



CITY OF AMESBURY IN THE YEAR TWO THOUSAND TWENTY-THREE

SPONSORED BY: _____ **BILL No. 2023-065**
Kassandra Gove, Mayor

Steven Stanganelli, Councilor-at-Large

Anthony Rinaldi, Councilor, District 2

Roger Deschenes, Councilor, District 3

Michael Hogg, Councilor, District 6

An Ordinance to Amend the Amesbury Zoning Ordinances to Extend the Retail Marijuana Overlay District to the Central Business and Central Industrial Districts of the City.

Summary:

This zoning ordinance extends the overlay district for retail cannabis licensees operating within the City.

Whereas the Massachusetts Marijuana Legalization Initiative, also known as Question 4, was approved in a state-wide ballot on November 8, 2016, and

Whereas the voters of the City of Amesbury voted in favor of Question 4 during the 2016 state-wide election, and

Whereas Massachusetts General Laws provide for the regulation and taxation of marijuana in MGL Chapter 334, and

Whereas the voters of the City of Amesbury also voted against a proposed ban on the sale of marijuana retail products during a municipal election on November 7, 2018, and

Whereas there is an economic development benefit to provide for opportunities that may increase the foot traffic to the Central Business and Central Industrial Districts and surrounding business areas; and

Whereas there is a compelling public policy benefit to regulate the retail sales of marijuana products by licensed establishments within the City's limits,

so therefore,

Be it Ordained by the City Council of the City of Amesbury assembled and by the authority of the same, as follows:

That the City of Amesbury shall amend the Amesbury Zoning Ordinances to extend the retail marijuana overlay district to include the Central Business and Central Industrial Districts as denoted on the City of Amesbury Zoning Districts map as adopted by City Council on August 8, 2020.

1. "Section XI.02, Section 2.01 Establishment" shall be amended to expand the Retail Cannabis Overlay District to include the Amesbury Central Business District by amending Section XI.02, Adult Use Marijuana Establishments, Section 2.01 – Establishment, to read as follows:

"Section XI.02 Adult Use Marijuana Establishments

2.01 Establishment.

The Retail Marijuana Overlay District, hereinafter referred to as "RMOD" is hereby established as an overlay district. The RMOD shall extend over 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 only in the Commercial (C) Zoning District **and the Central Business and Central Industrial Districts as denoted on the City of Amesbury Zoning Districts map as adopted by City Council on August 8, 2020 and revised through amendments through January 1, 2021 on file with the Office of the City Clerk and as referenced in the City of Amesbury Zoning and Ordinance Map adopted April 12, 1971 with revisions through November 22, 2022 and as may be amended from time to time.**

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

Reference:

Zoning Ordinance & Maps:

- Ordinances through November 22, 2022:
<https://www.amesburyma.gov/DocumentCenter/View/3633/Amesbury-Zoning-Ordinance?bidId=>
- Website Links to Maps: <https://www.amesburyma.gov/415/Amesbury-Zoning-Ordinance-Maps>
- Zoning Map: <https://www.amesburyma.gov/DocumentCenter/View/1433/Amesbury-Zoning-Map-PDF>
- Zoning Overlay Map: <https://www.amesburyma.gov/DocumentCenter/View/1431/Amesbury-Zoning-Overlay-Map-PDF>

Liquor License Commission – Classifications and FAQ:

<https://www.amesburyma.gov/faq.aspx?qid=155>

Cannabis Control Commission Guidance:

<https://masscannabiscontrol.com/bylaws-ordinances/>

<https://masscannabiscontrol.com/wp-content/uploads/2022/01/guidance-for-municipalities-on-equity-and-host-community-agreements-1.pdf> (See pages 23-24)