

# Comprehensive Land Use Regulations for Adult Use Marijuana effective January 6, 2020

*Approved by Board of Selectmen for November 5, 2019 Ballot (Proposed revisions are highlighted in yellow)*

Note that the revisions below will require four separate ordinance amendments-two for Medical Marijuana and two for Adult Use Marijuana

Land Use Ordinance:

## §101.4 DEFINITIONS

**Adult Use Marijuana:** Marijuana cultivated, manufactured, distributed or sold by a marijuana establishment for other than for medical use.

**Adult Use Marijuana Cultivation Facility:** A facility licensed under State and local laws to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to products manufacturing facilities, to marijuana stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to marijuana stores.

**Adult Use Marijuana Product:** A marijuana product that is manufactured, distributed or sold by a marijuana establishment for other than for medical use.

**Adult Use Marijuana Products Manufacturing Facility:** A facility licensed under State and local laws to purchase adult use marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities.

**Adult Use Marijuana Store:** A facility licensed under State and local laws to purchase adult-use marijuana, immature marijuana plants and seedlings from a cultivation facility, to purchase adult use marijuana and adult use marijuana products from a products manufacturing facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

**Adult Use Marijuana Testing Facility:** A facility licensed under State and local laws to develop, research and test adult use marijuana, marijuana products and other substances.

**Home Cultivation of Marijuana:** Cultivation for personal adult use by a person 21 years of age or older is limited to cultivation of three (3) mature marijuana plants, twelve (12)

immature marijuana plants, and an unlimited number of seedlings by each person 21 years of age or older who is domiciled on a parcel or tract of land.

**Marijuana Cultivation:** The planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale. "Cultivation" or "cultivate" does not include manufacturing, testing or marijuana extraction.

**Marijuana Establishment:** A cultivation facility, a products manufacturing facility, a testing facility or a marijuana store licensed under State and local laws.

**Marijuana Manufacturing or Manufacture:** The production, blending, infusing, compounding or other preparation of marijuana and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing" or "manufacture" does not include cultivation or testing.

**Marijuana Product:** A product composed of marijuana or marijuana concentrate and other ingredients that is intended for use or consumption. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

**Registered Dispensary:** A dispensary authorized under State law to cultivate and dispense medical marijuana to qualifying patients and caregiver.

## §101.5 LAND USE DISTRICTS

### D. DISTRICT REGULATIONS

#### SCHEDULE OF LAND USES

Land Use	District (P = Permitted Use; C = Conditional Use)					
	GR	C1	C2	R	WC	M
Single family dwellings	P	P	P	P		
Two family dwellings	P	P	P	P		
Mobile homes	P	P	P	P		
Accessory buildings and uses	P	<sup>2</sup>	<sup>2</sup>	<sup>2</sup>		
Accessory apartments	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>		
Home occupations	C	C	C	C		
Professional offices	C	C	C	C		
Multi-family dwelling units and condominiums	C	C	C	C		
Rooming houses	C	C	C	C		
Planned unit development	C			C		

Antique shops and galleries	C	C	C	C		
Retail and wholesale businesses and services establishments		C <sup>3</sup>	C			
Motels, hotels and restaurants		C	C			
Clubs and movies theaters		C	C			
Banks		C	C			
Service station garages		C	C			
Public buildings such as schools, recreational facilities, utility structures, and other community related uses		C	C			
Light manufacturing			C			
All medical and medical related uses			C			
Planned unit development			C			
Wireless communications facilities			C <sup>4</sup>		C	
Adult entertainment establishments			C			
Agricultural and gardening businesses				P		
Forest management activities				P		
Campgrounds				C		
Mobile home parks				C		
Uses related to environmental study and education				C		
Veterinary hospital stables				C		
Structures associate with municipal utilities				C		
All occupancies and uses to serve the municipal services of the town						P
Home Cultivation of Marijuana	P	P	P	P		
Adult Use Marijuana Cultivation facilities			C <sup>5</sup>	C <sup>5</sup>		
Adult Use Marijuana products manufacturing facilities			C <sup>5</sup>	C <sup>5</sup>		
Adult- Use Marijuana stores			C <sup>5</sup>			
Adult Use Marijuana testing facilities			C <sup>5</sup>	C <sup>5</sup>		
Registered Dispensary (not allowed)						

<sup>1</sup>As long as the requirements of Article 9.Q are met, accessory apartments are allowable under a permit from the Code Enforcement Officer (CEO). The CEO may forward an accessory apartment application to the Planning Board for review as a 'Conditional Use Permit' under the Site Plan Review Ordinance. NOTE: Accessory apartments are not allowed in overlay Shoreland Zones.

<sup>2</sup> Accessory buildings and uses to permitted uses are permitted; accessory buildings and uses to conditional uses are conditional.

<sup>3</sup> No outside storage

<sup>4</sup> Within the bounds of the Wireless Communications District

<sup>5</sup> Must be located at least 1,000 feet from schools per Section 101 (S)

#### **R. Limit on Home Cultivation of Marijuana.**

No person shall be permitted to cultivate marijuana plants or seedlings on a parcel or tract of land on which he or she is not domiciled.

#### **S. Limit on Location of Marijuana Establishments.**

A marijuana establishment may not be permitted or operated within 1000 feet of a public or private educational facility including but not limited to child care facility, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes the school ground, but does not include the facilities used primarily for another purpose and only incidentally as a school.

Ordinance Effective Date: January 6, 2020

### Site Plan Review Ordinance

#### **§102.3 APPLICABILITY**

A. This Ordinance shall apply to:

9. Adult use Marijuana cultivation facilities, medical marijuana cultivation facilities, marijuana products manufacturing facilities, medical marijuana manufacturing facilities, adult-use marijuana stores, registered caregiver retail stores, marijuana testing facilities and medical marijuana testing facilities.

#### **§102.4 DEFINITIONS**

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## Sign Ordinance

### §107-4. Definitions

**ADULT USE MARIJUANA STORE:** a facility licensed under State and local laws to purchase adult use marijuana, immature marijuana plants and seedlings from a cultivation facility, to purchase adult use marijuana and adult use marijuana products from a products manufacturing

facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

**§107-5. Permit Required**

**F.** Signage for an Adult Use Marijuana Store shall clearly indicate whether medical marijuana or adult use marijuana is available for sale.

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