

**AGENDA**

**Joint Meeting**  
**Hartford Planning and Zoning Board**  
**and**  
**The Hartford City Council**

**Tuesday, August 31, 2021 - 7:00 p.m.**  
**Hartford City Hall**

**Pledge of Allegiance**

**Roll Call**

- **Planning & Zoning Board:** Anderson, Graham, Kutil, Randall, Kilbourn, Nolte, Miles
- **City Council:** Monahan, Jones, Brenneman, Menning, Randall, Kuehl, O'Hara

**Public Comments** - Public Input on Non-Agenda Items

\*Action cannot be taken on items discussed unless specifically listed elsewhere on the agenda\*

**Public Hearing**

- **Ordinance #714 - Amend Zoning Regulations for Cannabis Regulation**
  - Planning & Zoning Board and City Council hold Hearing and Discussion on Ordinance #714
  - Planning & Zoning Board votes on Ordinance #714

**Adjourn as Planning & Zoning Board** (Continue Meeting as City Council)

**New Business**

- **1st Reading of Ordinance #714 -Amend Zoning Regulations for Cannabis Regulation**
  - City Council votes on Ordinance #714
- **1st Reading of Ordinance #715 - Set Licensing Provisions for Cannabis Regulation**
  - City Council votes on Ordinance #715

**Adjourn as City Council**

ORDINANCE NO. #714

AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND ARTICLE 1 GENERAL PROVISIONS, ARTICLE 6 NEIGHBORHOOD COMMERCIAL DISTRICT, ARTICLE 7 COMMUNITY COMMERCIAL DISTRICT, ARTICLE 8 REGIONAL COMMERCIAL DISTRICT, ARTICLE 9 CENTRAL BUSINESS DISTRICT, ARTICLE 10 LIGHT INDUSTRIAL DISTRICT, ARTICLE 11 HEAVY INDUSTRIAL DISTRICT, ARTICLE 12 ADDITIONAL USE REGULATIONS, AND ARTICLE 20 DEFINITIONS OF THE HARTFORD CODE OF ORDINANCES TITLE 9 PLANNING AND ZONING CHAPTER 9.03 ZONING REGULATIONS, AND THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the City Council of the City of Hartford, South Dakota: that Article 1 General Provisions adopted by the 2016 Revised Hartford Zoning Regulations of the City of Hartford be amended by adding the following:

**1.04.01 Prohibited Uses**

**All uses and structures not specifically listed as a permitted use or as a conditional use in a particular zoning district shall be prohibited in said district.**

BE IT FURTHER ORDAINED by the City Council of the City of Hartford, South Dakota: that Article 6 Neighborhood Commercial District adopted by the 2016 Revised Hartford Zoning Regulations as amended of the City of Hartford be amended by adding the following:

**6.01 Permitted Uses**

<b>Cannabis Dispensaries</b>	<b>12.02, 12.04, 12.05, 12.06, 12.11, 12.16</b>
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BE IT FURTHER ORDAINED by the City Council of the City of Hartford, South Dakota: that Article 7 Community Commercial District adopted by the 2016 Revised Hartford Zoning Regulations as amended of the City of Hartford be amended by adding the following:

**7.01 Permitted Uses**

<b>Cannabis Dispensaries</b>	<b>12.02, 12.04, 12.05, 12.06, 12.11, 12.16</b>
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BE IT FURTHER ORDAINED by the City Council of the City of Hartford, South Dakota: that Article 8 Regional Commercial District adopted by the 2016 Revised Hartford Zoning Regulations as amended of the City of Hartford be amended by adding the following:

**8.01 Permitted Uses**

<b>Cannabis Dispensaries</b>	<b>12.02, 12.04, 12.05, 12.06, 12.11, 12.16</b>
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BE IT FURTHER ORDAINED by the City Council of the City of Hartford, South Dakota: that Article 9 Central Business District adopted by the 2016 Revised Hartford Zoning Regulations as amended of the City of Hartford be amended by adding the following:

### 9.01 Permitted Uses

<b>Cannabis Dispensaries</b>	<b>12.02, 12.04, 12.05, 12.06, 12.11, 12.16</b>
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BE IT FURTHER ORDAINED by the City Council of the City of Hartford, South Dakota: that Article 10 Light Industrial District adopted by the 2016 Revised Hartford Zoning Regulations as amended of the City of Hartford be amended by adding the following:

