



## CITY OF SOMERVILLE

### APPLYING FOR A HOST COMMUNITY AGREEMENT (HCA) AND LICENSE TO OPERATE AN ADULT-USE MARIJUANA ESTABLISHMENT

Pursuant to MA General Law Chapter 94G Section 3 and Municipal Ordinance Chapter 2 Section 2-221, any marijuana establishment seeking to operate in Somerville must execute a Host Community Agreement (HCA). 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. In addition to the HCA, the establishment must be issued a city license from the Licensing Commission and a special permit from the Special Permit Granting Authority.

To streamline the application process, the City of Somerville has created one application packet for both the HCA and city license. These instructions provide detailed information on the application process. For a copy of these instructions, zoning ordinance, licensing ordinance, and other materials related to adult-use marijuana, please visit the City of Somerville website at: <https://www.somervillema.gov/adult-marijuana>.

### Conditions for Operating a Marijuana Establishment

1. The business applicant ("Applicant") must be approved for and execute a host community agreement (HCA) with the City.
2. The Applicant must be approved for a city license by the Somerville Licensing Commission.
3. The premises and the use must be approved by the Special Permit Granting Authority (SPGA), pursuant to the City's building and zoning codes.
4. The Applicant must conduct community outreach meetings and appear at public hearings as required by the SPGA, Licensing Commission, and MA Cannabis Control Commission (CCC).
5. The Applicant and all owners must have paid all taxes, fees and fines owed to the City.
6. The Applicant must be licensed by the MA CCC.
7. The license is not transferrable without the approval of the MA CCC and the Licensing Commission.
8. Until November 8, 2020, the City may issue no more than 12 Marijuana Retailer Licenses.
9. Until November 8, 2020, the City may issue Marijuana Retailer Licenses to only Priority Group A and Priority Group B Applicants.
  - **Priority Group A:** An Economic Empowerment Applicant; an Applicant owned by a Somerville resident or an entity with a majority (> 50%) of its ownership made up of Somerville residents; or a cooperatively owned Applicant.
  - **Priority Group B:** A Registered Marijuana Dispensary (RMD) currently operating in the City that will continue selling medical marijuana products in the City.

10. Until November 8, 2020, the City may issue Marijuana Retailer Licenses to Priority Group B Applicants if the number of then-licensed Priority Group B Applicants will be equal to or less than the number of then-licensed Priority Group A Applicants.

## Application Components and Submittal Process

1. Before you begin:
  - Note that once you SUBMIT your application, you can't re-open it to edit it.
  - Make sure you have entered all of your information properly before you click "SUBMIT."
  - If you start your application and are not ready to submit it, you can click "SAVE FOR LATER", and come back to it at a later time.
2. When you are ready:
  - Go to <http://www.somervillema.gov/citizenserve>.
  - Click "APPLY FOR A LICENSE."
  - Log in, or, if this is your first online application, click "REGISTER NOW" to create an account.
  - At License Type, select "MARIJUANA ESTABLISHMENT LICENSE."
  - At Sub Type, select the appropriate subtype. If you will be applying for more than one subtype, select "MULTIPLE OR OTHER."
  - At Business Name, enter the legal name of your business entity.  
*FOLLOW THESE STEPS ONLY IF YOU ARE ASKED "Is this application for a new or existing business location?". OTHERWISE, CONTINUE TO "Address or parcel #" below.*
    - Select "A NEW BUSINESS LOCATION" if this is your first application at this location.
    - Enter the address of the business you want to open, and click "FIND ADDRESS."
    - If CitizenServe cannot find your address, contact the Licensing Commission Secretary.  
OR
    - Select "AN ADDITIONAL LICENSE FOR AN EXISTING BUSINESS" if you've been licensed at that same address before.
    - At License #, select a license you've received at that address before.
  - At Address or Parcel #, enter the street address of the business you want to open.
  - Click "FIND ADDRESS." Make sure CitizenServe accepts the address as valid. If it doesn't, make sure you've entered the address correctly, then click "USE THIS ADDRESS."
  - Answer the remaining questions.
  - In the OPERATING INFORMATION Section, you MUST answer each narrative question with a text answer of no more than 3,000 characters—the equivalent of about one printed page. The application will not be considered complete until each narrative question (#s 1-9) contains a detailed, complete response. Referencing a separate attachment—i. e., "see attached"—is not acceptable.
  - In the COMPLIANCE INFORMATION Section, answer the questions for the legal business entity. Each corporate officer, manager, partner, or trustee that is named in the BUSINESS INFORMATION Section must also download, complete, and upload a Compliance Information Form.

