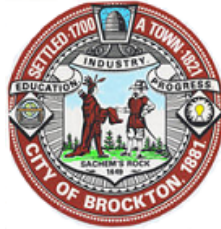


CITY OF BROCKTON



MARIJUANA ADVISORY COMMITTEE

GUIDANCE FOR THE ESTABLISHMENT OF RECREATIONAL MARIJUANA FACILITIES

Background

On November 8, 2016, Massachusetts voters approved an initiative legalizing the cultivation and sale of recreational marijuana in the Commonwealth. In accordance with M.G.L. c. 94G and its implementing regulations 935 CMR 500, the City of Brockton is required to facilitate the establishment of up to 8 regulated Marijuana Retailers.

In response, the City of Brockton has adopted the following:

1. The City has adopted a local sales tax of 3% on the sale of recreational marijuana.
2. The City has created a uniform Host Community Agreement.
3. The City is required to limit the number of marijuana retailers to no less than 20% of the number of “off-premises” alcohol licenses allotted to the City which, under the current allotment of 39, would limit the number of marijuana retailers to 14. (This number was increased on January 11, 2021 from 8)
4. The City has adopted an amendment to the Zoning Ordinance to regulate adult use marijuana establishments.

Pursuant to M.G.L. ch. 94G, §3 and Brockton Code of Ordinance Chapter 11 Section 11-425, any marijuana establishment seeking operations within the City of Brockton must execute a Host Community Agreement (HCA) prior to licensure. The HCA sets forth the conditions to have a marijuana establishment located within the City which includes, but is not limited to, all stipulations of responsibilities between the host community and the establishment.

The City of Brockton is accepting HCA applications from qualified entities to be considered for the location of a marijuana establishment in the City. Applicants will submit their HCA to the Marijuana Advisory Committee (MAC), appointed by the Mayor with the purpose of reviewing applications and making recommendations. Upon selection, applicants will be invited to negotiate a Host Community Agreement (HCA) with the City and move forward in the local licensing process.

LICENSE TYPE	HCA APPLICATION DEADLINE	NUMBER ACCEPTED
Marijuana Cultivator	Rolling	No cap
Craft Marijuana Cooperative	Rolling	No cap
Marijuana Product Manufacturer	Rolling	No cap
Marijuana Retailer	*Closed	14
Marijuana Transporter	Rolling	No cap
Marijuana Research Facility	Rolling	No cap
Laboratories	Rolling	No cap
Microbusiness	Rolling	No cap
Marijuana Courier	Rolling	No cap
Marijuana Delivery Operator	Rolling	No cap

APPLYING FOR A HOST COMMUNITY AGREEMENT:

1. **Cover Letter** – Please submit a 1-2 page cover letter summarizing your proposal and indicating why your establishment should be given preference to operate in the City of Brockton and include the following information:
 - a. Name
 - b. Business Name
 - c. Proposed marijuana establishment address
 - d. Type of license(s)
 - e. Phone and email contact information

2. Application

In order to be considered for a HCA, marijuana establishment operators must submit the required application and supporting materials to the City. The HCA Application is available to view and complete at <https://brockton.ma.us/government/marijuana-regulations-and-information/>.

3. Submittal

The Application and all required attachments will be accepted on a rolling basis. Applicant must submit four (4) copies of their submission.

REVIEW

On a quarterly basis, Brockton's Marijuana Advisory Committee (MAC) will review all applications received in the preceding quarter. The MAC shall consist of four (4) representatives and one (1) citizen of the City of Brockton as designated by the Mayor.

The basis for the MAC's review and consideration of applications is a desire to ensure the highest quality establishments, with locations that minimally impact surrounding neighbors or the community at large. An establishment lacking sufficient experience or capitalization, for example, or other factors could result in a negative impact to the community.

The following criteria are some, not all, of the considerations the MAC will make before making their recommendations:

- a. Location – within an approved district, appropriate/best use of space, and appropriate access
- b. Physical Space – proposed plan respects surrounding area, design and signage, flow of operations, crime prevention through environmental design strategies, and security
- c. Operations/community involvement – proposed operations focus on community education, hiring of local residents, and partnerships with local ancillary businesses
- d. Capacity to meet both city and state licensure and regulatory requirements
- e. Feedback from the community
- f. Experience
- g. How the proposal integrates with the overall goals of the City of Brockton
- h. Soundness of the proposal and the ability to bring the project to a timely commencement
- i. Proposal financial and market feasibility

INQUIRIES

Any inquiries related to the Host Community Application process should be submitted in writing to: marijuanaadvisorycommittee@cobma.us

OTHER REQUIREMENTS

To obtain a Special Permit from the Zoning Board of Appeals:

Signed Host Community Agreement + properly zoned marijuana establishment location + Application to Board of Appeal → Present to Zoning Board of Appeals → Zoning Board of Appeals approval of special permit

To obtain Site Plan Review from the Planning Board:

Signed Host Community Agreement + properly zoned marijuana establishment location + Special Permit from the Zoning Board of Appeals + Application for Site Plan Review → present to the Planning Board → Planning Board approval of special permit

To obtain a local license from the City Council:

Special permit + Site Plan Review + provisional license from the Cannabis Control Commission → Application to the City Council → City Council Approval of local license

Multiple Steps in the Approval Process

