



City of Somerville Planning Department

Recreational Adult-Use Marijuana Policy

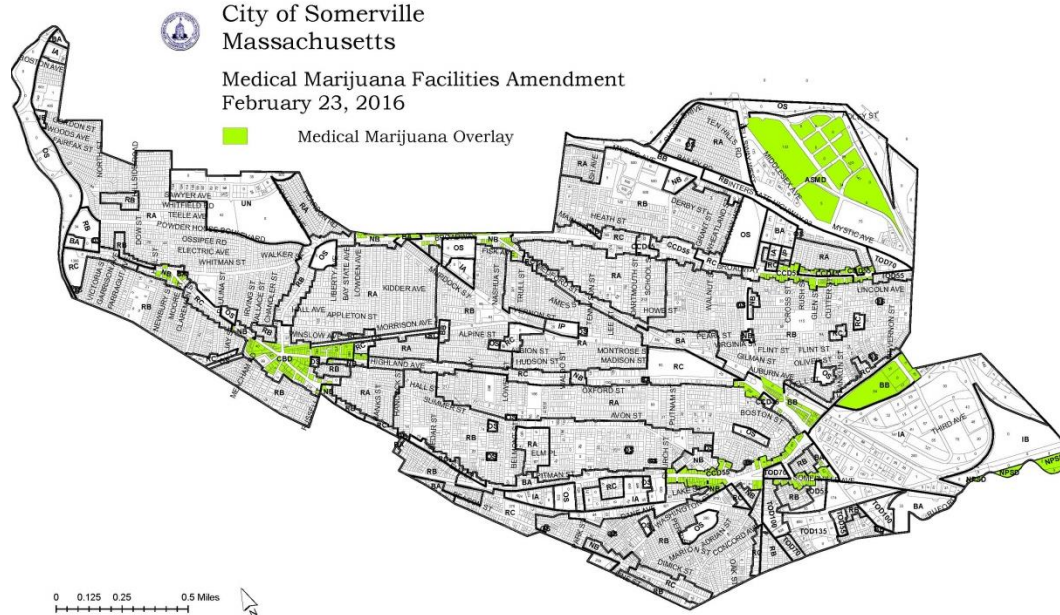
**This presentation and other documents will be available at:
www.somervillema.gov/departments/planning-and-zoning/adult-marijuana**

Medical Marijuana



- It has been almost 6 years since the voters in Massachusetts approved medical marijuana establishments.
- As of today, Massachusetts has 37 medical marijuana dispensaries (called RMD's) operating in 35 communities.
- Somerville and Cambridge are the only two communities with **more than one operating RMD.**

RMDs: Local Zoning



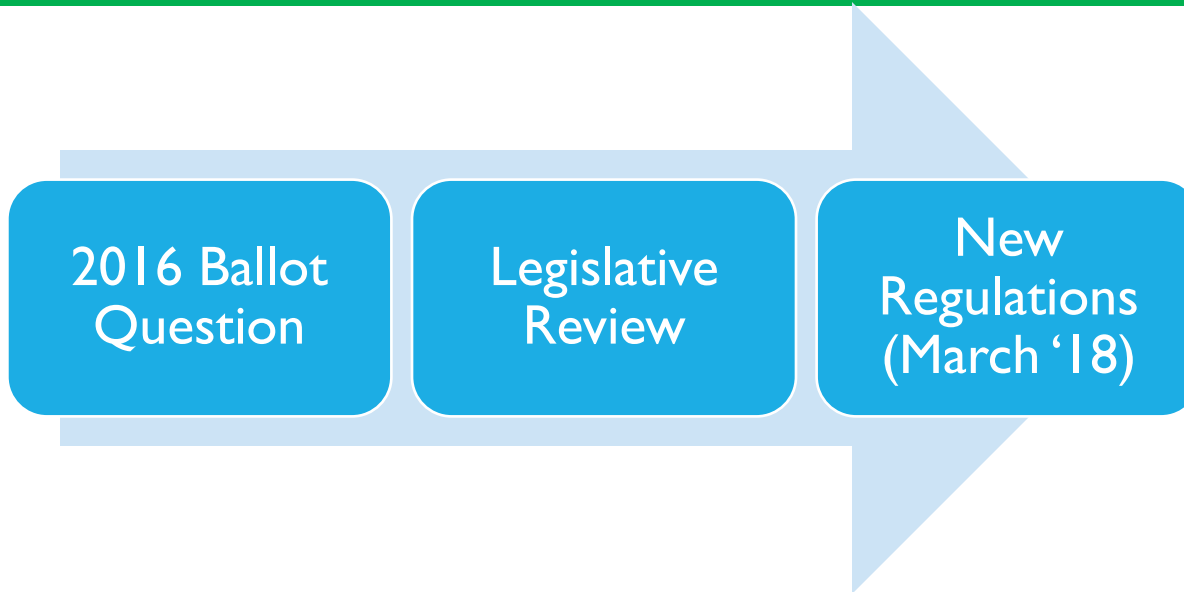
- Somerville established zoning to permit RMDs in an overlay district located through major thoroughfares and squares.
- An RMD with a letter of non-opposition can request to operate in that area by securing a special permit. Either the Planning Board or ZBA conducts the special permit review, depending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

