

Council Workshop
Regulating Recreational Marijuana
Monday, March 13 – 5:30-6:45

Purpose: To continue previous discussions and to develop next steps regarding the direction for land use regulation and licensing.

Staff to Attend: Nathan Poore, Town Manager; Amy Tchao, Town Attorney; Amanda Stearns, Community Development Director; Justin Brown, Code Enforcement Officer

Agenda

1. Options for Policy Development
 - a. Policy Implementer
 - i. Full Council
 - ii. Standing committee (CDC)
 - iii. Ad-hoc committee
 - iv. Staff
 - b. Public input
 - i. Public input during policy development
 - ii. Standard public input during ordinance adoption process
2. Options for Land Use
 - a. **Moratorium** – not a zoning amendment, requires hearing and is able to extended, requires Town to be working on a solution, see attached statute
 - b. **Prohibition (amend ordinance)**- recommended if this option is chosen to amend and place language in the Zoning and Site Plan Review Ordinance
 - c. **Prohibition with Sunset Clause (amend ordinance)** recommended if this option is chosen to amend and place language in the Zoning and Site Plan Review Ordinance.
 - d. **Amend Zoning and Site Plan Ordinance with policy additions**
 - i. Define uses – use state definitions – marijuana
 - ii. Determine where allowed – use current districts or create an overlay
 - iii. Special standards
 - iv. How permitted (permitted, conditional use) Conditional Use reviewed by the BZA and has general standards, requires public hearing
 - v. Depending on nature of development may or may not require site plan review.
 - e. **Do nothing** – Rely on the state moratorium to deny permits for use. Once state moratorium lapses, use would be permitted in whatever corresponding category it fits in such as marijuana retail store would fall under Retail and Service Establishment.
3. Options for Licensing
 - a. Let the state issue licenses
 - b. Town issues licenses
4. Conclusions and direction for staff

Reference - Category of use

Retail marijuana establishment. "Retail marijuana establishment" means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturing facility or a retail marijuana testing facility.

Specific uses

Retail marijuana products manufacturing facility. "Retail marijuana products manufacturing facility" means an entity licensed to purchase retail marijuana; manufacture, prepare and package retail marijuana products; and sell retail marijuana and retail marijuana products only to other retail marijuana products manufacturing facilities, retail marijuana stores and retail marijuana social clubs.

Retail marijuana social club. "Retail marijuana social club" means an entity licensed to sell retail marijuana and retail marijuana products to consumers for consumption on the licensed premises.

Retail marijuana store. "Retail marijuana store" means an entity licensed to purchase retail marijuana from a retail marijuana cultivation facility and to purchase retail marijuana products from a retail marijuana products manufacturing facility and to sell retail marijuana and retail marijuana products to consumers.

Retail marijuana testing facility. "Retail marijuana testing facility" means an entity licensed and certified to analyze and certify the safety and potency of retail marijuana and retail marijuana products.