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13 Commercial Way
Milford, MA 01757

2016 FEB -4 PM 2: 58

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Cambridge City Clerk
Mrs. Donna Lopez
795 Massachusetts Avenue
Cambridge, MA

February 4, 2016

Re: Medical Marijuana Zoning Amendment Petition

Madam Clerk Lopez:

Included herewith is a zoning amendment petition sponsored by Sage Cannabis Inc., a Massachusetts Registered Marijuana Dispensary (RMD) operator to amend the provisions of the Medical Marijuana Overlay district section 20.700 of the Cambridge Zoning Ordinance and Map.

Thank you for your time and attention to this matter.

Sincerely

All the best,

A handwritten signature in blue ink, appearing to read "Michael Dundas", with a long horizontal flourish extending to the right.

Michael Dundas
Chief Executive Officer
Sage Cannabis, Inc.

Medical Marijuana Zoning Amendment Petition

To the Honorable Cambridge City Council:

Submitted herein is a zoning petition to amend the provisions of the Medical Marijuana Overlay district section 20.700 of the Cambridge Zoning Ordinance by creating an additional Medical Marijuana Overlay District (MMD-3) to better serve Cambridge's patient population suffering from debilitating illnesses.

The proposed zoning amendment retains the current boundaries of the Medical Marijuana district (MMD-1 and MMD-2) and current Planning Board special permit criteria set forth in section 20.700 but adds an additional MMD-3 district, coterminous with the BB-2 base zoning district. Further the petition proposes additional planning board criteria applicable to the MMD-3 allowing for a retail only Registered Marijuana Dispensary (RMD) facility that is appropriately integrated into Cambridge's diverse retail and commercial corridors.

Sage Cannabis Inc., ("Sage") a license Massachusetts RMD operator has secured a lease within the proposed MMD-3 district at 1001 Massachusetts Avenue and has conducted due diligence that the location can satisfy the requirements of the Cambridge Zoning Ordinance and statewide medical marijuana regulations as set forth at 105 CMR 725.000, Implementation of an Act for the Humanitarian Medical Use of Marijuana.

The undersigned being all registered voters of the City of Cambridge, hereby petition the Cambridge City Council to amend the zoning map and ordinance by adoption of the following:

1. Amend the Zoning Map to create an additional Medical Marijuana Overlay District (MMD-3) coterminous with the BB-2 base zoning district boundaries. *See Exhibit A.*
2. Add a new section 20.705.1 to include additional planning board special permit criteria applicable to the proposed MMD-3 *See Exhibit B.*

	Printed Name	Street Address	Signature	
2/11	Julia Cassa	109 Windsor St - 02139		
7/2	FRANK DONOVAN	42 IRVING ST 02138		✓
7/2	Elizabeth Gambosi	42 Irving St. 02138		✓
9/11	MELINDA MILLS LEE	30 FOSTER ST 02138		✓
8/2	WILLIAM H. BEAN	21 FOSTER ST. 02138		
6/2	Michael O'Neil	2 Edney Sq.		✓
5/2	Dana Fiste	131 HAZARD ST #2		✓
9/2	Joan Sawyer	215 LEX AVE		
9/2	ELIZABETH COOK-SMITH	43 Braks St #2		✓
4/3	MITCHELL LOSHAW	1 STINSON CT. #3 02139		
1/3	Mike Gonnally	20 Harding St #3 02141		

