

DRAFT TEXT AMENDMENT NO. \_\_\_\_

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

IN ZONING COMMISISON

The Zoning Commisison of the City of Boston, acting under Chapter 665 of the Acts of 1956, as amended, after due report, notice and hearing, does hereby amend the text of the Boston Zoning Code as follows:

1. By striking the definition “Medical Marijuana Treatment Center” from **Articles 2 and 2A** of the Code, and inserting in place thereof the following:

“Cannabis Establishment,” an entity, licensed and registered with the Commonwealth of Massachusetts that acquires, cultivates, possesses (including development of related products as edible marijuana infused products (MIP), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers cannabis, products containing cannabis, including, but not limited to an adult use cannabis establishment, a medical use cannabis establishment, a marijuana retailer, a marijuana product manufacturer or a marijuana cultivator. Cannabis Establishments shall include any Marijuana Establishment or Medical Marijuana Treatment Center licensed pursuant to 935 CMR 500, 105 CMR 725.100, or any successor regulation.

2. By amending **Article 8 (Regulation of Uses)** as follows:

- a. **In Section 8-7, Table A, Use Regulations,** delete existing Use Item #39B “Medical Marijuana Treatment Center” and insert the following use item:

39B Cannabis Establishment

S R H L B M I W M E R

F\* F\* F\* C\* C\* C\* C\* C\* C\*

\*provided that any cannabis establishment shall be sited at least one half mile or 2,640 feet from another existing cannabis establishment and 500 feet from any school or other facility in which children commonly congregate. Distances shall be determined from the nearest lot line of the proposed establishment to the nearest lot line of an existing establishment, school or facility in which children commonly congregate. Use approval shall be applicable to the applicant only.

3. In **Articles 50-73 and 90**:

- a. In each table of uses, delete the use “Medical Marijuana Treatment Center” and its associated footnote from the subcategory heading “Health Care Uses.”
- b. In each table of uses, under the subcategory heading “Retail Uses,” insert the use “Cannabis Establishment” with use provisions as follows for each subdistrict:
- c. In each table of uses, under the subcategory heading “Retail Uses,” next to the use “Cannabis Establishment:”

Insert the next, appropriate numerical footnote notation.

- d. At the end of the “Footnotes” section of each use table, insert, in appropriate numerical order with the appropriate footnote number, the following text:

\*provided that any cannabis establishment shall be sited at least one half mile or 2,640 feet from another existing cannabis establishment property and 500 feet from any school or other facility in which children commonly congregate. Distance between establishments shall be determined from the nearest lot line of the proposed establishment to the nearest lot line of an existing establishment, school or facility in which children commonly congregate. Use approval shall be applicable to the applicant only.