



TOWN OF WINSLOW, MAINE

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www.winslow-me.gov

114 Benton Avenue
Winslow, ME 04901

TOWN COUNCIL

ORDINANCE NO. 07-2023

Public hearing June 12, 2023

AN ORDINANCE

Providing for: An Amendment to §300-47 C.3 of the Town Code, to allow adult-use recreational marijuana cultivation facilities as a conditional use in the Rural District by 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, Agriculture is a principal use in the Rural District under the Town Code; and

WHEREAS, the cultivation of medical marijuana was deemed to be an agricultural activity per Ordinance 04-2021 found under §164-4 J of the Town Code and cultivation of adult-use recreational marijuana is an identical process subject to the same statutory requirements under State Law; now therefore

BE IT ORDAINED by the Town Council to amend §300-47 C.3 of the Town Code, to allow adult-use recreational marijuana cultivation facilities as a conditional use in the Rural District by adding the underline text per the attached copy.

SPONSORED BY: Administration

IN THE TOWN COUNCIL

July 30, 2023

First Reading 7 0
accepted rejected

August 14, 2023

Second Reading 7 0
adopted rejected

APPROVED: August 14, 2023

Audrey Heun
Town Clerk

CHAIRMAN: [Signature]
Jerry Durin
[Signature]
Joseph D'Amico

[Signature]
[Signature]

§ 300-47 Rural District.

[Amended 3-8-1999 by Ord. No. 3-1998; 7-11-2005 by Ord. No. 5-2005; 3-12-2007 by Ord. No. 2-2007; 12-8-2008 by Ord. No. 3-2008; 10-13-2015 by Ord. No. 8-2015; 1-11-2016 by Ord. No. 15-2015]

C. Allowed uses.

(1) Principal uses:

Agriculture

Bed-and-breakfast

Boarding house

Cemeteries

Churches

Commercial greenhouses

Congregate housing

Convenience store

Essential services

Farm stands

farmers markets

Forestry

Home child care

Home occupations

Indoor recreation

Kennels

Medium-scale principal solar energy systems (MSPSES)

Minor home occupations

Mobile homes

Nursing homes

Parks and playgrounds

Passive recreation

Single-family dwellings

Small stores - 3,000 square feet

Temporary and seasonal itinerant vendors

Temporary vendors

Timber harvesting

Two-family dwellings

Veterinary clinic

Yard sale

(2) Special uses: reuse of agricultural structures after public hearing and review by the Zoning Board of Appeals

(3) Conditional uses: **[Amended 1-14-2019 by Ord. No. 8-2018]**

Auto service and repair

Automobile junk yard

Campgrounds

Child care center

Community centers

Companion animal care center

Golf courses

Large-scale principal solar energy systems (LSPSES)

[Marijuana cultivation facilities, including registered caregiver facilities – Adult Use and Medical](#)

Mineral extraction

Outdoor recreation

Radio/communication towers

Small stores - 3,000 square feet

Warehousing/storage



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114 BENTON AVENUE
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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 Rural District to include marijuana cultivation facilities

Esteemed Councilors,

The Winslow Planning Board considered the request to amend the conditional use in the Rural District to include marijuana cultivation 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 with a language amendment. The Planning Board recommends amending the proposed language 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 1 vote with Christopher Dawe and voting 'no' and Elery Keene abstaining. The basis for this recommendation is that agriculture is a primary use in the Rural District and commercial farming is already allowed. Marijuana cultivation is a farming and agricultural activity.

Sincerely,

Gary Owen, Planning Board Chair