



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Date: January 18, 2017

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Subject: Medical Marijuana Zoning Petition (City Council)

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Recommendation: The Planning Board does NOT RECOMMEND adoption.

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To the Honorable, the City Council,

On January 3, 2017, the Board held a public hearing on the Medical Marijuana Zoning Petition submitted by the City Council. The Board had continued this hearing from November 1, 2016, in order to learn the outcome of the statewide ballot initiative related to non-medical marijuana, which was later approved. CDD staff presented some background material on various topics related to medical marijuana and the recently approved non-medical marijuana law, which had also been provided to the Ordinance Committee, and staff provided information on conversations that had occurred within the Ordinance Committee in the intervening time.

The Board has been very supportive of medical marijuana over the years, supporting the initial zoning ordinance for Registered Marijuana Dispensaries (RMDs) adopted in 2013, the subsequent rezoning proposals to expand the districts where RMDs are allowed, and the specific RMD proposals that have sought special permit approval. There are now three RMDs in the permitting process in Cambridge, of which one has been granted a special permit and has begun construction (1001 Massachusetts Ave.), another was very recently approved (110 Fawcett Street), and another is in the Planning Board's pre-application engagement phase. Since no RMDs have actually begun operation, it is still difficult to gauge their benefits and impacts to the community and whether additional service will be needed.

There is also a great deal of uncertainty regarding the recent non-medical marijuana law, which suggests that further expanding the allowed zoning districts for RMDs could limit the City's zoning options for non-medical marijuana retail establishments. Potential land use concerns related to non-medical marijuana retail establishments are not well understood because there have been no regulations promulgated at the state level, and it appears that such regulations may not be known for many months.

Given the processes currently underway to establish RMDs in the City and the uncertainty around non-medical marijuana zoning, the Board does not believe there is an urgent need to expand the allowed districts for RMDs at this time. Moreover, as noted in the materials provided by CDD, some of the proposed districts may not be suitable for RMDs. In particular, the Industry A-1 (IA-1) districts tend to have a more residential character and exist within and directly adjacent to predominantly residential neighborhoods like East Cambridge and the Danehy Park

area. Also, some special “SD” zoning districts in Cambridgeport allow commercial uses on a transitional basis, but are intended to evolve toward a prevailing residential character over time.

The Board anticipates that over the coming months, as state laws and regulations are clarified, the City will be better able to comprehensively analyze and adopt zoning that provides clear guidance for the permitting of both medical and non-medical marijuana establishments.

Respectfully submitted for the Planning Board,

A handwritten signature in black ink, appearing to read "H Theodore Cohen", with a long horizontal flourish extending to the right.

H Theodore Cohen, Chair.