CASE: ZONING TEXT AMMENDMENT ZTA18-04- MEDICAL MARIJUANA DELIVERIES
CASE #: ZTA18-04
MEETING DATE: 12/06/2018
FROM: Thomas Ritz, Senior Planner, Planning, tritz@glendaleaz.com, 623-930-2588

SUBJECT
ZONING TEXT AMMENDMENT ZTA18-04- MEDICAL MARIJUANA DELIVERIES: This is a request by Justin Schudel of Supurb Solutions LLC to adopt a new Zoning Text Amendment (ZTA) pertaining to the regulation of Medical Marijuana Dispensaries. This will apply city-wide for properties that have the appropriate zoning for Medical Marijuana Dispensaries. Staff Contact: Thomas Ritz, AICP, Senior Planner 623-930-2588.

REQUEST
Amend Section 7.802.J. of the Zoning Ordinance.

APPLICANT/OWNER
Justin Schudel, Supurb Solutions LLC.

REQUIRED ACTION
The Planning Commission must conduct a public hearing and make a recommendation to the City Council regarding the adoption of the proposed zoning code text amendment.

BACKGROUND INFORMATION
DETAILS OF THE REQUEST
The proposed change would permit off-site delivery by Medical Marijuana Dispensaries. The proposed revisions to each section are outlined below and each section of the ordinance is attached with the proposed revisions in legislative format.

Section number 7.802 Medical Marijuana Dispensary

- J. Off-site delivery is prohibited permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S. Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statutes and rules, if any.

CITIZEN PARTICIPATION TO DATE:
Applicant’s Citizen Participation Process:

On May 24, 2018 the applicant mailed notification letters to all interested parties on all the city’s interested parties list inviting them to three neighborhood meetings. The neighborhood meetings were held on June 11, 2018 at the Glendale Main Library, on June 13, 2018 at the Glendale Airport, and on June 18, 2018 at the Foothills Recreation and Aquatic Center.

Staff received two emails in opposition to the request. The applicant also provided numerous signatures of persons supporting the request.

At the main library two people attended, at the Glendale Airport no one attended, and at Foothills Recreation and Aquatic Center five attended.

Comments and questions received at the neighborhood meetings are included in the Citizen Participation Final Report. The applicant’s Citizen Participation Final Report is attached.

Planning Commission Public Hearing:

A Notice of Public Hearing was published in The Glendale Star on November 15, 2018. Notification postcards of the public hearing were mailed to interested parties on November 16, 2018.

STAFF FINDINGS AND ANALYSIS

Analysis:

- The process for amending the existing regulations concerning this use can be achieved through the adoption of this Zoning Text Amendment.
- The Zoning Text Amendment process offers additional citizen participation opportunities where citizens could provide input regarding the requested amendments;
- Following Planning Commission consideration of this proposal, the proposed Zoning Text Amendment will be forwarded to City Council for consideration.
- This amendment will address a specific issue which continues to be of interest to the community.
- There has been a significant increase in eligible patients licensed by the State of Arizona Department of Health Services over the last 5 years;
- There has been a significant increase in Medical Marijuana purchased during the last five years.

Findings:

- The amendment is consistent with the policies and objectives of the General Plan;
- The proposed amendment will allow a use which is presently occurring by other businesses doing business in Glendale.
- The proposed amendment supports the City’s goals of business attraction, business expansion and retention, redevelopment including downtown revitalization, and business assistance;
- Existing Medical Marijuana Dispensaries within the City of Glendale have been operating in the City of Glendale for five years with no issues or detrimental impacts.
The proposed amendment will not deteriorate the overall community environment and may accommodate diverse lifestyles.

RECOMMENDATION
The Planning Commission must conduct a public hearing and determine if this request is consistent with the General Plan and other adopted policies and goals.

PROPOSED MOTION
Move to recommend approval of ZTA18-04.

Attachments
Proposed Ordinance
Narrative
Citizen Participation
ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING ZONING TEXT AMENDMENT ZTA18-04 FOR MEDICAL MARIJUANA DISPENSARIES AND AMENDING THE ZONING ORDINANCE AS FOLLOWS: ARTICLE 7 (GENERAL DEVELOPMENT STANDARDS); PROVIDING FOR SEVERABILITY, SETTING FORTH AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.

WHEREAS, the City of Glendale Planning Commission held a public hearing on December 6, 2018 in zoning text amendment case ZTA18-04 in the manner prescribed by law for the purpose of amending various sections of the Zoning Ordinance for Medical Marijuana Dispensaries, and

WHEREAS, due and proper notice of such public hearing was given in the time, form, substance and manner provided by law including publication of such notice in The Glendale Star on November 15, 2018; and

WHEREAS, the City of Glendale Planning Commission has recommended to the mayor and the council approval of the zoning text amendment; as aforesaid and the mayor and the council desire to accept such recommendation and amend various sections of the zoning ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the Zoning Ordinance of the City of Glendale, Arizona, Article 7 (General Development Standards), Section 7.800 Medical Marijuana is hereby amended to read as follows:

7.802 Medical Marijuana Dispensary.

J. Off-site delivery is prohibited permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S. Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statutes and rules, if any.

