



**CITY OF SPARKS, NV  
COMMUNITY  
SERVICES  
DEPARTMENT**

**To:** Mayor and City Council

**From:** Marilie Smith, Administrative Secretary

**Subject:** Report of Planning Commission Action  
CA-2-17

**Date:** June 26, 2017

**RE:** CA-2-17 – Consideration of and possible action on an ordinance amending Title 20 of the Sparks Municipal Code (Sections 20.03.25, 20.03.26 and 20.08.002) to: permit licensed medical marijuana dispensaries to sell or dispense marijuana, edible marijuana products and marijuana-infused products at retail (i.e., for adult recreational use); to permit licensed independent testing laboratories and medical marijuana production and cultivation facilities to test, produce and cultivate marijuana, edible marijuana products and marijuana-infused products at retail (i.e., for adult recreational use); and other matters properly related thereto.

Development Services Manager Karen Melby presented this item. Ms. Melby provided the Commissioners with a brief background relative to Medical Marijuana Establishments and the recent approval of temporary regulations that will allow existing Medical Marijuana Establishments to sell, manufacture, cultivate or produce at retail marijuana.

Ms. Melby shared that the Department of Taxation has indicated its intention to approve MMEs to begin operating as Marijuana Establishments offering 'at retail' marijuana beginning July 1, 2017. Staff presented the proposed timeline released by the Department of Taxation during the April 10, 2017, City Council meeting. The Sparks City Council directed the City Manager to prepare, for future City Council consideration, amendments to Title 20 and Title 5 to permit existing MMEs in Sparks to be approved as 'at retail' marijuana establishments. Ms. Melby stated that it is anticipated amendments to Title 20 and Title 5 will be presented to the City Council for public hearing and possible approval at the July 10th meeting. Ms. Melby shared that currently Title 20 does not include (non-medical) marijuana establishments as a permitted use in any of the Sparks zoning districts making it necessary to amend the code to allow 'at retail' sales.

Ms. Melby reviewed the proposed changes to Sections 20.03.025, 20.03.026 and 20.08.002. Staff is recommending approval of the code amendments to allow licensed medical marijuana establishments to provide 'at retail' marijuana. Ms. Melby presented a change in the wording in the definition of 'at retail' marijuana.

The public comment was opened, no public comment was received and the public comment was closed.

Chairman Petersen asked for further discussion or questions.

Commissioner Sperber asked Ms. Melby to provide detail regarding a stakeholders meeting that was held for the purposes of obtaining feedback regarding the proposed Title 20 and Title 5 amendments. Specifically, Mr. Sperber wanted to know if there was any negative feedback received. Ms. Melby shared that there was no negative feedback received regarding the proposed Title 20 amendments.

Commissioner Carey inquired about the operations of the current establishments. Specifically, had the City received any complaints or have there been any compliance issues associated with the establishments. Ms. Melby stated that the City had not received any formal complaints or had any compliance issues. There was a concern received regarding an issue with odor and this concern was forwarded to Washoe County District Health for investigation.

Commissioner Carey asked Ms. Melby if staff had received any input from other City departments related to the proposed changes. Ms. Melby shared that the newly proposed code amendments were a team effort. Staff worked with several other departments, including police and fire, to obtain comments and feedback.

Mr. Thornley asked Ms. Melby if there were any proposed changes to the locational criteria in the Title 20 amendment. Ms. Melby replied that there are no proposed changes to the locational criteria. In addition, Ms. Melby shared that the locational criteria for the establishments is regulated by state law with the exception of additional local criteria that was established specific to dispensaries within the City.

No further discussion. Chairman Petersen asked for a vote.

MOTION: Commissioner VanderWell moved to forward a recommendation of approval to City Council of CA-2-17 to amend Title 20 of the Sparks Municipal Code to: permit licensed medical marijuana dispensaries to sell or dispense marijuana, edible marijuana products and marijuana-infused products at retail; permit licensed independent testing laboratories and medical marijuana production and cultivation facilities to test, produce and cultivate marijuana, edible marijuana products and marijuana-infused products at retail; and other matters properly related thereto.

SECOND: Commissioner Brock.

Mr. Ornelas requested that the motion include the most recent definition of Retail Marijuana (at retail) located in Section 20.08.002 provided to the Commission at the beginning of the meeting.

Commissioner VanderWell moved to amend her original motion to add the Retail Marijuana (at retail) definition as part of her original motion. Commissioner Brock seconded the motion.

Chairman Petersen asked for discussion.

Commissioner Carey provided comment regarding land use and zoning perspectives relative to this item.

AYES: Commissioners Petersen, VanderWell, Brock, Carey, Fewins,  
Gaba and Sperber.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed.