

Late Material
Public Comment
09-15-2022

From: [Public Comment](#)
To: [Alexis Philippi](#)
Subject: FW: Agenda items 15A, 16A, 16B
Date: Wednesday, September 14, 2022 2:07:55 PM

James Salanoa | Community Relations Coordinator
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From: Patty Toone <patty.toone@gmail.com>
Sent: Wednesday, September 14, 2022 12:42 PM
To: Public Comment <PublicComment@carson.org>
Subject: Re: Agenda items 15A, 16A, 16B

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Please read my comments into the public record.
Thank you,
Patricia Toone

On Wed, Sep 14, 2022, 11:34 AM Patty Toone <patty.toone@gmail.com> wrote:

Dear Board of Supervisors,

The homeless problem gets worse by the day. I don't believe it is a housing problem, but a human problem. The primary causes are drug addiction and mental illness. With that said, the homeless are still able to make rational decisions about where they will live, mostly based on the permissive policies of the community. Culver City and Venice CA are good examples. Venice has tents, Culver City does not.

Is the goal of Carson City to have more homeless housing and medical Marijuana sites with drive through service?

Let's mix compassion with common sense and stop the self destructive behavior. Let's offer hope through mental health treatment, drug rehabilitation and job training.

If you build it, they will come.. is this the direction that the citizens of Carson City want?

Sincerely,

| Patricia Toone

Silver State Government Relations



Principals

Will Adler – will@ssgr.us

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Senior Associate

Alex Tanchek – alex@ssgr.us

September 14, 2022

Board of Supervisors,

On behalf of Green Thumbs Industries (dba Rise Carson City), they would ask the Board to reconsider the zoning barriers put in place during Carson City's zoning of medical marijuana dispensaries back in 2014. As you can see in the maps included with this comment, the zoning of marijuana dispensaries is limited to the dispensary overlay Carson City allows them in. Currently, CCMC 18.04.135 and 18.04.150 restrict all cannabis dispensaries to two strips of land along South Carson Street south of Koontz Lane, and east along Highway 50 from I-580 to Lyon County.

GTI is very fond of Carson City, is proud of the operations they have been able to bring to this town, and wishes to continue to grow and perfect the license that the Board now wishes GTI to open. It is with that in mind that I would refer the Board to GTI's previously stated concerns around the limited number of currently appropriate dispensary locations within Carson City. As of September 14th, 2022, GTI representatives were able to identify 57 leasable retail properties within Carson City (identified as red dots on our supplementary lease map). Of those 57 retail locations, only 6 fell within the current zoning districts that allow for cannabis dispensaries and of those 6 properties, only 1 might meet the minimum requirements for parking spaces or the required distance from a park, school, or residentially zoned parcel.

Again, GTI would like to take this opportunity to thank Carson City for all of the opportunities this community has offered to GTI. The Rise Carson City store was one of the company's first and still one of their fondest dispensary operations. From sponsoring the Boys and Girls Club Luau to charitable drives of all varieties, GTI Rise has been here for Carson City and has supported this community wherever and whenever they were asked to step up. At this time, I would ask Carson City to do the same.

GTI would request that the Board provides direction to Carson City staff to begin the process of amending CCMC 18.04.135 and 18.04.150 to allow for dispensaries to be zoned into additional commercial areas within Carson City. Without these changes, the feasibility of perfecting the fourth license would be in jeopardy and the quality of the operation GTI would be permitted to bring to Carson City would be less than anybody would prefer.

Thank you,

Will Adler

Silver State Government Relations

18.04.135 - General commercial (GC).

The purpose of the GC District is to preserve a commercial district limited primarily to retail and wholesale sales of new and used material, repair and service facilities, and offices. Temporary unscreened outdoor display and sale of merchandise for a period not to exceed 30 days within a calendar year may be authorized by the Director pursuant to subsection 8 of CCMC [18.02.115](#), which establishes provisions relating to outdoor sales and activities.

