

Comprehensive Land Use Code For the Town of Poland, Maine



Original Ratification April 28, 2001

Subsequent Enactment April 2, 2011

Amended April 06, 2019

CHAPTER 15 MARIJUANA STANDARDS

1501 SHORT TITLE – This Chapter shall be known as the “Marijuana Standards for the Town of Poland, Maine.”

1502 PURPOSE

1502.1 Purposes – The purposes of this Chapter are:

- A. To provide guidance to those wishing to establish any type of marijuana establishment in Poland;
- B. To clarify the approval criteria for each type of marijuana establishment; and
- C. To promote uniform standards.

1503 ADMINISTRATION

- A. Any commercial operation must submit site plans to the Planning Board and is subject to the administration of the Planning Board.
- B. The Code Enforcement Officer is responsible for the final sign off to the State regarding whether or not an operation meets the applicable requirements of the Comprehensive Land Use Code.

1504 MEDICAL MARIJUANA CAREGIVER CULTIVATION

1504.1 Allowed Locations – Medical marijuana caregiver cultivation sites shall be allowed in the following locations, subject to the requirements of this Section:

- A. All Zones
- B. Must follow the requirements of home occupation as defined in the CLUC.

1504.2 Security – Medical marijuana caregiver cultivation sites must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four (24) hours per day, seven (7) days per week, and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

1504.3 Ventilation – Each medical marijuana caregiver cultivation site must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

1505 MEDICAL MARIJUANA MANUFACTURING FACILITIES

1505.1 Allowed Locations – Medical marijuana manufacturing facilities shall be allowed in the following locations, subject to the requirements of this Section:

- A. All Zones

- B. Must be a registered caregiver and follow the requirements of home occupation as defined in the CLUC.
- C. Requires licensing by the Town to operate.

1505.2 Security – Medical marijuana manufacturing facilities must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by alarm.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four (24) hours per day, seven (7) days per week, and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

1505.3 Ventilation – Each medical marijuana manufacturing facility must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

1506 MEDICAL MARIJUANA TESTING FACILITIES

1506.1 Allowed Locations – Medical marijuana manufacturing facilities shall be allowed in the following locations, subject to the requirements of this Section:

- A. All Zones
- B. Must be a registered caregiver and follow the requirements of home occupation as defined in the CLUC.
- C. Requires licensing by the Town to operate.

1506.2 Security – Medical marijuana manufacturing facilities must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by alarm.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four (24) hours per day, seven (7) days per week, and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

1506.3 Ventilation – Each medical marijuana manufacturing facility must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants.

1507 MEDICAL MARIJUANA REGISTERED CAREGIVER RETAIL STORES

1507.1 Allowed Locations – Medical marijuana registered caregiver retail stores shall be allowed in the following locations, subject to the requirements of this Section:

- A. Village 4 Zone
- B. General Purpose 1 Zone

C. Each zone, Village 4 and General Purpose 1, may have a combined maximum of five (5) medical marijuana registered caregiver retail stores and/or adult use retail stores in each district. A site may contain one or more stores provided they are all within the same building.

D. This is a permitted use requiring Planning Board approval and licensing from the Town to operate.

1507.2 Signs

A. Signage for medical marijuana registered caregiver retail stores will comply with Chapter 5 §508.18 Signs, of this Code, as well as with any applicable requirements of State law or regulation.

1507.3 Security – Medical marijuana registered caregiver shall comply with the following requirements:

A. Shall have lockable doors and windows and shall be served by an alarm system.

B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four (24) hours per day, seven (7) days per week, and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

1507.4 Ventilation – Each medical marijuana registered caregiver retail store must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants in the building.

1508 (RESERVED)

1509 (RESERVED)

1510 ADULT USE MARIJUANA CULTIVATION FACILITIES

1510.1 Allowed Locations – Adult use marijuana cultivation facilities shall be allowed in the following locations, subject to the requirements of this Section:

A. Tier 1: maximum 500 square feet canopy.

1. All Zones

2. Tier 1 adult use marijuana cultivation must follow the requirements of home occupation as defined in the CLUC.

B. Tier 2: maximum 2,000 square feet of canopy.

1. Village 4 Zone and General Purpose 1 Zone. Must be combined with a medical or adult use retail storefront. Maximum of five cultivation sites in each zone.

2. Farm and Forest Zone. Maximum of five (5) cultivation sites.

3. Total number of Tier 2 cultivation sites among the three zones cannot exceed a maximum of ten (10).

- C. Tier 3: maximum 7,000 square feet of canopy.
 - 1. Farm and Forest Zone. Maximum of five (5) cultivation sites.
- D. Tier 4: 20,000 square feet of canopy. NOT PERMITTED
- E. Tier 2 and Tier 3 are permitted uses requiring Planning Board approval and licensing from the Town to operate.

1510.2 Security – Adult use marijuana cultivation facilities must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four (24) hours per day, seven (7) days per week, and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

1510.3 Ventilation – Each adult use marijuana cultivation facility must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants in the building.

1511 ADULT USE MARIJUANA PRODUCTS PRODUCTION FACILITIES

1511.1 Allowed Locations – Adult use marijuana products manufacturing facilities shall be allowed in the following locations, subject to the requirements of this Section:

- A. Allowed in all locations where adult use cultivation is allowed and must be co-located with a cultivation facility.
- B. This is a permitted use requiring Planning Board approval and licensing by the Town to operate.

1511.2 Security – Adult use marijuana products manufacturing facilities must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four (24) hours per day, seven (7) days per week, and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

1511.3 Ventilation – Each adult use marijuana products manufacturing facility must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants in the building.

1512 ADULT USE MARIJUANA TESTING FACILITIES

1512.1 Allowed Locations – Adult use marijuana testing facilities shall be allowed in the following locations, subject to the requirements of this Section:

- A. Allowed in all locations where adult use cultivation is allowed and must be co-located with a cultivation facility.
- B. This is a permitted use requiring Planning Board approval and licensing by the Town to operate.

1512.2 Security – Adult use marijuana testing facilities must meet the following security requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four (24) hours per day, seven (7) days per week, and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

1512.3 Ventilation – Each adult use marijuana testing facility must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants in the building.

1513 ADULT USE MARIJUANA STORES

1513.1 Allowed Locations – Adult use marijuana stores shall be allowed in the following locations, subject to the requirements of this Section:

- A. Village 4 Zone
- B. General Purpose 1 Zone
- C. Each zone, Village 4 and General Purpose 1, may have a combined maximum of five (5) medical marijuana registered caregiver retail stores and/or adult use retail stores in each district. A site may contain one or more stores provided they are all within the same building.
- D. This is a permitted use requiring Planning Board approval and licensing from the Town to operate.

1513.2 Signs

- A. Signage for adult use marijuana stores will comply with Chapter 5 §508.18 Signs, of this Code, as well as with any applicable requirements of State law or regulation.

1513.3 Security – Adult use marijuana stores must meet the following requirements:

- A. Shall have lockable doors and windows and shall be served by an alarm system.
- B. Shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four (24) hours per day, seven

(7) days per week, and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

1513.4 Ventilation – Each adult use marijuana store must be in an enclosed structure and shall have an odor mitigation system installed and operational that will provide odor control sufficient to ensure that no odors are perceptible off the premises or to neighboring tenants in the building.

END OF ORDINANCE