

Article XXX:

Shall an ordinance entitled, “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Regulate Medical Marijuana Establishments” be enacted?

NOTE: Proposed additions to existing Code sections are underlined.
Proposed deletions of existing Code sections are ~~crossed out~~.
Other sections of the Ordinance are unchanged.

ARTICLE 2: DEFINITIONS

Medical Marijuana Establishment – Includes: registered caregivers, caregiver retail stores, dispensaries, testing facilities, and manufacturing facilities as defined by the State of Maine.

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Edible Marijuana Product - A marijuana product intended to be consumed orally, including, but not limited to, any type of food, drink or pill containing harvested marijuana.

Marijuana Concentrate - The resin extracted from any part of a marijuana plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin, including, but not limited to, hashish.

Marijuana Extraction - The process of extracting marijuana concentrate from marijuana using water, lipids, gases, solvents or other chemicals or chemical processes.

Marijuana Manufacture or Manufacturing - The production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis.

Marijuana Manufacturing Facility - A registered tier 1 or tier 2 manufacturing facility or a person or entity authorized to engage in marijuana extraction by the State of Maine.

Marijuana Product - A product composed of marijuana or marijuana concentrate and other ingredients that is intended for medical use. "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.

Marijuana Testing Facility – A public or private laboratory that:

A. Is authorized in accordance with section 2423-A, subsection 10 to analyze contaminants in and the potency and cannabinoid profile of samples; and

B. Is accredited pursuant to standard ISO/IEC 17025 of the International Organization for

Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the State of Maine.

Registered Caregiver - Caregiver who is registered by the State of Maine.

ARTICLE 5 – LAND USE DISTRICTS

TABLE 5.1 – LAND USES PERMITTED IN ZONING DISTRICTS

KEY

District-

R/A– Residential/Agricultural District

Reviewing Authority

A – Allowed without a permit

RC– Permitted with permit from Road Commissioner

CEO – Permitted with permit from Code Enforcement Officer

LPI – Local Plumbing Inspector

PB – Permitted with permit from Planning Board

SPR – Site Plan Review permit

SB – License from Select Board Required

P – Permit Required

NP – Not permitted

See Footnotes at end of Table. All uses are subject to the general performance standards of Article 4.

LAND USES	DISTRICT	DISTRICT	DISTRICT
	R/A	VDI	VDII
Agricultural & Resource Uses-			
<u>Medical Marijuana Caregiver (Unregistered)</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Medical Marijuana Caregiver (Registered)</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>
Commercial Uses-			
<u>Medical Marijuana Establishment</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>

¹ A Building Permit from the Code Enforcement Officer is required.

² A Land Use Permit from the Code Enforcement Officer is required.

³ A permit for an accessory structure or use shall be given by the same permitting authority who issued the permit for the original use/structure, if a permit was required.

⁴ A Home Based Business is allowed if it meets the Performance Standard in Article 4, Section D. If the Performance Standard in Article 4, Section D is not met, then Tier I Site Plan Review Permit shall be required from the Code Enforcement Officer. All Home Based Businesses must register their business name with the Town Clerk.

⁵ A Tier I Site Plan Review Permit shall be required from the Code Enforcement Officer.

~~⁶ A facility with a Tier 1 license from the state may be considered a home based business, if it meets the Performance Standard in Article 4, Section D. If the Performance Standards in Article 4, Section D is not met, then Tier I Site Plan Review Permit shall be required from the Code Enforcement Officer.~~

ARTICLE 10: SITE PLAN REVIEW

E. USE-SPECIFIC PERFORMANCE STANDARDS

Retail Marijuana Establishments & Medical Marijuana Establishments

1. The establishment shall have and implement an odor management and remediation plan to ensure that no undue odors impact neighbors or the public.
2. Buffering or other measures may be required to address the establishment's impact on abutters and the public.
3. All marijuana and marijuana products shall be in a secured facility.
4. The establishment may not be located within ~~1,000ft~~ 500ft of a school or ~~church~~.
5. The signage for the establishment may not contain any graphics of marijuana or marijuana accessories.