

Section 400.230. Definitions.

**MEDICAL-MARIJUANA CULTIVATION FACILITY**

A facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a ~~medical~~-marijuana dispensary facility, ~~medical~~-marijuana testing facility, or to a ~~medical~~-marijuana-infused products manufacturing facility.

**MEDICAL-MARIJUANA DISPENSARY FACILITY**

A facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided by the State of Missouri to a consumer, qualifying patient, a primary caregiver, another ~~medical~~-marijuana dispensary facility, a ~~medical~~-marijuana testing facility, or a ~~medical~~-marijuana-infused products manufacturing facility.

**MEDICAL-MARIJUANA FACILITY**

Any ~~medical~~-marijuana cultivation facility, ~~medical~~-marijuana dispensary facility, ~~medical~~-marijuana testing facility, ~~medical~~-marijuana-infused products manufacturing facility, or ~~medical~~-marijuana transportation facility as defined by this Code.

**MEDICAL-MARIJUANA TESTING FACILITY**

A facility licensed by the State of Missouri to acquire, test, certify, and transport marijuana.

**MEDICAL-MARIJUANA TRANSPORTATION FACILITY**

A facility certified by the State of Missouri to transport marijuana to a consumer, qualifying patient, a primary caregiver, a ~~medical~~-marijuana cultivation facility, a ~~medical~~-marijuana-infused products manufacturing facility, a ~~medical~~-marijuana dispensary facility, a ~~medical~~-marijuana testing facility, or another ~~medical~~-marijuana-transportation facility.

**MEDICAL-MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY**

A facility licensed by the State of Missouri to acquire, store, manufacture, transport, and sell marijuana-infused products to a ~~medical~~-marijuana dispensary facility, a ~~medical~~-marijuana testing facility, or another ~~medical~~-marijuana-infused products manufacturing facility.

Section 400.1180. Limitation On Successive Applications By Landowner.

- C. The Director shall determine if an application concerns "substantially the same ~~property~~plan" as a prior application.

Section 400.1650. Zoning Matrix.

TABLE 5-1  
ZONING MATRIX TABLE

	RA-5	LR-2	R-40	R-20	R-10	R-7	PR-1	PR-2	NC-1	CC-2	PC	PB	NPI	PI	PM
(H) = Home occupation      P = Use permitted by right      CU = Conditional use (see Article IX)															
XC = Approved plan with conditions      PC = Permitted with conditions (Section 400.3470)      X = Per approved plan															
* = Indoor only      ** Outdoor only															
<b>Agriculture</b>															
<del>Medical-Marijuana-Marijuana</del> cultivation facility	GUPC**	PC**								GUPC**	X*	X*	GUPC*	X*	
<b>Retail Sales and Services</b>															
<del>Medical-marijuana-Marijuana</del> dispensary facility										GUPC	X	X			
<b>Manufacturing, Industrial, Transportation and Storage</b>															
<del>Medical-marijuana-Marijuana</del> -infused products manufacturing facility										GUPC	X	X	GUPC	X	
<del>Medical-marijuana-Marijuana</del> testing facility											X	X	GUPC	X	
<del>Medical-marijuana-Marijuana</del> transportation facility										GUPC	X	X	GUPC	X	

## Section 400.3345. Medical Marijuana Facilities.

~~A. All medical marijuana facilities shall require a conditional use permit or an approved development plan if located within a Planned Zone District, and shall comply with the following conditions:~~

- ~~1. The medical marijuana facility shall comply with regulations issued by the Department of Health and Senior Services for medical marijuana facilities and/or the State of Missouri (collectively, the "State"). If State requirements are more restrictive than Jefferson County requirements, the State requirement applies.~~
- ~~2. Site development plan approval is required prior to the commencement of use.~~
- ~~3. The medical marijuana facility shall be monitored at all times by a closed-circuit television for security purposes. The camera and recording system shall be of adequate quality, color rendition and resolution to allow the ready identification of any individual committing a crime anywhere on or adjacent to the facility. The recordings shall be maintained for a period of not less than ninety (90) days and shall be made available to law enforcement authorities upon request.~~
- ~~4. The medical marijuana facility, except a medical marijuana transportation facility, shall have a fireproof vault or safe that is incorporated into and securely attached to the building structure for the purpose of securely storing cash. Said facility shall also have and provide an adequate fire-protected and secure room for storing any processed marijuana products.~~
- ~~5. The medical marijuana facility shall have a fire and burglar alarm system.~~
- ~~6. The exterior building lighting and parking area of the medical marijuana facility shall be equipped with lighting fixtures of sufficient intensity to illuminate all interior areas of the lot with an illumination of not less than one and five tenths (1.5) footcandles evenly distributed as measured at floor level. These light fixtures shall be turned on from dusk to dawn.~~
- ~~7. The medical marijuana facility shall not use any equipment or process that creates noise, dust, vibration, glare, fumes, odors or electrical interference detectable to the normal senses beyond the property boundary so as to create a public nuisance as defined by this Code or Missouri State Law.~~
- ~~8. No person or facility shall dispose of marijuana or marijuana-infused products in an unsecured waste receptacle not in possession and control of the licensee and designed to prohibit unauthorized access.~~
- ~~9. Medical marijuana cultivation and transportation facilities shall have an armed security guard on the premises at all times. Medical marijuana dispensary facilities shall have an armed security guard on the premises during those hours when the medical marijuana dispensary facility is permitted to operate.~~