### 10.01 Permitted Uses

<b>Cannabis Cultivation Facility</b>	<b>12.02, 12.04, 12.05, 12.06, 12.11, 12.16</b>
<b>Cannabis Product Manufacturing Facility</b>	<b>12.02, 12.04, 12.05, 12.06, 12.11, 12.16</b>
<b>Cannabis Testing Facility</b>	<b>12.02, 12.04, 12.05, 12.06, 12.11, 12.16</b>

BE IT FURTHER ORDAINED by the City Council of the City of Hartford, South Dakota: that Article 11 Heavy Industrial District adopted by the 2016 Revised Hartford Zoning Regulations as amended of the City of Hartford be amended by adding the following:

### 11.01 Permitted Uses

<b>Cannabis Cultivation Facility</b>	<b>12.02, 12.04, 12.05, 12.06, 12.11, 12.16</b>
<b>Cannabis Product Manufacturing Facility</b>	<b>12.02, 12.04, 12.05, 12.06, 12.11, 12.16</b>
<b>Cannabis Testing Facility</b>	<b>12.02, 12.04, 12.05, 12.06, 12.11, 12.16</b>

BE IT FURTHER ORDAINED by the City Council of the City of Hartford, South Dakota: that Article 12 Additional Use Regulations adopted by the 2016 Revised Hartford Zoning Regulations as amended of the City of Hartford be amended by adding the following:

### 12.16 CANNABIS DISPENSARIES.

#### A. Required Separation Distances

1. A cannabis dispensary shall be located not less than One-thousand Feet (1,000') from a public or private school K-12 existing before the date of the cannabis dispensary application.
2. Prescribed separation/setback distances from a public or private school existing before the date of the cannabis dispensary application are to be measured from the lot line of the property where the dispensary is proposed.
3. It shall be unlawful for a medical marijuana establishment to share office space with a practitioner as defined in SDCL 34-20G-1(20).
4. A cannabis dispensary may not be located within five hundred feet (500') of another cannabis dispensary.

#### B. Other Locational Requirements

1. Permanent or temporary dispensaries are prohibited in all other zoning districts and not eligible for a home occupation use.
2. It shall be unlawful to operate a dispensary in a building which contains a residence or a mixed-use building with commercial and residential uses.
3. Drive-thru services shall not be permitted for a cannabis dispensary and all sales must be completed at the dispensary location.

**C. Controlled Access - No cannabis establishment shall share premises with or permit access directly from another medical cannabis establishment, business that sells alcohol or tobacco, or, if allowed by law, other cannabis establishment.**

**D. Hours of operation:**

1. Cannabis dispensaries are allowed to be open between the hours of 6:00 a.m. and 12:00 a.m. each day of the week.

**E. Documentation of State Licensure.**

1. No cannabis dispensary shall acquire, possess, store, deliver transfer, transport, supply, or dispense cannabis, cannabis products, paraphernalia without providing documentation of licensure from the State of South Dakota.

**F. The zoning official is authorized to issue permits (building/use) for cannabis dispensaries subject to following:**

**1. Submission of a site plan containing the following:**

- i. Any information required for applicable building permit,
- ii. Ingress and egress plan
- iii. Parking plan
- iv. Lighting plan (including security lighting)
- v. Screening/security fencing plan,
- vi. Refuse plan;
- vii. Hours of Operation;

viii. Any other information as lawfully may be required by the Zoning official to determine compliance with this ordinance

2. Documentation of ability to meet setback/separation requirements.

3. Documentation of State Licensure.

G. All Cannabis Establishments are required to be constructed in conformance with the most recent edition of the International Building Code and International Fire Code adopted by City Council of the City of Hartford.

BE IT FURTHER ORDAINED by the City Council of the City of Hartford, South Dakota: that Article 20 DEFINITIONS, section 20.02, "Definitions" adopted by the 2016 Revised Hartford Zoning Regulations as amended of the City of Hartford be amended by adding the following:

CANNABIS (OR MARIJUANA): all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant Cannabis sativa L. (hemp) and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

CANNABIS CULTIVATION FACILITY: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

CANNABIS DISPENSARY: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

CANNABIS ESTABLISHMENT: a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

CANNABIS PRODUCT MANUFACTURING FACILITY: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

CANNABIS PRODUCTS: any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures.

CANNABIS TESTING FACILITY: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

Passed and adopted this \_\_ day of \_\_\_\_\_, 2021.

