

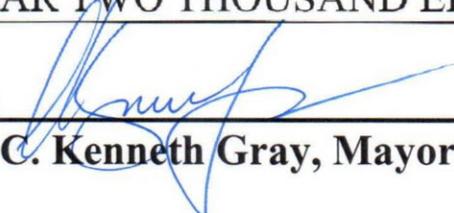


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AMESBURY CITY CLERK

CITY OF AMESBURY  
IN THE YEAR TWO THOUSAND EIGHTEEN

SPONSORED BY:  **BILL No. 2018-015**  
**C. Kenneth Gray, Mayor**

**An Ordinance** to Amend the Amesbury Zoning Bylaw to Establish a Retail Marijuana Overlay District, to Regulate Recreational Marijuana Establishments, and to Amend Existing Regulations relative to Medical Marijuana Establishments.

**Summary:** This Ordinance to amend the Amesbury Zoning Bylaw will:

- Establish a Retail Marijuana Overlay District to allow retail sales of recreational and medical marijuana within the Commercial Zoning Districts on Route 110 by Special Permit and site plan approval from the Planning Board;
- Add a new Section (XI.02) to the Amesbury Zoning Bylaw to regulate the permitting, locations, and operations of Recreational Marijuana Establishments;
- Amend Section XI.01 of the Amesbury Zoning Bylaw to update existing medical marijuana regulations in a manner that is more consistent with Section XI.02 and the Retail Marijuana Overlay District;
- Update the Zoning Map and the Table of Use Regulations in accordance with the changes summarized above.

**Be it Ordained by the City Council of the City of Amesbury assembled, and by the authority of the same, that the Amesbury Zoning Bylaw be amended as follows:**

1. Section III, Establishment of Zoning Districts, is hereby amended by adding in alphabetical order, "Retail Marijuana Overlay District," to the table of districts;
2. The Zoning Map is hereby amended to establish a Retail Marijuana Overlay District as a segment of Massachusetts Route 110 from the boundary line with the Town of Merrimac easterly to the boundary line with the Town of Salisbury along Haverhill Road and Macy Street, Amesbury, superimposed over such parcels that are included in the Commercial Zoning Districts only as set forth on the map entitled "Retail Marijuana Overlay District," dated 1/31/2018, attached hereto and as on file in the office of the City Clerk.
3. The Amesbury Zoning Bylaw is hereby further amended by adding thereto a new Section XI.02, Recreational Marijuana Establishments, to read as follows:

## **Section XI.02 RECREATIONAL MARIJUANA ESTABLISHMENTS**

**1.01 *Purpose:*** The purpose of this Section is to provide for the limited establishment of Recreational Marijuana Establishments in as much as:

- A. They are authorized pursuant to Chapter 334 of the Acts of 2016, as amended by Chapter 351 of the Acts of 2016 and Chapter 55 of the Acts of 2017, as codified in G.L. c. 94G, and regulations to be promulgated by the Cannabis Control Commission;
- B. The City seeks to protect the public welfare, health and safety of the residents of Amesbury;
- C. These zoning regulations provide for the placement of Recreational Marijuana Establishments in locations suitable for lawful recreational marijuana establishments; and
- D. The City seeks to minimize any potential adverse impacts of recreational marijuana establishments on adjacent properties, residential neighborhoods, historic districts, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security and removal of recreational marijuana establishments.

**2.01 *Establishment.*** Recreational Marijuana Retailers, as defined herein, shall be allowed in the Retail Marijuana Overlay District, as stated in the Table of Use Regulations, by Special Permit from the Planning Board. Recreational Marijuana Cultivation Sites, Product Manufacturers, and Testing Facilities, as those terms are defined herein, shall be allowed in the Medical Marijuana Overlay District, as stated in the Table of Use Regulations, by Special Permit and Site Plan Review from the Planning Board.

**3.01 *Definitions.*** For the purpose of this regulation, the following words shall have the following meanings. Where not expressly defined in the Zoning Bylaw, terms used herein shall be interpreted as defined in G.L. c. 94G, and otherwise by their plain language:

**Applicant:** The individual or entity that has applied for or received a provisional or final license or certificate from the Cannabis Control Commission to operate a recreational marijuana establishment and is submitting the application to the Planning Board.

