

BILL NO: 2313

ORDINANCE NO. 2126

AN ORDINANCE AMENDING APPENDIX A OF THE ZONING REGULATIONS OF THE CITY OF VALLEY PARK AS IT PERTAINS TO MARIJUANA DISPENSARIES AND MARIJUANA GROWING OPERATIONS

WHEREAS, the City of Valley Park desires to update its zoning regulations, more specifically Appendix A: Listing of Permitted and Conditional Zoning District Uses in Chapter 405 of City Code; and

WHEREAS, on November 8, 2022, Missouri voters approved an amendment to the Missouri Constitution to make marijuana legal under state and local law for adults twenty-one years of age or older; and

WHEREAS, the Board of Aldermen of the City of Valley Park desire that Medical Marijuana Dispensaries (not including growing operations) and Comprehensive Marijuana Dispensaries shall be Conditional Uses permitted in the C-1, C-2, I-1, PD-C, and PD-I zoning districts; and

WHEREAS, the Board of Aldermen of the City of Valley Park desire that Medical Marijuana Growing Operations and Comprehensive Marijuana Growing Operations shall be permitted as Conditional Uses permitted in the I-1 and PD-I zoning districts; and

WHEREAS, the Board of Aldermen of the City of Valley Park desire that no marijuana dispensaries and growing operations be located within three hundred feet of any then-existing elementary or secondary school, child day-care center, or church; and

WHEREAS, an existing daycare, elementary or middle or high school, or place of worship may submit a written letter waiving the buffer requirement to allow a marijuana use to locate at a specific property within the three hundred foot buffer; and

WHEREAS, a Public Hearing was held before the Planning and Zoning Commission of the City of Valley Park on January 9th, 2023; and

WHEREAS, the Planning and Zoning Commission, having considered said amendment, recommended approval of the ordinance as presented; and

WHEREAS, the Board of Alderman, having considered said amendment, voted to approve the amendment to the zoning regulations of the City Code; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF VALLEY PARK, MISSOURI AS FOLLOWS:

Section One

1. The Board of Aldermen hereby amends Appendix A: Listing of Permitted and Conditional Zoning District Uses as follows:

Medical marijuana dispensaries (not including growing operations) coded 446110 and Comprehensive marijuana dispensaries (not including growing operations) coded 459991 shall be permitted as conditional uses in the C-1, C-2, I-1, PD-C, and PD-I zoning districts.

Medical marijuana growing operations coded 111998 and Comprehensive marijuana growing operations coded 111998 shall be permitted as conditional uses in the I-1 and PD-I zoning districts.

Section Two

1. The Board of Aldermen hereby amends Appendix A: Listing of Permitted and Conditional Zoning District Uses to include the following notes:

Note 2. Medical Marijuana Dispensaries (not including growing operations) and Medical Marijuana Growing Operations shall be located at least three-hundred (300) feet from any daycare, elementary or middle or high school, or place of worship as measured from property line to property line. An existing daycare, elementary or middle or high school, or place of worship may submit a written letter waiving the buffer requirement to allow a comprehensive marijuana use to locate at a specific property within the buffer.

Note 3. Comprehensive Marijuana Dispensaries (not including growing operations) and Comprehensive Marijuana Growing Operations shall be located at least three-hundred (300) feet from any daycare, elementary or middle or high school, or place of worship as measured from property line to property line. An existing daycare, elementary or middle or high school, or place of worship may submit a written letter waiving the buffer requirement to allow a comprehensive marijuana use to locate at a specific property within the buffer.


Section Three

1. Said amendments to Appendix A: Listing of Permitted and Conditional Zoning District Uses are attached and incorporated by reference as Exhibit A.

Section Four


This Ordinance shall become effective from and after its passage and approval by the Mayor.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN THIS 17th DAY OF JANUARY, 2023.



Mayor Chandra Webster

ATTEST:



Nathan Schauf
City Administrator
City of Valley Park

VOTES CAST:

To Approve Bill No. 2313

Motion: Reynolds

Second: Halker

	Yes	No
Rauls	<u>X</u>	___
Young	<u>X</u>	___
Halker	<u>X</u>	___
Reynolds	<u>X</u>	___

	Yes	No
Rose	<u>X</u>	___
Bowen	<u>X</u>	___
Walker	<u>X</u>	___
White	<u>X</u>	___

Absent: _____

EXHIBIT A

APPENDIX A: LISTING OF PERMITTED AND CONDITIONAL ZONING DISTRICT USES

Land Use Category	Code	R-1	R-2	R-3	C-1	C-2	I-1	PD-R	PD-C	PD-I	PD-MX
Medical marijuana dispensaries (not including growing operations)	446110				C	C	C		C	C	
Comprehensive marijuana dispensaries (not including growing operations)	459991				C	C	C		C	C	
Medical marijuana growing operations	111998						C			C	
Comprehensive marijuana growing operations	111998						C			C	

Note 2: Medical marijuana dispensaries (not including growing operations) and medical marijuana growing operations shall be located at least three hundred (300) feet from any daycare, elementary or middle or high school, or place of worship as measured from property line to property line. An existing daycare, elementary or middle or high school, or place of worship may submit a written letter waiving the buffer requirement to allow a medical marijuana use to locate at a specific property within the buffer.

Note 3: Comprehensive marijuana dispensaries (not including growing operations) and comprehensive marijuana growing operations shall be located at least three hundred (300) feet from any daycare, elementary or middle or high school, or place of worship as measured from property line to property line. An existing daycare, elementary or middle or high school, or place of worship may submit a written letter waiving the buffer requirement to allow a comprehensive marijuana use to locate at a specific property within the buffer.