

NOTICE OF MEETING AND PLANNING COMMISSION AGENDA



CITY OF OSAGE BEACH PLANNING COMMISSION MEETING

1000 City Parkway
Osage Beach, MO 65065
573.302.2000
www.osagebeach.org

TENTATIVE AGENDA

REGULAR MEETING

January 10, 2023 - 6:00 PM
CITY HALL

**** Note:** All cell phones should be turned off or on a silent tone only. Complete meeting packets are available on the City's website at www.osagebeach.org.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

- A. Motion to approve November 8, 2022

NEW BUSINESS

- A. Rezoning Case 420 - Rusina Hoffman - Rezoning from C-1 (General Commercial) to I-1 (Light Industry)
- B. Addition of 405.586 "Marijuana Facilities" to Chapter 405 "Zoning Regulations".

REPORTS

ADJOURN

Remote viewing is available on Facebook at *City of Osage Beach, Missouri* and on YouTube at *City of Osage Beach*

Representatives of the news media may obtain copies of this notice by contacting the following:

Tara Berreth, City Clerk
1000 City Parkway
Osage Beach, MO 65065
573.302.2000 x 1020

If any member of the public requires a specific accommodation as addressed by the Americans with Disabilities Act, please contact the City Clerk's Office forty-eight (48) hours in advance of the meeting at the above telephone number.

THE CITY OF OSAGE BEACH, MISSOURI
PLANNING COMMISSION MINUTES OF THE REGULAR MEETING

November 8, 2022

Call to Order

Acting Chairman Mayor Michael Harmison in the absence of Chairman Susan Ebling called the Planning Commission of the City of Osage Beach, Missouri, to order at the regular meeting on November 8, 2022 at 6:00 p.m. at City Hall. Everyone stood for the Pledge of Allegiance.

Roll Call

The following Commissioners were present: Bill Mackay, Alan Blair, Gary Jones, Angie Schuster, Nancy Viselli, Mayor Michael Harmison, Tony Kirn, and Jessica Rozier. Also present: City Planner Cary Patterson, and Planning Department Secretary Pam Campbell. The following were absent: Chairman Susan Ebling, Alderman Bob O'Steen, Bill Morgan, and City Attorney Ed Rucker.

Minutes - 9/13/2022

Acting Chairman Mayor Michael Harmison asked if there were any corrections or comments regarding the September 13, 2022, regular meeting minutes. There were none. *Tony Kirn made a motion to approve the September 13, 2022 minutes and Nancy Viselli seconded the motion. Upon a voice vote, all voted yes, no nays were heard. The motion was passed unanimously.*

New Business

Acting Chairman Mayor Michael Harmison said the only item for business was the Harpers Cov Subdivision Preliminary and Final Plats.

Planner Patterson stated he appreciated everyone showing up tonight and delivered the following report.

**PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION**

Date: November 8, 2022

Subdivision Name: Harpers Cov Subdivision Preliminary and Final Plats

Location: 1,100 feet west of Case Road on the north side of Sycamore Valley Drive.

Section/Township/Range: 10/39/16

Applicant: Harpers Cov LLC. (Adam Seraphine)

Professional Services: Shoreline Surveying and Engineering
Tract Size: 14.23 acres (39 Single Family Lots and 1 Common Area Lot)
Zoning: R-1b (Single Family) R-3 (Multi-Family)

Surrounding Land Use:

North: Lake of the Ozarks, Single Family Housing
South: Highway 54 Corridor
East: Single Family Housing
West: Vacant Golf Course PUD, Scattered Single Family

Department Comments

Preliminary:

- 1) The plat was reviewed for code compliance and was found to be consistent with the preliminary plat requirements
- 2) The City Engineer (Cochran) has reviewed the public improvement plans with only minor amendments needing to be made and will be reflected on the final set of plans that will be submitted with the Engineer's Estimate and the Letter of Credit.

Final:

- 1) The plat was reviewed for code compliance and was found to be consistent with the final plat requirements. The final Public Improvement Plans and the Engineer's Estimate and Letter of Credit must be submitted prior to the Final Plat being released by the City for recording at Camden County.

