



City of Auburn, Maine

Economic & Community
Development

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To: Auburn Planning Board
From: Megan Norwood, City Planner II
Re: Consider proposed amendments to Chapter 60, Article IX – Home Occupation Regulations, Section 60-738 of the Ordinances of the City of Auburn to limit the size of medical marijuana caregiver cultivation in Home Occupations.
Date: December 8, 2020

I. ORDINANCE OVERVIEW – Medical Marijuana Cultivation is permitted as a Home Occupation in all residential zoning districts provided it meets the 12 Home Occupation criteria listed in Sec. 60-738 and attached to this Staff Report. One of the criteria allows for 25% of the habitable floor area to be occupied by cultivation.

Staff, Councilors and North Auburn residents met on September 2, 2020 to discuss concerns raised by the neighborhood related to Marijuana Businesses and updates on the changing regulatory environment (*see attached synopsis of the discussion*). This information was discussed with the City Council on October 5th and Staff was instructed to move forward with some business related changes that can be adopted fairly quickly while some other considerations will take more time.

The recommended updates to Chapter 60 of the ordinance which falls under the purview of the Planning Board is to amend the Home Occupation criteria to cap the maximum floor area at 25% **OR** 500 square feet, whichever is less. The 25% Home Occupation criteria allows too much in larger single-family units (2,000SF home allows 500SF, 4,000SF allows 1000SF, 7000SF allows 1750SF) so Staff recommends a 500SF cap to stick to the spirit and intent of a Home Occupation.

II. STAFF RECOMMENDATION – Staff recommends the Planning Board make a favorable recommendation to the City Council on the change to the Home Occupation criteria as it applies to medical marijuana caregiver cultivation.

Suggested Motion: I make a motion for a favorable recommendation to the City Council to amend Chapter 60, Article IX – Home Occupation Regulations, Section 60-738 Criteria #3 to cap the maximum floor area of medical marijuana caregiver cultivation at 25% OR 500 square feet, whichever is less.

A handwritten signature in black ink that reads "Megan Norwood".

Megan Norwood
City Planner II