

Cannabis Zoning Code Amendments

Land Use and Planning Committee

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Community Planning, Development and Innovation
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Proposed Amendments



Four (4) preliminary impacts to mitigate via Title 20

1. Align with State Definitions
2. Prohibit Commercial Cultivation and Manufacturing as Home Occupations
3. Preserve a Diverse Mix of Uses
4. Limit Non-Transparent Glazing

A City of Missoula initiated ordinance generally amending Title 20, Missoula Municipal Code, the City Zoning Ordinance, to incorporate revisions in the following chapters: 20.10 Business and Commercial Districts, 20.15 Industrial and Manufacturing Districts, 20.40 Use- and Building-Specific Standards, 20.45 Accessory Uses and Structures, 20.100 Terminology, and 20.105 Use Classifications to incorporate regulations concerning legislative changes in the cannabis industry.

Be it ordained that Section 20.10.020 Table 20.10-1, Section 20.15.020 Table 20.15-1, Section 20.45.050E.11., Section 20.100.010, Section 20.105.040W, and Section 20.105.050D be amended as follows, and creation of Section 20.40.083.

20.40: Use and Building Specific Standards

20.40.083: Cannabis

A. Applicability

These regulations apply to any cannabis use (medical or recreational), new or existing unless specifically exempted.

B. Dispensary

1. Location

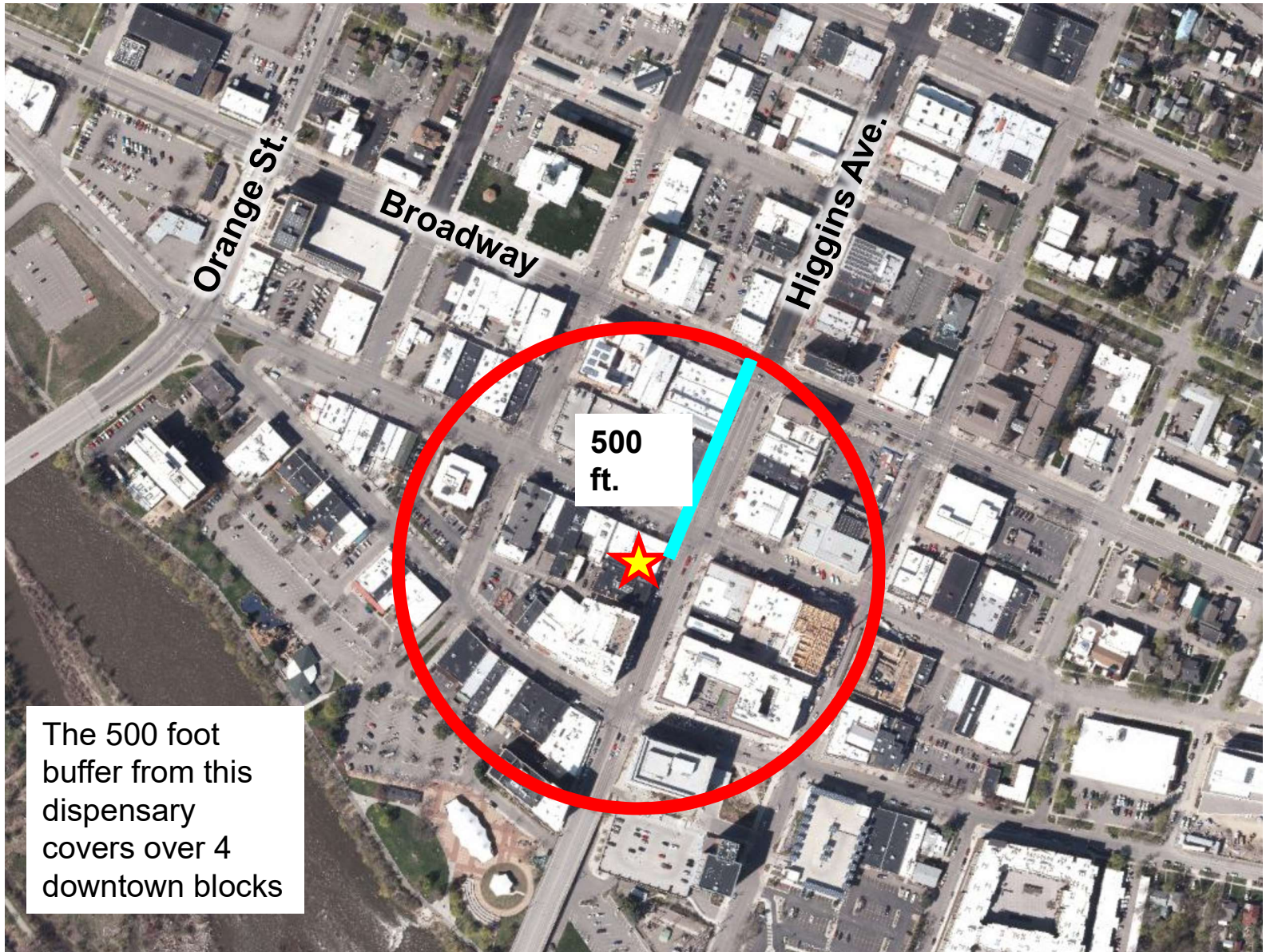
Cannabis dispensaries shall be located a minimum distance of 500' from other cannabis dispensaries. Distances shall be measured from parcel line to parcel line and apply to ground floor dispensary businesses only.

