

Cannabis Zoning Amendment – Proposed Text Changes

Additions to the Zoning Ordinance shown in underline format. Deletions shown in ~~strikeout format~~.

Add the following definitions to Article 2.000 of the Zoning Ordinance:

Cannabis Cultivator. An entity licensed by the Massachusetts Cannabis Control Commission as a Marijuana Cultivator to cultivate, process and package cannabis or marijuana, and to transfer cannabis or marijuana to other Cannabis or Marijuana Establishments, but not to consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator, pursuant to 935 CMR 500.000.

Cannabis Establishment. A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of marijuana-related business licensed by the Massachusetts Cannabis Control Commission, except a medical marijuana treatment center.

Cannabis Independent Testing Laboratory. A laboratory that is licensed by the Massachusetts Cannabis Control Commission and is:

- (a) accredited to the International Organization for Standardization 17025 (ISO/IEC 17025: 2017) by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Commission;
- (b) independent financially from any Medical Marijuana Treatment Center (RMD), Cannabis or Marijuana Establishment or licensee for which it conducts a test; and
- (c) qualified to test cannabis or marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94C, § 34.

Cannabis Microbusiness. A co-located Cannabis or Marijuana Establishment that can be either a Tier 1 Marijuana Cultivator or Product Manufacturer or both, pursuant to 935 CMR 500.00, in compliance with the operating procedures for each license. A Microbusiness that is a Cannabis Marijuana Product Manufacturer may purchase no more than 2,000 pounds of marijuana per year from other Cannabis Marijuana Establishments, pursuant to 935 CMR 500.000.

Cannabis Product Manufacturer. An entity licensed by the Massachusetts Cannabis Control Commission as a Marijuana Product Manufacturer to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Cannabis or Marijuana Establishments, but not to consumers.

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Cannabis Products. Cannabis or marijuana and its products unless otherwise indicated. These include products that have been manufactured and contain cannabis or marijuana or an extract from cannabis or marijuana, including concentrated forms of cannabis or marijuana and products composed of cannabis or marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

Cannabis Production Facility. An establishment authorized to cultivate, manufacture, process, or package cannabis or marijuana products, in accordance with applicable state laws and regulations. A Cannabis Production Facility may be licensed to operate as a Cannabis or Marijuana Cultivator or Cannabis or Marijuana Product Manufacturer, or registered as a Medical Marijuana Treatment Center (also known as a Registered Marijuana Dispensary or RMD), or both, in accordance with applicable state laws and regulations.

Cannabis Research Facility. An entity licensed to engage in research projects by the Massachusetts Cannabis Control Commission.

Cannabis Retail Store. An establishment authorized to sell or otherwise transfer cannabis or marijuana products to consumers for use off the premises, but not to cultivate, manufacture, process, or package cannabis or marijuana products, in accordance with applicable state laws and regulations. A Cannabis Retail Store may be licensed to operate as a Cannabis or Marijuana Retailer or registered as a Medical Marijuana Treatment Center (also known as a Registered Marijuana Dispensary or RMD), or both, in accordance with applicable state laws and regulations.

Cannabis Retailer. An entity licensed by the Massachusetts Cannabis Control Commission as a Marijuana Retailer to purchase and transport cannabis or marijuana products from Cannabis or Marijuana Establishments and to sell or otherwise transfer these products to Cannabis Marijuana Establishments and to consumers. Retailers are prohibited from delivering cannabis or marijuana products to consumers; and from offering cannabis or marijuana products for the purposes of on-site social consumption on the premises of a Cannabis or Marijuana Establishment.

Cannabis Use. A Cannabis Production Facility or Cannabis Retail Store, as defined in this Zoning Ordinance.

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Amend the definition of “Registered Marijuana Dispensary” in Article 2.000 to read as follows:

Cannabis Marijuana Dispensary, Registered ~~Registered Marijuana Dispensary~~, also known as Registered Marijuana Dispensary, RMD or Medical Marijuana Treatment Center, ~~shall mean an establishment properly registered with the Massachusetts Department of Public Health a not-for-profit entity registered~~ under 105 CMR 725.100: Registration of Registered Marijuana Dispensaries that acquires, cultivates, possesses, processes (including development of related products such as edible ~~marijuana infused~~ cannabis products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers ~~marijuana, products containing marijuana~~ cannabis products, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use in accordance with applicable state laws and regulations. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of cannabis or marijuana for medical use.

