

PROPOSED AMENDMENTS TO CHAPTER 65 REGARDING MARIJUANA FACILITIES, MEDICAL  
MARIJUANA FACILITIES AND PERSONAL CULTIVATION OF MARIJUANA  
1/24/2023

Proposed deletions are ~~struck through~~.

Proposed additional text is in red.

Commentary notes are in *(red and in parentheses)*.

Some code sections which are not proposed to be altered are included in non-bolded text just for context.

**Sec. 65-2. - Definitions.** *(includes pertinent definitions only)*

*Church.* A building set apart for regularly scheduled public religious worship, not including units in a strip mall or other semi-detached buildings in a common area. **A permanent building primarily and regularly used as a place of religious worship.**

*Daycare or childcare center.* Any place, home, or institution which receives five (5) or more children under the age of seventeen (17) years and not of common parentage for care apart from their natural parents, legal guardians, or custodians when received for regular periods of time for compensation; provided, however, this definition shall not include public and private schools, organized, operated, or approved under the laws of this state; custody of children fixed by a court of competent jurisdiction; children related by blood or marriage within the third degree of the custodial person; or to churches or other religious or public institutions while their parents or legal guardians are attending services, meetings or classes, or are engaged in church activities.

~~*Marijuana or marihuana.* 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 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 (0.3) percent on a dry weight basis or commodities or products manufactured from industrial hemp.~~

~~*Marijuana-infused products.* 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 cultivation facility.* 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 marijuana dispensary facility, to a medical marijuana testing facility or to a medical marijuana-infused products manufacturing facility.~~

~~*Medical marijuana dispensary 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 chapter to a qualifying patient, a primary caregiver, another medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.~~

~~*Medical marijuana-infused products manufacturing facility.* Medical marijuana-infused products manufacturing facility means a facility licensed by the State of Missouri to acquire, store, manufacture,~~

~~transport, and sell marijuana-infused products to a medical marijuana dispensary facility, to a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.~~

~~*Medical marijuana testing facility.* Medical marijuana testing facility means a facility certified by the State of Missouri to acquire, test, certify, and transport marijuana.~~

#### **Sec. 65-4. - A-1 Agricultural district regulations.**

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the A-1 Agricultural district. The purpose of the A-1 Agricultural district is to preserve, in agricultural uses, lands suited to future urban development pending proper timing and economical provision of public utilities and community facilities to ensure compact and orderly land use development. This district is intended for land of five (5) acres or more. The subdivision of land for the purpose of converting agricultural or other undeveloped land to residential or other use is not permitted in the A-1 district.

- b. Agricultural crops including field crops, berry and bush crops, vine crops, and truck gardening.
- f. Storage of grain, hay, or other crop products.
- l. Nurseries and greenhouses, for growing or propagation of plants, turf, trees, and shrubs, including medical marijuana cultivation ~~facility~~ **facilities**.

**dd. Marijuana cultivation facilities in compliance with Sec. 65-32.**

#### **Sec. 65-5. - R-1 Single-family residential district regulations.**

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the R-1 Single-family residential district. The purpose of the R-1 Single-family residential district is to provide for detached, single-family residential development, excluding two-family and multi-family housing, with provisions for adequate light, air, and open space.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

- g. Agricultural uses including only gardening, flower gardening, non-commercial greenhouses, and the raising and housing of farm animals in accordance with chapter 7, **excluding marijuana facilities**.

#### **Sec. 65-6. - R-2 Single-family residential district regulations.**

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the R-2 Single-family residential district. The purpose of the R-2 Single-family residential district is to provide for compact, detached single-family residential development, excluding two-family and multifamily housing, with provisions for adequate light, air, and open space.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

- h. Agricultural uses including only gardening, flower gardening, non-commercial greenhouses, and the raising and housing of farm animals in accordance with chapter 7, **excluding marijuana facilities**.

