

ARTICLE 6. – USE STANDARDS

DIVISION II – USES PERMITTED WITH CONDITIONS

Section 6.395. – Medical Marijuana Facilities.

- A. This section covers the following uses: Medical Marijuana Facilities, Medical Marijuana Dispensary, Medical Marijuana Cultivation Facility, Medical Marijuana-infused Products Manufacturing Facility, Medical Marijuana Testing Facility and Medical Marijuana Transportation Facility.
- B. Definitions. As used in this Section only, and notwithstanding definitions of the same or related words or terms in Article 15 of this UDO, the following words and terms shall have the following meanings:
 1. “Church” shall have the meaning set forth in Title 19, Division 30, Chapter 95, Section 95.010 of the Code of State Regulations (19 CSR 30-95.010), and as such definition may be amended from time to time in such state regulation.
 2. “Child day-care center” shall have the meaning as defined for the term “daycare” as set forth in Title 19, Division 30, Chapter 95, Section 95.010 of the Code of State Regulations (19 CSR 30-95.010), and as such definition may be amended from time to time in such state regulation.
 3. “Elementary or secondary school” shall have the meaning set forth in Title 19, Division 30, Chapter 95, Section 95.010 of the Code of State Regulations (19 CSR 30-95.010), and as such definition may be amended from time to time in such regulation.
- C. General Standards. All medical marijuana facilities shall comply with the following regulations, in addition to all other regulations imposed upon such facilities by federal, state or local law:
 1. A business license shall be obtained annually, and the medical marijuana license issued by the State of Missouri shall be displayed in an open and conspicuous place on the premises.
 2. Medical marijuana facilities must develop, implement, and maintain an odor control plan, which shall address odor mitigation practices including, but not limited to, engineering controls, such as system design and operational processes, which shall be reviewed and certified by a professional engineer or a certified industrial hygienist as sufficient to effectively mitigate odors for all odor sources. No use shall emit an odor that violates the provisions of Chapter 16, Section 302.1.2 Commercial Odor.
 3. No medical marijuana facilities shall be located in a building that contains a residence, and no residences may be established or maintained in a medical marijuana facility.
 4. All medical marijuana facilities may be open to the public between the hours of 9:00 A.M. to 9:00 P.M. Monday through Friday, 9:00 A.M. to 6:00 P.M., Saturday and 10:00 A.M. to 6 P.M. Sunday ; no persons not employed by the business shall be on the premises, and no sales or distribution of marijuana shall occur upon the premises outside of these times.
 5. No marijuana may be smoked, ingested, or otherwise consumed on the premises of a medical marijuana facility.
 6. All operations and all storage of materials, products, or equipment shall be within a fully enclosed building. No outdoor operations or storage shall be permitted.
 7. If multiple licenses for medical marijuana facilities are issued for one lot, tract or parcel of property, then restrictions for the highest intensity use shall apply. The highest intensity use shall mean the use that has the most restrictive regulations.

8. Buffer. The applicant shall be responsible for submitting a survey that is compliant with the America Land Title Association requirements, or other form of certified measurement that can be verified by City staff, to prove that the proposed facility and property meets the distance requirements set forth in this section. No medical marijuana facility shall be sited, at the time of application for license or for local zoning approval, whichever is earlier, within one thousand (1,000) feet of any then-existing elementary or secondary school, child day-care center, or church. The method of measuring such distance between a medical marijuana facility and an elementary or secondary school, child day-care center, or church shall be as set forth in Title 19, Division 30, Chapter 95, Section 95.040 of the Code of State Regulations (19 CSR 30-95.040), and as such state regulations may be amended from time to time. The distance between a medical marijuana facility and an elementary or secondary school, child day-care center, or church shall not be less than the distance required by such state regulations and this paragraph.
9. All other City Codes requirements that are not inconsistent with the medical marijuana facility regulations of the UDO shall apply to all medical marijuana facilities.
10. All medical marijuana facilities shall be constructed and operated in compliance with the rules and regulations issued by the State of Missouri Department of Health and Senior Services.

Sec. 8.340. - CPTED uses specified.

The following uses have been classified as "Uses with Conditions" per Division 2 of Article 6 of this chapter, having been determined with a tendency toward an increased risk of crime. Specific conditions for such uses are found in Division 2 of Article 6 and shall be required to be met prior to receiving any zoning approval, business license or approval to occupy any commercial space:

- A. Bank/financial services;
- B. Bank drive-thru facility;
- C. Check cashing and payday loan business;
- D. Convenience store (C-Store);
- E. Financial services with drive-up window or drive-thru facility;
- F. Pawn shop;
- G. Title loan business, if performing on site cash transactions with \$500.00 or more in cash on hand;
- H. Unattended self-serve gas pumps;
- I. Unsecured loan business;
- J. Medical Marijuana Dispensary;
- K. Medical Marijuana Cultivation Facility;
- L. Medical Marijuana-infused Products Manufacturing Facility;
- M. Medical Marijuana Testing Facility;
- N. Medical Marijuana Transportation Facility;
- O. Other similar uses shall meet the same standards as the above.

ARTICLE 15. – RULES OF INTERPRETATION AND DEFINITIONS

DIVISION II – DEFINITIONS

[Note: The following definitions are amended or added, as noted. All other definitions in Article 15, Division II which do appear below remain as codified and are unaffected by this amendment.]