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Amend Section 4.35 of the Table of Use Regulations to read as follows:

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A,2, 3,3A	Bus A-1, A-2, A-3 ¹	Bus A,A-4	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C	
4.35 Retail Business and Consumer Service Establishments															
a. Store for retail sale of merchandise ²³															
1. Establishment providing convenience goods such as drug stores, food stores, tobacco, newspaper and magazine stores, variety stores, and liquor stores. ²⁴	No	No	No	No	No	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	No ⁵¹	Yes	Yes	
2. Other retail establishments	No	No	No	No	No	Yes	Yes	Yes ¹⁰	Yes	SP	Yes	No ⁵¹	Yes	No	
b. Place for the manufacturing, assembly or packaging of consumer goods ²⁵	No	No	No	No	No	SP	SP	Yes ¹⁰	Yes	Yes	Yes	SP ⁵¹	Yes	Yes	
c. Barber shop, beauty shop, laundry and dry cleaning pickup agency, shoe repair, self-service laundry or other similar establishment	No	No	No	No	No	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	No ⁵¹	Yes	Yes	
d. Hand laundry, dry cleaning or tailoring shop ²⁶	No	No	No	No	No	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	No ⁵¹	Yes	Yes	
e. Lunchroom, restaurant, cafeteria ²⁷	No	No	No	No	No ¹²	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	No ⁵¹	Yes	Yes	
f. Establishments where alcoholic beverages are sold and consumed and where no dancing or entertainment is provided															
1. Lunchroom, restaurant, cafeteria	No	No	No	No	No ¹²	Yes	Yes	Yes ¹⁰	Yes	Yes ²⁸	Yes	No ⁵¹	Yes	Yes	
2. Bar, saloon, or other establishment serving alcoholic beverages but which is not licensed to prepare or serve food	No	No	No	No	No ¹²	Yes	Yes	Yes ¹³	Yes	SP ²⁸	Yes	No ⁵¹	Yes	SP	
g. Bar or other establishment where alcoholic beverages are sold and consumed and where dancing and entertainment is provided. Dance hall or similar place of entertainment	No	No	No	No	No	No	No	Yes ¹³	Yes	No	Yes	No ⁵¹	Yes	PUD	
h. Theatre or hall for public gatherings	No ¹¹	No	No	No	SP	SP	SP	Yes ¹⁰	Yes	SP	Yes	No ⁵¹	Yes	PUD	
i. Commercial recreation	No ¹¹	No	No	No	No	SP	SP	SP ¹⁰	SP	SP	SP	No ^{14, 51}	SP	PUD	
j. Mortuary, undertaking or funeral establishment	No	No	No	No	SP	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	No ⁵¹	Yes	No	
k. Printing shop, photographer's studio	No	No	No	No	SP	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	No ⁵¹	Yes	Yes	

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l.	Veterinary establishment, kennel, pet shop or similar establishment ²⁹	No	No	No	No	No	SP	SP	SP ¹⁰	SP	SP	SP	No ⁵¹	SP	No
m.	Sales place for new and used car, rental agency for autos, trailers and motorcycles ³⁰	No	No	No	No	Yes	Yes	Yes	Yes ¹⁰	Yes	SP	Yes	No ⁵¹	Yes	PUD
n.	Office including display or sales space of a wholesale, jobbing or similar establishment ³¹	No	No	No	No	No	SP	SP	Yes ¹⁰	Yes	Yes	Yes	Yes ⁵¹	Yes	Yes
o.	Fast Order Food Establishment	No	No	No	No	No	No	SP	SP ¹⁰	SP	No	SP	No ⁵¹	SP	PUD
p.	Deleted														
q.	Art/Craft Studio	No	No	No	SP ⁵⁰	SP ⁵⁰	Yes	Yes	Yes	Yes	Yes	Yes	Yes ⁵¹	Yes	Yes
r.	Bakery, Retail	No	No	No	No	No	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	No ⁵¹	Yes	PUD
s.	Registered Marijuana Dispensary <u>Cannabis Retail Store</u>	No	No	No	No	No	No <u>PB⁵⁸</u>	PB⁵⁸ <u>PB⁵⁸</u>	PB⁵⁸ <u>PB⁵⁸</u>	PB⁵⁸ <u>PB⁵⁸</u>	PB⁵⁸ <u>PB⁵⁸</u>	No	PB⁵⁸ <u>PB⁵⁸</u>	No <u>PB⁵⁸</u>	No

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Amend Section 4.37 of the Table of Use Regulations to read as follows:

