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CITY OF AMESBURY, MA

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SPONSORED BY: Kassandra Gove **BILL No. 2024 - 087**
Kassandra Gove, Mayor

Steven Stanganelli
Steven Stanganelli, Councilor-at-Large

Anthony Rinaldi
Anthony Rinaldi, Councilor, District 2

Michael Hogg
Michael Hogg, Councilor, District 6

An Ordinance to amend the Amesbury Zoning Ordinance and Zoning Overlay Map to re-number the Adult Use Marijuana Establishments section and extend the Retail Marijuana Overlay District (RMOD) to include certain parcels and land area in the Central Business (CBD) and Central Industrial (IC) zoning districts within the City as shown on attached Exhibit -01.

Summary: This amendment to the Zoning Ordinance modifies the boundaries of the Retail Marijuana Overlay District and allows retail cannabis licensees to operate within the Central Business and Central Industrial zoning districts within the City.

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

That the Zoning Ordinance and the Amesbury Zoning Overlay Map are hereby amended to renumber the Adult Use Marijuana Establishments section and modify the boundaries of the Retail Marijuana Overlay District (RMOD) to include certain parcels and land area in the Central Business and Central Industrial zoning districts with language shown in strikethrough to be deleted and language shown in italics to be inserted as follows:

- 1. To re-number section in the Zoning Ordinance pertaining to Adult Use Marijuana Establishment as follows:**

“Section ~~XI.02~~ *“XI.01.2”* Adult Use Marijuana Establishments.

2. **To Amend Sub-Section 2.01 (Establishment)** to expand the Retail Marijuana Overlay District to include certain parcels and land area within the Central Business (CBD) and the Central Industrial (IC) zoning districts by amending Section 2.01 as follows:

Section 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 dated 1/31/2018. ~~This map is hereby made part of the Zoning Ordinance and the Overlay District Zoning Map and is on file in the Office of the City Clerk.~~ ***“as shown on the maps titled Retail Marijuana Overlay District -Zoning Map Amendments and is further superimposed over such parcels and land area within the Central Business District (CBD) and the Industrial Central (IC) District as set forth on the map entitled Exhibit -01, Retail Marijuana Overlay District in Downtown Amesbury, and such maps are hereby made part of the Zoning Overlay Map and Ordinance.”*** As further outlined in Section 4.01 of this Bylaw and ***“Section V of the Zoning Ordinance, in”*** the Table of Use Regulations, Adult Use Marijuana Establishments shall be permitted in the Medical Marijuana Overlay District (MMOD) and the Retail Marijuana Overlay District (RMOD) as such districts have been designated on the City’s Zoning Map.

3. **To Amend Sub-Section 6.01(Eligibility), as follows:**

6.01.2 Location (Buffer Zone)

6.01.2 a) The site of an AME permitted under this section shall, at the time the license application is received by the CCC, not be located within 500 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12, ***“or another AME.”***

6.01.2 b) ~~The distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Establishment is or will be located~~ ***“The buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the AME Entrance to the geometric center of the nearest school entrance and/or other AME, unless there is an impassable barrier within those 500 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the AME to the geometric center of the nearest school entrance and/or other AME.”***

4. **To Amend Sub-Section 7.01.3 (Materials for Review), as follows:**

7.01.3.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. ***“All street-level storefront windows and glazed doors shall remain clear glass and be used as part of a display area,***

no less than 5 feet in depth, located directly behind the glass storefront. The display area(s) for street-level windows located less than ten (10) feet above a pedestrian sidewalk shall remain clear glass and have a display area no less than six (6) inches deep behind the glass. Such display area(s) shall be used for display purposes to activate the sidewalk, enhance the pedestrian experience, and support the viability and interest in the abutting commercial storefronts. In compliance with state regulations, such display area(s) shall not include the display of marijuana or marijuana products, signage, or other printed material or advertising any brand or any kind of marijuana or marijuana products on the exterior of any AME.”

5. **To Amend the boundaries of the Retail Marijuana Overlay District on the Amesbury Overlay Zoning Map as follows:** To include certain parcels and land area within the Central Business District (CBD) and the Industrial Central (IC) zoning districts as set forth on attached map “Exhibit 01” and entitled “Retail Marijuana Overlay District in Downtown Amesbury.”

Retail Marijuana Overlay District in Downtown Amesbury

Exhibit – 01

6-27-2024

