

**City of Carson City
Agenda Report**

Date Submitted: June 10, 2014

Agenda Date Requested: June 19, 2014

Time Requested: 90 minutes

To: Mayor and Supervisors

From: City Manager

Subject Title: For Possible Action: To introduce, on first reading, Bill No. ___, an ordinance amending Title 18, Zoning; Chapter 18.03, Definitions; Chapter 18.04, Use Districts; and Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, to adopt regulations to allow medical marijuana dispensaries as a conditional use within the General Commercial and General Industrial zoning districts, and to allow medical marijuana cultivation facilities, production facilities, and testing laboratories as a conditional use in the General Industrial, Limited Industrial, and Airport Industrial Park zoning districts, and to establish development standards for such facilities, and other matters properly related thereto. (Lee Plemel)

Summary: Senate Bill (SB) 374, commonly referred to as the “Medical Marijuana Act,” was adopted by the Nevada Legislature and signed into law in 2013. The Medical Marijuana Act authorizes MMEs in Nevada, but gives local jurisdictions the right to opt out or, if they opt in, to regulate the location of medical marijuana establishments (MMEs) through zoning and business license requirements. Staff was directed by the Board of Supervisors to draft an ordinance that allows for such facilities in certain zoning districts subject to certain regulatory standards.

Type of Action Requested:

Resolution
 Formal Action/Motion

Ordinance—First Reading
 Other (No Action)

Does This Action Require a Business Impact Statement: Yes No

Recommended Board Action: I move to introduce, on first reading, Bill No. ___, an ordinance amending Title 18, Zoning; Chapter 18.03, Definitions; Chapter 18.04, Use Districts; and Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, to adopt regulations to allow medical marijuana dispensaries as a conditional use within the General Commercial and General Industrial zoning districts, and to allow medical marijuana cultivation facilities, production facilities, and testing laboratories as a conditional use in the General Industrial, Limited Industrial, and Airport Industrial Park zoning districts, and to establish development standards for such facilities, and other matters properly related thereto.

Planning Commission Recommendation: The Planning Commission recommended approval of the proposed ordinance on May 28, 2014, by a vote of 5 ayes and 2 nays.

Explanation for Recommended Board Action: See the attached memo and staff report to the Planning Commission, dated May 28, 2014, for more information regarding the proposed ordinance for regulating Medical Marijuana Establishments in Carson City.

Applicable Statute, Code, Policy, Rule or Regulation: SB 374 (2013); CCMC 18.02.075 (Zoning Code Amendments).

Fiscal Impact: N/A.

Explanation of Impact: N/A.

Funding Source: N/A.

Alternatives:

1. Modify the proposed zoning regulations, e.g.:
 - a. Limit MMEs to certain zoning districts.
 - b. Modify proposed setbacks from "Community Facilities" and/or residentially-zoned properties.
2. Do not adopt the proposed regulations and direct staff to prepare an ordinance to prohibit MMEs in Carson City.

Supporting Material:

- 1) Draft Ordinance
- 2) Staff memo to Board
- 3) Planning Commission Case Record
- 4) Staff Report to the Planning Commission
- 5) Staff proposed residential buffer example graphic
- 6) Exhibit A: Summary of State MME regulations and other city/county ordinances
- 7) Public comments
- 8) Zoning maps for proposed MME locations

Prepared By: Lee Plemel, Community Development Director

Reviewed By: Sean Dan Pinsky for Lee Plemel
(Community Development Director)

Date: 6/5/14

Landell M. Mays
(District Attorney's Office)

Date: 6/10/14

Willie Smith
(Finance Director)

Date: 6/10/14

Nicholas Marcano
(City Manager)

Date: 6/10/14

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay _____
2) _____

(Vote Recorded By)

BILL NO. ____

ORDINANCE No. 2014 - ____

AN ORDINANCE AMENDING TITLE 18, ZONING; CHAPTER 18.03, DEFINITIONS; CHAPTER 18.04, USE DISTRICTS; AND CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, TO ADOPT REGULATIONS TO ALLOW MEDICAL MARIJUANA DISPENSARIES AS A CONDITIONAL USE WITHIN THE GENERAL COMMERCIAL AND GENERAL INDUSTRIAL ZONING DISTRICTS, AND TO ALLOW MEDICAL MARIJUANA CULTIVATION FACILITIES, PRODUCTION FACILITIES, AND TESTING LABORATORIES AS A CONDITIONAL USE IN THE GENERAL INDUSTRIAL, LIMITED INDUSTRIAL, AND AIRPORT INDUSTRIAL PARK ZONING DISTRICTS, AND TO ESTABLISH DEVELOPMENT STANDARDS FOR SUCH FACILITIES, AND OTHER MATTERS PROPERLY RELATED THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 18 (Zoning), Chapter 18.03 (Definitions) is hereby amended, in part, as follows (**bold, underlined** text is added, ~~stricken~~ text is deleted), to alphabetically add definitions related to Medical Marijuana Establishments:

Chapter 18.03

Definitions

18.03.005 Definitions Generally. Except where specifically defined herein, all words used in this title shall carry their customary meanings as defined in Webster's dictionary. Words used in the present tense include the future, and the plural includes the singular; the word "shall" or "must" is always mandatory; the word "may" denotes a use of discretion in making a decision.

18.03.010 Words and Terms Defined.

[Definitions added alphabetically:]

Medical Marijuana Cultivation Facility means a business having the meaning ascribed in State law, registered with the State of Nevada, which acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells marijuana and related supplies to Medical Marijuana Dispensaries, Medical Marijuana Production Facilities, or other Medical Marijuana Cultivation Facilities.

Medical Marijuana Dispensary means a business having the meaning ascribed in State law, registered with the State of Nevada, which acquires, possesses, delivers, transfers, transports, supplies, sells, or dispenses marijuana or related supplies and educational materials to the holder of a valid State registry identification card.

Medical Marijuana Establishment means any Medical Marijuana Cultivation Facility, Medical Marijuana Dispensary, Medical Marijuana Production Facility, or Medical Marijuana Testing Laboratory.

Medical Marijuana Production Facility means a business having the meaning ascribed in State law, registered with the State of Nevada, for the production of edible marijuana products or marijuana-infused products and acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells edible marijuana products or marijuana-infused products to Medical Marijuana Dispensaries.

Medical Marijuana Testing Laboratory means a business having the meaning ascribed in State law, registered with the State of Nevada, which tests marijuana, edible marijuana products, and marijuana-infused products.

SECTION II:

That Title 18 (Zoning), Chapter 18.04 (Use Districts), subsection 18.04.135 (General Commercial) is hereby amended, as follows (**bold, underlined** text is added, ~~stricken~~ text is deleted), to add Medical Marijuana Dispensaries as a conditional use:

18.04.135 General Commercial (GC). The purpose of the GC District is to preserve a commercial district limited primarily to retail and wholesale sales of new and used material, repair and service facilities, and offices. Temporary unscreened outdoor display and sale of merchandise for a period not to exceed 30 days within a calendar year may be authorized by the Director subject to Title 18.02.115.8 (Outdoor Sales and Activities).

1. The Primary Permitted Uses in the GC District are retail and wholesale uses, listed below, plus other uses of a similar nature. All 18.04.130 Retail Commercial Uses are allowed unless listed as conditional in GC district except those appearing in section 18.04.135.3 General Commercial Conditional uses which require a Special Use Permit:

Animal Hospital
Appliance Repair Shop
Archery Range
Assayer
Assembly (of product incidental to sales use and limited to 30% of the primary uses floor area)
Auction Sales
Automobile Repair
Ballroom
Billiard or Pool Hall
Bookbindery
Diaper Service
Display Designer
Express Office
Facial Cosmetic Shading, Permanent

- Lithographer, Screen Printer
- Nightclub
- Parcel Delivery Service, Branch (off-street loading only)
- Pawn Shop
- Personal Storage Within An Enclosed Building (no storage of paints or chemicals)
- Plumbing and Heating Equipment and Supplies
- Second Hand Business
- Sign Painting and Lettering
- Sport Playing Field
- Sports Arena
- Taxidermist
- Thrift Store
- Tire Sales, Repair and Mounting
- Upholstery (Wholesale, Retail, Installation and Incidental Manufacturing)
- Warehouse

2. The Accessory Permitted Uses incidental to Primary Permitted Uses in the GC District are:

- Automobile Pawn (accessory to automobile sales)
- Home Occupation
- Outside Storage (subject to Division 1 and 1.12 Outside Storage of the Development Standards)
- Temporary Outdoor Sales subject to Title 18.02.115.8 (Outdoor Sales and Activities)

3. The Conditional Uses in the GC District which require approval of a Special Use Permit are:

- Ambulance Service and Garage
- Armored Car Service and Garage
- Automobile Body Repair, Painting, Towing Service and Garage (vehicles must be stored within enclosed sight-obscured area). The following conditions shall apply to auto body repair in addition to all other requirements in this Chapter.
 - a. Required minimum land area in the GC District for auto body repair shall be 12,000 square feet.
 - b. All outside storage containers or other similar enclosures shall be screened to public rights-of-way by a maintained 100% sight obscuring fence or wall permanently installed and maintained at a minimum height of six feet.
- Automobile Pawn (not accessory to automobile sales)
- Bus Line Office, Service and Storage Garage
- Cabinet Shop (manufacturing)
- Cemetery, Mausoleum, Sarcophagus, Crypt
- Child Care Facility
- Community/Regional Commercial or Office Center
- Congregate Care Housing/Senior Citizen Home
- Crematorium
- Equipment Rental (outside storage)
- Farmers Market

Flea Market (indoor)
Golf Course and Driving Range
Hospital
Hotel, Residence

Medical Marijuana Dispensary (subject to the provisions of Title 18.16 Development Standards, Division 1.20 Medical Marijuana Establishments)

Mobilehome Park
Municipal Well Facility
Permanent Outdoor Sales subject to Title 18.02.115.8 (Outdoor Sales and Activities)
Recreational Vehicle Park
Recycling Collection Center
Schools, K-12, College or University
Single Family Two-Family and Multi-Family Dwelling
Utility Substation
Welding Supplies and Gases (Retail and Wholesale sales) (no filling or repair of cylinders)
Youth Recreation Facility

SECTION III:

That Title 18 (Zoning), Chapter 18.04 (Use Districts), subsection 18.04.145 (Limited Industrial) is hereby amended, as follows (**bold, underlined** text is added, ~~stricken~~ text is deleted), to add Medical Marijuana Cultivation Facilities, Production Facilities, and Testing Facilities as a conditional use:

18.04.145 Limited Industrial (LI). The LI District is established to preserve an industrial district restricted to a use engaged in the assembly or manufacture from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing. Temporary unscreened outdoor display and sale of merchandise for a period not to exceed 30 days within a calendar year may be authorized by the Director subject to Title 18.02.115.8 (Outdoor Sales and Activities). Unless a use is specifically listed in this section, uses listed in the General Industrial district are prohibited in the Limited Industrial district.

1. The Primary Permitted Uses in the LI District are this list plus other uses of a similar nature. All uses permitted in Section 18.04.135 General Commercial which are not listed as LI conditional uses and except for residential uses. Residential uses are not permitted or conditionally permitted in the LI zone. A watchman's quarters is permitted pursuant to the requirements of this title in conjunction with a primary permitted use.

Assembly, fabricating and manufacturing of products and materials in accordance with the purpose of this section.

Bottling plant/brewery facility
Grinding and sharpening of tools

2. The Accessory Permitted Uses, incidental to Primary Permitted Uses, in the LI District are:

Machine shop (limited to in house products or internal use)
Outside Storage (subject to Division 1 and 1.12 Outside Storage of the Development Standards)
Storage containers subject to the Director's approval and Division 1 and 1.10 Personal Storage of the Development Standards
Temporary Outdoor Sales and Activities subject to Title 18.02.115.8 (Outdoor Sales and Activities)

3. The Conditional Uses in the LI District which require approval of a Special Use Permit are:

Auto body repair, painting, towing (vehicles must be stored within enclosed sight obscured area)
Child care facility
Flea market (indoor only)
Golf course and/or driving range
Government facilities
Loading Space(s) within 250 feet of a residential zoning district or use
Medical Marijuana Cultivation Facility (subject to the provisions of Title 18.16 Development Standards, Division 1.20 Medical Marijuana Establishments)
Medical Marijuana Production Facility (subject to the provisions of Title 18.16 Development Standards, Division 1.20 Medical Marijuana Establishments)
Medical Marijuana Testing Laboratory (subject to the provisions of Title 18.16 Development Standards, Division 1.20 Medical Marijuana Establishments)
Metallurgical lab
Municipal well facility
Outside storage as a primary permitted use subject to Division 1 and 1.12 Outside Storage of the Development Standards
Permanent Outdoor Sales subject to Title 18.02.115.8 (Outdoor Sales and Activities)
Storage business (outside storage within enclosed sight obscured area)
Tattoo parlor (body piercing, accessory)
Utility Substation
Welding supplies and gases (retail and wholesale sales)

4. The following uses are prohibited within the LI District:

Medical Marijuana Dispensary

Residential Uses (except Watchman's Quarters as described in 18.04.145.1)
Schools (except vocational), K-12, College or University

SECTION IV:

That Title 18 (Zoning), Chapter 18.04 (Use Districts), subsection 18.04.150 (General Industrial) is hereby amended, as follows (**bold, underlined** text is added,

~~[stricken]~~ text is deleted), to add Medical Marijuana Cultivation Facilities, Dispensaries, Production Facilities, and Testing Facilities as a conditional use:

18.04.150 General Industrial (GI). The GI District is established to preserve an industrial district for uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Specific uses listed in this section are prohibited in the Limited Industrial and Air Industrial Park districts unless specifically listed as a use in those sections.

1. The Primary Permitted Uses in the GI District are this list plus other uses of a similar nature. Any permitted or conditional uses listed in any commercial or limited industrial zone which are not listed as GI conditional uses, but not outdoor recreational use or facility nor any residential use except as watchman's quarters in conjunction with those uses permitted exclusively in GI District.
 - Automobile pawn shop
 - Automobile storage (no dismantling)
 - Blacksmith shop
 - Building material (bulk)/lumber storage yard and sales
 - Butane, propane storage and sales
 - Cannery
 - Cement or direct products sale
 - Cesspool cleaner yard
 - Contractor's large equipment, sales, repair, supplies, or storage
 - Crane storage yard
 - Crating and hauling depot or storage
 - Crop dusting equipment yard
 - Die casting
 - Distillation of liquor
 - Dog training school
 - Dry cleaning plant
 - Equipment storage yard
 - Farm products storage
 - Grain elevator
 - House mover
 - Industrial service firms
 - Laboratories (chemist, veterinarian, and research)
 - Machine shop
 - Metal working plant, plating, shaping and bending process
 - Paving contractor large equipment, sales, service and storage
 - Planing mill
 - Power plant (electrical or gas)
 - Radio studio or TV station with antenna towers
 - Recycle center
 - Road building equipment sales and storage
 - Septic tank service
 - Sheet metal shop
 - Stone grinding
 - Tattoo Parlor (body piercing, accessory)

- Termite or pest control
- Tire rebuilding, retreading
- Tractor service
- Tree service
- Truck depot, parking, repair
- Welding shop
- Wood storage yard screened from view from public right-of-way with six foot sight obscuring fence or wall

2. The Accessory Permitted Uses, incidental to Primary Permitted Uses, in the GI District are:

- Mechanical equipment building
- Storage containers subject to the Director's approval and Division 1 and 1.10 Personal Storage of the Development Standards

3. The Conditional Uses in the GI District which require approval of a Special Use Permit are:

- Acetylene manufacturing and sale
- Acid manufacturing and sales (including class H products)
- Adult entertainment facility (no adult entertainment facility shall be located within 1,000 feet of a park, church, school, residential use district or other adult entertainment facility or in any general industrial district located west of the east boundary of Sections 21, 28 and 33 of T.16 N., R. 20 E. , M.D.B.M., Sections 4, 9, 16, 21, 28 and 33 of T. 15 N., R. 20 E., M.D.B.M. and Sections 4 and 9 of T.14 N., R. 20 E.) No outcall performers are permitted outside of this area
- Ammunition manufacturing
- Asphalt manufacturing
- Auto wrecking yards
- Bulk station (fuel)
- Chemical manufacturing
- Child care facility (accessory use to a business within the main building or within an accessory building)
- Chromium plating
- Coal and coke yard
- Concrete batch plant
- Contractor's wrecking yard
- Creosote manufacturing
- Disinfectant manufacturing
- Dye manufacturing
- Dump refuse or disposal yard
- Electroplating works
- Explosive manufacturing
- Flea market
- Foundry
- Excavation/mining, gravel pit
- Hide and tallow processing
- Incineration of animals and garbage
- Insecticide manufacturing

Junk dealer's yard

Leather tanning

Loading space(s) within 250 feet of a residential zoning district or use

Lubrication compounds, manufacturing

Matches, manufacturing

Meat packer

Medical Marijuana Cultivation Facility (subject to the provisions of Title

18.16 Development Standards, Division 1.20 Medical Marijuana Establishments)

Medical Marijuana Dispensary (subject to the provisions of Title 18.16

Development Standards, Division 1.20 Medical Marijuana Establishments)

Medical Marijuana Production Facility (subject to the provisions of Title

18.16 Development Standards, Division 1.20 Medical Marijuana Establishments)

Medical Marijuana Testing Laboratory (subject to the provisions of Title

18.16 Development Standards, Division 1.20 Medical Marijuana Establishments)

Metal ore reduction

Milling company

Motorcycle race track

Ore dump

Oxygen manufacturing

Paint Manufacturing

Plastic products manufacturing

Quarry, stone

Rendering works

Rock crushing and stripping

Scrap metal processing

Sewer service equipment yard

Slaughterhouse

Stockyard

Tannery

Topsoil stripping

Tire manufacturing

Utility Substation

Water, oil, gas or geothermal drilling operations

Other conditional uses requiring a special use permit are those which may produce excessive noise, gaseous byproducts, obnoxious odors, by or of an inflammable or explosive nature, cause dust which may be offensive to adjoining property owners, or which the planning commission may consider to be detrimental to the public's health, safety and welfare.

4. The following uses are prohibited within the GI District:

Churches

Institutions

Outdoor recreational use or facility

Residential uses

Schools (other than vocational)

SECTION V:

That Title 18 (Zoning), Chapter 18.04 (Use Districts), subsection 18.04.155 (Air Industrial Park) is hereby amended, as follows **(bold, underlined)** text is added, ~~stricken~~ text is deleted), to add Medical Marijuana Cultivation Facilities, Production Facilities, and Testing Facilities as a conditional use:

18.04.155 Air Industrial Park (AIP). The AIP District is established to preserve a highly landscaped industrial district with limited types of industrial uses, providing accessory airport and support services, excluding unscreened outside storage.

1. The following uses and uses of a similar nature are allowed as Primary Permitted Uses in the AIP District:

Airport accessory uses and support services

Assembly, manufacturing, processing and fabricating of products and materials excluding uses in General Industrial, 18.04.150.3 Conditional Uses, 18.04.150.4 Prohibited Uses, and Air Industrial Park 18.04.155.3 Prohibited Uses

Machine shop (limited to in-house products or internal use)

Offices (limited contact with general public)

Personal storage within an enclosed building (no storage of paints or chemicals), subject to Division 1 and 1.10 Personal Storage of the Development Standards

Storage containers as an accessory to a Primary Permitted Use, subject to the Director's approval and Division 1 and 1.10 Personal Storage of the Development Standards

2. The Conditional Uses in the AIP District which require approval of a Special Use Permit are:

Outside storage, subject to Development Standards, Division 1 an 1.12 Outside Storage of the Development Standards

Child care facility (accessory to a business within the main building or within an accessory building)

Medical Marijuana Cultivation Facility (subject to the provisions of Title 18.16 Development Standards, Division 1.20 Medical Marijuana Establishments)

Medical Marijuana Production Facility (subject to the provisions of Title 18.16 Development Standards, Division 1.20 Medical Marijuana Establishments)

Medical Marijuana Testing Laboratory (subject to the provisions of Title 18.16 Development Standards, Division 1.20 Medical Marijuana Establishments)

Other uses not listed in Air Industrial Park 18.04.155.1 which, in the opinion of the planning commission, are in keeping with the purpose of the AIP district Utility Substation

3. The following uses are prohibited within the AIP District:

Automobile body repairs, dismantling or storage
Casting foundry
Churches
Contractors yard
Equipment storage yard
Extrusion of metals
Junkyard
Residential (except watchman's quarters incidental to a legal primary use)
Schools
Truck depot
Other prohibited uses are those which may produce excessive noise, gaseous byproducts, obnoxious odors, by or of an inflammable or explosive nature, cause dust which may be offensive to adjoining property owners, or which the planning commission may consider to be detrimental to the public's health, safety and welfare.

