

MID - C O A S T

REGIONAL PLANNING COMMISSION

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Methadone Clinic/Marijuana Dispensary: Land Use Ordinance / Site Plan Review Notes:

- Define methadone clinic and marijuana dispensary in ordinance
- Must be allowed, but can determine where/where not, limitations cannot have the effect of prohibition town wide (common law doctrine of legal uses), recommendation to be treated like other medical clinics
- Limitations allowed by distance to school (public or private), day care facility, recreational park, church, hospital, bar/restaurant serving alcohol, family amusement center, distances ranging from 500 to 1,500 feet, and from other methadone clinics (distance ½+ mile)
- Limitations allowed by direct (and only) access to state highway (serving regional population for example on a bus route)
- Land Use/Zoning Ordinance: Limitations by zoning district allowed (but, some towns just have shoreland zoning)
- Site Plan Review Ordinance: Enhanced design standards allowed like building scale, lighting, buffering, security (cameras 24/hours/day, lighting, alarm systems with PD notification), limits to outside displays, and fencing. A good site plan ordinance can be helpful for the regulation of other uses as well, like towers, wind energy facilities, adult businesses, heavy manufacturing, etc.

Definition Examples:

Addiction Treatment Facility: a facility for the outpatient treatment of chemically- or narcotic-dependent persons which administers or dispenses narcotic drugs under the direction of a physician in a rehabilitative context in order to alleviate, suppress, or eliminate adverse psychological or physiological effects associated with the continuous or sustained use of a narcotic drug.

Methadone Clinic: includes clinics, institutions, or other entities designed and operated, in part, for one or more of the following purposes: to manage opioid addiction, to administer opioid addiction treatment programs, to provide detox treatment to individuals who are attempting to overcome an addiction to or dependence upon heroin or other opioids and which operate under the Regulations for Licensing and Certifying of Substance Abuse Treatment Programs issued by the Maine Department of Health and Human Services Division of Licensing and Regulatory Services.

Medical Marijuana Registered Dispensary: Medical Marijuana Registered Dispensary means a not-for-profit entity as defined under Title 22 M.R.S.A., Section 2422 and registered pursuant to Title 22 M.R.S.A., Section 2428 and to Section 6 of the State of Maine Rule Governing the Maine Medical Use of Marijuana Program (10-144 CMR Chapter 22) that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana, paraphernalia or related supplies and educational materials to registered patients who have designated the Dispensary to cultivate marijuana for their medical use and the registered primary caregivers of those patients.