

## EXHIBIT A

### Chapter 400. Unified Development Order

#### ARTICLE IX. Conditional Use Permits and Uses Permitted With Conditions

##### Section 400.3350. Specific Zoning Requirements By Medical Marijuana Facility Type.

###### B. Medical Marijuana Dispensary Facility (CC2, PC, PB).

1. Medical marijuana dispensary facilities shall only be permitted with an approved conditional use permit or an approved development plan in the zone districts set forth in this Section.
2. In addition to all other conditions and requirements set forth in this UDO, the following conditions shall apply to medical marijuana dispensary facilities:
  - a. Medical marijuana dispensary facilities may only transport medical marijuana to qualifying patients, primary caregivers, testing, manufacturing, and other dispensary facilities; and only in accordance with the rules and regulations promulgated by the State of Missouri.
  - ~~b.~~ ~~A medical marijuana dispensary facility shall not have a drive-through service.~~
  - ~~e-b.~~ The permitted hours of operation for a medical marijuana dispensary facility shall be between the hours of 9:00 A.M. and 9:00 P.M. every day.
  - ~~d-c.~~ No medical marijuana or other product shall be displayed so as to be visible through glass, windows, or doors by a person of normal visual acuity standing at the outside perimeter of the medical marijuana dispensary facility.

#### ARTICLE XIV. Landscaping, Buffers and Tree Protection

##### Division 2. Landscaping, Buffers and Tree Protection Plans, Installation and Maintenance

###### ~~Section 400.4590. Tree Conservation Plan.~~

- ~~A. — A full tree conservation plan shall be submitted to the Planning Division prior to any grading, bulldozing or other removal of existing vegetation that may affect existing tree coverage. The Missouri Department of Conservation, Division of Forestry may be consulted at the discretion of the Director. The full tree conservation plan shall show the following:~~
- ~~1. — The extent of the development site;~~
  - ~~2. — Tree masses where clearing will occur;~~
  - ~~3. — Tree masses that will be retained in heavily wooded areas which will not be disturbed, the plan may show only the boundaries of each stand of trees;~~
  - ~~4. — Locations of proposed on-site underground utility lines;~~
  - ~~5. — Locations of other on- and off-site utility lines, indicating areas where trees cannot be planted because of interference with:~~

- a. ~~Existing or proposed utilities on public rights-of-way or on utility rights-of-way or easements, and~~
  - b. ~~Existing utilities on adjoining properties;~~
  6. ~~Limits of land disturbance, clearing, grading and trenching;~~
  7. ~~Limits of tree conservation areas, showing trees to be maintained and planted, specifying type and size;~~
  8. ~~Planting schedule, if applicable;~~
  9. ~~Delineation of tree conservation area that maintains at least thirty percent (30%) of tree canopy in riparian buffer areas; and~~
  10. ~~The method of demarcation and protection of significant trees and tree conservation areas from damage, including damage caused by soil compaction or contamination, prior to commencement of, and during, land disturbance.~~
- B. ~~A preliminary tree conservation plan may be submitted for non-residential development where multiple sites will be cleared and graded for purposes of marketing vacant sites to prospects. Planting of new trees will not be required on a lot until a use is developed on that lot and locations of new trees need not be shown on the preliminary plan. The preliminary tree protection plan shall show the following:~~
1. ~~The extent of the development site;~~
  2. ~~Limits of land disturbance, clearing, grading and trenching;~~
  3. ~~All significant trees to be removed and all other trees ten (10) inch caliper or larger to be removed;~~
  4. ~~Grade changes or other work adjacent to a significant tree or any other tree ten (10) inch caliper or larger that would affect it adversely, with drawings or descriptions as to how the grade, drainage and aeration will be maintained around the tree;~~
  5. ~~Trees that will be required on the lot when it is developed, calculated by subtracting one-third (1/3) of the lot area as assumed building area; and~~
  6. ~~Removal of significant trees and other trees ten (10) inch caliper or larger shall be permitted only in conjunction with an approved preliminary tree conservation plan, an approved grading plan and actual grading of building pads (i.e., not simply to clear the lot).~~

#### Section 400.4600. Acceptable Plant Materials.

- A. The following are the minimum plant sizes and conditions to be used in satisfying the requirements of this Article. Acceptable plant materials for landscaping, buffers and tree replacement shall be as approved by the Director.
1. Medium shrubs, eighteen (18) to twenty-four (24) inch balled and burlapped or two (2) gallon container.
  2. Large shrubs, twenty-four (24) to thirty (30) inch balled and burlapped or five (5) gallon container.
  3. Ground cover, two and one-half (2½) inch peat pot.
  4. Deciduous trees shall be a minimum of two and one-half (2.5) inch caliper, measured at a point six (6) inches above the ground or top of the root ball, at planting.
  5. Evergreen trees shall be a minimum height of six (6) feet at planting.

