



Citizen Participation Plan Final Report

Zoning Text Amendment
Section 7.800: Medical Marijuana
ZTA22-01

City-Wide

August 1, 2022

PROPOSAL	Zoning Ordinance Text Amendment
HEARING REQUEST	Amendment to Section 7.800 (Medical Marijuana)
ADDRESS	N/A
ZONING	N/A
SR#	N/A
CASE#	ZTA22-01
DATE	August 1, 2022
PROP OWNER	N/A
APPLICANT	City of Glendale Planning Commission

BRIEF DESCRIPTION OF PROPOSED PROJECT

A Zoning Text Amendment to Section 7.800 (Medical Marijuana) requiring submittal of a plan for containment of related dust, fumes, vapors and odors; and allowing for the location of marijuana dispensary facilities (currently restricted to G-O, C-2, and C-3 zones, in association with marijuana product manufacturing (infusion) facilities, which are currently restricted to M-1 and M-2 zones. This portion of the amendment would have the effect of eliminating the distance requirement between dispensaries and related manufacturing facilities. The draft amendment is attached.

DESCRIBE PUBLIC NOTICES, MEETINGS, RELATED OTHER PUBLICITY

The City of Glendale has determined that a virtual meeting to discuss the Zoning Text Amendment is the most appropriate public notification technique for this project. The request will ultimately be advertised as part of a formal public hearing process. The Planning Division will also distribute notices to all registered "Interested Parties" on July 6, 2022. The letter will advise recipients of their ability to review the proposed text amendment language on the City's Planning Division webpage; and opportunities to interact with staff with related questions or comments, including a planned virtual meeting to discuss the Zoning Text Amendment at 6:00 Pm on Wednesday, July 20, 2022. A copy of the notification letter is attached. Interested Parties will have until August 1, 2022 to provide feedback.

All legal requirements for a public hearing(s) will be followed; and Staff will make every reasonable effort to ensure opportunities for citizens to obtain information, have questions answered, and provide feedback to staff on the proposed Zoning Text Amendment.

IDENTIFY WHO WILL BE DIRECTLY AND INDIRECTLY AFFECTED BY YOUR PROPOSAL AND ANYONE WHO EXPRESSED INTEREST OR BELIEVE THEY WILL BE AFFECTED.

Citizens should benefit from increased containment of emissions which may be associated with this activity. The proposal also will enable additional dispensary locations within M-1 districts throughout the City without conflicting with current setback requirements relating to manufacturing (infusion) facilities. There have been requests for combining dispensaries with manufacturing facilities for marijuana products (currently restricted to industrial zones).

IDENTIFY ANY CONCERNS AFFECTED INDIVIDUALS MAY HAVE

Possible concern for the introduction of commercial traffic within industrial zones. The Zoning Ordinance already allows some limited commercial uses within the M-1 (Light Industrial), such as: laundry/dry cleaning services, vehicle repair, and support services such as offices, restaurants, office supply stores, etc.

HOW WILL THEY BE PROVIDED AN OPPORTUNITY TO DISCUSS THE PROPOSAL WITH THE APPLICANT IF ISSUES OR QUESTIONS CONTINUE OR SUDDENLY ARISE AFTER DISTRIBUTION OF THE NOTIFICATION LETTER.

Staff will respond directly to anyone who contacts this office concerning the amendments. A virtual neighborhood meeting will be held as an opportunity for members of the public to review the proposal and ask questions. Related public hearings will also be advertised.

HOW WILL THESE INDIVIDUALS BE INFORMED OF ANY CHANGES?

Should any changes be proposed, Staff will issue further mailed notices to the city-wide Interested Parties list, as well as to anyone else who may have contacted this department during the review process.

HOW WILL YOU KEEP GLENDALE PLANNING STAFF UPDATED ON THE STATUS OF YOUR CITIZEN PARTICIPATION EFFORTS?

N/A - This process will be conducted by the City planning staff.

IMPLEMENTATION SCHEDULE

Date CPP submitted	6/30/2022
Mailing of Notification Letter	7/6/2022
Virtual Neighborhood Meeting date	7/20/2022
Cut-off date for responses	8/1/2022
Planned Submittal date of CPP Final Report	8/1/2022
Planning Commission Public Hearing	8/25/2022
City Council Public Hearing	9/27/2022

SUMMARY / FINAL REPORT

Total individuals notified:

71

Respondents/Participants:

5

CONCERNS, ISSUES, PROBLEMS EXPRESSED

No concerns regarding existing amendment proposal. Some questions were raised regarding any future amendments pertaining to the Recreational Use of marijuana.

HOW CONCERNS WILL BE ADDRESSED?

N/A

CONCERNS APPLICANT IS UNWILLING TO ADDRESS

None

HOW THE PROPOSAL HAS BEEN REVISED TO ADDRESS CONCERNS

N/A

ATTACHMENTS:

- ✓ NOTIFICATION LETTER
- ✓ TEXT AMENDMENT
- ✓ “INTERESTED PARTIES” LIST PROVIDED BY PLANNING
- ✓ “ADDITIONAL NOTIFICATIONS” LIST PROVIDED BY PLANNING.