SECTION VI:

That Title 18 (Zoning), Chapter 18.16 (Development Standards), Division 1 (Land Use and Site Design) is hereby amended, in part, to add new subsection 1.20 (Medical Marijuana Establishments), as follows (underlined text is added):

1.20 Medical Marijuana Establishments.

The following standards are intended to establish minimum standards and Special Use Permit review criteria for Medical Marijuana Establishments, including Cultivation Facilities, Dispensaries, Production Facilities, and Testing Laboratories, as defined in Title 18 and NRS, in addition to other standards for commercial and industrial development.

1. The following standards apply to all Medical Marijuana Establishments.

- a. All Medical Marijuana Establishments (MMEs) require approval of a Special Use Permit. Special Use Permits for MMEs are only valid at a given location for the operator who obtains the Nevada State certificate for that facility. The Special Use Permit approval shall expire and become null and void if the MME operator loses or otherwise forfeits his or her State certificate to operate that facility. Special Use Permits are non-transferable between operators and locations within Carson City.
 - b. No consumption of Medical Marijuana products shall occur on the premises of any MME.
 - c. All business activities related to MMEs, including cultivation, shall be conducted indoors, within a permanent building. The use of office trailers or other temporary structures is prohibited. All MMEs

shall have an appearance, both as to the interior and exterior, which is professional, orderly, dignified, and consistent with the traditional style of pharmacies and medical offices.

- d. Outside display or sales of MME merchandise shall be prohibited.
- e. Accessory outside storage for MMEs shall comply with Title 18.16 Development Standards, Division 1.12 Outside Storage.
- f. Access to the MME shall be restricted in compliance with State regulations.
- g. No MME-related products shall be visible from outside the building.
- h. Sign Requirements. All MME signage shall be discreet, professional, and consistent with the traditional style of signage for pharmacies and medical offices. All MMEs shall follow the sign regulations for Office Uses in the Development Standards, Division 4, except that freestanding sign height for Cultivation Facilities, Production Facilities, and Testing Laboratories shall be limited to 10 feet consistent with sign height requirements for industrial uses.
- i. Parking Requirements. Parking shall be provided for MMEs as follows:
 - (1) Dispensaries. One space per 300 square feet of gross floor area.
 - (2) Cultivation Facilities. One space per 1,000 square feet of gross floor area.
 - (3) Production Facilities. One space per 500 square feet of gross floor area.
 - (4) Testing Laboratories. One space per 400 square feet of gross floor area.
- j. No more than two each of Dispensaries, Cultivation Facilities, or Production Facilities shall be permitted in Carson City.
- k. A MME shall not be located within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12 or within 1,000 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, a center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents, that existed on the date on which the application for the proposed MME was submitted to the State Health Division, measured on a straight line from the

nearest school or community facility property line to the front door or primary entrance of the MME.

- I. A MME shall not be located within 300 feet of any residentially-zoned property, measured on a straight line from the nearest residentially-zoned property line to the front door or primary entrance of the MME.
2. The following standards apply to all Medical Marijuana Dispensaries.
 - a. A single point of secure public entry shall be provided and identified.
 - b. Hours of operation shall be limited to 7:00 a.m. to 8:00 p.m., seven days per week.
 - c. Drive-through service is prohibited.
3. Special Use Permit review standards. The following shall be considered in the review of any Dispensary located within the General Industrial zoning district in addition to the required Special Use Permit findings:
 - a. That the proposed Dispensary is located where sufficient, convenient and safe access is provided to the public.
 - b. That the proposed location has adequate lighting and street improvements for a use providing public access.

SECTION VII:

That no other provisions of Title 18 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____, 2014.

PROPOSED by _____.

PASSED _____, 2014.

VOTE: AYES: SUPERVISORS: _____

NAYS: SUPERVISORS: _____

ABSENT: SUPERVISORS: _____

Robert Crowell, Mayor

ATTEST:

ALAN GLOVER
CLERK/RECORDER

This ordinance shall be in force and effect from and after the _____ day of
_____, 2014.



Community Development Department

108 E. Proctor Street
Carson City, Nevada 89701
(775) 887-2180 – Hearing Impaired: 711

MEMORANDUM

Board of Supervisors Meeting of June 19, 2014

TO: Board of Supervisors

FROM: Lee Plemel, AICP, Director
Susan Dorr Pansky, Planning Manager

DATE: June 6, 2014

SUBJECT: ZCA-14-025 – Medical Marijuana Establishment Ordinance

The Planning Commission reviewed a proposed ordinance for Medical Marijuana Establishments (MMEs) on May 28, 2014. The proposed ordinance drafted by staff was based on general discussion and direction previously provided by the Board of Supervisors. Refer to the attached staff report to the Planning Commission for more background information and discussion regarding the proposed ordinance.

The Planning Commission recommended approval of the ordinance by a vote of 5-2. The motion was made to approve the recommended ordinance "if the Board of Supervisors authorizes MMEs in Carson City." The motion was made with two changes to the draft ordinance prepared by staff: 1) increasing the buffer between MMEs and Community Facilities from 300 feet (per State law) to 1,000 feet, and 2) increasing the buffer between residentially-zoned properties and MMEs from the buffer proposed by staff to 300 feet from all residential properties. Below are the changes made by the Planning Commission to the draft ordinance provided by staff.

1. *The following standards apply to all Medical Marijuana Establishments.*
 - k. *A MME shall not be located within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12 or within [300] 1,000 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, a center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents, that existed on the date on which the application for the proposed MME was submitted to the State Health Division, measured on a straight line from the nearest school or community facility property line to the front door or primary entrance of the MME.*
 - l. A MME shall not be located within 300 feet of any residentially-zoned property, measured on a straight line from the nearest residentially-zoned property line to the front door or primary entrance of the MME.

2. *The following standards apply to all Medical Marijuana Dispensaries.*

d. ~~A Dispensary shall not be located on property or within a shopping center with frontage on the same street on which a residentially-zoned property is located unless the Dispensary is located more than 300 feet from the residential property, measured on a straight line from the nearest residential property line abutting the street right-of-way to the front door of the Dispensary.~~

The changes noted above have been incorporated into the ordinance included with this agenda item.

There were 27 individuals that spoke at the Planning Commission meeting. The majority of people that spoke were against allowing MMEs in Carson City, with the most prevalent concern being potential MMEs' proximity to residential neighborhoods. Staff recommends that the Board of Supervisors watch the Planning Commission meeting and public testimony at www.acctv.com to hear the detailed comments, as well as comments from the Planning Commissioners. The item is approximately three hours in duration. Written comments that were received before the Planning Commission meeting as well as any written comments received before June 9 are included in the Board of Supervisors' packets.

If you have any questions regarding MME regulations as it pertains to zoning or business license requirements, contact Lee Plemel at 283-7075 or lplemel@carson.org, or Susan Dorr Pansky at 283-7076 or spansky@carson.org.

CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: May 28, 2014

AGENDA ITEM NO.: F-5

APPLICANT(s) NAME: N/A
PROPERTY OWNER(s): N/A

FILE NO. ZCA-14-025

ASSESSOR PARCEL NO(s): N/A
ADDRESS: N/A

APPLICANT'S REQUEST: For Possible Action: To make a recommendation to the Board of Supervisors regarding an ordinance amending Title 18, Zoning; Chapter 18.03, Definitions; Chapter 18.04, Use Districts; and Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, to adopt regulations to allow Medical Marijuana Establishments (MMEs) including Dispensaries, Cultivation Facilities, Production Facilities, and Testing Labs in certain zoning districts and establish development standards for such facilities.

COMMISSIONERS PRESENT: KIMBROUGH ESSWEIN SATTLER
 DHAMI STEELE OWEN WENDELL

STAFF REPORT PRESENTED BY: Lee Plemel REPORT ATTACHED

STAFF RECOMMENDATION: CONDITIONAL APPROVAL

APPLICANT REPRESENTED BY: N/A

— PERSONS SPOKE IN FAVOR OF THE PROPOSAL

— PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

Steele- Can we opt in at a later date? How were the buffers established and can we change them? Concern with setback. If we put forth a regulation what can we do to increase the setback? Wants the setbacks increased.

Wendell- Our vote here does not imply that we are for or against marijuana as a policy, correct? Seems to be unanimous concern about quality of life and impacts to businesses.

Esswein- What if we recommend that all MMEs have to be located in General Industrial ad at least 1000 feet from residential or community facilities.

Public comments

Bill Beal- Can't tell where the streets are. Can we produce a map that zooms in and ID's the streets?

Kathy Lee- What will this do to my property value? Don't like the idea. Concerns about property values and proximity to residential areas. Put it in far east commercial/industrial area.

Colleen Shiller- Clark County has 660 foot setback for residential. Board should have asked citizens first before coming to the Planning Commission for an ordinance. This needs to be way out of town. Should opt out.

Rebecca Gaska- California has no regulations at the state level, which is why there are problems. It won't smell. Works with medical marijuana patients. Labeling and packaging is very strict. Appearance of dispensaries must be the same as offices. State regulations are merit based. Doesn't think we should limit cultivation or production. Supports proposed regulations.

Laura- Cart before the horse. Very troubling, no statistics on how it will impact the community. Opposed.

Robert Bloodsaw- Lompa Lane by College Parkway- Can't conceive of having one of these in Carson City or his neighborhood. I believe crime will increase. Opposed.

Nancy- Familiar with laws in California. Has commercial property in Carson City and doesn't want it anywhere

near. Should be outside the city. Medical marijuana card holders can sell their marijuana. Crime comes along with it. Opposed.

Tom Grundy- Arizona Circle in Carson City- Limited Industrial and Airport Industrial Park districts are not appropriate for cultivation and production. General Industrial is most appropriate. Concerns about noxious odors. Think we need to look at zoning code now and determine intent.

Chris Freeman- Opposed to any zoning for Medical Marijuana Establishments.

Ron Bartison- West side resident- Cooley's letter opposed what Rebecca Gaska says. Wondering if Carson City can even accept money legally for these operations or does it violate Federal law?

Steve Knight – Silver State Charter School- Medical Marijuana Establishments have no place in our community. We have enough trouble with regulating under aged smoking and don't want more accessible drugs. Opt out. Suggest locating MME's two thousand feet from school and community facilities.

Gary Porter- Morgan Mill Road- Doesn't care what they do in California. You need to protect our city and put them somewhere other than near residents.

Ed Kirshner- Former business owner in Carson City- Worried that the business he sold which plans to expand will no longer do so if this passes. Listen to the residents of the city first before you propose regulations. Lyon County made the right decision. If people want it, go to Washoe County. Proximity to MMEs could influence business decision to locate.

Charles Lumen- Kansas St. resident- Zone it the same as adult-oriented businesses.

Cary Richardson- Concerns he hears is because of lack of knowledge.

Mark Turner- What you hear is fear based on lack of knowledge. It's not ethical or moral to deprive people of something that the state has made legal. Nevada is poised to make the best decisions in the U.S. on how to regulate.

Gary Least- Retired law enforcement and current pastor- Cart before the horse. This issue isn't settled in the minds of Carson City residents. You should opt out until the Board takes it to the public.

Nora McGinley- Representing Frontier Mobile Home Park Mom is blind from glaucoma. They researched medical marijuana and it would only help by 2%. Not enough law enforcement or fire to deal with this. City can't afford to distract sheriff resources. Opt out.

Carrie Richardson- Residents can grow medical marijuana in homes now and have been able to for years. Growing in MMEs will provide better regulation of the product. Several friends are victims of cancer. Has witnessed benefits of medical marijuana and believes it's a civil liberty that shouldn't be denied.

Barbara- Stampede Drive resident- Contact Board of Supervisors if you oppose MMEs.

Joy Truchinski- Board has determined that MMEs are viable. Anyone who opposes should contact the Board and tell them why you oppose.

Steve Waclo- Issue of unintentional discrimination with the proposed MMEs. How does this compare to liquor establishments? Seconds Mr. Richardson's comments on education.

Elizabeth Least- Completely against. Will cause more young adults to use. Concerns about addiction.

Scott Sola- Supports proposal because it is harder for medical patients to get it because it can't come across state lines. There are positive effects for medical patients that he has witnessed. Agrees that they should be further away from homes like in industrial areas. Further from schools would be better.

Stephanie Least- From Las Vegas- Been in Carson City for 17 years. Would prefer to opt out. Three hundred feet to residential is too close. Her home was their school because of home schooling so it should be further.

David Ruff- Looked into getting marijuana for his ill son but has decided not to. Owns commercial property in GC/LI areas. Has seen dispensaries in California and they've made a mess of the surrounding community. Near his business is too close and wants to have more say about it going in his neighborhood. Wants to meet with the city about having setbacks in his commercial property from potential MMEs. Concerns about policing, loitering, and littering on other property in the vicinity of MMEs. Wants to speak now before zoning goes into effect.

Katherine Least- Has acquaintances that say they have marijuana for medical but they're lying. In Washington they went to a restaurant next to a dispensary and they could smell it in the restaurant. Opposed.

Chris Freeman- Three hundred foot setback doesn't work with 1 acre. Need to look at depth of lots.

Frank Stanfield- On 300 feet versus 1000 feet, if you have teachers and students within 1000 feet but then they go home and it's closer, how is that fair? Reconsider 1000 feet for everything or more. Sheriff Furlong is concerned about this issue. Can't guarantee that the product won't get into the hands of children once it leaves the dispensaries.

Sattler- initial motion: Add 300 foot buffer from all residential. Second by Steele

Kimbrough- Problem with "adopt regulations to allow". Require safety plan. Would like to opt out.

Esswein- Modify to restrict to GI districts and no less than 1000 feet from residential, schools, and community

facilities. Limited Industrial would include all MMEs and General Industrial would only have dispensaries. Sattler- revised motion: 1000 feet from schools and community facilities and 300 feet from all residential. Second by Steele. Owens and Kimbrough against.

APPEAL PROCESS MENTIONED AS PART OF THE RECORD

**MOTION WAS MADE TO APPROVE WITH THE FINDINGS AND CONDITIONS OF THE COMMISSION
ENUMERATED ON THIS CASE RECORD**

MOVED: Sattler SECOND: Steele PASSED: 5/AYE 2/NO /ABSTAIN /ABSENT

STAFF REPORT FOR PLANNING COMMISSION MEETING OF MAY 28, 2014

FILE NO: ZCA-14-025

AGENDA ITEM: F-5

STAFF AUTHOR: Lee Plemel, Community Development Director

REQUEST: Action to make a recommendation to the Board of Supervisors regarding an ordinance amending Title 18, Zoning; Chapter 18.03, Definitions; Chapter 18.04, Use Districts; and Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, to adopt regulations to allow Medical Marijuana Establishments (MMEs) including Dispensaries, Cultivation Facilities, Production Facilities, and Testing Labs as a conditional use in certain zoning districts, and establish development standards for such facilities.

APPLICANT: Carson City

RECOMMENDED MOTION: "I move to recommend to the Board of Supervisors approval of ZCA-14-025, an ordinance amending Title 18, Zoning; Chapter 18.03, Definitions; Chapter 18.04, Use Districts; and Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, to adopt regulations to allow Medical Marijuana Establishments including Dispensaries, Cultivation Facilities, Production Facilities, and Testing Labs as a conditional use in certain zoning districts, and establish development standards for such facilities, based on the findings contained in the staff report, as recommended by staff."

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.075 (Zoning Map Amendments and Zoning Code Amendments).

KEY ISSUES:

- In what zoning districts should the various types of Medical Marijuana Establishments (MMEs) be permitted?
- What development standards should apply to MMEs?

BACKGROUND:

Senate Bill (SB) 374, commonly referred to as the "Medical Marijuana Act," was adopted by the Nevada Legislature and signed into law in 2013. The Medical Marijuana Act authorizes Medical Marijuana Establishments (MMEs) in Nevada, including dispensaries, cultivation facilities, production facilities, and testing labs, but gives local jurisdictions the right to opt out or, if they opt in, to regulate the location of MMEs through zoning and business license requirements.

On April 17, 2014, the Board of Supervisors reviewed State regulations for MMEs and what other local jurisdictions within Nevada have adopted or are considering with regard to regulating MMEs. The Board provided direction to staff to prepare a draft ordinance for consideration that includes permitting MMEs as a conditional use in various zoning districts, subject to certain criteria (see more detailed discussion below). The Planning Commission is being asked to review the draft ordinance for recommendation to the Board of Supervisors, as with any other zoning ordinance amendment.

It should be noted that permitting medical marijuana has been a controversial issue for numerous jurisdictions across Nevada. Some have adopted ordinances to permit them (e.g. Washoe County, Clark County, City of Las Vegas) while other have prohibited them or are considering prohibiting them altogether (e.g. Lyon County).

Whether or not to permit MMEs in Carson City is a policy decision of the Board of Supervisors. This staff report does not cover these policy issues but focuses on the appropriate regulations should the Board choose to allow MMEs in conformance with State law, which is the direction staff has been given at this time. While Planning Commissioners may have beliefs on whether or not MMEs should be permitted at all in Carson City—and staff can certainly forward such recommendations to the Board of Supervisors—staff recommends that the Planning Commission focus on making recommendations for appropriate land use regulations as discussed further in this staff report.

DISCUSSION:

The Nevada Division of Public and Behavioral Health has adopted regulations for licensing MMEs in Nevada and will be the State agency that processes applications for MMEs across Nevada. For the purposes of this discussion, the following are definitions of the various MME terms used in this staff report and the draft ordinance:

Medical Marijuana Cultivation Facility means a business having the meaning ascribed in State law, registered with the State of Nevada, which acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells marijuana and related supplies to Medical Marijuana Dispensaries, Medical Marijuana Production Facilities, or other Medical Marijuana Cultivation Facilities.

Medical Marijuana Dispensary means a business having the meaning ascribed in State law, registered with the State of Nevada, which acquires, possesses, delivers, transfers, transports, supplies, sells, or dispenses marijuana or related supplies and educational materials to the holder of a valid State registry identification card.

Medical Marijuana Establishment means any Medical Marijuana Cultivation Facility, Medical Marijuana Dispensary, Medical Marijuana Production Facility, or Medical Marijuana Testing Laboratory.

Medical Marijuana Production Facility means a business having the meaning ascribed in State law, registered with the State of Nevada, for the production of edible marijuana products or marijuana-infused products and acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells edible marijuana products or marijuana-infused products to Medical Marijuana Dispensaries.

Medical Marijuana Testing Laboratory means a business having the meaning ascribed in State law, registered with the State of Nevada, which tests marijuana, edible marijuana products, and marijuana-infused products.

State law establishes a maximum number of Dispensaries per county based on county size. A maximum of two Dispensaries are permitted within Carson City. Other types of MMEs do not have a maximum permitted number in State law. The number of other types of MMEs will be determined through the State application process based upon need.

In addition to obtaining a certificate from the State to operate a MME, a MME operator must comply with local zoning and business license requirements. Based upon discussion with and direction from the Board of Supervisors, the proposed ordinance would allow MMEs as a conditional use, requiring approval of a Special Use Permit, in various zoning districts as identified in the following table:

MME Type	GC	GI	LI	AIP
Dispensaries	SUP	SUP		
Cultivation Facilities		SUP	SUP	SUP
Production Facilities		SUP	SUP	SUP
Testing Laboratories		SUP	SUP	SUP

Legend:

GC – General Commercial

GI – General Industrial

LI – Limited Industrial

AIP – Airport Industrial Park

The draft ordinance is attached and includes Development Standards specific to MMEs. Following are the proposed development standards from the draft ordinance (Section VI, Development Standards Division 1.20) with staff comment, where applicable.