2. Glazing

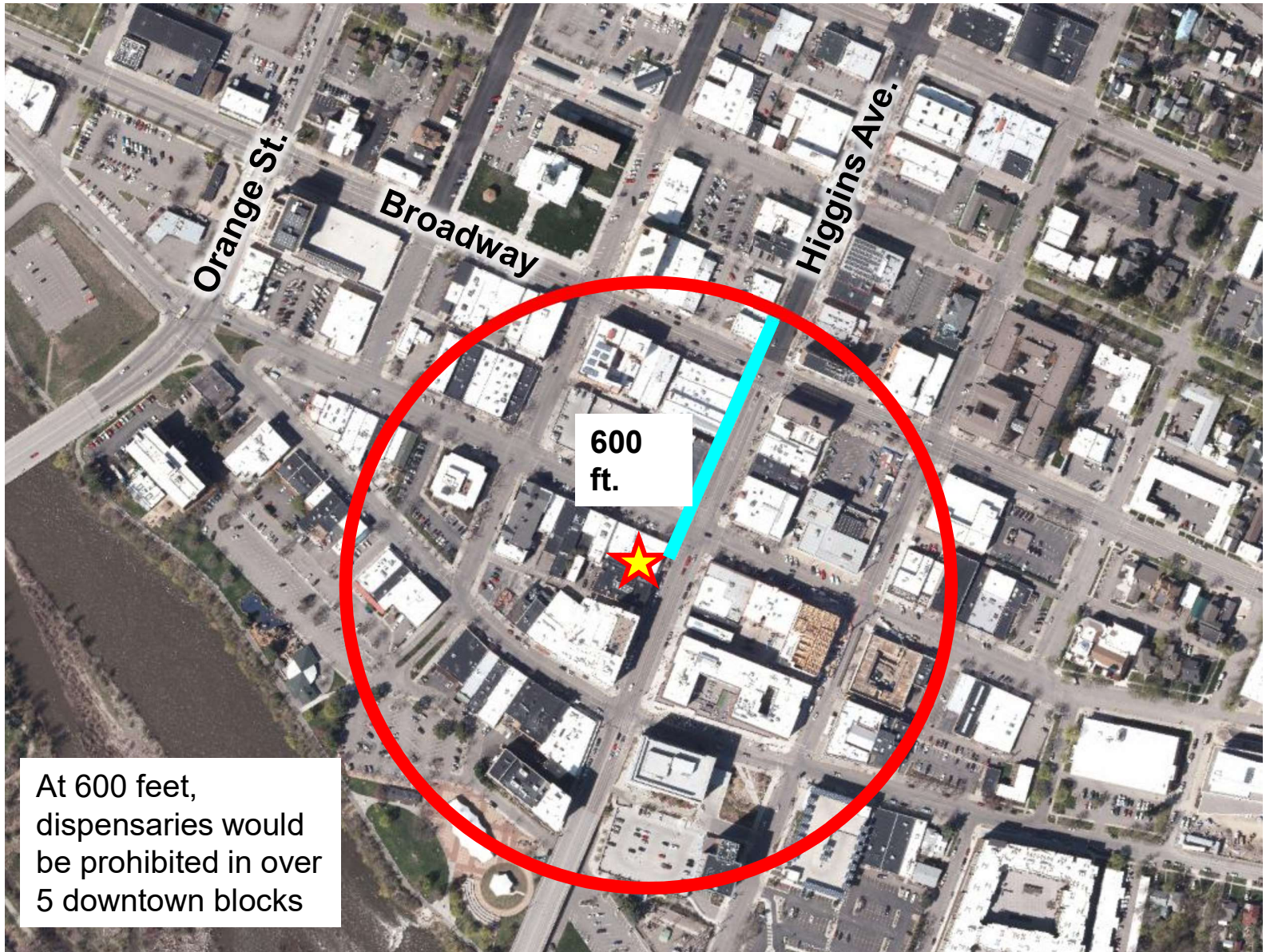
Glazed area requirements shall apply to that area of the ground floor building façade facing a public street, up to the finished ceiling height of the ground floor building façade. This section does not apply to parcels with a Design Excellence Overlay.

