

City of Medford

Cannabis Advisory Committee

City of Medford Ordinance and Cannabis Control Commission (CCC) Reference Information

This document is intended for reference purposes only. If you have questions regarding the legal requirements for licensure, you are encouraged to consult state and local establishing legislation. This document may be updated periodically.

City of Medford Ordinance Definitions and Guidance

License Types and Definitions

Marijuana Retailer	An entity licensed to purchase and transport marijuana and marijuana products from Marijuana Establishments and to transfer, sell or otherwise transfer this product to Marijuana Establishments and to sell to consumers. Marijuana Retailers are prohibited from offering Marijuana or Marijuana Products for the purpose of on-site social consumption on the premises of a Marijuana Establishment.
Marijuana Cultivator	An entity licensed to cultivate, process and package marijuana, and to transfer marijuana to other Marijuana Establishments, but not to consumers.
Marijuana Product Manufacturer	An entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to Marijuana Establishments and to transfer marijuana and marijuana products to other Marijuana Establishments, but not to consumers.
Craft Marijuana Cooperative	A Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership or cooperative corporation under the laws of the Commonwealth. A cooperative licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to Marijuana Establishments, but not to consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator.
Microbusiness	A collocated marijuana operation that can be either a Tier 1 Marijuana Cultivator or Marijuana Product Manufacturer or both, in compliance with the 935 CMR 500.000 operating procedures for each license, and, if in receipt of a Delivery Endorsement issued by the Cannabis Control Commission, may deliver Marijuana or Marijuana Products produced at the licensed location directly to consumers in compliance with the established regulatory requirements for retail sale as it relates to delivery. A Microbusiness that is a Product Manufacturer may purchase

	no more than 2,000 pounds of Marijuana per year from other Marijuana Establishments for the purpose of marijuana product manufacturing.
Delivery-Only	An entity that is authorized to deliver directly to Consumers from a Marijuana Retailer or Registered Qualifying Patients or Caregivers from a Medical Marijuana Treatment Center (MTC) and that does not provide a retail location accessible to the public.
Marijuana Transporter	An entity, not otherwise licensed by the Cannabis Control Commission, that is licensed to purchase, obtain, and possess marijuana and marijuana products solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments, but not for sale to consumers.
Independent Testing Laboratory	A laboratory that is licensed or registered by the Cannabis Control Commission and is: (a) currently and validly licensed under 935 CMR 500.001: Application Requirements, or formerly and validly registered by the Commission (b) accredited to the most current International Organization for Standardization 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Cooperation mutual recognition arrangement or that is otherwise approved by the commission; (c) independent financially from any medical marijuana treatment center or any licensee or Marijuana Establishment for which it conducts a test; and (d) qualified to test marijuana in compliance with regulations promulgated by the commission.
Marijuana Research Facility	An entity licensed to engage in research projects by the Cannabis Control Commission.

Community Outreach Meeting Requirements

After completing initial screening and preliminary review, CAC shall invite Respondents to schedule a coordinated Community Outreach Meeting as part of the review process. Respondents invited to proceed with a coordinated Community Outreach Meeting shall consult with the CAC or its designee for purposes of selecting a date and location for the Community Outreach Meeting that will minimize conflict with the meeting schedules of other municipal boards requiring notification of this meeting and in order to ensure availability and attendance of appropriate municipal representatives at the meeting. Respondents are encouraged to make use of municipally-owned meeting space for Community Outreach Meetings and shall reserve public space on the same terms as applicable to other private entities.

The Community Outreach Meeting shall include, at a minimum, disclosure of the following information:

- The type(s) of Marijuana Establishments to be located at the proposed address.
- Information adequate to demonstrate that the location will be maintained securely.
- Steps to be taken by the Marijuana Establishment to prevent diversion to minors.
- A plan by the Marijuana Establishment to positively impact the City.

Special Permit Granting Authority

- The Zoning Board of Appeals of the City of Medford.

Special Permit Term

- A Special Permit issued under this Ordinance shall be for a term of 5 years from the date the Marijuana Establishment commences operations, unless sooner revoked or forfeited. At the expiration of the term a holder may apply for renewal according to the process established by the Special Permit Granting Authority.