1. *The following standards apply to all Medical Marijuana Establishments.*

a. *All Medical Marijuana Establishments (MMEs) require approval of a Special Use Permit. Special Use Permits for MMEs are only valid at a given location for the operator who obtains the Nevada State certificate for that facility. The Special Use Permit approval shall expire and become null and void if the MME operator loses or otherwise forfeits his or her State certificate to operate that facility. Special Use Permits are non-transferable between operators and locations within Carson City.*

Staff comment: A Special Use Permit allows the Planning Commission to consider conditions and requirements based on the specific location of a proposed site. Special Use Permits typically remain valid on a particular property regardless of the business or property ownership. However, staff recommends that any new operator come before the Planning Commission for a new approval should an operator at a given location lose their State certificate to operate the facility for any reason.

b. *No consumption of Medical Marijuana products shall occur on the premises of any MME.*

Staff comment: This is a requirement per State law but is reiterated.

c. *All business activities related to MMEs, including cultivation, shall be conducted indoors, within a permanent building. The use of office trailers or other temporary structures is prohibited. All MMEs shall have an appearance, both as to the interior and exterior, which is professional, orderly, dignified, and consistent with the traditional style of pharmacies and medical offices.*

Staff comment: State law requires all MME activities to be conducted indoors and to have a professional appearance as stated in the above requirement. The proposed standard clarifies that the use of temporary structures, such as office trailers, is prohibited for MMEs in Carson City.

d. *Outside display or sales of MME merchandise shall be prohibited.*

Staff comment: City staff recommends this condition to maintain the appearance of the facilities.

e. *Accessory outside storage for MMEs shall comply with Title 18.16 Development Standards, Division 1.12 Outside Storage.*

Staff comment: City staff recommends this condition to maintain the appearance of the facilities and ensures that non-conforming sites will be brought up to standards with the new use.

f. Access to the MME shall be restricted in compliance with State regulations.

Staff comment: Restricted access and security is a significant component of the State's review of applications for MMEs and is reiterated to ensure that it is clearly identified and addressed with the Special Use Permit.

g. No MME-related products shall be visible from outside the building.

Staff comment: City staff recommends this condition to maintain the appearance of the facilities.

h. Sign Requirements. All MME signage shall be discreet, professional, and consistent with the traditional style of signage for pharmacies and medical offices. All MMEs shall follow the sign regulations for Office Uses in the Development Standards, Division 4, except that freestanding sign height for Cultivation Facilities, Production Facilities, and Testing Laboratories shall be limited to 10 feet consistent with sign height requirements for industrial uses.

Staff comment: State regulations require MME signs to be “consistent with the traditional style of signage for pharmacies and medical offices.” Carson City allows a relatively large amount of sign area for general retail uses, but limits sign area for office uses. Staff recommends implementing office sign standards for all MMEs. This would allow a maximum of 15 square feet of sign are on the building, per street frontage, and a maximum freestanding sign area of 32 square feet. The proposed freestanding sign height limit of 10 feet for MMEs other than dispensaries is consistent with signage requirements for other similar uses for manufacturing and warehousing.

i. Parking Requirements. Parking shall be provided for MMEs as follows:

- (1) Dispensaries. One space per 300 square feet of gross floor area.*
- (2) Cultivation Facilities. One space per 1,000 square feet of gross floor area.*
- (3) Production Facilities. One space per 500 square feet of gross floor area.*
- (4) Testing Laboratories. One space per 400 square feet of gross floor area.*

Staff comment: These parking standards are consistent with similar existing uses listed within the Development Standards and with requirements that other counties and cities in Nevada are implementing.

j. No more than two each of Dispensaries, Cultivation Facilities, or Production Facilities shall be permitted in Carson City.

Staff comment: This requirement is proposed at the recommendation of a City Supervisor. The State regulations only set a limit on the number of Dispensaries in a county—two in Carson City based on population and other factors—but they do not set a limit on other types of MMEs. However, the State regulations require the Division of Health to consider the need for cultivation, production, and testing facilities to balance the needs of the Dispensaries within Nevada. The reason to limit the number in Carson City would be to prevent Carson City from becoming the regional hub for such facilities while allowing enough of the facilities to accommodate the local dispensaries' needs.

k. A MME shall not be located within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12 or within 300 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, a center or facility, the primary purpose of which is

to provide recreational opportunities or services to children or adolescents, that existed on the date on which the application for the proposed MME was submitted to the State Health Division.

Staff comment: This is a requirement per State law but is reiterated. There was discussion with the Board about increasing the required buffer from all community facilities to 1,000 feet, but such an increase does not significantly modify any of the locations where MMEs would be allowed by zoning. The zoning districts selected for MMEs are generally located away from community facilities.

2. *The following standards apply to all Medical Marijuana Dispensaries.*

a. *A single point of secure public entry shall be provided and identified.*

Staff comment: This is a requirement of State law but is reiterated to ensure that it is clearly identified and addressed with the Special Use Permit.

b. *Hours of operation shall be limited to 7:00 a.m. to 8:00 p.m., seven days per week.*

Staff comment: The limit on hours of operation is intended to allow Dispensaries to be open during regular business hours, giving medical marijuana patients adequate available times before and after typical work hours, while preventing Dispensaries from being open in the late night and early morning hours.

c. *Drive-through service is prohibited.*

Staff comment: It is not clear to City staff whether or not the State regulations would allow drive-through pick up; the regulations do not expressly address it but there are specific access and transactional requirements. This requirement is intended to ensure that those picking up medical marijuana are the persons legally licensed to do so.

d. *A Dispensary shall not be located on property or within a shopping center with frontage on the same street on which a residentially-zoned property is located unless the Dispensary is located more than 300 feet from the residential property, measured on a straight line from the nearest residential property line abutting the street right-of-way to the front door of the Dispensary.*

Staff comment: There are varying opinions regarding whether or not setbacks should be required between Dispensaries and residentially-zoned properties. There are areas where the General Commercial zoning district abuts residential properties, and it may not be appropriate for Dispensaries to be immediately adjacent to residential neighborhoods. A required buffer may be appropriate in some instances. On the other hand, a linear setback of 300 feet from all residential neighborhoods would prohibit Dispensaries along much of Highway 50 East because there are residentially-zoned properties at the rear of the General Commercial properties. Requiring a strict linear setback in those instances may require a separation when such a buffer is not necessary.

The proposed setback in the draft ordinance is a compromise between no residential buffer and a strict linear buffer to ensure that Dispensaries are not adjacent to residentially-zoned properties most impacted by the facility, while not unnecessarily prohibiting Dispensaries from otherwise appropriate locations. (See the attached graphic representation of the proposed residential buffer.) It is recommended that the buffer is measured to the front door of the

Dispensary because that is the method the State uses in their regulation to measure required buffers from parks and other community facilities.

State regulations do not require a residential buffer, so it is up to the local jurisdictions to determine whether or not such a requirement is appropriate.

3. *Special Use Permit review standards. The following shall be considered in the review of any Dispensary located within the General Industrial zoning district in addition to the required Special Use Permit findings:*

- a. *That the proposed Dispensary is located where sufficient, convenient and safe access is provided to the public.*

Staff comment: This standard is largely covered in the State regulations and review of applications for Dispensaries. It primarily relates to concerns that Dispensaries not be mixed with heavy industrial or manufacturing uses. The General Industrial zoning district allows commercial uses and has many commercial uses along Highway 50 East, but there are other areas zoned GI that may not be appropriate for public access to a commercial use. This standard is intended to give the Planning Commission some guidance and flexibility in determining whether or not a Dispensary is appropriately located in each particular instance.

Note that this review standard and the standard below are only applicable to Dispensaries to be located in the General Industrial zoning district because it is assumed that properties within the General Commercial zoning district—where Dispensaries are also allowed—are already in areas with adequate access, lighting, and infrastructure.

- b. *That the proposed location has adequate lighting and street improvements for a use providing public access.*

Staff comment: Similar to the first review standard, this standard is intended to give the Planning Commission some guidance and flexibility in determining whether or not a Dispensary is appropriately located in each particular instance.

In addition to the proposed requirements above, Supervisors and City staff have discussed Special Use Permit and Business License fees for MMEs. Staff is not recommending an increased Special Use Permit fee for processing MME application. However, staff may present and ordinance to the Board of Supervisors regarding Business License fees specific to MMEs. Business License fees are not within the scope of the Planning Commission's duties and, therefore, are not included for discussion and recommendation as part of this action.

PUBLIC COMMENTS:

Public notices were mailed to 1,123 property owners and 517 mobile home park residents within the zoning districts affected by the proposed ordinance, and 1,935 property owners and 832 mobile home park residents within 300 feet of the individual zoning districts, a total of 4,407 notices, pursuant to the provisions of NRS and CCMC. Comments received prior to the completion of the staff report packet for the Planning Commissioners are attached. Any comments that are received after this report is complete will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

No written comments have been received from other City departments or outside agencies.

FINDINGS: The Commission, in forwarding a recommendation to the Board for approval of a Zoning Code Amendment, shall make the findings of fact found in CCMC 18.02.075(5). The following findings are recommended by staff:

1. That the proposed amendment is in substantial compliance with and supports the goals and policies of the Master Plan.

The proposed project is consistent with the following applicable goals of the Master Plan:

Goal 2.1 – Encourage diversity in City-wide land use mix.

Goal 2.3 – Provide opportunities for a range of retail services.

The State has authorized MMEs as a legal use in Nevada and in order to implement those uses in Carson City the City must amend the zoning ordinance to specifically allow them and provide for any applicable regulations. The proposed uses are not in direct conflict with any goals or policies of the Master Plan.

2. That the proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.

The proposed ordinance, in conjunction with the State regulations for operating MMEs, requires that MMEs have a similar appearance to and operate similar to pharmacies and medical offices. The ordinance would allow for MMEs only in those areas zoned appropriately for higher intensity commercial and industrial uses, so the proposed land uses will be very similar to surrounding uses permitted in those zoning districts. With the required appearance and security standards that will have to be implemented with the development of any MME, the proposed land uses will be compatible with other properties in the vicinity.

3. That the proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

The proposed uses will not negatively impact existing or planned public services in that adequate water and sewer services exist to accommodate such uses, such uses will be limited in number, and the uses will be similar to other permitted uses such as pharmacies and manufacturing. The uses will not generate traffic dissimilar from other commercial or manufacturing uses. The proposed standards in the Carson City Municipal Code and the State regulations for MMEs are intended to ensure that the proposed uses do not adversely impact the public health, safety, and welfare, including specific building security measures, registration identification cards, and medical marijuana product inventory controls. The State has authorized the use of medical marijuana for its purported health benefits.

Attachments:

- 1) Draft ordinance
- 2) Proposed residential buffer example graphic
- 3) Exhibit A: Summary of State MME regulations and other city/county ordinances
- 4) Zoning Maps for proposed MME locations

Proposed Residential MME Buffer

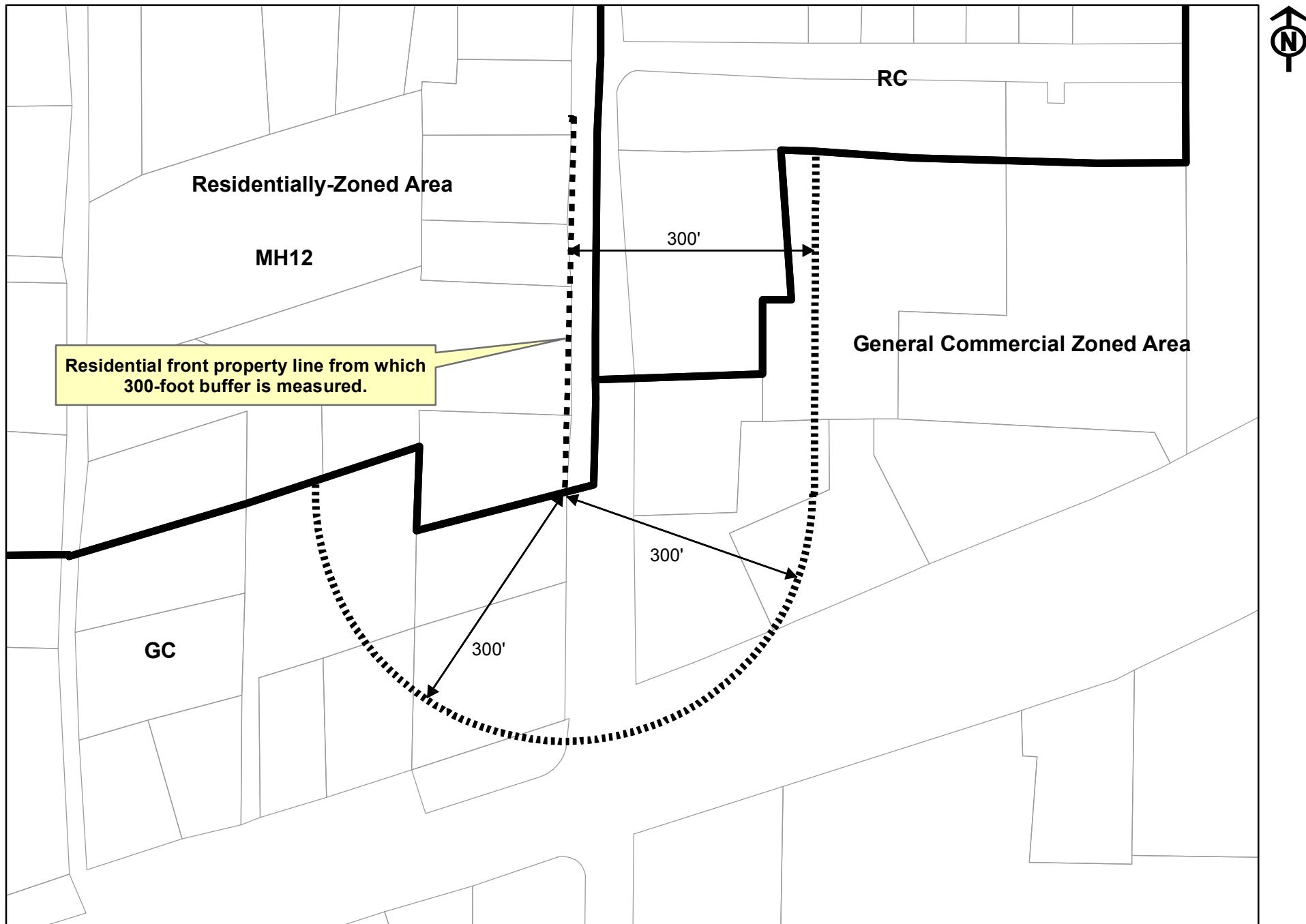


EXHIBIT A

SUMMARY OF STATE REGULATIONS ADOPTED APRIL 1, 2014

(This summary is specific to what staff feels is applicable when considering local zoning regulations)

- Dispensaries – A maximum of two allowed in Carson City per SB 374 (two in counties with populations of 55,000 or more).
- Cultivation facilities, production facilities and independent testing laboratories have no specific limit per statute. However, the State will determine the appropriate number of these facilities necessary to serve and supply the dispensaries. The facilities will be ranked and approved up to the capacity determined by the State.
- The State will provide approval of medical marijuana establishments by issuing registration certificates. In the case of Carson City's allocated dispensaries, a certificate will be issued to the two highest ranking applications received by the State. These certificates are non-transferable.
- Medical marijuana establishments may not be located within 1,000 feet of a public or private school.
- Medical marijuana establishments may not be located within 300 feet of a community facility including:
 - A facility that provides day care to children;
 - A public park;
 - A playground;
 - A public swimming pool;
 - A center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents;
 - A church or synagogue or other building, structure or place used for religious worship or other religious purpose.
- Applications to the State must include the physical address where the proposed medical marijuana establishment will be located.
- Applications to the State must include evidence that the applicant owns the property on which the proposed medical marijuana establishment will be located or has the written permission of the property owner to operate.
- If the local jurisdiction has enacted zoning restrictions, proof of licensure with that jurisdiction is required as a part of the State application OR a letter from the local jurisdiction certifying that the proposed medical marijuana establishment is in compliance with local restrictions and satisfies all applicable building requirements.
- The State will not accept applications for medical marijuana establishments for more than a total of 10 business days during any one calendar year.
- When ranking applications, the State will consider the following criteria as it potentially relates to local jurisdictions:
 - Whether the proposed location of the medical marijuana establishment would be convenient to serve the needs of persons who are authorized to engage in the medical use of marijuana;

- The likely impact of the proposed medical marijuana establishment on the community in which it is proposed to be located;
 - The adequacy of the size of the proposed medical marijuana establishment to serve the needs of persons who are authorized to engage in the medical use of marijuana.
- Medical marijuana establishments must:
 - Be located in a separate building or facility that is located in a commercial or industrial zone or overlay;
 - Comply with all local ordinances and rules pertaining to zoning, land use and signage;
 - Have an appearance, both as to the interior and exterior, that is professional, orderly, dignified and consistent with the traditional style of pharmacies and medical offices;
 - Have discreet and professional signage that is consistent with the traditional style of signage for pharmacies and medical offices.
- All cultivation or production of marijuana must be carried out in an enclosed, locked facility that is only accessible by medical marijuana establishment agents who are lawfully associated with the facility.
- Medical marijuana may not be smoked or consumed on the premises or property of any medical marijuana establishment.
- Medical marijuana is allowed to cross county lines within Nevada but is prohibited from crossing State lines.

Complete adopted State regulations may be found at the following link:

http://health.nv.gov/MedicalMarijuana/R004-14A_AdoptRegulations.pdf

The complete text of NRS Chapter 453A, Medical Use of Marijuana, may be found at the following link:

<http://www.leg.state.nv.us/NRS/NRS-453A.html>

EXAMPLE MEDICAL MARIJUANA ESTABLISHMENT ORDINANCES – ADOPTED AND PROPOSED

(Note these ordinances are specific to zoning only and do not include business licensing, building or criminal code changes)

Clark County - Adopted on March 19, 2014:

- A maximum of 40 dispensaries are allowed in all of Clark County.
- Up to 10 dispensaries are allowed in each municipality but not more than 25% of the total number of dispensaries allowed in the county can be located within any single jurisdiction.
- A Special Use Permit required for all medical marijuana establishments.
- Clark County has set an application filing period on medical marijuana establishments of April 16, 2014 through May 2, 2014.

- No applications for Special Use Permits will be accepted without verification of prior submittal to Business Licensing for review.
- No applications for dispensary Special Use Permits will be accepted if maximum number of dispensaries have been approved and remain active.
- \$5,000 Special Use Permit base fee, \$2,500 Extension base fee.
- Any medical marijuana establishment application or extension application will be considered in a single hearing by the Board of Commissioners (does not go through Planning Commission first).
- Standards for approval:
 - Does crime in the area pose an undue threat to the security of the medical marijuana establishment?
 - Does the medical marijuana establishment have an adequate security and transportation plan?
 - Does the design of the medical marijuana establishment maintain a professional appearance?
 - Shall also consider the following, but is under no obligation to approve the maximum number of dispensaries permitted:
 - Are dispensaries properly dispersed throughout the more populous areas of Clark County for sufficient and convenient access?
 - Is the proposed location proximately located to medical offices, pharmacies, neighborhood services or similar facilities, including by way of public transportation, so patrons may conveniently access other facilities to serve their medical needs?
 - The applicant shall specify a medical marijuana establishment business owner to satisfy preliminary business license review and who is suitable to operate a medical marijuana establishment.
 - Any Special Use Permit issued is specific to the medical marijuana establishment business owner only. A new Special Use Permit will be required when there is a change in ownership.
- Special Use Permit expiration to be determined at time of public hearing.
- Noticing is required for extensions on Special Use Permits for medical marijuana establishments.
- Applications must list the names of all individuals holding any ownership in a medical marijuana establishment.
- Dispensaries:
 - Allowed with Special Use Permit in Office and Professional (C-P), Local Business (C-1), General Commercial (C-2), Designed Manufacturing (M-D) and Light Manufacturing (M-1) zoning districts. Any medical marijuana establishment application or extension application will be considered in a single hearing by the Board of Commissioners (does not go through Planning Commission first);
 - May not be located less than 1,000 feet from a school, 300 feet from a community facility or 330 feet from a residential use unless waived with the approval of a waiver of development standards (must provide evidence certified by a professional land surveyor verifying separations);
 - Not permitted within Las Vegas Boulevard Gaming Corridor;

- Must be conducted within an enclosed building;
- Signage limited to wall signs, monument and freestanding signs subject to the following:
 - When advertising on a freestanding sign, the dispensary cannot be the only sign;
 - Maximum area of wall sign or tenant panel in freestanding sign is 30 square feet;
 - Sign regulations in applicable zoning district also apply.
- Medical marijuana is to be obtained from a cultivation or production facility in Clark County if adequate supply is available;
- Hours of operation are limited to daytime hours;
- Drive through windows are not permitted.
- Cultivation Facilities:
 - Allowed with Special Use Permit in the Designed Manufacturing (M-D) and Light Manufacturing (M-1) zoning districts. Any medical marijuana establishment application or extension application will be considered in a single hearing by the Board of Commissioners (does not go through Planning Commission first);
 - May not be located less than 1,000 feet from a school, 300 feet from a community facility or 660 feet from a residential use unless waived with the approval of a waiver of development standards (must provide evidence certified by a professional land surveyor verifying separations);
 - Not permitted within the Las Vegas Boulevard Gaming Corridor;
 - Outdoor cultivation is not permitted;
 - Retail sales are not permitted;
 - Wall signs only, limited to 30 square feet, sign regulations in applicable zoning district also apply.
- Production Facilities:
 - Allowed with Special Use Permit in Designed Manufacturing (M-D) and Light Manufacturing (M-1) zoning districts. Any medical marijuana establishment application or extension application will be considered in a single hearing by the Board of Commissioners (does not go through Planning Commission first);
 - May not be located less than 1,000 feet from a school, 300 feet from a community facility or 660 feet from a residential use unless waived with the approval of a waiver of development standards (must provide evidence certified by the professional land surveyor verifying separations);
 - Not permitted within Las Vegas Boulevard Gaming Corridor;
 - Must be located within an enclosed building;
 - Retail sales not permitted;
 - Wall signs only, limited to 30 square feet, sign regulations in applicable zoning district also apply.
- Independent Testing Laboratories:
 - Allowed with Special Use Permit in Office and Professional (C-P), Local Business (C-1), General Commercial (C-2), Designed Manufacturing (M-D) and Light Manufacturing (M-1) zoning districts. Any medical

marijuana establishment application or extension application will be considered in a single hearing by the Board of Commissioners (does not go through Planning Commission first);

- May not be located less than 1,000 feet from a school or 300 feet from a community facility (must provide evidence certified a professional land surveyor verifying separations);
- Not permitted within Las Vegas Boulevard Gaming Corridor;
- Must be conducted within an enclosed building;
- Wholesale and retail sales are not permitted;
- Wall signs only, limited to 30 square feet, sign regulations in applicable zoning district also apply.

