



**AGENDA  
CITY OF HARRISONVILLE  
COMMUNITY DEVELOPMENT COMMITTEE  
REGULAR MEETING  
CITY HALL  
JANUARY 15, 2019  
6:00 PM**

**I. Attendance**

- 1. Present**

**II. Approval of Minutes**

- 1. Community Development Committee - Regular Meeting - Aug 21, 2018 6:00 PM**

**III. Agenda**

- 1. Election Code Language Change**
- 2. Nuisance Code Revisions**
- 3. Medical Marijuana**

**IV. Discussion**

**V. Adjourn**

**Posted on City Hall Bulletin Board this 8th day of January, 2019.**

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**Randall K. Jones, City Clerk**



**DRAFT**  
**MINUTES**  
**CITY OF HARRISONVILLE**  
**COMMUNITY DEVELOPMENT COMMITTEE**  
**REGULAR MEETING**  
**CITY HALL**  
**AUGUST 21, 2018**  
**6:00 PM**

**I. Attendance**

Attendee Name	Organization	Title	Status	Arrived
David Dickerson	Harrisonville	Member	Present	
Matt Turner	Harrisonville	Member	Present	
Brian Hasek	Harrisonville	Chair	Present	
Brad Bockelman	Harrisonville	Member	Present	
Jessica Levsen	Harrisonville	Member	Present	

*Also in attendance were Roger Kroh, Community Development Planner; Happy Welch, City Administrator, John Foster; and Jamie Martin, Recording Secretary.*

**II. Approval of Minutes**

**1. Community Development Committee - Regular Meeting - Apr 17, 2018 6:00 PM**

*With no additions or corrections, the minutes were unanimously accepted.*

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>AYES:</b>	Dickerson, Turner, Hasek, Bockelman, Levsen

**III. Agenda**

**1. Prop D on Ballot**

*Happy Welch presented The Missouri Municipal League's request for support on Proposition D. Brian Hasek stated that he thinks tax issues are up to the voters and that the City should remain neutral. David Dickerson made a motion to not move a resolution suggested by the MML to the Board of Alderman. Jessica Levsen seconded the motion. The Committee voted unanimously.*

<b>RESULT:</b>	<b>DEFEATED [UNANIMOUS]</b>
<b>MOVER:</b>	David Dickerson, Member
<b>SECONDER:</b>	Jessica Levsen, Member
<b>AYES:</b>	Dickerson, Turner, Hasek, Bockelman, Levsen

**Minutes Acceptance: Minutes of Aug 21, 2018 6:00 PM (Approval of Minutes)**

**2. Code Amend 405.565 D.**

*Happy Welch presented changes to 405.565 D, Gravel Parking Lots/Driveways.*

*The Committee recommends:*

*To allow existing gravel parking lots to remain unless a new structure is built on a lot and that will trigger a requirement to pave with asphalt or concrete.*

*Gravel driveways will be allowed for new lots where the house is located more than 100 feet from street.*

*Existing gravel driveways on vacant lots with a new structure to be built drew a split vote on whether they could remain or not.*

*Gravel parking lots and driveways must be maintained and not be overrun with grass and weeds.*

*David Dickerson made a motion to take the changes to the Planning and Zoning Commission for further input and discussion. Jessica Levsen seconded the motion.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	David Dickerson, Matt Turner
<b>SECONDER:</b>	Jessica Levsen, Member
<b>AYES:</b>	Dickerson, Turner, Hasek, Bockelman, Levsen

**3. Code Amend 405.550 D**

*Happy Welch presented possible changes to 405.550 D, Accessory Structures in Commercial Zones.*

*The Committee recommends:*

*To allow detached Accessory Buildings in all commercial zone districts with the following restrictions; 200 square feet maximum building size, setbacks five feet from any public right of way, and must be located behind the main structure.*

*Matt Turner made a motion to send to the Planning and Zoning Commission. Jessica Levsen seconded.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	David Dickerson, Matt Turner
<b>SECONDER:</b>	Jessica Levsen, Member
<b>AYES:</b>	Dickerson, Turner, Hasek, Bockelman, Levsen

**IV. Discussion**

none

**V. Adjourn**

With no further business to come before the Committee, David Dickerson made a motion to adjourn. Jessica Levsen seconded the motion. The meeting was adjourned at 6:49 PM.