2016 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

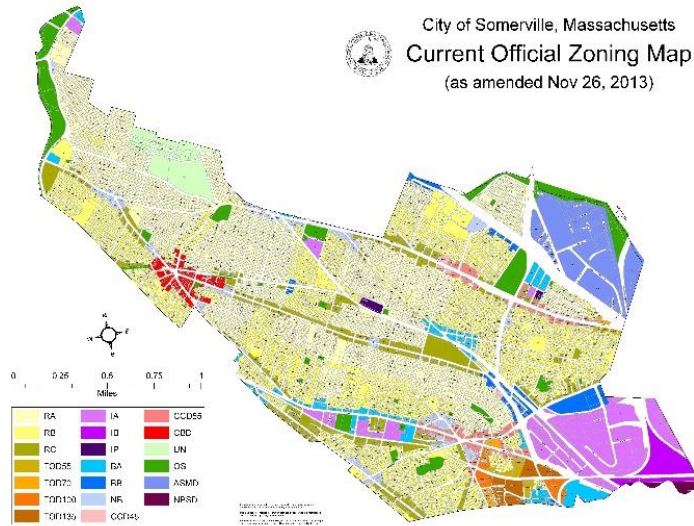


- Opt out provisions.
- Establishing how RMDs (medical dispensaries) could convert:
 - Head start
 - Restricted local governments from using zoning to prohibit the change in use from RMD to adult-use facility.
- Cannabis Control Commission (CCC) at the state level

Regulations for Adult Use

- Somerville may accept a certain calculation of the number of entities that can operate based upon our number of package stores, most likely six.
- 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.

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

Overview of Proposed Amendments

1. Amendment to the Somerville Zoning Ordinance (SZO)
 - Types of adult use marijuana establishments and where they are allowed
2. Marijuana Overlay District
 - Where retailers are allowed
3. Amendment to the Somerville Code of Ordinances (SCO) (Legislative Matters Committee)
 - Licensing procedure

Amendment to the Somerville Zoning Ordinance (SZO)