Because the subject plats are consistent with the regulations for subdividing property established by the City of Osage Beach Subdivision Code, the Planning Department recommends approval of the requested preliminary and final plats with the submittal of the final Public Improvement Plans, the Engineer's Estimate and a Letter of Credit for the required public improvements.

Planner Patterson stated: This property was presented for rezoning back in February and was rezoned from A-1 to R-1b single family which is what is being presented tonight and there is R-3 zoning up the hill which will be looked at later when the developer decides on that what they will be doing with that section of the property which might be two, three or four-plex townhomes or a combination of those and that will be decided at a later date depending on the market. This property is 14.23 acres which will be 39 single family lots and one common area lot. For finalizing the Plat, the Public Improvement Plan has been a process and was done by Shoreline Engineers out of Eldon. They have worked with Cochran, our contract engineers, for several months to make sure that the sewer, water, streets, sidewalks, storm drainage and street lighting all meets our design codes. There is a letter from Cochran in your packet. We have the engineer's estimate which is at \$2 million and they are working towards getting the irrevocable bond which we will have to have to do the work. We will get the bond before this goes to the Board of Aldermen on November 17th. There are several closings scheduled for the end of November and we are moving this up in order to accommodate those closings. The sewer was the bigger issue but this has been figured out. Planner Patterson stated he gives his recommendation to approve and forward this recommendation to the Board of Aldermen for the preliminary and final plats.

Acting Chairman Mayor Michael Harmison asked if there were any questions.

Tony Kirn asked about the sewer being all worked out regarding the pumping and elevation.

Planner Patterson replied that the issue isn't with the pump or the main but getting it up the hill from their particular location and there will be some pumps at individual homes and the main line is on Sycamore Valley Road. They would need to upgrade any system that needs to be upgraded.

Acting Chairman Mayor Michael Harmison asked if there were any comments or questions, there were none, and then he asked for a Motion.

Gary Jones made a motion to approve the Harpers Cov Subdivision Preliminary and Final Plats and Jessica Rozier seconded the motion. Upon a voice vote, all voted yes, no nays were heard. The motion was passed unanimously.

Acting Chairman Mayor Michael Harmison asked if there were any reports.

Reports

Planner Patterson told everyone to get out and vote. Also, there will be upcoming excitement in 2023.

Acting Mayor Michael Harmison told everyone that today is Cary's Birthday, he wished Cary a Happy Birthday told everyone that on their way out to wish Cary a Happy Birthday.

Adjourn

Acting Mayor Michael Harmison asked for a motion to adjourn.

Nancy Viselli made a Motion to Adjourn and it was seconded by Angie Schuster.

The meeting adjourned at 6:09 pm.

I, Pam Campbell, Planning Department Secretary, for the City of Osage Beach, Missouri, do hereby certify that the above foregoing is a true and complete journal of proceedings of the regular meeting of the Planning Commission of the City of Osage Beach, Missouri, held on November 8, 2022.

Pam Campbell
Planning Department Secretary

Nancy Viselli
Planning Commission Secretary

**PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION**

Date:	January 10, 2023	Case Number:	420
--------------	------------------	---------------------	-----

Applicant: Rusina Hoffman

Location: 987 Village Lane

Petition: Rezoning from C-1 (General Commercial) to I-1 (Light Industry)

Existing Use: Commercial Property

Existing Zoning: C-1 (General Commercial)

Tract Size: 36,004.58 Sq. Ft.

	<u>Surrounding Zoning:</u>	<u>Surrounding Land Use:</u>
<u>North:</u>	C-1 General Commercial	Bar/ Tavern
<u>South:</u>	C-1 General Commercial	Vacant Commercial Property
<u>East:</u>	C-1 General Commercial	Commercial Multi Use
<u>West:</u>	C-1 General Commercial	Auto Sales

The Osage Beach Comprehensive Plan
Designates this area as appropriate for: Heavy Traffic Commercial

<u>Rezoning History</u>	<u>Date</u>
--------------------------------	--------------------

Original City zoning adoption

Utilities

<u>Water:</u>	City	<u>Gas:</u>	Private
<u>Electricity:</u>	Ameren	<u>Sewer:</u>	City

Access: Property derives access from Osage Beach Parkway via ingress/egress easement known as Village Lane.

