CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM
Council Bill 2019-262: Medical Marijuana Facilities

MEETING DATE
May 13, 2019

ORIGINATING DEPT
Planning, Development, & Neighborhood Services

ATTACHMENTS
CB 2019-262 Ordinance, Case 017-19 Minutes

REVIEWED BY
Dept. Head: Troy Bolander; City Attorney: Peter Edwards; Interim City Manager: Dan Pekarek

SUMMARY
This Council Bill amends Chapter 29-A, the Zoning Code, by amending Appendix A, Land Use Table, by adding language to permit medical marijuana facilities in certain districts.

BACKGROUND
Amendment 2 is an amendment to the Missouri Constitution approved by voters on November 6, 2018. Generally, Amendment 2 permits doctors to recommend marijuana for medical purposes to patients with qualifying medical conditions and allows for the limited legal production, distribution, sale, and purchase of marijuana for medical use. However, Amendment 2 did not change civil or criminal laws governing the use of marijuana for nonmedical purposes. Amendment 2 establishes four types of medical marijuana facilities: cultivation, infused products, dispensary, and testing. Each facility must be licensed by DHSS.

Municipalities may not prohibit medical marijuana. However, municipalities may enact time, place, and manner restrictions as long as they are not unduly burdensome on the operation of a facility. For instance, dispensaries may be regulated the same as pharmacies. Amendment 2 establishes a default 1,000-foot setback from any church, day care, or school. Municipalities may decrease this setback. It is recommended that cultivation facilities be zoned as agricultural (AG) for outdoor cultivation or industrial (M-2) for indoor cultivation; infused products facilities be zoned as industrial (M-2); and dispensary and testing facilities be zoned as commercial (C-2 and C-3).

FUNDING SOURCE
N/A

RECOMMENDATION
Staff recommends adoption of this Council Bill on a non-emergency basis.