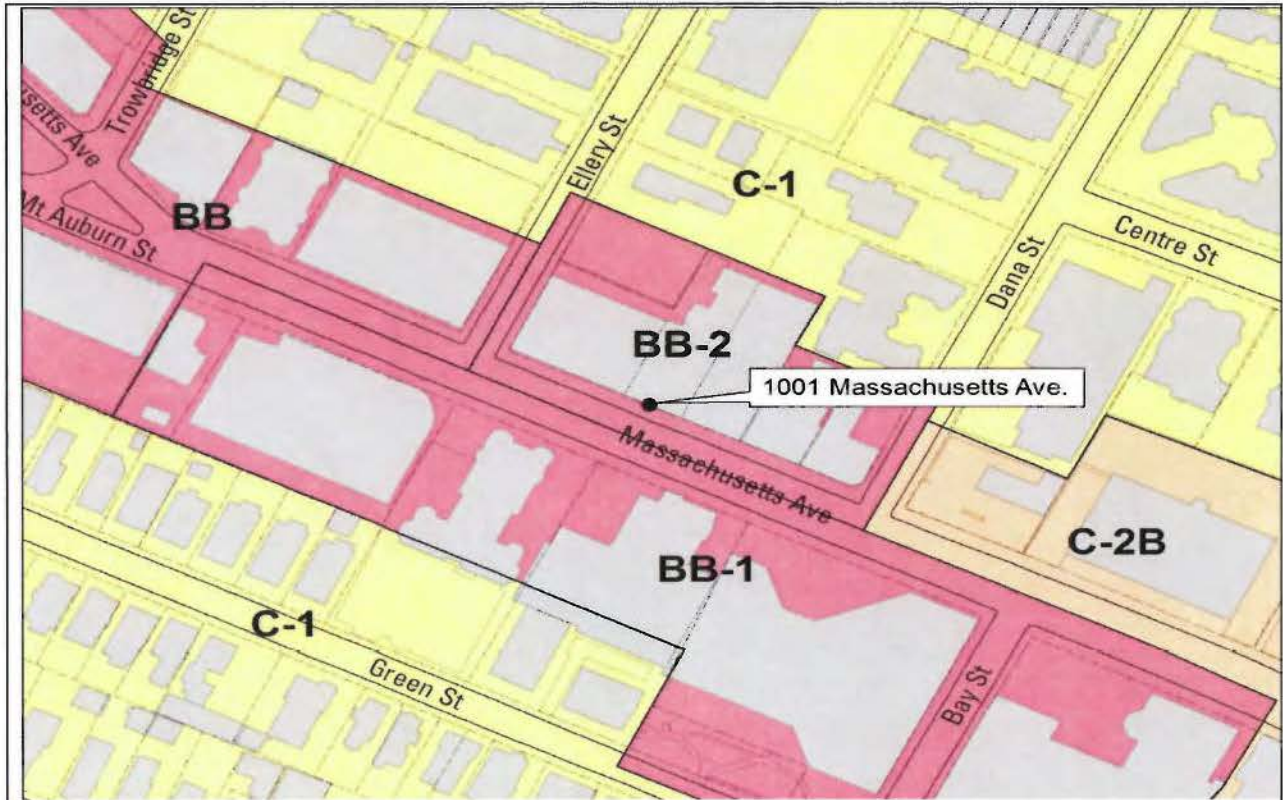
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Printed Name	Street Address	Signature
612 Thomas Youngren	9 Ellery St. Camb	<i>[Signature]</i> ✓
Penelope Ryle	285 Third Street Unit 532	<i>[Signature]</i>
DAVE Mc	29 Ware St	Jane m c
MORRIS Rabinowitz	159 Hancock St.	Morris Rabinowitz ✓
Carol Chidley	411 Franklin St #912	<i>[Signature]</i>
Richard CLAREY	15 BROOKFORD ST	Richard Clarey ✓
GARY DMYTRYK	2440 MASE AVE	Gary Dmytryk ✓
Heather Hoffman	213 Hurley Street	Heather Hoffman ✓

V = Registered Voters

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Exhibit A



1001 Massachusetts Ave. Source: Google Street View

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Exhibit B

Zoning Amendment proposed text underlined below:

20.700 MEDICAL MARIJUANA OVERLAY DISTRICTS

20.701 Purpose

The purpose of the Medical Marijuana Overlay Districts is to provide for the limited establishment of Registered Marijuana Dispensaries as they are authorized pursuant to state regulations set forth at 105 CMR 725.000, Implementation of an Act for the Humanitarian Medical Use of Marijuana. Given that Registered Marijuana Dispensaries shall be limited in number and strictly regulated by the Massachusetts Department of Public Health, these zoning regulations intend to permit them where there is access to both regional roadways and public transportation, where they may be readily monitored by law enforcement for health and public safety purposes, and where they will not impact the character of lower-scale residential neighborhoods, business districts and educational institutions.

20.702 Establishment. There is hereby established on the Zoning Map of the City of Cambridge the Medical Marijuana Overlay Districts, which shall be defined as follows:

Medical Marijuana Overlay District 1 shall be coterminous with the area encompassed by the Alewife Overlay Districts 2, 4, 5 and 6, having Office 1, Office 2A, Business A and Industry B-2 base zoning designations.

