

6.2.3.1.2 An expansion of an existing building that does not increase the gross floor area of the building by more than 500 square feet or 10% of the pre-existing gross floor area whichever is greater; or

6.2.3.1.3 An increase in the amount of impervious surface on a developed site that does not increase the amount of impervious surface by more than 1000 square feet or 10% of the pre-existing impervious surface area whichever is greater; or

6.2.3.1.4 Any other activity that is designated as Permitted with Review in the Land Use Table that does not trigger Planning Board or Site Plan Review.

6.2.3.2 Activities Subject to Planning Board Review

Land use activities that are designated as Permitted with Review in the Land Use Table in Section 7.6 that do not meet the criteria for Site Plan Review and that meet any of the following criteria when combined with any other development on the parcel in the previous five (5) years shall be reviewed in accordance with the Planning Board Review procedures and approval criteria:

6.2.3.2.1 An expansion of an existing building that increases the gross floor area of the building by more than 500 square feet or 10% of the pre-existing gross floor area whichever is greater but not more than 5,000 square feet; or

6.2.3.2.2 An increase in the amount of impervious surface on a developed site that increases the amount of impervious surface by more than 1000 square feet or 10% of the pre-existing impervious surface area whichever is greater but not more than 10,000 square feet; or

6.2.3.2.3 The construction of more than 10,000 square feet of impervious surface; or

6.2.3.2.4 The construction of a non-residential building with not more than 5,000 square feet of gross floor area; or

6.2.3.2.5 The construction of multi-family or senior housing with fewer than five (5) dwelling units; or

6.2.3.2.6 Any activity that disturbs more than 20,000 square feet of land; or

6.2.3.2.7 Any activity subject to review that is located on a lot that abuts a lot that is used for a single-family or two-family dwelling as of the date the application is filed with the Code Enforcement Officer; or

6.2.3.2.8 The change of use of an existing building that does not increase the size of the building or the amount of impervious surface on the lot if the new use will increase the intensity of use of the property based on any one of the following:

- a. An increase in the number of peak hour vehicle trips compared to the previous use
- b. An increase in the number of truck trips compared to the prior use
- c. An increase in levels of noise compared to the prior use
- d. Operation of the new use between 7:00 PM and 7:00 AM, except in Central Business (CB) & future Intown Commercial (IT) Districts, which will be 11:00 PM and 7:00 AM
- e. The installation of new exterior lighting

6.2.3.2.9 The establishment or expansion of a [marijuanacannabis](#)-establishment unless the scale of the activity triggers Site Plan Review in accordance with 6.2.3.3. This requirement for Planning Board Review shall apply even if the proposed activity does not otherwise trigger Planning Board Review based on the scale of the project.

6.2.3.3 Activities Subject to Site Plan Review

Land use activities that are designated as Permitted with Review in the Land Use Table in Section 7.6 and that meet any of the following criteria when combined with any other development on the parcel in the previous five (5) years shall be reviewed in accordance with the Site Plan Review procedures and approval criteria:

6.2.3.3.1 An expansion of an existing building that increases the gross floor area of the building by more than 5,000 square feet; or

6.2.3.3.2 An increase in the amount of impervious surface on a developed site that increases the amount of impervious surface by more than 10,000 square feet; or

6.2.3.3.3 The construction of more than 20,000 square feet of impervious surface; or

6.2.3.3.4 The construction of a non-residential building with more than 5,000 square feet of gross floor area; or

6.2.3.3.5 The construction of multi-family or senior housing with five (5) or more dwelling units; or

6.2.3.3.6 Any activity that disturbs more than 40,000 square feet of land, or

6.2.3.3.7 The establishment or expansion of a Solar Electric Generating Facility.

6.3 Submission Requirements

An applicant shall submit a completed application to the CEO. The application shall contain the following information based on the classification of the project unless the applicant is requesting that the CEO or Planning Board grant a waiver for the submission of specific items in accordance with 6.3.1.