**Business Agent:** An individual who has been designated by the owner or operator of any Recreational Marijuana Establishment (“RME”) to be the manager or otherwise in charge of said RME.

**Cannabis Control Commission:** The state commission created pursuant to G.L. c. 94G and G.L. c. 10, §76, and authorized to issue licenses to operate recreational marijuana establishments in Massachusetts.

**Host Community Agreement:** An agreement entered into by the City of Amesbury and the entity licensed by the Cannabis Control Commission to operate a Recreational Marijuana Establishment in Amesbury.

**License:** A provisional or final license or certificate issued by the Cannabis Control Commission that permits a Recreational Marijuana Establishment to operate at a permanent, non-mobile location in the City of Amesbury.

**License Holder:** Any person or entity engaged in the operation of a RME or sale of marijuana and who applies for and receives a License from the Cannabis Control Commission or his or her business agent.

Recreational Marijuana Cultivation Site: A Recreational Marijuana Establishment (“RME”) licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers, as defined by G.L. c. 94G and pursuant to regulations to be promulgated by the Cannabis Control Commission.

Recreational Marijuana Establishment: A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business as defined in G.L. c.94G, §1.

Recreational Marijuana Establishments for On-premises Social Consumption: Any business where the retail sale of recreational marijuana or recreational marijuana products is offered as the principal use or as an accessory or incidental use or is offered for the convenience of customers.

Recreational Marijuana Product Manufacturer: An entity licensed by the Cannabis Control Commission to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

Recreational Marijuana Products: Products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

Recreational Marijuana Retailer: An entity licensed by the Cannabis Control Commission to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

Recreational Marijuana Testing Facility: An entity licensed by the Cannabis Control Commission to test marijuana and marijuana products, including certification for potency and the presence of contaminants.

Non-Residential Roll-Your-Own (RYO) Machine: A mechanical device made available for use (including to an individual who produces rolled marijuana products solely for the individual's own personal consumption or use) that is capable of making rolled marijuana products. RYO machines located in private homes used solely for personal consumption are not Non-Residential RYO machines.

Permit: A special permit and/or site plan approval granted by the City of Amesbury Planning Board.

Permit Holder: Any person or entity that has been granted a special permit and/or site plan approval by the City of Amesbury Planning Board.

Protected Uses: These are facilities in which children and minors commonly congregate. Such a facility includes dance schools, gymnastic schools and similar facilities if children commonly congregate there in a structured manner. It includes facilities where services or programs targeting children or youth take place. It includes a private home housing a family day care center, but not a private home where children happen to live. It includes a city park if the park includes play structures intended for children to use. It includes public or private outdoor recreational facilities where programs targeting children or youth take place. When conducting this analysis, the Board shall consider whether minors congregate at a site according to schedule, how often they congregate, and whether the purpose of congregating is an activity designed for or targeted to children.

Self-Service Display: Any display from which customers may select a marijuana product without assistance from a RME Agent or store personnel.

Vending Machine: Any automated or mechanical self-service device, which upon insertion of money, tokens or any other form of payment, dispenses or makes marijuana products.

**4.01.1. Allowed Uses.**

Notwithstanding the use limitations of the underlying zoning district or any other overlay zoning district, a Recreational Marijuana Retailer, as defined herein, shall be allowed within the Retail Marijuana Overlay District, as stated in the Table of Use Regulations, by special permit and site plan review by the Planning Board, subject to the requirements set forth in this Section. Recreational Marijuana Cultivation Sites, Product Manufacturers and Testing Facilities shall be allowed within the Medical Marijuana Overlay District, as stated in the Table of Use regulations, by special permit and site plan review by the Planning Board, subject to the requirements set forth in this Section of the Zoning Bylaws.

**4.01.2 Prohibited Uses:** At any RME, the sale of marijuana from self-service displays, vending machines or Non-Residential Roll-Your-Own machines shall be prohibited. Recreational Marijuana Establishments for on-premises social consumption, as defined herein, are prohibited.

**5.01 Dimensional Requirements**

Except where it is explicitly stated otherwise in this Section, a Recreational Marijuana Establishment shall conform to the dimensional requirements applicable to non-residential uses within the base zoning districts.