3. Exemption

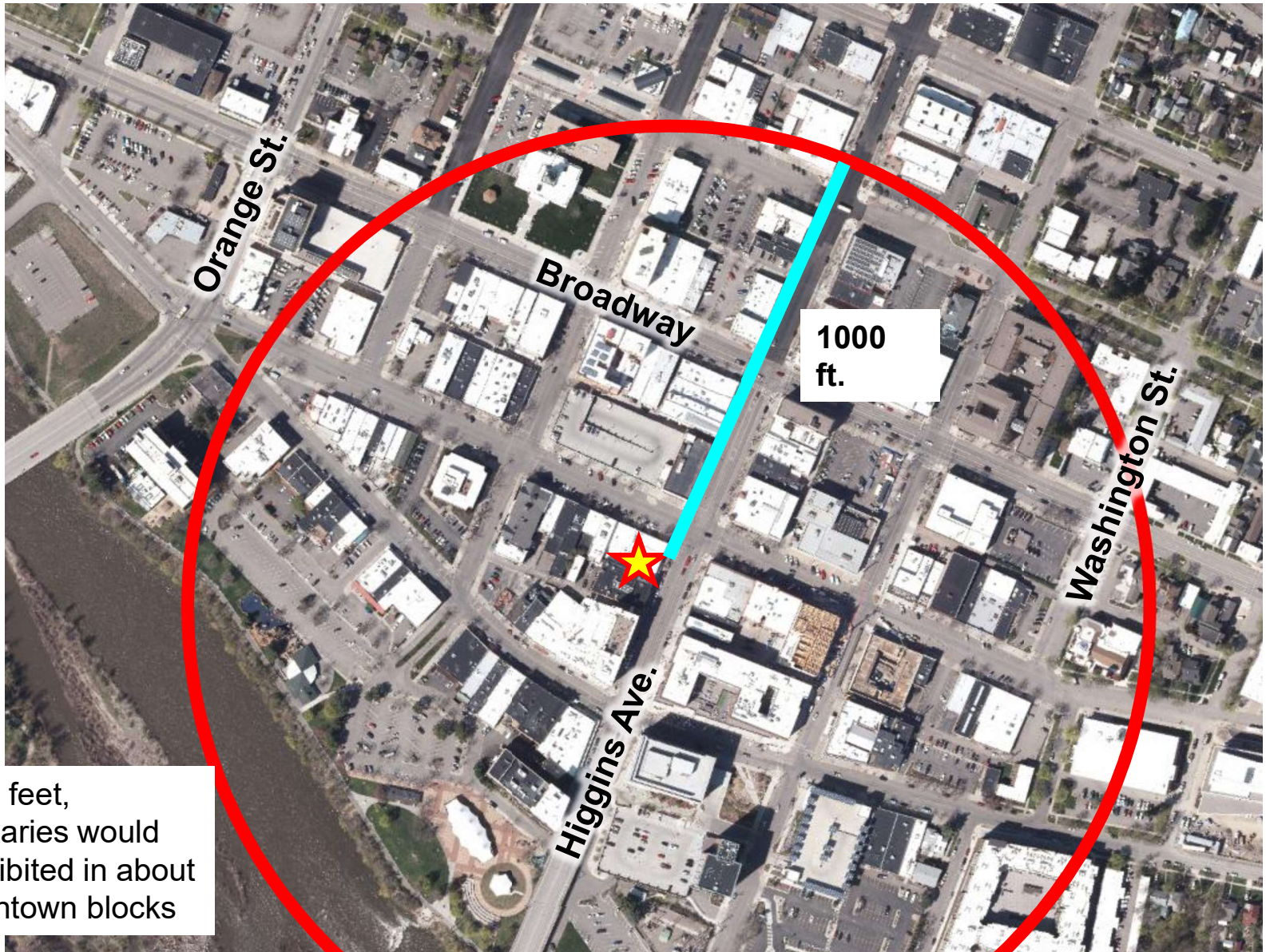
Ordinary maintenance and repair of existing structures shall be exempt from the requirements of this section. Ordinary maintenance does not include the replacement, modification, or addition of glazing.