1. The Primary Permitted Uses in the GC District are retail and wholesale uses, and other uses of a similar nature. Except for any use described in subsection 3 of CCMC [18.04.135](#) that is a general commercial conditional use which requires a Special Use Permit, retail commercial uses as described in CCMC [18.04.130](#) are allowed in addition to the following:

- Animal hospital;
- Appliance repair shop;
- Archery range;
- Assayer;
- Assembly (of product incidental to sales use and limited to thirty percent (30%) of the primary uses floor area);
- Auction sales;
- Automobile repair;
- Ballroom;
- Billiard or pool hall;
- Bookbindery;
- Diaper service;
- Display designer;
- Express office;
- Facial cosmetic shading, permanent;
- Lithographer, screen printer;
- Nightclub;
- Parcel delivery service, branch (off-street loading only);
- Pawn shop;
- Personal storage within an enclosed building (no storage of paints or chemicals);
- Plumbing and heating equipment and supplies;
- Second hand business;
- Sign painting and lettering;
- Sport playing field;
- Sports arena;
- Taxidermist;
- Thrift store;
- Tire sales, repair and mounting;
- Upholstery (wholesale, retail, installation and incidental manufacturing);
- Warehouse.

2. The accessory permitted uses incidental to primary permitted uses in the GC District are:

- Automobile pawn (accessory to automobile sales);
- Home occupation;
- Outside storage (subject to [Division 1](#) and [1.12](#) Outside Storage of the Development Standards);
- Temporary outdoor sales subject to Title 18.02.115.8 (Outdoor Sales and Activities).

3. The Conditional Uses in the GC District which require approval of a Special Use Permit are:

- Ambulance service and garage;
- Armored car service and garage;
- Automobile body repair, painting, towing service and garage (vehicles must be stored within enclosed sight-obscured area). The following conditions shall apply to auto body repair in addition to all other requirements in this chapter.
 - a) Required minimum land area in the GC District for auto body repair shall be twelve thousand (12,000) square feet.
 - b) All outside storage containers or other similar enclosures shall be screened to public rights-of-way by a maintained one hundred percent (100%) sight obscuring fence or wall permanently installed and maintained at a minimum height of six (6) feet.
- Automobile pawn (not accessory to automobile sales);
- Bus line office, service and storage garage;
- Cabinet shop (manufacturing);
- Cemetery, mausoleum, sarcophagus, crypt;
- Child care facility;
- Community/regional commercial or office center;
- Congregate care housing/senior citizen home;
- Crematorium;
- Equipment rental (outside storage);
- Farmers market;
- Flea market (indoor);
- Golf course and driving range;
- Hospital;
- Hotel, residence;
- Medical Marijuana Dispensary or Marijuana Retail Store (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments), limited to those areas zoned General Commercial within Sections 29 through 32 of Township 15 N., Range 20 E., south of Moses Street (South Carson Street vicinity) and within Sections 1, 2, 9, 10, 11 and 12 of Township 15 N., Range 20 E., and Section 36 of Township 16 N., Range 20 E., east of the I-580 freeway (Highway 50 East vicinity)).
- Mobilehome park;
- Municipal well facility;
- Permanent outdoor sales subject to Title 18.02.115.8 (Outdoor Sales and Activities);
- Recreational vehicle park;
- Recycling collection center;
- Schools, K—12, college or university;

- Single-family two-family and multi-family dwelling;
- Utility substation;
- Welding supplies and gases (retail and wholesale sales) (no filling or repair of cylinders);
- Youth recreation facility.

(Ord. 2007-23 § 1 (part), 2007: Ord. 2006-4 § 10 (part), 2006: Ord. 2001-23 § 2 (part), 2001).

([Ord. No. 2008-33, § V, 9-4-2008](#); Ord. No. [2014-10](#), § II, 7-3-2014; Ord. No. [2017-21](#), § II, 10-5-2017)

18.04.150 - General industrial (GI).

The GI District is established to preserve an industrial district for uses engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Specific uses set forth in this section are prohibited in the Limited Industrial and Air Industrial Park districts unless specifically identified as a use in those sections.