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A,2, 3,3A	Bus A-1, A-2, A-3 ¹	Bus A,A-4	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
4.37 Light Industry, Wholesale Business and Storage														
a. Assembly or packaging of articles ³³	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes ¹⁴	Yes	Yes
b. Manufacturing, processing, assembly and packaging the following: ³⁴														
1. Clothing, but not the manufacture of the cloth or other material of which the clothing is made	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
2. Food products, including bakery, confectionery and dairy products	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
3. Drugs	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
4. Electrical, electronic and communication instruments	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
5. Engineering, laboratory and scientific instruments, temperature controls	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
6. Jewelry, insignia, emblems and badge, lapidary, scale models, dolls, costume jewelry and costume novelties	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
7. Lamp shades except of glass or metal	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
8. Leather goods, excluding footwear and saddlery	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
9. Medical and dental instruments and supplies, optical instruments and lenses	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
10. Paper and paperboard products ³⁵	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
11. Pens and mechanical pencils	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
12. Plaster of Paris or papier mache products	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
13. Office machines, including cash registers, computing machines and typewriters, scales and balances	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
14. Umbrellas, parasols and canes	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes

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15. Watches, clocks, watchcases, clockwork mechanisms	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	
c. Bottling of beverages	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	
d. Distribution center, parcel delivery center, delivery warehouse	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	
e. Laundry, dry cleaning plant	No	No	No	No	No	No	No	No	No	No	SP	Yes	SP	Yes	Yes	
f. Printing, binding, publishing and related arts and trades	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	
g. Auto body or paint shop ³⁶	No	No	No	No	No	No	No	No	No	No	SP	Yes	SP	Yes	No	
h. Automotive repair garage not including auto body or paint shop ³⁷	No	No	No	No	No	SP	SP	SP ¹³	SP	SP	SP	Yes	SP	Yes	SP	
i. Food Commissary	No	No	No	No	No	No	No	No	No	No	SP	Yes	Yes	Yes	Yes	
j. Wholesale business and storage in roofed structure, but not including wholesale storage of flammable liquids, gas or explosives	No	No	No	No	No	No	No	No	No	No	SP	Yes	Yes ¹⁴	Yes	Yes	
k. Storage warehouse, cold storage plant, storage building, but not including storage or bailing of junk, scrap metal, rags, waste paper or used rubber	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes ¹⁴	Yes	Yes	
l. Open lot storage of new building materials, machinery, and new metals, but not including junk, scrap metal, rags, waste paper and similar materials ³⁸	No	No	No	No	No	No	No	No	No	No	SP	SP	SP	Yes	SP	
m. Open lot storage of coal, coke, sand, or other similar material, or such storage in silos or hoppers ³⁹	No	No	No	No	No	No	No	No	No	No	No	SP	No	Yes	No	
n. <u>Cannabis Production Facility</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>PB⁵⁸</u>	<u>No</u>	<u>No</u>

Add footnote 58 to Section 4.40, Footnotes to the Table of Use Regulations to read as follows:

58. Subject to the provisions of Section 11.800, Cannabis Uses.

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Amend Section 6.36.5 of the Schedule of Parking and Loading Requirements to read as follows:

Land Use Category	Open Space, Res A-1, A-2, Res B	Res C, C-1, C- 1A, Off 1, Bus A (Comm), Bus A- 1, A-2, Bus A-3 ¹⁴ , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	Ind B-1, Res C-3, C-3A, C-3B, Off 3-A, 3, Bus B, Ind A-2, Ind B, Bus B-1, B-2	Loading Facility Category	Long-Term Bicycle Parking (6.107.2)	Short-Term Bicycle Parking (6.107.3)
6.36.5 Retail Business and Consumer Service Establishments							
a. Store for retail sale of merchandise							
1) Establishment providing convenience goods ¹²	n/a	1 per 1000 sq. ft. 1 per 500 sq. ft.	1 per 1400 sq. ft. 1 per 700 sq. ft.	1 per 1800 sq. ft. 1 per 1200 sq. ft.	B	N4	N1
2) Other retail establishments	n/a	1 per 500 sq. ft. 1 per 250 sq. ft.	1 per 700 sq. ft. 1 per 500 sq. ft.	1 per 900 sq. ft. 1 per 600 sq. ft.	B	N4	N2
b Place for the manufacturing, assembly or packaging of consumer goods	n/a	1 per 800 sq. ft.	1 per 1200 sq. ft.	1 per 1600 sq. ft.	A	N5	N5
c. Barber shop, beauty shop, laundry and dry cleaning pick-up agency, shoe repair, self service laundry or other similar establishment	n/a	1 per 1000 sq. ft. 1 per 500 sq. ft.	1 per 1400 sq. ft. 1 per 700 sq. ft.	1 per 1800 sq. ft. 1 per 1200 sq. ft.	D	N4	N2
d. Hand laundry, dry cleaning or tailoring shop	n/a	1 per 1000 sq. ft. 1 per 500 sq. ft.	1 per 1400 sq. ft. 1 per 700 sq. ft.	1 per 1800 sq. ft. 1 per 1200 sq. ft.	D	N4	N2
e. Lunchroom, restaurant, cafeteria	1 per 5 seats ⁹ n/a	1 per 10 seats ⁹ 1 per 2.5 seats	1 per 15 seats ⁹ 1 per 5 seats	1 per 10 seats	C	N3	N1
f. Establishments where alcoholic beverages are sold and consumed and where no dancing or entertainment is provided.							
1) Lunchroom, restaurant or cafeteria	n/a	1 per 5 seats ⁹ 1 per 2.5 seats	1 per 10 seats ⁹ 1 per 5 seats	1 per 15 seats ⁹ 1 per 10 seats	C	N3	N1
2) Bar Saloon, or other establishment serving alcoholic beverages but which is not licensed to prepare or serve food	1 per 5 seats ⁹ n/a	1 per 10 seats ⁹ 1 per 2.5 seats	1 per 15 seats ⁹ 1 per 5 seats ¹ 10 seats	1 per 10 seats	C	N3	N1
g. Bar or other establishment where alcoholic Beverages are sold or consumed and where dancing and entertainment is provided. Dance hall or similar place of entertainment	n/a	1 per 5 seats 1 per 2.5 seats	1 per 10 seats 1 per 5 seats	1 per 15 seats 1 per 10 seats	C	N3	N1
h. Theatre or hall for public gathering	n/a	1 per 5 seats 1 per 2.5 seats	1 per 10 seats 1 per 5 seats	1 per 15 seats 1 per 10 seats	F	N5	N1