6.3.1 Waiver of Submission Requirements

The CEO or Planning Board may, for good cause shown and only upon the written request of an applicant specifically stating the reasons therefor, waive any of the application requirements set forth in Sections 6.3.2, 6.3.3 and 6.3.4 provided such waiver will not unduly restrict the review process. The CEO or Planning Board may condition such a waiver on the applicant's compliance with alternative requirements. Good cause may include the CEO or Planning Board's finding that particular submissions are inapplicable, unnecessary, or inappropriate for a complete review. Notwithstanding the waiver of a submission requirement, the CEO or Planning Board may, at any later point in the review process, rescind such waiver if it appears that the submission previously waived is necessary for an adequate review. A request for a submission previously waived shall not affect the pending status of an application.

6.3.1.1 The following submission requirements of 6.3 are automatically waived for an application for the establishment or expansion of a ~~marijuana~~cannabis establishment in accordance with **6.2.3.2.9** if the proposed activity does not otherwise require Planning Board or Site Plan approval:

6.3.1.1.1 The requirements of **6.3.2.7.1**

6.3.1.1.2 The requirements of **6.3.2.7.2** other than those of items 5, 6, 7 and 8 if applicable to the application

6.3.1.1.3 The requirements of **6.3.3**

6.3.2 Basic Information for All Applications

An application for CEO Review, Planning Board Review, or Site Plan Review shall contain the following:

7.6.3 Commercial Uses

Key to Land Use Table

Y = "Allowed"

N = Not Allowed

C = Code Enforcement Officer Review

P = Permitted with Review

SD = Subdivision Review

Legend

The legend at the top of the columns identifies the various zoning districts as follows:

RP	Resource Protection	SLR	Shoreland Overlay Limited Residential
SL	Shoreland	RG	Residential Growth
R	Rural	HDR	High Density Residential
PR	Professional/Residential	TD	Traditional Downtown
PIC	Planned Industrial/Commercial	PD	Planned Development
CC	Cobbossee Corridor	ECR	Education/Community Recreation
MUV	Mixed Use Village	PHD	Planned Highway Development
IT	Intown Commercial	CPD	Cobbossee Planned Development

Commercial Uses													
	RP	SLR	SL	R	RG	HDR	PR	TD	PIC	PD	ECR	CC	CPD
Accessory Business Use	N	N	N	N	N	P ¹¹	N	N	N	N	N	N	N
Adult Businesses	N	N	N	N	N	N	N	N	N	N	N	N	N
Auction Barn	N	N	N	N	N	N	N	N	N	N	N	N	N
Automobile Repair	N	N	N	N	N	N	N	N	N	N	N	N	N
Automobile/Vehicle Sales & Service	N	N	N	N	N	N	N	N	N	N	N	N	N
Bank	N	N	N	N	N	N	N	N	N	N	N	N	N
Bed & Breakfast	N	P	P	P	P	P	P	P	P	P	P	P	P
Building Supply	N	N	N	N	N	N	N	N	N	N	N	N	N
Catering	N	N	N	N	P ⁹	N	P	P	N	P	N	P	P

