

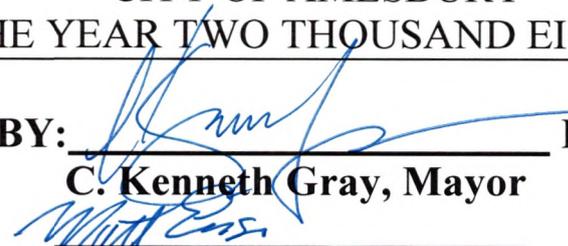


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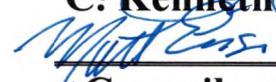
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AMESBURY CITY CLERK

CITY OF AMESBURY
IN THE YEAR TWO THOUSAND EIGHTEEN

SPONSORED BY:  BILL No. 2018-056

C. Kenneth Gray, Mayor


Councilor Matt Einson

An Ordinance to Amend the Amesbury Zoning Map and Zoning Bylaw to Establish a Marijuana Cultivation Overlay District (MCOB).

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

- Establish a Marijuana Cultivation Overlay District to allow for the cultivation of adult use and medical marijuana on parcels with a minimum lot size of 100 acres, that are located within the R-80 Zoning District, by Special Permit and Site Plan Review from the Planning Board;
- Update 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, "Marijuana Cultivation Overlay District," to the table of districts;
2. The Table of Use Regulations is hereby amended to establish a Marijuana Cultivation Overlay District to include parcels with a minimum of 100 acres, that are located within the R-80 Zoning District.
3. The Amesbury Zoning Bylaw is hereby further amended by amending Section XI.02, Adult Use Marijuana Establishments, sub-section 4.01.1, Allowed Uses to add a new sub-section (c) to read as follows:
“(c) Adult Use Marijuana Cultivators, as defined in 935 CMR 500.00 shall be allowed within the Marijuana Cultivation Overlay District, by special permit and site plan review by the Planning Board subject to the requirements set forth in this Section of the Zoning Bylaw.”
4. Section XI.01, Medical Marijuana Overlay District, is hereby amended by amending sub-section 4.01.1, Allowed Uses, sub-section (b) as follows (changes in **bold**):
“(b) A RMD location that has been registered with MDPH only as a cultivation site shall be allowed in the MCOB and the Marijuana Cultivation Overlay District (MCOB) by

special permit and Site Plan Approval by the Planning Board subject to the requirements set forth in this Section.”

5. Section V, the Table of Use Regulations, is hereby amended by amending Note 12 as follows (changes in **Bold**):

"(12) Notwithstanding anything to the contrary set forth elsewhere in this Zoning Bylaw, an Adult Use Marijuana Cultivator, Adult Use Marijuana Product Manufacturer, and Adult Use Marijuana Independent Testing Laboratory, Adult Use Marijuana Research Facility, and Marijuana Transporter shall be permitted only by special permit and site plan review by the Planning Board in the Medical Marijuana Overlay District (MMOD), **and for Adult Use Marijuana Cultivators, also in the Marijuana Cultivation Overlay District (MCOB)**, pursuant to the requirements of Section XI.02 of the Zoning Bylaw. Further, an Adult Use 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. **For those locations where the business model includes public access, the cultivation site shall be separated from the areas of public access in accordance with MGL requirements and Cannabis Control Commission regulations.**"