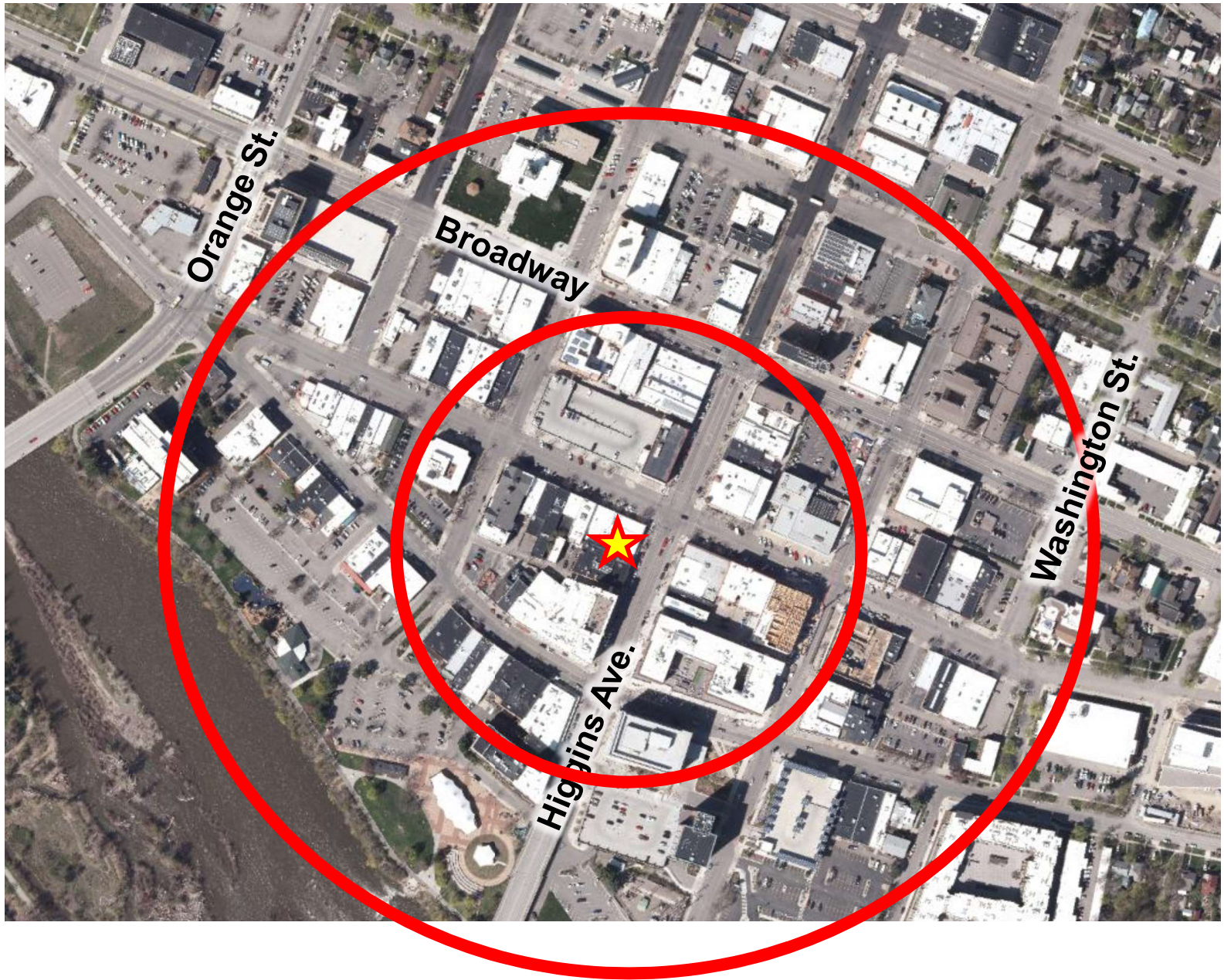
The 500 foot
buffer from this
dispensary
covers over 4
downtown blocks







