

## **City of Monticello Planning and Zoning Board Meeting**

August 17, 2020

Chairman Hawkins called the meeting to order at 7:00 pm.

Roll Call was taken by Deputy City Clerk Maura Metcalf.

**ROLL CALL:** Present: HAWKINS, BEEM, DAY, RIEGEL, GOEBEL, SPILLMAN,  
YOON

Absent: NONE

Also Present: Terry Summers, City Administrator; Maura Metcalf,  
Finance/HR

### **PUBLIC PARTICIPATION:**

None

### **APPROVAL OF MEETING MINUTES:**

A request was made to update the meeting minutes to reflect the name of Ms. Warmbier to Amber. A motion was made by Marthaan Riegel, and seconded by Michael Beem, to approve the July 22, 2020 Planning & Zoning Board Meeting Minutes. The motion carried.

### **NEW BUSINESS:**

#### **Introduction of Possible Text Amendments – Monticello Municipal Code, Chapter 153, Zoning Regulations – Cannabis Business Text Amendment**

City Administrator, Terry Summers presented the following: The City Council Meeting Memorandum drafted by our attorney Dan Bolin dated July 27, 2020, provides a brief description outlining key elements and background information of cannabis businesses. The attached proposed Ordinance Approving a Zoning Text Amendment Regarding Cannabis Business was drafted by the same attorney with the assistance of City staff. This proposed ordinance addresses the desires expressed by the majority of the City council that spoke at the July 27<sup>th</sup> City Council meeting. Definitions regarding cannabis business are found on pages 4 and 5, Table 1-Principal Uses by Zoning District can be found on pages 5 and 6, a chart depicting the minimum distances required from pre-existing protected uses can be found on page 8, and the motion for consideration by the Planning And Zoning Board can be found on pages 1 and 2 of Exhibit A. In short: Cannabis Craft Grower, Cannabis Cultivation Center, Cannabis Dispensary, Cannabis Infuser, Cannabis Processor,

Cannabis Transporter, and On-Premise Cannabis Consumption Establishment will be prohibited uses.

Medical Cannabis Cultivation Center will be allowed in “I-1” and “B” zoning districts while meeting or exceeding the distance separation requirements from protected uses, and with a Conditional Use. Medical Cannabis Dispensary will be allowed in “B” zoning districts while meeting or exceeding the distance separation requirements from protected uses, and with a Conditional Use. Please refer to the maps open on your Chromebook designated as Exhibit B, Medical Cannabis Dispensary and Exhibit C, Medical Cannabis Cultivation for the location that these businesses could operate.

Attorney Dan Bolin explained that the City can't opt out of medical cannabis but, can place buffers to restrict where the businesses can locate. Michael Beem inquired about increasing the distance to ¼ of a mile (1320 feet), instead of 1000 feet from schools and daycares. He indicated it would be easier to explain. Amber Goebel was comfortable with the 1000 feet. It is the standard distance, and likes that it is an even number. The Public Hearing was opened at 7:23. A motion was made by Amber Goebel, and seconded by Shawn Spillman, to close the hearing at 7:26 with no public comment. Mike Hawkins would like to see the City allow adult use. He feels like we are missing out on the tax revenue and knows several people that live where it is allowed, and they have not noticed a negative impact. Michael Beem disagreed and felt that money shouldn't be the driving factor. Gerald Day asked if there had been any interest in Monticello. Terry Summers indicated that 3 or 4 individuals had expressed interest prior to the Moratorium. A motion was made by Michael Beem, and seconded by Shawn Spillman, to approve the motion with the modification to distance to 1320 feet. The motion failed 3-4. A motion was made by Gerald Day, and seconded by Amber Goebel to approve the motion as presented. The motion passed 4-3.

A motion was made by Shawn Spillman, and seconded by Marthaan Riegel, to adjourn the meeting at 7:47 pm.

Respectfully Submitted by:

Maura Metcalf

Deputy City Clerk