



TO: City Administrator, Assistant City Administrator and City Clerk

FROM: Steve Meyer, Director of PW

DATE: Thursday, March 30, 2023

**RE: Planning & Zoning Commission
Recreational Marijuana Subcommittee**

The subcommittee regarding comprehensive marijuana sales met on Wednesday, March 29th at 4pm. The subcommittee is chaired by Anna Ahrens and includes Tony Pawloski, Jim Jontry, Cynthia Kardesch, and Robert Barringer. Commissioner Young was not present.

Additional attendees: Alderman Pound, Alderman Kleinschmidt, Julie Nolfo, Dustin Smith, Dan Welsh, Joe Delia, Nancy Staley, Kristine Finlay, Yvonne Allen, Jeannie Fluor, and Scott Schaefer

The primary purpose of the meeting was to discuss the Lochmueller Parking and Traffic Study, which was distributed to the commissioners by email on Tuesday, March 28th. Extra copies were provided for attendees. An email from Yvonne Allen was also printed and provided at her request.

Julie Nolfo of Lochmueller provided an overview of the report and answered questions. After approximately one hour of discussion, Commissioner Kardesch motioned to add to the subcommittee's CUP ordinance recommendation the following parking requirements for Recreational Marijuana Facilities, based upon Lochmueller's conclusions:

- Two (2) spaces per every three (3) employees
- Seven (7) spaces per thousand square feet (1,000 SF) of gross floor area
- Petitioners for a recreational marijuana dispensary CUP may request a reduction in parking required based upon a site-specific parking study.

Commissioner Barringer seconded the motion, and it was approved on a 4-0 vote. (Commissioner Jontry had to leave for another commitment shortly after 5pm and was not present for the vote.)

Additional discussion followed regarding other potential requirements such as buffers around parks, residential districts, and "minor-oriented businesses." Deliberation ensued as to whether Amendment 3 allows for such restrictions. Staff recommended that the discussion be paused until legal counsel was present to provide guidance.

Meeting was adjourned at 5:17pm. Staff will reach out to the City Attorney and commissioners to confirm availability for another meeting next week, in order to provide a complete recommendation to the full commission at their April 12th meeting.

Previously discussed recommendations from the March 7th, 2023 subcommittee meeting:

- **The subcommittee recommended that the hours of operation should be limited to 8am-8pm for both medicinal and comprehensive sales.** The current ordinance governing medicinal allows 8am-10pm. Motion Kardesch, Second Pawloski, Passed 6-0
- **The subcommittee suggested adding signage to dispensaries regarding the prohibition of on-site consumption as part of CUPs.**
- The subcommittee discussed buffers at length
 - **500' buffer around parks:** Motion Jontry, Second Young, Passed 6-0
 - **1000' buffer around churches, schools, and daycares:** Motion Ahrens, Second Kardesch, Passed 6-0
 - 100' buffer along residential area: Discussion revolved around the difficulty of analyzing individual locations-tabled
 - Buffers from "minor-oriented business": Discussion included the difficulty in defining minor-oriented businesses and the lack of mechanism to identify businesses that would qualify, given that this information is not collected as part of a business license or occupancy, and would be largely subjective.-tabled