3. Upload all Required Documents, submitted as PDF files:
  - A non-refundable application fee of \$900, payable through the online portal once you have submitted the application. Note: the fee will be waived for all applicants through April 1st, 2020.
  - A Compliance Information Form for each corporate officer, manager, partner, or trustee.
  - A Property Owner's Certification and Authorization for each corporate officer, manager, partner, or trustee of the Property Owner, if applicable.
  - A Workers Compensation Insurance Affidavit and proof of Workers Compensation Insurance.
  - Site plans (e.g. aerial images, plot plans, and conceptual floor plans)
  - Elevations (e.g. photographs of existing elevations, graphic simulations of proposed elevations)
  - Drafts of the three packets required by the MA Cannabis Control Commission (CCC):  
Application of Intent packet  
Background Check packet  
Management and Operations Profile packet
4. When you finish:
  - Review the terms and conditions. Don't proceed until you are ready to accept all terms and conditions.
  - Before you click "SUBMIT", note that once you submit the form, you can't re-open it to edit it. If you're not ready to submit the form, click "SAVE FOR LATER", so you can come back to finish it. You can retrieve a saved application from the "MY PENDING APPLICATIONS" link under the "My Account" tab.
  - If you're ready, "submit" the form, and pay the required application fee. Note: the fee will be waived for all applicants through April 1st, 2020.
  - To make changes to your application after you submit it, contact Charlotte Leis, the MAC liaison, at [cleis@somervillema.gov](mailto:cleis@somervillema.gov).

## Review and Approval Process

1. The City of Somerville's Marijuana Advisory Committee (MAC) will review all applications.
2. The MAC will evaluate each proposal in three categories:
  - **Location:** location within an approved district, appropriate/best use of space, and appropriate access
  - **Physical Space:** proposed plan respects surrounding area, flow of operations, crime prevention through environmental design strategies (CPTED), and security
  - **Operations:** proposed operations that focus on security, community education, hiring of local residents, and partnerships with local businesses

Applicants can receive a score from 1 – 5 (1 being the lowest score and 5 being the highest score), in each of the categories based on the Applicant's responses.

3. The MAC may also conduct interviews of Applicants.

4. Based on the application evaluation and interviews, the MAC will prepare recommendations to the Mayor's Office on which applicants should proceed with the HCA process.
5. The City will issue an HCA to Applicants who are recommended by the MAC and approved by the Mayor; the Applicant and Mayor sign the HCA.
6. After executing the HCA, the Applicant will move forward in the licensing and special permits process. There may be additional fees or materials required for review by the Licensing Commission or Special Permits Granting Authority (SPGA).
  - Licensing: The Licensing Commission reviews the application, conducts a public hearing, and grants the license
  - Special Permits: The SPGA reviews the application, conduct a public hearing, and approves the special permit
7. The Applicant completes the MA CCC Application process.
8. After receiving a complete application from the MA CCC, the MAC reviews it within 60 days and certifies to the MA CCC that the application is compliant with all municipal and zoning ordinances.
9. The MA CCC issues a provisional license to the applicant.
10. The applicant builds out the space.
11. The City's Inspectional Services Department issues a Certificate of Occupancy to the Applicant; the Licensing Commission issues the City License.
12. The Applicant provides the Certificate of Occupancy and the City License to the MA CCC.
13. The MA CCC issues the final license to operate.

## Application Review Schedule

The MAC will review applications on a monthly basis. Complete applications, with all required attachments, must be submitted by 12:00pm on the first Friday of the month to be considered for review. Applications submitted after the first Friday of the month will be held until the next review cycle.

## Questions

If you have questions about the MAC, contact Charlotte Leis, the MAC liaison, at [cleis@somervillema.gov](mailto:cleis@somervillema.gov). Questions will only be accepted via email. Responses to emails from potential applicants will be made available to other potential applicants while protecting the confidentiality of the person asking the original question