



To: Mary T. Flynn, Planning Board Chair

From: Melissa Peters, Acting Assistant City Manager for Community Development  
Megan Bayer, City Solicitor

Date: April 11, 2025

Re: City staff proposal to remove article 11.803.1 (c) (repackaging prohibition) from the zoning code as detailed in Awaiting Report #2024-162, dated December 23, 2024.

## Overview

The retail, adult use, cannabis industry has evolved in the past six years since Cambridge adopted local ordinances permitting its use.

This memo proposes an amendment to the zoning code that would be applicable to the Cannabis Retail Store use. The attached includes a recommendation to strike article 11.803.1 (c), the restriction on repackaging marijuana product on site at retail stores. The recommendation in this memo has been prepared by Community Development Department (CDD) staff in consultation with the Law Department. This proposed amendment is part of broader City efforts to streamline local cannabis regulations as reflected in the March 17 [adoption of AR #2024-162](#), a summary of which is included here.

## Align with State Regulations and Programs

Certain proposed changes to the Zoning and Cannabis Business Ordinance are being prompted by a need to align local regulations with 935 CMR, the State regulations for Adult Use Marijuana, and MA CCC administered programs. Inspectors from the MA CCC have alerted city staff to the following instances of misalignment:

- 935 CMR 500 105 **General Operational Requirements for Marijuana Establishments** expressly allows all cannabis uses to repackage on site which is in conflict with our current zoning restriction.

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- MA CCC Equity Programs, including the Economic Empowerment and Social Equity applicant programs, have specific hiring requirements which is in conflict with portions of our hiring requirements in the Cannabis Business Permit Ordinance.

## **Revise the Cannabis Business Ordinance**

Recent changes by the Massachusetts Cannabis Control Commission (MA CCC) now allow for a waiver of the Host Community Agreement (HCA) requirement, offering an opportunity to streamline processes and reduce local approval hurdles for both new and existing retail operators.

The current HCA contains select criteria worth preserving before adopting the MA CCC's waiver process. These criteria can be relocated to the Cannabis Business Ordinance and incorporated as questions on the Cannabis Business Permit application. CDD staff propose relocating ten (10) such HCA criteria in the areas of:

- Documentation of marijuana licenses held in, or outside of, the Commonwealth of Massachusetts
- Property interest or site control
- Zoning compliance
- Storefront activation
- Operations management, including customer queueing, inventory control, public safety, employee training, and delivery protocols
- Community Meeting requirements

As with the relocation of the HCA criteria to the Cannabis Business Ordinance, CDD is prepared for staff review to occur at the time of application for a Cannabis Business Permit. In collaboration with the Cambridge Public Health Department, CDD staff have drafted ordinance language and a related permit application question that reflects the intent of the repackaging restriction while allowing for site-specific considerations.

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Proposed zoning change:

**11.803.1**

Cannabis Retail Stores.

(a)

Cannabis Retail Stores shall be allowed only in those districts set forth in the Table of Use Regulations (Section 4.30 of this Zoning Ordinance) and special districts and overlay districts whose use regulations are based on those districts, subject to any limitations set forth in the regulations of those districts. In the Business A-1 district, only applicants that have been designated as Economic Empowerment Applicants or certified as eligible to participate in the Social Equity Program by the Massachusetts Cannabis Control Commission may be permitted and such designation or eligibility shall be maintained.

(b)

A Cannabis Retail Store shall not be permitted within one thousand and eight hundred (1,800) feet of another Cannabis Retail Store, except if the applicant has been designated as an Economic Empowerment Applicant or certified as eligible to participate in the Social Equity Program by the Massachusetts Cannabis Control Commission and maintains that designation and/or certification.

(c)

~~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 of a Cannabis Retail Store unless it also meets the requirements for a Cannabis Production Facility.~~