Analysis:

1. The applicant is the owner of the .83-acre parcel in question. The entire parcel is zoned C-1 as it was zoned with the initial zoning of the community in the 1980's.
2. The property is second tier from Osage Beach Parkway within the area between Highway KK and Nichols Road. The corridor contains a mixture of commercial and Industrial uses ranging from retail to the Airport and Hospital.
3. Currently the subject property has one existing structure that serves as the grandfathered, long-time, residence of the applicant. The subject property was once the home of a tow yard that was owned and operated by the owner/applicant and her late husband Don Hoffman.
4. The applicant and family intend to use the exiting tow yard and enclosure for a secure boat storage facility. This intended use requires the property be rezoned to I-1 (Light Industry).
5. The Zoning Code addresses uses of this type as appropriate for the I-1 (Light Industrial) zone. The reasoning is that uses of this kind can be both large scale and impact properties differently than other retail or rental uses. Storage of large boats and use of tractors or tow equipment to move them by nature is not suitable to require hard surfacing for parking and drive areas because of the damage that is imposed when moving it. In these cases, it is more practical to allow gravel surfacing for the storage areas while still requiring hard surfacing for customer and employee parking areas, including those with accessibility needs.

Department Comments and Recommendations:

The City of Osage Beach is a community where finding locations for industrial uses is difficult to say the least. The Parkway Corridor in this general area, however, has a number of properties that are already zoned I-1 (Light Industry) as can be seen on the enclosed "Surrounding Zoning" map, along with a number of activities that are compatible with the uses allowed within the I-1 zone, such as, the storage facilities, airport, and other boat service and storage facilities. Allowing some flexibility as it pertains to use in this portion of the corridor may also provide some answer to the property use and infill needs to promote business growth and increased traffic in the area. The subject property along with several of the adjacent properties would greatly benefit from the added use flexibility provided by the I-1 zone which permits all the uses within the C-1 zone along with some light manufacturing and assembly, storage, freight, laundry mats etc. This particular property was the location of a tow yard for much of its time being

used within the community. While the use as a tow yard was established prior to the Zoning Code being adopted by the City, if it were to be reestablished today, the subject property would need to be rezoned to I-1 (light Industry) as is being requested currently. Although the comprehensive plan does recommend heavy traffic commercial for the surrounding properties, that designation includes the majority of the uses within the I-1 zone and by allowing C-1 uses to be located within the I-1 zone; the zoning code itself establishes that C-1 and I-1 uses are compatible and complementary. **With this in mind, the Planning Department would recommend approval of this request and would also recommend that the City react positively to any similar requests for adjacent properties that could be made in the future.**



Date Received: 12/15/22

Case #: 420

Jan. 10, 2023

REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: Rusina Hoffman Phone: 573.348.5489

Address: 987 Village Lane City: Osage Beach State MO Zip: 65065

List all owners of the property. If corporation or partnership, list names, addresses and phone numbers of principal officers or partners:

See attached list

2. Name of landowner's representative, if different from above: Phone:

Address: 987 Village Lane City: Osage Beach State: MO Zip: 65065

3. All correspondence relative to this application should be directed to whom? Justin Hoffman

Address: City: State Zip:

4. General location of property to be rezoned or for which special use permit is sought (include street numbers for existing structures):

Address: 987 Village Lane City: Osage Beach State MO Zip: 65065

5. Do you have a specific use proposed for this property? ☒ Yes ☐ No

Explain all uses: Boat and trailer storage within existing enclosure

6. Area of property in square feet or acres: 34,004.58 Sq Ft

7. Current zoning classification: C-1 (General Commercial)

8. Sources of utilities: Water: city Gas:

Sewer: city Electric:

9. Proposed zoning classification: I-1 (Light Commercial)

10. How long have you owned this property? 1985 to present

11. Current use of property (describe all improvements): Not in use

12. Current use of all property adjacent to subject property: North: Bar

South: YMCA East: Strip Mall West: Car Dealership

13. If zoning district or comparable use to that proposed adjoins or lies within the vicinity of subject property, please describe the use and its location:

14. Do you own property abutting or in the vicinity of the subject property? ☒ Yes ☐ No

If yes, where is the property located and why was it not included with this application?

