



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: O-1920-19**

**File ID:** O-1920-19

**Type:** Zoning Ordinance

**Status:** Non-Consent Items

**Version:** 1

**Reference:** Item 29

**In Control:** City Council

**Department:** Planning and  
Community  
Development  
Department

**Cost:**

**File Created:** 09/18/2019

**File Name:** Owings-Husserl SUP MMProcessor

**Final Action:**

**Title:** CONSIDERATION OF ORDINANCE O-1920-19 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A MEDICAL MARIJUANA PROCESSOR, AS ALLOWED BY STATE LAW, IN THE C-3, INTENSIVE COMMERCIAL DISTRICT FOR SUITE 120 ONLY IN LOT ONE (1), TWO (2) AND THREE (3), IN BLOCK THREE (3), OF ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (109 E. TONHAWA STREET, SUITE 120)

**Notes:** ACTION NEEDED: Motion to adopt or reject Ordinance O-1920-19 upon Second Reading section by section.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to adopt or reject Ordinance O-1920-19 upon Final Reading as a whole.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 11/26/2019

**Agenda Number:** 29

**Attachments:** O-1920-19, Site Plan, Location Map, Staff Report,  
Pre-Development Summary, 10-10-19 PC Minutes -  
Item 12 - Greer Owings-Husserl

**Project Manager:** Janay Greenlee, Planner

**Entered by:** rone.tromble@normanok.gov

**Effective Date:**

## History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/10/2019	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/12/2019		Pass
	<b>Action Text:</b> A motion was made by Boeck, seconded by Knotts, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council, due back on 11/12/2019. The motion carried by the following vote:						
1	City Council	11/12/2019	Introduced and adopted on First Reading by title only				Pass
	<b>Action Text:</b> That this Zoning Ordinance be Introduced and adopted on First Reading by title only. by consent roll call						

### Text of Legislative File O-1920-19

Body

**SYNOPSIS:** The applicant is requesting Special Use for a Medical Marijuana Processor in the C-3, Intensive Commercial District to operate a medical marijuana processing business. The applicant is approved by the Oklahoma Medical Marijuana Authority (OMMA) for a Medical Marijuana Processor License at this location as allowed by state law. The applicant will be utilizing an industrial flower grinder and rolling machine to make pre-rolled flower joints.

**ANALYSIS:** City Council passed the Medical Marijuana Ordinance, O-1819-17 on December 11, 2018 and on August 27, 2019 amended the Ordinance, O-1920-4, to reflect the State Unity Bill.

State law defines Medical Marijuana Processor as: ***"Medical marijuana processor" means a person or entity licensed pursuant to this act to operate a business including the production, manufacture, extraction, processing, packaging or creation of concentrate, medical-marijuana-infused products or medical marijuana products as described in this act.***

The Zoning Ordinance states that a Medical Marijuana Dispensary is a permitted use in C-3, Intensive Commercial District as allowed by state law, and a Medical Marijuana Processor requires Special Use in the C-3, Intensive Commercial District. Therefore, the applicant is required to obtain Special Use to operate as a Medical Marijuana Processor.

A Special Use request shall be reviewed and evaluated on the following criteria according to the Zoning Ordinance 22:434.1, Special Uses:

1. Conformance with applicable regulations and standards established by the Zoning Regulations.
2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.

3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
6. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

**The applicant is requesting a special use limited to grinding/pre-rolling only, and will not be able to engage in extraction activities of any kind without coming back to City Council.** Based on the criteria to evaluate a Special Use proposal, this request is compatible with the surrounding uses and equivalent intensity of use; therefore, Special Use for a Medical Marijuana Processor will not be a negative impact on surrounding uses.

This is an existing retail development; no exterior modifications are required or planned for the site with this proposal. There are no potentially unfavorable effects or impacts with this request.

**ALTERNATIVES/ISSUES:**

- **IMPACTS** Special Use for a Medical Marijuana Processor will not have a greater impact to similar businesses established at this location and in the general vicinity; the applicant's proposal is similar to existing uses in the general vicinity.

The applicant is required to follow all City of Norman codes, and acquire all City of Norman permits, licenses and obtain an Annual Medical Marijuana Processor License to continue the Special Use permit.

**OTHER AGENCY COMMENTS:**

- **PARK BOARD**  
Parkland dedication is not required for this commercial infill development proposal.
- **PREDEVELOPMENT PD19-25 September 26, 2019**  
No neighbors attended this meeting.
- **PUBLIC WORKS**

This parcel is platted as part of the Norman Original Township Addition, Lot 1 of Block 3; all public infrastructures are in place.

**STAFF RECOMMENDATION:** Staff supports this request and recommends approval of Ordinance O-1920-19.

Planning Commission, at their meeting of October 10, 2019, recommended adoption of Ordinance No. O-1920-19 by a vote of 4-3.