

City of Raymore Unified Development Code

Medical Marijuana Facilities

<p>Marijuana or Marihuana <i>(Amendment 31 - Ordinance 2019-48 7.22.19)</i></p>	<p>Means <i>Cannabis indica</i>, <i>Cannabis sativa</i>, and <i>Cannabis ruderalis</i>, 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” 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.</p>
<p>Marijuana-Infused Products <i>(Amendment 31 - Ordinance 2019-48 7.22.19)</i></p>	<p>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.</p>
<p>Medical Marijuana Cultivation Facility <i>(Amendment 31 - Ordinance 2019-48 7.22.19)</i></p>	<p>A facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Marijuana Dispensary Facility, Medical Marijuana Testing Facility, or a Medical Marijuana Infused Products Manufacturing Facility.</p>
<p>Medical Marijuana Dispensary Facility <i>(Amendment 31 - Ordinance 2019-48 7.22.19)</i></p>	<p>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 medical marijuana to a Qualifying Patient, a Primary caregiver, another licensed Dispensary Facility, a licensed Medical Marijuana Testing Facility, or a Medical Marijuana-Infused Products Manufacturing Facility.</p>
<p>Medical Marijuana Facility <i>(Amendment 31 - Ordinance 2019-48 7.22.19)</i></p>	<p>A medical marijuana cultivation facility, medical marijuana dispensary, medical marijuana infused products manufacturing facility, medical marijuana testing facility, or medical marijuana transportation facility.</p>
<p>Medical Marijuana Infused Products Manufacturing Facility <i>(Amendment 31 - Ordinance 2019-48 7.22.19)</i></p>	<p>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 Testing Facility, or to another Medical Marijuana-Infused Products Manufacturing Facility.</p>
<p>Medical Marijuana Testing Facility <i>(Amendment 31 - Ordinance 2019-48 7.22.19)</i></p>	<p>A facility certified by the State of Missouri to acquire, test, certify, and transport medical marijuana.</p>
<p>Medical Marijuana Transportation Facility <i>(Amendment 31 - Ordinance 2019-48 7.22.19)</i></p>	<p>A facility certified by the State of Missouri to transport marijuana to a qualifying patient, a primary caregiver, a medical marijuana cultivation facility, a medical marijuana-infused products manufacturing facility, a medical marijuana dispensary facility, a medical marijuana testing facility, or another medical marijuana transportation facility.</p>

Section 405.010 Use Table

H. Use Standards *(Amendment 18 – Ordinance 2014-006 2.10.14) (Amendment 27 - Ordinance 2018-041 6.11.18) (Amendment 31 - Ordinance 2019-048 7.22.19)*

The “Use Standard” column in the use table provides a cross-reference to additional standards that apply to some uses, whether or not they are allowed as a permitted use, use subject to special conditions or conditional use.

Use	A	RE	RR	R-1A	R-1	R-1.5	R-2	R-3	R-3A	R-3B	PR	Use Standard
COMMERCIAL USES												
Medical Marijuana Cultivation Facility	P	-	-	-	-	-	-	-	-	-	-	Section 420.030N

- “P” - permitted use
- “C” - conditional use
- “-” - prohibited use

Section 410.010 Use Table

H. Use Standards *(Amendment 16 – Ordinance 2013-056 8.26.13) (Amendment 25 - Ordinance 2017-051 8.28.17) (Amendment 31 - Ordinance 2019-048 7.22.19)*

The “Use Standard” column in the use table provides a cross-reference to additional standards that apply to some uses, whether or not they are allowed as a permitted use, use subject to special conditions or conditional use.

Use	PO	C-1	C-2	C-3	BP	M1	M2	PR	Use Standard
COMMERCIAL USES									
Medical Marijuana									
Cultivation Facility (Outdoor)	-	-	-	-	C	C	C	-	Section 420.030N
Cultivation Facility (Indoor)	-	-	-	-	P	P	P	-	Section 420.030N
Dispensary Facility	-	P	P	P	P	P	P	-	Section 420.030N
Infused Products Manufacturing Facility	-	-	-	-	P	P	P	-	Section 420.030N
Testing Facility	P	P	P	P	P	P	P	-	Section 420.030N
Transportation Facility	-	-	-	-	P	P	P	-	Section 420.030N

- “P” - permitted use
- “C” - conditional use
- “-” - prohibited use

Section 420.030 Use-Specific Standards, Commercial Uses

N. Medical Marijuana Facilities *(Amendment 31 – Ordinance 2019-048 7.22.19)*

Medical marijuana related uses and facilities as defined in Article XIV of the State of Missouri Constitution must comply with the following standards:

1. Location Restrictions:

- a.** No outdoor medical marijuana cultivation facility shall be operated or maintained:
 - i. Within one-thousand feet (1,000') of an elementary or secondary school, day-care center, or religious assembly; or
 - ii. Within one-thousand feet (1,000') of any residence.
- b.** No indoor medical marijuana cultivation facility shall be operated or maintained:
 - i. Within five-hundred feet (500') of an elementary or secondary school, day-care center, or religious assembly; or
 - ii. Within five-hundred feet (500') of any residence.
- c.** No medical marijuana infused products manufacturing facility or transportation facility shall be operated or maintained:
 - i. Within five-hundred feet (500') of an elementary or secondary school, day-care center, or religious assembly; or
 - ii. Within five-hundred feet (500') of any residence.
- d.** No medical marijuana dispensary or testing facility shall be operated or maintained:
 - i. Within five-hundred feet (500') of an elementary or secondary school, day-care center, or religious assembly; or
 - ii. Within one-hundred feet (100') of any residence.
- e.** In the case of a free-standing medical marijuana facility, the distance between the facility and a school, day-care center, religious assembly or residence shall be measured from the property line of the facility to the closest point of the property line of the school, day-care center, or religious assembly, or to the closest point of a residence.
- f.** In the case of a medical marijuana facility that is part of a multi-tenant building, the distance between the facility and the school, day-care center, religious assembly or residence shall be measured from the property line of the school, day-care center, or religious assembly or the closest point of a residence to the facility's entrance. If the school, day-care center, or religious assembly is also located in a multi-tenant building, then the distance shall be measured from the closest entrance of each use.
- g.** In the case where a residence is located on the same property as a medical marijuana facility, said residence does not have to comply with the minimum separation requirement from the medical marijuana facility.
- h.** No medical marijuana dispensary facility shall be located in a building that contains a residence.
- i.** No medical marijuana facility shall be located within one-thousand feet (1,000') of another medical marijuana facility. Combined facilities owned by a single entity at a single location are allowed.

- j. Measurements shall be made in a straight line at the closest point between property lines or buildings, without regard to any intervening buildings.
- k. When a new school, day-care center, religious facility, or residence is located within the location restriction areas applicable to an existing medical marijuana related use, the medical marijuana use may continue to operate indefinitely provided a valid occupational license is maintained.

2. Outdoor Storage

All operations and storage of materials, products, or equipment for a medical marijuana facility located in the PO, C-1, C-2, or C-3 zoning district shall be within a fully enclosed and secured building where the medical marijuana facility is located..

Note: Chapter 660 of the Raymore City Code was adopted on 7/22/2019. This chapter provides additional regulations on Medical Marijuana Facilities in the City.

CHAPTER 660: REGULATION ON MEDICAL MARIJUANA

SECTION 660.010: APPLICABILITY

- A. The regulations contained in this Chapter apply to all property and medical marijuana facilities located within the corporate limits of the City of Raymore.
- B. All medical marijuana related facilities shall be located in accordance with the requirements of the City of Raymore Unified Development Code.

SECTION 660.020: DEFINITIONS

All terms used in this Chapter shall be as defined by the City of Raymore Unified Development Code or 19-CSR 30-95.010.

SECTION 660.030: PURPOSE

The purpose of this Chapter is to regulate the placement and licensing of facilities for the cultivation, manufacturing, storage, transfer, testing and distribution of medical marijuana and marijuana-infused products, to the extent permitted by the Missouri Constitution, applicable provisions of RSMo., and regulations promulgated by the Missouri Department of Health and

Senior Services, and to protect the health, safety and welfare of the residents, businesses and property owners in the City.

SECTION 660.040: GENERAL PROVISIONS

No building or property shall be constructed, altered, or used for a medical marijuana facility without complying with the following regulations:

A. Compliance with State Regulations

All medical marijuana facilities must maintain compliance with all applicable rules adopted by the State of Missouri.

B. Definitions

Definitions contained in the City of Raymore Unified Development Code and in 19-CSR 30-95.010 are hereby adopted as the applicable definitions for this Section.

C. Public Consumption.

1. No marijuana may be smoked, ingested, or otherwise consumed on or within the premises of any medical marijuana facility, nor shall the licensee permit such consumption.