Subject property is adjacent to the south Lot 2 and is 8.03 acres. we are unsure of it's future use possibilities

15. Do any private covenants or restrictions encumber the subject property which could be in conflict with the proposed zoning classification? ☐ Yes ☒ No

If yes, please remit copy of restrictions with Recorder of Deeds Book and Page number.

16. To your knowledge, has any previous application for the reclassification of the subject property been submitted? ☐ Yes ☒ No

17. How, in your opinion, will the rezoning affect public facilities (sewer, water, schools, roads, etc.), and what mitigating measures are proposed to address these problems, if any? Please include a letter from or regarding, City Engineering Department reviews of proposed zoning.

There will be more car traffic on the easement from Osage Beach PKWY to subject property

18. How, in your opinion, will rezoning affect adjacent properties and what mitigating measures are proposed to address these problems, if any?

There are no foreseeable issues

19. List the reasons why, in your opinion, this application for rezoning/special use permit should be granted (may be left blank if adequately described in letter to Planning Commission):

Best use of existing structure and property with the second tier location from the Osage Beach PKWY corridor

Notary Information

State of Missouri }

ss

County of Camden }

I, RUSINA HOFFMAN, owner/applicant, having read the procedures and instructions, make application for a change in the zoning district boundary lines as shown on the zoning maps of the City of Osage Beach, Missouri and explained in this application.

Rusina Hoffman
Signature Owner/Applicant:

Date: 12-14-2022

Subscribed and sworn to before me on this 14th day of DECEMBER, 20 22

Pamela S Campbell
Notary Public:

My Commission Expires: 3-11-2024

Person Accepting this Application:

PAMELA S CAMPBELL
Notary Public - Notary Seal
(STATE OF MISSOURI)
Comm. Number 20562455
Camden County
My Commission Expires: Mar. 11, 2024

***Applications not properly signed and notarized may be removed from the Agenda and returned to the applicant via regular mail ***

CITY OF OSAGE BEACH
PLANNING DEPARTMENT
1000 CITY PARKWAY
OSAGE BEACH, MO 65065
573-302-2000 Phone – 573-302-0528 FAX

TO: City of Osage Beach, Planning Commission

FROM: Justin Hoffman

DATE: 14 December 2022

RE: Rezoning of subject property

Planning Commission:

Hello. My name is Justin Hoffman. I grew up here in Osage Beach, going to Osage Beach Elementary and graduating from Camdenton High School. My family purchased the subject property discussed in this proposal in 1985. My mother and father created and operated a towing and storage business called Village Towing until my father's retirement in 2010. My father passed away in 2018, and since then I have been working on the property to prepare it for a new business. That time has come, which is why I am requesting this rezoning. Very little change is necessary to the property from the previous business and this new business is much more applicable to the area in 2022. Thank you for your time and consideration on this matter.