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Land Use Category	Open Space, Res A-1, A-2, Res B	Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 ¹⁴ , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	Ind B-1, Res C-3, C-3A, C-3B, Off 3-A, 3, Bus B, Ind A-2, Ind B, Bus B-1, B-2	Loading Facility Category	Long-Term Bicycle Parking (6.107.2)	Short-Term Bicycle Parking (6.107.3)
i. Commercial recreation	n/a	1 per 6 persons based on maximum permitted capacity	1 per 6 persons based on maximum permitted capacity	1 per 6 persons based on maximum permitted capacity	F	N4	N1
j. Mortuary, undertaking or funeral establishment	n/a	4 per chapel, parlor or reposing room	4 per chapel, parlor or reposing room	4 per chapel, parlor or reposing room	F	N4	N2
k. Printing shop, photographer's studio	1 per 500 sq. ft. n/a	1 per 700 sq. ft. 1 per 250 sq. ft.	1 per 900 sq. ft. 1 per 350 sq. ft.	1 per 600 sq. ft.	F	N4	N2
l. Animal Services							
1) Veterinary establishment, kennel	n/a	1 per 300 sq. ft. 1 per 150 sq. ft.	1 per 400 sq. ft. 1 per 200 sq. ft.	1 per 500 sq. ft. 1 per 330 sq. ft.	F	N3	N3
2) Pet shop or similar establishment	n/a	1 per 500 sq. ft. 1 per 250 sq. ft.	1 per 700 sq. ft. 1 per 350 sq. ft.	1 per 900 per 1 per 600 sq. ft.	F	N4	N2
m. Sales place for new and used cars, vehicle rental agencies	n/a	1 per 1000 sq. ft. 1 per 500 sq. ft.	1 per 1400 sq. ft. 1 per 700 sq. ft.	1 per 1800 sq. ft. 1 per 1200 sq. ft.	C	N5	N5
n. Office including display or sales spaces of a wholesale jobbing or similar establishment	n/a	1 per 600 sq. ft. 1 per 300 sq. ft.	1 per 800 sq. ft. 1 per 400 sq. ft.	1 per 1000 sq. ft. 1 per 670 sq. ft.	C	N1	N5
o. Fast Order Food Establishment	n/a	n/a ⁶	n/a ⁶	n/a ⁶	C	N3	N1
p. Art/Craft Studio ¹³	n/a	1 per 1000 sq. ft.	1 per 1000 sq. ft.	1 per 1000 sq. ft.	n/a	N1	N5
s. <u>Cannabis Retail Store</u>	<u>n/a</u>	<u>1 per 1000 sq. ft.</u> <u>1 per 500 sq. ft.</u>	<u>1 per 1400 sq. ft.</u> <u>1 per 700 sq. ft.</u>	<u>1 per 1800 sq. ft.</u> <u>1 per 1200 sq. ft.</u>	<u>B</u>	<u>N4</u>	<u>N2</u>

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Amend Section 6.36.7 of the Schedule of Parking and Loading Requirements to read as follows:

