



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

**To:** Mayor and City Council  
**From:** Janet Stout, Administrative Assistant  
**Subject:** Report of Planning Commission Action  
CA-2-14  
**Date:** March 21, 2014

**RE: CA-2-14 CITY OF SPARKS,** Consideration of and possible action on an ordinance amending Title 20 of the Sparks Municipal Code to provide zoning authorization (Section 20.41.075) for the establishment of medical marijuana cultivation facilities, independent testing laboratories and facilities for the production of edible marijuana products or marijuana-infused products and other matters properly related thereto.

An agenda item from Karen Melby recommending approval to City Council of CA-2-14 to amend Chapter 20 of the SMC to establish zoning authority for the establishment of medical marijuana cultivation facilities, independent testing laboratories and facilities for the production of edible marijuana products or marijuana-infused products.

In the year 2000, voters in Nevada passed Question 9, amending the state constitution to sanction medical cannabis (i.e. marijuana) and, specifically, to allow physicians to authorize qualified patients to consume and grow cannabis for personal use. The State Legislature passed and Governor Sandoval signed into law SB 374, which directs the Nevada Department of Health and Human Services to develop regulations for and to oversee the creation of licensed establishments for the production, testing, and dispensing of cannabis and cannabis-infused products to authorized patients for medical use.

The Division of Public and Behavioral Health of the Nevada Department of Health and Human Services have issued proposed regulations for the operation of medical marijuana establishments. It is anticipated that in April 2014 the final regulations will be issued and the state will begin a process to accept applications for "registration certificates" for medical marijuana establishments.

As part of the State's review of these applications, the locations must be identified. If the local government has not enacted zoning restrictions, the medical marijuana establishment is not required to secure approval from the local government. By enacting regulations in Sparks, this will give the City review and input of operation for these types of facilities. The code amendment establishes zoning regulations for cultivation, independent testing labs, and production of infused products into edible products. This code amendment restricts the three uses to the City's industrial district

along with the issuance of an Administrative Review.

The public hearing was opened.

The public hearing was closed.

MOTION: Planning Commissioner Lean moved to forward a recommendation of approval to City Council of CA-2-14 to amend Chapter 20 of the Sparks Municipal Code to establish zoning authority for the establishment of medical marijuana cultivation facilities, independent testing laboratories and facilities for the production of edible marijuana products or marijuana-infused products.

SECOND: Planning Commissioner Nowicki.

AYES: Planning Commissioner Lean, Nowicki, Cammarota, and Fewins, and Sanders.

NAYS: None.

ABSTAINERS: None.

ABSENT: Sperber and Voelz.

Passed.