



CITY OF AMESBURY IN THE YEAR TWO THOUSAND TWENTY-THREE

SPONSORED BY: _____ **BILL No. 2023-066**
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 Adopt a Limit on the Number of Retail Licenses to be Issued.

Summary: This zoning ordinance implements the local option to provide a cap to limit the total number of 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 District and Central Industrial District; 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 adopt a limit on the number of **allowed licensed retail establishments to a formula tied to the number of licensed retail establishments for the sale of alcoholic beverages not to be drunk on the premises.**

That the City of Amesbury shall amend the Amesbury Zoning Ordinances by adding a new Section XI.02, 4.01.1 (d) as follows:

The number of Adult Use Marijuana Retail Establishments, as defined in G.L. c.94G, §1 and 935 CMR 500.00, permitted to be located within the City of Amesbury, shall not exceed forty percent (40%) of the number of licenses **allowed** within the City for the retail sale of alcoholic beverages not to be drunk on the premises where sold under G.L. c.138, §15. For the purposes of determining this number, any fraction shall be rounded up to the next highest whole number. The minimum number of allowed retail licenses shall be two (2).

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)