

DEVELOPMENT PROJECT FILE
for
MEDICAL MARIJUANA AMENDMENT
(PL200016)

ATTACHMENTS:

- 1-2. Applicant's Letter of Explanation

March 20, 2020

City of Tempe
Planning Division
Mr. Ryan Levesque
31 East Fifth Street
Tempe, Arizona 85281

City of Tempe: Code Text Amendment Request; Regulated Medical Marijuana Cultivation Sites

RE: Code Text Amendment Request; Letter of Explanation, Medical Marijuana Cultivation Facility Size Restriction Change: ZDC Sec. 3-426(C)(2)

Dear Mr. Levesque,

Zoned Properties, Inc. is an Arizona-based real estate development firm that owns the industrial property located at 410 S. Madison Dr. in Tempe, Arizona. Our organization has a long-standing history of working collaboratively with the City of Tempe, city representatives, and local first-responders. Our focus continues to be on the development of a regulated marijuana program and zoning code that can drive economic growth, community prosperity, and help Tempe residents and visitors participate in a safe environment for an exciting new industry.

As you may recall, Zoned Properties has been instrumental in forming the City of Tempe's current regulated marijuana code by providing open access to our facilities, industry research to city representatives, and draft language for the current regulated marijuana ordinance.

At the recent Development Review Commission ("DRC") meeting on December 10th 2019, Chair DiDomenico and DRC committee members reviewed and discussed a proposed change to the hours of operation for retail dispensary locations. That proposed amendment was approved unanimously by the DRC with evidently strong support for bolstering long-standing, local marijuana businesses in the regulated marijuana industry. At the end of that discussion, Chair DiDomenico commented on the benefits of amending the local code to bring more regulated marijuana business to Tempe, specifically discussing the hindrance that the existing 25,000 square foot size restriction on cultivation sites could have on economic growth.

We are pleased to submit this application for a simple code text amendment to be considered as a response in support of those comments raised at the DRC meeting on December 10th, 2019 for the elimination of the 25,000 square foot size restriction on regulated marijuana cultivation facilities. Please see our very simple suggested change to the current marijuana ordinance attached to this application for consideration.

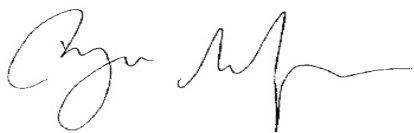
While attending and listening to both the Development Review Commission and the Tempe City Council’s first hearing to consider the code text amendment for a change in hours, it was evident that the City of Tempe DRC members and City of Tempe Council members were in support of aligning the City of Tempe with both the State regulations and also peer municipalities across the valley. We have completed some current research related to cultivation facilities size restrictions for peer municipalities in Arizona. The majority of Tempe’s peer municipalities have eliminated size limitations for cultivation facilities, with Tempe and Mesa remaining as the only municipalities with a mid-range restriction (25,000 square foot size limitation). There remain only a few municipalities with a low-range restriction (Under 5,000 square feet). Additionally, much like the City of Tempe, the majority of municipalities only allow cultivation in Industrial Zones. Please see below:

Municipality	Cultivation Facility Size Restriction (SQF)	
	Industrial Zones	Commercial Zones
Scottsdale	None	N/A
Phoenix	None	N/A
Peoria	None	N/A
Flagstaff	None	N/A
Tucson	None	4,000
Tempe	25,000	N/A
Mesa	25,000	N/A
Chandler	3,000	N/A
Gilbert	3,000	N/A

Via this application and letter, we offer our continued collaboration and support for the ongoing improvement of the City of Tempe’s regulated marijuana program. We strongly believe that the approval of this code text amendment will continue to attract sophisticated businesses to Tempe that will contribute to economic growth, community prosperity, and crime prevention through regulated and transparent business practices.

Thank you for your consideration and attention to this matter.

Sincerely,



Bryan McLaren; Chief Executive Officer
 Zoned Properties; Tempe Property Owner