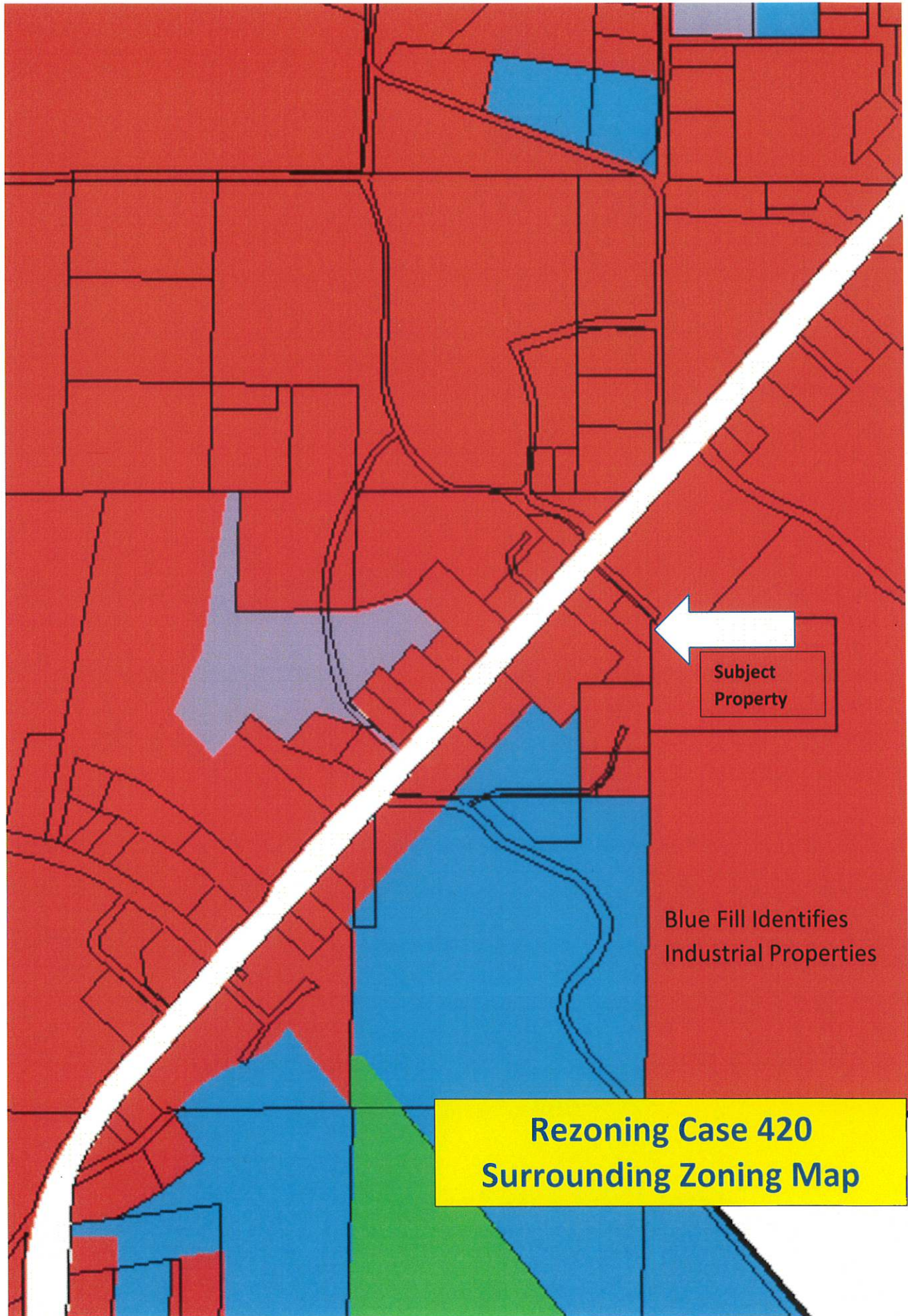
Cordially,



Justin Hoffman



Rezoning Case 420
Location Map



Subject
Property

Blue Fill Identifies
Industrial Properties

**Rezoning Case 420
Surrounding Zoning Map**

PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION

Hearing Date: January 10, 2023

Case Number: none

Action: Addition of 405.586 "Marijuana Facilities" to Chapter 405 "Zoning Regulations."

Analysis:

This is the initial draft document addressing the regulation of Marijuana Facilities within the Cooperate City Limits of Osage Beach. The regulations were written in answer to the approval of legalizing adult marijuana use in the State of Missouri as passed by the voters during the election held November 8, 2022.

The City Attorney has not been able to do his complete review of the enclosed regulations and additions at this point, so there may be some further additions or amendments to the enclosed document prior to the meeting. If there are any amendments the City Attorney wants made to the enclosed document, we will get it to you as soon as possible or if necessary, those changes will be presented at the meeting with the necessary information as to why the subject changes are necessary.