Minutes Acceptance: Minutes of Aug 21, 2018 6:00 PM (Approval of Minutes)

Respectfully Submitted,

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Jamie Martin, Recording Secretary



City of  
**Harrisonville**<sup>est. 1836</sup>  
STAFF REPORT

**TO:** Community Development Committee  
**FROM:** Happy Welch, City Administrator  
**DATE:** January 7, 2019  
**SUBJECT:** Election Code Language Change

**Type of Item:** *Approval*

Issue:

We have been made aware of some issues with the election qualifications section of our code and some corrections that need to be made.

Background:

Changes were made by the state for election qualifications that eliminated being in arrears for a water or electric bill, and removed federal misdemeanor as a non qualifier.

Also, it was noted to staff that we do not require anyone to live in a ward for a particular amount of time before they are able to file for that ward. You have to live in the city for 1 year.

Recommendation:

Review the "redline" ordinance for approval or any recommendations.

**1. Action Item (ID # 3092)**

Election Code Language Change

Attachments:

Revised Candidate Qualify Ord - JF redline 12-26-2018 hw comments (PDF)

**Council Bill**

**Ordinance**

**An Ordinance to Amend Chapter 105, Elections Sections 105.035 A. and C. and Chapter 110 Mayor and Board of Aldermen Section 110.020 by repealing said sections and enacting in lieu thereof new Section 105.035 A. and C., and Section 110.020, of the Harrisonville Municipal Code of Ordinances, and establishing an effective date.**

**WHEREAS**, the State of Missouri has amended Sections 79.070, 115.306.1. & 115.306.2. (2) of the Missouri Revised Statutes, regarding the qualifications and disqualification of candidates for elective public office in Cities of the Fourth Classification;

**WHEREAS**, the age requirement has changed from 21 years of age to 18 years of age in Section 79.070 RSMo.;

**WHEREAS**, the words “or misdemeanor” have been removed from the phrase “who has been found guilty of a felony or misdemeanor” in Section 115.306.1. RSMo.;

**WHEREAS**, the words “except candidates for a county or city committee of a political party,” with respect to filing an affidavit concerning tax delinquencies have been added to Section 115.306.2. (2) RSMo.;

**WHEREAS**, the City Staff of the City of Harrisonville, Missouri (“City”) recommends to the Board of Aldermen that the City wishes to mirror the state statutes in this matter incorporate the amendments to RSMo Sections 79.070, 115.306.1., and 115.306.2. (2) into the City Code; and

**WHEREAS**, the Board of Aldermen have reviewed the Staff recommendations and find that the proposed amendments are in the best interest of the City and its residents.

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**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:**

Section 1: That Section 105.035 Candidates for Municipal Office – Disqualifications, Filing of Affidavit, Tax Delinquency of the Municipal Code of Ordinances subsections A. and C. are hereby repealed, and new subsections A. and C. is are hereby amended by inserting a new section A. and C. as follows enacted in lieu thereof to read, as follows:

- A. ~~No person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony under the federal laws of the United States of America or to a felony under the laws of this state or an offense committed in another state that would be considered a felony in this state.~~
- ~~No person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony under the federal laws of the United States of America or to a felony under the laws of this state or an offense committed in another state that would be considered a felony in this~~

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Attachment: Revised Candidate Quality Ord - JF redline 12-26-2018 hw comments (Election Code Language Change)

~~state.~~

C. Each potential candidate for election to a public office, except candidates for a county or city committee of a political party, shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under Section 115.349 RSMo, and Section 105.050 of this Code. Such affidavit shall be in substantially the following form:

~~Each potential candidate for election to a public office, except candidates for a county or city committee of a political party, shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under Section 115.349 RSMo. Such affidavit shall be in substantially the following form:~~

**AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:**

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any State income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the State, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