**6.01 Eligibility**

**6.01.1 Building.** A Recreational Marijuana Establishment as defined herein shall be located only in a permanent building and not within any mobile facility. All sales shall be conducted either within the building or, if allowed by applicable state regulations, by home deliveries to qualified purchasers.

**6.01.2 Location.**

A. The site of a RME permitted under this Section shall be located at least five hundred (500) feet from the following protected uses (*facilities in which children/minors commonly congregate*):

1. School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;
2. Child Care Facility, including daycare center, preschool or afterschool facility,
3. Library,
4. Playground,
5. Public Park,
6. Youth center,
7. Public swimming pool,
8. Indoor/Outdoor recreation facilities where organized sports are held or
9. Any similar protected use determined by the Planning Board to be a facility in which minors and youth commonly congregate.

B. The distance under this section is measured in a straight line from the nearest point of the property line of the protected uses identified above to the nearest point of the principal or primary structure in which the proposed RME is located.

C. If it is determined by the Planning Board that the proposed Site Plan provides sufficient buffers from such protected uses such that its users will not be adversely impacted by the operation of the Recreational Marijuana Establishment, the distance requirement from these protected uses may be

reduced, but only if the applicant has entered into a Host Community Agreement (HCA) with the City to further demonstrate that the RME will employ stringent security measures to prevent diversion of marijuana and marijuana products to minors.

**7.01 Application Requirements.**

**7.01.1 Application:** An application for a proposed Recreational Marijuana Cultivation Site, Product Manufacturer, Retailer and Testing Facility shall be filed with the Planning Board in accordance with the procedures outlined in Section X.J of the Zoning Bylaw, as well as this Section and accompanied with the appropriate fees as outlined in Planning Board schedule of application fees for all projects.

**7.01.2. Special Permit/Site Plan Review**

A. **Special Permit Procedure:** The special permit shall conform to this Section of the Zoning Bylaw and to M.G.L. Chapter 40A, Section 9, as well as to regulations which the Planning Board shall adopt from time to time for carrying out its requirements under this Section. An application for special permit under this Section shall be submitted and administered in accordance with the provisions of Section X.J of the Amesbury Zoning Bylaw.

B. **Site Plan Review (SPR) Procedure:** An application for Site Plan Review shall be submitted and administered in accordance with the provisions of Section XI.C of the Amesbury Zoning Bylaw. Site Plan Approval for a Recreational Marijuana Cultivation Site, Retailer, Product Manufacturer, and Testing Facility shall be subject to the requirements indicated herein and shall be in addition to the provisions of Section XI.C.

**7.01.3 Materials for Review:** In addition to the materials required under Section XI.C, an application to the Planning Board shall include, at a minimum, the following information:

A. **Description or Activities:** A narrative providing information about the type and scale of all activities that will take place on the proposed site, the square footage available and that describes the functional areas of the RME, including but not limited to cultivating and processing of marijuana or marijuana infused products (“MIPs”), laboratory testing of marijuana or marijuana products, on-site sales, off-site deliveries, if allowed by state regulations, distribution of educational materials, and other programs or activities.

B. **Service Area:** A map and narrative describing the area proposed to be served by the Recreational Marijuana Establishment and the anticipated number of customers that will be served within that area. This description shall indicate where any Registered Marijuana Dispensaries and/or Recreational Marijuana Establishments exist or have been proposed within the expected service area.

C. **Transportation Analysis:** A quantitative analysis, prepared by a qualified transportation specialist acceptable to the Planning Board, modeling the expected origin and frequency of traffic trips generated by RME to the site, the expected modes of transportation to be used by customers and employees, and the frequency and scale of deliveries to and from the site.

D. **Context Map:** A map depicting all properties and land uses within a one thousand-foot (1,000') radius (minimum) of the project site, whether such uses are located in Amesbury or within surrounding communities, including but not limited to, all protected uses such as educational uses, city parks, playgrounds, daycare, preschool and afterschool programs.

E. Site Plan: A plan or plans depicting all proposed development on the property, including the dimensions of the building, the layout of automobile and bicycle parking, the location of pedestrian, bicycle and vehicular points of access and egress, the location and design of all loading, refuse and service facilities, the location, type and direction of all outdoor lighting on the site, and landscape design including landscape buffers along abutting properties and public ways.

