
ORDINANCE NO. O-1920-19

ITEM NO. 12

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Greer Owings-Husserl
REQUESTED ACTION	Special Use for a Medical Marijuana Processor, as allowed by state law
EXISTING ZONING	C-3, Intensive Commercial District
SURROUNDING ZONING	North: R-3, Multi-Family Dwelling District East: I-1, Light Industrial District South: C-2, General Commercial District West: I-1, Light Industrial District
LOCATION	109 E. Tonhawa Street, Suite 120
SIZE	200 square feet, more or less
PURPOSE	Medical Marijuana Processor, as allowed by state law – Pre-Rolled Joints and Dispensary
EXISTING LAND USE	Retail, Office, Warehouse Building
SURROUNDING LAND USE	North: Single family homes East: Warehouse South: Crucible Art Foundry and Gallery West: Legacy Park and Rail Road
LAND USE PLAN DESIGNATION	Commercial
GROWTH AREA DESIGNATION	Current Urban Service Area

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.

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 No. O-1920-19.