...
SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 3. That the provisions of this ordinance shall become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

SECTION 4. The City Clerk is instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder’s Office.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this _____ day of ________________, 2019.

__________________________________________
Mayor Jerry P. Weiers

ATTEST:

__________________________
Julie K. Bower, City Clerk

APPROVED AS TO FORM:

__________________________
Michael D. Bailey, City Attorney

REVIEWED BY:

__________________________
Kevin R. Phelps, City Manager
Zoning Text
Amendment Materials

August 24, 2018
Project Name: Medical Marijuana Delivery Zoning Text Amendment
Location: City wide
Application #: ZTA18-04
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th></th>
<th>Project Narrative</th>
<th>Pg. 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• The Problem</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Proposed Text Amendment</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Reasons Patients Require Delivery</td>
<td>Pg. 4</td>
</tr>
<tr>
<td>3</td>
<td>Compliance</td>
<td>Pg. 5</td>
</tr>
<tr>
<td></td>
<td>• The State’s guideline for safe delivery</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Overall Impact</td>
<td>Pg. 6</td>
</tr>
<tr>
<td></td>
<td>• Benefit to Glendale, AZ</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Testimonials</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Final Citizen Participation Plan</td>
<td>Pg. 9</td>
</tr>
<tr>
<td></td>
<td>• Overview</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Notification</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Who’s Affected</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Addressing Concerns</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Notification</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Glendale Notification Letter</td>
<td></td>
</tr>
</tbody>
</table>
PROJECT NARRATIVE

The Problem:

The city of Glendale currently does not allow the state licensed dispensaries that reside inside it’s city limits to deliver and give their patients another, convenient way to obtain their medicine. In addition, dispensaries in neighboring cities can deliver into Glendale legally thus neighboring cities capture the origin-based tax revenues from the deliveries into Glendale while the deliveries also might not be on Glendale’s terms.

Neighboring Cities Delivering: Phoenix / Scottsdale / Tempe / Paradise Valley / Sun City

Proposed Text Amendment:

Suggested Strike-through to language of Section 7.802 (J): "off-site delivery is prohibited."

Suggested Amendment to language of Section 7.802 (J): "off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that full comply with A.R.S Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statuses and rules, if any."
REASONS PATIENTS REQUIRE DELIVERY

Reasons that patients require delivery includes but is not limited to:

- Bed-ridden
- Immobile
- Sick
- Privacy
- No transportation
- Time reasons
- Convenience
- Safety
COMPLIANCE

The State’s Guideline For Delivery:

Under statutes and rules, a dispensary is required to verify:

A. The validity of the qualifying patient’s registry identification card through entry of appropriate information into the mmj electronic verification system prior to consenting to delivery.

B. That the amount of mmj the qualifying patient is requesting would not cause the qualifying patient to exceed the limit on obtaining no more than two and one-half ounces of medical marijuana during any 14-calendar-day period prior to consenting to delivery, and

C. The identity of the qualifying patient prior to relinquishing possession of the mmj and any appropriate patient education and support materials offered. (A.R.S. 36-2806.02 & A.A.C. R9-17-314)

D. For transactions taking place at a location other than the dispensary, a dispensary should verify this information once more at the time and location of the transaction.

The Dispensary Agent is required to document the following:

- Amount dispensed
- The patient
- Date/time
- Dispensary Agent’s and Dispensary’s registry identification number
- Entry into point of sale
- Entry on the patient’s state record

A Dispensary is also Required:

- Complete and maintain a trip plan
- Utilize a vehicle without any medical marijuana identification
- Maintain a means of communication with the dispensary and driver
- Ensure the products are not visible and sealed
OVERALL IMPACT

*Benefit to Glendale, AZ:*

Creating Economic Growth for Glendale, AZ and Making MMJ Medicine Delivery Safe

- Increased City of Glendale Revenues from origin based tax sales
- AZDHS approved!
- Supurb System = increased safety and transparency
- Proven track record with 0 incidents
- Easier accessibility for patients to receive their medicine
- Less foot traffic in commercial areas
TESTIMONIALS

The below reviews and feedback are from verified users on google

Edda Pine
1 review
★★★★★ 9 months ago
This service is a great idea for people with disabilities. It’s very difficult for me to make my way to the dispensaries sometimes but with you guys... I can get all my medication brought straight to me wherever I am at and I really want you to know I appreciate your services!! It might not be for everyone but it makes my life easier, Thank you Supurb!! I will do what I can to help spread the word :)

Doreen Barrett
1 review
★★★★★ 9 months ago
so discrete and personal! really felt comfortable

Daniel Martin
1 review
★★★★★ 8 months ago
Supurb has been an incredible help. I find it very difficult to make it out of bed due to my disability and this company has made it much easier for me to get my meds. Thank you so much!

John Long
1 review
★★★★★ 5 months ago
Having a delivery service that carries meds from state dispensaries is a God send. Such a great service.