1. The Primary Permitted Uses in the GI District are the uses as described below and other uses of a similar nature. Any permitted or conditional uses described in any commercial district or limited industrial district which are not identified as GI conditional uses are allowed, but does not include outdoor recreational use or facility nor any residential use except as watchman's quarters in conjunction with those uses permitted exclusively in GI District.

- Automobile pawn shop;
- Automobile storage (no dismantling);
- Blacksmith shop;
- Building material (bulk)/lumber storage yard and sales;
- Butane, propane storage and sales;
- Cannery;
- Cement or direct products sale;
- Cesspool cleaner yard;
- Contractor's large equipment, sales, repair, supplies, or storage;
- Crane storage yard;
- Crating and hauling depot or storage
- Crop dusting equipment yard;
- Die casting;
- Distillation of liquor;
- Dog training school;
- Dry cleaning plant;
- Equipment storage yard;
- Farm products storage;
- Grain elevator;
- House mover;
- Industrial service firms;
- Laboratories (chemist, veterinarian, and research);
- Machine shop;
- Metal working plant, plating, shaping and bending process;
- Paving contractor large equipment, sales, service and storage;
- Planing mill;
- Power plant (electrical or gas);
- Radio studio or TV station with antenna towers;

- Recycle center;
 - Road building equipment sales and storage;
 - Septic tank service;
 - Sheet metal shop;
 - Stone grinding;
 - Tattoo parlor (body piercing, accessory);
 - Termite or pest control;
 - Tire rebuilding, retreading;
 - Tractor service;
 - Tree service;
 - Truck depot, parking, repair;
 - Welding shop;
 - Wood storage yard screened from view from public right-of-way with six-foot sight obscuring fence or wall.
2. The Accessory Permitted Uses, incidental to Primary Permitted Uses, in the GI District are:
- Mechanical equipment building
 - Storage containers subject to the Director's approval and [Division 1](#) and [1.10](#) Personal Storage of the Development Standards
3. The Conditional Uses in the GI District which require approval of a Special Use Permit are:
- Acetylene manufacturing and sale;
 - Acid manufacturing and sales (including class H products);
 - Adult entertainment facility (no adult entertainment facility shall be located within one thousand (1,000) feet of a park, church, school, residential use district or other adult entertainment facility or in any general industrial district located west of the east boundary of Sections 21, 28 and 33 of T.16 N., R. 20 E., M.D.B.M., Sections 4, 9, 16, 21, 28 and 33 of T. 15 N., R. 20 E., M.D.B.M. and Sections 4 and 9 of T.14 N., R. 20 E.) No outcall performers are permitted outside of this area;
 - Ammunition manufacturing;
 - Asphalt manufacturing;
 - Auto wrecking yards;
 - Bulk station (fuel);
 - Chemical manufacturing;
 - Child care facility (accessory use to a business within the main building or within an accessory building);
 - Chromium plating;
 - Coal and coke yard;
 - Concrete batch plant;
 - Contractor's wrecking yard;
 - Creosote manufacturing;
 - Disinfectant manufacturing;
 - Dye manufacturing;
 - Dump refuse or disposal yard;

- Electroplating works;
- Explosive manufacturing;
- Flea market;
- Foundry;
- Excavation/mining, gravel pit;
- Hide and tallow processing;
- Incineration of animals and garbage;
- Insecticide manufacturing;
- Junk dealer's yard;
- Leather tanning;
- Loading space(s) within two hundred fifty (250) feet of a residential zoning district or use;
- Lubrication compounds, manufacturing;
- Marijuana Distributor (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments));
- Matches, manufacturing;
- Meat packer;
- Medical Marijuana Cultivation Facility or Marijuana Cultivation Facility (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation;
- Medical Marijuana Dispensary or Marijuana Retail Store (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments), limited to those areas zoned General Industrial within Sections 1, 2, 11 and 12 of Township 15 N., Range 20 E., and Section 36 of Township 16 N., Range 20 E (Highway 50 East vicinity));
- Medical Marijuana Product Manufacturing Facility or Marijuana Product Manufacturing Facility (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation;
- Medical Marijuana Testing Facility or Marijuana Testing Facility (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any

property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation;