F. Building Elevations and Signage: For all new buildings, architectural drawings of all exterior building facades and all proposed signage, specifying materials and colors to be used, shall be submitted by the applicant. Perspective drawings and illustrations of the site from public ways and abutting properties are recommended but not required. For existing buildings and structures, any changes to the exterior of the building shall be shown along with location of proposed entrances, loading areas and signage.

G. License Materials: the applicant shall submit a copy of its provisional or final license or certificate, if issued by the Massachusetts Cannabis Control Commission and if no license or certificate has been issued, a copy of the application submitted to the Massachusetts Cannabis Control Commission, along with any materials submitted to the Massachusetts Cannabis Control Commission for the purpose of seeking such license, to confirm that all information provided to the Planning Board is consistent with the information provided to the Massachusetts Cannabis Control Commission. This information shall include, but not limited to:

1. A copy of its license to operate as an RME from the Massachusetts Cannabis Control Commission ("CCC"), and if no license has been issued, a copy of the RME's application to the CCC, excluding those portions of the application related to the applicant's finances, criminal background checks, security measures to be used at the site, and any other proprietary information, shall be submitted to the Planning Board. If any portion of the materials submitted to the Planning Board contain materials that are not public records pursuant to G.L. c.4, §7, cl. 26 or any other statutory provision, the non-public information shall be redacted and shall be submitted to the Planning Board in a separately labeled packet clearly indicating that the contents are not public records;
2. Criminal background checks for those individuals associated with the RME who are required by the CCC to undergo such a criminal background check shall be provided to the Amesbury Chief of Police;
3. A description of the security measures including employee security policies, approved by the CCC for the RME, and if not yet approved, a description of the security measures proposed by the applicant, shall be provided only to the City of Amesbury Chief of Police and Fire Chief for review and comment to the Planning Board as to the adequacy of such measures, including employee security policies, approved by the CCC for the RME;
4. A copy of the emergency procedures approved by the CCC for the RME; and
5. A description of any waivers from the CCC regulations granted to the RME, or if an application is still pending with the CCC, a list of those waivers from CCC regulations requested by the applicant.

#### **8.01 Design and Performance Standards**

A. For the purposes of this section, the provisions of Section XI.C.8 shall apply to a Recreational Marijuana Retailer, Cultivation Site, Product Manufacturer, and Testing Facility unless noted otherwise in this section.

B. Signage. One building mounted sign not to exceed twenty (20) square feet shall be allowed for any one location. No other signage identifying the activity or products associated with the RME shall be allowed.

C. Public Safety. A detailed RME facility operations plan, including but not limited to, fire protection, waste disposal, security and hours of operation, shall be provided with sufficient information to the satisfaction of the City of Amesbury Police and Fire Department. Upon review by local public safety and law enforcement officials, additional information may be required from the applicant. Upon recommendation from the Chief of Police and the Fire Chief, the Planning Board may require safety measures in addition to the minimum requirements stated in G.L. c. 94G or any regulations promulgated by the CCC.

#### 9.01 Special Permit Criteria.

**9.01.1** In granting a special permit for a Recreational Marijuana Cultivation Site, Product Manufacturer, Retailer, and Testing Facility, in addition to the general criteria for issuance of a special permit as set forth in Section X.J of the Amesbury Zoning Bylaw, the Planning Board shall find that the following criteria are met:

- A. The site is designed such that it provides convenient, safe and secure access and egress for customers and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.
- B. Traffic generated by customer trips; employee trips, and deliveries to and from the RMEs shall not create a substantial adverse impact on nearby residential uses.
- C. Loading, refuse and service areas are designed to be secure and shielded from abutting uses.
- D. The building and site have been designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.

#### 10.01 Conditions of Approval.

A. The Special Permit Granting Authority shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this section. In addition to any specific conditions applicable to the applicant's RME, the SPGA shall include the following conditions in any permit granted under this Bylaw:

B. Licensed to Operate. All permitted Recreational Marijuana Establishments shall be properly licensed by the Massachusetts Cannabis Control Commission and shall comply with all applicable state and local public health regulations and all other applicable state and local laws, rules and regulations at all times. No Building Permit or Certificate of Occupancy shall be issued for a Recreational Marijuana Establishment that is not properly licensed with the Massachusetts Cannabis Control Commission.