Pat Gross
1 review
★★★★★ 5 months ago
Getting delivers really allows me to make more time in my day, and as a busy college student time is very important.
Additional testimonials sent by email and interviewed on Fox10:

ANSWERS

FINAL CITIZEN PARTICIPATION PLAN

**Description of Proposed Project:** MMJ delivery zoning text amendment.

**Proposed Change:**

City of Glendale: Zoning Text Amendment / Ordinance Amendments for Medical Marijuana.
Section 7.802 (J): "off-site delivery is prohibited."

Suggested Strike-through to language of Section 7.802 (J): "off-site delivery is **prohibited**."

Suggested Amendment to language of Section 7.802 (J): "off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statuses and rules, if any."

**Dates Notification Letters Were Sent:** 5/24/18

**Public Notification Technique:** three city wide neighborhood meetings.

**Dates and Locations of Neighborhood Meetings:**

1. Glendale Public Library: 5959 W Brown St. Glendale, AZ 85302: Small Room – 6/11/18 at 6:00pm
2. Glendale Airport: 6801 N Glen Harbor Blvd. Glendale, AZ 85307: Suite #201 – 6/13/18 at 6:00pm
3. Glendale Foothills Recreation & Aquatic Center: 5600 W Union Hills Dr. Glendale, AZ 85308: Gecko Room – 6/18/18 at 6:00pm

Notification: Interested Parties List/Additional Notification List:

**CACTUS INTERESTED PARTIES NOTIFICATION LIST FOR PROPOSED DEVELOPMENT**

- A.J. BABINEAU  
  4815 WEST COCHISE DRIVE  
  GLENDALE AZ 85302  
- MIKE DEPINTO  
  6507 W SHAW BUTTE DR  
  GLENDALE AZ 85304-2414

- STEVEN E. FRATE  
  PO BOX 6265  
  GLENDALE AZ 85312  
- GARY HIRSCHE  
  4502 WEST ECHO LANE  
  GLENDALE AZ 85302  
- JAMES LAVIGNE  
  10227 NORTH 52ND AVE  
  GLENDALE AZ 85302

- JACK MARTINO  
  7407 NORTH 75TH DRIVE  
  GLENDALE, AZ 85303  
- WENDY DAVY  
  PEORIA UNIFIED SCH DIST.  
  6330 W THUNDERBIRD RD  
  GLENDALE AZ 85306  
- DIANE ESTERLY  
  4801 WEST CHERYL DRIVE  
  GLENDALE AZ 85302

**OCOTILLO INTERESTED PARTIES NOTIFICATION LIST FOR PROPOSED DEVELOPMENT**

- KAREN ABORNE  
  7318 WEST GRIFFIN AVE  
  GLENDALE AZ 85303  
- A.J. BABINEAU  
  4815 WEST COCHISE DR  
  GLENDALE AZ 85302

- MIKE DEPINTO  
  6507 W SHAW BUTTE DR  
  GLENDALE AZ 85304-2414  
- STEVEN E. FRATE  
  PO BOX 6265  
  GLENDALE AZ 85312  
- JACK GALLEGOS  
  5734 WEST BELMONT AVE  
  GLENDALE AZ 85301

- JACK MARTINO  
  7407 NORTH 75TH DRIVE  
  GLENDALE AZ 85303  
- WENDY DAVY  
  PEORIA UNIFIED SCH DIST  
  6330 W THUNDERBIRD RD  
  GLENDALE AZ 85306  
- MEL SMITH  
  PO BOX 12572  
  GLENDALE AZ 85318