	RP	SLR	SL	R	RG	HDR	PR	TD	PIC	PD	ECR	CC	MUV	PHD	IT	CPD
Communication Facility exclusive of towers	N	N	N	P	N	N	N	P	P	P	N	N	P	C	P	N
Communication Facility in alternative tower structure	N	N	N	P	P	P	P	P	P	P	N	P	P	C	P	P
Communication Tower	N	N	N	P	N	N	N	N	P	N	N	N	N	P	N	N
Construction Services	N	N	N	P	N	N	N	N	P	P	N	N	N	P ⁷	N	N
Convenience Store including Retail Fuel Sales	N	N	N	N	N	N	N	N	P	P	N	N	P	P	P	N
Fuel Sales	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N
Crematory	N	N	N	P	N	N	N	N	P	N	N	N	N	N	N	N
Funeral Home	N	N	N	P	N	N	P	P	N	P	N	N	P	P	P	N
Indoor Recreation Facility	N	N	N	N	N	N	N	P	P	P	N	P	P ⁶	P	P	N
Junkyards & Auto Graveyards	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N	N
Kennels	N	N	N	P	N	N	N	N	P	P	N	N	N	N	N	N
Kiosks	N	N	N	N	N	N	P	P	P	P	N	P	P	P	P	N
Laboratories /Research Facilities	N	N	N	N	N	N	P	P	P	P	N	P	P ⁶	P	P	N
Laundromat	N	N	N	N	N	N	N	P	N	P	N	N	P	P	P	N
Marijuana Nursery Cultivation Facility ¹³	N	N	N	P	N	N	N	N	N	N	N	N	P	P	P	N
Marijuana Retail Sales Establishment ^{13, 16}	N	N	N	N	N	N	N	P	N	N	N	N	N	N	P	N
Marinas	N	N	P	P	N	N	N	P	N	P	N	P	N	N	P	N
Medical Facility	N	N	N	N	N	N	P	P	P	P	N	P	P	P	P	N

	RP	SLR	SL	R	RG	HDR	PR	TD	PIC	PD	ECR	CC	MUV	PHD	IT	CPD
Medical Marijuana Cultivation Facility – Tier 1 ^{13, 15, 16}	N	N	N	P	N	N	N	N	P	P	N	N	N	P	N	N
Medical Marijuana Cultivation Facility – Tier 2 ^{13, 15, 16}	N	N	N	P	N	N	N	N	P	P	N	N	N	P	N	N
Marijuana Cultivation Facility – Tier 3 ^{13, 15, 16}	N	N	N	P	N	N	N	N	P	N	N	N	N	N	N	N
Marijuana Cultivation Facility – Tier 4 ^{13, 15, 16}	N	N	N	P	N	N	N	N	P	N	N	N	N	N	N	N
Marijuana Products Manufacturing Facility ^{13, 15}	N	N	N	N	N	N	N	N	P	N	N	N	N	N	P ¹⁴	N
Marijuana Testing Facility ^{13, 15}	N	N	N	N	N	N	N	N	P	P	N	N	P	P	N	N
Passenger Transit Facility	N	N	N	N	N	N	N	P	P	P	N	P ⁷	P	P	P	N
Recycling Facility	N	N	N	P	N	N	N	P	P	P ⁶	N	N	N	N	N	N
Sawmill	N	N	N	P	N	N	N	N	C	P ⁶	N	N	N	N	N	N
Solar Electric Production Facility- Building Mounted	N	N	N	P	P	N	P	P	P	P	P	P	P	P	P	P

NOTES:

1. Only for residential uses in existence as of April 1, 2016.
2. Only as part of a mixed-use development.
3. Only on a lot of record as of April 1, 2016.
4. Only in single and two-family dwellings existing as of April 1, 2016.
5. Only as a replacement of a modular/mobile less than twenty (20) feet wide existing as of April 1, 2016.
6. Limited to a maximum of ten thousand (10,000) square feet of floor area per use.
7. All operations and storage of equipment and material must occur within a building or a fully enclosed storage area.
8. Only in a building in existence on April 1, 2016.
9. Only on lots that have frontage on Brunswick Avenue.
10. Only in a mixed-use building that is part of a residential subdivision developed using the alternative development standards of Section 7.8.12.
11. Only on lots that have frontage on Brunswick Avenue, Church Street, Highland Avenue, or Water Street.
12. The regulation of Timber Harvesting where permitted is administered by the State Forestry Bureau
13. An applicant that has received a conditional license from the State of Maine for a ~~marijuana~~ establishment may apply for City approval of that category of establishment. Any approval based upon a conditional state license shall be conditioned on the applicant receiving an active license from the state within one hundred eighty (180) days of the date of the City's approval. If the applicant fails to obtain an active license within that period, all City approvals and permits are void.
14. A ~~Marijuana~~ Products Manufacturing Facility in the Intown Commercial District is only allowed if conducted within a commercial kitchen setting of less than four thousand (4,000) square feet and not using any "inherently hazardous substances" as defined by Title 285B Section 102(20) M.R.S. Chapter 558-C.
15. ~~Marijuana~~ establishments may be prohibited in some areas where they are otherwise allowed due to restrictions relating to the prior use of federal funding by the City. Consult with the Code Enforcement Officer to determine if this use is allowed at a particular location.
16. The manufacturing of ~~marijuana~~ products that does not involve the use of inherently hazardous substances is allowed as an accessory use for a licensed ~~marijuana~~ cultivation facility.

