



Legislation Text

File #: O-1920-20, **Version:** 1

CONSIDERATION OF ORDINANCE O-1920-20 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 REMOVE LOT SEVENTEEN (17), BLOCK SEVENTY-TWO (72), OF THE ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (230 WEST GRAY STREET)

SYNOPSIS: The applicant is requesting to rezone this property from Center City Form Based Code, Urban General Frontage to Center City Planned Unit Development (CCPUD) to allow for the processing and dispensing of medical marijuana. The applicant is approved by the Oklahoma Medical Marijuana Authority (OMMA) for a Medical Marijuana Dispensary License at this location. The applicant proposes to extract by heat extraction to create rosin for their edible products and make pre-rolls.

CCPUD BACKGROUND: Within the Center City Form-Based Code, Appendix B was adopted to give the applicant/property owner an option for requesting development or use on their property. This process of requesting a CCPUD gives Planning Commission and City Council the opportunity to review the proposal within the Center City Form Based Code District.

Appendix B

Sec. 520 Center City Planned Unit Development

Uses Permitted. *The CCPUD regulations are designed to provide for any mix of uses. There are no specifically prescribed uses which are permitted within the boundaries of the Center City Area in order to increase creativity and flexibility in the Center City Area when development according to the CCFBC is not feasible. The owner/applicant will be responsible for the preparation of a list of permitted uses within the specific CCPUD. The development of the list shall take into account the nature and purpose of the CCPUD area, and such uses and locations shall be appropriate in order to protect and be in harmony with surrounding development.*

The applicant provided a CCPUD Narrative; this Narrative outlines the proposed uses on the property.

ANALYSIS: Currently, dispensing of medical marijuana is an allowed use within the CCFBC District; however, processing uses may only be requested as a part of a CCPUD.

PARTICULARS OF THIS CCPUD:

USES: This applicant is requesting a CCPUD for Medical Marijuana Dispensary and Processer at

230 W. Gray Street. The applicant currently operates a dispensary from this location, which is allowed by right under the CCFBC.

Additional guidelines per this CCPUD are as follows:

- The forms of extraction/processing that will take place on-site is heat extraction with a heat press to create rosin and pre-rolls. The applicant will purchase distillate to use at their location for infusion of edibles and other consumable goods.

SITE PLAN: The parcel at 230 W. Gray Street has a total of 3,500 square feet, more or less. The existing building is about 2,100 square feet. This proposal is a reuse of an existing structure and no additional buildings are proposed for the site; only interior remodeling will be involved. All exterior walls of the building have a 4-hour fire protection rating.

The building will have the following square footage allotments for each use:

- Processing - 1,000 sq. ft.
- Dispensing - 1,100 sq. ft.

There are three existing parking spots in the rear of the building. The applicant is adding two additional spots, including one ADA spot. All parking will be restriped by the applicant. There are three public on-street/parallel parking spots on Webster Avenue, on the west side of the building.

DISCUSSION: Staff reviewed this CCPUD and does not see a negative impact from this proposal. The existing building has been used as a dispensary by the applicant for some time and the applicant's goal is to add the additional use to better provide services to their clients while developing their small business.

As stated, this retail business has been operating at this site for some time. Now they have the opportunity to include the processing of their products at their site. The square footage proposed for the additional use will not deter from the main use of the site, that of retail in the core area of Norman. The applicant will be housing all activities within the existing building with no outside storage or activity beyond the customer and employee parking.

STAFF RECOMMENDATION: Staff supports this request and recommends approval of Ordinance O-1920-20.

PLANNING COMMISSION SUMMARY: *The applicants were proposing to have a small grow tent (approximately 250 SF) when this application was presented to Planning Commission. However, discussion at the Planning Commission meeting regarding medical marijuana grow areas is what lead to the request being denied. The applicant removed the 250 SF portion of grow from the request in the CCPUD and now only requests to process medical marijuana by way of heat extraction, no chemicals, and pre-rolls, as reflected in the CCPUD Narrative.*

At their November 14, 2019 meeting, the Planning Commission defeated a motion to recommend adoption of Ordinance O-1920-20 to City Council by a vote of 1-8.