Land Use Category	Open Space, Res A-1, A-2, Res B	Res C, C-1, C- 1A, Off 1, Bus A (Comm), Bus A- 1, A-2, Bus A-3 ¹⁴ , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	Ind B-1, Res C-3, C-3A, C-3B, Off 3-A, 3, Bus B, Ind A-2, Ind B, Bus B-1, B-2	Loading Facility Category	Long-Term Bicycle Parking (6.107.2)	Short-Term Bicycle Parking (6.107.3)
6.36.7 Light Industry, Wholesale, Business and Storage							
a. Assembly or packaging of articles	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
b. Manufacture, processing, assembly and packaging the following:							
1. Clothing but not the manufacture of the cloth or other material of which the cloth is made	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
2. Food products, including bakery confectionery and dairy products	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
3. Drugs	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
4. Electrical, electronic and communication instruments	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
5. Engineering, laboratory and scientific instruments, temperature controls	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
6. Jewelry, insignia, emblems and badges, lapidary, scale models, dolls, costume jewelry and costume novelties	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
7. Lamp shades except of glass or metal	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
8. Leather goods, excluding footwear and saddlery	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
9. Medical and dental instruments and supplies, optical instruments and lenses	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
10. Paper and paperboard products	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A.	N5	N5
11. Pens and pencils	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
12. Plaster of paris or paper mache products	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
13. Office machines, including cash registers, computing machines and typewriters, scales and balances	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
14. Umbrellas, parasols and canes	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
15. Watches, clocks, watchcases, clockwork mechanisms	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
c. Bottling of beverages	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5

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Land Use Category	Open Space, Res A-1, A-2, Res B	Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 ¹⁴ , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	Ind B-1, Res C-3, C-3A, C-3B, Off 3-A, 3, Bus B, Ind A-2, Ind B, Bus B-1, B-2	Loading Facility Category	Long-Term Bicycle Parking (6.107.2)	Short-Term Bicycle Parking (6.107.3)
d. Distribution center, parcel delivery center, delivery warehouse	n/a	1 per 1600 sq. ft.	1 per 2000 sq. ft.	1 per 2400 sq. ft.	A	N5	N5
e. Laundry, dry cleaning plant	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
f. Printing, binding, published and related arts and trades	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
g. Auto body or paint shop	n/a	2 per bay	2 per bay	2 per bay	A	N5	N5
h. Automotive repair garage	n/a	2 per bay	2 per bay	2 per bay	A	N5	N5
i. Food commissary	n/a	1 per 1200 sq. ft.	1 per 1600 sq. ft.	1 per 2000 sq. ft.	A	N5	N5
j. Wholesale business and storage in roofed structure, but not including wholesale storage of flammable liquid, gas or explosives	n/a	1 per 1600 sq. ft.	1 per 2000 sq. ft.	1 per 2400 sq. ft.	A	N5	N5
k. Storage warehouse, cold storage plant, storage building	n/a	1 per 1600 sq. ft.	1 per 2000 sq. ft.	1 per 3000 sq. ft.	A	N5	N5
l. Open lot storage of new building materials, machinery and new metals	n/a	1 per 1600 sq. ft. lot area.	1 per 2000 sq. ft. lot area.	1 per 3000 sq. ft. lot area	A	N5 ¹⁵	N5 ¹⁵
m. Open lot storage of coal, coke, sand or other similar material, or such storage in silos or hoppers	n/a	1 per 1600 sq. ft. lot area	1 per 2000 sq. ft. lot area	1 per 3000 sq. ft. lot area	A	N5 ¹⁵	N5 ¹⁵
<u>n. Cannabis Production Facility</u>	<u>n/a</u>	<u>1 per 1200 sq. ft.</u>	<u>1 per 1600 sq. ft.</u>	<u>1 per 2000 sq. ft.</u>	<u>A</u>	<u>N5</u>	<u>N5</u>

Amend Section 11.800 of the Zoning Ordinance to read as follows:

11.800 ~~MEDICAL MARIJUANA~~CANNABIS USES

11.801 Statement of Purpose. The purpose of this section is to provide for the limited establishment of Registered Marijuana Dispensaries for the medical use of cannabis products and Cannabis Establishments for the non-medical use of cannabis products, as they are authorized pursuant to applicable state laws and regulations set forth at 105 CMR 725.000, Implementation of an Act for the Humanitarian Medical Use of Marijuana. ~~That is the intent of this ordinance, subject to state regulation, that any approved medicinal marijuana facility shall not physically incorporate a future recreational marijuana facility within the same location to the extent permitted by law.~~

11.802 General Requirements

11.802.1 Allowed Cannabis Uses. ~~Notwithstanding the use limitation of the base zoning district for any overlay zoning district, a Registered Marijuana Dispensary~~

(a) Cannabis Retail Stores and Cannabis Production Facilities shall be allowed up only after the granting of a special permit by the Planning Board, subject to the requirements set forth in this Section 11.800, et seq.

