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CITY OF AMESBURY, MA

CITY OF AMESBURY IN THE YEAR TWO THOUSAND TWENTY-ONE

SPONSORED BY:

Steven Stanganelli, Councilor-at-Large

BILL No. 2021-111

Anthony Rinaldi, Councilor, District 2

An Ordinance to Amend the Amesbury Zoning Bylaw to Establish and Extend the Retail Cannabis Overlay District to the Central Business District

Summary:

An Ordinance to amend the Amesbury Zoning Bylaw to extend the Retail Cannabis Overlay District to allow retail sales of adult use and medical cannabis within the Commercial Zoning District of the Central Business District to be defined by Special Permit and site plan approval from the Planning Board; to Amend Section (XI.02) to the Amesbury Zoning Bylaw to regulate the permitting, locations, and operations of Adult Use Cannabis Establishments in this extended area; and to update the Zoning Map and the Table of Use Regulations in accordance with the changes.

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 cannabis retail products during a municipal election on November 7, 2018, and

Whereas, there is a compelling public policy benefit to regulate the retail sales of cannabis 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 Bylaw as follows:

1. The term 'marijuana' shall be replaced by the term 'cannabis' in all places; and
2. Section III, Establishment of Zoning Districts, is hereby amended by adding in alphabetical order, to change the name of the "Retail Marijuana Overlay District" or "RMOD" to the "Retail Cannabis Overlay District" or "RCOD" to the table of districts, and to change and replace all references to "marijuana" to "cannabis"; and reference to the "Medical Marijuana Overlay District" or "MMOD" to be changed to "Medical Cannabis Overlay District" or "MCOD", and
3. "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 Cannabis Establishments
2.01 Establishment.**

The Retail Cannabis Overlay District, hereinafter referred to as "RCOD," (formerly "RMOD") is hereby established as an overlay district 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, and that the overlay district shall be extended to include the area comprised of the Central Business District denoted and outlined in the Merrimack Valley Planning Commission Zoning Map of the City of Amesbury adopted by the Municipal Council as of August 8, 2020 (attached), 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 bylaw and the Overlay District Zoning Map and is on file in the Office of the City Clerk. As further outlined in Section 4.01 of this Bylaw and the Table of Use Regulations, Adult Use Cannabis Establishments shall be permitted in the Medical Cannabis Overlay District (MCOD formerly MMOD) and the Retail Cannabis Overlay District (RCOD formerly RMOD) as such districts have been designated on the City's Zoning Map."

All other rules and regulations for site location and allowed uses noted in Section XI.02 shall continue.

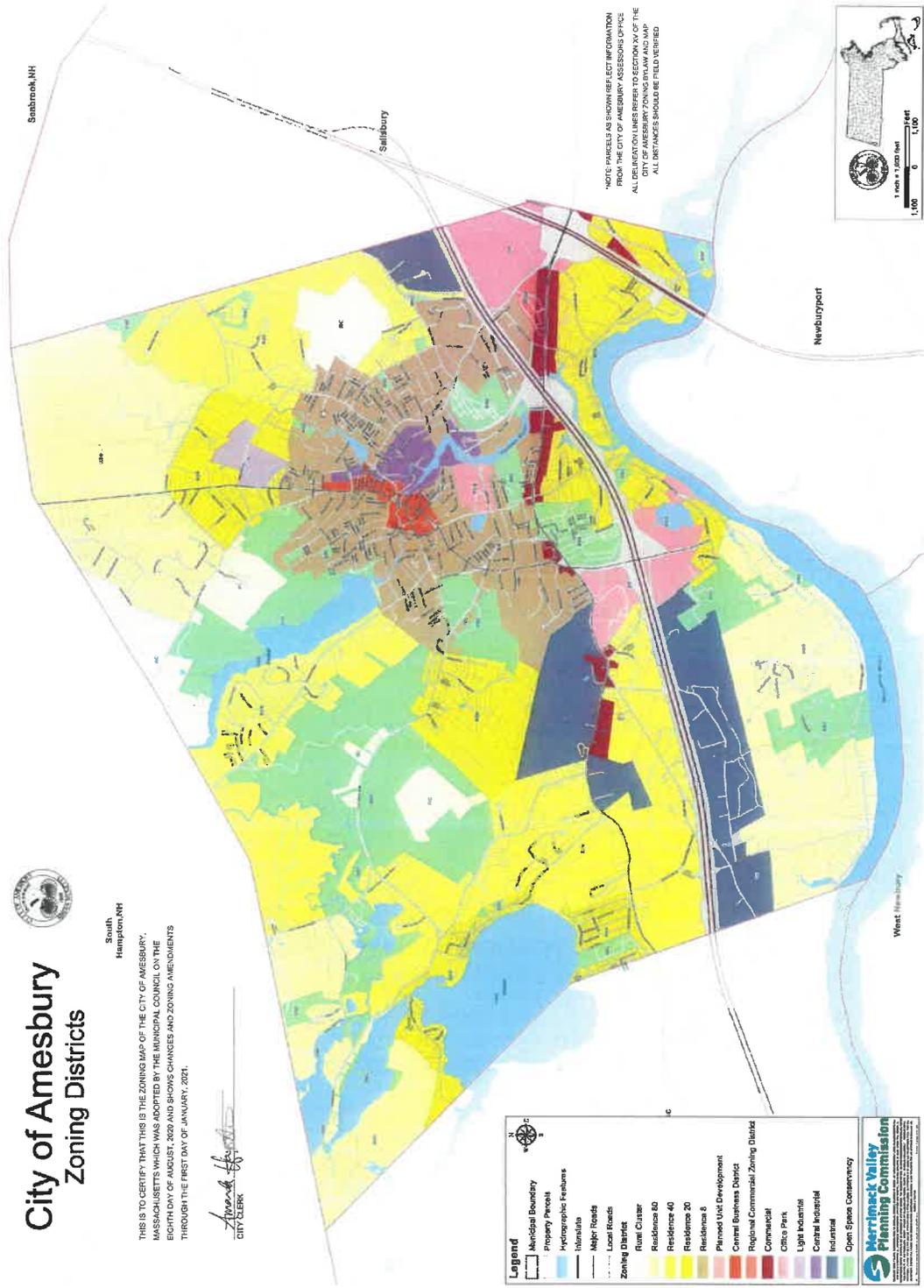
City of Amesbury Zoning Districts



South
Hampton, NH

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 DAY OF AUGUST, 2020 AND SHOWS CHANGES AND ZONING AMENDMENTS
THROUGH THE FIRST DAY OF JANUARY, 2021.

Andrew H. Smith
CITY CLERK



*NOTE: PARCELS AS SHOWN REFLECT INFORMATION FROM THE CITY OF AMESBURY ASSESSORS OFFICE. ALL DELINEATION LINES REFER TO SECTION 2X OF THE MASSACHUSETTS CONSTITUTION. ALL DISTANCES SHOULD BE FIELD VERIFIED.



SHEET 1 OF 2

PLAN
SCALE: 1"=1,000'

Legend

- Municipal Boundary
- Property Parcel
- Hydrographic Features
- Water
- Major Roads
- Local Roads
- Zoning District
- Rural Cluster
- Residence 60
- Residence 40
- Residence 20
- Residence 8
- Planned Unit Development
- Central Business District
- Regional Commercial Zoning District
- Commercial
- City Park
- Light Industrial
- Central Industrial
- Industrial
- Open Space Conservancy

Merrimack Valley Planning Commission