\_\_\_\_\_  
Candidate's Signature

\_\_\_\_\_  
Printed Name of Candidate

Section 2: That Section 110.020 Alderman Qualifications and Term in Office of the Municipal Code of Ordinances is hereby amended by repealing the current Section 110.020 and ~~replacing with the following~~ enacting in lieu thereof a new Section 110.020 to read, as follows:

~~—~~ No person shall be an Alderman unless he/she is at least eighteen (18) years of ~~—~~ age, a citizen of the United States and an inhabitant and resident of the City for ~~—~~ one (1) year next preceding his/her election ~~and a resident of the ward from which~~ he/she is elected. Pursuant to Section 79.050, RSMo. and a vote of the citizens of ~~—~~ Harrisonville on April 2, 2002, Aldermen shall be elected for a term of four (4) ~~—~~ years.

Section 3: Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. That this order shall become effective immediately upon its passage and approval.

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Commented [JF1]: Was it your intention to repeal phrase?

Commented [HW2R1]: Nope. Don't know how screwed that up.

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Commented [JF3]: Was it your intention to remove portion of the current Code? Sometimes stating that amending can become confusing unless you repeal and enact or show the original and new language.

Commented [HW4R3]: No, I wasn't intending on removing it, just replacing the sections I thought need replacing.

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Commented [JF5]: Is it your intention that someone who is a resident of the City for one year, may move to another ward as a candidate in a different Ward the day of candidate registration? Essentially no residency requirement for time period in the Ward they choose to run in?

Commented [HW6R5]: Following the current language and state statute. No time restriction is currently required in a ward unless you count the "and" to be inclusive.

Attachment: Revised Candidate Qualify Ord - JF redline 12-26-2018 hw comments (Election Code Language Change)

**Vote taken as follows:**

**Ayes:**

**Nays:**

**Absent:**

**Abstain:**

**READ ONE TIME BY TITLE ONLY ON JANUARY 7, 2019. READ FOR A SECOND TIME BY TITLE ONLY ON JANUARY 7, 2019 AND WAS DULY APPROVED BY THE BOARD OF ALDERMEN THIS 7<sup>TH</sup> DAY OF JANUARY 2019.**

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Brian Hasek, Mayor and Ex-Officio  
Chairman of the Board of Aldermen

ATTEST:

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Randall K. Jones, City Clerk

**APPROVED** by the Mayor this 7<sup>th</sup> day of January 2019

Attachment: Revised Candidate Qualify Ord - JF redline 12-26-2018 hw comments (Election Code Language Change)



**TO:** Community Development Committee  
**FROM:** Happy Welch, City Administrator  
**DATE:** January 8, 2019  
**SUBJECT:** Nuisance Code Revisions

**Type of Item:** *Approval*

We need to make some changes in the nuisance section of the code of ordinances to bring them in line with state statute. I have included some examples of portions that need changes, but John Fairfield says we should probably do more than these.

**2. Action Item (ID # 3093)**

Nuisance Code Revisions

Attachments:

Changes to Nuisance Code Section (DOCX)

## Changes to Nuisance Code Section

### 1. Section 220.020 Enumeration.

[CC 1977 §16-18; Rev. Ords. 1939 Ch. 17 Art. 1 §§21, 45 Art. 3 §§1 — 3; Ord. No. 2284 §1, 8-26-1996; Ord. No. 2512 §1, 6-22-1998; Ord No. 2907 §§1 — 2, 3-7-2005; Ord. No. 2914 §1, 4-18-2005; Ord. No. 3072 §1, 2-2-2009]

#### A.

The following are hereby declared, defined and deemed to be nuisances for the purposes of this Article; provided however, that the following shall not be deemed to be exclusive:

#### 1.

All substances which emit or cause foul, obnoxious, unhealthful or disagreeable odor or effluvia in the neighborhood where they exist.

#### 2.

All carcasses of animals remaining exposed for twelve (12) hours after death.

#### 3.

Any growth of weeds, grasses or bushes to a greater height than twelve (12) inches; provided that this shall not apply to planted and cultivated flowers, shrubbery or other landscaping, provided it is maintained.