must be through an existing exterior door or through a door located on the side or rear of the building.

10.28.7 If the ADU is located in a new or expanded accessory building, the exterior appearance of that structure shall be compatible with appearance of the principal building.

10.28.8 One (1) off-street parking space shall be provided to serve the ADU. This space shall be in addition to the parking provided for the single-family home. If the home has less than the required off-street parking, only the one (1) additional space must be provided. If the single-family home has three or more existing parking spaces, no additional parking shall be required.

10.28.9 The parking for the ADU shall not be located in the area between the front wall of the building and the front property line except on a driveway.

10.29 MarijuanaCannabis Establishments (Amended February 16, 2022- Effective March 14, 2022)

10.29.1 Any property line of the lot upon which a marijuanacannabis establishment is located shall be a minimum of one thousand (1,000) feet from any property line of a lot upon which a public or private school, daycare center/nursery school, athletic field or playground is located. A "school" includes public school, private school, or public preschool program as defined in 20-A M.R.S §1, or any other educational facility including commercial schools that serve children that are less than eighteen (18) years old.

10.29.2 A MarijuanaCannabis Retail Store, a Medical MarijuanaCannabis Registered Caregiver Retail Store, a Medical MarijuanaCannabis Registered Dispensary, or a MarijuanaCannabis Nursery Cultivation Facility shall not be open for consumer transactions or other public activity between the hours of 8:00 p.m. and 8:00 a.m. unless the City Council establishes other hours of operation as part of a City MarijuanaCannabis Establishment License.

10.29.3 Any property line of the lot upon which a MarijuanaCannabis Retail Store, a Medical MarijuanaCannabis Registered Caregiver Retail Store, a Medical MarijuanaCannabis Registered Dispensary, or a MarijuanaCannabis Nursery Cultivation Facility is located shall be a minimum of five hundred (500) feet from any property line of a lot upon which any other existing MarijuanaCannabis Retail Store, a Medical MarijuanaCannabis Registered Caregiver Retail Store, a Medical MarijuanaCannabis Registered Dispensary, or a MarijuanaCannabis Nursery Cultivation Facility is located. A legally existing medical marijuanacannabis establishment at the time of adoption of this provision or an establishment that has received a City MarijuanaCannabis Establishment License shall be considered an existing facility for the purpose of this limit.

10.29.4 A MarijuanaCannabis Products Manufacturing Facility or a MarijuanaCannabis Testing Facility shall not be located in a building or structure that contains one or more dwelling units or other residential uses. This limitation shall not apply to facilities located in a single-family home that is occupied by a Registered Medical MarijuanaCannabis Caregiver.

10.29.5 An applicant that has received a conditional license from the State of Maine for a marijuanacannabis establishment may apply for City approval of that category of establishment. Any approval or license based upon a conditional state license shall be conditioned on the

applicant receiving an active license from the state within one hundred eighty (180) days of the date of the City's approval. If the applicant fails to obtain an active license within that period, all City approvals, licenses and permits are void.

