

To: Planning Board
From: Ordinance Review Committee
Subject: Marijuana Retail Sales Establishments
Date: March 15, 2022

Kris has proposed revising the treatment of various types of marijuana establishments involved in retail sales. The Planning Board has prepared draft amendments that do the following:

- Revises the definition of Medical Marijuana Cultivation Facility – Tier 1 to delete registered caregiver
- Revises the definition for Medical Marijuana Registered Dispensary to eliminate retail sales
- Creates a new definition for Medical Marijuana Registered Dispensary with Retail Sales
- Combines Marijuana Retail Store, Medical Marijuana Registered Caregiver Retail Store and Medical Marijuana Registered Dispensary that involves retail sales into one use that is called Marijuana Retail Sales Establishment
- Creates a new definition for Marijuana Retail Sales Establishment
- Removes Marijuana Retail Store and Medical Marijuana Registered Caregiver Retail Store from the Table of Uses for commercial uses
- Removes Medical Marijuana Registered Dispensary from the Table of Uses
- Adds Marijuana Retail Sales Establishment to the Table of Uses

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 Section 17 Definitions by revising the definition of Medical Marijuana Cultivation Facility – Tier 1 to read:

Medical Marijuana Cultivation Facility – Tier 1: An establishment registered with the State of Maine for the cultivation of medical marijuana ~~by a Registered Caregiver~~ 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 marijuana plants, not more than sixty (60) immature marijuana plants and any number of marijuana seedlings.

5. Amend the Table of Land Uses in Section 7.6 as shown in the following fragment of the table

	RP	SLR	SL	R	RG	HDR	PR	TD	PIC	PD	ECR	CC	MUV	PHD	IT	CPD
Marijuana Retail Store 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
Medical Marijuana Registered Caregiver Retail Store ^{13, 16}	⌘	⌘	⌘	⌘	⌘	⌘	⌘	P	⌘	⌘	⌘	⌘	⌘	⌘	P	⌘
Medical Marijuana Registered Dispensary ^{13, 16}	⌘	⌘	⌘	⌘	⌘	⌘	⌘	P	⌘	⌘	⌘	⌘	⌘	⌘	P	⌘
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