City of Las Vegas - Proposed:

(City Council approved medical marijuana establishments within city limits on March 19, 2014, public workshops on proposed ordinances held March 26, 2014 and April 1, 2014, ordinances likely to be introduced in May 2014. Moratorium in effect until July 2, 2014)

- Up to 10 dispensaries are allowed, but not more than 25% of the total number of dispensaries allowed in Clark County.
- Special Use Permit required for medical marijuana dispensaries, cultivation facilities and production facilities.
- No specific location or Special Use Permit requirements for independent testing laboratories.
- Limits number of dispensaries with Las Vegas city limits.
- Dispensaries are not allowed in tourist locations of the City.
- Cessation of use expunges Special Use Permit for all medical marijuana facilities.
- Must obtain State approval to operate prior to Special Use Permit being exercised.
- Dispensaries:
 - Allowed with Special Use Permit in General Commercial (C-2), Commercial/Industrial (C-M) and Industrial (M) zoning districts only;
 - May not be located within 1,000 feet of any other medical marijuana dispensary, medical marijuana cultivation facility or medical marijuana production facility or school, within 200 feet of a residential zoning district or within 300 feet of any church/house of worship, child care center, community recreation facility or City park;
 - No more than one dispensary is permitted per sector of the City of Las Vegas as described in the 2020 Master Plan;
 - No outside storage or use of shipping containers onsite;
 - Access to building from one point of entry and exit. No other access to the internal building is permitted;
 - No drive through facilities are permitted in conjunction with dispensaries;
 - One wall sign at maximum size of 10 feet in area and not more than two feet high;
 - Minimum size of dispensary is 3,500 square feet and designed to have sufficient interior space to provide adequate customer waiting areas, queuing and transaction space;

- Elevations and signage reviewed by Downtown Design Review Committee (DDRC) prior to any public hearing for a Special Use Permit;
 - No dispensaries are permitted on Las Vegas Boulevard or Freemont Street;
 - No accessory uses are permitted in association with a dispensary;
 - One parking space per 175 square feet of gross floor area.
- Cultivation Facilities:
 - Allowed with Special Use Permit in Commercial/Industrial (C-M) and Industrial (M) zoning districts only;
 - May not be located within 1,000 feet of any medical marijuana dispensary or any school, within 200 feet of a residential zoning district or within 300 feet of any church/house of worship, child care center, community recreation facility or City park;
 - No outside storage or use of shipping containers onsite;
 - Air filtration system required prior to Certificate of Occupancy;
 - One wall sign at maximum size of 10 feet in area and not more than two feet high;
 - Minimum size of facility is 5,000 square feet;
 - One parking space per 1,000 square feet of gross floor/yard area.
- Production Facilities:
 - Allowed with Special Use Permit in Commercial/Industrial (C-M) and Industrial (M) zoning districts only;
 - May not be located within 1,000 feet of any medical marijuana dispensary or school, within 200 feet of a residential zoning district or within 300 feet of any church, house of worship, child care center, community recreation facility or City park;
 - No outside storage or use of shipping containers onsite;
 - Air filtration system required prior to issuance of Certificate of Occupancy;
 - One wall sign at maximum size of 10 feet in area and not more than two feet high;
 - Minimum size of facility is 5,000 square feet;
 - One parking space per 500 square feet of gross floor area.

City of Sparks - Proposed:

(Approved by Planning Commission on March 6, 2014, to be heard by City Council on April 28, 2014)

- Currently proposing local regulations for medical marijuana cultivation facilities, production facilities and independent testing laboratories. All regulations outlined apply to these facilities only. Local regulations on dispensaries anticipated to be heard by City Council in June 2014.
- Allowed in the Industrial (I) zoning district with an administrative review approval.
- Must be located in a standalone building.
- Must comply with Nevada State laws for minimum distance requirements.

- Must be located in a permanent building that meets City of Sparks building and fire codes for a commercial building. Cannot be located in a manufactured or mobile home, trailer, cargo container, motor vehicle or similar personal property.
- Must have restricted access to the site and building (e.g. gated, limited number of driveways, controlled entrance, etc.), subject to City approval.
- Loading and unloading associated with operations shall, if feasible, be within the building of the permitted facility or have a secured area approved by the City.
- Loading or unloading shall only occur between 6:00am and 5:00pm.
- Must comply with Nevada State laws for operating standards.
- Medical marijuana remnants, infused products, bi-products and other waste material shall be disposed of in a safe, sanitary and secure manner, in a location and manner approved by the State and subject to City approval.
- Must provide a written public safety plan, subject to City approval.
- An approved administrative review shall expire 18 months from the date of issuance of the registration certificate issued by the State if it is not fully operational.
- City shall be notified a minimum of 15 days prior to the closure of any facility.
- Emissions must comply with Washoe County Health regulations.
- No medical marijuana may be smoked, eaten or otherwise consumed on the premises of any facility.
- No medical marijuana shall be displayed or kept in a facility where it is visible from the outside of the premises.
- Medical marijuana production facility parking requirement is one space per 1,000 square feet of net usable area devoted to production, processing or manufacturing.
- Medical marijuana independent testing laboratory parking requirement is one space per 250 square feet of gross floor area.
- Medical marijuana cultivation facility parking requirement is one space per 4,500 square feet of net usable area devoted to cultivation operations.

Washoe County - Proposed:

(Approved by Planning Commission on March 4, 2014. First reading at County Commissioners' meeting on March 25, 2014 and second reading scheduled for April 8, 2014)

- Maximum of 10 dispensaries allowed in all of Washoe County.
- No more than 25% of the total number of dispensaries allowed in the county can be located within any single jurisdiction.
- Washoe County intends to do the bulk of its regulation of medical marijuana establishments through Business Licensing.

- Dispensaries:
 - Allowed in General Commercial (GC), Neighborhood Commercial (NC), Tourist Commercial (TC) and Industrial (I) zoning districts only;
 - Three parking spaces per 1,000 square feet of building space and one parking space per employee during peak employment shift.
- Cultivation Facilities:
 - Allowed in General Commercial (GC) and Industrial (I) zoning districts only;
 - One parking space per employee during peak employment shift.
- Production Facilities:
 - Allowed in General Commercial (GC) and Industrial (I) zoning districts only;
 - One parking space per employee during peak employment shift.
- Independent Testing Laboratories:
 - Allowed in General Commercial (GC) and Industrial (I) zoning districts only;
 - One parking space per employee during peak employment shift.

City of Reno – Stay on acceptance of land use and business license applications approved on September 25, 2013

Douglas County – Moratorium until roughly September 6, 2014

Lyon County – Prohibition within unincorporated county approved on October 3, 2013

City of Fernley – Moratorium until roughly May 6, 2014

City of Yerington – Moratorium until roughly July 13, 2014

From: Frank Papaianni <jrpfrp39@sbcglobal.net>
Sent: Tuesday, May 20, 2014 9:16 AM
To: Planning Department
Subject: File # ZCA-14-025

After receiving your letter about allowing a Medical Marijuana Dispensary zone Change within 300 foot of my home.

I live in an area that is close to a grade school, a public playground (used by small children) and in a troubled neighborhood, I believe that this type of Business would be better served in a mall environment, with 24 hour security, and no residential neighborhoods, schools or public playgrounds in close proximity.

There are a few location of this type in Carson City, and should be used to house such a business.

Thank you for allowing me to have a small say on this subject

Frank Papaianni
3316 Selby Street
Carson City, Nv. 89701-3447

From: Douglas Teixeira <5683brea0806@sbcglobal.net>
Sent: Monday, May 19, 2014 3:00 PM
To: Planning Department
Subject: Medical Marijuana Act

Medical Marijuana Act
Today's date May 19, 2014
Received Letter May 19, 2014

I am writing to let you know that I **can not support** you in any kind of **facilities for Marijuana** plants around business or housing of any kind. Nevada has so much land that is open away from homes and business that they could put the facilities. We do not care if it is for Medical reasons. We feel it will bring a lot of crime near the business and homes.

We are home owners of three properties. 4993 August Dr. Carson City, Nevada

403 Traci Dr. Mound House, Nevada

17 Sandy Lane, Mound House, Nevada

These are family homes with children.

You are asking for Attack dogs, Guns to protect the Marijuana, Dopers who are going to try steal a little. It is a open door to crime. We do not mind if you put it way out of town in open land that is not close to businesses and homes.

It is bad enough we have a sewer plant, prisons in the middle of town. **You want to bring families and businesses into Nevada. Let's bring in businesses that we can be proud of; not ones that we have to worry about our children in the future.**

MR.. and MRS. DOUGLAS TEIXEIRA

From: Flip & Loretta Nye <flnye@pyramid.net>
Sent: Tuesday, May 20, 2014 12:09 PM
To: Planning Department
Subject: "Medical Marijuana Act"

To Whom It may concern: We live in the Railroad /Pullman / Trolley area off Saliman and we have talked here in the neighbor hood about the proposal of cultivation Etc. and we are TOTALLY Against it !!!!!!! Not going into a long letter as not sure it would do any good any way . Just wanted you to KNOW- WE DO NOT !!! Want it In our area . We are trying to get this neighborhood property values up here and this will just send them down ward more. Who would want to live in a area with that going on but POT HEADS.!!! PLEASE Reconsider this area and not use it for this purpose. Thanks The neighborhood at Railroad



This email is free from viruses and malware because avast! Antivirus protection is active.

From: Robert Reardon <1bobandpatr@att.net>
Sent: Sunday, May 18, 2014 11:07 AM
To: Planning Department
Subject: MMEs

From Robert and Patricia Reardon: 89 Yellow Jacket Lane, CC 89706.
Comestock Park.

We will have to vote NO on this project for we are not interested in a
Marijuana facility close to our residence.

Robert Reardon
Patricia Reardon

From: Roger Harker <rgharker@msn.com>
Sent: Monday, May 19, 2014 11:03 AM
To: Planning Department
Subject: Proposed medical marajuana act. MME zoning change

Our property is 2337 pinebrook. We believe that MME facilities should not be allowed directly adjoining residential zoned areas. We believe there should be a buffer zone between MME facilities and residential areas.

Roger and Sheryl Harker

Sent from my iPad

From: Bob Brown <bob.brown.45@sbcglobal.net>
Sent: Monday, May 19, 2014 3:42 PM
To: Planning Department
Subject: Zoning Code Amendment File NO. ZCA-14-025

To whom it may concern,

As a property owner at 1660 Truckee Drive, Carson City, APN 00228104, I am standing against the amendment allowing MME Dispensaries, Cultivation Facilities, Production Facilities, and Testing Labs relating to Medical Marijuana, within 300 feet of my residential property.

Clear evidence from other states, such as California where I live, indicate there is an increase in crime, and negative effects to private property values (such as blight) when marijuana is allowed to be sold in residential areas.

I will not be able to attend the hearing but, urge the Planning Commission to not approve this Zoning Code Amendment.

Thank you for your consideration,

Robert Brown, Manager
R8JB Properties LLC

559-618-1636

Note - This email is confidential and intended solely for the use of the individual, or individuals to whom it is addressed. Any views or opinions presented are solely those of the author. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error, please contact me immediately. My Internet Service Provider attempts to sweep email and attachments for viruses; however, it is not guaranteed that either are virus free and as a result, I accept no liability for any damage sustained as a result of viruses.

From: Judith Hallerbach <judimh@gmail.com>
Sent: Sunday, May 18, 2014 11:47 AM
To: Planning Department
Subject: medical marijuana act

I do not want to see medical marijuana facilities, lab, or anything to do with it in my neighborhood. I cannot be at the meeting but wanted to make my comments known. Thank you.

--
Judith Manson-Hallerbach
1080 Gambrel Dr.
Carson city, NV 89701
(Quail Run)
443-0282

ZCA-14-025

Walton's Funerals and Cremations
P.O. 2462
Reno, NV. 89505

RE:PCA-14-025

RECEIVED

MAY 20 2014

CARSON CITY
PLANNING DIVISION

I am opposed to the rezoning due to the fact that my funeral home is located in that area. This type of business is not conducive to the Funeral Business, in fact I feel like families who have lost a loved one to drug addiction may be put off by this type of business located in the vicinity of our funeral home. I am sure there are better locations for this type of use, in a less populated area perhaps. Also, I feel like this type of business would reduce the property value in the area. Thank you for your consideration.


Tammy Dermody
Owner

RECEIVED

BCA-14-025

MAY 20 2014

CARSON CITY
PLANNING DIVISION

Sirs,

5-19-14

Apparantly I reside within 300 ft of a proposed MMED site.

Seeliger School is a scant 2 blocks from my home here on Pinebrook Drive, and this neighborhood is full of children who go to school there.

Does an MMED make sense for this area?

Medical Marijuana belongs in

a Pharmacy. There is where all of us go for prescriptions. Let the Medical Marijuana "users" go there as well - not to some cubby hole on a back street. If marijuana is really "Medical", then it should be regulated through a Pharmacy where there is professional oversight.

Robert N. Pennington
2319 Pinebrook Drive
Carson City NV 89701
883-3859

R.N. Pennington

From: Ed Kirschner <ednercorp1@yahoo.com>
Sent: Tuesday, May 20, 2014 4:49 PM
To: Planning Department
Subject: Zoning Code Amendment File No. ZCA-14-025



To Whom it may concern,

We are the owners of properties in the Airport Industrial Park. We view with great concern the proposed amendment (File No. ZCA-14-025).

When we moved into our facility several years ago, we learned that Carson City had a reputation of being the "Capital of Meth". Over the years, we had to deal with situations related to drug activities. Things got better, the company did grow and provided several jobs for the local community.

At this time, the facility is occupied by a major company who is also providing good jobs. The company has now plans for substantial increase in activities and as a result, additional jobs. Approval of such a request may jeopardize such plans.

Below I have listed some of the reasons for our objections:

1. The kind of activity request in this application will hurt the reputation of the City and will become an attraction point for drug activities.
2. By its nature, it may result in higher criminal activity in the area.
3. It may require more law enforcement resources.
4. It may deter other companies from moving in as they may prefer to move into less controversial area.
5. It probably will reduce the value of existing properties.
5. It may affect the availability of a good work force for existing companies or future companies.
6. Does Carson City, the state capital, really want to be known for cultivation of marijuana, facilities for production of marijuana-infused food products and testing labs of marijuana laced food products?

In summary, we hope that the Planning Commission and the Board of Supervisors will consider the detrimental effect which, allowing the Zoning Code Amendment to pass, will have on the local business community as well as the city at large.

It will be better if the City could concentrate on creating conditions that will attract businesses that will provide jobs and benefits to its residents and thus improve the quality of life without getting involved with such enterprise which, in my opinion, will hurt the community. Please, please for everyone's sake, reject the "Zoning Code Amendment".

Sincerely,

Ed Kirschner

679 Derby Ct.
Carson City, NV 89703
ednercorp1@yahoo.com

Confidentiality Notice: The information contained in this e-mail, and in any accompanying documents or previous e-mail messages attached, constitutes confidential information which belongs to E. Kirschner. This information is intended only for the use of individual or entity named above and subject to the terms of the Confidentiality Agreement between the parties. If you are not the intended recipient of this information, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on this information is strictly prohibited. If you have received this e-mail in error, you are hereby notified that you must not read, save, copy or distribute any of the information included in this transmission.

From: Amy Blethen <amyblethen@gmail.com>
Sent: Tuesday, May 20, 2014 7:38 PM
To: Planning Department
Subject: Zoning Code Amendment comments for meeting on Wednesday May 28th

Good evening,

I received a letter in the mail from the Carson City Planning Commission yesterday informing me of the Zoning Code Amendment and that the planning Commission is considering to zone property within 300 feet of my home for Medical Marijuana Establishment and marijuana cultivation.

I voted against making MME's legal in Nevada and am strongly against the coding to allow the establishment of MME's in Nevada, in Carson City and especially in my neighborhood. I will encourage my friends and family to vote against any city official, Commissioner , State Senator or Councilman who pushes this zoning allowance through and pushes MME's on our neighborhood.

I work until 7PM each night and am not able to attend the meeting, but am hoping that some of my neighbors and friends and family will be able to attend and express our strong desire to keep Medical Marijuana Establishments out of Carson City and out of our neighborhood.

I live on Molly Drive in the Millennium Home Owners Association, and this is my first home, and all my equity is in my home. MME's would ruin the neighborhood, ruin the value of my home and increase the crime rate in my neighborhood. Nothing good can come from zoning for Medical Marijuana Establishments in Carson City, and our neighborhood in particular. Many Carson City High School students walk on our street and in our neighborhood to school and MME's would be a terrible influence on the students.

I strongly urge all city Commissioners, city councilmen, the mayor, and state senators not to allow MME's in Carson City, and in our neighborhood specifically.

I would appreciate an acknowledgement that this email has been received and will be considered and read by the Carson City Planning Commission.

Amy Blethen ; amyblethen@gmail.com



WALTON'S FUNERALS & CREMATIONS

EVERY LIFE HAS A STORY

May 21, 2014

Carson City Planning Division
108 E. Proctor Street
Carson City, Nevada 89701



RE: Zoning Code Amendment, File No. ACA-14-025

To Whom It May Concern:

As the general manager of Walton's Chapel of the Valley & Cemetery in Carson City, I stand in opposition to any proposed amendment or ordinance that would allow Medical Marijuana Establishments in the General Commercial zoning district. I firmly believe these MME Dispensaries would be a detriment to our community, negatively impacting our residents.

Research indicates that marijuana affects memory, judgment, perception, and can be addictive, leading to its abuse. Since it impairs one's ability to think or listen, it can lead to various forms of accidents. Marijuana has been linked to violence, suicide, crime, and unsafe sex. Babies born to women who used marijuana during their pregnancies have shown problems with neurological development. And the list goes on.

Marijuana is often a gateway to the use of more dangerous drugs as well. As the general manager of multiple funeral homes in Northern Nevada, I see first hand how drug use so easily leads to death. Unfortunately, I have no choice but to witness the devastating, emotional affects it has on the lives of families who have lost their loved ones as a direct result.

It's my belief that every life matters in this world, and it's our obligation as a society to exercise prudent judgment prior to the passing of all ordinances, laws, and amendments that have the potential to harm human life.