### **Sec. 65-7. - R-3 One- and two-family residential district regulations.**

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the R-3 One- and two-family residential district. The purpose of the R-3 One- and two-family residential district is to provide for semi-compact residential development, excluding multifamily housing, with provisions for adequate light, air, and open space.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

- j. Agricultural uses including only gardening, flower gardening, non-commercial greenhouses, and the raising and housing of farm animals in accordance with chapter 7, **excluding marijuana facilities.**
- l. Fraternal organizations and other private clubs, excepting those whose chief activity is a service customarily carried on by a business, **and excluding marijuana consumption lounges or clubs.**

### **Sec. 65-8. - R-4 General residential district regulations.**

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the R-4 General residential district. The purpose of the R-4 General residential district is to provide for compact residential development, including multifamily housing, with provisions for adequate light, air, and open space.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

- n. Agricultural uses including only gardening, flower gardening, non-commercial greenhouses, and the raising and housing of farm animals in accordance with chapter 7, **excluding marijuana facilities.**
- p. Fraternal organizations and other private clubs, excepting those whose chief activity is a service customarily carried on by a business, **and excluding marijuana consumption lounges or clubs.**

### **Sec. 65-10. - O-1 Professional office district regulations.**

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the O-1 professional office district. The purpose of the O-1 professional office district is to provide adequate space in appropriate locations suitable for accommodating medical, dental, and similar services, as well as professional offices. Bulk limitations are designed to provide maximum compatibility with less intensive land use in adjacent residential districts and with more intensive land use in adjacent commercial districts. The O-1 professional office district is to act in the capacity of a transitional and supporting zone.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

- n. Agricultural uses including only gardening, flower gardening, non-commercial greenhouses, and the raising and housing of farm animals in accordance with Chapter 7, **excluding marijuana facilities.**
- p. Fraternal organizations and other private clubs, excepting those whose chief activity is a service customarily carried on by a business, **excluding marijuana facilities.**
- u. Professional services and offices; including medical, dental, and other health-related services; legal, engineering, surveying, architectural, research, accounting, ~~and~~ planning services, **and medical**

marijuana dispensaries in compliance with Sec. 65-32, but excluding animal hospitals and animal clinics.

- y. Restaurants, cafeterias, gift shops, magazine stands, drugstores, medical prescriptions centers, and medical marijuana dispensaries in compliance with Sec. 65-32, will be permitted, provided they are operated as an accessory use to and located within a permitted use of the O-1 professional office district and further provided that any advertising of such sales shall be confined to the interior of the building and shall not be visible from the outside of such building.

### **Sec. 65-11. - C-1 Local commercial district regulations.**

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-1 Local commercial district. The purpose of the C-1 Local commercial district is to provide for retail trade and personal services to meet the regular needs and for the convenience of residents of adjacent residential areas. C-1 Local commercial districts are intended to be a closely associated and integral element of local neighborhoods.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

- p. Agricultural uses including only gardening, flower gardening, commercial or noncommercial greenhouses, plant shelters, nurseries, roadside stands or markets, and the raising and housing of farm animals in accordance with chapter 7.
- q. Indoor medical marijuana cultivation facilities, comprehensive marijuana cultivation facilities, and microbusiness wholesale facilities in compliance with Sec. 65-32. *(All subsequent numbered items to be renumbered in sequence).*
- r. Fraternal organizations and other private clubs, excluding adult entertainment, but including marijuana consumption lounges and clubs in compliance with Sec. 65-32, with a special use permit only.
- y. Retail food stores, including grocery stores, meat markets and delicatessens, ice-cream or candy stores, and bakeries with baking and processing for retail trade on the premises only.
- z. Drugstores and medical prescriptions centers, including medical marijuana dispensary facility dispensaries, comprehensive marijuana dispensaries, and microbusiness marijuana dispensaries in compliance with Sec. 65-32.
- aa. Restaurants, cafes, and lunchrooms, excluding drive-through facilities.