10.29.6 A [MarijuanaCannabis](#) Products Manufacturing Facility in the Intown Commercial District is only allowed if conducted within a commercial kitchen setting of less than four thousand (4,000)square feet and not using any "inherently hazardous substances" as defined by Title 285BSection 102(20) M.R.S. Chapter 558-C.

10.29.7 All [marijuanacannabis](#) establishments shall be designed and operated in a manner that prevents [marijuanacannabis](#) plant odors from significantly altering the environmental odor outside. Odor control can include the management of odor producing operations as well as provisions for ventilation and filtration systems.

10.29.8 All cultivation of [marijuanacannabis](#) including but not limited to cultivation by a Licensed [MarijuanaCannabis](#) Cultivation Facility, a Registered Medical [MarijuanaCannabis](#) Caregiver, or an individual growing for personal use shall be conducted in accordance with the following requirements:

10.29.8.1 All cultivation and processing of [marijuanacannabis](#) shall occur within a fully enclosed structure with solid walls and a solid roof.

10.29.8.2 The structure within which the cultivation and/or processing occur shall be designed and operated to control odors in accordance with **10.29.7**.

10.29.8.3 Any structure used for the cultivation and/or processing of [marijuanacannabis](#) shall comply with the setbacks for the district within which it is located.

10.29.8.4 No freestanding accessory structure used for the cultivation and/or processing of [marijuanacannabis](#) shall be located where it can be seen from a public street unless the structure is more than one hundred (100) feet from any street right-of-way.

10.30 Standards for Tiny Homes

A Tiny Home may be used as a dwelling unit provided that all of the following are met.

10.30.1 The lot on which the tiny home is located is in a zoning district in which tiny homes are allowed as shown on the Land Use Table in **7.6**.

10.30.2 The Tiny Home is located on a lot that conforms to the minimum lot area, minimum road frontage and minimum shore frontage requirements for the zoning district in which it is located as shown in the table of Dimensional Requirements in **7.7**.

10.30.3 The Tiny Home is located on the lot so that it conforms to all setback requirements for the zoning district in which it is located as shown in the Table of Dimensional Requirements in **7.7**.

10.30.4 The Tiny Home shall be served by a sewage disposal system meeting the requirements of the Maine State Plumbing Code and the Subsurface Wastewater Disposal Rules if applicable.

10.30.5 The Tiny Home shall be served by a potable water system capable of providing a supply of at least sixty (60) gallons per day.

10.30.6 If the Tiny Home is constructed in accordance with the standards for Tiny houses' in the Maine Uniform Building and Energy Code (MUBEC), the home shall be located on a permanent foundation meeting the requirements of MUBEC.

10.30.7 If the Tiny Home meets the definition of "Tiny home" as set forth in 29-A M.R.S. § 101(80-C), as amended, then such Tiny Home, whether temporarily or permanently placed, shall be installed on the lot in accordance with the provisions of the following subchapters of 02-385 C.F.R. Ch. 890, as amended: Subchapter B – Pre-Installation Considerations, Subchapter C – Site Preparation, Subchapter D – Foundations, and Subchapter E – Anchorage Against Wind (collectively, the "Installation Standards"). These standards shall apply to Tiny homes as defined under 29-A M.R.S. § 101(80-C) as though they are manufactured homes as that term is used in the Installation Standards, and the Installation Standards are hereby incorporated by reference in this manner. The Code Enforcement Officer is authorized to grant a waiver or partial waiver of these installation standards to reflect potential differences in the design and size between manufactured housing and a Tiny home, so long as such waiver or partial waiver is not inconsistent with the purpose and intent of the Installation Standards.

10.31 Accessory Solar Arrays

10.31.1 No part of an Accessory Solar Array that is mounted on the roof or exterior wall of a building shall project more than two (2) feet from the primary surface of the roof or wall.

10.31.2 No part of an Accessory Solar Array that is mounted on the ground or a supporting structure that is not part of a building shall project more than twelve (12) feet above the average grade of the ground beneath the array if any part of the array is visible from a residential use.

