

## Summary of Medical and Adult Use Marijuana Public Meeting

January 11, 2021 – 12:00 pm

Staff and members of the community met on January 11, 2021 to discuss the City of Tucson's response to the recently approved initiative legalizing adult use marijuana. Staff began the meeting with introductions and a powerpoint presentation on the City's medical marijuana regulations and potential changes to Tucson's zoning code. The following were comments and staff responses during the meeting:

**Comment:** I just wanted to clarify something that I saw in a facility out in Tempe that was about 30,000 square feet. In Tempe sales is limited to 5000 square feet but storage, restrooms, and waiting areas are not included. The city of Tucson says everything must be in the 4000 square feet, but other cities are looking at this topic differently.

**Comment:** Are you saying that you want to separate the dispensary and manufacturing uses?

**Staff Response:** Currently manufacturing is only allowed as an accessory use to a dispensary, we are discussing adding a standalone manufacturing use.

**Comment:** I don't think standalone manufacturing should be allowed in only the I-1 or I-2 zone. There's a lot of good space around that is C-2, C-3 that would be ideal for light manufacturing and distribution.

**Comment:** It's in the best interest of the city of Tucson to make the manufacturing sites as least restrictive as possible.

**Comment:** It looks like the dispensary size is not being addressed. DHS is going to start accepting applications of January 19<sup>th</sup>, so the City needs to figure out new rules quickly. Additionally, the new rules will allow for two offsite cultivation sites, one for recreational and for medical.

**Staff Response:** We've had discussions with our zoning administrator, and you will have to adhere to the medical marijuana regulations until we have the new ones adult use rules are in place.

**Comment:** You said that there was a cap on the number of dispensaries. What's the cap?

**Staff Response:** There was created a cap back in 2014, but don't have that cap anymore.

**Comment:** I'm really pleased to hear the possible increase from 4000 to 8000 square feet for dispensary size. I'm currently the general manager of a dispensary and we are struggling. I think that that square footage needs to not include restrooms or waiting areas. I think we need to take a look at our secure storage areas and increase that square footage. We will see double, if not triple the amount of patients that we see medicinally in a day on the recreation side. We're currently very limited on the amount of product that we can take in and back stock. We need to at least triple or remove the secure storage cap with recreation coming online.

**Comment:** I feel the waiting area and storage area limits are arbitrary. Inventory can vary tremendously by size and space needed.

**Comment:** The government limitations on size and/or the free market should be looked at with the burden of proof placed on those who want them.

**Comment:** Dispensaries and dual licensees will also be able to sell plants and cuttings to the people who are 21 and over and want to home grow, so that's going to require more biological live space.

**Comment:** Because curbside pickup is not allowed for adult-use, I'm very concerned by any space limitations. The medical market is already underserved because of this. Now we're expecting 3x the amount of traffic in and out of dispensaries and WILL NOT allow them curbside pickup option? This is a recipe for disaster.

**Comment:** Strongly consider removing ancillary sf such as restrooms, storage rooms, and waiting areas from the overall sf allowed for operational use.

**Comment:** There is not a question on if we will see more customer with adult usage in place. Additional square footage will be vital if curbside and delivery are not an option for adult use.

**Comment:** We have a Cultivation site near home. And over the past year, multiple times we got the odor at our home which is very offensive. I've voiced my concerns and I don't think the City is addressing complaints. Additionally, the zoning need to be change so cultivation sites don't end up next to neighborhoods. Specifically about the one near my home, the odor mitigation plan is not working.

**Staff Response:** Part of the issue that that we've had with odor mitigation is just the fact that plans need to be site specific, so us putting detailed specificity into our code doesn't work and wouldn't allow for a successful plan essentially,

**Comment:** I was told last year that any expansions to the site will not be required to abide by the new order mitigation plans, and I think that's unfair. Any expansion needs to abide by the new rules.

**Staff Response:** There are very specific items in our unified development code on what an expansion, and whether that would trigger adherence to the new code.

**Comment:** Your inspectors regarding odor mitigation should come out when the wind is blowing.

**Comment:** There's quite a few offensive odors in the air. Cannabis being the least offensive of them.

**Comment:** Dispensaries are already seeing lines outside the buildings with medical use only, additional square footage is vital to safety accommodate the massive influx of people are seeing. Additionally, it will be impossible to maintain the appropriate amount of product for this increase with the current limitations on secure storage.

**Comment:** Is the City planning on procuring equipment to verify odor mitigation and provide instruction to inspectors?

**Comment:** Are you going to change the zoning for the cultivation sites to keep them away from neighborhoods?

**Staff Response:** The City did a mapping analysis of a one mile setback from residential zones and it severely restricted potential sites and made all but one of our existing facilities nonconforming. Ultimately it will be the Planning Commission and City Council that makes the decision, so you are welcome to present your argument to them.

**Comment:** As a resident who is very pro economic development and jobs, we made a mistake in 2010 creating an ordinance that was very restrictive. The number of jobs that have been created by cultivation and manufacturing has been very beneficial to lots of people in Tucson. I would urge to staff to please consider that there's lots of residents of the city of Tucson who liked the economic development and jobs created by this industry.

**Comment:** My yard is often overcome with the odor of rubber, tires, mineral processing, smog, pollution, etc. Should we discuss odor mitigation for other industries?

**Comment:** We talked about fixing the current issues with setbacks on medical dispensaries the last couple meetings. Planning Commission was discussing getting rid of almost all the setback requirements and restricting setback to what the state had done, which is a 500 foot set back from school.