- DIANE ESTERLY  
  4801 WEST CHERYL DRIVE  
  GLENDALE AZ 85302
<table>
<thead>
<tr>
<th>CITYWIDE INTERESTED PARTIES NOTIFICATION LIST FOR PROPOSED DEVELOPMENT</th>
<th>KAREN ABORNE</th>
<th>A.J. BABINEAU</th>
</tr>
</thead>
<tbody>
<tr>
<td>JOYCE CLARK</td>
<td>7318 W GRIFFIN AVENUE</td>
<td>4815 W COCHISE DRIVE</td>
</tr>
<tr>
<td>MIKE DEPINTO</td>
<td>6507 W SHAW BUTTE DR</td>
<td>19956 NORTH 76TH AVE</td>
</tr>
<tr>
<td>DIANE ESTERLY</td>
<td>5335 W BLOOMFIELD RD</td>
<td>7305 WEST ANGELA DR</td>
</tr>
<tr>
<td>RICK HARPER</td>
<td>6258 NORTH 88TH LANE</td>
<td>19107 NORTH 73RD LANE</td>
</tr>
<tr>
<td>JOHN AND SUE JONES</td>
<td>1907 NORTH 73RD LANE</td>
<td>19107 NORTH 73RD LANE</td>
</tr>
<tr>
<td>JOHN KOLODZIEJ</td>
<td>GLENDALE AZ 85304</td>
<td>GLENDALE, AZ 85308</td>
</tr>
<tr>
<td>MICKEY LUND</td>
<td>5560 W LARKSPUR DR</td>
<td>21656 NORTH 58TH DRIVE</td>
</tr>
<tr>
<td>MANNY MARTINEZ</td>
<td>GLENDALE AZ 85304</td>
<td>GLENDALE AZ 85308</td>
</tr>
<tr>
<td>WENDY DAVY</td>
<td>5708 W ROYAL PALM RD</td>
<td>5708 W ROYAL PALM RD</td>
</tr>
<tr>
<td>DAVID MORENO</td>
<td>GLENDALE AZ 85305</td>
<td>GLENDALE AZ 85305</td>
</tr>
<tr>
<td>DAVID PENILLA</td>
<td>8387 WEST DENTON LANE</td>
<td>8387 WEST DENTON LANE</td>
</tr>
<tr>
<td>WILLIAM RAY</td>
<td>GLENDALE AZ 85305</td>
<td>GLENDALE AZ 85305</td>
</tr>
<tr>
<td>ELAINE SCRUGGS</td>
<td>7305 WEST ANGELA DR</td>
<td>7305 WEST ANGELA DR</td>
</tr>
<tr>
<td>MARY SMITH</td>
<td>8574 W BERRIDGE LN</td>
<td>8574 W BERRIDGE LN</td>
</tr>
<tr>
<td>MICHAEL SOCACIU</td>
<td>GLENDALE AZ 85305</td>
<td>GLENDALE AZ 85305</td>
</tr>
<tr>
<td>DANIEL STREYLE</td>
<td>8968 WEST CITRUS WAY</td>
<td>8968 WEST CITRUS WAY</td>
</tr>
<tr>
<td>TOM TRAW</td>
<td>8968 WEST CITRUS WAY</td>
<td>8968 WEST CITRUS WAY</td>
</tr>
<tr>
<td>6024 NORTH 83RD AVE</td>
<td>8968 WEST CITRUS WAY</td>
<td>8968 WEST CITRUS WAY</td>
</tr>
<tr>
<td>GLENDALE AZ 85303</td>
<td>GLENDALE AZ 85303</td>
<td>GLENDALE AZ 85303</td>
</tr>
<tr>
<td>ZONING TEXT AMENDMENT MATERIALS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### YUCCA INTERESTED PARTIES NOTIFICATION LIST FOR PROPOSED DEVELOPMENT

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State, Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>KAREN ABORNE</td>
<td>7318 WEST GRIFFIN AVE</td>
<td>GLENDALEAZ 85303</td>
</tr>
<tr>
<td>A.J. BABINEAU</td>
<td>4815 WEST COCHISE DR</td>
<td>GLENDALEAZ 85302</td>
</tr>
<tr>
<td>MIKE DEPINTO</td>
<td>6507 W SHAW BUTTE DR</td>
<td>GLENDALEAZ 85304-2414</td>
</tr>
<tr>
<td>STEVEN E. FRATE</td>
<td>PO BOX 6265</td>
<td>GLENDALEAZ 85312</td>
</tr>
<tr>
<td>JACK MARTINO</td>
<td>7407 NORTH 75TH DRIVE</td>
<td>GLENDALEAZ 85303</td>
</tr>
<tr>
<td>DAVID MORENO</td>
<td>8387 WEST DENTON LN</td>
<td>GLENDALEAZ 85305</td>
</tr>
<tr>
<td>MICHAEL SOCACIU</td>
<td>8574 WEST BERRIDGE LN</td>
<td>GLENDALEAZ 85305</td>
</tr>
<tr>
<td>WENDY DAVY</td>
<td>PEORIA UNIFIED SCH DIST</td>
<td>GLENDALEAZ 85306</td>
</tr>
<tr>
<td>TOM TRAW</td>
<td>8383 W COTTON BLOSSOM TR</td>
<td>GLENDALEAZ 85305</td>
</tr>
<tr>
<td>LARRY ROVEY</td>
<td>8383 W COTTON BLOSSOM TR</td>
<td>GLENDALEAZ 85305</td>
</tr>
</tbody>
</table>