### **Sec. 65-12. - C-2 General commercial district regulations.**

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-2 General commercial district. The purpose of the C-2 General commercial district is to provide areas for general commerce and services typically associated with major thoroughfares.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

- p. Agricultural uses including only gardening, flower gardening, commercial or noncommercial greenhouses, plant shelters, nurseries, roadside stands or markets, and the raising and housing of farm animals in accordance with chapter 7, **indoor medical marijuana cultivation facilities, indoor comprehensive marijuana cultivation facilities, and indoor microbusiness wholesale facilities in compliance with Sec. 65-32.**
- y. Retail food stores, including grocery stores, meat markets and delicatessens, ice-cream or candy stores, and bakeries with baking and processing for retail trade on the premises only.
- z. Drugstores and medical prescriptions centers, including medical marijuana ~~dispensary facility~~ **dispensaries and microbusiness medical marijuana dispensaries in compliance with Sec. 65-32.**
- aa. Restaurants, cafes, and lunchrooms and temporarily parked mobile food stand, truck, or cart.
- mm. Florist, gift or card shops, and greenhouses.
- ww. The following uses when located fifty (50) feet or more from any residential district (as measured to the property lines) and separated from an adjacent residential district by a privacy fence:
  - 3. Establishment for the sale of beer or alcoholic beverages.
  - 4. **Comprehensive marijuana dispensaries in compliance with Sec. 65-32. (All subsequent numbered items to be renumbered in sequence.)**
  - 25. Wholesale or distributing establishment or warehouse or wholesale market, **including marijuana storage facilities and marijuana transportation facilities in compliance with Sec. 65-32.**

**Sec. 65-13. - C-3 Central business district regulations.**

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-3 Central business district. The purpose of the C-3 Central business district is to provide for compact commercial development in the core area of the city and to maximize the utilization of this area by minimizing lot restrictions and height requirements.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

- o. Agricultural uses including only gardening, flower gardening, commercial or noncommercial greenhouses, plant shelters, nurseries, roadside stands or markets, and the raising and housing of farm animals in accordance with chapter 7, **excluding marijuana facilities.**
- t. Professional services and offices; including medical, dental, and other health-related services; legal, engineering, surveying, architectural, research, accounting, and planning services, excluding animal hospitals.
- x. Retail food stores, including grocery stores, meat markets and delicatessens, ice-cream or candy stores, and bakeries with baking and processing for retail trade on the premises only.

- y. Drugstores and medical prescriptions centers, including medical marijuana dispensary facility dispensaries in compliance with Sec. 65-32.
- z. Restaurants, cafes, and lunchrooms and temporarily parked mobile food stand, truck, or cart.
- jj. Florist, gift or card shops, and greenhouses.
- rr. The following uses when located fifty (50) feet or more from any residential district (as measured to the property lines) and separated from an adjacent residential district by a privacy fence:
  - 3. Establishment for the sale of beer or alcoholic beverages.
  - 4. Comprehensive marijuana dispensaries in compliance with Sec. 65-32. *(All subsequent numbered items to be renumbered in sequence.)*
  - 25. Wholesale or distributing establishment or warehouse or wholesale market, excluding marijuana facilities.
  - 27. Experimental, film, or testing laboratory, excluding marijuana facilities.

**Sec. 65-15. - CO-1 Enhanced commercial overlay district regulations**

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the CO-1 Enhanced commercial overlay district. The purpose of the CO-1 Enhanced commercial overlay district is to promote the development of aesthetically appealing areas dedicated to commercial development. These regulations are not intended to discourage development, but to provide a consistently enhanced area of development for the protection of property owners and for the benefit of the city as a whole.

This district overlays the base zoning district and does not change the requirements contained within the regulations of that district except as specified in this section. Where a conflict exists between the underlying zoning district and the overlay district, the provisions of this district shall control.

- (1) *Use regulations.* A building or premises shall be used only for the following purposes:
  - a. Any use allowed in the underlying zoning district, excluding the following:
    - (marijuana dispensaries are allowed as listed in underlying zoning districts)*
  - b. In addition to special use permit requirements in the underlying districts, the following uses shall also require a special use permit:
    - 7. Medical and comprehensive marijuana cultivation facilities and marijuana microbusiness wholesale facilities in compliance with Sec. 65-32.
    - 8. Medical and comprehensive marijuana manufacturing facilities in compliance with Sec. 65-32. *(All subsequent numbered items shall be renumbered in sequence.)*

**Sec. 65-16. - I-1 Light industrial district regulations.**

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the I-1 Light industrial district. The purpose of the I-1 Light industrial district is to provide areas for light industrial uses that create a minimum amount of nuisance outside the plant, are conducted entirely within enclosed buildings, use the open area around such buildings only for limited storage of raw materials or manufactured products, and provide for enclosed loading and unloading berths when feasible.

