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Memorandum

To: Planning Commission
From: Tom E Young Jr, City Planner
Re: Chapter 4, Section 440 Uses Permitted by Specific Use Permit;
Date: 09-23-2019

BACKGROUND

This public hearing before the Planning Commission has been initiated by staff to amend language of the Coweta City Zoning Code with regard to amending: Chapter 4, Section 440 Uses Permitted by Specific Use Permit by removing Section 440 (e) Marijuana Growing Facility - Personal Medical Use; is hereby amended by removing language that requires a Specific Use Permit for Marijuana Growing Facility - Personal Medical Use, as a use allowed in RS-1, RS-2, RS-3 Residential Single Family, zoning districts by Specific Use permit as granted by the City Council.

This amendment, will remove language that requires a Specific Use Permit for Marijuana Growing Facility - Personal Medical Use, as a use allowed in RS-1, RS-2, RS-3 Residential Single Family, zoning districts by Specific Use permit as granted by the City Council.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 427.7 of Title 63, unless there is created a duplication in numbering, reads as follows:

- E. The Department shall ensure that all application records and information are sealed to protect the privacy of medical marijuana patient license applicants.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 427.8 of Title 63, unless there is created a duplication in numbering, reads as follows:

- A. The rights to possess the marijuana products set forth in Section 420 of Title 63 of the Oklahoma Statutes are cumulative and a duly licensed individual may possess at any one time the totality of the items listed therein and not be in violation of this act so long as the individual holds a valid patient license or caregiver license.
- B. Municipal and county governing bodies may not enact medical marijuana guidelines which restrict or interfere with the rights of a licensed patient or caregiver to possess, purchase, cultivate or transport medical marijuana within the legal limits set forth in this act or Section 420 et seq. of Title 63 of the Oklahoma Statutes or require patients or caregivers to obtain permits or licenses in addition to the state-required licenses provided herein.

Attached is the new ordinance being proposed by staff. The Planning Commission is to hold a public hearing and make a recommendation to City Council on the proposed amendment to the Zoning Code of the City of Coweta.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of this proposed ordinance to the City Council.

ATTACHMENTS

1. Proposed ordinance amending Chapter 4 Section 440 of the Coweta Zoning Code