### SAHUARO INTERESTED PARTIES NOTIFICATION LIST FOR PROPOSED DEVELOPMENT

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State, Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>HARRIET AGIUS</td>
<td>7132 WEST GROVERS AVE</td>
<td>GLENDALEAZ 85308</td>
</tr>
<tr>
<td>A.J. BABINEAU</td>
<td>4815 WEST COCHISE DRIVE</td>
<td>GLENDALEAZ 85302</td>
</tr>
<tr>
<td>MIKE DEPINTO</td>
<td>6507 W SHAW BUTTE DR</td>
<td>GLENDALEAZ 85304-2414</td>
</tr>
<tr>
<td>STEVEN E. FRATE</td>
<td>PO BOX 6265</td>
<td>GLENDALEAZ 85312</td>
</tr>
<tr>
<td>RICK HARPER</td>
<td>5335 WEST BLOOMFIELD RD</td>
<td>GLENDALEAZ 85304</td>
</tr>
<tr>
<td>JACK MARTINO</td>
<td>7407 NORTH 75TH DRIVE</td>
<td>GLENDALEAZ 85303</td>
</tr>
<tr>
<td>WENDY DAVY</td>
<td>PEORIA UNIFIED SCH DIST</td>
<td>GLENDALEAZ 85306</td>
</tr>
<tr>
<td>WILLIAM RAY</td>
<td>7305 WEST ANGELA DRIVE</td>
<td>GLENDALEAZ 85308</td>
</tr>
<tr>
<td>DIANE ESTERLY</td>
<td>4801 WEST CHERYL DRIVE</td>
<td>GLENDALEAZ 85302</td>
</tr>
<tr>
<td>CHOLLA INTERESTED PARTIES NOTIFICATION LIST FOR PROPOSED DEVELOPMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HARRIET AGIUS 7132 WEST GROVERS AVE GLENDALE AZ 85308</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.J. BABINEAU 4815 WEST COCHISE DR GLENDALE AZ 85302</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MIKE DEPINTO 6507 WEST SHAW BUTTE DR GLENDALE AZ 85304-2414</td>
<td></td>
<td></td>
</tr>
<tr>
<td>STEVEN E. FRATE PO BOX 6265 GLENDALE AZ 85312</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AL LENOX 5130 W EL CAMINITO DRIVE GLENDALE AZ 85302</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JACK MARTINO 7407 NORTH 75TH DRIVE GLENDALE, AZ 85303</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DIANE ESTERLY 4801 WEST CHERYL DRIVE GLENDALE AZ 85302</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BARREL INTERESTED PARTIES NOTIFICATION LIST FOR PROPOSED DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>HARRIET AGIUS 7132 WEST GROVERS AVE GLENDALE AZ 85308</td>
</tr>
<tr>
<td>A.J. BABINEAU 4815 WEST COCHISE DR GLENDALE AZ 85302</td>
</tr>
<tr>
<td>MIKE DEPINTO 6507 WEST SHAW BUTTE DR GLENDALE AZ 85304-2414</td>
</tr>
<tr>
<td>STEVEN E. FRATE PO BOX 6265 GLENDALE AZ 85312</td>
</tr>
<tr>
<td>JANE BACHMANN 8213 NORTH 51ST DRIVE GLENDALE AZ 85302</td>
</tr>
<tr>
<td>A.J. BABINEAU 4815 WEST COCHISE DR GLENDALE AZ 85302</td>
</tr>
<tr>
<td>MIKE DEPINTO 6507 WEST SHAW BUTTE DR GLENDALE AZ 85304-2414</td>
</tr>
<tr>
<td>STEVEN E. FRATE PO BOX 6265 GLENDALE AZ 85312</td>
</tr>
<tr>
<td>DENNIS GERHARD 10613 NORTH 48TH AVE GLENDALE AZ 85304</td>
</tr>
<tr>
<td>AL LENOX 5130 W EL CAMINITO DRIVE GLENDALE AZ 85302</td>
</tr>
<tr>
<td>JACK MARTINO 7407 NORTH 75TH DRIVE GLENDALE, AZ 85303</td>
</tr>
<tr>
<td>DIANE ESTERLY 4801 WEST CHERYL DRIVE GLENDALE AZ 85302</td>
</tr>
<tr>
<td>WENDY DAVY PEORIA UNIFIED SCH DIST 6330 W THUNDERBIRD RD GLENDALE, AZ 85306</td>
</tr>
<tr>
<td>DIANE ESTERLY 4801 WEST CHERYL DRIVE GLENDALE AZ 85302</td>
</tr>
</tbody>
</table>

| CATHY CHESHIER 5896 WEST DEL LAGO CIR GLENDALE AZ 85308 |
| MIKE DEPINTO 6507 W SHAW BUTTE DR GLENDALE AZ 85304-2414 |
| ARTHUR DOBBLELAERE 19956 NORTH 76TH AVE GLENDALE AZ 85308 |
| STEVEN E. FRATE PO BOX 6265 GLENDALE AZ 85312 |
| JOHN AND SUE JONES 18658 NORTH 78TH DRIVE GLENDALE AZ 85308 |
| JACK MARTINO 7407 NORTH 75TH DRIVE GLENDALE, AZ 85303 |
| DIANE ESTERLY 4801 WEST CHERYL DRIVE GLENDALE AZ 85302 |
| WENDY DAVY PEORIA UNIFIED SCH DIST 6330 W THUNDERBIRD RD GLENDALE, AZ 85306 |
| WILLIAM RAY 7305 W ANGELA DRIVE GLENDALE AZ 85308 |
| ELAINE SCRUGGS 21656 NORTH 58TH DR GLENDALE AZ 85308 |

| LAUREN TOLMACHOFF 6820 W SONNET DRIVE GLENDALE AZ 85308 |
| DIANE ESTERLY 4801 WEST CHERYL DRIVE GLENDALE AZ 85302 |

| 13 |
Additional Notification List:

City of Glendale Mayor’s Office
Mayor Weiers
5850 W. Glendale Avenue
Glendale, AZ  85301

City of Glendale Council Office
Councilmember Aldama
5850 W. Glendale Avenue
Glendale, AZ  85301

City of Glendale Council Office
Vice-Mayor Hugh
5850 W. Glendale Avenue
Glendale, AZ  85301

