ORDINANCE NO. __________

AN ORDINANCE TO AMEND CHAPTER 36 OF THE CODE OF ORDINANCES OF THE CITY OF LITTLE ROCK, ARKANSAS, TO PROVIDE FOR THE DEFINITION OF MEDICAL MARIJUANA DISPENSARY AND MEDICAL MARIJUANA CULTIVATION FACILITY, AND THE PLACEMENT OF THOSE USES IN THE VARIOUS ZONING DISTRICTS; AND FOR OTHER PURPOSES.

WHEREAS, the Medical Marijuana Amendment of 2016, Amendment 98 to the Arkansas State Constitution, authorizes the cultivation and distribution of medical marijuana; and

WHEREAS, the Amendment permits cities, incorporated towns or counties to enact reasonable zoning regulations applicable to Medical Marijuana Dispensaries and Cultivation Facilities, provided that those zoning regulations are the same as those for a retail pharmacy; and

WHEREAS, it has been deemed appropriate to amend various provisions of Chapter 36 of the Code of Ordinances of the City of Little Rock, Arkansas, to provide for the definition of Medical Marijuana Dispensary and Medical Marijuana Cultivation Facility and to place those uses in the various Zoning Districts in the same manner as retail pharmacies (drugstore or pharmacy as defined in Chapter 36); and

WHEREAS, at its June 22, 2017, meeting, the Little Rock Planning Commission voted to recommend approval of the proposed amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS.

Section 1. That various provisions of Chapter 36 of the Code of Ordinances of the City of Little Rock, Arkansas be amended as follow:

Subsection (a). That Chapter 36, Section 36-3, be amended to provide for the addition of two (2) new use definitions “Medical Marijuana Dispensary” and “Medical Marijuana Cultivation Facility” to be placed in the alphabetically appropriate locations in Section 36-3. said definitions to read as follow:

*Medical Marijuana Cultivation Facility* means an entity which has been licensed by the Medical Marijuana Commission and operated in compliance with all applicable state rules that cultivates, prepares, manufactures, processes, packages, sells and delivers usable marijuana to a dispensary.
Medical Marijuana Dispensary means an entity that has been licensed by the Medical
Marijuana Commission and operated in compliance with all applicable State rules that sells
medical marijuana. This term also includes cultivating dispensaries.

Subsection (b). That Chapter 36, Section 36-280. (c) (2) be amended to add and separately
list “Medical Marijuana Cultivation Facility” and “Medical Marijuana Dispensary” to the listing of
O-2, Office and Institutional District, accessory uses.

Subsection (c). That Chapter 36, Section 36-281. (b) (2) be amended to add and separately list
“Medical Marijuana Cultivation Facility” and “Medical Marijuana Dispensary” to the listing of O-
3, General Office District, accessory uses.

Subsection (d). That Chapter 36, Section 36-299. (c) (1) be amended to add and separately list
“Medical Marijuana Cultivation Facility” and “Medical Marijuana Dispensary” to the listing of C-
1, Neighborhood Commercial District, permitted uses.

Subsection (e). That Chapter 36, Section 36-300. (c) (1) be amended to add and separately list
“Medical Marijuana Cultivation Facility” and “Medical Marijuana Dispensary” to the listing of C-
2, Shopping Center District, permitted uses.

Subsection (f). That Chapter 36, Section 36-301. (c) (1) be amended to add and separately list
“Medical Marijuana Cultivation Facility” and “Medical Marijuana Dispensary” to the listing of C-
3, General Commercial District, permitted uses.

Subsection (g). That Chapter 36, Section 36-302. (c) (2) be amended to add and separately list
“Medical Marijuana Cultivation Facility” and “Medical Marijuana Dispensary” to the listing of C-
4, Open Display Commercial District, conditional uses.

Subsection (h). That Chapter 36, Section 36-319. (c) (2) be amended to add and separately list
“Medical Marijuana Cultivation Facility” and “Medical Marijuana Dispensary” to the listing of I-
1, Industrial Park District, conditional uses.

Subsection (i). That Chapter 36, Section 36-320. (c) (1) be amended to add and separately list
“Drug Store or Pharmacy”, “Medical Marijuana Cultivation Facility” and “Medical Marijuana
Dispensary” to the listing of I-2, Light Industrial District, permitted uses.

Section 2. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word
of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication
shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the
portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

Section 3. Repealer. All laws, ordinances, resolutions, or parts of the same that are inconsistent with
the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

PASSED: August 15, 2017
ATTEST:

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Susan Langley, City Clerk    Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

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Thomas M. Carpenter, City Attorney