C. Limitation of Approval. A special permit and/or site plan approval authorizing the location of a Recreational Marijuana Establishment shall be valid only for the licensed entity to which the special permit and/or site plan approval was issued, and only for the site at which the Recreational Marijuana Establishment has been authorized by special permit and/or site plan approval, unless the entity's license to operate a RME has been transferred to another entity and approved by the Cannabis Control Commission. In the event that the entity's license is transferred to another entity, the new entity shall notify the Planning Board immediately following the approval of such transfer by the Cannabis Control Commission. A copy of the new entity's application, current and valid license issued by the Massachusetts Cannabis Control Commission and any renewals thereafter shall be submitted to the Zoning Compliance Officer and shall always be available at the RME's site. Upon receipt of notice that the entity's license has been transferred

by the CCC to another entity, the Planning Board shall review the new entity's application and license to determine whether such transfer creates substantial changes to the original approval, and if so, the new entity shall be required to file an application for major modification of the current permit.

*D. Operations and Security Measures.* The applicant shall comply with all of the regulations promulgated by the Cannabis Control Commission, as well as any additional security measures imposed by the SPGA.

*E. Host Community Agreement.* In addition, the permit holder shall enter into a Host Community Agreement (HCA) with the City of Amesbury. The HCA shall address any known and additional impact of the RME on the City's public safety and infrastructure, and any other stipulations as deemed necessary by the Mayor of the City of Amesbury, including a Community Impact Fee. No certificate of occupancy shall issue for an RME unless or until the Host Community Agreement is executed by the Mayor and the authorized representative of the RME.

*F. Validity of Permits and Cessation of Operations.* The validity of special permits/site plan review granted to operate an RME shall be as follows:

1. The special permit shall lapse three years from the date the SPGA files the special permit decision with the City Clerk, pursuant to G.L. c. 40A, §9.
2. The special permit or a site plan approval shall be limited to the permit holder and shall lapse if the permit holder ceases operating the RME, unless the RME's license has been transferred to another entity by the Cannabis Control Commission. Any changes in the entity of the permit holder, to the scope and scale of operations, or other material facts stated on the initial application to license the RME with the Massachusetts Cannabis Control Commission, or renewal of license thereafter, shall be submitted to the Planning Board and Zoning Enforcement Officer. If the Planning Board determines that there are substantial changes to the original approval, the Planning Board may require the permit holder to file an application for major modification of the current permit.
3. The special permit or a site plan approval shall automatically lapse upon the expiration or termination of the permit holder's license issued by the Massachusetts Cannabis Control Commission.
4. The permit holder shall notify the Zoning Enforcement Officer and Planning Board in writing within 48 hours of the cessation of operation of the RME or the expiration or termination of the permit holder's license issued by the Massachusetts Cannabis Control Commission.

**11.01 *Prohibition Against Nuisances:*** No RME shall create or permit a nuisance to abutters or to the surrounding area, or create any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

**12.01 *Severability:*** The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.

4. The Table of Contents is hereby amended by adding Section XI.02, Recreational Marijuana Establishments;
5. Section V, the Table of Use Regulations, is hereby amended by adding Recreational Marijuana Retailer and Medical Marijuana Retailer as uses allowed in the Retail Marijuana Overlay District by Special Permit and Site Plan Review from the Planning Board; by prohibiting Recreational Marijuana Establishments for On-Premises Social Consumption in all districts; by amending Note 11 to allow a Medical Marijuana Retailer in the Retail Marijuana Overlay District by Special Permit from the Planning Board; and by adding a new Note 12 to allow Recreational Marijuana Cultivation Site, Product Manufacturer and Testing Facilities as uses allowed in the Medical Marijuana Overlay District by Special Permit and Site Plan Review by the Planning Board, as follows:
  - A. The Table of Use Regulations is hereby amended by adding a column for the Retail Marijuana Overlay District and allowing Recreational Marijuana Retailer and Medical Marijuana Retailer as uses allowed in the Retail Marijuana Overlay District by Special Permit and site plan review by the Planning Board;
  - B. Note 11 is hereby amended by adding the following sentence after the first sentence: “In addition to being allowed in the Medical Marijuana Overlay District, a Medical Marijuana Retailer shall be allowed in the Retail Marijuana Overlay District by Special Permit and site plan review from the Planning Board granted pursuant to Section XI.01.1; and
  - C. By adding a new Note (12) as follows: “(12) Notwithstanding anything to the contrary set forth elsewhere in this Zoning Bylaw, a Recreational Marijuana Cultivation Site, Recreational Marijuana Product Manufacturer, and Recreational Marijuana Testing Facility shall be permitted only by special permit and site plan review by the Planning Board in the Medical Marijuana Overlay District (MMOD) pursuant to the requirements of Section XI.02 of the Zoning Bylaw. Further, a Recreational Marijuana Retailer shall only be allowed in the Retail Marijuana Overlay District by Special Permit and site plan review from the Planning Board pursuant to the requirements of Section XI.02 of the Zoning Bylaw.”
6. Section XI.01, Medical Marijuana Overlay District, is hereby amended as follows:
  - A. Section 3.01, Definitions, is hereby amended by inserting a new definition as follows: “Medical Marijuana Retailer: Medical Marijuana Treatment Center, also known as a Registered

