



CITY OF  
TUCSON

PLANNING &  
DEVELOPMENT  
SERVICES  
DEPARTMENT

September 23, 2013

SUBJECT:

Letter from Jim Kennedy, Sept. 9, 2013  
Medical Marijuana Cultivation Site at 6525 E. Littleton Road  
T13SA00029

Dear Mr. Kennedy

You asked whether a medical marijuana (MM) cultivation site can be located at 6525 E. Littleton Road.

The property is zoned I-2 in an overlay ADC-2. The land use designation that would address a medical marijuana cultivation site in an I-2 zone in the Unified Development Code (UDC) is called a Medical Marijuana Cultivation Location: Dispensary Off-site Cultivation Location in Table 4.8.5 Permitted Uses –Industrial Zones. Additionally, this land use is listed in the Land Use Group – Retail Trade Land Use Group.

This property is also in ADC 2 (Approach Departure Corridor 2). A prohibited use noted in the overlay in Section 5.6.8.A.2.g is “Retail Trade Use Group (all uses within the group).” The rationale is that retail uses attract large groups of people and this overlay prohibits uses that attract large gatherings of people.

You have explained in your Sept 9 letter that 1) you have no intention to do retail at the site; 2) your primary use is indoor MM cultivation without a retail component; 3) the Arizona Department of Health Services State defines the terms “cultivation site” as a site that does not include retail. Therefore, both the State and the City do not permit retail in this case and you are not proposing retail either.

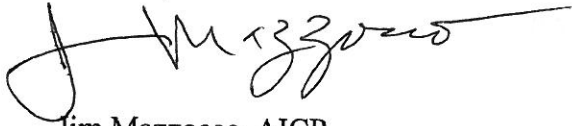
I have determined that your land use is not defined in the UDC. You are asking for a MM cultivation site without a dispensary. I understand this use is not mentioned but has similar traits to a permitted use that would be allowed in an I-2 zone in an ADC 2. It is Wholesaling- Business Supply and Equipment Wholesaling. The similarities are 1) both are indoor uses only, 2) both have small staffs, 3) the activities carried on inside have no special zoning impact on adjacent properties, 4) both have minimal shipping and loading activity, 5) both require parking for only staff and periodic business associates, and 6) neither has a retail component.

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Telephone: (520) 791-5550 - Fax: (520) 791-5852  
[www.tucsonaz.gov/pdsd](http://www.tucsonaz.gov/pdsd)

You can proceed with your application with the understanding that your use is classified as wholesaling for purposes of the UDC and under no circumstance is retail activity permitted on the site.

If you have any further questions, please contact me at [Jim.Mazzocco@tucsonaz.gov](mailto:Jim.Mazzocco@tucsonaz.gov) or call 837-6964.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Mazzocco", with a long horizontal flourish extending to the right.

Jim Mazzocco, AICP  
Zoning Administrator