July 6, 2022

George Gehlert
City of Glendale Development Services Dept.
5850 West Glendale Avenue
Glendale, AZ 85301

Subject: ZTA22-01 Amendment to Glendale Zoning Ordinance

Dear Interested Party:

This letter is to inform you of a proposed amendment to the Glendale Zoning Ordinance, concerning Section 7.800 (Medical Marijuana). Specifically, the amendment would have the effect of requiring a plan for containment of emissions which may be associated with these activities; and for allowing marijuana dispensaries to co-locate with marijuana manufacturing (infusion) facilities within the M-1 (Light Industrial) and M-2 (Heavy Industrial) districts.

The draft text amendment is attached for review. Changes are highlighted in yellow on the draft. A virtual (on-line) informational meeting will also be conducted at 6:00PM on Wednesday, July 20, 2022, to present the amendment and to take any questions or comments at that time. You may log into the meeting by using the following link: <https://bit.ly/3Reoi8q>

If you are unable to attend, please contact me using the information below.

The amendment is tentatively scheduled to be considered by the Glendale Planning Commission at their regular hearing which begins at 6:00PM, Thursday, August 25, 2022.

Staff will accept any comments you may have through July 22, 2022.

Let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'George', written over a white background.

George Gehlert, Senior Planner
623-930-25974
ggehlert@glendaleaz.com

ECL: Draft Text Amendment

Section 7.800 Medical Marijuana.

7.801 Medical Marijuana Dispensary Offsite Cultivation Location.

A Medical Marijuana Dispensary Offsite Cultivation Location shall be permitted only in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts, subject to the following conditions and limitations:

- A. Applicant shall provide:
 - 1. Name(s) and location(s) of the affiliated offsite medical marijuana dispensary associated with the cultivation operation.
 - 2. A copy of the operating procedures adopted in compliance with A.R.S. § 36-2804(B)(1)(c).
 - 3. A survey sealed by a registrant of the State of Arizona showing the location of the nearest medical marijuana dispensary or cultivation location if within 10,560 feet.
 - 4. Site plan, floor plan, building permits for occupancy change, and a security plan.
 - 5. If the application is by an agent for the owner of the property, the owner's authorization must include an explicit acknowledgement from the owner that the owner knows that the proposed use of the property is as a medical marijuana offsite cultivation location.
 - 6. Submittal and approval of a plan for containment of related dust, fumes, vapors and odors.
- B. Shall be located in a permanent building and may not be located in a trailer, cargo container or motor vehicle.
- C. Shall not permit on-premise consumption.
- D. Shall not be located within 5,280 feet of any other Medical Marijuana Dispensary, Medical Marijuana Dispensary Offsite Cultivation Location, Medical Marijuana Infusion (or Manufacturing) Facility, or Medical Marijuana Designated Caregiver Cultivation Location. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.
- E. Shall not be located within 1,320 feet of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.
- F. Shall not be located within 1,320 feet of an elementary, secondary or high school. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.
- G. Shall provide for proper disposal of marijuana remnants or by-products, and not to be placed within the facility's exterior refuse containers.
- H. There shall be no emission of dust, fumes, vapors, or odors into the environment from the facility.
- I. There shall be no retail sales at the facility.
- J. The offsite cultivation location must comply with the security requirements of A.R.S. Title 36, Chapter 28.1.
- K. Shall be a maximum 25,000 gross square feet.

(Ord. No. 2763, § 1, 2-22-11)

7.802 Medical Marijuana Dispensary.

Medical Marijuana Dispensary shall be permitted only in the General Office (G-O), General Commercial (C-2), and Heavy Commercial (C-3), Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts subject to the following conditions and limitations:

- A. Applicant shall provide:
 - 1. Name and location of the offsite cultivation location, if applicable.
 - 2. A copy of the operating procedures adopted in compliance with A.R.S. § 36-2804(B)(1)(c).
 - 3. A survey sealed by a registrant of the State of Arizona showing the location of the nearest medical marijuana dispensary or cultivation location if within 10,560 feet.
 - 4. Site plan, floor plan, building permits for occupancy change, and a security plan.
 - 5. If the application is by an agent for the owner of the property the owner's authorization must include an explicit acknowledgement from the owner that the owner knows that the proposed use of the property is as a medical marijuana dispensary.
 - 6. Submittal and approval of a plan for containment of related dust, fumes, vapors and odors.
- B. Shall be located in a permanent building and may not be located in a trailer, cargo container or motor vehicle.
- C. Shall not provide outdoor seating.
- D. Shall not permit on-premise consumption.
- E. Shall be a maximum 6,000 gross square feet.
- F. Shall not be located within 5,280 feet of any other Medical Marijuana Dispensary, Medical Marijuana Dispensary Offsite Cultivation Location, ~~Medical Marijuana Infusion (or Manufacturing) Facility,~~ or Medical Marijuana Designated Caregiver Cultivation Location. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.
- G. Shall not be located within 500 feet of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.
- H. Shall not be located within 1,320 feet of an elementary, secondary or high school. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.
- I. Shall have operating hours not earlier than 8:00 a.m. and not later than 10:00 p.m.
- J. Off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S. Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statutes and rules, if any.
- K. Drive-through services are prohibited.
- L. Shall provide for proper disposal of marijuana remnants or by-products, and not to be placed within the dispensary's exterior refuse containers.