- (1) *Use regulations.* All uses permitted herein shall not be obnoxious or offensive by reason of the emission of smoke, dust, fumes, gas, odors, noise, or vibrations beyond the confines of the premises. A building or premises shall be used only for the following purposes:
- g. Fraternal organizations and other private clubs, including adult entertainment.
  - j. Professional services and offices; including medical, dental, and other health-related services; legal, engineering, surveying, architectural, research, accounting, and planning services, excluding animal hospitals and animal clinics.
  - n. Retail food stores, including grocery stores, meat markets and delicatessens, ice-cream or candy stores, and bakeries with baking and processing for retail trade on the premises only.
  - o. Drugstores and medical prescriptions centers, including medical marijuana dispensary facility dispensaries in compliance with **Sec. 65-32**.
  - p. Restaurants, cafes, and lunchrooms, including drive-through facilities.
  - x. Florist, gift or card shops, and greenhouses.
  - ii. Greenhouse, plant shelter, or nursery, **excluding marijuana facility**.
  - jj. The following uses when located not less than fifty (50) feet from any residential district (as measured to the property line):
    - 1. Drive-in restaurant.
    - 3. Establishment for the sale of beer or alcoholic beverages.
    - 4. **Marijuana consumption lounge or club, in compliance with **Sec. 65-32** with a special use permit only. (All subsequent items to be renumbered in sequence).**
    - 25. ~~Wholesale or distributing establishment or warehouse or wholesale market. (Repeat of #35.) (All subsequent numbered items to be renumbered in sequence.)~~
    - 35. Warehouse, wholesale merchandise, or distributing establishment, **including marijuana transportation and storage facility in compliance with **Sec. 65-32**.**
    - 37. Experimental, film, or testing laboratory, **including marijuana testing facility in compliance with **Sec. 65-32**.**



- 38. Bakery, creamery, or dairy operation.
- 44. The manufacture, compounding, processing, packaging, or storage of such goods, materials, and products as the following:
  - i. Food products, including beverage blending or bottling, bakery products, candy manufacture, ice and dairy products, fruit and vegetable processing and canning, packing and processing of meat and poultry products, but not distilling of beverages or slaughtering of poultry or animals.
  - ii. Articles made from previously prepared materials, such as bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stone, shells, textiles, wax, wire, yarns, and the like.
  - iv. ~~Medical marijuana cultivation facility, medical~~ Marijuana-infused products manufacturing facility ~~or medical marijuana testing facility,~~ in compliance with **Sec. 65-32**.
- ~~48. Warehouse, wholesale merchandise, or distributing establishment. (repeat of #35)~~
- 49. Freighting, transportation storage, and trucking yard or terminal, including marijuana storage and transportation facility in compliance with **Sec. 65-32**.
- 51. Research, design and development firms, experimental or testing laboratory including marijuana testing facility in compliance with **Sec. 65-32**.

**Sec. 65-17. - I-2 Heavy industrial district regulations.**

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the I-2 Heavy industrial district.

- (1) *Use regulations.* All uses permitted herein shall not be obnoxious or offensive by reason of the emission of smoke, dust, fumes, gas, odors, noise, or vibrations beyond the confines of the premises. A building or premises shall be used only for the following purposes:
  - g. Fraternal organizations and other private clubs, including adult entertainment.
  - h. **Marijuana consumption lounges and clubs in compliance with Sec. 65-32 with a special use permit only. (All subsequent items to be renumbered in sequence).**
  - j. Professional services and offices; including medical, dental, and other health-related services; legal, engineering, surveying, architectural, research, accounting, and planning services, excluding animal hospitals and animal clinics.
  - n. ~~Restaurants, cafeterias, gift shops, magazine stands, drugstores, and medical prescriptions centers will be permitted, provided they are operated as an accessory use to and located within a permitted use of the I-2 Heavy industrial district and further provided that any advertising of such sales shall be confined to the interior of the building and shall not be visible from the outside of such building.~~



