

MARIJUANA ZONING WORKSHOP

Presenting for Planning Board:

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ZONING WORKSHOP FOR ADULT USE MARIJUANA

TOWN HISTORY with Marijuana:

- 2014 - Annual Town meeting votes to allow Registered Marijuana Dispensaries (Medical Marijuana)
 - 2008 Small amounts of Marijuana decriminalized in State of Massachusetts
 - 2013 Medical Marijuana Initiative Law took effect in Massachusetts
 - 2017 Legalization of Recreational Cannabis took effect July 28, 2017
- 2016 – Ballot question Town of Scituate votes “NO” to Recreational Marijuana
- 2017 – Temporary Moratoria, Section 491, put in place until November 2018 for Recreational Marijuana
 - Cannabis Control Commission develops regulations
 - Town to undertake a planning process during this time period

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Cont'd TOWN HISTORY:

- 2018 – Prohibition of Recreational Marijuana Establishments, Zoning and General Bylaws (“Bylaws”) adopted
- 2021 – Citizen Petition filed for Special Town Meeting 2021 to allow adult use marijuana establishments; proponent referred to Planning Board for study at Town Meeting
- 2022 – Planning Board develops Bylaws in response to Citizens’ Petition

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PURPOSE:

- Planning Board is required to regulate legal land use
 - Adult Use Marijuana legalized in 2017
 - Legal land use includes recreational (adult use) and medical marijuana
- Establish an Adult Use Marijuana Section in Town Bylaws
 - Bylaw needs to meet the requirements of the Attorney General
- Address the concerns of the residents of the Town of Scituate by implementing safeguards within the Bylaw regarding the siting of adult-use Marijuana Establishments
- This workshop is not a referendum on marijuana in Massachusetts, as it is legal in the State
- This workshop is in response to last year's citizens' petition that did not have Planning's input, and did not include the myriad of protections for Scituate that Planning wrote into the proposed Bylaw

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PURPOSE:

- Change Registered Marijuana Dispensary (RMD) to Medical Marijuana Treatment Center (MTC)
 - Medical Marijuana adopted by the Town in 2014
 - Obligated by the State to allow Medical Marijuana Facilities -2013 Medical Marijuana Initiative Law
- Update the terminology and regulations for the medical marijuana portion of the Zoning Bylaw to comply with the Cannabis Control Commission (CCC) and the Code of Massachusetts Regulations 935 CMR 501.000
 - <https://masscannabiscontrol.com/>
 - The purpose of 935 CMR 501.000 is to implement St. 2017, c. 55: An Act to Ensure Safe Access to Marijuana, and M.G.L. c.94I

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What does the Adult Use Bylaw Do:

- Limits the # of establishments allowed within the Town of Scituate to 2 establishments
 - # of Marijuana Retailers is not to exceed 20% of the number of alcohol licenses issued for retail sale of alcohol not to be drunk on the premises.
- Limits Marijuana Establishments to an identified list;
 - Marijuana Courier, Marijuana Cultivator, Marijuana Delivery Operator, Marijuana Product Manufacture, Marijuana Retailer, Marijuana Testing Facility, Marijuana Transporter
- Limits size of an Establishment
- Limits Canopy size
- **Prohibits** drive-through marijuana dispensaries

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What does the Adult Use Bylaw Do:

- Limits location
 - Allowed marijuana uses only permitted in specific, appropriate, zoning districts as set forth in the Bylaw
 - No establishment is to be located within 400 feet of a public or private school providing education K-12
 - No establishment is to be located within 400 feet of a daycare or preschool facility licensed by the Mass Department of Early Education and Care
 - No establishment is to be located within 400 feet of any religious educational facility
- Requires Special Permit and Site Plan Approval issued by the Planning Board
- Requires a Host Agreement granted by the Select Board
 - The law regarding Host Community Agreements requires that the money collected by the Town shall be spent on addressing the impacts of the marijuana use in the Town, i.e. preventing adolescent drug use, education, police