At 1000 feet,
dispensaries would
be prohibited in about
15 downtown blocks

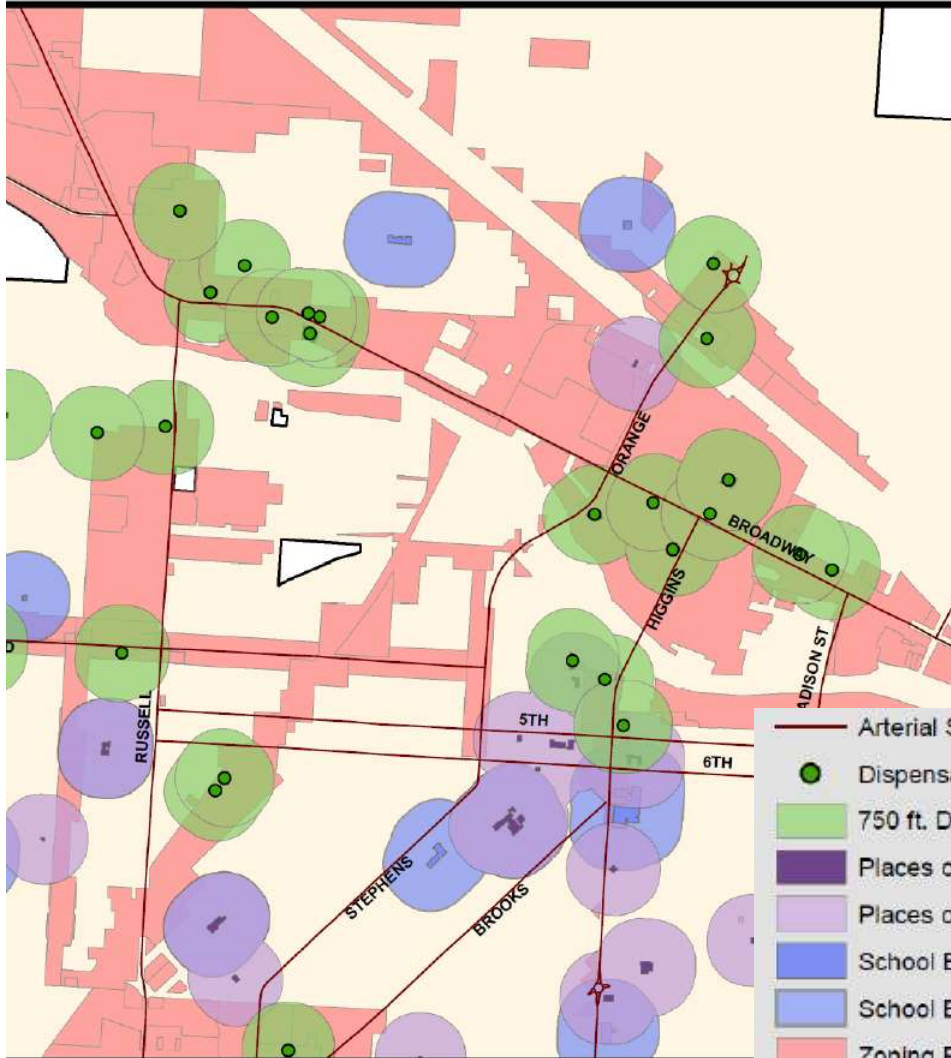




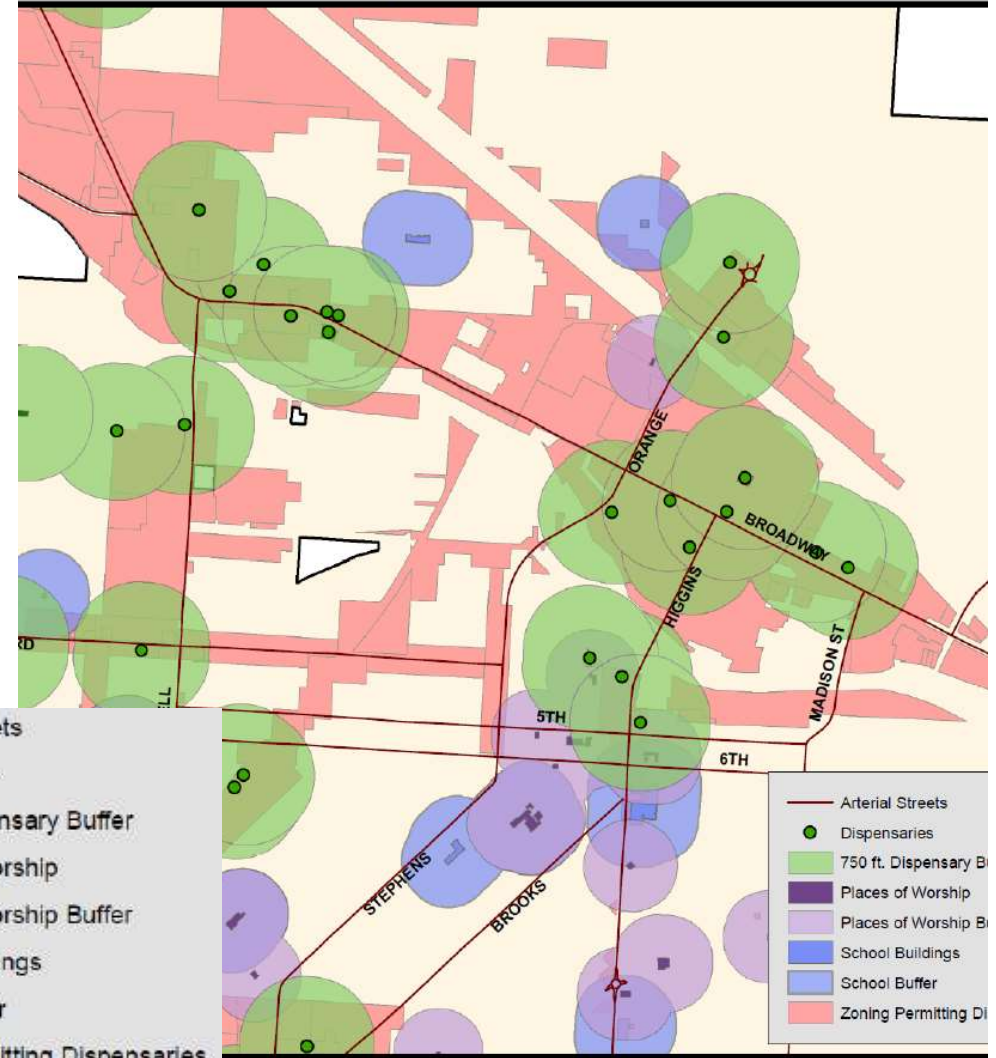
At 1000 feet, the buffer would only allow up to 2 dispensaries in the central downtown area

500' vs 750' Buffer

500 Foot Dispensary Buffer



750 Foot Dispensary Buffer



General calculations for CBD-4

500 ft buffer
600 ft buffer

~7 dispensaries
~5 dispensaries

750 ft buffer
1000 ft buffer

~3 dispensaries
~1 dispensary

500' Buffer, measured by State



BUFFER

"This distance must be measured in a **straight line** from the center of the nearest entrance of the place of worship or school to the nearest entrance of the licensee's premises."