2. Public consumption of marijuana is prohibited.

D. Combination of Alcohol Sales and Medical Marijuana Sales

The sale or consumption of alcohol within a medical marijuana facility is prohibited.

E. Combination of Facilities

Medical marijuana facilities that propose having more than one type of facility on the same property or within the same building shall comply with all regulations established for each facility. The location restrictions, as established in the Unified Development Code, shall be followed for the most restricted facility.

F. Hours of Operation

All medical marijuana facilities shall be closed to the public, no persons not employed by the medical marijuana facility shall be on the premises, and no delivery to or from the medical marijuana facility, between the hours of 10:00 P.M. and 8:00 A.M.

G. Licenses

1. No medical marijuana or marijuana-infused products shall be acquired, certified, delivered, processed, sold, stored, tested or transported within the City, except by persons or entities

licensed for such purposes by the Missouri Department of Health and Senior Services.

2. The applicable medical marijuana license issued by the State of Missouri shall be displayed in an open and conspicuous place on the premises.
3. No medical marijuana facility shall be operated within the City without a valid license issued by the Missouri Department of Health and Senior Services.
4. All medical marijuana facilities shall be licensed in accordance with Chapter 605 of the Raymore City Code.
5. If a facility license is suspended or revoked by the Department of Health and Senior Services, the facility must immediately close and cease all operations until a license is reinstated or a new license is issued.

H. Ventilation Required

All medical marijuana facilities shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the facility. No odors shall be detectable by a person of ordinary senses outside of the boundary of the tenant space or property on which the facility is located.

I. Multi-Tenant Buildings

1. No odors shall be detectable by a person of ordinary senses outside of the boundary of the residential unit in a multi-tenant building.
2. No smoke shall be allowed to pass from one tenant space to another, or from one residential unit to another.
3. No medical marijuana may be smoked, ingested, or otherwise consumed in any hallway or common area of a multi-tenant building.

J. Location Restrictions

1. Medical marijuana facilities shall comply with the location restrictions identified in Section 420.030N of the City of Raymore Unified Development Code.
2. Each medical marijuana facility shall be operated from a permanent and fixed location. No medical marijuana facility shall be permitted to operate from a moveable, mobile, or transitory location.

K. Transportation and Possession

No person shall possess marijuana within the City, except:

1. A qualified patient for the patient's own personal use, in an amount no larger than the law allows; or

2. A caretaker of a qualified patient, or patients, but only when transporting the medical marijuana to a qualified patient or when accompanying a qualified patient or patients; or
3. An owner or employee of a medical marijuana facility within the enclosed building licensed as such, or when delivering directly to a qualified patient's or caretaker's residence or another medical marijuana facility.

L. Disposal of Medical Marijuana

No person shall dispose of medical marijuana or marijuana-infused products in an unsecured waste receptacle not in possession and control of the Licensee and designed to prohibit unauthorized access.

M. Display of Products

No medical marijuana, marijuana-infused product, or drug paraphernalia shall be displayed as to be visible through glass, windows, or doors by a person of normal visual acuity standing outside of the facility.

N. Access Restrictions

1. No person under the age of eighteen (18) shall be allowed in any portion of a medical marijuana cultivation facility, infused products manufacturing facility, or a testing facility. This restriction shall be clearly posted at the entrance to the facility.
2. No person under the age of eighteen (18) shall be allowed in any portion of a medical marijuana dispensary facility, except that a qualifying patient who is under the age of eighteen (18) may enter if accompanied by a parent or legal guardian. This restriction shall be clearly posted at the entrance to the facility.

O. Signage

Signage associated with a medical marijuana facility shall comply with the requirements contained in Chapter 435: Signs of the City of Raymore Unified Development Code.

P. Permits Required to be Shown

Upon demand of a Law Enforcement Officer, a person in possession of medical marijuana shall provide the officer with their qualified patient or primary caregiver identification card. Failure to provide the identification card upon demand is a violation of this Chapter.

Q. Home Cultivation License

1. All cultivation activities occurring in residences or on residential property shall be conducted in accordance with 19 CSR 30-95.030.

2. No extraction or infused products manufacturing activities shall occur in a residence or on residential property or anywhere other than a licensed infused products manufacturing facility.
3. Any qualifying patient or primary caregiver with an identification card to cultivate marijuana plants shall register with the City the location of the property where the home cultivation activity is occurring.

SECTION 660.050: VIOLATIONS

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this Chapter.

SECTION 660.060 PENALTIES

Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.220 of the City Code.