



PLANNING COMMISSION

Wednesday, June 4, 2014, 6:00 P.M.

Mayor and Council Chambers

255 W. Alameda

Tucson, Arizona 85701

Legal Action Report and Summary Minutes

1. Roll Call

Meeting was called to order by Chair Sayler-Brown at **6:00 p.m.** Those present and absent were:

Present:

Thomas Sayler-Brown	Chair, Mayor
William Podolsky	Vice Chair, at Large, Ward 4
Rick Lavaty	Member, Ward 1
Kim Patten	Member at Large, Ward 1
Quentin Bryson	Member, Ward 2
Kevin Dahl	Member, Ward 3
Joseph Maher	Member at Large, Ward 3
Joe Yee	Member, Ward 4
Peter Gavin	Member at Large, Ward 5
Ladd Keith	Member at Large, Ward 6

Absent:

Marc Fink	Member, Ward 6
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Staff Members Present:

Ernie Duarte, Director, PDSD
Jim Mazzocco, Deputy Director, PDSD
Piroschka Glinisky, Senior Assistant City Attorney, City Attorney's Office
Alexandra Hines, Intern, PDSD
Adam Smith, Principal Planner, PDSD
Belinda Flores-McCleese, Administrative Assistant, PDSD
Linda Morales, Planning Center
Monica Sierra, City Clerk's Office

2. Approval of Minutes/Legal Action Report – March 5, 2014

It was moved by Commissioner Bryson, duly seconded, and was carried by a voice vote of 10-0, to approve March 5, 2014 Minutes. (Commissioners Fink absent).

3. Medical Marijuana Amendment

Presentation given by Adam Smith, Principal Planner, PDSD

On April 8, 2014, the Mayor and Council initiated the following text amendments to the medical marijuana regulations:

1. Lift the size limitation of off-site cultivation locations for I-1 and I-2 zone parcels only,
2. Allow infusion kitchens to be permitted within the dispensaries and off-site cultivation locations,
3. Include a sunset clause of two years from final adoption.

It was moved by Commissioner Podolsky, duly seconded, by Commissioner Gavin to put proposed revisions to Medical Marijuana regulations set for public hearing on July 16, 2014. Motion was carried by a voice vote of 10-0. (Commissioner Fink Absent).

Motion was amended by Commissioner Podolsky to open item for further discussion and be able to broaden discussion to possible revision not stated in material given tonight (June 4) such as zones, setbacks, square footage limitations, distances between dispensaries and cultivation centers, appropriated zones (input from multiple commissioners). Motion to approve amended motion by Commission Podolsky, duly seconded by Commissioner Gavin.

Discussion held.

Amended motion restated by Commissioner Podolsky to the proposed revision to Medical Marijuana regulations. As stated in the documents we have in front of us and also including issues of zones, setbacks, square footages and distances to churches, schools, etc to also be allowed to be voted on and forwarded to Mayor and Council and set forth to Public Hearing on July 16, 2014.

Discussion held.

Comments from Attorney Piroshka Glinsky stated, Mr. Podolsky, I believe your amended motion is beyond the scope of the direction of Mayor and Council. I believe you can make a motion based on what Mayor and Council has recommended that you can make determinations and you take question regarding your further question at the Public Hearing, but as far as setting it for public hearing on issues that are not before the Commission at this time, I don't believe that is appropriate.

Commissioner Podolsky advises that he withdraws the motion.

Commissioner Lavaty states, I don't believe we can withdraw a motion that has been seconded and voted on.

It was moved by Commissioner Dahl, duly seconded by Commissioner Lavaty to rescind the original motion. Motion passes by a vote of 10-0. (Commissioner Fink absent).

It was moved by Commissioner Lavaty, duly seconded by Commissioner Keith to set item #3 Medical Marijuana Amendment for public hearing at the next regular scheduled meeting and that the discussion and public hearing notice include the square footage restrictions on the off-site cultivation sites, the setbacks between various current uses and potential off-site cultivation sites. Motion passes by a vote of 10-0. (Commissioner Fink absent).

4. Unified Development Code (UDC) Text Amendments: Condominium Plat Corrections – Study Session

Presentation given by Adam Smith, Principal Planner, PDSD

Discussion held.

It was moved by Commissioner Gavin, duly seconded, to move item for Public Hearing on July 16, 2014.

5. Infill Incentive District Revisions

Presentation given by Jim Mazzocco, Deputy Director, PDSD

Discussion held. No action taken.

6. Broadway Corridor Update

Update given by Commissioner Maher

No action Taken.

7. Mayor and Council Update

Update given by Ernie Duarte, Director, PDSD

Discussion held.

On Tuesday, March 18th, Mayor and Council approved text amendment related to Historic Landmark establishment process.

On Wednesday, April 23rd, Mayor and Council approved amendment to the Rio Nuevo redevelopment plan.

On Thursday, June 5th , Mayor and Council approved waiver to the forty acre ad requirement.

On Tuesday, May 20th, Mayor and Council approved a series of Unified Development Code text amendments.

8. Future Agenda Items

Items for next meeting scheduled July 7, 2014

- Plan Amendment @ Speedway / Campbell
- Grant Road Update

9. Call to the Audience

No Speakers

10. Adjournment – Meeting adjourned at 7:57 PM