- o. Retail food stores, including grocery stores, meat markets and delicatessens, ice-cream or candy stores, and bakeries with baking and processing for retail trade on the premises only.
- p. Drugstores and medical prescriptions centers, including medical marijuana dispensary facility dispensaries in compliance with Sec. 65-32.
- q. Restaurants, cafes, and lunchrooms, excluding drive-through facilities.
- x. Florist, gift or card shops, and greenhouses.
- hh. Greenhouse, plant shelter, or nursery, excluding marijuana facility.
- ii. The following uses when located not less than fifty (50) feet from any residential district (as measured to the property line) and separated by a privacy fence:
  - 3. Establishment for the sale of beer or alcoholic beverages.
  - 25. Wholesale or distributing establishment or warehouse or wholesale market, including marijuana transportation and storage facility in compliance with Sec. 65-32.
  - ~~35. Experimental, film, or testing laboratory. (repeat of #46)~~
  - 36. Bakery, creamery, or dairy operation.
  - 42. The manufacture, compounding, processing, packaging, or storage of such goods, materials, and products as the following:
    - i. Food products, including beverage blending or bottling, bakery products, candy manufacture, ice and dairy products, fruit and vegetable processing and canning, packing and processing of meat and poultry products, but not distilling of beverages or slaughtering of poultry or animals.
    - ii. Articles made from previously prepared materials, such as bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stone, shells, textiles, wax, wire, yarns, and the like.
    - vii. ~~Medical marijuana cultivation facility, medical~~ Marijuana-infused products manufacturing facility, in compliance with Sec. 65-32.
  - ~~43. Warehouse, wholesale merchandise, or distributing establishment. (repeat of #25)~~
  - 44. Freightng, transportation storage, and trucking yard or terminal, including marijuana storage and transportation facility in compliance with Sec. 65-32.
  - 46. Research, design and development firms, experimental, film, or testing laboratory, including marijuana testing facility in compliance with Sec. 65-32.

51. Farming and associated agricultural uses, **including marijuana cultivation facility in compliance with Sec. 65-32.**

63. ~~Warehouse storage or distributing facility, including wholesale storage. (repeat of #25)~~

65. The following uses, with a special use permit only. In authorizing any of the uses in this subsection, there may be imposed such reasonable requirements as to landscaping, screening, and other features of the development as are deemed necessary to protect adjacent property and prevent objectionable or hazardous conditions:

xiv. Any similar use that would be hazardous to the public health, safety, or welfare.

### **Sec. 65-18. - I-3 Planned industrial park district regulations.**

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the I-3 Planned industrial park district. The purpose of the I-3 Planned industrial park district is to provide for modern industrial warehouse/office complexes of integrated design with attractive landscaping in suitable locations with access to arterial thoroughness.

**(No change.)**

### **Sec. 65-20. - Accessory building, use, and structure regulations.**

The regulations hereinafter set forth in this section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this chapter.

(10) **Personal cultivation of marijuana.** The personal cultivation of marijuana shall be a permitted accessory use in all zoning districts, when in compliance with state law.

### **Sec. 65-32. - ~~Medical~~ Marijuana.**

1) Definitions:

*Comprehensive facility.* A comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

*Comprehensive marijuana cultivation facility.* A facility licensed by the State of Missouri to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones) to a medical facility, comprehensive facility, or marijuana testing facility. A comprehensive marijuana cultivation facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana. A comprehensive marijuana cultivation facility's authority to process marijuana shall include the creation of prerolls, but shall not include the manufacture of marijuana-infused products.

*Comprehensive marijuana dispensary facility.* A facility licensed by the State of Missouri to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products and drug paraphernalia used to administer marijuana as provided for in this chapter to a qualifying patient or primary caregiver, as those terms are defined in this chapter, or to a consumer, anywhere on the licensed property or to any address as directed by the patient, primary caregiver, or consumer and

consistent with the limitations of this chapter and as otherwise allowed by law, to a comprehensive facility, a marijuana testing facility, or a medical facility. Comprehensive dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet, including from a third party. A comprehensive marijuana dispensary facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana but shall collect all appropriate tangible personal property sales tax for each sale, as provided for in general or local law. A comprehensive marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

*Comprehensive marijuana-infused products manufacturing facility.* A comprehensive marijuana-infused products manufacturing facility means a facility licensed by the State of Missouri to acquire, process, package, store, manufacture, transport to or from a medical facility, comprehensive facility, or marijuana testing facility, and sell marijuana-infused products, prerolls, and infused prerolls to a marijuana dispensary facility, a marijuana testing facility, or another marijuana-infused products manufacturing facility. A comprehensive marijuana-infused manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.