Medical Marijuana Overlay District 2 shall be the area bounded by Monsignor O'Brien Highway to the south and the Cambridge Municipal Boundary on all other sides, commonly referred to as the North Point area, including the North Point Residence Office and Business District, a portion of Special District 1, and a district with an Industry A base zoning designation.

Medical Marijuana Overlay District 3 shall be coterminous with the area encompassed by the BB-2 Base zoning designations.

20.703 Requirements

20.703.1 Use. Notwithstanding the use limitations of the base zoning district or any other overlay zoning district, a Registered Marijuana Dispensary shall be allowed within the Medical Marijuana Overlay District upon the granting of a special permit by the Planning Board, subject to the requirements set forth in this Section.

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20.703.2 Registration. All permitted Registered Marijuana Dispensaries shall be properly registered with the Massachusetts Department of Public Health pursuant to 105 CMR 725.100 and shall comply with all applicable state and local public health regulations and all other applicable state and local laws, rules and regulations at all times. No Building Permit or Certificate of Occupancy shall be issued for a Registered Marijuana Dispensary that is not properly registered with the Massachusetts Department of Public Health.

20.703.3 Limitation of Approval. A special permit authorizing the establishment of a Registered Marijuana Dispensary shall be valid only for the registered entity to which the special permit was issued, and only for the site on which the Registered Marijuana Dispensary has been authorized by special permit. If the registration for a Registered Marijuana Dispensary has not been renewed or has been revoked, transferred to another controlling entity, or relocated to a different site within the Medical Marijuana Overlay Districts, a new special permit shall be required prior to issuance of a Certificate of Occupancy.

20.703.4 Building. A Registered Marijuana Dispensary shall be located only in a permanent building and not within any mobile facility. All sales shall be conducted either within the building or by home deliveries to qualified clients pursuant to applicable state and local regulations.

20.703.5 Dimensional Requirements. Except where it is explicitly stated otherwise in this Section

20.700, a Registered Marijuana Dispensary shall conform to the dimensional requirements applicable to non-residential uses within the base and overlay zoning districts.

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

20.703.7 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.

20.704 Application Requirements. An application to the Planning Board shall include, at a minimum, the following information:

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(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 marijuana 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 within the expected service area.

(c) **Transportation Analysis:** A quantitative 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) **Context Map:** A map depicting all properties and land uses within a one thousand- foot (1,000') radius (minimum) of the project site, whether such uses are located in Cambridge or within surrounding communities, including but not limited to all educational uses, daycare, preschool and afterschool programs.

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(e) **Site Plan:** A plan or plans depicting all proposed development on the property,

including the dimensions of the building, the 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.

(f) **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.

(g) **Registration Materials:** Copies of registration materials issued by the Massachusetts Department of Public Health and any materials submitted to the Massachusetts Department of Public Health for the purpose of seeking registration, to confirm that all information provided to the Planning Board is consistent with the information provided to the Massachusetts Department of Public Health.

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20.705 Special Permit Criteria. In granting a special permit for a Registered Marijuana Dispensary, in addition to the general criteria for issuance of a special permit as set forth in Section 10.43 of this 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 feet distant from a school, daycare center, preschool or afterschool facility or any facility in which children commonly congregate, or if not 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.
- (c) The site is designed such that it provides convenient, safe and secure access and egress for clients 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, employee trips, and deliveries to and from the Registered Marijuana Dispensary shall not create a substantial adverse impact on nearby residential uses.
- (e) Loading, refuse and service areas are designed to be secure and shielded from abutting uses.
- (f) 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.

20.705.1 Additional Special Permit Criteria for MMD-3: In granting a special permit for a Registered Marijuana Dispensary in the MMD-3 the Planning Board shall find that the criteria in 20.705 are met as well as the criteria in 20.705.1

- (a) Use Limitations: The RMD facility shall be retail only with no cultivation activities on site.
- (b) Siting: The RMD facility must be located either below grade or above the street level at the second story or above and be appropriately shielded from the public view.

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(c) Size: The RMD facility size shall be less than 10,000 square feet and at least 70% of the square footage shall be used for patient services and the remainder shall be devoted to administrative support, storage and security.

(d) Access to Public transit: Areas with access to pedestrian and public transportation would be preferred.