Marijuana Dispensary, properly registered with the Massachusetts Department of Public Health under 105 CMR 725.00 et seq. that sells or dispenses medical marijuana, products containing medical marijuana or related supplies through retail sales directly to registered qualifying patients or to their personal caregivers, but does not cultivate, process, manufacture, or test medical marijuana or medical marijuana products on the same site where retail sales are made;”

- B.** Section 4.01.1, Allowed Uses, is hereby amended by adding a new subparagraph (c) as follows: “A Medical Marijuana Retailer is allowed in the Retail Marijuana Overlay District, as provided in Section V, the Table of Use Regulations, subject to a Special Permit and site plan review from the Planning Board pursuant to the provisions of this Section of the Zoning Bylaws.”;
- C.** Section 8.01.1 is hereby amended by inserting after “Section XI.C.8 shall apply” the words: “to all Registered Marijuana Dispensaries and Medical Marijuana Treatment Centers, including Medical Marijuana Retailers;” and
- D.** Section 10.01.2 is hereby amended by adding in the second sentence after the words “or relocated to a different site within the Medical Marijuana Overlay District” the following new text: “or Retail Marijuana Overlay District, as applicable;”;
- E.** Section 10.01.3(1) is hereby amended by adding at the end of the first sentence the following phrase: “prior to issuing a certificate of occupancy;” and
- F.** Section 11.01 is hereby amended by adding in the first sentence after the words: “No use shall be allowed in the MMOD” the following new text: “or in the Retail Marijuana Overlay District”.

RETAIL MARIJUANA OVERLAY DISTRICT (RMOD)  
TABLE OF USE REGULATIONS AMENDMENTS

<u>USES</u>	<u>R8</u>	<u>R20</u>	<u>R40</u>	<u>R80</u>	<u>RC<sup>1</sup></u>	<u>CBD</u>	<u>C</u>	<u>RCZD</u>	<u>OP</u>	<u>IL</u>	<u>I</u>	<u>IC</u>	<u>PUD</u>	<u>W/F</u>	<u>OSC</u>	<u>ES- OD</u>	<u>HR- OD<sup>2</sup></u>	<u>DAD</u>	<u>CF- COD</u>	<u>RM- OD</u>	<u>Site Plan Review Required</u>	
<i>Recreational Marijuana Retailer</i>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SI	YES
<i>Medical Marijuana Retailer</i>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SI	YES
<i>Recreational Marijuana Cultivation Site (12)</i>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	YES
<i>Recreational Marijuana Establishments for On-premises Social Consumption</i>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<i>Recreational Marijuana Product Manufacturer (12)</i>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	YES
<i>Recreational Marijuana Testing Facility (12)</i>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	YES