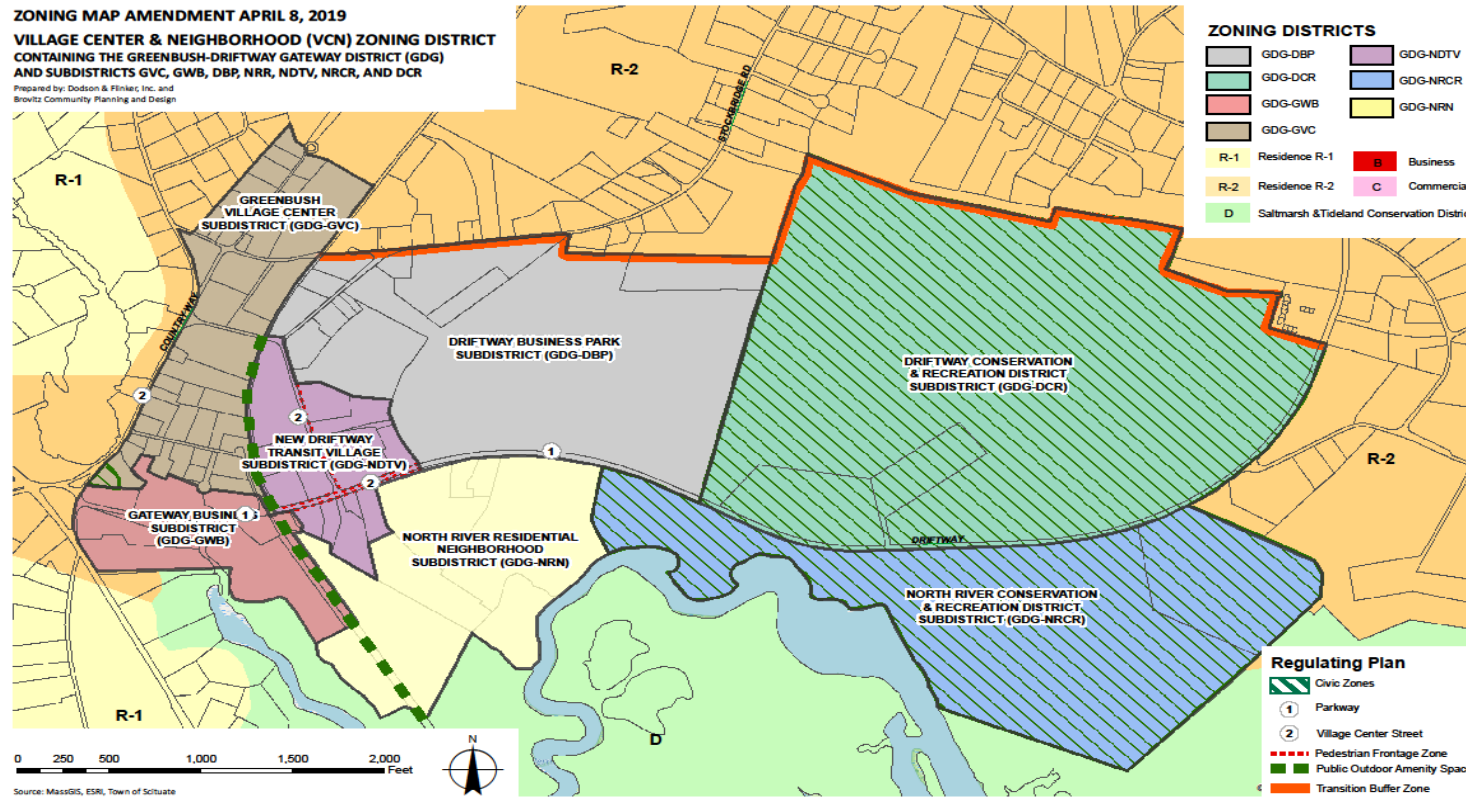
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Where can Adult Use Establishments be located by District:

- Although the following districts are listed as acceptable in the Bylaw's Table of Uses, the proposed Marijuana Establishment must still comply with the required setbacks under the Bylaw, and be awarded a Host Community Agreement from Select Board at that location
- Business District:
 - Marijuana Retailer is only allowed by Special Permit
- Village Center & Neighborhood District:
 - Marijuana Retailer, Operator or Courier, Transporter, Testing Facility are only allowed by Special Permit in the following subdistricts.
 - Greenbush Village Center (GVC)
 - Greenbush Business (GWB)
 - New Driftway Transit Village (NDTV)
 - North River Residential Neighborhood (NRN)
 - Driftway Business Park (DBP)
 - North Scituate Village Center (VC)
 - North Scituate Outer Village (OC)
 - Marijuana Cultivator and Marijuana Product Manufacturer are only allowed by Special Permit in the following subdistrict ONLY.
 - Driftway Business Park (DBP)

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Village Center & Neighborhood District:



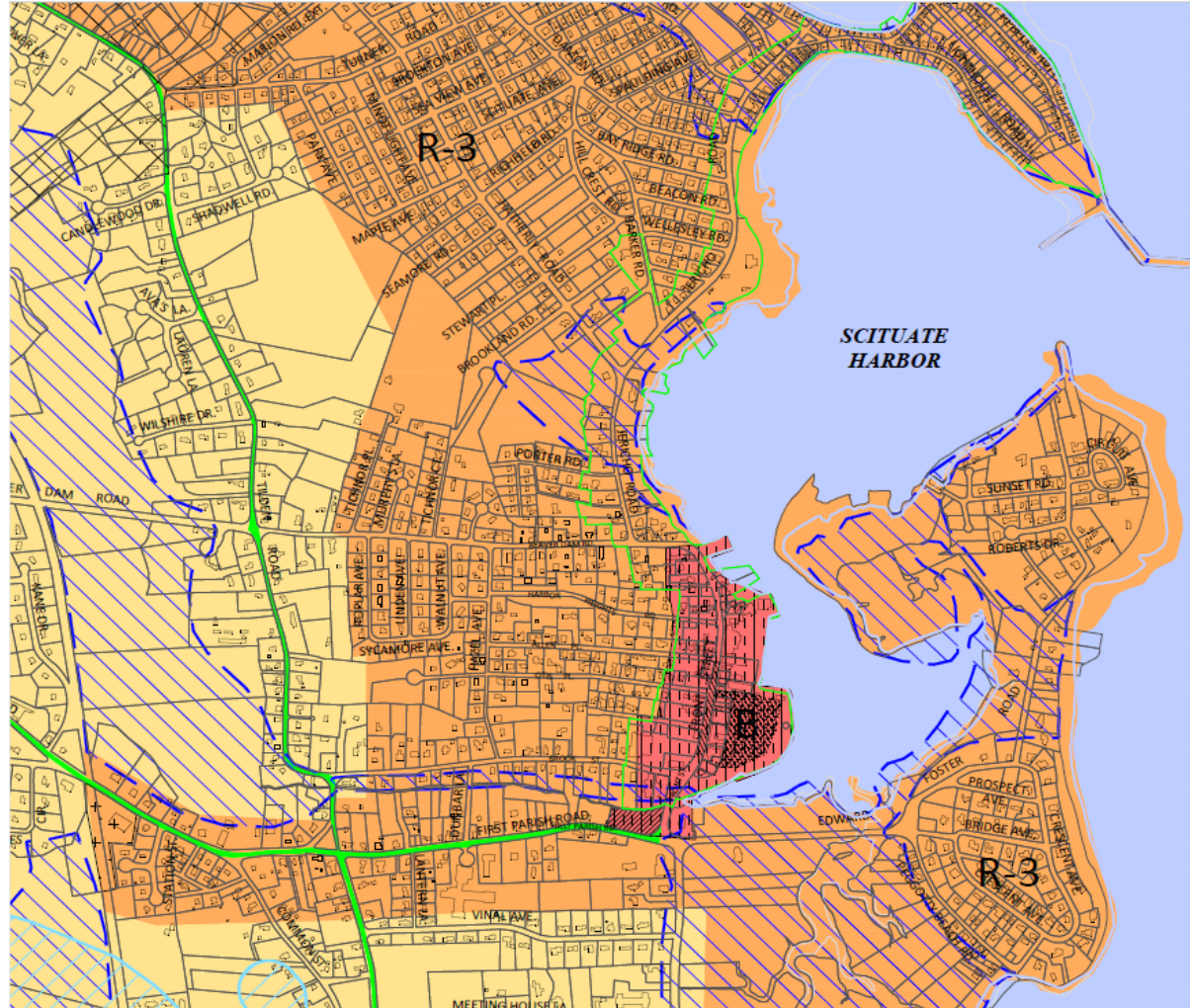
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North Scituate Village Center & Neighborhood District:



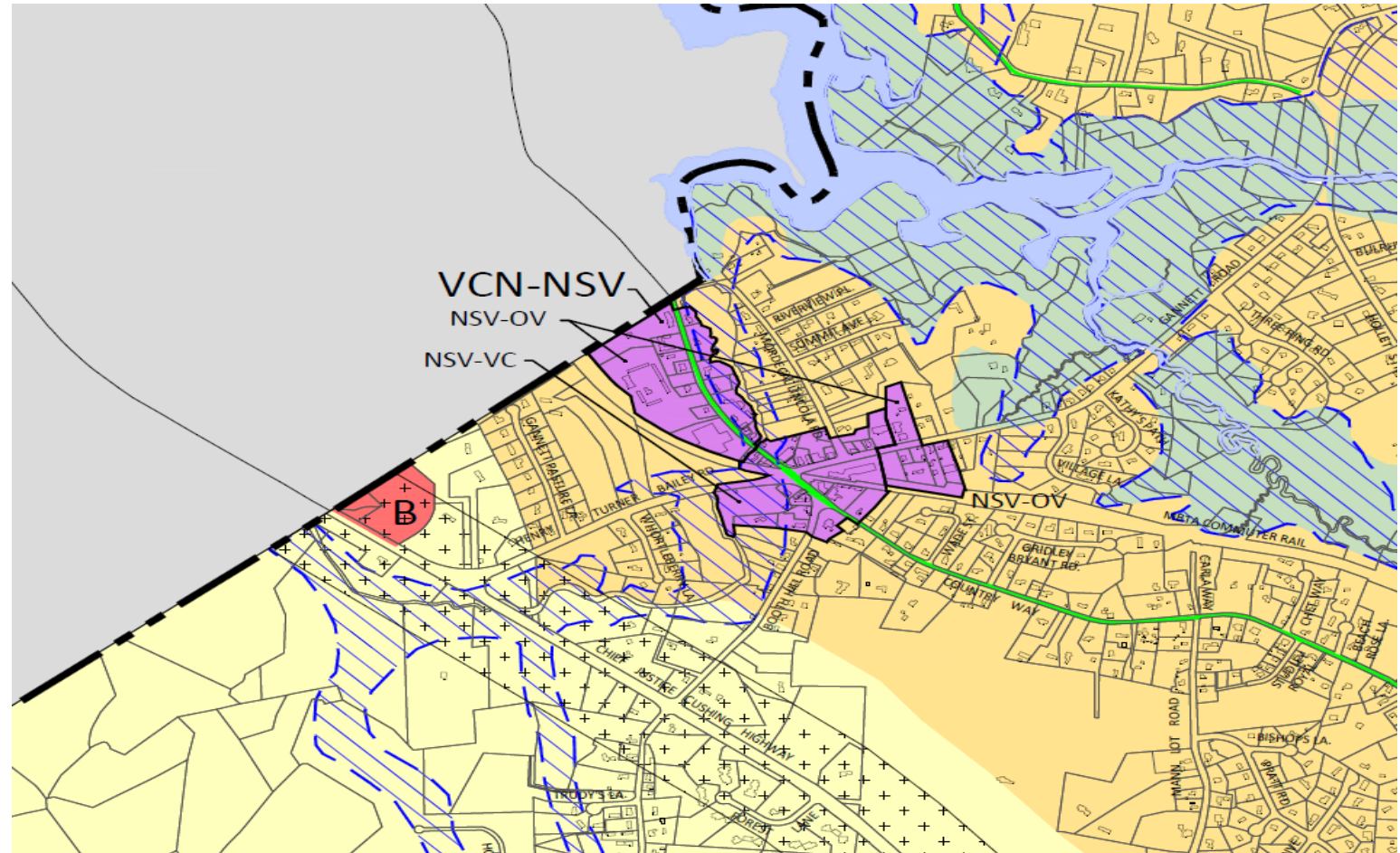
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Business District: Scituate Harbor



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Business District:



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Common Procedures for Retail Marijuana Establishments:

- Unlike other retailers, Marijuana Establishment doors are always locked
- All patrons must be “buzzed” into the exterior door of the facility
- From the exterior, patrons enter a secure vestibule where their government issued identification is scanned to confirm they are at least 21 years of age, at which time they are buzzed through a second set of doors into the retail area
- Marijuana Establishment agents assess whether the patron is under the influence of alcohol or any controlled substance, and if so, they may not purchase marijuana at the facility
- No doors may be opened from outside the establishment leading into the facility unless opened by authorized personnel
- All Marijuana Establishment employees are background checked, and must be at least 21 years old
- All storage of marijuana is in a vault, inside the facility
- All marijuana products are tracked from seed-to-sale
- Customer education materials regarding the safe use of marijuana, and the importance of keeping marijuana away from children must be available at the facility

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Marijuana Facts:

- There's a limit to how much you can carry
 - Massachusetts law permits you to carry up to one ounce of marijuana. You may possess up to 10 ounces in your home.
- There's a limit to how much you can grow.
 - Massachusetts law allows you to grow up to six cannabis plants in your home for personal use, or up to 12 plants for two or more adults. Learn more about [Home Cultivation](#).
- It's illegal to consume marijuana in public.
 - You cannot use cannabis in any form—including smoking, vaping, or eating—in public places or on federal land.
- Keep marijuana in a closed container while on the road.
 - Just like alcohol, it's illegal to have an open container of any form of marijuana in the passenger area of a car. An individual may receive a civil penalty of up to \$500 for having an open container of marijuana in the passenger area of a vehicle while on the road or at a place where the public has access. Store marijuana in a closed container and place

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Marijuana Do's and Don'ts:

- Do lock up your marijuana and keep it away from minors
- Don't cross state line with marijuana
 - It's illegal to drive across state lines with cannabis
- Don't mail it
 - You cannot send marijuana by mail – even to states and countries where marijuana use is legal
- Don't operate vehicles or heavy machinery when under the influence of marijuana
- Don't provide marijuana to minors
- Don't mix marijuana with other controlled substances
- Do act responsibly with the storage and use of marijuana