

Offered by City Councilors Lydia Edwards, Timothy McCarthy and Annessa Essaibi-George



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING CITY REGULATION OF THE PROXIMITY OF CERTAIN BUSINESSES TO RECOVERY FACILITIES

- WHEREAS:* The City of Boston has long established regulations regarding the operation of facilities serving or selling alcohol; and
- WHEREAS:* In 2016, voters authorized the legalization of adult-use cannabis consumption and sale, opening up new business opportunities while obligating municipalities and state agencies to update regulations for agriculture, sale and consumption; and
- WHEREAS:* Many of these businesses play or will play an important role in the city's economy; and
- WHEREAS:* The City and Commonwealth are simultaneously striving to address serious and lasting issues of substance abuse; and
- WHEREAS:* Regulation of location and use has a role in promoting public health and welfare, a key purpose of zoning; and
- WHEREAS:* City regulation must respect the will of voters who overwhelmingly supported cannabis legalization, and recognized legalization as a social justice and economic issue; and
- WHEREAS:* Text Amendment 432 of the zoning code regulates the proximity of cannabis establishments such that these businesses are sited no less than one half-mile from other such businesses and 500 feet from K-12 schools; and
- WHEREAS:* City zoning or licensing may not currently address the siting of businesses selling alcohol or cannabis in direct proximity to substance abuse treatment and recovery facilities; and
- WHEREAS:* Medical science suggests that the risks of cannabis consumption are not greater, and may be substantially less than, consumption of alcohol; and

WHEREAS: It is critical for city regulation to fairly address entrepreneurial efforts while protecting public health, and to do so equitably within and across industries;
THEREFORE

BE IT ORDERED,

That the appropriate committee of the Boston City Council hold a hearing to discuss city policy regarding regulation of retailers and entertainment facilities selling or serving alcohol or cannabis in the immediate vicinity of substance abuse treatment and recovery centers, and that administration officials and members of the public be invited to testify.

Filed in City Council: October 17, 2018