(b) Either Cannabis Retail Stores or Cannabis Production Facilities, as defined in Article 2.000 of this Zoning Ordinance, may be established to provide cannabis products for medical or non-medical use, or both, in accordance with applicable state laws and regulations.

(c) A Cannabis Retail Store or Cannabis Production Facility that has previously received a special permit from the Planning Board only to authorize a Registered Marijuana Dispensary shall be required to amend its previously issued special permit to authorize the conversion to or co-location of a Cannabis Establishment for the non-medical use of cannabis or marijuana.

11.802.2 Licenses and Registration. ~~All permitted Registered Marijuana Dispensaries shall be properly registered with the Massachusetts Department of Public Health pursuant to 105 CMR 725.100~~ A special permit issued pursuant to this Section shall be conditioned on the Permittee maintaining all required state licenses and/or registrations and shall complying with all applicable state and local public health regulations and all other applicable laws, rules and regulations at all times.

Based on recent Council discussions, the approach taken by this proposal is to regulate medical and non-medical cannabis establishments in a comparable way through zoning. Since state law allows establishments to be co-located, a straightforward approach is to regulate the use based on the type of activity rather than whether it is classified as medical or non-medical.

If the Council preferred to regulate medical and non-medical cannabis establishments separately, the requirements could be separated, but it may result in inconsistent standards or establishments needing to seek multiple special permits.

Cannabis Zoning Amendment – Proposed Text Changes

Additions to the Zoning Ordinance shown in underline format. Deletions shown in ~~strikeout format~~.

No Building Permit or Certificate of Occupancy shall be issued for a ~~Registered Marijuana Dispensary~~ Cannabis Use that is not properly licensed and/or registered with the ~~Massachusetts Department of Public Health~~ applicable state agencies.

11.802.3 Limitation of Approval. A special permit authorizing the establishment of a ~~Registered Marijuana Dispensary~~ Cannabis Retail Store or Cannabis Production Facility shall be valid only for the licensed or registered entity to which the special permit was issued, and only for the site on which the ~~Registered Marijuana Dispensary~~ Cannabis Retail Store or Cannabis Production Facility has been authorized by special permit. If the license or registration for a ~~Registered Marijuana Dispensary~~ Cannabis Use has not been renewed or has been revoked, transferred to another, controlling entity, or relocated to a different site, a new special permit shall be required prior to issuance of a Certificate of Occupancy.

~~This ordinance will be reconsidered by the Ordinance Committee if upcoming recreational marijuana regulations created by the Commonwealth of Massachusetts impacts the location and desirability of medical marijuana facilities, in particular the possibility of having a joint location for both now allowed medical services and future recreational services.~~

11.802.4 Building. A ~~Registered Marijuana Dispensary~~ Cannabis Retail Store or Cannabis Production Facility shall be located only in a permanent building and not within any mobile facility. All sales, cultivation, manufacturing, and other related activities shall be conducted within the building, except in cases where ~~or by home deliveries to qualified clients~~ are authorized pursuant to applicable state and local regulations.

~~**11.802.5** Dimensional Requirements. Except where it is explicitly stated otherwise in this Section 11.800, a Registered Marijuana Dispensary shall conform to the dimensional requirements applicable to non-residential uses within the base and overlay districts.~~

~~**11.802.6** Parking and Loading. Notwithstanding anything to the contrary in Article 6.000 of this Ordinance, the required number of parking and bicycle parking (both long term and short term) spaces and the required number of loading bays for a Registered Marijuana Dispensary shall be determined by the Planning Board based on the transportation analysis and other information related to operational and security plans provided by the applicant. Except as set forth above,~~

In this proposal, parking, bicycle parking, and loading requirements would be regulated by Article 6.000 as with other retail uses. Article 6.000 allows parking waivers for smaller-scale commercial establishments. Dimensional and signage standards from elsewhere in the Zoning Ordinance would continue to apply, but it is not necessary to cite those requirements here.

Cannabis Zoning Amendment – Proposed Text Changes

Additions to the Zoning Ordinance shown in underline format. Deletions shown in ~~strikeout format~~.

~~all parking, bicycle parking and loading facilities shall conform to the requirements set forth in Article 6.000.~~

~~11.802.7 Signage. All signage shall conform to the requirements of Article 7.000 of this Ordinance. The Planning Board may impose additional restrictions on signage as appropriate to mitigate any aesthetic impacts.~~

11.802.5 Cannabis Research and Testing Facilities. A Cannabis Establishment that is licensed as a Cannabis Independent Testing Laboratory or Cannabis Research Facility pursuant to applicable state laws and regulations, but is not authorized to sell or otherwise transfer Cannabis Products to consumers or to cultivate, manufacture, or otherwise produce Cannabis Products that are intended to be sold or otherwise transferred to consumers, shall be regulated within the Table of Use Regulations in Section 4.30 of this Zoning Ordinance as a Technical Office (Section 4.34, Item “f.”) or, if such establishment is noncommercial, a Noncommercial Research Facility (Section 4.33, Item “c.”). Such establishment shall comply with all state and local laws and regulations, including regulations promulgated by the Cambridge Public Health Department, where applicable.