ATTEST:

By: \_\_\_\_\_  
Jeremy Menning, Mayor

\_\_\_\_\_  
Finance Officer

First Reading:  
Second Reading  
Date Adopted:  
Date Published:  
Effective Date:

DRAFT

## ORDINANCE #715

**AN ORDINANCE AMENDING CITY OF HARTFORD REVISED MUNICIPAL ORDINANCES TITLE 4 LICENSES CHAPTER 4.02 (RESERVED) BY ADDING CHAPTER 4.02 WHICH ENACTS LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS, AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH.**

**BE IT ORDAINED** by the City Council of the City of Hartford that Chapter 4.02 of the Ordinances of the City of Hartford is hereby amended by adding a new Chapter 4.02 as follows:

### **CHAPTER 4.02: LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS**

#### Section

- 4.0201 Purpose and Intent
- 4.0202 Definitions
- 4.0203 License Required
- 4.0204 License Application
- 4.0205 Issuance of License
- 4.0206 City Neutrality as to Applicants
- 4.0207 Number of Cannabis Dispensaries
- 4.0208 Expiration of License and Renewal
- 4.0209 Suspension
- 4.0210 Revocation
- 4.0211 Suspension and Revocation Process
- 4.0212 Appeal
- 4.0213 Licenses not Transferrable
- 4.0214 Hours of Operation for Dispensaries
- 4.0215 Liability for Violations
- 4.0216 Penalties

#### **§ 4.0201: PURPOSE AND INTENT**

The City Council of the City of Hartford enacts the following licensing ordinances in order to ensure that cannabis establishments within the municipal boundaries of the City operate in a manner which complies with state laws and regulations, protects the health, safety, and welfare of the general public, prevents potential conflicts and issues arising from ownership and employees, recognizes certain safety and security considerations, and minimizes risk of unauthorized use or access of cannabis by the general public.

#### **§ 4.0202: DEFINITIONS**

Unless an alternative definition is explicitly stated in this section, this chapter utilizes the definitions for cannabis-related terms which are defined by SDCL 34-20G-1.

**Cannabis (or Marijuana):** all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not

include the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

**Cannabis Cultivation Facility:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

**Cannabis Dispensary:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

**Cannabis Establishment:** cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

**Cannabis Product Manufacturing Facility:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

**Cannabis Products:** any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof, and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures

**Cannabis Testing Facility:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

**Department:** the South Dakota Department of Health

#### **§ 4.0203: LICENSE REQUIRED**

- (A) No cannabis establishment may be located or operate in the city without the appropriate valid and current cannabis establishment license issued by the city pursuant to this article. A violation of this provision is subject to the general penalty provision in § 4.0216. Each day of the violation constitutes a separate offense.
- (B) No cannabis establishment may be located or operate in the city without the appropriate valid and current cannabis establishment registration certificate issued by the Department pursuant to rules promulgated under SDCL 34-20G. A violation of this provision is subject to the general penalty provision in § 4.0216. Each day of the violation constitutes a separate offense.

#### **§ 4.0204: LICENSE APPLICATION**

- (A) An application for a cannabis establishment license must be made on a form provided by the city. No other application form will be considered.
- (B) The applicant must submit the following:

- (1) Application fee of \$5,000.00. The City will reimburse \$2,500 for applicants who fail to obtain a registration certificate from the South Dakota Department of Health.
- (2) An application that will include, but is not limited to, the following:
  - (a) The legal name of the prospective cannabis establishment;
  - (b) The physical address of the prospective cannabis establishment that meets the zoning requirements in Chapter 9.03 Zoning Regulations as well as any location requirements pursuant SDCL 34-20G and the administrative rules promulgated thereunder.
  - (c) The name, address, and birth date of each principal officer, owner, and board member of the proposed cannabis establishment.
  - (d) A sworn statement that no principal officer, owner, or board member has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction.
  - (e) Any additional information requested by the city.

#### **§ 4.0205: ISSUANCE OF LICENSE**

- (A) The city will issue a license unless:
- (1) The applicant has made a false statement on the application or submits false records or documentation; or
  - (2) Any owner, principal officer, or board member of the applicant is under the age of twenty-one (21) years; or
  - (3) Any owner, principal officer, or board member of the applicant has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction; or
  - (4) The proposed location does not meet the applicable zoning requirements under Chapter 9.03 Zoning Regulations; or
  - (5) The proposed location does not meet all location requirements under SDCL 34-20G and the administrative rules promulgated thereunder; or
  - (6) The license is to be used for a business prohibited by state or local law, statute, rule, ordinance, or regulation; or
  - (7) Any owner, principal officer, or board member of the applicant has had a cannabis establishment license revoked by the city or a registration certificate revoked by the state; or
  - (8) Any applicant, or an owner, principal officer, or board member thereof, is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the applicant in relation to any cannabis establishment; or

(9) The applicant will not be operating the business for which the license would be issued; or

(10) No principal officers of the applicant are residents of the State of South Dakota.

