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**BILL 3468**

**ORDINANCE 2019-048**

**"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE UNIFIED DEVELOPMENT CODE."**

**WHEREAS**, the City Council of the City of Raymore, Missouri, adopted the Unified Development Code as Ordinance 28117 on December 8, 2008; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing on the proposed 31st amendment to the Unified Development Code on July 2, 2019, and has submitted its recommendation of approval to the Council; and

**WHEREAS**, the Council held a public hearing on the proposed 31st amendment to the Unified Development Code on July 8, 2019, and has determined the amendments proposed would be in the best interest of the health, safety and welfare of the citizens of Raymore.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:**

Section 1. Section 405.020H of the Unified Development Code is hereby amended as follows:

**Section 405.020 Use Table**

**H. Use Standards**

The "Use Standard" column in the use table provides a cross-reference to additional standards that apply to some uses, whether or not they are allowed as a permitted use, use subject to special conditions or conditional use.

Use	A	R	R	R-1	R-	R-1	R-	R-	R-3	R-3	P	Use Standard
		R	A	1	.5	2	3	A	B	R		
<b>COMMERCIAL USES</b>												
Medical Marijuana Cultivation Facility	P	-	-	-	-	-	-	-	-	-	-	420.030N

Section 2. Section 410.020H of the Unified Development Code is hereby amended as follows:

**Section 410.020 Use Table**

**H. Use Standards**

The "Use Standard" column in the use table provides a cross-reference to additional standards that apply to some uses, whether or not they are

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allowed as a permitted use, use subject to special conditions or conditional use.

Use	PO	O-1	O-2	O-3	BP	M1	M2	P	Use Standard
<b>COMMERCIAL USES</b>									
Medical Marijuana									
Cultivation Facility (Outdoor)	-	-	-	-	C	C	C	-	420.030N
Cultivation Facility (Indoor)	-	-	-	-	P	P	P	-	420.030N
Dispensary Facility	-	P	P	P	P	P	P	-	420.030N
Infused Products	-	-	-	-	P	P	P	-	420.030N
Manufacturing Facility									
Testing Facility	P	P	P	P	P	P	P	-	420.030N
Transportation Facility	-	-	-	-	P	P	P	-	420.030N

Section 3. Section 420.030 of the Unified Development Code is hereby amended by the addition of the following:

**N. Medical Marijuana Facilities**

Medical marijuana related uses and facilities as defined in Article XIV of the State of Missouri Constitution must comply with the following standards:

**1. Location Restrictions:**

a. No outdoor medical marijuana cultivation facility shall be operated or maintained:

1. within one-thousand feet (1,000') of an elementary or secondary school, day-care center, or religious assembly; or
2. within one-thousand feet (1,000') of any residence.

b. No indoor medical marijuana cultivation facility shall be operated or maintained:

1. within five-hundred feet (500') of an elementary or secondary school, day-care center, or religious assembly; or
2. within five-hundred feet (500') of any residence.

c. No medical marijuana infused products manufacturing facility or transportation facility shall be operated or maintained:

1. within five-hundred feet (500') of an elementary or secondary school, day-care center, or religious assembly; or

2. within five-hundred feet (500') of any residence.

d. No medical marijuana dispensary or testing facility shall be operated or maintained:

1. within five-hundred feet (500') of an elementary or secondary school, day-care center, or religious assembly; or
2. within one-hundred feet (100') of any residence.

e. In the case of a free-standing medical-marijuana facility, the distance between the facility and a school, day-care center, religious assembly or residence shall be measured from the property line of the facility to the closest point of the property line of the school, day-care center, or religious assembly, or to the closest point of a residence.

f. In the case of a medical marijuana facility that is part of a multi-tenant building, the distance between the facility and the school, day-care center, religious assembly or residence shall be measured from the property line of the school, day-care center, or religious assembly or the closest point of a residence to the facility's entrance. If the school, day-care center, or religious assembly is also located in a multi-tenant building, then the distance shall be measured from the closest entrance of each use.

g. In the case where a residence is located on the same property as a medical marijuana facility, said residence does not have to comply with the minimum separation requirement from the medical marijuana facility.

h. No medical marijuana dispensary facility shall be located in a building that contains a residence.

i. No medical marijuana facility shall be located within one-thousand feet (1,000') of another medical marijuana facility. Combined facilities owned by a single entity at a single location are allowed.

j. Measurements shall be made in a straight line at the closest point between property lines or buildings, without regard to any intervening buildings.

k. When a new school, day-care center, religious facility, or residence is located within the location restriction areas applicable to an existing medical marijuana related use, the

medical marijuana use may continue to operate indefinitely provided a valid occupational license is maintained.

**2. Outdoor Storage:**

All operations and storage of materials, products, or equipment for a medical marijuana facility located in the PO, C-1, C-2, or C-3 zoning district shall be within a fully enclosed and secured building where the medical marijuana facility is located.

Section 4. Section 485.010 of the Unified Development Code is hereby amended with the addition of the following definitions:

Term	Definition
Marijuana or Marihuana	Means <i>Cannabis indica</i> , <i>Cannabis sativa</i> , and <i>Cannabis ruderalis</i> , hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. "Marijuana" or "Marihuana" does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.
Marijuana-Infused Products	Products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.
Medical Marijuana Cultivation Facility	A facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Marijuana Dispensary Facility, Medical Marijuana Testing Facility, or a Medical Marijuana Infused Products Manufacturing Facility.
Medical Marijuana Dispensary Facility	A facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer medical marijuana to a Qualifying Patient, a Primary caregiver, another licensed Dispensary Facility, a licensed Medical Marijuana Testing Facility, or a Medical Marijuana-Infused Products Manufacturing Facility.
Medical Marijuana Facility	A medical marijuana cultivation facility, medical marijuana dispensary, medical marijuana infused products

	manufacturing facility, medical marijuana testing facility, or medical marijuana transportation facility.
Medical Marijuana Infused Products Manufacturing Facility	A facility licensed by the State of Missouri to acquire, store, manufacture, transport, and sell marijuana-infused products to a Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or to another Medical Marijuana-Infused Products Manufacturing Facility.
Medical Marijuana Testing Facility	A facility certified by the State of Missouri to acquire, test, certify, and transport medical marijuana.
Medical Marijuana Transportation Facility	A facility certified by the State of Missouri to transport marijuana to a qualifying patient, a primary caregiver, a medical marijuana cultivation facility, a medical marijuana-infused products manufacturing facility, a medical marijuana dispensary facility, a medical marijuana testing facility, or another medical marijuana transportation facility.

Section 5. This Ordinance shall be known as the 31st amendment to the Unified Development Code.

Section 6. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor’s signature and attestation by the City Clerk.

Section 7. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**DULY READ THE FIRST TIME THIS 8TH DAY OF JULY, 2019.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 22ND DAY OF JULY, 2019 BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad	Aye
Councilmember Barber	Aye
Councilmember Berendzen	Aye
Councilmember Burke III	Aye
Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Jacobson	Aye
Councilmember Townsend	Aye

ATTEST:

Jean Woerner  
Jean Woerner, City Clerk

APPROVE:

Kristofer P. Turnbow  
Kristofer P. Turnbow, Mayor

7/23/2019  
Date of Signature