*Exception:* In agricultural zoned properties, or properties used for agricultural, there shall be no weeds, grasses or bushes over twelve (12) inches in height a minimum distance of twenty (20) feet from any adjoining property line, street or alley

### 2. Section 220.030 Notice To Abate.

[CC 1977 §16-19]

Whenever the City Administrator, or his/her duly authorized representative of the City, shall ascertain or have knowledge that a nuisance exists in or upon any house, building, lot or premises within the City or within one-half (½) mile of the corporate limits of the City, he/she shall, in writing, notify the owner or person occupying or having possession and control of such house, building, lot or premises to abate or remove such nuisance within a time to be specified in such notice; provided however, that when the owner of the property is a non-resident of the City and no person occupies, possesses or controls such building, lot or premises, notice shall be posted on the property to fulfill the requirements of this Section.

### 3. Section 220.100 Notice To Abate.

[CC 1977 §33-474; Ord. No. 867 §4, 5-20-1970; Ord. No. 1716 §1, 6-26-1989]

Whenever the City Administrator, or his/her duly authorized representative of the City, shall deem that any vehicle that is parked on any property within the City limits is a nuisance as defined herein, such official shall thereupon cause written notice to be served, by mail or by personal service, upon the owner of such property upon which such vehicle or junk is located. Such notice shall state that such vehicle is deemed to be a nuisance within the provisions of this Article and shall briefly state the facts which are deemed to make such vehicle a nuisance within the terms of this Article and further state that such nuisance shall be abated within ten (10) days of receipt of such notice. (See the blue highlight)

4. **Section 71.285 RSMo** attached. Do we need to adopt the time limits in the state statute or just include them on the notices we send out/post?



**TO:** Community Development Committee  
**FROM:** Jamie Martin, Assistant  
**DATE:** January 8, 2019  
**SUBJECT:** Medical Marijuana Memo

**Type of Item:** *Approval*

**3. Action Item (ID # 3094)**  
MEDICAL MARIJUANA

Attachments:

Medical Marijuana Memo 010819 (DOC)



300 E. Pearl Street, P.O. Box 367 • Harrisonville, MO 64701 • Tel: 816-380-8900 • Fax: 816-380-8906

January 8, 2019

To: Mayor and Members of the Board of Aldermen  
Chairman and Members of the Planning Commission

From: Happy Welch, City Administrator  
Christopher Arthur, Building Official  
Roger Kroh, Community Development Planner

Re: Issues Regarding Implementing Constitutional Amendment No. 2, Medical Marijuana

On November 6, 2018, the voters approved Constitutional Amendment No. 2 that legalizes medical marijuana (MMJ) and assigns the regulation of matters pertaining to MMJ to the Missouri Department of Health and Senior Services (DHSS). The amendment also provides for:

- Medical marijuana dispensaries
- Medical marijuana cultivation facilities
- Medical marijuana-infused products manufacturing
- Medical marijuana testing facilities
- Entities holding transportation certification for MMJ, and
- No MMJ facilities may be closer than 1000 ft. to churches, day cares and schools

City Responsibilities and Issues

Paragraph 7.11 in Constitutional Amendment 2 states what local governments may and may not do in terms of regulating medical marijuana. In brief, cities and counties:

- 1) may enact ordinances governing the time, place and manner of operation of MMJ facilities that are not in conflict with the State
- 2) may set civil penalties for violating ordinances on time, place, and manner of operation
- 3) shall not prohibit MMJ facilities and entities holding transportation certificates, and
- 4) shall not enact ordinances that make operation of MMJ facilities unduly burdensome.