This proposal would regulate cannabis research and testing facilities similar to other research facilities that are currently allowed in the city.

~~11.802.8~~ **11.803 Location Standards.**

11.803.1 ~~Registered Marijuana Dispensaries~~ Cannabis Retail Stores.

(a) Cannabis Retail Stores shall be allowed only by Planning Board Special Permit within the following districts: Business A (BA), Business A-1 (BA-1), Business A-2 (BA-2), Business A-3 (BA-3), Business B (BB), Business B-1 (BB-1), Business B-2 (BB-2), Business C (BC), Industry A-1 (IA-1), Industry B (IB), Industry B-1 (IB-1), and Industry B-2 (IB-2) districts, and special districts and overlay districts whose use regulations are based on those of any of the aforementioned districts, subject to any limitations set forth in the regulations of those districts.

This list includes the broadest set of districts where retail uses are allowed. The set of districts could be reduced if deemed appropriate by the City Council.

~~(b) No Registered Marijuana Dispensaries~~ A Cannabis Retail Store shall not be allowed permitted within one thousand and eight hundred (1,800) feet of another Registered Marijuana Dispensary. ~~Cannabis Retail Store, except under the following circumstances:~~

(i) A Cannabis Retail Store may be permitted at a location within the Business (BB) or Business C (BC) district, or within a Planned Unit Development (PUD) overlay district or

Alewife Overlay District (AOD), if there is no more than one other permitted Cannabis Retail Store within 1,800 feet of that location.

(ii) The limitations set forth in Paragraph (b) and Subparagraph (i) above may be waived by the Planning Board if the applicant has been designated as an Economic Empowerment Applicant by the Massachusetts Cannabis Control Commission.

(c) Unless the permittee agrees in writing and it is made a condition of the special permit that all products offered to consumers shall be pre-packaged off-site, and no packaging or repackaging of cannabis or marijuana products shall take place on the premises, a Cannabis Retail Store shall not be permitted in a building containing a residential, institutional, office, or different retail use, or in a building that is within 100 feet of a building containing a residential, institutional, office, or different retail use.

11.803.2 Cannabis Production Facilities shall be allowed only by Planning Board Special Permit in the Industry B-2 (IB-2) district, provided that the establishment is not greater than 5,000 square feet in Gross Floor Area, and provided that the establishment is licensed as a Cannabis Microbusiness if Cannabis Products are cultivated or manufactured for non-medical use.

11.803.3 Buffer Zones.

(a) A Cannabis Retail Store or Cannabis Production Facility shall not be permitted within 500 feet of a pre-existing public or private school providing education in kindergarten or any of grades one through 12, except where the Planning Board, in issuing a special permit, approves a reduced distance upon finding that the location will cause no substantial adverse impact due to site-specific factors or other mitigating efforts agreed to in writing by the permittee and made conditions of the special permit.

(b) A Cannabis Retail Store or Cannabis Production Facility shall not be permitted within 500 feet of a pre-existing public children’s playground, public youth athletic field, or public youth recreation facility, except where the Planning Board, in issuing a special permit, approves a reduced distance upon finding that the location will cause no substantial adverse impact due to site-specific factors or other mitigating efforts agreed to in writing by the permittee and made conditions of the special permit.

The requirement for off-site packaging is to control for potential odor nuisance. In cases where the establishment is sufficiently separated from other uses, on-site packaging could be considered.

As discussed at prior meetings, the Council could reduce the 500-foot distance standard if desired. As discussed at prior hearings, current drug laws impose stricter enforcement standards within 300 feet of schools and within 100 feet of parks.

~~11.803~~ **11.804** Application Requirements. An application to the Planning Board shall ~~include~~ contain, at a minimum, the following information:

(a) Description of Activities: a narrative providing information about the type and scale of all activities that will take place on the proposed site, including but not limited to cultivating and processing of Cannabis ~~or marijuana infused Products (MIPs)~~, on-site sales, off-site deliveries, distribution of educational materials, and other programs or activities.

