



**CITY OF PITTSFIELD**

DEPARTMENT OF COMMUNITY DEVELOPMENT, CITY HALL, 70 ALLEN STREET, RM 205, PITTSFIELD, MA 01201

**MEMORANDUM**

**TO:** The Community Development Board  
**FROM:** DCD Staff - Nate Joyner, Amber Spring  
**DATE:** March 11, 2024  
**SUBJECT:** Amendment of Section 7.850 recreational marijuana retail and/or medical marijuana retail requirements.

The existing zoning requirements for Recreational and/or Medical Marijuana Retail operations under Section 7.850 were adopted in 2017. In response to new regulations adopted in 2023 by the State of Massachusetts through the Cannabis Control Commission, the Department of Community Development, the City Solicitor, and the Mayor's office are preparing a new ordinance separate from the Zoning Ordinance in order to address equity requirements and empower the Mayor to set policy regarding Host Community Agreements, including the total number of marijuana related businesses allowed to operate in Pittsfield.

The proposed zoning amendment is meant to eliminate a potential conflict between a forthcoming City Ordinance addressing equity and policies regarding Host Community Agreements by removing Section 7.850(D)(2) which places a cap on the number of marijuana related retail uses to 35. Section 7.850(D)(3) of the existing ordinance would be re-numbered to replace Section 7.850(D)(2).

**AMENDING THE CODE OF THE CITY OF PITTSFIELD  
CHAPTER 23, ZONING**

**SECTION I**

That the Code of the City of Pittsfield Chapter 23, Zoning, Article 23-7, Conditional Uses, Section 7.850 recreational marijuana retail and/or medical marijuana retail requirements, shall be amended by removing existing Section 7.850(D)(2), and;

**SECTION II**

That the Code of the City of Pittsfield Chapter 23, Zoning, Article 23-7, Conditional Uses, Section 7.850 recreational marijuana retail and/or medical marijuana retail requirements, shall be amended by renumbering existing Section 7.850(D)(3) as 7.850(D)(2).

**SECTION III**

This Ordinance shall take effect upon its enactment.



**CITY OF PITTSFIELD**

DEPARTMENT OF COMMUNITY DEVELOPMENT, CITY HALL, 70 ALLEN STREET, RM 205, PITTSFIELD, MA 01201

March 19, 2024

To the Honorable Members  
Of the City Council  
Of the City of Pittsfield

Re: Petition from the Community Development Board to amend Article 23-7.850 recreational marijuana retail and/or medical marijuana retail requirements of the Zoning Ordinance

Dear Councilors:

Attached please find a petition to amend the Pittsfield Zoning Ordinance in relation to Section 7.850 recreational marijuana retail and/or medical marijuana retail requirements

At the March 19, 2024 Community Development Board meeting, the Board voted 5-0 to petition the City Council to amend the Pittsfield Zoning Ordinance by removing the current text of Section 7.850(D)(2) and re-numbering Section 7.850(D)(3) of the existing ordinance to replace Section 7.850(D)(2). The proposed zoning amendment is meant to eliminate a potential conflict between a forthcoming City Ordinance addressing equity and policies regarding Host Community Agreements

Attached please find the petition application and draft Ordinance.

Sincerely,

COMMUNITY DEVELOPMENT BOARD

Sheila B. Irvin  
Chair

Attachments



# City of Pittsfield

\_\_\_\_\_ 20 \_\_\_\_\_

To the City Council of the City of Pittsfield:--

The undersigned respectfully

petitions the City Council of the City of Pittsfield to amend City Code Chapter 23, Article 23-7.850 RECREATIONAL MARIJUANA RETAIL AND/OR MEDICAL MARIJUANA RETAIL REQUIREMENTS, by removing the current Section 7.850 (D)(2) and re-numbering current Section 7.850(D)(3) as Section 7.850(D)(2).

Respectfully submitted,

PITTSFIELD COMMUNITY DEVELOPMENT BOARD

Sheila B. Irvin  
Chair

Date Received \_\_\_\_\_

By \_\_\_\_\_  
(fee paid)

**AMENDMENT TO THE ZONING ORDINANCE  
CITY OF PITTSFIELD**

1. Amend Zoning Map \_\_\_\_\_ Amend text, Chapter 23, Code of Laws  X
2. Present Zoning District  n/a   
Zoning Requested  n/a
3. Name of Petitioner  City of Pittsfield Community Development Board, Sheila Irvin, Chair   
Address  70 Allen Street, Room 205, Pittsfield, MA 01201  Telephone #  (413) 499-9368   
Signature \_\_\_\_\_
4. Name of Agent  City of Pittsfield Department of Community Development   
Address  70 Allen Street, Room 205, Pittsfield, MA 01201  Telephone #  (413) 499-9368   
Signature \_\_\_\_\_
5. Name of Property Owners  n/a   
Address \_\_\_\_\_ Telephone # \_\_\_\_\_
6. If Petitioner is not the Property Owner, attach a document indicating interest in property.  
State interest:  n/a.
7. Legal Description:  n/a   
(Attach "Metes and Bounds" Description if necessary) Assessor's Map No.  n/a
8. Attach map of property (drawn to scale) including streets, buildings, uses and property dimensions.  n/a.
9. If an amendment to the Text of Chapter 23, Code of Laws, state the nature of the amendment:  The proposed amendment to Article 23-7 (recreational marijuana retail and/or medical marijuana retail requirements) consists of the removal of the existing Section 7.850(D)(2) and re-number of Section 7.850(D)(3). These changes are to eliminate a potential conflict with forthcoming City Ordinance to address equity and Host Community Agreements for marijuana related businesses.
10. Article and Section proposed to be amended:  Article 23-7.850

Community Development Board: Hearing Date \_\_\_\_\_ Recommendation \_\_\_\_\_

City Council: Hearing Date \_\_\_\_\_ Action Taken \_\_\_\_\_ Ordinance No. \_\_\_\_\_