

TXT-52502

Medical Marijuana Facilities
11 February 2014



Background

- **Controlled Substances Act:** Marijuana is a Schedule 1 substance
- **States:** 21 states have implemented programs
- **Department of Justice Memo:** “Low risk for enforcement” if 8 key issues addressed
- **Nevada:** SB374 signed into law June 2013
- **City Council – February 5th, 2014**

Direction to staff:

- *Develop regulations for land use/licensing*
- *Coordinate with Clark County on proposed regulations*
- *Prepare in advance of State application cycle*



State – Requirements

- **Implementation Date:** April 2014
- **4 Facility Types:** Dispensaries (10 max.), Production, Cultivation, Testing Laboratories
- **Separation:** Min. distance from protected uses
- **Location:** Commercial/industrial districts, must be in an enclosed building
- **Appearance:** Consistent with pharmacies/ medical offices, discreet signage



State – Not Defined

- Public hearing requirements
- Hours of operation
- Building code requirements, environmental issues
- Aesthetic requirements, sign standards
- Security requirements
- Advertising limitations
- Cultivation and production limits
- Disposal requirements
- Packaging and inventory restrictions



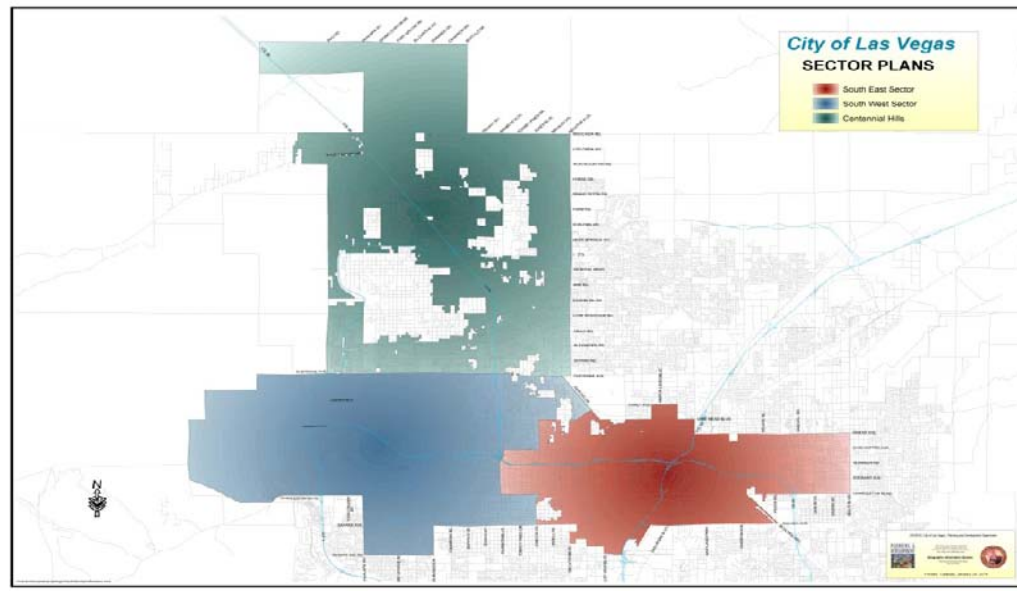
Dispensaries – Location

- **Proposed zoning districts:**
 - *C-2 (General Commercial)*
 - *C-M (Commercial/Industrial)*
 - *M (Industrial)*
- **Tourist Corridors:** No dispensary shall be located on Las Vegas Boulevard or Fremont Street



Dispensaries – Location

- Distribute dispensaries equally in each of the three sectors of the city
- For the first application cycle, limit dispensaries to one per sector



Dispensaries – Separation

- **Separation requirements for dispensaries:**
 - *1000' from any other medical marijuana establishment or a treatment facility**
 - *1000' from any school (public or private)*
 - *1000' from any church/house of worship**
 - *300' from any individual care center licensed for more than 12 children, community center, public pool or City park*
 - *200' from any residentially-zoned land**

*More restrictive than State requirements



Dispensaries – Standards

- **Facility Size:** 3,500 SF minimum, with adequate interior space for waiting/queuing areas
- **Signage:** 1 wall sign, not to exceed 10 SF/2' in height, neon not permitted
- **Exterior Appearance:** Elevations and signage to be approved by DDRC



Production/Cultivation – Location

- Production Facility:
 - *C-M (Commercial/Industrial)*
 - *M (Industrial)*
- Cultivation Facility:
 - *C-M (Commercial/Industrial)*
 - *M (Industrial)*
- Size/number of facilities to be limited by Title 6



Production/Cultivation – Separation

- Separation requirements for production/cultivation facilities:
 - 1000' from dispensaries
 - 1000' from any school (public or private)
 - 1000' from any church/house of worship*
 - 300' from any individual care center licensed for more than 12 children, community center, public pool or City park
 - 200' from any residentially-zoned land*

*More restrictive than State requirements



Production/Cultivation – Standards

- **Size:** Minimum size of a production/cultivation facility shall be 5,000 SF
- **Production:** No distillation of marijuana shall be permitted within a production facility
- **Odor Control:** Air filtration system to be designed by a Nevada licensed engineer
- **Signage:** 1 wall sign, not to exceed 10 SF/**2' in height**, neon not permitted



Testing Laboratory – Location

- “Laboratory, Medical or Dental” use to be amended to include Testing Laboratory for Medical Marijuana
- Accessory use in:
 - *P-O (Professional Office), O (Office)*
- Permitted use in:
 - *C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial)*
- No additional standards proposed



Items to be Addressed in the Licensing Code (Title 6):

- Hours of operation, delivery restrictions
- Off-premise advertising, advertising standards
- Security requirements, video monitoring
- Product labeling requirements/restrictions
- Product disposal, environmental remediation
- Privilege license review, work cards
- Product inventory, storage and control
- Insurance/bond requirements
- Audits and inspections



Timeline

- **February 11, 2014:** Planning Commission recommendations on land use regulations
- **March/April/May 2014:**
 - *Public workshops*
 - *Present Planning Commission recommendations to City Council*
 - *Prepare business license application requirements (Phase 1) and present to City Council*
- **April 2014:** State implementation deadline
- **July 2014:** Present business license operational regulations (Phase 2) to City Council