Zoning Regulations

- Retail Establishments are restricted to Commercial 2 (C-2) and Industrial (I) zoned districts.
- Marijuana Retailers shall not exceed 10,000 square feet in retail floor space.
- Marijuana Establishment shall not be located within five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12,. The five hundred (500) foot distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Establishment is or will be located.
- CCC recommendation is to zone cannabis businesses based on the nature of their primary business operations if not defined by local ordinance.

Cannabis Control Commission (CCC) Definitions and Requirements

Sources:

[CCC Guidance Documents](#)

[CCC Guidance of Licensure](#)

Role of Cannabis Control Commission

The Commission is required to promulgate statewide regulations addressing: public health issues such as products, labeling, advertising and potency; industry issues such as cultivation, distribution, transportation and seed-to-sale tracking; and market participation for communities including women, minority, and veteran-owned businesses, as well as growing cooperatives.

The Commission will also review applications from candidates for licenses, determine which applicants may be awarded licenses, deny an application or limit, condition, restrict, revoke or suspend a license, establish a registration process, based on finding of suitability or approval of licensure, check the backgrounds of individuals associated with applicants or licensees. The Commission may inspect marijuana establishments, seize and remove from the premises of a marijuana establishment and impound any marijuana, equipment, supplies, documents and records obtained or possessed in violation of the law for the purpose of examination and inspection, inspect all papers, books and records of close associates of a licensee whom the Commission suspects is involved in the financing, operation or management of the licensee, impose fees and fines, and conduct adjudicatory proceedings.

Economic Empowerment Priority Applicant

An applicant who, as an entity or through an individual certified by the Commission in 2018, meets and continues to meet three or more of the following six criteria, at least one of which shall be a majority-equity-ownership criterion:

1. Majority-equity-ownership Criteria:

a. A majority (more than 50%) of ownership belongs to people who have lived for five of the preceding ten years in an Area of Disproportionate Impact, as determined by the Commission. 935 CMR: CANNABIS CONTROL COMMISSION 1/8/21 935 CMR - 107 500.002: continued

b. A majority (more than 50%) of ownership has held one or more previous positions where the primary population served were disproportionately impacted, or where primary responsibilities included economic education, resource provision or empowerment to disproportionately impacted individuals or communities.

c. A majority (more than 50%) of the ownership is made up of individuals from Black, African American, Hispanic or Latino descent.

2. Additional Criteria:

a. At least 51% of current employees or subcontractors reside in Areas of Disproportionate Impact and by the first day of business, the ratio will meet or exceed 75%.

b. At least 51% of employees or subcontractors have drug-related CORI and are otherwise legally employable in Cannabis enterprises.

c. Other significant articulable demonstration of past experience in or business practices that promote economic empowerment in Areas of Disproportionate Impact. This applicant has priority for the purposes of the review of its license application.

Background Check Requirement

There are four background authorization forms required for applicants seeking licensure: CORI Acknowledgement Form, IVES Form 4506-T, Disclosure and Acknowledgment Form, and Release Authorization Form.

As part of the application process, individuals associated with an application are required to submit to a background check under 935 CMR 500.101(1)(b). If the applicant is also a Registered Marijuana Dispensary (RMD), a background check is required under 935 CMR 500.101(2)(c). The following individuals are required to have the background authorizations completed: managers; executives; persons having direct or indirect authority over the management, policies, security operations or cultivation operations of the Marijuana Establishment; close associates and members of the applicant; and all persons contributing 10% or more of the initial capital to operate the Marijuana Establishment including capital that is in the form of land or buildings.

Areas of Disproportionate Impact

The City of Medford is not designated as an Area of Disproportionate Impact by the CCC.

Zoning Recommendation and Siting Restriction

Commission's recommendation is to zone cannabis businesses based on the nature of their primary business operations. State law establishes a 500-foot buffer around K-12 schools.

