



MEDICAL MARIJUANA SUNSET DATE

Stakeholder Meeting

August 9, 2018

BACKGROUND INFORMATION

- November 2010: Prop 203 - AZ Medical Marijuana Act
- November 2010: M+C adopted medical marijuana zoning regulations (Ordinance 10850)
- September 2014: M+C adopted revisions to the medical marijuana zoning regulations (Ordinance 11199)
 - Included removal of size limit on marijuana off-site cultivation locations in the I-1 and I-2 zones, permitting infusion kitchens as an associated use to dispensaries, and the establishment of a sunset date of two years for the amendments
- February 2016: M+C adopted revisions to the medical marijuana zoning regulations (Ordinance 11346)
 - Included placing a cap on the number of dispensaries, increasing the permitted size of off-site cultivation facilities in the C-2 and C-3 zones from 3,000 to 4,000 square feet, and adjusting the setback for expansion of existing dispensaries to be in conformance with the Arizona Department of Health Services standards
- **Sunset Date: 1/31/2019**

CODE ENFORCEMENT AND TPD STATS

- Only one code violation since 2014
 - Code violation reported for a possible illegal grow house – was operating legally (T15DV02947)
- From initial conversations with TPD - No significant increase in crime related to medical marijuana dispensaries or cultivation facilities
 - Still working with TPD on running analysis on impact

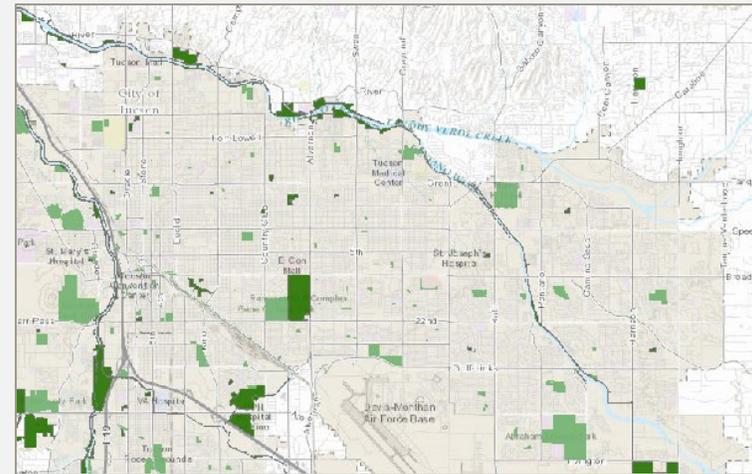
STAFF RECOMMENDED IMPROVEMENTS: ODOR MITIGATION

- Currently an added condition in permitting process and required for approval of all medical marijuana facilities
- Proposal to add an Odor Mitigation clause to the ordinance in order to codify what is already required through zoning conditions
- What other cities are doing
 - Odor mitigation plan upon establishment vs. in response to complaint
 - Plans may specify required equipment, which can include inline fans and activated carbon odor filters specific to the size of the facility
 - Detailed site plans indicating potential sources of odor and room-specific filtration times to mitigate odor

STAFF RECOMMENDED IMPROVEMENTS: PARKS SOURCE

- Current source is the Technical Standards Manual (static)
- Proposed switch to MapTucson (GIS source, more comprehensive and current information)

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| 20/30 Park | 5300 E. 7th St. |
| Abraham Lincoln Park | 8280 E. Escalante Rd. |
| Balboa Heights Park | 2526 N. Castro Av. |
| Brandt Fenton Memorial Park | 3482 E. River Road |
| Bravo Park | 4595 S. Mountain Av. |
| Case Park | 9851 E. Kenyon Dr. |
| Catalina Park | 900 N. 4th Av. |
| Cherokee Avenue Park | 900 N. Cherokee Av. |
| Cherry Avenue Park | 5085 S. Cherry Av. |
| Children's Memorial Park | 4851 N. 15th Place |
| Christopher Columbus Park | 4600 N. Silverbell Rd. |
| Conner Park | 2200 E. Glenn St. |
| Country Club Annex Park | 3300 E. Aviation Hy. |
| David G. Herrera and Ramon Quiroz Park | 600 W. St. Mary's Rd. |
| De Anza Park | 1000 N. Stone Av. |
| Desert Aire Park | 600 S. Beverly Bl. |
| Desert Shadows Park | Greenway Dr. & Ponderosa Pl. |



STAKEHOLDER MEETINGS: ROUND I

- Suggested different odor mitigation standards for cultivation facilities and dispensaries
 - No odor from infusion processes
- Should odor mitigation regulation should be the same if a cultivation facility is in a rural or primarily industrial area?
- What will the criteria be for a park to be put into MapTucson? (will linear parks be included?)
 - Possible layer created for specific parks that apply to MMJ ordinance
- Restriction regarding the size of a dispensary
 - 25% of space for waiting area may be too large
- Would like any amendments to the ordinance to contain language that will make for a smooth transition to legal recreational use in the future
- City and county ordinances regarding MMJ are not in sync with each other
- Would like clarification on the definition of a church within the ordinance
 - Possibly using the same wording that defines a church in the UDC

STAKEHOLDER OPINION

- What issues, if any, have you run into with the current code?
- What do you see as areas for improvement?

NEXT STEPS

- Mayor and Council Study Session August 8, 2018
 - Advised to move forward
 - Inclusion of all dispensaries in stakeholder conversations
- Additional stakeholder meetings if needed
- Planning Commission Study Session and Public Hearing
- Mayor & Council Public Hearing to review and make decision