More specifically, paragraph 7.11 reads as follows:

*Unless allowed by local government, no new Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana Dispensary Facility, or Medical Marijuana-Infused Products Manufacturing Facility shall be initially sited within one thousand feet of any then-existing elementary or secondary school, child day-care center, or church. No local government shall prohibit Medical Marijuana Cultivation Facilities, Medical Marijuana Testing*

Attachment: Medical Marijuana Memo 010819 (Medical Marijuana Memo)

*Facilities, Medical Marijuana Infused Products Manufacturing Facilities, or Medical Marijuana Dispensary Facilities, or entities with a transportation certification either expressly or through the enactment of ordinances or regulations that make their operation unduly burdensome in the jurisdiction. However, local governments may enact ordinances or regulations not in conflict with this section, or with regulations enacted pursuant to this section, governing the time, place and manner or operation of such facilities in the locality. A local government may establish civil penalties for violation of an ordinance or regulations governing the time, place, and manner of operation of a Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility, Medical Marijuana Dispensary Facility, or entity holding a transportation certification that may operate in such locality.*

Cities are also beginning to look into the changes to ordinances that will be needed as a result of Constitutional Amendment No 2. This will entail changes to the licensing section of the municipal code, building and fire codes, zoning ordinance and waste management ordinances of the city. Attached as Exhibit A is a preliminary list of issues that will need to be considered.

The city administrators in the KC region are meeting at the Mid America Regional Council on January 25 to learn more about what each community needs to be doing to be ready for MMJ. Information gained at this meeting may be helpful in guiding the city's next steps.

#### Implementation Calendar for Preparing for Medical Marijuana

Attached as Exhibit B is a proposed calendar for developing the local ordinances that will be necessary for implementation of Constitutional Amendment No. 2. The goal is for the city to have its ordinances ready when the DHSS has the State administrative rules in place and is ready to release application forms for dispensaries and facilities for cultivation, manufacturing, and testing.

#### Temporary Administrative Hold on Accepting MMJ Related Applications

As Harrisonville is venturing into new territory with medical marijuana, staff recommends that the city adopt a resolution placing an administrative hold on accepting applications for planning approvals, building permits and business licenses related to medical marijuana. Neighboring cities are considering doing likewise and Lee's Summit has already adopted such a resolution. The temporary hold would end when regulations are established or Aug. 3, 2019, whichever is first. August 3 is the DHHS deadline for issuing application forms,

#### Exhibits

Exhibit A	Medical Marijuana Considerations
Exhibit B	Calendar for Code Amendments

## MEDICAL MARIJUANA CONSIDERATIONS

### **OPERATIONS:**

- 1- DISPENSARIES.
- 2- TESTING LABS.
- 3- COMMERCIAL CULTIVATION OPERATIONS / CULTIVATION SUPPLY STORES.
- 4- HOME RESIDENCE CULTIVATION.

### **AREAS OF CONCERN:**

- 1- PLANNING AND ZONING.
- 2- BUILDING AND FIRE CODE.
- 3- SECURITY CONCERNS.
- 4- WASTE MANAGEMENT.

#### **1. DISPENSARIES.**

PLANNING AND ZONING ISSUES WILL REQUIRE REVISION TO OUR ZONING CHAPTER. DISTRICTS ALLOWED, C-2 ZONING WITH A POSSIBLE SUP REQUIREMENT, NUMBER ALLOWED, SETBACK AND SEPARATION REQUIREMENTS FROM OTHER PROPERTIES AND USES, POSSIBLE MIXED-USE FACILITIES, ALLOWABLE HOURS OF OPERATION AND SIGNAGE. SALES OF EDIBLE PRODUCTS MAY REQUIRE COUNTY HEALTH DEPARTMENT INVOLVMENT. COMPARABLE TO LIQUOR SALES.

BUILDING AND FIRE CODES ISSUES SHOULD BE RELATIVELY MINOR. OCCUPANCY CLASSES OF M AND POSSIBLE MIXED USE, EGRESS, CONTROLLED ACCESS, VENTILATION AND STORAGE ISSUES SHOULD ALL BE CONSIDERED. PROFESSIONAL DESIGN AND PLANS SHOULD BE REQUIRED. BUILDING PERMITS SHOULD BE REQUIRED, EVEN FOR THE SMALLEST ALTERATION.