Respectfully,

Rick J. Noel
General Manager
Walton's Chapel of the Valley
Carson City, Nevada



1281 N. Roop St.
Carson City, NV 89706

PHONE	(775) 882-4965
FAX	(775) 882-5004
E-MAIL	moel@funeraltrust.org
WEB SITE	http://www.waltonsfuneralhomes.com

ZCA-14-025
Late Info

From: Lynn McPike <lmcpike.45@gmail.com>
Sent: Wednesday, May 21, 2014 1:45 PM
To: Planning Department
Subject: Public Hearing

RECEIVED
MAY 21 2014
CARSON CITY
PLANNING DIVISION

This is in regards to the hearing on Wed. May 28,2014

I would like it to be known that I am totally AGAINST the recommendation of the Medical Marijuana Act, and all it includes.

I cannot attend the Public Hearing, so please let this suffice as my vote on the matter.

Respectfully,

Kay L McPike
2215 Cognac Ct
Carson City, Nv 89701

775-291-9270

ZCA-14-025
Late Info

From: Dick <Dickwi@charter.net>
Sent: Wednesday, May 21, 2014 1:56 PM
To: Planning Department
Subject: Zoning Code Amendment File No. ZCA-14-025

Zoning Code Amendment
File No. ZCA-14-025

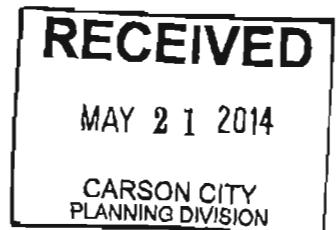
To Whom It May Concern,

I recently received a notice of public hearing letter on the subject: Zoning Code Amendment File NO. ZCA-14-025 for regulations to allow Medical Marijuana Establishments. I definitely do not want this type of business close to my residence which I have resided at for over 30 years. According to the letter, my home is within 300 feet of zoning consideration of this possible type of business.

I certainly hope that common sense would prevail in not allowing or even considering this type of business anywhere near a residential neighborhood due to traffic coming and going constantly, people milling around, congestion, noise, etc., etc.

Thank you for your common sense and consideration on this matter.

Richard Windham
3139 Champion Street
Carson City, NV 89706



From: Roger Harker <rgharker@msn.com>
Sent: Thursday, May 22, 2014 7:01 PM
To: Planning Department
Subject: Re: Proposed medical marijuana act. MME zoning change

OK here is our additional comment: You mentioned that the proposal was to provide a 300 foot buffer zone from residential. We do not believe 300 feet is enough. We would like to see at least 600 feet separation

Roger and Sheryl Harker
2337 Pinebrook

Sent from my iPhone

> On May 22, 2014, at 3:29 PM, "Planning Department" <planning@carson.org> wrote:
>
> Mr. Harker,
>
> I don't see a second email from you. Was it sent to the planning@carson.org email or to someone else in our department?
>
> Lee
>
> Lee Plemel, AICP, Director
> Community Development Department
> 108 E. Proctor Street
> Carson City, NV 89701
> 775-283-7075
>
>
>
>
>
> -----Original Message-----
> From: Roger Harker [<mailto:rgharker@msn.com>]
> Sent: Thursday, May 22, 2014 12:10 PM
> To: Planning Department
> Subject: Re: Proposed medical marijuana act. MME zoning change
>
> Please include my second email as well.
>
> Roger Harker
>
> Sent from my iPhone
>
>> On May 22, 2014, at 9:53 AM, "Planning Department" <planning@carson.org> wrote:
>>
>> The Planning Division will forward your comments to the Planning Commission and Board of Supervisors for their consideration in this matter. Attached, for your information, is the staff report and supporting information going to the Planning Commission for the May 28 meeting. Also attached is the agenda for the Planning Commission meeting.

>>
>> If you have further questions or comments, you can contact the Planning Division at this email address
(planning@carson.org) or at 775-887-2180. Thank you for your comments.
>>
>> Carson City Planning Division
>>
>> -----Original Message-----
>> From: Roger Harker [<mailto:rgharker@msn.com>]
>> Sent: Monday, May 19, 2014 11:03 AM
>> To: Planning Department
>> Subject: Proposed medical marajuana act. MME zoning change
>>
>> Our property is 2337 pinebrook. We believe that MME facilities should not be allowed directly adjoining residential zoned areas. We believe there should be a buffer zone between MME facilities and residential areas.
>>
>> Roger and Sheryl Harker
>>
>> Sent from my iPad
>> <ZCA-14-025.packet.complete.MMEs.pdf>
>> <5-28-14 agenda.pdf>

From: Robert Morgan <starviewrjm@att.net>
Sent: Friday, May 23, 2014 7:12 AM
To: Planning Department
Subject: Limited Industrial Zoning District

As property owners within 300 feet of a proposed zoning change to allow for Medical Marijuana Establishments we strongly oppose such sites within a residential area. Such sites should be restricted to the areas near either other medical facilities or established industrial areas. Please consider restricting these MME facilities from being established in residential area as we feel they could result in a potential for the deterioration of family settings within residential areas such as ours.

Thank you,
Robert and Donna Morgan
46 Bryan Circle
Carson City, Nevada 89706-

starviewrjm@att.net

1037

From: Dan Dover <dan@crossdevelopment.net>
Sent: Friday, May 23, 2014 7:51 AM
To: Planning Department
Cc: Steve Rumsey; Randy Wilson
Subject: 3050 Hwy 50 East - Objection to MME - File No. ZCA-14-025

Dear Sir's and Madam's,

In response to the notice of public hearing to consider a MME on May 28, 2014, we would like to be on record.

As a local property owner, and landlord to large national retailers, we have worked hard to help enhance the community. We are against Medical Marijuana Establishments being located near our property. Our preference would be for MME's and the district(s) they are required to be in not be located near our property. We have spent a considerable amount of money on brand new construction, and feel this does not enhance our value. Please consider we have worked very hard to meet the requests of Carson City to bring a nice, new facility. Had we known a MME would be permitted near our property, we may have made a different decision on where to buy and build.

Please consider our request, and commitment we have made to Carson City when making your decision on whether or not to allow a MME near our property.

Sincerely,

Cross Development

Dan Dover
Cross Development, LLC
4328 Marsh Ridge Road
Carrollton, TX 75010
Off: 214-614-8252
Fax: 214-556-1110
Mob: 214-605-1440
Email: Dan@CrossDevelopment.net



ZCA-14-025
Late Info

May 22, 2014

Carson City Planning Division
108 E Proctor Street
Carson City NV 89701

Ladies and Gentlemen

RE: Medical Marijuana Establishments

(I have neither fax or email so must resort to letter.)

The area around my home of 19 years, 8 months (00215105) is an extremely vulnerable area.

On the north side (Corbett Street) there are frequent arrests and police cars are seen almost daily on their patrols or arrest routes.

On the east side (Fall Street) there is the Pioneer High School campus. Principal Jason Zona has had a positive influence on the young adult lives attending that school.

On the west side (Carson Street) is the Carson City Historical Society, situated on city property. The Foreman-Roberts House was moved to that site in 1874.

On the south side (Rice Street) are a variety of businesses and residences.

Several of the homes and businesses have a building date of 1850-1880. My house was built in 1876. This area is a poor selection for a Medical Marijuana Establishment.

Thank you for reading my response.

Sincerely



Paula D. Cannon
00215105
138 Rice Street
Carson City NV 89706

RECEIVED

MAY 23 2014

CARSON CITY
PLANNING DIVISION

Larry L. & Mary L. Schnell

CEA-14-025
Late Info



PO Box 51900
Sparks, NV 89435-1900

Phone: 775-425-4868
Fax: 775-425-4868



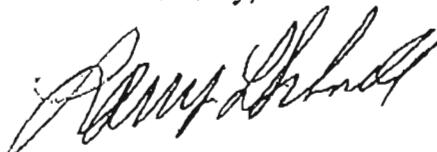
Fax to Carson City Planning Division
775-887-2278
Re: Zoning Code Amendment, file no. ZCA-14-025

May 23, 2014

To C.C. Planning Commissioners:

As I understand it, there are a few general commercial areas in and around Carson City that are being considered for "MME siting" in the near future. One such area is just north of Winnie Lane in proximity to Hot Spring Road. This area contains a mix of businesses, apartments, and mobile home parks. Residentially it is not a high income area. As a property owner in this area, I fear that locating an MME nearby would create a negative influence on residential properties and those who reside in these apartments and mobile homes. Therefor, I respectfully urge you to keep the MME's out of my area, residential areas and lower income areas, and please attempt to locate such businesses out in "no-man's land," such as out east on Highway 50 towards the landfill in a sparsely populated area.

Sincerely,



Larry Schnell, Owner
Lone Mountain Mobile Home Community
Located at: 493 Hot Springs Road
Carson City



ZCA-14-025
Late Info

Date: May 23, 2014

To: Carson City Planning Division

From: William & Dona Fuller
Owners, 4999-5001 Hwy 50 East, Carson City

Subject: Zoning Code Amendment File No. ZCA-14-025

Thank you for returning our call regarding the proposed change to the existing ordinance that would allow Medical Marijuana Establishments, including Dispensaries, Cultivation Facilities, Production Facilities, and Testing Labs as a conditional use in the GC zoning district.

We support the use of medical marijuana as long as it is under the strict governmental controls you propose. However, we strongly object to how you have determined the where MME Dispensaries should be located. If someone has a prescription for marijuana from their doctor I think it is disgraceful they should have to travel to an out-of-the-way location amidst industrial buildings to legally purchase it. These people can get all their other prescriptions at their local drug store, and that is where they should also be able to purchase their marijuana.

We own a family-friendly mobile home park on the Hwy 50 corridor consisting of 42 spaces. It had been in place long before the area was zoned GC. The residents are hardworking, low-income people. Most have several children of all ages. We worked hard to "clean up" the Park from the drug-dealing environment into which it had fallen prior to our ownership. The idea of placing a MME Dispensary anywhere near the Park is an abomination. From our experience living in the SF/Oakland Bay area, these dispensaries attract an element of society that none of you would want near your homes, and neither do we.

We have no objection to, and visualize the cultivation facilities, production facilities and testing labs to be in attractively built and properly secured low-rise

buildings, similar to the modern warehouses of today, where no sales would take place and no testing that would produce offensive aromas.

We hope, on behalf of our residents, especially the children, you will re-consider and not allow MME Dispensaries in the GC zoning area. If you are not in a position to allow drugstores to dispense medical marijuana, at the very least, since you are changing the zoning, you could subdivide the current GC area into 2 parts: 1. West of N Deer Run Road 2. East of N Deer Run Road, and designate the Eastern part as the area where the MME Dispensaries could be located.

Thank you, on behalf of our residents (over 160), for considering our concerns and suggestions,

Sincerely,

William Fuller

Dona Fuller

From: redpetunia5 <redpetunia5@hotmail.com>
Sent: Saturday, May 24, 2014 10:32 AM
To: Bob Crowell
Cc: Karen Abowd; BBonkowsli@carson.org; John McKenna; Jim Shirk; Planning Department
Subject: File No: ZCA-14-025

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning,

Being multiple home owners, we would like to see all board members to cast a decisive negative vote for ZCA-14-025 and not allow MME as Lyon County has done.

Let us be moral, clean and pure examples by not allowing ZCA-14-025. This action will help to prevent the destruction of homes, families, and communities and prohibit MME from progressing in Carson City.

We already have a clean community. We do not want Carson City to deteriorate. The major majority of our community is not in need of MME.

Thank you,
Jim and Monica Stanley

Sent from my Verizon Wireless 4G LTE smartphone

From: Shannon <shannon.ras484@gmail.com>
Sent: Saturday, May 24, 2014 9:06 PM
To: Planning Department
Subject: Zoning Code Amendment File No. ZCA-14-025

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Commissioners,

As residents of Carson City since 1988, we have seen a decline in our neighborhoods in safety and quality. Not to mention, Carson City is already known as one of the top areas for meth labs.

We are entirely against any drugs, even those under the protection of a misguided law, in our area. We feel strongly, if this zoning change permits MME facilities, the quality of the area will decline even further. The cultivation facilities will attract those that are interested in drug use beyond medical uses. This is a common sense issue.

Please opt out and don't allow any MME facilities anywhere in this city and especially not in this area. We stand firmly against all drugs and the dangers they pose for our youth.

Sincerely yours,

Viola Rodriguez
Shannon Johnson

Sent from my iPad

From: Tom Grundy <tom@tomgrundy.com>
Sent: Monday, May 26, 2014 12:36 PM
To: Planning Department
Subject: ZCA-14-045 Amending Title 18 to allow Medical Marijuana Establishments
Attachments: Marijuana Odor Too Much For Some Residents.pdf; Marijuana 'Hash Oil' Exp...pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Department,

I am the owner and current resident of a home located on Arizona Circle in Carson City, Nevada. I am writing in regard to ZCA-14-045, Amending Title 18 to allow Medical Marijuana Establishments (MME's). After receiving the notice of the proposed amendment to Title 18, I reviewed the current code regarding the subject zoning districts. I believe that MME's are a use which falls within what was intended for the General Industrial (GI) zoning district and that dispensaries fit within the intention of the General Commercial (GC) and Retail Commercial (RC) zoning districts. I do not believe that MME's fall within the intent of the Limited Industrial (LI) and Air Industrial Park (AIP) zoning districts.

The following is excerpted from CCMC 18.04.150 regarding the GI zoning district:

The GI district is established to preserve an industrial district for uses engaged in the **basics processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.** (Emphasis added).

CCMC 18.04.150 further states regarding the GI zoning district:

Other conditional uses requiring a special use permit are those which may produce excessive noise, gaseous byproducts, obnoxious odors, by or of an inflammable or explosive nature, cause dust which may be offensive to adjoining property owners, or which the planning commission may consider to be detrimental to the public's health, safety and welfare. (Emphasis added).

The following is excerpted from CCMC 18.04.145 regarding the LI zoning district:

The LI District is established to preserve an industrial district restricted to a use engaged in the **assembly or manufacture from previously prepared materials, or finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.** Temporary unscreened outdoor display and sale of merchandise for a period not to exceed thirty (30) days within a calendar year may be authorized by the Director subject to Title 18.02.115.8 (Outdoor Sales and Activities). **Unless a use is specifically listed in this section, uses listed in the General Industrial district are prohibited in the Limited Industrial district.** (Emphasis added).

CCMC 18.04.155 regarding the Air Industrial Park (AIP) zoning district:

The AIP District is established to preserve a highly landscaped industrial district with limited types of industrial uses, providing accessory airport and support services, excluding unscreened outside storage.

CCMC 18.04.155 also states the following regarding the Air Industrial Park (AIP) zoning district:

Other prohibited uses are those which may produce excessive noise, gaseous byproducts, obnoxious odors, by or of an inflammable or explosive nature, cause dust which may be offensive to adjoining property owners, or which the planning commission may consider to be detrimental to the public's health, safety and welfare. (Emphasis added).

As our country adopts laws regarding marijuana for medicinal and recreational use, one of the dominant emerging issues associated with the growing and processing of marijuana is the pungent odor, which is most commonly described as skunk-like. A google search for "medical marijuana odor complaint" will return a number of links regarding this issue ranging from news stories to discussions of lawsuits. These stories discuss the struggles other communities are having with the odor issue. Just one of those stories is attached. Another article states "Flowering marijuana plants put off a strong, sweet odor that may smell a lot like money to some. But even to those who use pot, the constant odor from the plants can become a bit much." It appears one problem communities are experiencing is lack of ordinances to deal with those complaints. Further, odors are extremely difficult to quantify and regulate. I believe our community should learn from the problems experienced by other communities. I am of the opinion that any proposal for MME's within Carson City must include consideration of the odor issues associated with MME's.

MME's are also permitted to manufacture marijuana infused food products. Flammable solvents are frequently used to extract compounds from marijuana for use in food and other products. An article discussing this problem is attached. The U.S. Fire Administration released an advisory to fire and emergency personnel throughout the country about the increase of explosions related to extraction of compounds from marijuana with flammable solvents.

Reading of the CCMC regarding the General Industrial zoning district shows that the GI district is intended for manufacturing from raw materials, which I believe is more closely aligned to growing marijuana than the Limited Industrial District which the CCMC indicates is intended for assembly or manufacture from previously prepared materials.

The CCMC regarding the GI district indicates it is intended for uses which "storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions". As MME's are established in communities, those communities are realizing that the odors are an offensive condition. The GI district further restricts uses which may produce obnoxious odors by requiring a special use permit. The odor of MME's is frequently considered obnoxious. It appears the intent of the CCMC is to limit uses which involve offensive conditions and obnoxious odors to the GI district. Further, the GI zoning district allows manufacturing processes using flammable materials.

The CCMC for LI zoning districts generally prohibits uses listed in the General District, which includes uses involving offensive conditions and obnoxious odors, as well as flammable materials. Medical marijuana establishments are examples of those uses due to their potential for offensive conditions, obnoxious odors and use of flammable materials.

The AIP zoning district appears to be intended for limited types of industrial uses providing accessory airport and support services, according to the CCMC. I cannot imagine how a MME provides accessory airport and support services. Additionally, the AIP zoning district lists as prohibited uses those which may produce obnoxious odor. Further, the AIP zoning district prohibits uses "by or of an inflammable or explosive nature" such as those involving inflammable solvents.

My home is located less than 200 feet from property zoned LI. Prior to purchasing my home I looked at the zoning and the facility three parcels away from mine and asked myself the question "Am I willing to make a 30 year commitment to this property and live less than 200 feet from that facility?" My primary concerns were noise and odors from industrial facilities. I reviewed the zoning ordinances in place at that time, and the answer based on the ordinances was "Yes, the uses allowed in proximity to my home are acceptable to me." If a MME was an allowable use less than 200' from my home, the answer would certainly have been "Absolutely not."

I believe that MME's are not an appropriate use within the LI or AIP zoning districts, based on the potential for obnoxious conditions and offensive odors resulting from those facilities as well as the possible use of flammable materials. Carson City contains a significant amount of LI zoning abutting residential uses, and experiences in other communities has shown marijuana facilities to be a problem when located close to or within residential areas. I would hate to see our community not learn from the negative experiences of other communities. I believe the GI zoning district is where the CCMC intends to permit facilities where facilities with the potential for obnoxious conditions, offensive odors and use of flammable materials. I do believe that marijuana dispensaries are an appropriate use within

both General Commercial as well as Retail Commercial zoning districts, provided that the activities in those facilities are limited to those described in state law regarding dispensaries.

Tom Grundy
11 Arizona Circle
Carson City, NV 89701
(775) 230-8152



Marijuana Odor Too Much For Some Residents

By: KKTv/Gina Esposito

Updated: Wed 7:21 PM, Feb 26, 2014



The marijuana business in southern Colorado is having some unintended consequences—and neighbors in one town are now taking a stand.

Penrose only has 3,500 people, but it's already seeing the marijuana business booming. Seven marijuana grow operations have been approved, and many are already in operation. They're allowed to have several greenhouses on their property—and one of them has 17. Another seven businesses are wanting to build in or near Penrose are waiting for a state license.

Some residents of this Fremont County community say the smell from the marijuana grow operations is overwhelming.

11 News reporter Gina Esposito spoke with one resident, who lives within sight of one of the grow operations.

Esposito: "I can smell the marijuana. You can smell it right here."

Susan Hilderbrand: "Yeah, it's very strong."

Esposito: "Wow."

Hilderbrand: "It's been like this for the past two days."

Hilderbrand says the smell isn't the only problem. The greenhouses, she tells Esposito, are bright at night, and are also using a lot of the town's water supply.

"I don't think anyone realized that this was going to be an issue," Hilderbrand, who is with a group called Penrose Concerned Citizens, said. "And that's our main thrust with what we are trying to do here: to make people aware. We would like to see it regulated here, but it needs to be regulated elsewhere."

Penrose Concerned Citizens has brought their issues to Apple Valley, which has 17 greenhouses on its property, including the one that is visible from Hilderbrand's home. Many of the greenhouses are filled with marijuana plants.

"We are doing everything we can to be good neighbors in terms of odor control, light pollution, water usage. Some of these things are pretty expensive," Edward Vasquez, co-owner of Apple Valley, told 11 News.

Apple Valley installed blackout curtains, air filters and new watering systems. Vasquez tells 11 News that all of these changes were made voluntarily, as Fremont County has yet to draft regulations for marijuana cultivation.

Last week, Fremont County commissioners out a hold on future construction of marijuana growing facilities for 120 days. During that time, the county will come up with regulations for medical marijuana greenhouses in hopes of addressing some of the residents' concerns, and to set standards for all future developments.

Esposito also asked commissioners why so many medical marijuana facilities want to operate in Penrose. They say they are still trying to figure that out.