10.31.3 No part of a ground-mounted Accessory Solar Array shall be located within the required setbacks or within twenty-five (25) feet of the property line of a lot that is improved with a residential use.

10.31.4 No part of a ground-mounted Accessory Solar Array shall be located between the front property line of the lot and the line of the front wall of the building extended to the side or other property lines. This restriction shall not apply in the PIC District or when the front wall of the building is located more than one hundred (100) feet from the front property line.

enclosure is not built to as to render the structure in violation of the applicable non-elevation design requirements described in Section 15 of this Ordinance.

Lumen: A measure of light energy emitted by a light source.

Luminaire: The complete lighting fixture including the lamp, lens and the wiring.

Manufactured Home Park or Subdivision: A parcel (or contiguous parcels) of land under unified ownership and approved by the City of Gardiner for the placement of three (3) or more manufactured homes.

Manufactured Home Park or Subdivision: For floodplain management purposes, a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Manufactured Housing: A structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis, or an independent chassis, to a building site. The term includes any type of building that is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. For purposes of this definition, two types of manufactured housing are included. These two types are:

- 1) Those units constructed after June 15, 1976, commonly called "newer mobile home," that the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, that in the traveling mode are fourteen (14) body feet or more in width and are seven hundred fifty (750) or more square feet, and that are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit. This term also includes any structure that meets all the requirements of this subparagraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Chapter 70.
- 2) Those units commonly called "modular homes," that the manufacturer certifies are constructed in compliance with 10 M.R.S.A. Chapter 951, and rules adopted under that chapter, meaning structures, transportable in one or more sections, that are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit.

MarijuanaCannabis Cultivation Facility – Tier 3: An establishment licensed by the State of Maine for the cultivation of medical marijuanacannabis in accordance with the rules established under Title 22 M.R.S. Chapter 558-C and/or licensed by the State of Maine for the cultivation of

adult use [marijuanacannabis](#) in accordance with the rules established under Title 28-B M.R.S. Chapter 1 that involves the growing within a fully enclosed facility with walls and a roof of mature [marijuanacannabis](#) plants with a plant canopy of more than two thousand (2,000) but not more than seven thousand (7,000) square feet.

[MarijuanaCannabis](#) Cultivation Facility – Tier 4: An establishment licensed by the State of Maine for the cultivation of medical [marijuanacannabis](#) in accordance with the rules established under Title 22 M.R.S. Chapter 558-C and/or licensed by the State of Maine for the cultivation of adult use [marijuanacannabis](#) in accordance with the rules established under Title 28-B M.R.S. Chapter 1 that involves the growing within a fully enclosed facility with walls and a roof of mature [marijuanacannabis](#) plants with a plant canopy of more than seven thousand (7,000) square feet.

[MarijuanaCannabis](#) Establishment: Any use or facility that is a Medical [MarijuanaCannabis](#) Cultivation Facility – Tier 1 or Tier 2, a [MarijuanaCannabis](#) Cultivation Facility – Tier 3, a [MarijuanaCannabis](#) Cultivation Facility – Tier 4, a [MarijuanaCannabis](#) Products Manufacturing Facility, a [MarijuanaCannabis](#) Testing Facility, a [MarijuanaCannabis](#) Retail Store, a Medical [MarijuanaCannabis](#) Registered Caregiver Retail Store, a Medical [MarijuanaCannabis](#) Registered Dispensary, or a [MarijuanaCannabis](#) Nursery Cultivation Facility as defined by this ordinance.

[MarijuanaCannabis](#) Nursery Cultivation Facility: An establishment licensed by the State of Maine as an adult use nursery cultivation facility in accordance with the rules established under Title 28-B M.R.S. Chapter 1.

[MarijuanaCannabis](#) Plant – Immature: A [marijuanacannabis](#) plant that is not a mature [marijuanacannabis](#) plant or a [marijuanacannabis](#) seedling as defined in Title 28-B M.R.S. Chapter 1.