*Consumer.* Consumer means a person who is at least twenty-one years of age.

*Daycare or childcare center, state-licensed.* Any place, home, or institution which is licensed by the State of Missouri as a family child care home, group child care home, or child care facility, as defined by section 210.201, RSMo, or successor provisions,

*Entity.* Entity means a natural person, corporation, professional corporation, nonprofit corporation, cooperative corporation, unincorporated association, business trust, limited liability company, general or limited partnership, limited liability partnership, joint venture, or any other legal entity.

*Flowering plant.* Flowering plant means a marijuana plant from the time exhibits the first signs of sexual maturity through harvest.

*Infused preroll.* Infused preroll means a consumable or smokable marijuana product, generally consisting of (1) a wrap or paper, (2) dried flower, buds, and/or plant material, and (3) a concentrate, oil, or other type of marijuana extract, either within or on the surface of the product. Infused prerolls may not include a filter or crutch at the base of the product.

*Marijuana or marihuana.* 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 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 (0.3) percent on a dry weight basis as defined by Missouri statute, or commodities or products manufactured from industrial hemp.

*Marijuana accessories.* Any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.

*Marijuana club.* Any place, location, building, or portion thereof, or premises owned or operated by a corporation, association, person, or persons for a social or recreational purpose whose access is limited to registered members and their guests but is not necessarily for profit or to render a service which is customarily carried on as a business.

*Marijuana consumption lounge.* Any place, location, building, or portion thereof, or premises owned or operated by a corporation, association, person, or persons for a social, educational, or recreational purpose whose access is limited to registered members and their guests which is not necessarily for profit or to render a service which is customarily carried on as a business.

*Marijuana facility.* A comprehensive or medical marijuana cultivation facility, comprehensive or medical marijuana dispensary facility, comprehensive or medical marijuana testing facility, comprehensive or medical marijuana-infused products manufacturing facility, comprehensive or medical storage or transportation facility, microbusiness wholesale facility, microbusiness dispensary facility, or any other type of marijuana-related facility or business licensed or certified by the State of Missouri.

*Marijuana-infused products.* Products that are infused, dipped, coated, sprayed, or mixed 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, products that are able to be vaporized or smoked, edible products, ingestible products, topical products, suppositories, and infused prerolls.

*Marijuana microbusiness facility.* A facility licensed by the State of Missouri as a microbusiness dispensary facility or microbusiness wholesale facility, as defined by the State of Missouri.

*Marijuana testing facility.* A facility certified by the State of Missouri to acquire, test, certify, and transport marijuana, including those originally certified as a medical marijuana testing facility.

*Marijuana transport or storage facility.* A facility certified by the State of Missouri to transport or store marijuana or marijuana-infused products.

*Medical marijuana facility.* Any medical marijuana cultivation facility, medical marijuana dispensary facility, or medical marijuana-infused products manufacturing facility, as defined in this section.

*Medical marijuana cultivation facility.* A facility licensed by the State of Missouri to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), to a medical marijuana dispensary facility, to a medical marijuana testing facility, medical marijuana cultivation facility, or to a medical marijuana-infused products manufacturing facility. A medical marijuana cultivation facility's authority to process marijuana shall include the production and sale of prerolls but shall not include the manufacture of marijuana-infused products.

*Medical marijuana dispensary facility.* A facility licensed by the State of Missouri to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this chapter to a qualifying patient, a primary caregiver anywhere on the licensed property or to any address as directed by the patient or primary caregiver, so long as the address is a location allowing for the legal possession of marijuana,

another medical marijuana dispensary facility, a medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility. Dispensary facilities may receive transaction orders at the dispensary in person, by phone, or via the internet, including from a third party. A medical marijuana dispensary facility's authority to process marijuana shall include the production and sale of prerolls, but shall not include the manufacture of marijuana-infused products.

