

To: Ordinance Review Committee
From: Mark Eyerman
Subject: Marijuana Retail Sales Establishments
Date: February 24, 2022

Kris has proposed revising the treatment of various types of marijuana establishments involved in retail sales. I will let him explain his reasoning for this. I have put together some draft amendments that do the following:

- Combines Marijuana Retail Store, Medical Marijuana Registered Caregiver Retail Store and Medical Marijuana Registered Dispensary that involves retail sales into one use that I have called Marijuana Retail Sales Establishment
- Creates a new definition for Marijuana Retail Sales Establishment
- Creates a new definition for Medical Marijuana Registered Dispensary with Retail Sales
- Revises the definition for Medical Marijuana Registered Dispensary to eliminate retail sales
- Removes Marijuana Retail Store and Medical Marijuana Registered Caregiver Retail Store from the Table of Uses for commercial uses
- Adds Marijuana Retail Sales Establishment to the Table of Uses
- Adds Medical Marijuana Registered Dispensary back into the Table in a different location
- Revises where Medical Marijuana Registered Dispensary is allowed now that retail sales are not included to match cultivation

Here are drafts of the amendments:

1. Amend Section 17 Definitions to add a definition of Medical Marijuana Registered Dispensary with Retail Sales in proper alphabetical order to read:

Medical Marijuana Registered Dispensary with Retail Sales: An establishment licensed by the State of Maine as a Registered Medical Marijuana Dispensary in accordance with the rules established under Title 22 M.R.S. Chapter 558-C that involves the retail sales of marijuana or marijuana products at a fixed location.

2. Amend the definition of Medical Marijuana Registered Dispensary in Section 17 to read:

Medical Marijuana Registered Dispensary: An establishment licensed by the State of Maine as a Registered Medical Marijuana Dispensary in accordance with

the rules established under Title 22 M.R.S. Chapter 558-C that does not involve the retail sales of marijuana or marijuana products at a fixed location.

3. Amend Section 17 Definitions to add a definition of Marijuana Retail Sales Establishment in proper alphabetical order to read:

Marijuana Retail Sales Establishment: A Marijuana Retail Store, a Medical Marijuana Registered Caregiver Retail Store, or a Medical Marijuana Registered Dispensary with Retail Sales

4. Amend the Table of Land Uses in Section 7.6 as shown in the following fragments of the table

	RP	SLR	SL	R	RG	HDR	PR	TD	PIC	PD	ECR	CC	MUV	PHD	IT	CPD
Marijuana Retail Sales Establishment Store^{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
Medical Marijuana Registered Caregiver Retail Store^{13, 16}	N	N	N	N	N	N	N	P	N	N	N	N	N	N	P	N
Medical Marijuana Registered Dispensary^{13, 16}	N	N	N	N	N	N	N	P	N	N	N	N	N	N	P	N
Meeting Space Up to 2000 Sq Ft	N	N	N	N	N	N	P	P	P	P	N	P	P	P	P	N
Meeting Space over 2000 Sq Ft	N	N	N	N	N	N	P	P	P	P	N	P	P ⁶	P	P	N

Industrial, Wholesale & Transportation Uses																
	RP	SLR	SL	R	RG	HDR	PR	TD	PIC	PD	ECR	CC	MUV	PHD	IT	CPD
Medical Marijuana Cultivation Facility – Tier 1^{13, 16}	N	N	N	P	N	N	N	N	P	P	N	N	P	P	N	N
Medical Marijuana Cultivation Facility – Tier 2^{13, 16}	N	N	N	P	N	N	N	N	P	P	N	N	P	P	N	N
Marijuana Cultivation	N	N	N	P	N	N	N	N	P	N	N	N	N	N	N	N

Facility – Tier 3^{13, 16}																
Marijuana Cultivation Facility – Tier 4^{13, 16}	N	N	N	P	N	N	N	N	P	N	N	N	N	N	N	N
Marijuana Products Manufacturing Facility^{13, 16}	N	N	N	N	N	N	N	N	P	N	N	N	N	N	P ¹⁴	N
<u>Medical Marijuana Registered Dispensary</u>^{13,16}	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>
Marijuana Testing Facility^{13, 16}	N	N	N	N	N	N	N	N	P	P	N	N	P	P	N	N