

[EXTERNAL] Public Comment, re: Upcoming Public Hearing on the Medical and Adult-use Marijuana Special Exception UDC Text Amendment

Mike Burten <mburten@weedmaps.com>

Tue 11/15/2022 1:26 PM

To: PlanningCommission <PlanningCommission@tucsonaz.gov>

Cc: John Cleveland <jcleveland@weedmaps.com>

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Good afternoon,

Please see the below public comment pertaining to the proposed Special Exception for Marijuana Dispensaries as directed by Mayor and Council on March 22, 2022.

Planning Commission Public Hearing Date: November 16, 2022

Name: Justin Pressfield, Vice President, Government Relations, Weedmaps

Public Comment - Tucson UDC Amendments

After Arizona voters legalized adult-use cannabis in 2020 by passing Proposition 207, the Arizona Department of Health Services developed rules for a Social Equity program to ensure that individuals who were disproportionately impacted by cannabis prohibition would be able to participate in the now-legal cannabis market. On April 8, 2022, the Department awarded 26 Social Equity licenses to qualified applicants. However, these licenses are for stand-alone adult-use cannabis dispensaries only, not the dual-use (adult-use and medical) dispensaries that are currently the only allowable type of cannabis retail shop in Tucson. As such, social equity licensees are currently statutorily prohibited from operating in Tucson.

The proposed text amendments to Tucson's Unified Development Code (UDC) would allow social equity licensees - after rigorous review and significant oversight - to operate adult-use retail cannabis stores in Tucson. These amendments are vital in ensuring that the state's social equity program does not constitute an empty effort, but rather a substantive attempt to undo the decades of harm caused by the war on drugs. By removing the restriction on adult-use only licenses and altering the definition of "Marijuana Dispensary" in the UDC to include adult-use retailers, Tucson will play a significant role in ensuring that social equity licensees can actually enter the industry as promised, much less compete on a level playing field.

Tucson is already seeing significant benefits from its legal cannabis market, with Arizonans enjoying access to safe, legal cannabis products, while the city collects millions of dollars in tax revenue. By easing zoning restrictions and allowing Social Equity licensees to operate in Tucson, the proposed UDC amendments not only benefit consumers by increasing access to and competition within the local cannabis market, but also help the state follow through on its promise to make sure that those who suffered the most under cannabis prohibition are not left behind now that the law has changed.



Mike Burten (he/him/his)
Regional Legislative Associate, West Coast
Weedmaps | www.wmpolicy.com
e: mburten@weedmaps.com
c: (347) 982-7033

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[EXTERNAL] Planning Commission Study Session Request to Speak and Submittal of Comments/Questions

Dan Gauthier <dan.gauthier@zonedproperties.com>

Tue 11/15/2022 12:20 PM

To: PlanningCommission <PlanningCommission@tucsonaz.gov>

Cc: Patrick Moroney <patrick.moroney@zonedproperties.com>

Good afternoon,

I would like to submit a request to speak at the 11/16/2022 Planning Commission Study Session for item 3 (C8-22-05 Medical and Adult-Use Marijuana Special Exception UDC Text Amendment). I am also submitting the questions below for Commission discussion during the public hearing.

Speakers: Dan Gauthier and Patrick Moroney

Phone number: 480-747-1268 and 602-684-6271

Item 3, C8-22-05 Medical and Adult-Use Marijuana Special Exception UDC Text Amendment

Questions for the hearing:

1. Will the City of Tucson require that existing dispensaries with dual use licenses that are operating today and/or have received City use authorization to operate go through the Special Exception process to confirm they are in good standing or comply with the new City process, in order to provide adult use marijuana to consumers?
2. Given that social equity license holders must open for business by October 2023, and further that the Special Exception process is estimated to take 4-6 months, will the City allow potential applicants to start the Special Exception process prior to council adoption (e.g. pre-app meeting, application submittal, etc.)?
3. Will the Special Exception Process for medical and adult-use marijuana mirror the existing Special Exception process contained in sections 3.4.3 and 3.4.4 of the UDC?

Thank you,

Dan Gauthier

Chief Legal Officer at Zoned Properties, Inc.

480-351-8195 <https://zonedproperties.com/>

dan.gauthier@zonedproperties.com

8360 E Raintree Drive STE 230, Scottsdale, AZ 85260

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