~~(b) Service Area: A map and narrative describing the area proposed to be served by the Registered Marijuana Dispensary and the anticipated number of clients that will be served within that area. This description shall indicate where any other Registered Marijuana Dispensaries exist or have been proposed with the expected service area.~~

~~(c) Transportation Analysis: A quantitate analysis, prepared by a qualified transportation specialist acceptable to the Planning Board, modeling the expected origin and frequency of client and employee trips to the site, the expected modes of transportation used by clients and employees, and the frequency and scale of deliveries to and from the site.~~

~~(d)~~ (b) Context Map: A map identifying, at a minimum, the location of the proposed establishment, the locations of all other Cannabis Uses in the vicinity, the locations of all public or private schools providing education in kindergarten or any of grades one through 12, and the locations of all children’s playgrounds, youth athletic fields, or other youth recreation facilities, with measured distances provided to demonstrate whether the location complies with the standards of Section 11.803 above ~~depicting all properties and land uses within a one thousand (1,000) foot radius (minimum) of the project site, whether uses are located in Cambridge or within surrounding communities, including but not limited to all educational uses, daycare, preschool and afterschool programs.~~

~~(e)~~ (c) Site Plan: A plan or plans depicting all existing and proposed development on the property, including the dimensions of the building, the detailed layout of automobile and bicycle parking, the location of pedestrian, bicycle and vehicular points of access and egress, the location and design of all loading, refuse and service facilities, the location, type and direction of all outdoor lighting on the site, and any landscape design.

The service area and transportation analysis were required when it was assumed that there would be a limited number of RMDs serving large areas of the state; for a more conventional type of retail use, such information would not be required.

Cannabis Zoning Amendment – Proposed Text Changes

Additions to the Zoning Ordinance shown in underline format. Deletions shown in ~~strikeout format~~.

~~(d)~~ (d) Building Elevations and Signage: Architectural drawings of all exterior building facades and all proposed signage, specifying materials and colors to be used. Perspective drawings and illustrations of the site from public ways and abutting properties are recommended but not required.

(e) Logistics Plan: A plan identifying the on-site or off-site locations where deliveries and loading functions will take place and a narrative describing how deliveries to the site, loading, and other service functions will be conducted, as well as a plan and narrative identifying the transportation options for customers and employees, including public transportation services, on-site and off-site parking facilities, and bicycle facilities.

~~(e)(f)~~ License or Registration Materials: Copies of registration materials issued by the Massachusetts Department of Public Health and any all materials submitted to the Massachusetts Department of Public Health applicable state agencies for the purpose of seeking licensing and/or registration, and any certification or license issued by any such agency, excluding any information required by law to be kept confidential to confirm that all information provided to the Planning Board is consistent with the information provided to the Massachusetts Department of Public Health.

(g) Host Community Agreement: A narrative describing progress that has been made at the time of application toward establishing a host community agreement with the City of Cambridge.

~~11.804~~ **11.805** Special Permit Criteria. In granting a special permit for a ~~Registered Marijuana Dispensary~~ Cannabis Retail Store or Cannabis Production Facility, in addition to the general criteria for issuance of a special permit as set forth in Section 10.43 of this Zoning Ordinance, the Planning Board shall find that the following criteria are met:

~~(a) The Registered Marijuana Dispensary is located to serve an area that currently does not have reasonable access to medical marijuana, or if it is proposed to serve an area that is already served by other Registered Marijuana Dispensaries, it has been established by the Massachusetts Department of Public Health that supplemental service is needed.~~

~~(b) The site is located at least five hundred (500) feet distant from a school, daycare center, preschool or afterschool facility or any facility in which children commonly congregate or if not~~

The need for service is no longer a consideration at the state level, and within this ordinance it is addressed by the required separation between establishments. Similarly, the distance standard is covered in the proposed Section 11.803.3 above.

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~~located at such a distance, it is determined by the Planning Board to be sufficiently buffered from such facilities such that its users will not be adversely impacted by the operation of the Registered Marijuana Dispensary.~~

~~(e)~~(a) The site is designed such that it provides convenient, safe and secure access and egress for ~~clients~~ customers and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.

~~(d) Traffic generated by client trips, employees trips, and deliveries to and from the Registered Marijuana Dispensary shall not create a substantial adverse impact on nearby residential uses.~~

~~(e)~~(b) On-site ~~loading~~, refuse and service areas are designed to be secure and shielded from abutting uses.

~~(f)~~(c) The building and site have been designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior. For example, in traditional retail districts, opaque façades without visibility into the interior should be avoided by locating secure areas above or below the ground-floor level, or behind active, transparent ground-floor retail frontage.

(d) The proposed Cannabis Retail Store or Cannabis Production Facility is not expected to cause a reduction in the availability of cannabis or marijuana products to qualifying patients within the city or neighborhood who are registered through the Massachusetts Medical Use of Marijuana Program.