City of Glendale Council Office
Councilmember Malnar
5850 W. Glendale Avenue
Glendale, AZ  85301

Thomas Ritz, Senior Planner
Planning
5850 W. Glendale Ave., Suite 212
Glendale, AZ  85301

City of Glendale Council Office
Glendale City Council Office
Councilmember Clark
5850 W. Glendale Avenue
Glendale, AZ  85301

City of Glendale Council Office
Glendale City Council Office
Councilmember Turner
5850 W. Glendale Avenue
Glendale, AZ  85301

City of Glendale Council Office
Glendale City Council Office
Councilmember Tolmachoff
5850 W. Glendale Avenue
Glendale, AZ  85301

Diana Figueroa, Management Asst.
Planning
5850 W. Glendale Ave., Suite 212
Glendale, AZ  85301

Total Number of Individuals Noticed and Number Who Participated in the Process: ~48

Who will be Affected by this Proposal: The City of Glendale, state licensed MMJ card holders residing in Glendale, Glendale dispensary owners (Paul Perez – owner of Glendale Greenhouse) / Sheraz Warrich (owner of Nirvana Center Glendale).

Reflection: After reflecting on the comments and concerns of the affected people, I believe that this language text provides Glendale’s citizens with a proven, safe, accountable way to obtain medicine and provide complete transparency through the entire process going above and beyond State requirements. It also provides the City of Glendale with all the origin-based tax revenues that are currently being lost to neighboring cities delivering into Glendale.

Notifying after the Notification Letter: Individuals will have the opportunity to discuss the proposal if issues or questions arrive by either writing, emailing the contact information on the original notification letter. If there are any changes or amendments to the proposed text amendment, a follow up notification letter will be sent.
Keeping Planning Up-to-Date: I plan to keep in constant communication via email and provide updates as we complete our CP efforts.

Date Schedule:
- Date CP submitted to project planner: 5/22/18
- Estimated plan implementation: 5/23/18
- Amount of time allowed for citizen input after implementation: 1 week
- Submittal of CP final report: 6/25/18

Questions/Concerns from Participants and Addressing Those Questions/Concerns: The concerns that were voiced were more questions directed at the general MMJ rules and regulations already existing and how they would fit into the delivery model. Safety was a concern but was addressed by providing insight on the measures that the dispensaries takes to keep their personnel safe: obtaining and holding every piece of personal information on a patient including pictures of their drivers license and state issued medical marijuana card. They also inform the patient multiple times throughout the process that the driver does not have any additional product or cash on him. Legally, delivery cars must be unmarked and policy states that a patient cannot be made aware of a delivery drivers location en-route. On top of that, it comes down to self-awareness. Logically, by allowing state licensed dispensary agents, who have had federal background checks, to take the MMJ to its destination is much safer than having it float around in public, raising the risks of increased DUI’s and issues in public areas. Another question was what extenuating circumstances would require delivery? Reasons include but are not limited to: being bedridden, immobile, sick, privacy, no transportation, time reasons, convenience, safety. Another question was what regulatory agency governs this all: Answer is AZDHS (Arizona Health Dept.). They perform monthly checks and audits to make sure regulations are being upheld. They are familiar with deliveries and approve. Another question was what other jurisdictions allow delivery? Answer is everywhere except Glendale, Avondale, Gilbert, Chandler.

