

## Smoke Shop Code Amendment Comment Matrix

<u>Comment #</u>	<u>Commenter</u>	<u>Organization</u>	<u>Comment</u>	<u>Actions/Remarks</u>
1	Mickey Peterson	TPD	ability to add that 15% to include consumption of tobacco product – to include hookah lounges...	Not consistent with the scope of Mayor and Council's request.
2	Megan Boelter		being able to manipulate threshold to ensure it is being met and enforced. How can safe guards help control this.	Smoke shop definition will be reviewed for clarity
3	Brian Hummel	American Cancer society	me of the pieces of the definition need definition. What is already in the city code. Tobacco retail license..	UDC amendment can be structrued to be consistent witht the Tucson Code where applicable.
4	Val T Mickey Peterson	Palo Verde NA TPD	15% Threshold – how can this be manipulated – larger yards and storage areas open advertising of vape and tobacco. What they see on their commute to school. Can we regulate the advertisement on their window displays into the 15% threshold	Smoke shop definition will be reviewed for clarity This is not somthing that can be accomplished through zoning.
5	Lee- Itule-Klasen	PM- Pima Health	PM- Pima Health	
6	Brian Hummel	American Cancer society	definitions of things within the definition. The tobacoo retail license there is a definition for e-cigs/vapor products. Make sure there is alignment. State law and enforcement of products attracted by children.	Staff will work to ensure alighment between definitions where applicable.
7	Megan Boelter		review of studies – smaller density greater to prevent. Greater distance is best for advocacy groups.	Noted.
8	Lee-Itule-Klasen		space distance include faith based organizations? One other item. Include early childhood centers. Is this birth to 5?	Faith based organizations not included due to difficulty in defining. Early childhood centers will be reviewed.
9	Mickey Peterson	TPD	1000 ft would be better. Reduction of crime and exposure to children. Include major transportation hubs, parks, rec centers, where community events occur.	
10	Brian Hummel		1000 ft better for public health perspective. Parks and community centers, daycares, possible other uses beyond faith based. Want to make sure schools have access to provide their services and that tobacco retail stays away. Concerns with limiting the options for school options.	
11	George Camacho		tobacco is dangerous. Where they are going to be located and who is operating them. Digital ID process. How to vet these owners and owners. Easier way to track? Can this lead into bigger issues...	Zoning cannot be used to regulate this.
12	Jamal Qasim		more protections to regulate the age proof. This is in place through current ID checks. Do not just target smoke shops as other businesses support illegal substance sales	Zonig cannot be used to regulate this.
13	Maria Lopez		who is looking into the backgrounds of the operators opening the smoke shops? How can we tighten this up a bit more to vet people.	Zoning cannot be used to regulate this.
14	Tom O'Dell	COT, Business Licenses	That is not actually a background for tobacco retail establishments at this time. This would have to be added. It would not be in the zoning but a different part of the code.	
15	Maria Lopez		how do we get this as a priority or part of the process	Mayor and council can do this
16	Ted Prezelski		if we establish separation to non-conforming. If it changes ownership does it make it not functional? Does this give incentives to keep the uses if wanting to sell smoke shops. Many of the smoke shops that are non-conforming close together, if a smoke shop were to close, the other in the area make them conforming. This just marking the buffers.	Non-conforming use regulations will be reivewed.
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18 anonymous  
19 anonymous  
Mark Kerr

The furthest proximity from schools is best for the safety of the youth and reduces the chances of underage usage.

I think option 2 would be the best in regard to the distance from schools and other smoke shops.

This proposal is only one aspect of this issue, for which the City Attorney, dealing with hours of operation, advertisements, and enforcement, as well as BSD is needed in terms of Business Licenses for these and the need to change the application to be more in tune with liquor license applications with an investigation or further research on the applicant's background. In addition, the sales question needs further work and must include outdoor space, and consumption - including huka lounges, which a shooting took place at one. This needs to be in the vein of actions taken when the city dealt with payday loans, with zoning changes, hours of operation and otherwise. The cities of Phoenix, Tempe and Avondale have taken actions to limit these businesses near schools, parks, rec centers and otherwise, for which the Tucson Mayor and Council gave direction to follow this.

Only items within the purview of zoning will be considered for this UDC amendment.

20 Mark Kerr

There have been issues with items sold from the smoke shops and criminal actions in city parks, at bus stops and at the Laos Transit Center as well as Ronstadt. Also LPKNC did work and research on this and getting hundreds of vaping devices and other items going down Sixth and 12th to the schools. The definition of sales needs to be spelled out, Tempe, Avondale and Phoenix have distance requirements as well as smoke shop locations and as the map was shown, the greater the distance, the less opportunity for more smoke shops to come in. In addition, the location of smoke shops next to child care centers needs to be reviewed too.

Only items within the purview of zoning will be considered for this UDC amendment.

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