- ~~10. The medical marijuana facility shall display its State-issued license on the interior of the facility, visible to the public, at all times.~~
  - ~~11. The medical marijuana facility shall not allow on-site consumption of marijuana, marijuana-infused products or other intoxicants on the premises at any given time.~~
  - ~~12. The medical marijuana facility shall not have outdoor seating areas other than break areas for employees of the facility.~~
  - ~~13. The medical marijuana facility shall not have a sign unless it is a medical marijuana dispensary. Signage at medical marijuana dispensaries shall comply with Article XIII of this UDO.~~
  - ~~14. Any and all cultivation, processing, storage, display, sales or other distribution of marijuana at a medical marijuana facility shall occur within an enclosed building and shall not be visible from the exterior of the building. If said facility is located outdoors, then the facility shall not be readily visible, and any outdoor area shall be enclosed and topped by a razor wire fence. Said fence shall be slatted or other privacy type fence used, and all fencing shall be at least ten (10) feet in height, not including the razor wire.~~
  - ~~15. A medical marijuana facility shall comply with the relevant zone district height, area, design and setback requirements and the following additional location restrictions: No medical marijuana facility shall be located within 1,000 feet of any then-existing elementary or secondary school, child day care center, church or place of worship or public park.~~
  - ~~16. A medical marijuana facility, other than a medical marijuana transportation facility, shall be located in a permanent building and shall not be located in a trailer, cargo container, or motor vehicle and the structure shall not be mobile or operate from a transitory location. A medical marijuana transportation facility shall follow the rules and restrictions set forth in the Revised Statutes of Missouri, the Code of State Regulations and any other associated rules and regulations promulgated by the State of Missouri.~~
  - ~~17. Nothing in this UDO restricts multiple permit holders or a single entity owning multiple permits from operating from a single physical location, so long as all permit requirements are met, and each individual activity is properly licensed.~~
  - ~~18. The Planning and Zoning Commission and/or County Council may include any additional conditions it finds necessary to conserve and promote the public health, safety, and welfare.~~
- ~~B. In addition to standard submittal requirements for conditional use permits and/or development plans, applications for medical marijuana facilities shall include at a minimum:~~
- ~~1. The legal name of the facility; and~~
  - ~~2. A copy of the operating procedures for the facility; and~~
  - ~~3. Proof that the medical marijuana facility has been licensed by the State of Missouri; and~~

- ~~4. A floor plan showing the location, dimensions and type of security measures to be employed by the medical marijuana facility; and~~
- ~~5. A certification from the Jefferson County Department of the Sheriff stating that the applicant has met with the Sheriff or his designee and that the Department of the Sheriff has approved of the security plan to be employed by the medical marijuana facility and has approved the use and licensure of all security personnel required by this Code and the Jefferson County Department of the Sheriff; and~~
- ~~6. A certification from the local fire district stating that the medical marijuana facility complies with all local codes of that district; and~~
- ~~7. A survey demonstrating compliance with all setbacks and locational restrictions required by this UDO.~~

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

##### ~~A. Medical Marijuana Cultivation Facility (RA5—outdoor cultivation only) (CC2, PC, PB, NPI, PI—indoor cultivation only).~~

- ~~1. Medical marijuana cultivation 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 cultivation facilities:
  - ~~a. All drying, curing and storage of medical marijuana at a medical marijuana cultivation facility shall take place inside a completely enclosed permanent building with controlled access and shall not be located in a trailer, overseas or shipping container, or motor vehicle.~~
  - ~~b. No sales of medical marijuana may occur at a medical marijuana cultivation facility, other than to a fully licensed and permitted medical marijuana dispensary, infusion manufacturing facility or medical marijuana transportation facility. Distribution of medical marijuana may occur between facilities so long as it is entered into the State Wide Track and Trace System.~~
  - ~~c. A medical marijuana cultivation facility not located within a completely enclosed permanent building shall not exceed ten (10) acres. All operations and all storage of materials, products, or equipment shall be within a fully secured area as described herein. Said cultivation facility, if located outdoors, shall be in an area enclosed and topped by a razor-wire fence. Said fence shall be slatted or other privacy-type fence used, and all fencing shall be at least ten (10) feet in height, not including the razor wire. Said facility shall have the same video monitoring and security requirements as an indoor facility.~~~~

##### ~~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.~~
  - ~~c. 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. 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.~~~~

~~C. Medical Marijuana-Infused Products Manufacturing Facility (CC2, PC, PB, NPI, PI).~~

- ~~1. Medical marijuana-infused products manufacturing 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-infused products manufacturing facilities:
  - ~~a. No retail distribution or sales of medical marijuana-infused products may occur at a medical marijuana-infused products manufacturing facility.~~~~

~~D. Medical Marijuana Testing Facility (PC, PB, NPI, PI).~~

- ~~1. Medical marijuana testing 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 testing facilities:
  - ~~a. No retail distribution or sales may occur at a medical marijuana testing facility.~~~~

Section 400.3360. Specified Uses Permitted With Conditions.