Mailing List: attached as an Appendix.
# APPENDIX

**Notification List:**

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steven Frate</td>
<td>PO Box 6265, Glendale, AZ 85312</td>
<td>Jack Martino</td>
<td>7407 N. 75th Dr., Glendale, AZ 85303</td>
</tr>
<tr>
<td>Wendy Davis</td>
<td>Peoria Unified Sch Dist., 6330 W. Thunderbird Rd., Glendale, AZ 85306</td>
<td>AJ Babineau</td>
<td>4815 W. Cochise Dr., Glendale, AZ 85302</td>
</tr>
<tr>
<td>James Lavigne</td>
<td>10227 N. 52nd Ave., Glendale, AZ 85302</td>
<td>Gary Hirsch</td>
<td>4502 W. Echo Ln., Glendale, AZ 85302</td>
</tr>
<tr>
<td>Jack Gallegos</td>
<td>5734 W. Belmont Ave., Glendale, AZ 85301</td>
<td>Mike Depinto</td>
<td>6507 W. Shaw Butte Dr., Glendale, AZ 85304</td>
</tr>
<tr>
<td>Dennis Gerhard</td>
<td>10613 N. 48th Ave., Glendale, AZ 85304</td>
<td>Diane Esterly</td>
<td>4801 W. Cheryl Dr., Glendale, AZ 85302</td>
</tr>
<tr>
<td>David Moreno</td>
<td>8387 W. Denton Ln., Glendale, AZ 85305</td>
<td>Karen Aborne</td>
<td>7381 W. Griffin Ave., Glendale, AZ 85303</td>
</tr>
<tr>
<td>Rick Harper</td>
<td>5335 W. Bloomfield Rd., Glendale, AZ 85304</td>
<td>Mel Smith</td>
<td>PO Box 12572, Glendale, AZ 85318</td>
</tr>
<tr>
<td>David Penilla</td>
<td>5760 W. Lakespur Dr., Glendale, AZ 85304</td>
<td>John &amp; Sue Jones</td>
<td>18658 N. 78th Dr., Glendale, AZ 85308</td>
</tr>
<tr>
<td>Arthur Dobbelaeere</td>
<td>19956 N. 76th Ave., Glendale, AZ 85308</td>
<td>John Kolodziej</td>
<td>6258 N. 88th Ln., Glendale, AZ 85305</td>
</tr>
<tr>
<td>Daniel Streyle</td>
<td>Vermillion IDG STE 210, 3131 E. Camelback Rd., Phoenix, AZ 85016</td>
<td>William Ray</td>
<td>7305 W. Angela Dr., Glendale, AZ 85308</td>
</tr>
<tr>
<td>Jane Bachmann</td>
<td>8213 N. 51st Dr., Glendale, AZ 85302</td>
<td>Elaine Scruiggs</td>
<td>21656 N. 58th Dr., Glendale, AZ 85308</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Michael Socaciu</td>
<td>8574 W. Berridge Ln., Glendale, AZ 85305</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Al Lenox</td>
<td>5130 W. El Caminito Dr., Glendale, AZ 85302</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Larry Rovey</td>
<td>8383 W. Cotton Blossom Tr., Glendale, AZ 85305</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cathy Cheshier</td>
<td>5896 W. Del Lago Circle, Glendale, AZ 85308</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mary Smith</td>
<td>8968 W. Citrus Way, Glendale, AZ 85305</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Harriet Agius</td>
<td>7132 W. Grovers Ave., Glendale, AZ 85308</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lauren Tolmachoff</td>
<td>6820 W. Sonnet Dr., Glendale, AZ 85308</td>
</tr>
</tbody>
</table>
Additional Notification List:

City of Glendale Mayor’s Office
Mayor Weiers
5850 W. Glendale Avenue
Glendale, AZ 85301

City of Glendale Council Office
Councilmember Aldama
5850 W. Glendale Avenue
Glendale, AZ 85301

City of Glendale Council Office
Vice-Mayor Hugh
5850 W. Glendale Avenue
Glendale, AZ 85301

City of Glendale Council Office
Councilmember Malnar
5850 W. Glendale Avenue
Glendale, AZ 85301

Thomas Ritz, Senior Planner
Planning
5850 W. Glendale Ave., Suite 212
Glendale, AZ 85301

Glendale City Council Office
Councilmember Clark
5850 W. Glendale Avenue
Glendale, AZ 85301

Glendale City Council Office
Councilmember Turner
5850 W. Glendale Avenue
Glendale, AZ 85301

Glendale City Council Office
Councilmember Tolmachoff
5850 W. Glendale Avenue
Glendale, AZ 85301

Diana Figueroa, Management Asst.
Planning
5850 W. Glendale Ave., Suite 212
Glendale, AZ 85301
GLENDALE NOTIFICATION LETTER

Thursday, May 24, 2018

Justin Schudel
1834 E. Baseline Rd. #201
Tempe AZ 85283
541-760-2965
justin@supurb.com

Subject: Medical Marijuana Delivery Zoning Text Amendment

Dear Neighbor:

This letter is to inform you that I am applying for a medical marijuana delivery zoning text amendment with the City of Glendale to permit medical marijuana delivery by amending the existing zoning ordinance code Section 7.802 (J) concerning medical marijuana dispensaries.

Strike-through to language of Section 7.802 (J): "off-site delivery is prohibited."
Suggested Amendment to language of Section 7.802 (J): "off-site delivery is permissible only if the dispensary maintains and accurately practices operating procedures and policies that fully comply with A.R.S Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17."

Three neighborhood meetings will take place:
1. Glendale Public Library: 5959 W Brown St. Glendale, AZ 85302: Small Room – 6/11/18 at 6:00pm
2. Glendale Airport: 6801 N Glen Harbor Blvd. Glendale, AZ 85307: Suite #201 – 6/13/18 at 6:00pm
3. Glendale Foothills Recreation & Aquatic Center: 5600 W Union Hills Dr. Glendale, AZ 85308: Gecko Room – 6/18/18 at 6:00pm

Comments and questions will be accepted at this time. If you are unable to attend, please write, call or email me at the contact information above. You may also contact Thomas Ritz with the City of Glendale at 623-930-2588 or tritz@glendaleaz.com.

Sincerely,

Justin Schudel
ADDITIONAL QUESTIONS?

Please feel free to contact us directly. I’m happy to answer any questions or supply additional information if necessary.

Justin Schudel
Justin@supurb.com
(541) 760-2965
FINAL CITIZEN PARTICIPATION PLAN

Description of Proposed Project: MMJ delivery zoning text amendment.
Proposed Change:

City of Glendale: Zoning Text Amendment / Ordinance Amendments for Medical Marijuana.
Section 7.802 (J): "off-site delivery is prohibited."

Suggested Strike-through to language of Section 7.802 (J): "off-site delivery is prohibited."