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- M. There shall be no emission of dust, fumes, vapors, or odors into the environment from the dispensary.
 - N. The dispensary must comply with the security requirements of A.R.S. Title 36, Chapter 28.1.
 - O. A prominent and permitted sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" shall be located in a place that is clearly visible to patrons of the dispensary. As depicted by the signage, no loitering is allowed on or in front of the premises of the Medical Marijuana Dispensary.
 - P. Additionally, a security plan shall be submitted by the applicant in conjunction with design review approval. The security plan shall include provisions for the following:
 - 1. An alarm system with a redundant power supply and circuitry to prevent deactivation.
 - 2. A video surveillance system that at all times records all interior areas and the exterior perimeter.
 - 3. A lighting system that at all times illuminates the interior areas and the exterior perimeter.
 - 4. A plan for the reprogramming of all security codes and keys in the event an employee resigns or is terminated.

(Ord. No. 2763, § 1, 2-22-11; Ord. No. O18-16, § 1, 3-27-18; Ord. No. O19-47, § 1, 5-28-19)

7.803 Medical Marijuana Infusion (or Manufacturing) Facility.

Medical Marijuana Infusion (or Manufacturing) Facility shall be permitted only in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts, subject to the following conditions and limitations:

- A. Applicant shall provide:
 - 1. Name(s) and location(s) of the affiliated offsite Medical Marijuana Dispensary associated with the infusion (or manufacturing) facility.
 - 2. A copy of the operating procedures adopted in compliance with A.R.S. §36-2804(B) (1) (c).
 - 3. A survey sealed by a registrant of the State of Arizona showing the location of the nearest Medical Marijuana Dispensary, Medical Marijuana Dispensary (No Cultivation), Medical Marijuana Dispensary Offsite Cultivation Location, or Medical Marijuana Infusion (or Manufacturing) Facility if within 10,560 feet.
 - 4. Site plan, floor plan, building permits for occupancy change, and a security plan.
 - 5. If the application is by an agent for the owner of the property, the owner's authorization must include an explicit acknowledgement from the owner that the owner knows that the proposed use of the property is for a medical marijuana infusion (or manufacturing) facility.
 - 6. Submittal and approval of a plan for containment of related dust, fumes, vapors and odors.
- B. The Facility shall be located in a permanent building and may not be located in a trailer, cargo container or motor vehicle.
- C. The Facility shall not be located within 5,280 feet of any other Medical Marijuana Cultivation, ~~Medical Marijuana Dispensary~~, Medical Marijuana Dispensary Offsite Cultivation Location, Medical Marijuana Infusion (or Manufacturing) Facility, or Medical Marijuana Designated Caregiver Cultivation Location. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.
- D. The facility shall not be located within 1,320 feet of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the

businesses are conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

- E. The Facility shall not be located within 1,320 feet of an elementary, secondary or high school. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.
- F. The Facility shall provide for proper disposal of marijuana remnants or by-products, and not to be placed within the facility's exterior refuse containers.
- G. There shall be no emission of dust, fumes, vapors, or odors into the environment from the facility.
- H. There shall be no retail sales at the facility.
- I. Shall not permit on-premise consumption.
- J. The Facility must comply with the security requirements of A.R.S. Title 36, Chapter 28.1.
- K. Shall be a maximum 10,000 gross square feet.

(Ord. No. 2763, § 1, 2-22-11)

7.804 Medical Marijuana Designated Caregiver Cultivation Location.

Medical Marijuana Designated Caregiver Cultivation location shall be permitted only in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts, subject to all rules adopted by the Arizona Department of Health Services and the following conditions and limitations:

- A. Shall be located in a permanent building and may not be located in a trailer, cargo container or motor vehicle.
- B. Shall not permit on-premise consumption.
- C. The location shall provide for proper disposal of marijuana remnants or by-products, and not placed within the location's exterior refuse containers.
- D. There shall be no emission of dust, fumes, vapors, or odors into the environment from the location.
- E. There shall be no retail sales at the location.
- F. More than one designated caregiver may co-locate cultivation locations as long as the total cultivation area does not exceed 250 square feet.
- G. The designated caregiver location must comply with the security requirements of A.R.S. Title 36, Chapter 28.1.
- H. If the application is by an agent for the owner of the property, the owner's authorization must include an explicit acknowledgement from the owner that the owner knows that the proposed use of the property is for a medical marijuana designated caregiver cultivation location.

(Ord. No. 2763, § 1, 2-22-11)