



# TOWN OF WINSLOW, MAINE

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114 Benton Avenue  
Winslow, ME 04901

## TOWN COUNCIL

ORDINANCE NO. 05-2023

*Public hearing June 12, 2023*

### AN ORDINANCE

Providing for: An Amendment to §300-45 D.2 of the Town Code, to allow adult-use recreational marijuana facilities as a conditional use in the Mixed Use District by deleting the ~~strikethrough~~ text and adding the underline text per the attached copy.

**BE IT ORDAINED** by the Town Council of the Town of Winslow, as follows:

**WHEREAS**, Amending the Medical Marijuana ordinance to include adult-use recreational marijuana requires that adult-use recreational facilities be incorporated into the allowed uses in the zoning ordinance in the applicable districts; and

**WHEREAS**, Medical Marijuana is a conditional use in the Mixed Use District, making it the appropriate district for adult-use recreational facilities as well; and

**WHEREAS**, the Mixed Use District comprises the bulk of commercial industry in the Town; now therefore

**BE IT ORDAINED** by the Town Council to amend §300-48 C.1 of the Town Code, to allow adult-use recreational marijuana facilities as a conditional use in the Mixed Use District by deleting the ~~strikethrough~~ text and adding the underline text per the attached copy.

**SPONSORED BY:** Administration

### IN THE TOWN COUNCIL

July 10, 2023

First Reading 7 0  
accepted rejected

August 14, 2023

Second Reading 7 0  
adopted rejected

APPROVED: August 14, 2023

Audra Henry  
Town Clerk

CHAIRMAN: [Signature]  
Jerry Lewin  
[Signature]  
Joseph R. Brown

[Signature]  
[Signature]

§ 300-45 Mixed Use District.

[Amended 3-8-1999 by Ord. No. 3-1998; 3-12-2007 by Ord. No. 2-2007; 12-13-2000 by Ord. No. 1-2010; 5-14-2012 by Ord. No. 3-2012; 1-13-2014 by Ord. No. 5-2013; 1-11-2016 by Ord. No. 15-2015]

D. Allowed uses.

(2) Conditional uses: [Amended 6-12-2017 by Ord. No. 5-2017; 8-12-2019 by Ord. No. 11-2019]

Auto service

Community centers

Fireworks sales and storage

Government buildings

Indoor recreation

Kennels

Laboratories

Manufacturing

Manufacturing, warehousing and retail over 20,000 square feet (Note 2 above)

~~Medical~~ Marijuana caregiver store – Adult Use and Medical

~~Medical~~ Marijuana cultivation facility, including registered caregiver facilities – Adult Use and Medical

Marijuana manufacturing facility – Adult Use and Medical

Medical marijuana dispensary

~~Medical~~ Marijuana testing facility – Adult Use and Medical

Nightclub

Nursing homes

Parking lots

Redemption centers

Research facilities

Retail fuel sales



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[WWW.WINSLOW-ME.GOV](http://WWW.WINSLOW-ME.GOV)

To: Winslow Town Council

From: Winslow Planning Board

Date: June 21, 2023

RE: Proposal to amend the conditional use in the Mixed Use District to include recreational marijuana facilities

Esteemed Councilors,

The Winslow Planning Board considered the request to amend the conditional uses in the Mixed Use District to include adult-use recreational marijuana facilities at our June 21, 2023 public meeting. Mark Ward and Larry Desmond were not in attendance and so abstained from voting.

The Planning Board is issuing an "Ought to Pass" recommendation on this zoning change, but recommends altering the cultivation facilities to read, "Marijuana Cultivation Facilities, *including registered medical marijuana caregiver facilities*," due to the differing statutory requirements for caregiver facilities. The Planning Board recommends the amended conditional use by a 3 to 2 vote with Christopher Dawe and Steve Gagnon voting 'no'. The basis for this recommendation is that the Mixed Use District replaced the Commercial District and is the primary commercial zone in the Town. All four of the Town's existing medical marijuana facilities are sited in the Mixed Use district.

Sincerely,

Gary Owen, Planning Board Chair