Sec. 15.150. - Agricultural operation.

Agricultural operation shall mean use of land where such land is devoted to the production of plants, animals or horticultural products, including forests and forest products; harvest and management; dairy farming; grazing and pasturage; truck gardening; bee keeping; the raising of crops, fruit and nursery stock; fish farms; fur bearing animal farms; and the harvesting, processing, packaging, packing, shipping, marketing and selling of products produced on the premises; incidental farm occupations; and such uses as machinery, farm equipment, and domestic repair and construction. Agricultural operation shall not include commercial feed lots, slaughter houses, medical marijuana facilities or the removal of trees for the purpose of development or redevelopment or the removal of trees without replanting.

Sec. 15.1100. - Drive-up establishment.

Drive-up establishment shall mean a place of business that encourages customers to receive services or obtain goods, usually through a window or automated device, while remaining in their motor vehicle such as dry cleaners, banks, pharmacies grocery stores, etc. This definition does not apply to restaurants or package liquor establishments. Drive-up establishment shall not include medical marijuana facilities.

Sec. 15.1851. – Marijuana.

Marijuana shall have the meaning assigned to such term in Article 14, Section 1 of the Missouri Constitution, which is Cannabis indica, Cannabis sativa, and Cannabis ruderalis, 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” do not include industrial hemp containing a cropwide 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.

Sec. 15.1852. – Marijuana-infused Products.

Marijuana-Infused Products shall have the meaning assigned to such term in Article 14, Section 1 of the Missouri Constitution, which is 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.

Sec. 15.1853. – Marijuana-infused Products Manufacturing Facility.

Marijuana-Infused Products Manufacturing Facility shall have the meaning assigned to such term in Article 14, Section 1 of the Missouri Constitution, which is a facility licensed by the state 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.

Sec. 15.1854. – Medical Marijuana.

Medical Marijuana means marijuana allowed for the limited legal production, distribution, sale and purchase for medical use as governed by Article 14, Section 1 of the Missouri State Constitution.

Sec. 15.1855. – Medical Marijuana Facility.

Medical Marijuana Facility shall mean a medical marijuana cultivation facility, medical marijuana dispensary facility, medical marijuana-infused products manufacturing facility, medical marijuana testing facility, medical marijuana transportation facility, and any facility that contains one of these uses.

Sec. 15.1856. – Medical Marijuana Cultivation Facility.

Medical Marijuana Cultivation Facility shall have the meaning assigned to such term in Article 14, Section 1 of the Missouri Constitution, which is a facility licensed by the department to acquire, cultivate, process, store, transport, and sell marijuana to a medical marijuana dispensary facility, medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility.

Sec. 15.1857. – Medical Marijuana Dispensary Facility.

Medical Marijuana Dispensary Facility shall have the meaning assigned to such term in Article 14, Section 1 of the Missouri Constitution, which is a facility licensed by the department to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient, a primary caregiver, another medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.

Sec. 15.1858. – Medical Marijuana Testing Facility.

Medical Marijuana Testing Facility shall have the meaning assigned to such term in Article 14, Section 1 of the Missouri Constitution, which is a facility certified by the department [of health and senior services] to acquire, test, certify, and transport marijuana.

Sec. 15-1859. – Medical Marijuana Transportation Facility

Medical Marijuana Testing Facility shall have the meaning assigned to such term in as set forth in Title 19, Division 30, Chapter 95, Section 95.010 of the Code of State Regulations (19 CSR 30-95.010), which is a facility certified by the department to transport marijuana to a qualifying patient, a primary caregiver, a marijuana-infused products manufacturing facility, medical marijuana cultivation facility, medical marijuana dispensary facility or medical marijuana testing facility, or another medical marijuana transportation facility.

Sec. 15.2030. - Office.

Office shall mean the use of any building or premises primarily for conducting the affairs of a business, profession, service, industry, or government, and generally furnished with desks, tables, files, and communication equipment.

- A. Building contractor or construction firm office . An office primarily engaged in the provision of services relating to a building contractor or construction firm business.
- B. Business office, general . An office used primarily for the administrative or legal affairs of a company.
- C. Medical or dental office . An office occupied and maintained for the provision of services by a person licensed by the State of Missouri to practice in the healing arts for humans, such as a physician, surgeon, dentist, or optometrist. A medical office shall not include medical marijuana facilities.

- D. Professional office . An office occupied by a member of a recognized profession and maintained for the provision of professional services, such as but not limited to, a lawyer, architect, city planner, landscape architect, interior designer, accountant, financial planner, auditor, bookkeeper, real estate, brokerage for securities or commodities, secretarial services, or engineer.

Sec. 15.2490. - Research services.

Research services shall mean establishments primarily engaged in research of an industrial or scientific nature but excludes final product testing. Typical uses include electronics research laboratories, space research and development firms, medical laboratories, or pharmaceutical research labs. Research services shall not include medical marijuana facilities.

Sec. 15.1520. - Hospital.

Hospital shall mean an institution providing primary health service and medical and surgical care to persons suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions. This shall include, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities. Hospital shall not include medical marijuana facilities.

Sec. 15.1610. - Laboratory.

Laboratory shall mean a building, or portion thereof, in which scientific, medical or dental research, investigation, testing or experimentation is conducted. Laboratory shall not include medical marijuana facilities.