

Chapter 405
Town of Scarborough
Zoning Ordinance- Amendments related to Marijuana Establishments

SECTION VI. DEFINITIONS (Add the following)

Marijuana Cultivation Facility shall mean a facility licensed for the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale; to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package marijuana; to sell marijuana to products manufacturing facilities, and to other cultivation facilities. This term includes an Adult Use Marijuana Cultivation Facilities as defined in the Marijuana Legalization Act and Medical Marijuana Cultivation Facilities as defined in the Scarborough Marijuana Establishment Licensing Ordinance, as may be amended.

Marijuana Manufacturing Facility shall mean a facility licensed for the production, blending, infusing, compounding or other preparation of marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis. The Facility may also purchase marijuana from a cultivation facility or another manufacturing facility; to manufacture, label and package marijuana and marijuana products. It does not include cultivation or testing. This term shall mean both an Adult Use Marijuana Products Manufacturing Facility and Medical Marijuana Manufacturing Facility as defined in the Marijuana Legalization Act and the Maine Medical Use of Marijuana Act, as may be amended.

Marijuana Testing Facility shall mean a facility licensed to develop, research and test marijuana, marijuana products for contaminants, safety or potency. "Testing" or "test" does not include cultivation or manufacturing. This term shall mean both an Adult Use Marijuana Testing Facility and Medical Manufacturing Testing Facility as defined in the Marijuana Legalization Act and the Maine Medical Use of Marijuana Act, as may be amended.

SECTION IX. PERFORMANCE STANDARDS

**Y. PERFORMANCE STANDARDS – MARIJUANA CULTIVATION
FACITLITY IN THE RF DISTRICT**

1. Marijuana cultivation facility is allowed only on lots with a minimum lot area of 80,000 square feet.

2. Marijuana cultivation facility may only occur within a full enclosed structure which in the RF includes permanent buildings as well as temporary shelters, including but not limited to

greenhouses, hoop houses, and tension fabric shelters. All structures shall conform to the setback requirements of the RF district.

4. Any building or structure or activity related to the planting, propagation, growing or harvesting of marijuana must be operated and maintained in accordance with the latest edition of the Maine Department of Agriculture's Manual of Best Management Practices for Maine Agriculture.

Z. PERFORMANCE STANDARDS – MARIJUANA MANUFACTURING FACILITY IN THE RF DISTRICT

1. A marijuana manufacturing facility in the RF must be associated with and accessory to a marijuana cultivation facility use.
2. A marijuana manufacturing facility in the RF must be located on a parcel that is actively used for the marijuana cultivation facility use.
3. A marijuana manufacturing facility in the RF must be designed and primarily used to process products raised as part of the marijuana cultivation facility use on site.
4. The marijuana manufacturing facility may be a free-standing building, structure or outdoor location or may be part of another building or structure (for example, an area in a barn).
5. The facility shall not exceed 2,000SF of gross floor area.
6. The marijuana manufacturing facility will not include any outdoor storage of processing byproduct or waste, other than what may be kept inside a common trash dumpster.
7. The establishment of a marijuana manufacturing facility is subject to site plan review.

SECTION XIV. RURAL FARMING DISTRICT (RF)

B. PERMITTED USES

22. Marijuana Cultivation, subject to performance standards of section IX.Y of this Ordinance

23. Marijuana Manufacturing Facility, subject to performance standards of section IX.Z of this Ordinance.

SECTION XVIII.B HAIGIS PARKWAY DISTRICT (HP)

B. PERMITTED USES

27. Marijuana Manufacturing Facility

28. Marijuana Testing Facility

SECTION XVIII.F. PINE POINT INDUSTRIAL OVERLAY DISTRICT (I-O)

B. PERMITTED USES

- 24. Marijuana Manufacturing Facility
- 25. Marijuana Testing Facility
- 26. Marijuana Cultivation Facility conducted within a full enclosed structure

SECTION XX. BUSINESS OFFICE-RESEARCH DISTRICT (BOR)

B. PERMITTED USES

- 23. Marijuana Manufacturing Facility
- 24. Marijuana Testing Facility

SECTION XX.C CROSSROADS PLANNED DEVELOPMENT DISTRICT (CPD)

B. PERMITTED USES

- 55. Marijuana Manufacturing Facility
- 56. Marijuana Testing Facility

SECTION XXI. INDUSTRIAL DISTRICT (I)

B. PERMITTED USES

- 27. Marijuana Manufacturing Facility
- 28. Marijuana Testing Facility
- 29. Marijuana Cultivation Facility conducted within a full enclosed structure

SECTION XXI.B. LIGHT INDUSTRIAL DISTRICT (LI)

C. PERMITTED USES

- 25. Marijuana Manufacturing Facility
- 26. Marijuana Testing Facility

27. Marijuana Cultivation Facility conducted within a full enclosed structure

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