KKTV 520 E. Colorado Colorado Springs, CO 80903 Office: (719) 634-2844 Fax (719) 632-0808 News Fax (719) 634-3741



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246518151



Marijuana 'Hash Oil' Explodes In Popularity, And Kitchens

by MARTIN KASTE

January 10, 2014 4:51 PM ET

[Listen to the Story](#)

[All Things Considered](#)

3 min 51 sec

If you think the recent liberalization of marijuana laws around the country is only about smoking leaves and buds, think again. For users younger than 25, "hash oil" is where it's really at. This concentrated resin of marijuana is creating new public safety headaches — even in places where it's legal.

There have always been forms of the substance, but the resins available today are much stronger than in years past. That's due in part to the expertise developed by medical marijuana producers, who have learned how to make more potent versions of the oil.

Near Seattle, medical marijuana entrepreneur Jeremy Kelsey shows off a sample of a resin that he markets as extreme pain medication for cancer patients. It looks like dark green Karo syrup. Kelsey calls it "pure THC."

"There's pounds literally that went into this dish," Kelsey says, dabbing at the sticky substance that coats the bottom of a square Pyrex pan.

His product is especially potent because he makes it only from marijuana buds, not, as others do, from leafy matter and stalks. He calls the resin medication, but recreational users have other names for it: "butane honey oil," "wax," "shatter" or simply "dabs" — because a little dab will do you.

Exploding Refrigerators

Users smoke it, vaporize it and sometimes even eat it — those people sometimes refer to themselves as "tar babies." *High Times* magazine jokingly implies that honey oil is best for people who already smoke regular pot every day. The stuff is so strong, it can cause less



Elaine Thompson/AP

experienced users to throw up.

Some people make the resin at home. You just soak the pot in some kind of chemical solvent, which extracts the resin from the marijuana. Do-it-yourselfers like using butane, which can be purchased at most hardware stores.

The trouble is, solvents can catch fire — and even explode. Last year, the U.S. Fire

Administration, a department of the Federal Emergency Management Agency, issued a bulletin warning of an increase in fires involving the production of hash oil.

In Washington state, which legalized marijuana for recreational use in 2012, authorities have noted an uptick in similar incidents. There was an explosion in a building in Seattle on Tuesday, and Verner O'Quinn, a sergeant with the Seattle Police Department's bomb squad, blames solvents used in the production of hash oil.

There were no victims in the explosion, but it created a big bang. "It blew out the windows, blew the walls 6 inches from the foundation in an area. Cracked the siding," O'Quinn says.

He says fires in the Seattle area often come with a particular twist: They start with exploding refrigerators. Apparently, some people put their marijuana-butane marinade in the freezer. "Maybe the process works better when it's colder," O'Quinn says.

Most freezers have a fan, which then circulates the volatile butane fumes into the rest of the refrigerator, "down to where the compressor is," he explains. "A small spark will set it off, and it generally blows the door off."



U.S.

Washington State
Growers Roll The
Dice On New Pot
Licenses



Planet Money

What's The Best Way
To Tax Marijuana? It
Depends On What
You Want

A 'Practical Decision' To Legalize

Washington state allows adults to possess up to 1 ounce of pot, so turning it into hash oil isn't illegal, per se. Still, if you're using explosive solvents, you might be looking at a zoning violation or even criminal charges of reckless endangerment.

Starting Today, You Can Legally Sell
Marijuana In Colorado Jan. 1, 2014

The state is now getting ready to license commercial marijuana processors, who will be required to use purer solvents and professional-grade equipment when making the extracts.

State officials did waver over whether hash oil should be legal at all. Initially, the Washington State Liquor Control Board, which is writing the regulations for the legalization process, decided the voter-approved legalization did not apply to concentrates. It later reversed course.

Randy Simmons, who runs the legalization implementation process, calls that a practical decision.

"We're trying to move as many people out of the illicit marketplace as possible," Simmons says. "And in order to do that, if we would have excluded these oils, we would have left a whole lot of the marketplace in the black market."

In other words, hash oil is too popular *not* to legalize. But there's no guarantee that will always be true. Simmons points out that after Prohibition ended, liquor laws were constantly fine-tuned with experience. He expects the same thing may happen with marijuana and its more potent derivatives.

From: julian@smithandharmer.com
Sent: Tuesday, May 27, 2014 11:36 AM
To: Planning Department
Subject: May 28 Commissioner's Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Re: Zoning Code Amendment ZCA-14-025

Dear Commissioners:

I am opposed to any medical marijuana establishments being located in the vicinity of any of the properties in Carson City owned by me and my wife. Our properties include:

1. Orion Clemens home at 502 North Division Street;
2. Winnie West Shopping Center on West Winnie Lane; and
3. A duplex on Sharon Drive.

The easy answer is to opt out of having any establishments in Carson City. They will only become a magnet for people addicted to the drug. Let Reno keep them.

Best regards,
Julian C. Smith, Jr.
502 North Division Street
Carson City, Nevada 89703

From: Morgan McKinney <woossa@sbcglobal.net>
Sent: Tuesday, May 27, 2014 8:15 PM
To: Planning Department
Subject: Zoning Code Amendment ZCA-14-025

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

Thank you for giving us the opportunity to express our concerns about the possible zoning code amendment in our neighborhood. We have lived in the said neighborhood for over six years now and though there is an industrial area across the street from us, it is one of the best neighborhoods in Carson City. It is with the utmost concern, that we state that we are 100% against the zoning of this area to be amended to allow for a Medical Marijuana Establishment. While we understand that medical marijuana use has been approved by the State of Nevada, we do not feel that it will be of any benefit to have an establishment across the street from our home. We have this opinion for several reasons.

Firstly, We do not believe that there would be any benefit to our neighborhood by allowing this establishment to be zoned so closely. It is our opinion that this type of establishment could potentially raise the traffic in our neighborhood as well as the crime rate.

Secondly, there is a daycare located with in a half a mile of our home, that has been operating for at least the six years that we have resided in our home. We do not believe that having a medical marijuana establishment so close to a child care facility is moral, ethical or smart.

Lastly, we didn't purchase our home with the intention of living so close to an establishment such as this, and certainly wouldn't chose to live next to one.

Please do not hesitate to contact us directly with any questions or concerns regarding this email as we are more than willing to discuss this matter and express our concerns further. We apologize in advance for not being able to attend the Public Hearing as it occurs during our working hours.

Thank you for your time with this matter.

Sincerely,

Morgan & William Friend
1550 Conestoga Drive
Carson City, NV 89706
775-882-4953
775-721-9297
775-230-1840
woossa@sbcglobal.net

From: Greg DeLarge <greg@plasmaetch.com>
Sent: Wednesday, May 28, 2014 8:12 AM
To: Planning Department
Subject: Zoning medical marijuana

Follow Up Flag: Follow up
Flag Status: Completed

Hello I just want to give my 2 cents on this issue. This is a big mistake and will drive down property values and discourage business from moving in the area. We came here from CA to get away from this type of stuff that has ruined that state. Unfortunately Nevada continues to follow the lead of that failed state. I'm sure your being pushed to pass this from our liberal leaders in the city from the tax stand point. But in my case you put that anywhere near our building and we will move! you have no idea of the crime and such that come from that type of facility.

Thanks

Greg DeLarge
Plasma Etch Inc
3522 Arrowhead Dr.



This email is free from viruses and malware because avast! Antivirus protection is active.

From: Scott Cooley <scottmcooley@hotmail.com>
Sent: Tuesday, May 27, 2014 1:07 PM
To: Planning Department
Cc: 'Rick Cooley'
Subject: Letter to Planning Department - ZCA-14-025
Attachments: DispensaryLetter.docx

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Please see the attached letter. I just received the notice related to ZCA-14-025. It is my hope that my letter can be shared with the entire planning department and made available to all. You are welcome to make it public. Unfortunately, I am unable to make the meeting as I'm at home in Los Gatos, CA. My brother, cc'd, will try to make the meeting and will represent me in any capacity needed. Please confirm receipt.

Thank you,
Scott

Scott Cooley
www.cooleycommercial.com
www.scooley.com
408-829-4130



COOLEY

COMMERCIAL

May 28, 2014

Re: ZCA-14-025 – Zoning Code Amendment

APN# 009-031-07 and 29

To: City of Carson / Planning Department

This letter is to oppose the zoning code amendment allowing for a medical marijuana dispensary and grow on or around the divisions of Rhodes St., Curry St. and Betts St. I am the owner of the 78 acres of property on the hillside for which these streets feed to. The hillside is known as the Summerhawk Development for which there is a tentative subdivision Map 06-203 (recently expired). I hope to build this development in the years to come once the housing market can again support it. I have extensive experience with medical marijuana facilities and their impact on commercial and residential real estate in the vicinity.

As a background, I am the owner of these Carson lots for which I purchased them with full intention of building 99+ executive style homes as the city previously accepted as part of the proposed Summerhawk Development. I also own commercial buildings in and around Reno along with over 12,000 acres on the outskirts of Reno. I reside in Los Gatos, California. In Silicon Valley, I own and manage 6 commercial properties totaling 300,000 square feet of office, light industrial and heavy industrial types. In total, I have around 90 different properties and 18,000 acres throughout California and Nevada. I have family in Carson and will be represented to the city by my brother, Rick Cooley.

As further background, I am currently in legal dispute with two dispensaries near my industrial commercial properties at 2121-2159 South Tenth Street, San Jose, CA. Through this process, I have gained extensive experience with the affects of marijuana dispensaries and grows on property values and impacts on the neighborhood.



Cooley Commercial | 15900 Kennedy Rd. Los Gatos, CA 95032, www.cooleycommercial.com
408-829-4130 / 408-273-6929 fax

From a commercial realty standpoint, very few tenants of any type are willing to move into a building that has a marijuana dispensary or grow within the building or within a block. The affect is that any existing tenants will eventually move out and new tenants will be hard to find. It is akin to being next to a strip club. While there are those firms that might tolerate such, they are few and far between. I have given innumerable tours of my units located next to the two dispensaries and without regard to the price, prospective tenants simply say, "no way". They refuse to open their own business anywhere near a dispensary. This has forced me to dramatically lower my rents and still, my spaces sit empty costing me approximately \$30,000 per month. Hence, the lawsuit I am filing attempting to force their eviction. Two blocks away in every direction, rents are much higher. I know for a fact that once they are evicted, my rents will return to market rate rather than be far under market value as they are today. For commercial real estate, your rent rates determine the value of your property. Because the marijuana dispensaries sit near my units, the value of my property is about 30% below market. The impact can run into the millions. These dispensaries claim to follow various laws and such but the bottom line is that no one wants to be near them. While I have no issues with marijuana use for medical purposes, I do believe there are proper places for such dispensaries. I relate them most closely to a liquor store or a strip club. We don't place such establishments near residential homes or where families and children congregate.

My goal is to place 99+ executive style homes on the hillsides behind the proposed location of the dispensary. Imagine walking your young child to school every day past the dispensary. Just who would ever buy a home in a location where every day their children must walk past a dispensary on their way to/from school? Another issue is the type of people that from my experience, hang out at the dispensaries. Yes, there are those legitimate patients of cancer and such that are well served by a dispensary. However, it's been my first hand experience that this is less than 10% of the customers. The other 90% tend to be younger people in their 20's and 30's that have a number of other drug addictions. Most of the purchasing is not actually for medical use. Often, they will drive a block or two away and park anywhere possible and smoke their just purchased pot. This creates a constant amount of people getting high in their cars in the immediate vicinity. While the dispensary discourages such, they can't control what happens on the property of others and have no control of their clients. The general complaint that marijuana is a gateway drug seems to have some legitimacy from what I've witnessed. A fair percentage of the clients are heroin and crack users as well. I see them loitering around, some looking for handouts. Even the trash bins are constantly subject to the addicted and the homeless going through them looking for discarded pot. I've even seen well-to-do high school kids going through the trash bins of the dispensary at night.

An additional issue is the constant attempt at break-ins to the dispensary and grows. It seems that teens just love the idea of breaking in to steal the marijuana. It's a constant threat and

they are always casing the joint late at night. Of course, the dispensary has extensive alarm systems but the process continues. It causes overflow as the criminals case easier targets nearby. We can expect crime in the immediate vicinity to increase significantly. Not much can be done about it though the police must patrol the area much more often, causing the city to expend extra resources.

There are a number of business issues. Banks aren't allowed to make loans on buildings that house a dispensary. If the building has additional tenants, they too can't get a loan. Dispensaries also can't get hazard insurance. My building is currently uninsured against any fire that occurs within a dispensary or grow. It's in the fine print. It seems almost every week there is a reported fire in San Jose related to a grow. The equipment used in grows use a tremendous amount of power and often start fires. Insurance companies will not cover such damage. This again affects any other tenant in the same building who can't obtain legitimate fire insurance when a grow exists in the same building. The City would be smart to insure solid fire breaks around any grow facility and that it does not share the building with any other businesses. Dispensaries are not legal at the federal level so any legitimate business that operates on a national basis is unlikely to work with a dispensary. Because the two dispensaries are in the same building as my units, I am unable to obtain insurance and can't obtain a loan from a bank for my units. Thus, I am forced to own my units free and clear.

It's also been my experience that the owners of the dispensary are rarely upstanding citizens. In my building, the building inspectors are constantly coming out. There have been numerous citations for electrical violations, illegal construction, illegal HVAC, etc. We also have polluted water that has seeped into the ground. The fertilizers used as part of the grow process are highly polluting. The owners of the dispensary have no assets and as such, any lawsuits against them are useless. There is no money there for cleaning up the ground water pollution from the dumped fertilizers. For each grow cycle, the potting soil is dumped anywhere nearby where there is open ground. Such soil can be toxic. We are having to ground test under the building because of the constant water being allowed to soak into the soil. If the results are positive, the clean-up costs will run into the hundreds of thousands of dollars for which again, there are no assets for such. Property owners downhill from the grow can have their properties contaminated. Since dispensaries are an all-cash business any actual profits are quickly pocketed. Since all of the clients walking into the dispensary have significant cash on hand, they are also a target for being mugged. After all, any client either has cash or pot, both very attractive to muggers.

There is also the constant smell of the marijuana. For many, it is offensive. In the same building or nearby, clients of the business constantly smell it and complain about it. It seems particularly offensive to mothers of young children as I've had strong complaints from mothers.



The strong smell drifts downwind and seems to penetrate walls. No tenant can be located next to such a location as the smell will drive away their clients. The types of tenants a landlord really wants, will be the last ones to occupy near a dispensary. This would include athletic uses, day care centers, medical uses, etc.

I have offered to lease the units that house the dispensaries at slightly above market rate but neither landlord has any interest. I believe the reason they are willing to forgo a better lease rate and not have all the legal problems, is that they are being paid cash under the table. The common rule is that dispensaries pay three times the normal rate to landlords willing to rent to them but most of this is cash under the table. Thus, the landlord gets income tax free and earns far higher amounts they could find elsewhere. It's the neighbors that effectively pay a steep price. The reason we know of the under the table payments is because I offered to lease their units at amounts higher than the written lease with the dispensary. However, the landlords refuse to talk to any other potential tenants at any price.

The city of San Jose has made attempts to shut down the operation but have been unable to. It's become a game of cat and mouse for the city. While the city will file legal proceedings against the owners, the owners will simply change ownership among family members before anything legally can take place. Once the location is open, it's virtually impossible to get them to move or close. Changing ownership allows them to thwart most legal steps made by the city. Once a new owner is in place, the legal process to close the operation must start all over again. The city of San Jose also has a game of "whack the mole" where every time they get one dispensary closed, another one opens if not in the same spot then nearby. All dispensaries are considered illegal today and yet, there are hundreds in operation. Let's not forget that the DEA can come in at anytime and raid the place bankrupting the dispensary and leaving a mess to deal with.

Regarding zoning, medical marijuana is a both a food product and a medical product, both of which require zoning that support such uses. Placing food and medical product production near auto paint booths, chemical uses, manufacturing and other types of industrial uses can contaminate the production of productions from marijuana. If there is a grow, then every issue related to farming is important. Airborne contaminates from nearby light and heavy industrial users can create toxins within the marijuana plant. As such, it's recommended marijuana grows would not be anywhere near an industrial area as today we don't place farms next to chemical plants, nuclear plants and other industrial uses.

My goal for developing the lots above Rhodes Street would be dramatically impacted by any dispensary on the roads leading to my property. It is my belief that if a dispensary was allowed to be built, there is no way I could sell any of the homes. The impact on my use of my property would be dramatic. My experiences above are very real and I've been in this battle for two

years. In short, dispensaries make great money and all of it at great expense to their neighbors. There would be liability to the dispensary, land owner and perhaps the city. I believe that the best location for a dispensary is on the very outskirts of town where there are no nearby neighbors. They should never be located near a residential area nor a commercial area. Both would be heavily impacted. I am pleading with the city to take the lessons of other cities and provide a new zoning just for dispensaries where they can be tightly regulated from a location standpoint. Consider them similar to adult entertainment, bars or gambling locations. They should have their own specific zoning area as San Jose is currently working on. San Jose won't allow them within 1000 feet of any facility that supports children and near any residential area. Please consider the dramatic plights of other cities that are going through great expenses in dealing with the problems the dispensaries and grows create.

As the landowner, I will go to great lengths to protect the value of my property. I will do what I can legally to insure no dispensary is located anywhere near my property. If required, I will file suit to gain back the lost value of my property because of the presence of a new marijuana facility. I will seek out other nearby property owners to join me. Please do not allow a marijuana grow or dispensary anywhere near my property.

Thank you,

Scott Cooley

Owner, Cooley Commercial



Cooley Commercial | 15900 Kennedy Rd. Los Gatos, CA 95032. www.cooleycommercial.com
408-829-4130 / 408-273-6929fax

May 27, 2014

Planning Commission
 Sierra Room of the
 Carson City Community Center
 851 East William Street
 Carson City, NV 89701



Re: F5ZCA-14-025

Potential MME dispensary, cultivation, production and testing facilities zoning.

Dear Commissioners,

I am requesting that this statement be read into the record. I write this letter with extreme passion, commitment and advocacy for my community. I am the mother of 3 daughters that attend Mark Twain Elementary School. I reside in the Lone Mountain Mobile Home Community located at: 493 Hot Springs Road in Carson City. This is located in a General Commercial zone which has been considered as a potential zone for MME dispensary. I am completely opposed to the commission allowing MME dispensaries in this zone/community. There are several school bus stops on Hot Springs Road and its vicinities. I wait for my children every day in front of the STG store located on: 403 Hot Springs Road; there are several businesses in this area. I fear that an MME site be allowed to conduct business in this zone. I do not think it is morally, ethically or safe to allow this sort of business take place having children so close. I do not believe in medical marijuana and am amazed that we now, as a society, have a "medication" that has been voted in by popular vote. As we all know, marijuana is not regulated by the FDA and it is a controlled substance; according to the Federal Government it is a Schedule I Drug (Tetrahydrocannabinols THC, Delta-8 THC, Delta-9 THC, dronabinol and others). Individuals that smoke marijuana are impaired, even hours or days after use, as demonstrated by research reported by NIDA (National Institute on Drug Abuse). According to the NRS 484.C.110 it is unlawful to operate a motor vehicle under the influence of a mood altering substance including Marijuana (See attached). I fear the increased number of people that will be driving under the influence with the excuse of having a medical marijuana card. According to research conducted by NIDA smoking marijuana decreases motor functioning, these effects include altered perceptions and mood, impaired coordination, difficulty with thinking and problem solving, and disrupted learning and memory. Given there are many school bus stops and children crossing the street in my community it is of high risk to have an MME conducting business and its consumers around children waiting for their bus stop. It would be an atrocity to allow this to happen as it would send the wrong message to our children. I am a substance abuse counselor by profession and see the effects of cannabis and the distorted thinking and behaviors it causes. Marijuana is addictive and it is included in the Diagnostic and Statistical Manual of Mental Disorders Fifth Edition as a Cannabis Use Disorder. There are many risk factors that can lead and contribute to addiction such as the community, peers, school, home environment, genetic predisposition and availability. **As a mother I do not want my daughters around drugs or people that are Impaired as this increases their risk.** To conclude, I am opposed to permitting any MME in the Hot Springs zoning area and its vicinity to protect our children. I would respectfully suggest that if these MME establishments are to be in business that they operate far away from any school or school bus stops. I have attached the school bus schedules for Mark Twain, Carson Middle School and Carson High School along with a print out of the NRS 484C.110. Thank you for your time in reading this into the record.