(B) In the case of an application for a cannabis dispensary license, the city will reject the application if the limit on the number of cannabis dispensaries has been reached.

(C) The license must be posted in a conspicuous place at or near the entrance to the cannabis establishment so that it may be easily read at any time.

#### **§ 4.0206: CITY NEUTRALITY AS TO APPLICANTS**

(A) Upon request from the Department as to the City's preference of applicants, the City will neither support nor oppose any registration certificate application under consideration by the Department. Likewise, if inquiry is made by the Department, the City will abstain from endorsing any application as beneficial to the community.

#### **§ 4.0507: NUMBER OF CANNABIS DISPENSARIES**

(A) No more than \_\_\_ (\_\_) cannabis dispensary/dispensaries shall be allowed to operate in the City at any time.

#### **§ 4.0208: EXPIRATION OF LICENSE AND RENEWAL**

(A) Each license expires one year from the date of issuance and may be renewed only by making application as provided in Section 4.0204. Application for renewal must be submitted at least thirty (30) days before the expiration date. The license holder must continue to meet the license requirements to be eligible for a renewal.

(B) The renewal fee is \$5,000.00. The City will reimburse \$2,500 for applicants who fail to obtain a renewal of their registration certificate from the Department.

(C) Failure to renew a license in accordance with this section may result in additional fees. Upon expiration of the license, the city may order closure of the cannabis establishment.

(D) If a license holder has not operated an establishment for which it holds a license in the preceding twelve (12) months, the license will not be renewed.

#### **§ 4.0209: SUSPENSION**

(A) A license may be suspended if the license holder or an employee or agent of the license holder:

(1) Violates or is otherwise not in compliance with any section of this article.

(2) Consumes or smokes or allows any person to consume or smoke cannabis on the premises of the cannabis establishment.

(3) Knowingly dispenses or provides cannabis or cannabis products to an individual or business to whom it is unlawful to provide cannabis or cannabis products.

(B) A license may be suspended if the license holder has its Department-issued registration certificate suspended, revoked, or not renewed by the Department or if the registration certificate is expired.

(C) A license may be suspended if the license holder creates or allows to be created a public nuisance at the cannabis establishment.

#### **§ 4.0210: REVOCATION**

(A) A license may be revoked if the license is suspended under Section 4.0209 and the cause for the suspension is not remedied.

(B) A license may be revoked if the license is subject to suspension under Section 4.0209 because of a violation outlined in that section and the license has been previously suspended in the preceding 24 months.

(C) A license is subject to revocation if a license holder or an employee of a license holder:

(1) Gave false or misleading information in the material submitted during the application process;

(2) Knowingly allowed possession, use, or sale of non-cannabis controlled substances on the premises;

(3) Operated the cannabis establishment or the business of the cannabis establishment for which a license is required under this article while the license was suspended;

(4) Repeatedly violates the provisions of Section 4.0209;

(5) Operated a function of a cannabis establishment for which the license holder was not licensed (e.g., a licensed cannabis cultivation facility conducting cannabis testing functions without a cannabis testing establishment license);

(6) A license holder, or an owner, principal officer, or board member thereof, is delinquent in payment to the city, county, or state for any taxes or fees related to the cannabis establishment;

(7) A license holder, or an owner, principal officer, or board member thereof, has been convicted of, or continues to employ an employee who has been convicted of, a disqualifying felony offense as defined by SDCL 34-20G;

(8) The license holder has its Department-issued registration certificate suspended, revoked, or not renewed or the registration certificate is expired;

(9) The license holder allows a public nuisance to continue after notice from the City.

#### **§ 4.0211. SUSPENSION AND REVOCATION PROCESS**

(A) The license holder will receive a notice of intent to suspend or notice of intent to revoke informing

the license holder of the violation and the city's intention to suspend or revoke the license. The notice will be hand delivered to the license holder or an employee or agent of the license holder or sent by certified mail, return receipt requested to the physical address of the cannabis establishment.

- (B) If the license holder disputes the suspension or revocation, the license holder has ten (10) days from the postmark date on the notice or the date the notice was hand delivered to request a hearing before a hearing panel, which will consist of the Mayor, City Administrator, and Chair of the Planning Commission.
- (C) A suspension will be for thirty (30) days and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder exercises its rights to process and appeal, in which case the suspension takes effect upon the final determination of suspension.
- (D) A revocation will be for one (1) year and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder appeals the revocation, in which case the revocation takes effect upon the final determination of revocation.
- (E) The license holder who has had the license revoked may not be issued any cannabis establishment license for one year from the date the revocation became effective.

