



TENTATIVE AGENDA

For
August 4, 2020 – 7:00pm

The following agenda list items and subjects that will be discussed by the Mayor, Board of Aldermen and City Staff. A period of time, not to exceed sixty (60) minutes will be allotted to residents wishing to address the Board via e-mail. Questions directed to the Board cannot always be answered immediately. Persons wishing to suggest items for the agenda should contact their Aldermen no later than three (3) business days prior to the meeting, with final determination to be made by the Mayor. Otherwise, discussion will be limited to the Mayor, Board of Aldermen and City Staff.

1. CALL TO ORDER – ROLL CALL
2. Consideration of the July 21, 2020, meeting minutes.
3. Review of the Bill List and/or Monthly Financials
4. Communications
Board Members
Mayor
City Staff
Committees
5. City Administrator's Report
6. *Virtual Public Participation* via E-mail queries received by 5:00p.m. 8/4/20 sent to mayor@cityofkn.net
To Join Meeting online: <https://morenet.zoom.us/j/94250479844>
Or Dial: 1 (312) 626-6799
Zoom Meeting ID#: 942 5047 9844 Passcode#: 227520

Public Participation, in person and wishing to address the Board of Aldermen, will have 3 minutes each. When recognized, please state your name and address. Please note: Questions directed to the Board cannot always be answered immediately.

OLD BUSINESS

NEW BUSINESS

7. Consideration/discussion/approval of Bill No. 080420-A: AN ORDINANCE OF THE CITY OF KNOB NOSTER, MISSOURI, AMENDING THE KNOB NOSTER CITY CODE, CHAPTER 405 BY ADOPTING ONE NEW SECTION REGARDING MEDICAL MARIJUANA FACILITIES.
8. Consideration/discussion/approval of Bill No. 080420-B: AN ORDINANCE SETTING THE REGULAR MONTHLY MEETINGS OF THE BOARD OF ALDERMEN AND REPEALING ORDINANCE 439.
9. Consideration/discussion/approval of Backyard Chicken Permit Application submitted by Dan and Julie Richards of 605 East McPherson Street.
10. Adjournment.

AN ORDINANCE OF THE CITY OF KNOB NOSTER, MISSOURI, AMENDING THE KNOB NOSTER CITY CODE, CHAPTER 405 BY ADOPTING ONE NEW SECTION REGARDING MEDICAL MARIJUANA FACILITIES.

WHEREAS, in the November 2018 election, Missouri voters approved an amendment to the Missouri Constitution, Article XIV, pertaining to medical marijuana; and

WHEREAS, the Board of Aldermen of the City of Knob Noster, Missouri, now desires to amend the Knob Noster City Code in order to conform to the provisions of Article XIV of the Missouri Constitution;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF KNOB NOSTER, MISSOURI, AS FOLLOWS:

SECTION 1. The City Code of the City of Knob Noster is hereby amended by adding new sections, to read as follows:

405.452 Medical Marijuana Facilities.

A. Definitions. The following words shall have the meanings set forth below, unless the context clearly dictates otherwise, or unless contradicted by a definition provided by state statute or the Missouri Constitution, Article XVI Section 1:

Church. includes churches, synagogues, temples or other places of worship.

Marijuana or Marihuana. Means 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 seed thereof and resin extracted from the plant and marijuana-infused products. Marijuana 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.

Medical Marijuana Cultivation Facility. Means a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Dispensary Facility, Medical Marijuana Testing Facility, or to a Medical Marijuana-infused Products Manufacturing Facility.

Marijuana-Infused Products. Means 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-Infused Products Manufacturing Facility. Mean 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 Test Facility, or to another Medical Marijuana-Infused Projects Manufacturing Facility..

Medical Marijuana Dispensary Facility. Means 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 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 Projects Manufacturing Facility.

Medical Marijuana Facility means a Medical Marijuana Dispensary, Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, and Medical Marijuana-infused Products Manufacturing Facility.

Medical Marijuana Testing Facility, means a facility certified by the State of Missouri, to acquire, test, certify, and transport marijuana.

B. Facility Operation, Policies and Procedures

1. All licenses shall be displayed at all times within twenty (20) feet of the main entrance to a facility.
2. No new cultivation, infused products manufacturing, dispensary, or testing 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 the existing elementary or secondary school, daycare, or church.
 - a. In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church.
 - b. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school,

daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church.

- c. Measurements shall be made along the shortest legal walking path between the demarcation points.