Respectfully Submitted,

Diana Mayoral Ortiz
 775.220.6028
 3mygirlZ@gmail.com

Bus Schedule ([back](#))**Mark Twain Elementary School**

Bus #:	Time:	AM Stop	Bus #:	Time:	PM Stop
2438	7:45 AM	Community Center	9603	3:10 PM	Mark Twain
2438	7:55 AM	Crestview MHP			Elementary
2438	8:05 AM	Mark Twain	9603	3:22 PM	Hot Springs & Tiger
2438	8:05 AM	Seeliger			Drive
2438	8:25 AM	Roll In	9603	3:28 PM	Crestview MHP
9603	7:57 AM	Hot Springs & Tiger	9603	3:35 PM	Roll In
		Drive	9956	3:10 PM	Mark Twain
9603	8:05 AM	Mark Twain	9956	3:21 PM	Lone Mountain & Sage
9603	8:15 AM	Roll In	9956	3:23 PM	403 Hot Springs (@ STG Store)
9956	7:51 AM	Lone Mountain & Sage	9956	3:24 PM	Hot Springs & Sierra
9956	7:53 AM	403 Hot Springs (@ STG Store)	9956	3:26 PM	Springs Apts.
9956	7:54 AM	Hot Springs & Sierra	9956	3:29 PM	Pine & Hot Springs @ Arbor & Catalina Apts
9956	7:55 AM	Springs Apts.			3201 Pine Lane
9956	7:55 AM	Pine & Hot Springs @ Arbor & Catalina Apts	9956	3:30 PM	Kathleen & Gardengate
9956	7:57 AM	3201 Pine Lane	9956	3:32 PM	Nye & Northgate
9956	7:58 AM	Kathleen & Gardengate	9956	3:33 PM	Nye & Lavender
9956	8:00 AM	Nye & Northgate			Roll In
9956	8:01 AM	Nye & Lavender			
9956	8:07 AM	Mark Twain			
9956	8:13 AM	Roll In			

Inclement Weather Routes**After School**

Bus Schedule (<--- back)**Carson Middle School**

Bus #:	Time:	AM Stop	Bus #:	Time:	PM Stop
1223	7:15 AM	403 Hot Springs (@ STG Store)	1223	2:40 PM	Carson Middle School
1223	7:16 AM	Hot Springs & Sierra Springs Apt.	1223	2:45 PM	403 Hot Springs (@ STG Store)
1223	7:30 AM	Carson Middle School			Hot Springs & Sierra Springs Apt.
2219	6:50 AM	Roll Out	2208	2:40 PM	Carson Middle School
2219	6:59 AM	Newman & Maison	2208	2:50 PM	Boys & Girls Club
2219	7:01 AM	Longview & Ash Canyon	2219	1:55 PM	Roll Out
2219	7:02 AM	Longview & Kensington	2219	2:02 PM	Carson High School
2219	7:04 AM	Longview & Coventry	2219	2:16 PM	Crain & Highland
2219	7:07 AM	Kings Canyon & Canyon Drive	2219	2:25 PM	Carson Middle School (not a shuttle for HS)
2219	7:08 AM	4200 Kings Canyon	2219	2:37 PM	3090 Kings Canyon (PM Only)
2219	7:11 AM	Carson Middle School			Kings Canyon & Canyon Drive
2219	7:14 AM	Crain & Highland	2219	2:38 PM	4200 Kings Canyon
2219	7:22 AM	Carson High School	2219	2:43 PM	Longview & Coventry
2241	7:05 AM	Sherman & Dori	2219	2:44 PM	Longview &
2241	7:07 AM	Sherman & Sneddon			Kensington
2241	7:09 AM	2750 Carmine	2219	2:46 PM	Longview & Ash Canyon
2241	7:13 AM	Mark Twain Elementary	2219	2:49 PM	Newman & Maison
2241	7:26 AM	Carson Middle School	2219	2:57 PM	Marian & Slide Mountain
2438	7:05 AM	Roll Out			Marian & Mountain Park
2438	7:10 AM	Mark Twain Elementary	2219	2:58 PM	Carson Middle School
2438	7:22 AM	Carson Middle School	2241	2:32 PM	Sherman & Dori
2522	6:52 AM	Roll Out *	2241	2:45 PM	Sherman & Sneddon
2522	7:00 AM	S. Curry & Rhodes	2241	2:49 PM	2750 Carmine
2522	7:02 AM	S. Curry & Oneida	2241	2:51 PM	Roll Out
2522	7:04 AM	Wialaki & S. Curry	2438	2:10 PM	Carson Middle School
2522	7:06 AM	Clearview & Cochise	2438	2:25 PM	Northridge & Ridgecrest
2522	7:10 AM	Frontage Rd. & Clear Creek	2438	2:42 PM	Northridge & Carriage Crest
2522	7:12 AM	Snyder & Oak	2438	2:44 PM	Northridge & Spooner
2522	7:18 AM	Colorado & Merrit	2438	2:46 PM	Roll Out
2522	7:20 AM	Colorado & Kansas	2522	2:10 PM	Carson Middle School
2522	7:27 AM	Carson Middle School	2522	2:25 PM	S. Curry & Rhodes
2524	6:38 AM	Roll Out *	2522	2:37 PM	S. Curry & Oneida
2524	6:49 AM	Ormsby & Oak Ridge	2522	2:40 PM	S. Curry & Wialaki
2524	6:50 AM	Christmas Tree & Desert Peach	2522	2:42 PM	Clearview & Cochise
2524	6:51 AM	Evergreen & Ormsby	2522	2:44 PM	Frontage Road & Clear Creek
2524	6:52 AM		2522	2:52 PM	

		Combs Canyon & Dartmouth	2522	2:53 PM	Snyder & Oak Colorado & Merrit
2524	6:53 AM	Combs Canyon & Harvard	2522	2:55 PM	Colorado & Kansas
2524	6:54 AM	Combs Canyon & Murphy Dr	2524	1:55 PM	Roll Out
2524	6:57 AM	Lotus & Prospect	2524	2:17 PM	Carson High School (No Shuttle!)
2524	6:58 AM	Prospect & Timberline, Upper & Lower	2524	2:18 PM	Ormsby & Oak Ridge Christmas Tree & Desert Peach
2524	6:59 AM	Vista Ariana & Combs Canyon	2524	2:19 PM	Evergreen & Ormsby Carson Middle School
2524	7:00 AM	Combs Canyon & Lakeview	2524	2:37 PM	Ormsby & Oak Ridge Christmas Tree & Desert Peach
2524	7:02 AM	Combs Canyon & Meadowood	2524	2:39 PM	Evergreen & Ormsby
2524	7:07 AM	Hobart & Lakeview	2524	2:40 PM	Combs Canyon & Dartmouth
2524	7:15 AM	Carson High School			Combs Canyon & Harvard
2524	7:30 AM	Carson Middle School	2524	2:41 PM	Combs Canyon & Murphy Dr
2536	6:53 AM	Roll Out	2524	2:42 PM	Lotus & Prospect
2536	7:03 AM	Mark & Emerson	2524	2:44 PM	Prospect &
2536	7:04 AM	Arrowhead & James	2524	2:45 PM	Timberline, Upper & Lower
2536	7:05 AM	Northgate & Dean Court	2524		Overpass on Northgate
2536	7:07 AM				Vista Ariana & Combs Canyon
2536	7:10 AM	Kathleen & Gardengate	2524	2:47 PM	Combs Canyon & Lakeview
2536	7:11 AM	Imperial & Applegate	2524	2:48 PM	Combs Canyon & Meadowood Road
2536	7:13 AM	Nye & Northgate			Meadowood & Hobart
2536	7:15 AM	Hot Springs & Pine	2524	2:50 PM	Hobart & Lakeview
2536	7:17 AM	Pine & Hampton			Roll Out
2536	7:25 AM	Carson Middle School	2524	2:54 PM	Carson Middle School
2540	6:55 AM	Roll Out	2524	2:55 PM	Hot Springs & Pine
2540	7:04 AM	Kelvin & Salk	2536	2:10 PM	Hampton & Pine
2540	7:06 AM	Salk & Fermi	2536	2:25 PM	Northgate & Gardengate
2540	7:07 AM	Salk & Avery	2536	2:40 PM	Overpass on Northgate
2540	7:09 AM	Goni & Franklin	2536	2:42 PM	Northgate & Dean Ct.
2540	7:10 AM	Goni & Jefferson	2536	2:44 PM	Arrowhead & James
2540	7:11 AM	S. Sutro & Bryce			Mark & Emerson
2540	7:13 AM	S. Sutro & Emerson	2536	2:46 PM	Roll Out
2540	7:14 AM	W. Sutro & Bonanza	2536	2:47 PM	Carson Middle School
2540	7:15 AM	Bonanza & Manzanita	2536	2:49 PM	777 Silver Oak (Parkway Plaza Apts.)
2540	7:16 AM	Bonanza & Shenandoah	2540	2:51 PM	Bonanza & Shenandoah
2540	7:21 AM	777 Silver Oak (Parkway Plaza Apts.)	2540	2:25 PM	Bonanza & Manzanita
2540	7:33 AM	Carson Middle School			
2802	7:00 AM	Roll Out	2540	2:46 PM	
2802	7:07 AM	Sunrise & August			
2802	7:09 AM	E. Nye & Bowers	2540	2:47 PM	

2802	7:11 AM	E. Nye & Lida Circle	2540	2:48 PM	W. Sutro & Bonanza
2802	7:13 AM	E. Nye & Dale	2540	2:50 PM	S. Sutro & Emerson
2802	7:15 AM	E. Nye & Mayflower	2540	2:51 PM	S. Sutro & Bryce
2802	7:17 AM	E. Nye & Airport	2540	2:52 PM	Cinderlite
2802	7:19 AM	E. Nye & Poole	2540	2:54 PM	Kelvin & Salk
2802	7:32 AM	Carson Middle School	2540	2:55 PM	Salk & Fermi
2842	7:00 AM	Roll Out*	2540	2:56 PM	Salk & Avery
2842	7:05 AM	Silver Sage & Pat	2540	2:58 PM	Goni & Franklin
2842	7:06 AM	Silver Sage & Vintage	2540	2:59 PM	Goni & Jefferson
		Court	2802	2:15 PM	Roll Out
2842	7:07 AM	170 Koontz	2802	2:25 PM	Carson Middle School
2842	7:10 AM	3355 S. Carson	2802	2:35 PM	E. Nye & Poole
2842	7:17 AM	Carson High School	2802	2:37 PM	E. Nye & Airport
2842	7:30 AM	Carson Middle School	2802	2:41 PM	E. Nye & Mayflower
9603	7:13 AM	Sherman & Mayflower	2802	2:43 PM	E. Nye & Dale
9603	7:15 AM	Sherman & Century	2802	2:46 PM	E. Nye & Lida Circle
9603	7:16 AM	Century & Nye	2802	2:48 PM	E. Nye & Bowers
9603	7:18 AM	Panamint & Furnace Creek	2802	2:50 PM	Sunrise & August
9603	7:32 AM	Carson Middle School	2842	1:55 PM	Roll Out
9956	7:10 AM	Roll Out	2842	2:02 PM	Carson High School
9956	7:15 AM	Long & Humbolt	2842	2:25 PM	Carson Middle School
9956	7:16 AM	Long & Rand	2842	2:35 PM	Silver Sage & Pat
9956	7:18 AM	Rand & Karin	2842	2:36 PM	Silver Sage & Vintage
9956	7:20 AM	Molly & Camille	2842	2:38 PM	Court
9956	7:29 AM	Carson Middle School	2842	2:41 PM	170 Koontz
			9603	2:38 PM	3355 S. Carson
			9603	2:50 PM	Carson Middle School
			9603	2:53 PM	Sherman & Mayflower
			9603	2:54 PM	Sherman & Century
			9603	2:56 PM	Century & Nye
			9956	2:10 PM	Panamint & Furnace Creek
			9956	2:25 PM	Roll Out
			9956	2:41 PM	Carson Middle School
			9956	2:43 PM	Molly & Camille
			9956	2:45 PM	Rand & Karin
			9956	2:46 PM	Long & Rand
					Long & Humbolt

Inclement Weather Routes**After School**

Bus #:	Time:	PM Stop
9956	3:40 PM	CMS
9956	3:50 PM	Long & Humboldt
9956	3:50 PM	

9956	3:50 PM	Northridge & Ridgecrest Colony Youth Center (S. Curry)
9956	3:50 PM	Cherry Creek Apts.
9956	3:50 PM	Colorado & Idaho
9956	3:50 PM	Nye & Panamint
9956	3:50 PM	Nye & Kit Sierra
9956	3:50 PM	Sherman & Fairmont
9956	3:50 PM	Sherman & Dori
9956	3:50 PM	Boys & Girls Club
9956	3:50 PM	Mark Twain
9956	3:50 PM	Sierra Springs Apts.
9956	3:50 PM	Northgate & Applegate
9956	3:50 PM	Imperial & College Parkway
9956	3:50 PM	Bonanza & Shenandoah
9956	3:50 PM	Bonanza & Manzanita
9956	3:50 PM	Emerson @ Overpass
9956	3:50 PM	Goni & Jefferson
9956	4:10 PM	Roll In

Bus Schedule (<-- back)**Carson High School**

Bus #:	Time:	AM Stop	Bus #:	Time:	PM Stop
1223	6:40 AM	Roll Out *	1223	1:55 PM	Roll Out
1223	6:47 AM	Emerson & Mark	1223	2:02 PM	Carson High School
1223	6:51 AM	Northgate & Dean Ct.	1223	2:21 PM	Catalina Apartments
1223	6:52 AM	Northgate @ underpass	1223	2:23 PM	Hampton & Pine
1223	6:54 AM	Hampton & Pine	1223	2:27 PM	Northgate @ underpass
1223	6:56 AM	Catalina Apartments	1223	2:29 PM	Northgate & Dean Ct.
1223	7:05 AM	Carson High School	1223	2:31 PM	Emerson & Mark
2201	6:57 AM	Roll Out	2201	1:55 PM	Roll Out
2201	7:05 AM	Seeliger Elementary	2201	2:02 PM	Carson High School
2201	7:10 AM	Carson High School	2201	2:17 PM	Seeliger Elementary
2208	6:45 AM	Roll Out *	2208	1:57 PM	Roll Out
2208	6:51 AM	S. Curry & Rhodes	2208	2:02 PM	Carson High School
2208	6:53 AM	S. Curry & Shoshone	2208	2:16 PM	S. Curry & Rhodes
2208	6:54 AM	Wialaki & S. Curry	2208	2:17 PM	S. Curry & Shoshone
2208	6:57 AM	Clearview & Cochise	2208	2:18 PM	S. Curry & Wailaki
2208	7:00 AM	Frontage Rd. & Clear Creek	2208	2:19 PM	Clearview & Cochise
2208	7:01 AM	Snyder & Oak	2208	2:27 PM	Frontage Rd. & Clear Creek
2208	7:03 AM	3355 S. Carson	2208	2:28 PM	Snyder & Oak
2208	7:06 AM	Colorado & California	2208	2:30 PM	3355 S Carson
2208	7:07 AM	Colorado & Kansas	2208	2:33 PM	Colorado & California
2208	7:14 AM	Carson High School	2208	2:34 PM	Colorado & Kansas
2219	6:50 AM	Roll Out	2219	1:55 PM	Roll Out
2219	6:59 AM	Newman & Maison	2219	2:02 PM	Carson High School
2219	7:01 AM	Longview & Ash Canyon	2219	2:16 PM	Crain & Highland
2219	7:02 AM	Longview & Kensington	2219	2:25 PM	Carson Middle School (not a shuttle for HS)
2219	7:04 AM	Longview & Coventry	2219	2:36 PM	3090 Kings Canyon (PM Only)
2219	7:07 AM	Kings Canyon & Canyon Drive	2219	2:37 PM	Kings Canyon & Canyon Drive
2219	7:08 AM	4200 Kings Canyon	2219	2:38 PM	4200 Kings Canyon
2219	7:11 AM	Carson Middle School	2219	2:43 PM	Longview & Coventry
2219	7:14 AM	Crain & Highland	2219	2:44 PM	Longview &
2219	7:22 AM	Carson High School	2219	2:46 PM	Kensington
2241	6:42 AM	Roll Out *	2219	2:46 PM	Longview & Ash Canyon
2241	6:48 AM	Silver Sage & Sonoma	2219	2:49 PM	Newman & Maison
2241	6:49 AM	Pioche & Silver Sage	2219	2:57 PM	Marian & Slide Mountain
2241	6:51 AM	Baker & Hickory	2219	2:58 PM	Marian & Mountain
2241	6:54 AM	Baker & Colorado	2219	2:58 PM	Park
2241	7:01 AM	Carson High School	2219	1:55 PM	Roll Out
2331	6:50 AM	Roll Out *	2241	2:02 PM	Carson High School
2331	6:57 AM	Empire Ranch Rd. & Hwy 50 East	2241		

2331	6:59 AM	Frontier & Hwy 50 East	2241 2241	2:18 PM 2:21 PM	Baker & Colorado Baker & Hickory
2331	7:05 AM	Deer Run & Mallow	2241	2:22 PM	Pioche & Silver Sage
2331	7:06 AM	Pinion Hills & Laurel	2241	2:24 PM	Silver Sage & Sonoma
2331	7:08 AM	Pinion Hills & Camus	2331	1:55 PM	Roll Out
2331	7:12 AM	Eagle Valley Middle School	2331 2331	2:02 PM 2:16 PM	Carson High School Empire Ranch Rd & Hwy 50 E
2331	7:15 AM	Eagle Valley MS (Lower Gate)	2331	2:18 PM	Frontier & Hwy 50 E
2331	7:22 AM	Carson High School	2331	2:26 PM	Eagle Valley MS (Lower Gate)
2513	6:47 AM	Roll Out *			Eagle Valley Middle School
2513	6:58 AM	Goni & Jefferson	2331	2:28 PM	Boys & Girls Club
2513	6:59 AM	Goni & Kelvin			Empire Ranch Rd. & Hwy 50 East
2513	7:00 AM	Salk & Kelvin	2331	2:45 PM	Frontier & Hwy 50 East
2513	7:01 AM	Salk & Watt	2331	2:50 PM	Deer Run & Mallow
2513	7:02 AM	Salk & Fermi			Pinion Hills & Laurel
2513	7:03 AM	Salk & Avery	2331	2:52 PM	Pinion Hills & Camus
2513	7:04 AM	S. Sutro & Chollar			Roll Out
2513	7:05 AM	S. Sutro & Emerson	2331	2:57 PM	Carson High School
2513	7:06 AM	W. Sutro & Bonanza	2331	2:58 PM	Nye & Northgate
2513	7:07 AM	Bonanza & Manzanita	2331	3:00 PM	Imperial & Applegate
2513	7:08 AM	Bonanza & Shenandoah	2513	1:57 PM	777 Silver Oak (Parkway Plaza Apts.)
2513	7:13 AM	777 Silver Oak (Parkway Plaza Apts.)	2513	2:19 PM 2:20 PM	Bonanza & Shenandoah
2513	7:15 AM	Imperial & Applegate	2513	2:22 PM	Goni & Kelvin
2513	7:16 AM	Nye & Northgate			Salk & Kelvin
2513	7:26 AM	Carson High School	2513	2:25 PM	Salk & Watt
2521	6:45 AM	Roll Out *			Salk & Fermi
2521	6:50 AM	Lompa & De Ann	2513	2:26 PM	Salk & Avery
2521	6:51 AM	Damon & Conte	2513	2:27 PM	Roll Out
2521	6:52 AM	Conte & Sinbad	2513	2:28 PM	Carson High School
2521	6:54 AM	S. Edmonds & Koontz	2513	2:29 PM	Lompa & De Ann
2521	6:56 AM	Clearview & S. Edmonds	2513	2:33 PM	Damon & Conte
2521	6:58 AM	Gentry & Heidi Circle S	2513 2513	2:34 PM 2:35 PM	Conte & Sinbad
2521	6:59 AM	Gentry & Hudson	2513	2:36 PM	S. Edmonds & Koontz
2521	7:00 AM	Gentry & Snyder	2513	2:37 PM	Clearview
2521	7:01 AM	Snyder & S. Edmonds	2521	1:55 PM	Gentry & Heidi Circle South
2521	7:03 AM	1777 Race Track	2521	2:02 PM	
2521	7:04 AM	Rabe & Schulz	2521	2:15 PM	
2521	7:05 AM	Rabe Way & Coffey	2521	2:16 PM	
2521	7:06 AM	Rabe & Center	2521	2:17 PM	
2521	7:08 AM	Center & Gibson	2521	2:18 PM	
2521	7:10 AM	Barrington & Dat-So- La-Lee	2521	2:19 PM	
2521	7:11 AM	Silver Sage & Appion	2521	2:20 PM	
2521	7:12 AM				