Addition to Article VI Additional Zoning District Regulations

Division 3 Marijuana Facilities

Section 405.585: Medical Marijuana Facilities

SECTION 405.586: Marijuana Facilities

- 1 **"Purpose".** The Marijuana Facilities regulations are established to promote the health, safety, morals, and general welfare of the citizens, visitors, and businesses of the City. This Section is intended to govern and provide locations within the City of Osage Beach where Marijuana Facilities can successfully provide their intended services to the citizens and visitors of Osage Beach while maintaining the standard of life to which they have become accustomed.

- A. **"Comprehensive Marijuana Dispensary Facility".** This use will only be permitted in the "C-1", "I-1" and "I-2" zoning districts after meeting the following minimum requirements:
 1. No Comprehensive Marijuana Dispensary Facility shall be permitted within two hundred (200) feet, measured from property line to property line, of any religious institution, elementary or secondary school, or child daycare facility.
 2. Properties proposed to contain a Comprehensive Marijuana Dispensary Facility must be located in one of the previously established zones and also meet one of the following:
 - A. Be located within two thousand (2,000) feet of the Osage Beach Parkway Public Right of Way or the Interchange Right of Way for the Highway 54 Expressway or;
 - B. Be located within one thousand (1,000) feet from the State Highway 42 or State Highway KK Public Right of Way.
 3. No Comprehensive Marijuana Dispensary Facility shall be permitted on a property that is contiguous with the Lake of the Ozarks.

- B. **"Comprehensive Marijuana Cultivation Facility".** This use will only be permitted in the "A-1" and "I-2" zoning districts after meeting the following minimum requirements:
 1. Properties proposed to contain a Comprehensive Marijuana Cultivation Facility must be located in one of the previously established zones and also meet the following:

- A. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property containing a religious institution, elementary or secondary school, or child daycare facility.
 - B. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property that is zoned residential. This will also include properties zoned "A-1" that contains a previously established residential use and properties zoned "C-1" that have been approved for a Special Use Permit for a residential use in a commercial zone
- 2. No Comprehensive Marijuana Cultivation Facility shall be permitted on a property that is contiguous with the Lake of the Ozarks.
- C. **"Comprehensive Marijuana Infused Products Manufacturing Facility"**. This use will only be permitted in the "I-2" zoning district after meeting the following minimum requirements:
 - 1. Properties proposed to contain a Comprehensive Marijuana Infused Products Facility must be located in the previously established zone and also meet the following:
 - A. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property containing a religious institution, elementary or secondary school, or child daycare facility.
 - B. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property that is zoned residential. This will also include properties zoned "A-1" that contain a previously established residential use and properties zoned "C-1" that have been approved for a Special Use Permit for a residential use in a commercial zone.
 - 2. No Comprehensive Marijuana Cultivation Facility shall be permitted on a property that is contiguous with the Lake of the Ozarks.
- D. **"Marijuana Testing Facility"**. This use will only be permitted in the "I-2" zoning district after meeting the following minimum requirements:
 - 1. Properties proposed to contain a Marijuana Testing Facility must be located in the previously established zone and also meet the following:
 - A. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property containing a religious institution, elementary or secondary school, or child daycare facility.

- B. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property that is zoned residential. This will also include properties zoned "A-1" that contain a previously established residential use and properties zoned "C-1" that have been approved for a Special Use Permit for a residential use in a commercial zone.
- 2. No Marijuana Testing Facility shall be permitted on a property that contiguous with the Lake of the Ozarks.
- E. **Parking For Marijuana Facilities.** Parking for Medical Marijuana Facilities will be governed by the provisions of Chapter 405 Article IX "Off Street Parking and Loading Requirements"
- F. **Signage For Marijuana Facilities.** Signage for Medical Marijuana Facilities will be governed by the provisions of Chapter 405 Article V "Signs"
- G. Marijuana Facilities shall not negatively affect adjacent and surrounding properties by means of being noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, light, or glare.
- H. Marijuana Facilities that propose having more than one type of facility on the same property or within the same building, will be required to follow the regulations for the more restricted facility. (For example; as adopted in 2019, a facility containing both a dispensary and cultivation, would be required to locate in the "I-2" zone with the distance requirements for a cultivation facility.)
- I. All other applicable regulations not specifically addressed in this section will be governed by the provisions of the zoning district in which the facility is proposed to be located.