**Notes:**

- (11) *Amend Note 11 by adding the following sentence after the first sentence: “In addition to being allowed in the Medical Marijuana Overlay District, a Medical Marijuana Retailer shall be allowed in the Retail Marijuana Overlay District by Special Permit and site plan review from the Planning Board granted pursuant to Section XI.01.1”*
- (12) *Add New Note 12: “Notwithstanding anything to the contrary set forth elsewhere in this Zoning Bylaw, a Recreational Marijuana Cultivation Site, Recreational Marijuana Product Manufacturer, and Recreational Marijuana Testing Facility shall be permitted only by special permit and site plan review by the Planning Board and Site Plan Review in the Medical Marijuana Overlay District (MMOD) pursuant to the requirements of Section XI.02 of the Zoning Bylaws. Further, a Recreational Marijuana Retailer shall only be allowed in the Retail Marijuana Overlay District by Special Permit and site plan review from the Planning Board pursuant to the requirements of Section XI.02 of the Zoning Bylaws.”*

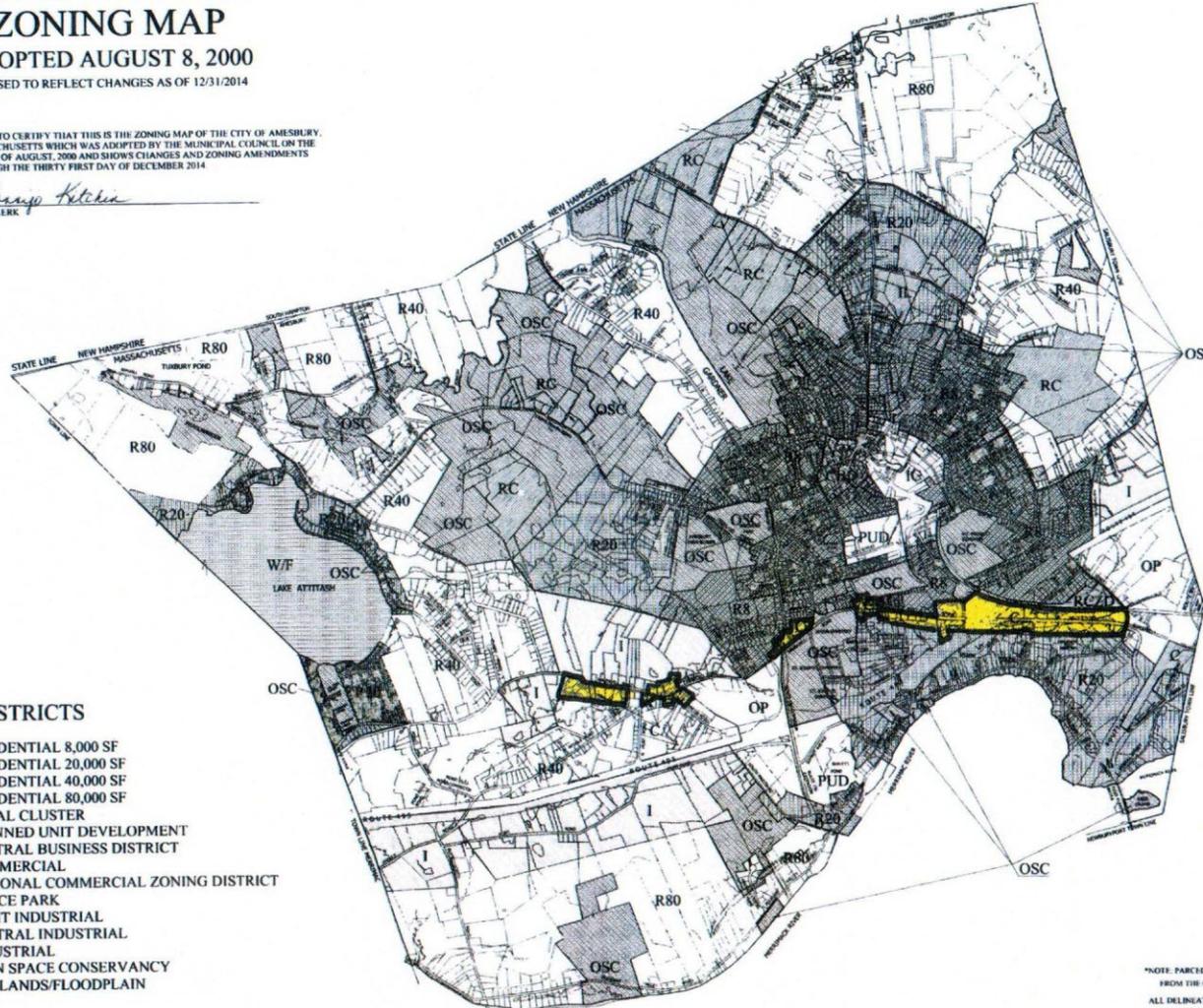
# RETAIL MARIJUANA OVERLAY DISTRICT - ZONING MAP AMENDMENTS



## CITY OF AMESBURY ZONING MAP ADOPTED AUGUST 8, 2000 REVISED TO REFLECT CHANGES AS OF 12/31/2014

THIS IS TO CERTIFY THAT THIS IS THE ZONING MAP OF THE CITY OF AMESBURY, MASSACHUSETTS WHICH WAS ADOPTED BY THE MUNICIPAL COUNCIL ON THE EIGHTH OF AUGUST, 2000 AND SHOWS CHANGES AND ZONING AMENDMENTS THROUGH THE THIRTY FIRST DAY OF DECEMBER 2014