		Silver Sage & Clearview	2521	2:22 PM	Conte & Bennett
2521	7:15 AM	Koontz & Hillview (AM Only)	2521	2:24 PM	Gentry & Hudson
2521	7:25 AM	Carson High School	2521	2:25 PM	Gentry & Snyder
2524	6:38 AM	Roll Out *	2521	2:26 PM	Snyder & S. Edmonds
2524	6:49 AM	Ormsby & Oak Ridge	2521	2:28 PM	1777 Race Track
2524	6:50 AM	Christmas Tree & Desert Peach	2521	2:30 PM	Rabe Way & Coffey
2524	6:51 AM	Evergreen & Ormsby	2521	2:31 PM	Rabe Way & Center
2524	6:52 AM	Combs Canyon & Dartmouth	2521	2:32 PM	Center & Gibson
2524	6:53 AM	Combs Canyon & Harvard	2521	2:34 PM	Barrington & Dat-So-La-Lee
2524	6:54 AM	Combs Canyon & Murphy Dr	2524	1:55 PM	Silver Sage & Appion
2524	6:57 AM	Lotus & Prospect	2524	2:02 PM	Appion & California
2524	6:58 AM	Prospect & Timberline, Upper & Lower	2524	2:17 PM	Silver Sage & Clearview
2524	6:59 AM	Vista Ariana & Combs Canyon	2524	2:18 PM	Roll Out
2524	7:00 AM	Combs Canyon & Lakeview	2524	2:19 PM	Carson High School (No Shuttle!)
2524	7:02 AM	Combs Canyon & Meadowood	2524	2:25 PM	Ormsby & Oak Ridge
2524	7:07 AM	Hobart & Lakeview	2524	2:37 PM	Christmas Tree & Desert Peach
2524	7:15 AM	Carson High School	2524	2:38 PM	Evergreen & Ormsby
2524	7:30 AM	Carson Middle School	2524	2:39 PM	Carson Middle School
2842	7:00 AM	Roll Out*	2524	2:40 PM	Ormsby & Oak Ridge
2842	7:05 AM	Silver Sage & Pat	2524	2:41 PM	Christmas Tree & Desert Peach
2842	7:06 AM	Silver Sage & Vintage Court	2524	2:42 PM	Evergreen & Ormsby
2842	7:07 AM	170 Koontz	2524	2:44 PM	Combs Canyon & Dartmouth
2842	7:10 AM	3355 S. Carson	2524	2:45 PM	Combs Canyon & Harvard
2842	7:17 AM	Carson High School	2524	2:46 PM	Combs Canyon & Murphy Dr
2842	7:30 AM	Carson Middle School	2524	2:47 PM	Lotus & Prospect
9603	6:38 AM	Roll Out *	2524	2:48 PM	Prospect &
9603	6:47 AM	Sunrise & August	2524	2:49 PM	Timberline, Upper & Lower
9603	6:49 AM	Bowers & Nye	2524	2:50 PM	Vista Ariana & Combs Canyon
9603	6:50 AM	Panamint & Nye	2524	2:51 PM	Combs Canyon & Lakeview
9603	6:52 AM	Nye & Century	2524	2:52 PM	Combs Canyon & Meadowood Road
9603	6:53 AM	Sherman & Century	2524	2:53 PM	Meadowood & Hobart
9603	6:56 AM	Sherman & Lukens	2524	2:54 PM	Hobart & Lakeview
9603	7:02 AM	Carson High School	2842	1:55 PM	Roll Out
			2842	2:02 PM	Carson High School
			2842	2:25 PM	Carson Middle School
			2842	2:35 PM	Silver Sage & Pat
			2842	2:36 PM	Silver Sage & Vintage Court

2842	2:38 PM	170 Koontz
2842	2:41 PM	3355 S. Carson
9603	1:55 PM	Roll Out
9603	2:02 PM	Carson High School
9603	2:15 PM	Sherman & Lukens
9603	2:17 PM	Sherman & Century
9603	2:19 PM	Nye & Century
9603	2:22 PM	Nye & Panamint
9603	2:24 PM	Bowers & Nye
9603	2:26 PM	Sunrise & August

Inclement Weather Routes**After School**

PROHIBITED ACTS

NRS 484C.110 Unlawful acts; affirmative defense; additional penalty for violation committed in work zone. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. It is unlawful for any person who:
 - (a) Is under the influence of intoxicating liquor;
 - (b) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; or
 - (c) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.08 or more in his or her blood or breath,
 ↳ to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access.
2. It is unlawful for any person who:
 - (a) Is under the influence of a controlled substance;
 - (b) Is under the combined influence of intoxicating liquor and a controlled substance; or
 - (c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle,
 ↳ to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access. The fact that any person charged with a violation of this subsection is or has been entitled to use that drug under the laws of this State is not a defense against any charge of violating this subsection.
3. It is unlawful for any person to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access with an amount of a prohibited substance in his or her blood or urine that is equal to or greater than:

Prohibited substance	Urine Nanograms per milliliter	Blood Nanograms per milliliter
(a) Amphetamine	500	100
(b) Cocaine	150	50
(c) Cocaine metabolite	150	50
(d) Heroin	2,000	50
(e) Heroin metabolite:		
(1) Morphine	2,000	50
(2) 6-monoacetyl morphine	10	10
(f) Lysergic acid diethylamide	25	10
(g) Marijuana	10	2
(h) Marijuana metabolite	15	5
(i) Methamphetamine	500	100
(j) Phencyclidine	25	10

4. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.08 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent.

5. A person who violates any provision of this section may be subject to the additional penalty set forth in NRS 484B.130.

(Added to NRS by 1969, 1485; A 1971, 2030; 1973, 587, 1277, 1501; 1975, 788; 1981, 1924; 1983, 1068; 1993, 539; 1999, 2451, 3415; 2001, 172; 2003, 2559, 3245)—(Substituted in revision for NRS 484.379)

NRS 484C.110 Unlawful acts; affirmative defense; additional penalty for violation committed in work zone. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. It is unlawful for any person who:
 - (a) Is under the influence of intoxicating liquor;
 - (b) Has a concentration of alcohol of 0.10 or more in his or her blood or breath; or
 - (c) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.10 or more in his or her blood or breath,
 ↳ to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access.
2. It is unlawful for any person who:
 - (a) Is under the influence of a controlled substance;
 - (b) Is under the combined influence of intoxicating liquor and a controlled substance; or

(c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle,

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ZCA-14-025

late Info

4730 Snyder Ave #3
Carson City, NV

To Carson City Planning Commission:

I am writing to express my concern about the placement of MMES in Carson City. I do not believe They should be located near residential buildings of any sort. Medical Marijuana is considered illegal at the federal level. MMES within 300 ft a general commercial zoned district could leave residents living within these zones subject to crackdowns and law enforcement raids. Please reconsider the location of MMES in Carson City.



Judith Johnson

May 21, 2014

RECEIVED

MAY 29 2014

CARSON CITY
PLANNING DIVISION

Carson City Planning Commission
851 East William Street
Carson City, Nevada

Re: File no: ZCA-14-025

Commissioners:

As property owners in Carson City, we have just received three copies of the notice of public hearing regarding marijuana business in the city.

We are concerned because the sale of marijuana (due to Federal laws against it) is a strictly cash business and as such is a magnet for criminal activity, putting a strain on local law enforcement and endangering the public.

May we suggest that the marijuana dispensaries be located inside the casinos which already have a security force in place? Better yet, why not dispense of it in licensed pharmacies by prescription, allowing for better control and record keeping like any other controlled substance.

We hope that our ideas will be considered and our concerns addressed. A response is expected.

Sincerely

Clasan & Ellis Pizzi
Trustees of Pizzi Family Trust

Susan Dorr Pansky

From: Lee Plemel
Sent: Thursday, May 29, 2014 9:48 AM
To: Susan Dorr Pansky
Subject: FW: Marijuana questions and answers

To: Planning Commission (blind copy):

Please see the email below from one of the speakers at last night's Planning Commission meeting regarding MMEs, responding to some of the comments and questions that were raised at the meeting. No response is necessary.

Lee

From: rebecca.gasca@gmail.com [mailto:rebecca.gasca@gmail.com] **On Behalf Of** Rebecca Gasca
Sent: Wednesday, May 28, 2014 7:20 PM
To: Lee Plemel
Subject: Marijuana questions and answers

Hi Lee,

Thank you so much for your work on this. Could you please forward these answers to all of the Planning Commissioners? Thanks so much!

Dear Planning Commissioners:

Thank you for your sincere interest and care during the hearing on the proposed medical marijuana ordinance. I appreciated your leeway with my lengthy testimony and I would be happy to follow up with you and present any information you would like to help you understand how dispensaries or other types of establishments operate. Additionally, I hope that you consider the following responses to your questions.

Crime Statistics

I would be happy to provide crime statistics regarding the areas where my clients are currently operating. Because of their extensive security and community outreach work, crime has unequivocally gone down. More widely, many media outlets have also covered the fact crime around licensed and regulated medical marijuana establishments have gone down. The Washington Post has extensively covered the fact that crime goes down where regulated medical marijuana establishments operate. <http://www.washingtonpost.com/blogs/wonkblog/wp/2014/03/26/no-legalizing-medical-marijuana-doesnt-lead-to-crime-according-to-actual-crime-stats/>

Crime has been shown to go down in states where medical marijuana has been allowed.

Results did not indicate a crime exacerbating effect of MML on any of the Part I offenses. Alternatively, state MML may be correlated with a reduction in homicide and assault rates, net of other covariates. These findings run counter to arguments suggesting the legalization of marijuana for medical purposes poses a danger to public health in terms of exposure to violent crime and property crimes.[\[1\]](#)

Why don't pharmacies sell marijuana?

Because marijuana is still a Schedule I substance at the federal level, pharmacists, whose licenses are regulated by the DEA, are not allowed to dispense marijuana at this time.

Where did the 300 versus 1000 feet separation requirements come from?

The 1000 foot setback requirement was based on prior federal action under the federal Controlled Substance Act when illegal sales of marijuana were made within 1000 feet of schools. The 300 foot setback from community facilities was based on a reasonable standard established when considering successes in other communities around the nation.

How many registered patients are currently in Nevada?

As of the end of April, almost 6000 patients were registered in Nevada. Here is the most recent report issued by the Department of Health and Human Services -

http://health.nv.gov/MedicalMarijuana/Reports/2014/2014_April_MMP_Report.pdf. Based on the statistics from other states, it is likely that within the first year following the opening of dispensaries, the number of patients are likely to triple.

Didn't Clark County require a setback of 660 feet from residential zoned areas?

Clark County DID NOT require any residential setback for dispensaries because they believe that patients should have easy access to their medical products. However, the Commission did require a 660 foot setback of cultivation and production facilities from residential uses. Here is a link to Clark County's approved ordinances - http://www.clarkcountynv.gov/Depts/business_license/lz/Documents/Ord7414%20adopted.pdf.

Why shouldn't dispensaries just be in industrial areas or on BLM land?

The State was very clear that patient accessibility was an important aspect to this law. Rare is the case in which an industrial area is adequately served by public transportation and neither are industrial areas generally set up for commercial transactions with the public. As such, dispensaries are much better suited to commercial areas while other MME types are best for industrial areas. No MMEs would be allowed to operate on BLM land because that would expressly violate the federal guidance given by the Department of Justice last August.

[1] <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0092816>

R

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Rebecca S. Gasca
CEO/Chief Cross-Pollinator

Pistil and Stigma Inc.
250 Bell Street
Reno, NV 89503
C ~ 775-815-4813
www.pistilandstigma.com

6/5/2014

Dear Board of Supervisors,

I am writing in regards to the ordinance amending Title 18, Zoning; Chapter 18.03, Definitions; Chapter 18.04, Use Districts; and Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, to adopt regulations to allow Medical Marijuana Establishments (MMEs) including Dispensaries, Cultivation Facilities, Production Facilities, and Testing Labs in certain zoning districts and establish development standards for such facilities.

I do not support a 1000 foot buffer between MMEs and community facilities. I do support the State-mandated 300 foot buffer for all community facilities and a 1000 foot buffer for all schools. Please bear in mind that for patients who need medical marijuana, this is truly a medicine. They should be able to access that medicine just as each of us can easily access a pharmacy. The 1000 foot buffer from all community facilities (including churches, parks, and playgrounds, etc.) is extraordinarily restrictive, and means that patients in this community would likely have to travel long distances and outside of corridors normally patrolled by law enforcement to obtain their medicine.

At the Planning Commissioner's meeting many public comments were based on emotional uneducated responses and the facts do not support their concerns.

Fact: Crime is reduced in areas where dispensaries are established.

"2009 Los Angeles Police Department survey – In response to debate over medical marijuana regulations by the Los Angeles City Council, and outcry from medical marijuana opponents that dispensaries were magnets for crime, Los Angeles Police Chief Charlie Beck asked his department to produce a report comparing the robbery rates of L.A. banks and medical marijuana dispensaries. The report indicated that there were 71 robbery reports filed with the LAPD at the city's 350 banks. Despite there being far more medical marijuana dispensaries — more than 800 at the time according to Beck — there were fewer robbery reports filed at dispensaries; just 47. When asked about the report, and claims that dispensaries are crime magnets, Beck said, "I have tried to verify that because, of course, that is the mantra. It really doesn't bear out. ... Banks are more likely to get robbed than medical marijuana dispensaries."

"LAPD Chief: Pot clinics not plagued by crime," Los Angeles Daily News, January 17, 2010.

Marijuana Majority's Tom Angell noted that, in addition to adding both security guards and increased foot traffic to a given area, dispensaries also reduce crime by allowing consumers to obtain the plant without turning to the black market.

"It's not like marijuana wasn't already being sold in these neighborhoods," said Angell. "It was being sold illegally on the street by gang members, and the cities aren't getting any tax revenue from it."

Fact: Medical Marijuana Establishments are moving into buildings that have been vacant, vandalized and/or used as temporary homes for those that are homeless. MME's are coming in and not only occupying these facilities but beautifying them, enhancing the neighborhood appearance, creating an increase in property value.

"Before the Vapor Room moved in, the neighborhood was riddled with problems: crime, illegal drugs, loitering, graffiti," said Stephanie Tucker, a medical cannabis advocate and former aide to Christina Olaug, who represented the area on the city's Board of Supervisors. "A lot of those issues actually got better because the dispensary had security and worked with other businesses in the neighborhood to build a community."

"We're actually finding they're having a positive effect by taking up retail and industrial space that would otherwise remain vacant and become a magnet for crime," said Mason Tvert of the Marijuana Policy Project. "These are also businesses with a significant level of security that can deter criminals from the whole area."

It is in everyone's best interest to have patients obtain their medicine in a safe, accessible environment, just like you would expect from a pharmacy.

Sincerely,

Dorea Shoemaker

Shane A. Johnson, MD
916 Tyner Way
Incline Village, NV 894512

6/6/2014

Dear Board of Supervisors,

While I am a resident of Washoe County rather than Carson City, I am writing in regards to the ordinance amending Title 18, Zoning; Chapter 18.03, Definitions; Chapter 18.04, Use Districts; and Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, to adopt regulations to allow Medical Marijuana Establishments (MMEs) including Dispensaries, Cultivation Facilities, Production Facilities, and Testing Labs in certain zoning districts and establish development standards for such facilities.

I understand that Carson City is considering mandating a 1000 foot setback for MMES for not only schools, but also all Community Facilities. While it is less important for Cultivation and Production Facilities, for Dispensaries in particular I believe that the existing State regulations that provide for a 1000 foot setback from schools and a 300 foot setback from Community Facilities are more than adequate.

While I understand and respect the public fears that may have guided the Planning Commissioners to make this recommendation, I would respectfully make note of the fact that we are talking about MEDICAL marijuana. Due to State regulations these facilities will be extraordinarily secure and operate under the strictest of compliance. For patients who benefit from marijuana as a medicine, ACCESS to that medicine is important. Just as each of us takes for granted our ability to easily get to a pharmacy, medical marijuana patients should be able to easily get to a dispensary. Dispensaries should not be relegated to industrial areas or the periphery of Carson City.

As a side note, I will point out that alcohol, and many pharmaceutical drugs found in pharmacies, have much more detrimental side effects, and a far greater risk of overdose and physical addiction, than medical marijuana. And yet there are no setback requirements of note for liquor stores or pharmacies. Patients who need medical marijuana should be given access to the greatest extent possible. It is only fair. Please do not increase the setback requirement for Dispensaries from Community Facilities from 300 feet to 1000 feet.

Sincerely,



Shane A. Johnson, MD



HONE COMPANY

COMMERCIAL REAL ESTATE

June 6, 2014

Carson City Board of Supervisors

RE: Medical Marijuana Dispensary Distance Restrictions

As a local commercial real estate broker, I strive to provide service to those who are looking to locate their business in our State Capital. Nevada, and especially Carson City, are known for their business friendly environment.

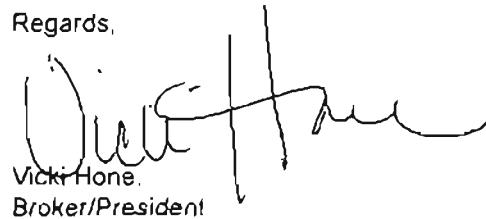
Bringing these businesses to our community entices business owners and their employees to locate their residences here, thereby boosting home sales, increasing sales tax dollars and providing needed services or products to our local consumers. This includes the operation of Medical Marijuana dispensaries.

Whether we personally agree or disagree with the sale of this and related products in our community, the residents of our state have voted to allow these types of uses to operate, under state and local ordinances and restrictions. The City of Carson is currently working to adopt fair local regulations to allow two of these types of facilities within Carson City. One of these regulations is the distance requirement, or setback, from community facilities such as schools and churches.

Discussion of having an increased distance requirement from 300 feet to 1,000 feet from community facilities, not including schools already set at 1,000 feet, appears to be a greater and unnecessary extension from the current State regulation. In my opinion, it is fair to adopt regulations for these types of uses, but that they should be allowed to operate under the same regulations in this respect, as the State regulations stipulate and not further extend the distance requirement.

Thank you in advance for the review of this opinion letter while considering the adoption of local ordinances in this matter.

Regards,



Vicki Hone
Broker/President

P.O. Box 2826, Minden, NV 89423 * (775) 782-7327 * Fax (775) 782-4699 * vhone@honecompany.com

Susan Dorr Pansky

From: FinancialGirl2@aol.com
Sent: Saturday, June 07, 2014 7:23 AM
To: Susan Dorr Pansky; Lee Plemel
Subject: Medical Marijuana Establishments

Follow Up Flag: Flag for follow up
Flag Status: Flagged

June 6, 2014

Dear Carson City Board of Supervisors,

As a resident of Carson City since 1982, and property owner in Carson City since 1993, I am writing to you to express my concern regarding zoning for medical marijuana dispensaries. Dispensaries need to be accessible for me to get medicine for my son; therefore having a 1000 foot buffer between dispensaries and community facilities is not reasonable.

I question why any Carson City specific ordinance would require a greater distance than those required in The City of Reno and/or Sparks, let alone The State of Nevada. As a parent with a child having a rare medical condition, a child who is a medical marijuana patient and card holder, I feel he, along with other qualified patients, should have access to this medicine just as other patients have access to a pharmacy. The 1,000 foot buffer from all community facilities (including churches, parks, and playgrounds, etc.) is extraordinarily restrictive, and means that patients with significant medical challenges in this community will need to travel longer distances (outside of corridors normally patrolled by law enforcement) to obtain their medicine.

At the Planning Commissioner's meeting many public comments were not based on a patients point of view. I would imagine those that spoke out against medical marijuana, would want to access their medicine easily. Pharmacies hold much stronger, deadly and expensive drugs than a dispensary will ever have.

I hope you reconsider this ordinance as it is in everyone's best interest to have patients obtain their medicine in a safe, accessible environment, just like you would expect from a pharmacy. I express additional concern since my child is one of the many patients to benefit from a safe environment.

Sincerely,

Julie Sutton