Diversity Plan Requirement

Every applicant seeking licensure must submit a diversity plan. As part of an extensive review of application materials, the Commission will scrutinize the diversity plan separately to make sure it includes the following:

1. Goals: one or more desired outcomes of the plan;
2. Programs: detailed actions, activities, or processes that will be utilized or implemented to achieve the outlined goals; and
3. Measurements: specific metrics that will be implemented to assess the progress and success of the programs.

[Additional CCC Diversity Plan requirements can be found here.](#)

Guidance on Plans to Positively Impact Disproportionately Harmed People

Every applicant seeking licensure must submit its own plan to invest in people who have been disproportionately impacted by cannabis prohibition, specifically the five populations defined by the Commission. When this guidance refers to disproportionately harmed people, it refers to these five populations described below. The first step for the applicant is to decide who the plan is intended to benefit, so that the plan can tailor the goals, programs, and measurements to that specific group.

The five identified populations of disproportionately harmed people that the Positive Impact Plan should impact are the following:

1. Past or present residents of the geographic “areas of disproportionate impact,” which have been defined by the Commission and identified in its Guidance for Identifying Areas of Disproportionate Impact. Note that some disproportionately impacted geographic locations are cities or towns, and others are neighborhoods identified by census tracts. The designation of these areas will be re-evaluated periodically.
2. Commission-designated Certified Economic Empowerment Priority recipients;
3. Commission-designated Social Equity Program participants;
4. Massachusetts residents who have past drug convictions; and
5. Massachusetts residents with parents or spouses who have drug convictions. A compliant Positive Impact Plan will be tailored to benefit at least one of the groups identified above. Applicants are encouraged to design plans to benefit more than one identified group.

[Additional information on this item can be found here.](#)

Community Outreach Meeting Requirements

The purpose of the Community Outreach Meeting is to inform the public in the host community about the proposed Marijuana Establishment (ME) or Medical Marijuana Treatment Center (MTC), provide information, and answer the public's questions. It is strongly suggested that the Community Outreach Meeting be held prior to finalizing a Host Community Agreement because the meeting is intended to help inform the Host Community Agreement process. Each applicant must conduct a Community Outreach Meeting that complies with the following:

- The meeting must be conducted within six (6) months prior to submitting the license application;
- Notice of the meeting must be published in a newspaper of general circulation in the city or town at least 14 calendar days prior to the meeting. The notice must include the time, place, subject matter of the meeting, and proposed address of the ME or MTC;
- Notice of the meeting must be filed with the city or town clerk. The notice must include the time, place, subject matter of the meeting, and proposed address of the ME or MTC;
- Notice of the meeting must be mailed to all abutters and residents within 300 feet of the proposed address of the ME or MTC at least seven (7) calendar days prior to the meeting. The notice must include the time, place, subject matter of the meeting, and proposed address of the ME or MTC;
- At least one (1) meeting must be held in the host community and at least one (1) meeting must be held after normal business hours. A single meeting may be held if it falls within both requirements.
- The following must occur at the meeting:
 - Information presented about the type of ME or MTC to be located at the proposed address;
 - Information presented that is adequate to demonstrate that the location will be maintained securely;
 - Information about the steps that will be taken by the ME or MTC to prevent diversion to minors;
 - Information presented about the applicant's plan to positively impact the community; o Information presented that is adequate to demonstrate that the location will not constitute a nuisance; and
 - Community members are allowed to ask questions and receive answers from the ME or MTC.

In order to demonstrate compliance with this requirement, applicants must provide the following:

- A completed Community Outreach Meeting Attestation form available on the Commission's website. Please ensure to follow the instructions on the form;
- A copy of the notice in the publication that clearly shows the required information that was provided to the public, as well as, the name and date of the publication;
- A copy of the notice filed with the city or town clerk; and
- A copy of the notice mailed to abutters.

If the proposed ME or MTC will have locations in more than one (1) city or town, applicants must fulfill the Community Outreach Meeting requirements for each location.

Notice of Administrative Order Allowing Virtual Web-Based Community Outreach Meetings

<https://mass-cannabis-control.com/enforcement-administrative-order-allowing-virtual-web-based-community-outreach-meetings-april-27-2020/>