Cannabis Joint Meeting
November 6, 2024

Discussion Points
City Attorneys Edits on 3rd Draft Ordinance (10.18.24)

1. Page 1 – 'Lower potency hemp edibles' is included in the definition of "Cannabis Retail Business." Currently these sales are not licensed or locally regulated. The state appears to be creating a separate registration system for lower potency hemp edibles. Does the city want to license these or stay out of it?

2. Page 2 – "Public Place" definition deleted. I'm not sure why. This came from Ordinance No. 23-06 'cannabis public nuisance provisions.'

3. Section 4-1002. One vs. three retail licenses questioned.

4. Section 4-1005. This was initially set up to respond to the state's license "preapproval' provisions where we may not know what zoning district a preapproved license may be located. The City Attorney suggests and I agree that we will not recognize any referrals that are not fully licensed by the state. Omit this Section.

5. Section 4-1006. This language would allow eliminating the 'preliminary licensing' above.

6. Section 4-1007. The City Attorney suggests and I agree that we can add some provisions in licensing consistent with the state and similar to some of the performance standards included in Section 8A-825

7. Section 4-1007A. Hours of operation need to be consistent with hours proposed in Section 8A-825L. We also need to agree whether these hours also apply to lower potency hemp edibles or hemp-derived consumer products sales if we are otherwise not regulating them.

8. Section 4-1008. Title revision.

9. Section 4-1009. Public hearing requirements/notice for any suspension and clarification on a reinstatement.

10. Section 4-1017 should be revised to add "Cannabis Temporary Event…" to the title.

11. Section 4-1019 "Severability" clause is added to the licensing provisions.

12. Page 8 – Same as Item #1 above. Do we regulate lower potency hemp edibles or not?

13. Page 9 – "Public Place" definition deleted. Same as Item #2 above

14. Pages 9&10 – Sections 7A-683, 693, 703 and 711B.12. Do we add lower-potency hemp edible retailer if we do not otherwise license or regulate? Technically, this is currently a product allowed with other retail sales rather than a separate land use category.

15. Sections 7A-723 & 733 These ‘lower-potency hemp edible manufacturer’ additions should stay.

16. Section 7A-825 E. Same as Item #3 above.

17. Section 7A-825 J. FYI: Current city on-sale alcohol licensing requires 500 feet separation from schools and churches. The cannabis statutes reference the setbacks currently listed in this section. The city can be less restrictive the state’s suggested standards. If the city is not going to license or otherwise regulate lower-potency hemp edible sales, the setback issue is moot.

18. Section 7A-825 L. (1) The hours of operation here need to match whatever is agreed upon in Item #7 above. (2) Discussion on cannabis temporary events should include whether local licenses should be required or whether an IUP is more appropriate or whether both should be required. Hours listed in a licensing section will be set and firm, whereas the hours in an IUP permit could be more flexible.