SECURITY CONCERNS SHOULD BE LOOKED AT. COMMERCIAL GRADE DOORS AND LOCKS, SECURITY VIDEO DIGITAL RECORDING AND

WASTE MANAGEMENT GUIDELINES SHOULD BE DEVELOPED, INCLUDING CONTROL OVER WASTE PRODUCTS, DILUTION OF WASTE PRODUCTS AND TRACKING FROM FACILITY TO TRANSFER STATION.

## 2. TESTING LABS

VERY SIMILAR TO DISPENSARIES WITH THE FOLLOWING CHANGES. OCCUPANCY CLASS OF B AND POSSIBLE H DEPENDANT ON QUALITIES OF CHEMICALS. ZONING OF C DISTRICTS? SUP?

## 3. COMMERCIAL CULTIVATION/PRODUCTION OPERATIONS

THIS WILL BE THE MOST INTENSIVE REGARDING THE 4 MAIN AREAS OF CONCERN. ZONING OF M-1 OR M-2? SUP? THE SCOPE OF THIS TYPE OF FACILITY, OR A MIXED-USE FACILITY, OCCUPANCY CLASSES OF F-1, H, S, M, OR B, OR COMBINATIONS OF THESE, ARE POSSIBLE, INCLUDING THIS USE(S) WILL REQUIRE MULTIPLE REVISIONS TO THE 4 AREAS OF CONCERN. PROFESSIONAL DESIGN BY INDIVIDUALS WITH EXPERIENCE AND UNDERSTANDING OF APPLICABLE BUILDING AND FIRE CODES SHOULD BE REQUIRED. BUILDING PERMITS WILL BE REQUIRED. HAZARDOUS OCCUPANCY IS A DISTINCT POSSIBILITY. PROCESSING OF CONCENTRATED OILS AND LIKE PRODUCTS WILL REQUIRE INTENSE REVIEW. EDIBLE PRODUCTS MANUFACTURE WILL REQUIRE COUNTY HEALTH DEPARTMENT INVOLMENT.

COMMERCIAL CULTIVATION, PROCESSING AND BAKERIES/FOOD PRODUCT FACILITIES ARE USUALLY AN F-1 OCCUPANCY CLASS. THESE ARE HIGH-TECH FACILITIES, VERY CONTROLLED ENVIRONMENTS AND PROPER DESIGN IS ESSENTIAL.

EXTRACTION FACILITIES ARE F-1 FACILITIES OR, DEPENDING ON SIZE, HAZARDS DUE TO METHODS, OR QUANTITIES OF HAZARDOUS CHEMICALS (GASES, LIQUIDS OR SOLIDS) CAN OFTEN BE AN H OCCUPANCY CLASS. THESE ARE OFTEN LOOKED UPON AS THE MOST DANGEROUS ASPECT OF ANY OPERATION, PARTICULARLY WHEN RESIDENTIAL HOME CULTIVATORS ATTEMPT EXTRACTION PROCESSES. MANY ACCIDENTS HAVE OCCURRED. EXTRACTION FACILITIES ARE FOR THE MOST PART LOOKED ON IN THE SAME MANNER AS OTHER INDUSTRIAL FACILITIES.

WASTE MANAGEMENT ISSUES ARE MULTIPLIED VS. DISPENSARIES AND LABS.

A SIDE EFFECT OPERATION OF THESE INDUSTRIES IS THE CULTIVATION SUPPLY STORE. WE SHOULD BE PREPARED TO HANDLE THIS M OCCUPANCY WHICH MAY HAVE QUANTITIES OF ENRICHED SOILS, FERTILIZERS LIGHTING EQUIPMENT AND FLAMMABLE GASES; SOME OF MAY BE HAZARDOUS MATERIAL(S).

## 4. RESIDENCE CULTIVATION OPERATIONS

ALTHOUGH SEEMINGLY A MINOR FAUCET OF THE NEW STATE LAW, THIS IS AN OPERATION WITH AREAS OF CONCERN ALSO. ZONING – WHICH OR ALL R DISTRICTS? A AND E DISTRICTS? SUP? BUILDING AND FIRE CODE ISSUES PRESENT THEMSELVES. BUILDING PERMITS SHOULD BE REQUIRED DUE TO ELECTRICAL, VENTILATION AND SECURITY CONCERNS. ODORS CAN BE A PROBLEM AND SHOULD BE CONTROLLED. NEIHBORHOOD ISSUES CAN SURFACE AND CRIME CAN INCREASE.