C. *Dispensary*. A Medical Marijuana Dispensary may be located as a permitted use in C-2 districts subject to the following conditions

1. Dispensary must have the appropriate license from the Missouri Department of Health and Senior Services. Applicant may apply for a Special Use Permit upon a showing that the applicant has applied for such a license, but the Special Use Permit will not be issued until such license has been obtained.
2. Location.
 - a. No Dispensary may be located closer than one thousand (1000) feet from any other Dispensary, Medical Marijuana Facility except when marijuana sales represents less than 5% of the dollar volume of business in a state or federally licensed pharmacy.
 - b. No Dispensary may be located within five hundred (500) feet of a residential dwelling within a residential district
3. Conditional Use Permit to locate a Medical Marijuana Dispensary:
 - a. Shall be personal to the applicant and shall not run with the land.
 - b. Shall be subject to the Applicant's continued compliance with all applicable city ordinances regarding operation of a Medical Marijuana Facility.
4. Together with any other documents required for a conditional use permit, an Applicant shall provide a plan which reasonably shows that the facility is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the parcel on which the facility is located.

D. *Cultivation Facility*. A Medical Marijuana Cultivation Facility may be located as a permitted use in AG, I-1 and I-2 districts subject to the following conditions:

1. Cultivation Facility must have the appropriate license from the Missouri Department of Health and Senior Services. Applicant may apply for a Special Use Permit upon showing that the applicant has applied for such a license, but the Special Use Permit will not be issued until such license has been obtained.

2. Location.

- a. No Cultivation Facility may be located within five hundred (500) feet of a residential district residential dwelling within a residential district.

3. A Conditional Use Permit to locate a Medical Marijuana Cultivation Facility

- a. Shall be personal to the applicant and shall not run with the land.
- b. Shall be subject to the Applicant's continued compliance with all applicable city ordinances regarding operation of a Medical Marijuana Facility.

4. Together with any other documents required for a conditional use permit, an Applicant shall provide a plan which reasonably shows that the facility is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the parcel on which the facility is located.

E. *Infused Products Manufacturing Facility.* A Medical Marijuana Infused Products Manufacturing Facility may be located as a permitted use in I-I and 1-2 districts; joint operations are strongly encouraged with a Cultivation Facility. Approval of a Medical Marijuana Infused Products Manufacturing Facility shall only be approved upon satisfactory compliance with the provisions of this Section.

1. Infused Products Manufacturing Facility must have the appropriate license from the Missouri Department of Health and Senior Services. Applicant may apply for a Special Use Permit upon showing that the applicant has applied for such a license, but the Special Use Permit will not be issued until such license has been obtained.
2. Location.
 - a. No Infused Products Manufacturing Facility may be located within five hundred (500) feet of a dwelling within a residential district.
3. A Conditional Use Permit to locate an Infused Products Manufacturing Facility:
 - a. Shall be personal to the applicant and shall not run with the land.

- b. Shall be subject to the Applicant's continued compliance with all applicable city ordinances regarding operation of a Medical Marijuana Facility.
 - 4. Together with any other documents required for a conditional use permit, an Applicant shall provide a plan which reasonably shows that the facility is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the parcel on which the facility is located.
- F. *Testing Facility.* A Medical Marijuana Testing Facility may be located as a permitted use in I-I and 1-2 districts subject to the following conditions and as a permitted use in district AG if a joint-development with a Cultivation Facility, subject to the following conditions
- 1. Testing Facility must have the appropriate license from the Missouri Department of Health and Senior Services. Applicant may apply for a Special Use Permit upon showing that the applicant has applied for such a license, but the Special Use Permit will not be issued until such license has been obtained.
 - 2. Location.
 - a. No Testing Facility may be located within five hundred (500) feet of a residential dwelling within a residential district.
 - 3. A Conditional Use Permit to locate a Testing Facility:
 - a. Shall be personal to the applicant and shall not run with the land. .
 - b. Shall be subject to the Applicant's continued compliance with all applicable city ordinances regarding operation of a Medical Marijuana Facility.
 - 4. Together with any other documents required for a conditional use permit, an Applicant shall provide a plan which reasonably shows that the facility is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the parcel on which the facility is located. .

SECTION 2: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 3. All existing ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.

Read the first time by title only and approved by the Board of Aldermen of the City of Knob Noster, Missouri, the _____ day of July, 2020.

Read the second time by title only and approved by the Board of Aldermen of the City of Knob Noster, Missouri, the _____ day of July, 2020.

Adam Morton, Mayor

ATTEST:

City Clerk

BILL NO: 080420-B

ORDINANCE

**AN ORDINANCE SETTING THE REGULAR MONTHLY MEETINGS OF
THE BOARD OF ALDERMEN AND REPEALING ORDINANCE 439**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF
KNOB NOSTER, MISSOURI, AS FOLLOWS:**

Section 1. The regular monthly meetings of the Board of Aldermen shall be held in City Hall on the first and third Tuesdays of each month at 6:00p.m.

Section 2. Special meetings may be called by the Mayor or three or more members of the Board of Aldermen following procedures established in RSMo 610.010-030.

Section 3. That Ordinance 439 is in conflict with this ordinance and is hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval. Read two times, by title only, passed and approved on this 4th day of August, 2020.

Approved by the Mayor this _____ day of August, 2020.

Adam C. Morton, Mayor

Attest:

Amy M. Schouten, Knob Noster City Clerk