Dispensary



Church



Nearest Entrance



Hellgate High School



500' Buffer, measured by State

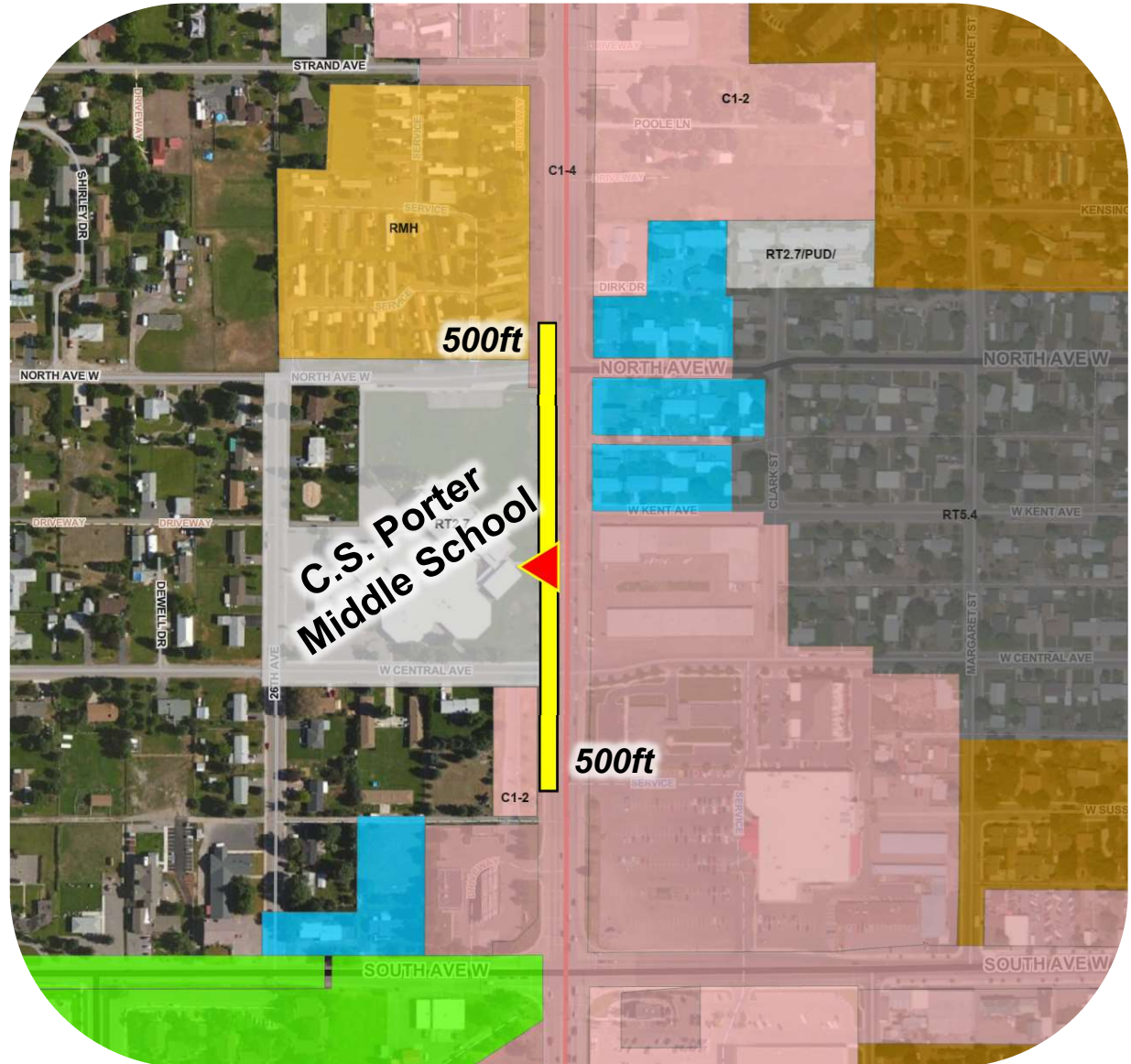


BUFFER

“This distance must be measured in a **straight line** from the center of the nearest entrance of the place of worship or school to the nearest entrance of the licensee's premises.”



Nearest Entrance



20.80: Nonconformities

20.80.010: General

A. Scope

The regulations of this chapter govern nonconformities, which are parcels, uses and structures that were lawfully established but because of annexation or the adoption of new or amended regulations—no longer comply with one or more requirements of this zoning ordinance.