[MarijuanaCannabis](#) Plant – Mature: A [marijuanacannabis](#) plant that is flowering as defined in Title 28-B M.R.S. Chapter 1.

[MarijuanaCannabis](#) Products Manufacturing Facility: An establishment licensed by the State of Maine as a Tier 1 or Tier 2 medical [marijuanacannabis](#) products manufacturing facility in accordance with the rules established under Title 22 M.R.S. Chapter 558-C and/or licensed by the State of Maine as an adult use [marijuanacannabis](#) products manufacturing facility in accordance with the rules established under Title 28-B M.R.S. Chapter 1.

[MarijuanaCannabis](#) Retail Sales Establishment: A [MarijuanaCannabis](#) Retail Store, a Medical [MarijuanaCannabis](#) Registered Caregiver Retail Store, or a Medical [MarijuanaCannabis](#) Registered Dispensary with Retail Sales.

[MarijuanaCannabis](#) Seedling: A [marijuanacannabis](#) plant that is not flowering, is less than six (6) inches high and less than six (6) inches in width as defined in Title 28-B M.R.S. Chapter 1.

[MarijuanaCannabis](#) Testing Facility: An establishment licensed by the State of Maine as a medical [marijuanacannabis](#) testing facility in accordance with the rules established under Title 22

M.R.S. Chapter 558-C and/or licensed by the State of Maine as an adult use [marijuanacannabis](#) testing facility in accordance with the rules established under Title 28-B M.R.S. Chapter 1.

Marina: An establishment having frontage on navigable water and, as its principal use, providing offshore moorings or docking facilities for boats, and which may also provide accessory services such as boat and related sales, boat repair and construction, indoor and outdoor storage of boats and marine equipment, bait and tackle shops and marine fuel service facilities.

Market Value: The estimated price a property will bring in the open market and under prevailing market conditions in a sale between a willing seller and a willing buyer, both conversant with the property and with prevailing general price levels.

Mean Sea Level; for purposes of the National Flood Insurance Program: The National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) or other datum, to which base flood elevations shown on a Gardiner's Flood Insurance Rate map are referenced.

Medical Facility: A facility that provides medical or para-medical services on an out-patient basis such as a medical clinics, emergency care facility, laboratory and diagnostic facility and similar facilities that provide services to patients.

Medical [MarijuanaCannabis](#) Cultivation Facility – Tier 1: Medical [MarijuanaCannabis](#) Cultivation Facility – Tier 1: An establishment registered with the State of Maine for the cultivation of medical [marijuanacannabis](#) in accordance with the rules established under Title 22 M.R.S. Chapter 558-C that involves the growing of not more than thirty (30) mature [marijuanacannabis](#) plants, not more than sixty (60) immature [marijuanacannabis](#) plants and any number of [marijuanacannabis](#) seedlings.

Medical [MarijuanaCannabis](#) Cultivation Facility – Tier 2: An establishment registered with the State of Maine for the cultivation of medical [marijuanacannabis](#) in accordance with the rules established under Title 22 M.R.S. Chapter 558-C that involves the growing within a fully enclosed facility with walls and a roof of mature [marijuanacannabis](#) plants with a plant canopy of not more than two thousand (2,000) square feet.

Medical [MarijuanaCannabis](#) Registered Caregiver Retail Store: An establishment licensed by the State of Maine as an Medical [MarijuanaCannabis](#) Registered Caregiver Retail Store in accordance with the rules established under Title 22 M.R.S. Chapter 558-C.

Medical [MarijuanaCannabis](#) Registered Dispensary: An establishment licensed by the State of Maine as a Registered Medical [MarijuanaCannabis](#) Dispensary in accordance with the rules established under Title 22 M.R.S. Chapter 558-C that does not involve the retail sales of [marijuanacannabis](#) or [marijuanacannabis](#) products at a fixed location.