After state regulations were established over 15 entities expressed interest.
- The Mayor created a staff-level committee to select RMDs and at their recommendation issued letters of non-opposition to five.
- Two withdrew their requests. **Two of the other three have opened and a third is under construction.**



RMDs: Local Zoning



- Somerville established zoning to permit RMDs in an overlay district located through **major thoroughfares and squares**.
- An RMD with a letter of non-opposition can request to operate in that area by securing a special permit. Either the Planning Board or ZBA conducts the special permit review, depending on the zoning district.

RMDs: Host Agreements



- While some communities chose their dispensaries based on the most lucrative host agreement Somerville established a balanced agreement and requires it from all interested dispensaries.
- The agreement dedicates **3% of gross profits** to drug education and treatment programs in Somerville, the state maximum allowed.
- The agreement also establishes that RMDs will not seek to convert to an adult-use marijuana establishment without going through the process established by the city in order to allow community input.

Ballot Question



Adult-Use marijuana was approved in Massachusetts in a 2016 ballot question. The question was approved with 53.6% statewide and **73.6%** of ballots cast in Somerville voting in the affirmative.

Legislative Review

After the ballot question approval the legislature made changes in the regulation to address concerns about industry operations, including:

- Establishing how cities and towns could opt out of having adult-use marijuana establishments in their communities. Communities that voted against the ballot question could ban them through a local legislative vote. Those that supported the ballot question could only ban them through a local city or town-wide vote.
- Establishing how RMDs could convert. The ballot question restricted local governments from outright rejecting a new adult-use establishment in the same 'area' where an RMD is operating. The state legislation removed this provision, but permitted RMDs to get an earlier start in state permitting and restricted local governments from using zoning to prohibit the change in use from RMD to adult-use facility.
- The legislation provided the direction for the appointment of the Cannabis Control Commission (CCC) at the state level, their appointments and how they would establish state regulations.

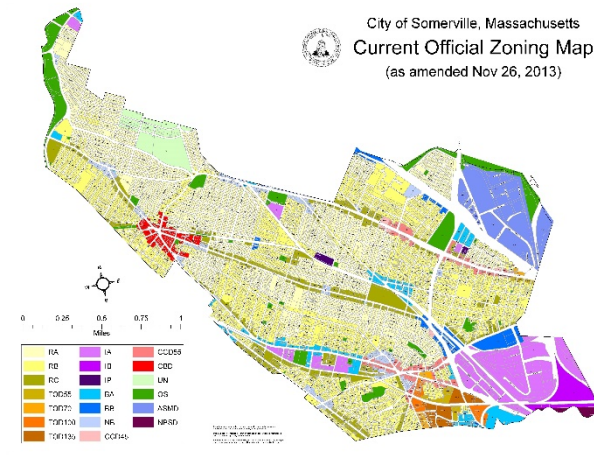


Regulations for Adult Use



- The CCC was appointed in 2017 and issued final regulations on March 15, 2018 after an extensive public review/comment period.
- Most of these regulations discuss how the state can license facilities, fees, testing, transportation, etc. A few key elements are relevant to Somerville as we seek to create our own local regulatory process.

Regulations for Adult Use



Cities can regulate through local zoning, through local licensing or both:

- Zoning allows the City regulate time, place and manner of an operation.
- Licensing allows the City to determine if the organization, and their leadership are able to meet standards set by the City

Regulations for Adult Use Cont.

- Somerville must accept at least SIX entities based on CCC rules. This is based upon our number of package stores.
- The “letter of non-opposition” process does not exist, but selected organizations are supposed to have a completed host agreement.
- Somerville can enact a 3% local option tax on adult-use marijuana.
- The host agreement permits local collection of a fee, but it is capped at 3% of gross sales and cannot be effective for longer than 5 years.
- The city gets 60 days to confirm any state application is consistent with municipal laws.

Adult Use – Business Types

- Retailer
- Laboratory
- Research Facility
- Transporter
- Cultivator
 - Microbusinesses
- Craft Marijuana Cooperative
- Economic Empowerment Applicant
- Product Manufacturer
- Social Consumption (on hold)
- Delivery (on hold)

City Partners in Regulations for Adult Use

- OSPCD Planning Division
- Health and Human Services Department/Board of Health
- Somerville Police Department



City of Somerville
Planning Division

Thank you for attending!