

**City of Bellefontaine Neighbors
Planning & Zoning Commission Minutes
Special Meeting for Medical Marijuana
October 1, 2019**

Chairman Wiese called the meeting to order at 7:04 pm.

Present: Chairman Wiese, City Engineer Klein, Inspector Raben, Members Gordon, Borzymowski, Lane, Barrett
Excused: Member Duhadway

Members were asked if there were any changes to the minutes of the P&Z meeting September 9, 2019. There were none. Motion to accept the minutes was made by Borzymowski, seconded by Gordon. Motion passed unanimously.

Medical Marijuana

Chairman Wiese opened the floor stating the reason for the special meeting was to review and work out details related to the legalization of Medical Marijuana (MM) that will take place on January 1st, 2020. At the September 9th meeting, MM was first discussed with preliminary recommendations for the BOA formulated at that meeting with some details yet to be reviewed or known. More details, including comparative data from other municipalities, and details from St. Louis County and State of Missouri, were still evolving or unknown at the time.

After a brief overview, Wiese turned over the floor to Barrett who was asked to present any new information on the subject and run down an updated Excel spreadsheet & MM information "packet" with pertinent data Chairman Wiese had provided all members of the group.

Barrett stated that the St. Louis County Council had finalized & approved zoning ordinance revisions for MM on 9/12/19. The County's treatment of MM is a backdrop to our own considerations. Information from Town & Country concerning their treatment of MM facilities had also been obtained since the previous meeting.

Barrett attended a "webinar" the week before put on by the Municipal League, presented by Cunningham, Vogel & Rost P.C., a legal firm specializing in municipal law. The presentation was very informative and one of its handouts contained a link to the July 1st issue of the Missouri Register, the official publication of the state of Missouri. In it were the latest Code of State Regulations concerning MM, detailing the definitions, applications, allowable medical conditions, use, handling and other requirements governing medical marijuana legalization in the state.

P&Z members went down the Excel spreadsheet line-by-line to review & reconsider "old business" and discuss any new information affecting preliminary choices:

- In general, it was decided that so-called "buffer distances" (exclusionary zones) between MM facilities and protected areas (churches, primary & secondary schools and child care facilities), originally set at 500 ft., would be shortened to 300 ft. for all facility types (Cultivation, Manufacturing, Testing & Dispensaries). The reason for the change was to allow for a possible future MM licensing window by the state that might result in a Dispensary sited in one of two under-utilized shopping centers within the city: I-367 & Jennings Station Road and I-367 & Comet Drive. Both shopping centers contain churches but a 300 ft. exclusion zone would still allow Dispensaries to be located within them.
- Cultivation was approved for Indoor only (Outdoor Cultivation not allowed), echoing the choice of most other municipalities. It was decided that Indoor Cultivation facilities would not require a Conditional Use Permit (CUP) but Manufacturing, Testing & Dispensaries would require CUP's as those facilities have the potential to trigger at least one of the four conditions set forth in the City's Article XVI Conditional Use Regulations.
- Hours of operation was agreed to be from 8 am to 9 pm, seven days per week. This is maximum time allowed by the state and almost all municipalities fall in line, the only exception being Town & Country which limits hours of operation to 6 pm.
- P&Z unanimously agreed to adopt the County's Definitions for MM facilities and buffer distance measurement requirements.

It was unanimously agreed these recommendations would be formalized and presented at the next BOA meeting on 10/4/19.

Livestock

The last order of business was presented by Inspector Raben who recently received an inquiry by a couple in the audience who had purchased, or were considering purchasing, property along Bellefontaine Road, north of Shepley, with a deep lot abutting the railroad tracks at the east end. They would like to raise a limited number of chickens, goats & sheep on the property. The City's zoning ordinances do cover chickens and horses but don't address goats & sheep. The couple was informed that P&Z would review & take up the matter at the next meeting.

With all business concluded, a motion to adjourn was made by Barrett, seconded by Gordon. Motion passed unanimously.

Meeting adjourned at 8:25.

Recommendations & Action Items:

1. P&Z recommendations for Medical Marijuana zoning will be presented at the BOA meeting 10/4/19.

Respectfully Submitted,

Pat Barrett