

**City of Bellefontaine Neighbors
Planning & Zoning Commission Minutes
September 9, 2019**

Chairman Wiese called the meeting to order at 7:07 pm.

Present: Chairman Wiese, City Engineer Klein, Inspector Raben, Members Duhadway, Gordon, Borzymowski, Lane, Barrett
Excused: Alderwoman Dailes

Members were asked if there were any changes to the minutes of the P&Z meeting August 12, 2019. Barrett referred to a statement in the minutes about a commercial business application at 10236 Cabot. He stated that, if an application was in compliance with the existing zoning and all applicable permits were obtained, P&Z can approve the application without referring the applicant to the BOA. He went on to read conditions cited in the City's municipal code as reasons for requiring Conditional Use Permits (CUPS) under Sec 29-94 Conditional Use Regulations – Purpose.

Motion to accept the revised minutes was made by Gordon, seconded by Borzymowski. Motion passed unanimously.

The major subject of the meeting was to discuss zoning considerations for Medical Marijuana (MM) facilities, to be allowed throughout the state January 1st. Member Dailes had forwarded a letter of intent from MotaCann Holdings, LLC for a medical marijuana facility to be located at 1150 Pershall Drive in Bellefontaine Neighbors. She also forwarded documentation from the cities of Berkeley and Kirkwood as comparative data to how we might approach the subject. Included with Kirkwood's documentation were various approaches by the cities of Webster Groves, Crestwood and Warrensburg MO, used by Kirkwood as a backdrop to their own proceedings.

Borzymowski asked to review ordinances for pharmacies and liquor stores as they relate to MM. He asked if we would also consider approaches/policies adopted by Maryland Heights and Town & Country. Barrett said they could be considered if easily available but also stated that Bellefontaine is under a deadline to be ready by January 1st and that St. Louis County had yet to ratify changes to their zoning ordinances, expected to be soon based on conversations with two County officials familiar with proceedings there.

Barrett had reviewed the documentation from Berkeley, Kirkwood, St. Louis County and MotaCann Holdings and generated an Excel spreadsheet comparing zoning criteria, buffer distances between MM facilities & churches/childcares/schools, hours of operation, etc. Chairman Wiese printed enlarged copies for all members to review during discussion.

Barrett discussed what he had learned from reviewing the documents. The state specifically calls out four (4) distinct types of Medical Marijuana facilities:

- Cultivation/Agriculture
- Manufacturing of Marijuana-Infused Products
- Testing/Labs
- Dispensaries

The County documents echoed the State in that Local authorities may only regulate “time, place and manner” of Medical Marijuana establishments and cannot make applications for those facilities “unduly burdensome” through restrictive zoning, regulation or fees.

Considerations for buffer distance requirements between MM facilities and churches/childcares/schools and other MM-related matters were discussed “round robin” style. It was decided to go down the Excel spreadsheet and fill in fields (cells) one-by-one to come up with initial recommendations to the BOA. It was decided that Barrett would revise the spreadsheet accordingly using answers provided by consensus, with any other late-breaking information, and distribute to all members via e-mail for review and comment. Given the limited time available, P&Z may meet on this topic once more before its regular October meeting.

A motion to adjourn was made by Borzymowski and seconded by Gordon. Motion passed unanimously.

Meeting adjourned at 8:45.

Recommendations & Action Items:

1. P&Z meeting minutes will be forwarded to Judy Mantych in the Building Department for distribution.

Respectfully Submitted,

Pat Barrett