Additions to Section 405.020 "Definitions"

"Comprehensive Facility" means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

"Comprehensive Marijuana Cultivation Facility" means a facility licensed by the Missouri Department of Health and Senior Services 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" means a facility licensed by the Missouri Department of Health and Senior Services 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 section to a qualifying patient or primary caregiver, as those terms are defined in Article XIV, Section 2.6(5) of the Missouri State Constitution, 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 Article XIV, Section 2.6(5) of the Missouri State Constitution, 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 set forth in Article XIV, Section 2.6(5) of the Missouri State Constitution and provided for by 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" means a facility licensed by the Missouri Department of Health and Senior Services 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 products manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.

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

"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 or may not include a filter or crutch at the base of the product.

"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 marijuana plant and marijuana-infused products. "Marijuana" or "marihuana" does not include industrial hemp, as defined by Missouri statute, or commodities and products manufactured from industrial hemp.

"Marijuana accessories" means 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 Facility" means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, marijuana testing facility, comprehensive marijuana-infused products manufacturing facility, microbusiness wholesale facility, microbusiness dispensary facility, or any other type of marijuana-related facility or business licensed or certified by the Missouri Department of Health and Senior Services pursuant to this section but shall not include a medical facility licensed under Article XIV of the Missouri State Constitution.

"Marijuana-Infused Products" means products that are infused, dipped, coated, sprayed, or mixed with marijuana or an extract thereof, including, but not limited to, products that are able to be vaporized or smoked, edible products, ingestible products, topical products, suppositories, and infused prerolls.

"Marijuana Microbusiness Facility" means a facility licensed by the Missouri Department of Health and Senior Services as a microbusiness dispensary facility or microbusiness wholesale facility as defined in Article XIV, Section 2.6(5) of the Missouri State Constitution.

"Microbusiness Dispensary Facility" means a facility licensed by the Missouri Department of Health and Senior Services 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 Article XIV, Section 2.6(5) of the Missouri State Constitution to a consumer, qualifying patient (as that term is defined in Article XIV of the Missouri State Constitution), or primary caregiver, as that term is defined in Article XIV of the Missouri State Constitution, 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 Article XIV of the Missouri State Constitution and as otherwise allowed by law, a microbusiness wholesale facility, or a marijuana testing facility. Microbusiness 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 microbusiness dispensary facility's authority to process marijuana shall include the creation of prerolls.

"Microbusiness Wholesale Facility" means a facility licensed by the department 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.

"Marijuana Testing Facility" means a facility certified by the department to acquire, test, certify, and transport marijuana, including those originally certified as a medical marijuana testing facility.

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

"Preroll" means 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.

Additions to Section 405.640 "Off-Street Parking Criteria"

"Comprehensive Marijuana Dispensary Facility" One (1) space for each three hundred fifty (350) square feet of total building floor area, plus one (1) space for each employee on maximum shift.

"Microbusiness Dispensary Facility" One (1) space for each three hundred fifty (350) square feet of total building floor area, plus one (1) space for each employee on maximum shift.

Additions to Section 405.210 "C-1 General Commercial District"

Comprehensive Marijuana Dispensary Facilities subject to the use provisions outlined in Section 405.586

Microbusiness Dispensary Facilities subject to the use provisions outlined in Section 405.586

Additions to Section 405.240 "I-2 Heavy Industrial District"

Comprehensive Marijuana Cultivation Facilities subject to the use provisions outlined in Section 405.586

Comprehensive Marijuana Infused Products Manufacturing Facilities subject to the use provisions outlined in Section 405.586

Comprehensive Marijuana Testing Facilities subject to the use provisions outlined in Section 405.586

Microbusiness Wholesale Facilities subject to the use provisions outlined in Section 405.586

Additions to Section 405.130 "A-1 General Agricultural District"

Comprehensive Marijuana Cultivation Facilities subject to the use provisions outlined in Section 405.586