EXTRACTION OPERATIONS OF ANY KIND REQUIRE A STATE INFUSED PRODUCTS MANUFACTURING LICENSE, AND THIS WILL HOPEFULLY PREVENT LEGAL EXTRACTION IN RESIDENTIAL SETTING. WE SHOULD ALTHOUGH RECOGNIZE THIS WILL PROBABLY BE AN ISSUE, SIMILAR TO CURRENT METH MANUFACTURING.

THE SIDE EFFECT OPERATION OF CULTIVATION SUPPLY STORES ALSO APPLIES TO THIS OPERATION.

WASTE MANAGEMENT IS ALSO AN ISSUE IN THIS OPERATION.

**GENERAL:**

1. ALL OPERATIONS LOCATIONS WILL HAVE A STATE MANDATED 1000 FEET SEPARATION DISTANCE TO SCHOOL, CHILD CARE ESTABLISHMENT, OR CHURCH.
2. IT APPEARS AS THOUGH WE CAN CONTROL PLACE, TIME, AND MANNER OF OPERATIONS, BUT I AM NOT SURE USING AN SUP IS GOING TO MEET THE STATE LAW REGARDING PROHIBITING OR PLACING UNDUE BURDEN ON THESE OPERATIONS.
3. DOMESTIC WATER BACKFLOW PROTECTION SHOULD BE MANDATORY FOR ANY CULTIVATION OPERATION, INCLUDING QUALIFYING PATIENT CULTIVATION.

THIS IS A DRAFT OF MY THOUGHTS CURRENTLY AND IS NOT ALL INCLUSIVE.

CHRIS ARTHUR

12/14/18

## EXHIBIT B

CALENDAR FOR CODE AMENDMENTS NECESSECARY TO REGULATE CONSTITUTIONAL AMENDMENT NO. 2, MEDICAL MARIJUANA		
Amendment No. 2 Deadlines	City Deadlines	Action
Nov. 6, 2018		Voters approve Constitutional Amendment No. 2
Dec. 6, 2018		Constitutional amendment becomes effective. Starts implementation timetable
Jan. 5, 2019		DHSS begins accepting pre-filing fees (not applications) from MMJ businesses wishing to pre-file for licenses. This was in amendment to underwrite cost of State's upfront costs.
	Jan. 15, 2019	Community Development Committee discuss <ul style="list-style-type: none"> <li>• MMJ implementation timetable and</li> <li>• Resolution placing an administrative hold on applications for MMJ facilities until DHSS and city regulations established or Aug. 3, 2019, whichever occurs first. <i>Aug 3 is the deadline for DHSS to issue application forms.</i></li> </ul>
	Jan. 25, 2019	City Administrators Meeting at MARC on MMJ Implementation
	Feb. 4, 2019	BOA considers administrative hold resolution.
<i>Schedule Subject to Change as Information Becomes Available</i>		
	Mar. 19, 2019	Community Development Committee considers licensing, land use and building codes necessary to regulate MMJ facilities
	April 18, 2019	Planning and Zoning Commission considers land use amendments necessary to regulate MMJ facilities.
	May 6, 2019	Board of Aldermen consider licensing, land use and building codes necessary to regulate MMJ facilities
June 4, 2019		State DHSS makes available MMJ license application forms and instructions for: <ul style="list-style-type: none"> <li>• dispensaries and facilities for cultivation, manufacturing and testing</li> <li>• ID cards for qualifying patient, patient cultivation and caregivers</li> </ul>
July 4, 2019		DHSS begins accepting applications for MMJ patient ID cards
Aug. 3, 2019		DHSS starts accepting applications for MMJ business licenses
Dec. 31, 2019		DHSS begins approving MMJ business licenses.

Attachment: Medical Marijuana Memo 010819 (Medical Marijuana Memo)