

## **BILL NO. 23-013**

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AN ORDINANCE AMENDING CHAPTER 33, UNIFIED DEVELOPMENT ORDINANCE, ARTICLES 6, 8, AND 15 OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI TO ACCOMMODATE RECENT CHANGES TO THE MISSOURI CONSTITUTION REGARDING MEDICAL MARIJUANA AND MARIJUANA.

WHEREAS, the voters of Missouri approved an amendment to Article XIV of the Missouri Constitution regarding medical marijuana and marijuana on November 8, 2022 ("Constitutional Amendment"); and,

WHEREAS, the City needs to amend various ordinances to accommodate the Constitutional Amendment, including Chapter 33, the Unified Development Ordinance (UDO) including definitions that are now included in the Constitutional Amendment; and,

WHEREAS, new uses have been introduced in the Constitutional Amendment that requires placement in the UDO's use table; and,

WHEREAS, locational controls that require a 1000 feet buffer from schools, churches, and daycares have not changed with the Constitutional Amendment; and,

WHEREAS, changes to Chapter 33, Articles 6, 8, and 15, of the Code of Ordinances of the City of Lee's Summit, Missouri ("Code"), to accommodate recent changes in the Constitutional Amendment; City of Lee's Summit, applicant, also documented as PL2022-431, shall be hereinafter be known as the "Amendment"; and,

WHEREAS, the Community and Economic Development Committee considered the Amendment on January 11, 2022, and directed staff to proceed with the ordinance amendment process; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the amendment and recommended approval to the City Council on January 17, 2022; and,

WHEREAS, the City Council has determined that the proposed amendment would serve the interests of the citizens of Lee's Summit by amending the Code to comply with the Constitutional Amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI,

SECTION 1. That Article 6 Use Standards - Division I General Provisions and Division II Uses Permitted with Conditions, Article 8 Site Standards - Division I Design Standards - Subdivision 6 Crime Prevention Through Environmental Design, Article 15 Rules of Interpretation and Definitions - Division II Definitions, are hereby amended in the manner shown on the copy appended hereto as Exhibit "A" and incorporated herein by reference

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SECTION 2. That it is the intention of the City Council and is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code and UDO, and the sections of this Ordinance and the UDO may be renumbered as appropriate by the City Clerk or the codifier of the City's Code to accomplish such intention.

SECTION 3. That this ordinance shall be in full force and effect from and after the date of its passage, adoption, and approval by the Mayor.

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Mayor *William A. Baird*

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Mayor *William A. Baird*

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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City Attorney, *Brian W. Head*