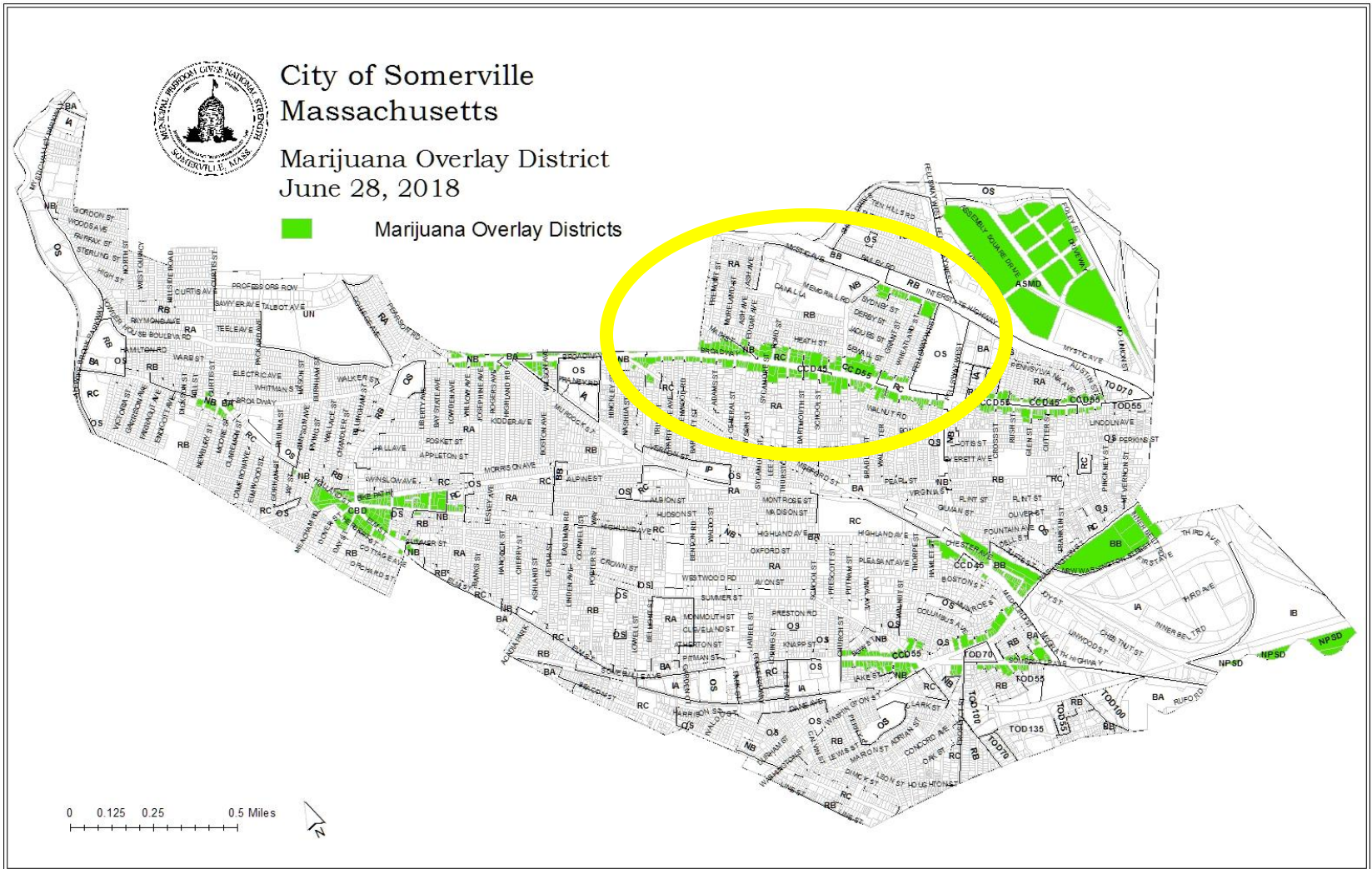
Type of Marijuana Establishment	Zoning Use	SZO Section
Independent Testing Laboratory	Laboratory engages in research, experimental, and testing facilities...but not the manufacture of finished products	7.11.12.10
Marijuana Cultivator	Commercial farm and/or greenhouse	7.11.9.10.1
Craft Marijuana Cooperative	Commercial farm and/or greenhouse	7.11.9.10.1
Marijuana Product Manufacturer	General industrial uses, including manufacturing, assembly, and processing...	7.11.14.B
Marijuana Research Facility	Office other than medical, home office, and an office, within a primary residence	7.11.7.1, 7.11.4.e, and 7.11.4.f
Marijuana Retailer	Special Permit	



Marijuana Retailers

- Only allowed by Special Permit
- Must be properly licensed by the Cannabis Control Commission and the Somerville Licensing Commission
- Need to adhere to all applicable state and local public health regulations as well as state and local laws, rules, and regulations
- Retail Sales/Rental or Retail and Service parking requirement applies
- Required to submit a traffic and parking study
- Signage

Marijuana Overlay District



Amendment to the Somerville Code of Ordinances (SCO)

- Establishes a Licensure Procedure
- Applicable to all marijuana establishments
- Priority Applications
 - Economic Empowerment Applicants (determined by the CCC)
 - Somerville resident owned entities
 - Local cooperative owned entities
 - Existing Medical Marijuana Dispensaries
- Application requirements mimic those of the CCC
- Evaluation Criteria
 - Recommendation from Economic Development Division of OSCPD and the Health and Human Services Department
- Inspection and Compliance checks by Health and Human Services



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Thank you!