*Medical marijuana-infused products manufacturing facility.* A facility licensed by the State of Missouri to acquire, process, package, store on-site or off-site, manufacture, transport to or from, and sell marijuana-infused products to a medical marijuana dispensary facility, to a medical marijuana testing facility, a medical marijuana cultivation facility, or to another medical marijuana-infused products manufacturing facility.

*Medical marijuana testing facility.* A facility certified by the State of Missouri to acquire, test, certify, and transport marijuana, including those originally licensed as a medical marijuana testing facility.

*Microbusiness dispensary facility.* A facility licensed by the State of Missouri to acquire, process, package, store on site or off site, sell, transport to or from,, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products and drug paraphernalia used to administer marijuana to a consumer, qualifying patient, as that term is defined in this chapter, or primary caregiver, as that term is defined in this chapter, anywhere on the licensed property or to any address as directed by the consumer, qualifying patient, or primary caregiver and consistent with the limitations of **this chapter** and by law, a microbusiness wholesale facility or a marijuana testing facility. Microbusiness dispensary facility's authority to process marijuana shall include the creation of prerolls.

*Microbusiness wholesale facility.* A facility licensed by the State of Missouri to acquire, cultivate, process, package, store on site or off site, manufacture, transport to or from, deliver, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), and marijuana infused products to a microbusiness dispensary facility, other microbusiness wholesale facility, or marijuana testing facility. A microbusiness wholesale facility may cultivate up to 250 flowering marijuana plants at any given time. A microbusiness wholesale facility's authority to process marijuana shall include the creation of prerolls and infused prerolls.

*Medical use.* The production, possession, delivery, distribution, transportation, or administration of marijuana or a marijuana-infused product, or drug paraphernalia used to administer marijuana or a marijuana-infused product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's qualifying medical condition.

*Nurse practitioner.* An individual who is licensed and in good standing as an advanced practice registered nurse, or successor designation, under Missouri law.

*Owner.* An individual who has a financial (other than a security, interest, lien or encumbrance) or voting interest in ten (10) percent or greater of a marijuana facility.

*Physician.* An individual who is licensed and in good standing to practice medicine or osteopathy under Missouri law.

*Physician or nurse practitioner certification.* A document, whether handwritten, electronic, or in another commonly used format, signed by a physician, or a nurse practitioner and stating that, in the physician's

or nurse practitioner's professional opinion, the patient suffers from a qualifying medical condition as defined by the State of Missouri.

*Preroll.* A consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper and (2) dried flower, buds, and/or plant material. Prerolls may or may not include a filter or crutch at the base of the product.

*Primary caregiver.* An individual twenty-one years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under the requirements of the State of Missouri.

*Qualifying patient.* An individual diagnosed with at least one qualifying medical condition under the requirements of the State of Missouri.

*Unduly burdensome.* The measures necessary to comply with the rules or ordinances adopted pursuant to this section subject the party to such a high investment or expense of money, time, or any other resource or asset that a reasonably prudent businessperson would not operate the facility, and (when referring to qualifying patients, primary caregivers, physicians, nurse practitioners, or other party) "unduly burdensome" means the measures necessary to comply with the rules or ordinances adopted pursuant to this section undermine the purpose of this section.

- 2) ~~No new~~ ~~A medical~~ marijuana cultivation facility, ~~a medical~~ marijuana dispensary facility, ~~a medical~~ marijuana-infused products manufacturing facility, ~~or a medical~~ marijuana testing facility, ~~marijuana transportation / storage facility, marijuana consumption lounge or marijuana club~~ may not be located within five hundred (500) feet of a previously existing ~~state-licensed daycare, church, or public or private school, or state-licensed daycare~~ measured the shortest straight line distance from building to building, measured by the following methods:
- 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 school, daycare, or church that is part of a larger structure such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.
  - c) 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.
  - d) In the case of a school, daycare, or church that is part of a larger structure such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.
  - e) All measurements shall be made along the shortest path between the demarcation points that can be lawfully travelled on foot.

- 2) The personal cultivation of marijuana shall be a permitted accessory use in all zoning district in accordance with       (State of Missouri)      .

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