

Ordinance Number 824

**AN ORDINANCE AMENDING CHAPTER 11 SECTION 1140 (X) AND CHAPTER 13 SECTION 1340 (A) OF THE ZONING CODE OF THE CITY OF COWETA, OKLAHOMA PERTAINING TO USES PERMITTED BY SPECIFIC USE PERMIT; REPEALING ALL ORDINANCES TO THE CONTRARY; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA, THAT:**

**SECTION I.** Chapter 11 Section 1140 (x) Marijuana Retail Establishments of the Zoning Code of the City of Coweta, Oklahoma is hereby amended to read as follows:

Section 1140 (x) Medical Marijuana Dispensary

Use Conditions

1. The uses included, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.
2. All parking areas and drives shall be paved with an All Weather Surface as otherwise required by this Code.
3. Medical Marijuana Dispensary shall be conducted within enclosed buildings; buildings must be equipped with security system; buildings where marijuana is stored or dispensed must be equipped with ventilation/air filtration systems so that no noxious odors are detectable off premises.
4. Medical Marijuana Dispensary shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if dispensing medical marijuana produces light, glare, heat, noise, noxious odor, or vibration that is detrimental to public health, safety or welfare or interferes with reasonable enjoyment of life and property.
5. Medical Marijuana Dispensaries are specifically prohibited within one thousand (1,000) feet of any public or private school or within one thousand (1,000) feet of another medical marijuana dispensary.
6. The distance indicated shall be measured in accordance with rules promulgated by the Oklahoma Medical Marijuana Authority and the Oklahoma Department of Health.

**SECTION II.** Chapter 13 Section 1340 (a) Marijuana Processing Facility and Growing Facility – Commercial, (SUP) of the Zoning Code of the City of Coweta, Oklahoma is hereby amended to read as follows:

Section 1340 (a) Medical Marijuana Business

Use Conditions

1. The uses included, when located on a lot which is abutting an R District, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.

2. All parking areas and drives shall be paved with an All Weather Surface as otherwise required by this Code.
3. Medical Marijuana Business shall be conducted within enclosed buildings; buildings must be equipped with security system; buildings where marijuana grown, stored, or processed must be equipped with ventilation/air filtration systems so that no noxious odors are detectable off premises.
4. Medical Marijuana Business shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if dispensing medical marijuana produces light, glare, heat, noise, noxious odor, or vibration that is detrimental to public health, safety or welfare or interferes with reasonable enjoyment of life and property.
5. Medical Marijuana Businesses are specifically prohibited within one thousand (1,000) feet of any public or private school.
6. The distance indicated shall be measured in accordance with rules promulgated by the Oklahoma Medical Marijuana Authority and the Oklahoma Department of Health.

**SECTION III.** Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

**SECTION IV.** An emergency exists for the preservation of the public, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

**PASSED AND APPROVED** and the emergency clause ruled upon separately this 4th day of November 2019.

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Evette Morris, Mayor

ATTEST:

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Julie Casteen, City Clerk

APPROVED:

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Ronald D. Cates, City Attorney