Table 9-1  
USES PERMITTED WITH CONDITIONS

Uses below, in the zone districts listed, shall comply with all conditions above checked by an X.	Buffer	Screening	Lighting	Parking	Hours of Operation	Signage	Outside Storage	Building Height	Technical Studies	Yearly Inspections	Additional Comments
<b>Agriculture</b>											
<u>Marijuana cultivation facility ("RA-5", "LR-2", "CC-2", "NPI")</u>	X	X	X	X		X	X				X
<b>Retail Sales and Service</b>											
<u>Marijuana dispensary facility ("CC-2")</u>	X	X	X	X		X	X				X
<b>Manufacturing, Industrial, Transportation and Storage</b>											
<u>Marijuana-infused products manufacturing facility ("CC-2", "NPI")</u>	X	X	X	X		X	X				X
<u>Marijuana testing facility ("NPI")</u>	X	X	X	X		X	X				X
<u>Marijuana transportation facility ("CC-2", "NPI")</u>	X	X	X	X		X	X				X

Section 400.3600. Marijuana Facilities.

A. All marijuana facilities will be permitted with conditions in the indicated zone districts or require an approved development plan if located within a Planned Zone District, and shall comply with the following conditions:

1. The marijuana facility shall comply with regulations issued by the Department of Health and Senior Services for marijuana facilities and/or the State of Missouri (collectively, the "State"). If State requirements are more restrictive than Jefferson County requirements, the State requirement applies.
2. Site development plan approval is required prior to the commencement of use.
3. The marijuana facility shall not allow on-site consumption of marijuana, marijuana-infused products or other intoxicants on the premises at any given time.
4. The marijuana facility shall not have outdoor seating areas other than break areas for employees of the facility.
5. A marijuana facility shall comply with the relevant zone district height, area, design and setback requirements and the following additional location restrictions: No marijuana facility shall be located within 600 feet of any then-existing elementary or secondary school, child day-care center, church or place of worship or public park. This distance requirement shall be calculated according to the procedure set forth in the Missouri Constitution.

6. A marijuana facility, other than a marijuana transportation facility, shall be located in a permanent building and shall not be located in a trailer, cargo container, or motor vehicle and the structure shall not be mobile or operate from a transitory location. A marijuana transportation facility shall follow the rules and restrictions set forth in the Revised Statutes of Missouri, the Code of State Regulations and any other associated rules and regulations promulgated by the State of Missouri.

B. In addition to standard submittal requirements for permitted with conditions permits and/or development plans, applications for marijuana facilities shall include at a minimum:

1. The legal name of the facility; and

2. Proof that the marijuana facility has been licensed by the State of Missouri; and

3. A survey demonstrating compliance with all setbacks and locational restrictions required by this UDO.

#### Section 400.3610. Specific Conditions By Marijuana Facility Type.

A. Marijuana Cultivation Facility (“RA-5”, “LR-2” - outdoor cultivation only) (“CC-2”, “PC”, “PB”, “NPI”, “PI” - indoor cultivation only).

1. Marijuana cultivation facilities shall only be permitted with an approved permitted with conditions 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 marijuana cultivation facilities:

a. All drying, curing and storage of marijuana at a marijuana cultivation facility shall take place inside a completely enclosed permanent building with controlled access and shall not be located in a trailer, overseas or shipping container, or motor vehicle.

b. No sales of marijuana may occur at a marijuana cultivation facility, other than to a fully licensed and permitted marijuana dispensary, infusion manufacturing facility or marijuana transportation facility. Distribution of marijuana may occur between facilities so long as it is entered into the State-Wide Track and Trace System.

B. Marijuana Dispensary Facility (“CC-2”, “PC”, “PB”).

1. Marijuana dispensary facilities shall only be permitted with an approved permitted with conditions permit or an approved development plan in the zone districts set forth in this Section.

C. Marijuana-Infused Products Manufacturing Facility (“CC-2”, “PC”, “PB”, “NPI”, “PI”).

1. Marijuana-infused products manufacturing facilities shall only be permitted with an approved permitted with conditions 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 marijuana-infused products manufacturing facilities:

a. No retail distribution or sales of marijuana-infused products may occur at a marijuana-infused products manufacturing facility.

D. Marijuana Testing Facility (“PC”, “PB”, “NPI”, “PI”).

1. Marijuana testing facilities shall only be permitted with an approved permitted with conditions 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 marijuana testing facilities:

a. No retail distribution or sales may occur at a marijuana testing facility.

Section 400.4650. Landscaping — Minimum Requirements.

B. Open Yard Areas.

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 thirty (5030)~~ cars or more in accordance with the requirements of this Section.