F. Change of Tenancy or Ownership

Nonconforming status runs with the land and is not affected by changes of tenancy, ownership or management.

20.80.040: Nonconforming Uses

A. Description

1. A nonconforming use is a land use that was lawfully established in accordance with all zoning regulations in effect at the time of its establishment but that is no longer allowed by the use regulations of the zoning district in which the use is now located. Lawfully established uses that do not comply with any applicable separation (or spacing) distance requirements (e.g., those that require one land use to be located a certain minimum distance from another land use) are also deemed nonconforming uses.

20.105: Use Classifications

20.105.050: Industrial Use Group

D. Manufacturing, Production and Industrial Services

2. Limited

Manufacturing of finished parts or products, primarily from previously prepared materials. Typical uses include: catering establishments, printing and related support activities; machinery manufacturing; food manufacturing; computer and electronic product manufacturing/assembly; electrical equipment, appliance, component manufacturing/assembly; furniture and related product manufacturing/assembly; **manufacturing of cannabis products that do not utilize flammable solvents** and other manufacturing and production establishments that typically have very few, if any, negative external impacts on surrounding properties. Also includes **cannabis cultivation (With a canopy area up to Tier 2, MCA § 50-46-305) and "artisan manufacturing/production"** type uses that do not comply with the enclosed building, floor area and/or outside operations/storage criteria that apply to artisan manufacturing/production uses.

This map illustrates the commercial districts and allowed uses in Missoula, Montana. The map is overlaid with various colored areas representing different commercial zones. Key features include:

- High-Density Commercial (Red):** Located in the central urban core, including areas around the University of Montana and downtown streets.
- Medium-Density Commercial (Pink):** Extends along major corridors like Highway 93 and Highway 200, and into the northern part of the city.
- Low-Density Commercial (Light Green):** Found in more peripheral areas, often near parks or residential zones.
- Geographical Features:** Grant Creek, Pattee Creek, and the Missoula River are shown. The map also includes the Missoula International Airport, Missoula Cemetery, and several parks (Big Sky Park, Playfair Park, Fort Missoula Park).
- Infrastructure:** Major roads like Highway 93, Highway 200, and local streets such as S 7th St W, S 5th St W, and S 4th St are labeled.

- 15/17

This map of Missoula, Montana, illustrates various districts and their allowed uses. Key features include:

- Roads:** Goodan Ln, Keil Loop Rd, Grant Creek, Flynn Ln, N Russell St, S 3rd St W, S 4th St W, S 5th St W, S 6th St W, S 7th St W, Tower St, Spurgin Rd, North Ave W, Humble Rd, McCauley Butte, Southgate Mall, Eaton St, S Johnson St, Kemp St, S Russell St, Stephens Ave, Brooks St, Gerald Ave, Hilda Ave, Arthur Ave, Maurice Ave, SW Higgins Ave, 39th St, Duncan Dr, Sawmill Gulch Rd, Coal Mine Rd, River Rd, Wyoming St, E Broadway St, E For St, Ronald Ave, Helen Ave, University of Montana, Pattee Creek, Playfair Park, Fort Missoula Park, Laichmont Golf Course, Missoula Country Club, and Humble Rd.
- Landmarks:** Missoula Int'l Airport, Missoula Cemetery, Silver Park, Big Sky Park, Orchard Homes, and the University of Montana.
- Districts:** The map shows several districts, with pink areas indicating specific zones. These include areas near the airport, along the river, and in the city center.
- Topography:** The map shows the city's location relative to the river and surrounding hills, with elevation markers such as 3500 ft, 4000 ft, and 4200 ft.



Next Steps



Nov. 17	LUP	Informational Meeting.
Nov. 18	Memo #1	Uploaded to eScribe
Nov. 2021	Additional Memo	<i>If Necessary</i>
Nov. 29	City Council	Final consideration.
Dec. 29	Title 20 Revisions.	Ordinance goes into effect.
May 2022	City Business Licenses	Renewal Deadline
2022	Title 5 Revisions	Start & Finish

**As of November 17th, 2021 the City of Missoula has received five (5) public comments and two (2) agency comments.*