~~B. The American Standard for Nursery Stock, published by the American Association for Nurserymen, shall be the standard reference for the determination of plant standards. Publications of the University Extension, University of Missouri System, the Missouri Department of Conservation and other authorities acceptable to the Director also may be used.~~

CB. Existing trees and/or shrubs that are to be retained to satisfy the requirements of this Article shall meet the following standards.

1. Evergreen trees shall be at least five (5) feet in height.
2. Deciduous trees shall be a minimum of a one and one-half (1.5) inch caliper.
3. Trees shall be free from mechanical injuries, insect infestations and disease.
4. Trees shall be protected from injury to roots, trunks and branches during grading and construction. Protective fencing, tree wells or retaining walls shall be utilized, where necessary, to ensure tree vigor upon completion of construction.
5. Shrubs that meet acceptable sizes, per Section 400.4600(A), and are free from injury and disease may be counted toward the requirements of this Article.

~~Section 400.4610. Approval of Plant Materials.~~

~~A. A landscape plan shall be submitted by a design professional in the field documenting that the use of a specific landscaping or buffer material that is proposed is appropriate for:~~

- ~~1. The specific location, given surrounding land uses and the type of screening used on nearby properties; and~~
- ~~2. The specific topography, soil, existing vegetation and other factors that may influence the effectiveness of a plant material.~~
- ~~3. (Reserved)~~

Section 400.4650. Landscaping — Minimum Requirements.

B. Open Yard Areas.

1. In addition to street frontage requirements, the minimum open yard area landscaping requirements shall be two (2) shrubs per five thousand (5,000) square feet of total lot area (except for tracts of land for which this Article imposes no yard requirements and permits one hundred percent (100%) coverage of the lot by buildings), excluding building footprint area. For schools and churches/places of worship, large sports/play fields and other areas specifically open to the public for use, i.e., tennis courts, paved play areas, paved parking lots, etc., shall be excluded in the calculation of this requirement.
2. All portions of the site not covered with paving or buildings may be landscaped or left in a natural state in accordance with an approved landscape plan. Provision shall be made for open areas not planted with materials to be covered with vegetative growth. Ground cover may be utilized on all slopes in excess of 3:1.
3. In addition to the trees required based upon street frontage, additional trees shall be required at a ratio of one (1) tree for every five thousand (5,000) square feet of lot area not covered by buildings/structures. For schools and churches/places of worship, large open sports/play fields may be excluded in the calculation of lot area.

The remaining open space shall be applied to the ratio for tree planting as stated herein.

4. When a site has existing trees that will remain, those trees may be identified and substituted ~~as one (1) required tree~~ for the open yard area as required by this Section.

#### Section 400.4690. Parking Lot Landscaping and Trees.

- A. Deciduous shade trees shall be provided within any parking lot designed or intended to accommodate ~~fifty-three (5030)~~ cars or more in accordance with the requirements of this Section.
  1. Landscape islands, strips or other planting areas shall be located within the parking lot and shall constitute at least five percent (5%) of the entire area devoted to parking spaces, aisles and driveways. Every four (4) aisles of parking shall include a landscape island of at least ten (10) feet in width.
  2. As a minimum, a landscaping island shall be located at the end of every parking bay between the last parking space and an adjacent travel aisle or driveway. The island shall be no less than nine (9) feet wide for at least one-half (1/2) the length of the adjacent parking space. The island shall be planted in trees, shrubs, grass or ground cover, except for those areas that are mulched.
  3. Tree planting areas shall be no less than nine (9) feet in width. No tree shall be located less than four (4) feet from the back of curb. All parking lot landscape islands, strips or other planting areas shall be curbed with minimum six (6) inch high curbs of the type required by this Article or other regulations for parking areas.
  4. Planting requirements: See Section 400.4650 of this Article.