Suggested Amendment to language of Section 7.802 (J): "off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that full comply with A.R.S Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statuses and rules, if any."

Dates Notification Letters Were Sent: 5/24/18

Public Notification Technique: three city wide neighborhood meetings.

Dates and Locations of Neighborhood Meetings:
1. Glendale Public Library: 5959 W Brown St. Glendale, AZ 85302: Small Room – 6/11/18 at 6:00pm
2. Glendale Airport: 6801 N Glen Harbor Blvd. Glendale, AZ 85307: Suite #201 – 6/13/18 at 6:00pm
3. Glendale Foothills Recreation & Aquatic Center: 5600 W Union Hills Dr. Glendale, AZ 85308: Gecko Room – 6/18/18 at 6:00pm
*THIS PAGE WAS LEFT INTENTIONALLY BLANK*
Total Number of Individuals Noticed and Number Who Participated in the Process: ~48

Who will be Affected by this Proposal: The City of Glendale, state licensed MMJ card holders residing in Glendale, Glendale dispensary owners (Paul Perez – owner of Glendale Greenhouse) / Sheraz Warrich (owner of Nirvana Center Glendale).

Reflection: After reflecting on the comments and concerns of the affected people, I believe that this language text provides Glendale’s citizens with a proven, safe, accountable way to obtain medicine and provide complete transparency through the entire process going above and beyond State requirements. It also provides the City of Glendale with all the origin-based tax revenues that are currently being lost to neighboring cities delivering into Glendale.

Notifying after the Notification Letter: Individuals will have the opportunity to discuss the proposal if issues or questions arrive by either writing, emailing the contact information on the original notification letter. If there are any changes or amendments to the proposed text amendment, a follow up notification letter will be sent.
Keeping Planning Up-to-Date: I plan to keep in constant communication via email and provide updates as we complete our CP efforts.

**Date Schedule:**

a. Date CP submitted to project planner: 5/22/18  
b. Estimated plan implementation: 5/23/18  
c. Amount of time allowed for citizen input after implementation: 1 week  
d. Submittal of CP final report: 6/25/18

**Questions/Concerns from Participants and Addressing Those Questions/Concerns:**
The concerns that were voiced were more questions directed at the general MMJ rules and regulations already existing and how they would fit into the delivery model. Safety was a concern but was addressed by providing insight on the measures that the dispensaries takes to keep their personnel safe: obtaining and holding every piece of personal information on a patient including pictures of their drivers license and state issued medical marijuana card. They also inform the patient multiple times throughout the process that the driver does not have any additional product or cash on him. Legally, delivery cars must be unmarked and policy states that a patient cannot be made aware of a delivery drivers location en-route. On top of that, it comes down to self-awareness. Logically, by allowing state licensed dispensary agents, who have had federal background checks, to take the MMJ to its destination is much safer than having it float around in public, raising the risks of increased DUI’s and issues in public areas. Another question was what extenuating circumstances would require delivery? Reasons include but are not limited to: being bedridden, immobile, sick, privacy, no transportation, time reasons, convenience, safety. Another question was what regulatory agency governs this all: Answer is AZDHS (Arizona Health Dept.). They perform monthly checks and audits to make sure regulations are being upheld. They are familiar with deliveries and approve. Another question was what other jurisdictions allow delivery? Answer is everywhere except Glendale, Avondale, Gilbert, Chandler.

**Mailing List:** attached as an Appendix.
*THIS PAGE WAS LEFT INTENTIONALLY BLANK*
Thursday, May 24, 2018

Justin Schudel
1834 E. Baseline Rd. #201
Tempe AZ 85283
541-760-2965
justin@supurb.com

Subject: Medical Marijuana Delivery Zoning Text Amendment

Dear Neighbor:

This letter is to inform you that I am applying for a medical marijuana delivery zoning text amendment with the City of Glendale to permit medical marijuana delivery by amending the existing zoning ordinance code Section 7.802 (J) concerning medical marijuana dispensaries.

Strike-through to language of Section 7.802 (J): "off-site delivery is prohibited."
Suggested Amendment to language of Section 7.802 (J): "off-site delivery is permissible only if the dispensary maintains and accurately practices operating procedures and policies that fully comply with A.R.S Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17."

Three neighborhood meetings will take place:

1. Glendale Public Library: 5959 W Brown St Glendale, AZ 85302: Small Room – 6/11/18 at 6:00pm
2. Glendale Airport: 6801 N Glen Harbor Blvd. Glendale, AZ 85307: Suite #201 – 6/13/18 at 6:00pm
3. Glendale Foothills Recreation & Aquatic Center: 5600 W Union Hills Dr. Glendale, AZ 85308: Gecko Room – 6/18/18 at 6:00pm

Comments and questions will be accepted at this time. If you are unable to attend, please write, call or email me at the contact information above. You may also contact Thomas Ritz with the City of Glendale at 623-930-2588 or tritz@glendaleaz.com.

Sincerely,

Justin Schudel
ADDITIONAL QUESTIONS?

Please feel free to contact us directly. I’m happy to answer any questions or supply additional information if necessary.

Justin Schudel
Justin@supurb.com
(541) 760-2965