*Benjamin Ketchikan*  
CITY CLERK



### ZONING DISTRICTS

- R8 ■ RESIDENTIAL 8,000 SF
- R20 ■ RESIDENTIAL 20,000 SF
- R40 ■ RESIDENTIAL 40,000 SF
- R80 ■ RESIDENTIAL 80,000 SF
- RC ■ RURAL CLUSTER
- PUD ■ PLANNED UNIT DEVELOPMENT
- CBD ■ CENTRAL BUSINESS DISTRICT
- C ■ COMMERCIAL
- RCZD ■ REGIONAL COMMERCIAL ZONING DISTRICT
- OP ■ OFFICE PARK
- IL ■ LIGHT INDUSTRIAL
- IC ■ CENTRAL INDUSTRIAL
- I ■ INDUSTRIAL
- OSC ■ OPEN SPACE CONSERVANCY
- W/F ■ WETLANDS/FLOODPLAIN

PLAN  
SCALE: 1"=100'

\*NOTE: PARCELS AS SHOWN REFLECT 1987 INFORMATION FROM THE CITY OF AMESBURY ASSESSORS OFFICE. ALL DELINEATION LINES REFER TO SECTION XV OF THE CITY OF AMESBURY ZONING BYLAW AND MAP. ALL DISTANCES SHOULD BE FIELD VERIFIED.



CITY OF AMESBURY, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS - ENGINEERING

## ZONING MAP

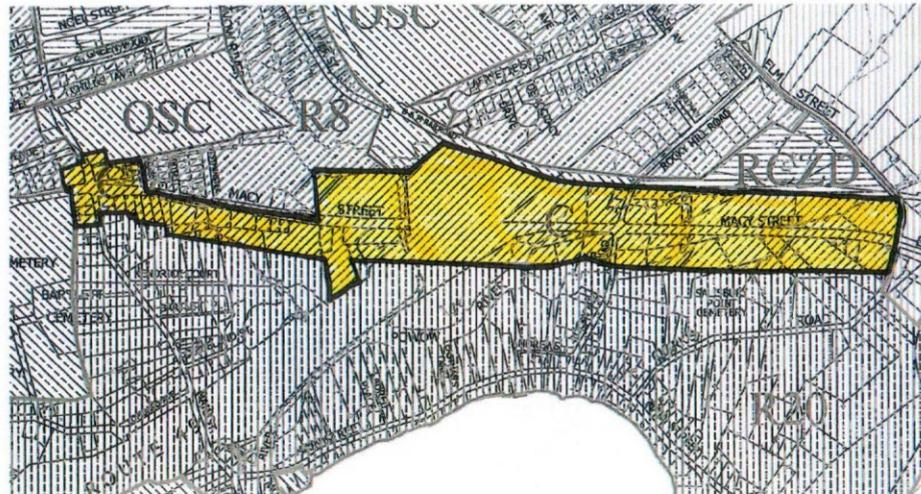
DATE: 1/31/2018  
SCALE: 1"=100'  
PROJECT: ZONING - UPDATES  
SHEET 1 OF 2

RETAIL MARIJUANA OVERLAY DISTRICT - ZONING MAP AMENDMENTS



Along Rte 110 –  
West of Main Street

*(Over Commercial Zoning District only)*



Along Rte 110 –  
East of Main Street

*(Over Commercial Zoning District only)*