#### **§ 4.0212: APPEAL**

An applicant or license holder who has been denied a license or renewal of a license or who has had a license suspended or revoked under this article may appeal to the City Council by submitting a written appeal within ten (10) days of the postmark on the notice of denial, nonrenewal, suspension, or revocation. The written appeal must be submitted to City Hall 125 N. Main, Hartford, South Dakota, 57033. The appeal will be considered by the City Council at a regularly scheduled meeting within one month of the receipt of the appeal.

#### **§ 4.0213: LICENSES NOT TRANSFERRABLE**

No cannabis establishment license holder may transfer the license to any other person or entity either with or without consideration, nor may a license holder operate a cannabis establishment at any place other than the address designated in the application.

#### **§ 4.0214: HOURS OF OPERATION FOR DISPENSARIES**

No cannabis dispensary may operate between the hours of 12:00 a.m. and 6:00 a.m. any day of the week.

#### **§ 4.0215: LIABILITY FOR VIOLATIONS**

Notwithstanding anything to the contrary, for the purposes of this article, an act by an employee or agent of a cannabis establishment that constitutes grounds for suspension or revocation will be imputed to the cannabis establishment license holder for purposes of finding a violation of this article, or for purposes of license denial, suspension, or revocation, only if an officer, director or general partner or a person who managed, supervised or controlled the operation of the cannabis establishment, knowingly allowed such act to occur on the premises.

**§ 4.0216: PENALTIES**

Any person who operates or causes to be operated a cannabis establishment without a valid license or in violation of this article is subject to a suit for injunction as well as prosecution for ordinance violations. Such violations are punishable by a maximum fine of five hundred dollars (\$500.00). Each day a cannabis establishment so operates is a separate offense or violation.

**Severability.** The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_  
Jeremy Menning, Mayor

ATTEST:

\_\_\_\_\_  
Karen Wilber  
Municipal Finance Officer

First Reading:  
Second Reading:  
Date Adopted:  
Date Published:  
Effective Date:

## **Proposed Cannabis Ordinances**

There are 2 ordinances that will be considered at the joint meeting on August 31, 2021. The first Ordinance will amend the city's zoning regulations. Since this is a zoning change, a public hearing needs to be held for this ordinance. The P&Z chair will open the public hearing and take comments, then the P&Z Board will vote on a recommendation to the city council. After this recommendation, the P&Z Board will adjourn, and the City Council will hold 1<sup>st</sup> reading of Ordinance #714 that was just reviewed by the P&Z Board and then they will hold 1<sup>st</sup> Reading of Ordinance #715 – this is just an ordinance to amend our municipal ordinance to set the licensing regulations (this only needs review by the council).

Our attorney, Tom Frieberg, has drafted both ordinances – going off of suggestions from the last P&Z meeting. Note that these ordinances will govern all cannabis facilities (medical and recreational once enacted). Changes can be made at the meeting if needed.

**Ordinance #714:** This will amend the city's zoning regulations to allow cannabis facilities. It states that dispensaries are a permitted use in all commercial zones and central business zone (the P&Z Board suggested that they only be allowed as a conditional use but our attorney thought we may just want to set the regulations as a permitted use in order to avoid possible legal challenges – this can be discussed again at our meeting). Cultivation, manufacturing, and testing facilities are a permitted use in light and heavy industrial zones. No cannabis establishments can be located in NRC or Residential zones. It also states that any facility cannot be within 1000 feet of any "school" - only refers to K-12 not preschools as I previously thought it did. It also cannot share space with another practitioner or be within 500' of any other cannabis dispensary (this was added so we don't have a dispensary on every block). There also cannot be more than one dispensary per building. This drafts states that there is no drive-through and that all sales must be completed at the dispensary location. Hours are set at 6am to 12am (midnight). They must be state licensed and show documentation of this. The ordinance also amends our zoning definitions.

**Ordinance #715:** This ordinance will amend the city's municipal ordinances and only needs review and approval from the city council. It will set the licensing regulations for cannabis facilities. The city license will cost \$5,000, with \$2,500 reimbursable if the applicant fails to obtain a license from the state. It also lays out the required regulations for the license. Section 4.0507 was added in case the city wants to limit the number of dispensaries – original thoughts from the P&Z Board were to not limit since the medical cannabis market will be restrictive anyway but this ordinance will also address recreational cannabis, to the city may want to limit the number of licenses – this can be determined at our meeting. It states that licenses are good for 1 year only and then they will need to be renewed and allows no provisions from transferring. It also talks about license revocation and suspension.