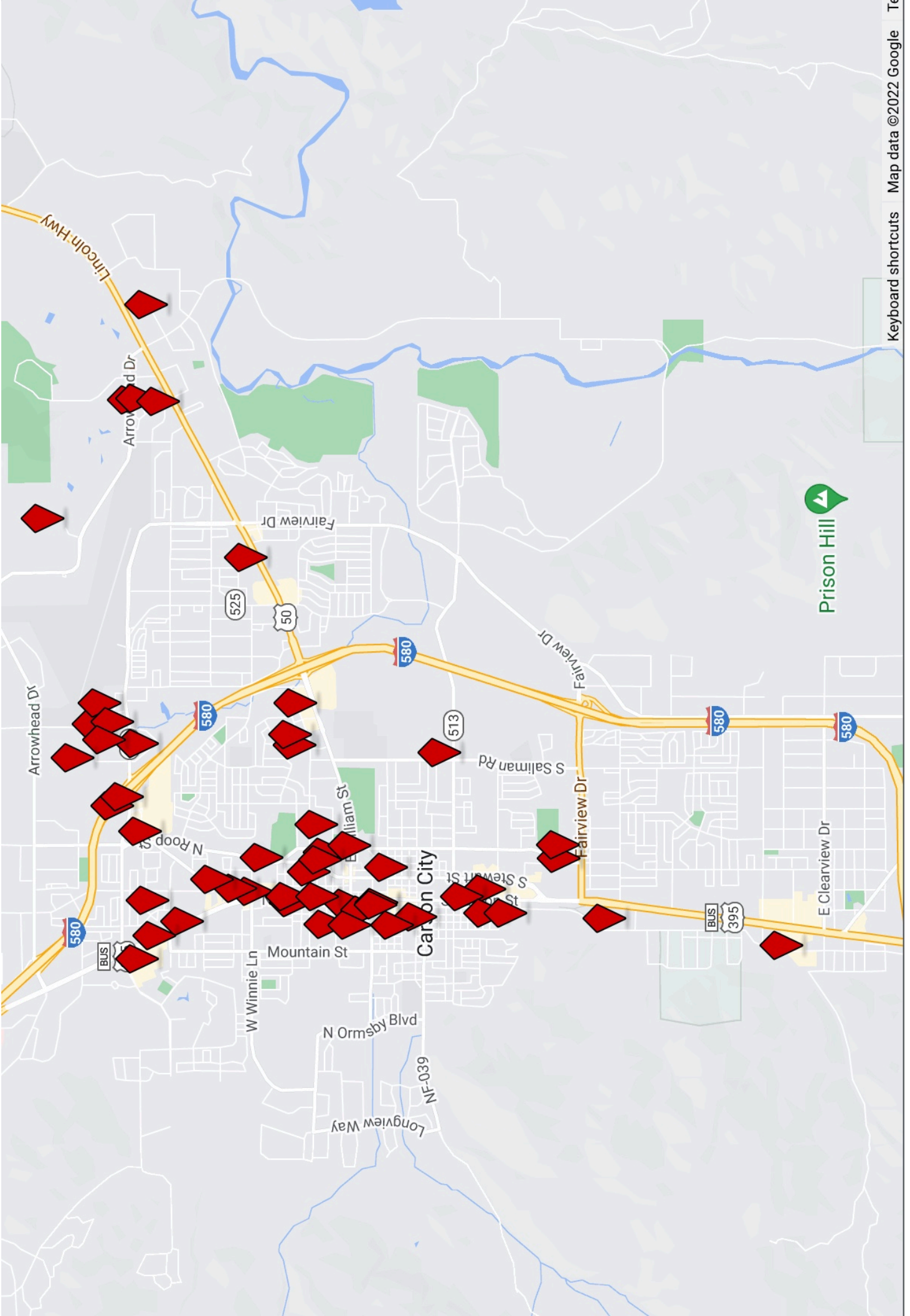
- Metal ore reduction;
- Milling company;
- Motorcycle race track;
- Ore dump;
- Oxygen manufacturing;
- Paint manufacturing;
- Plastic products manufacturing;
- Quarry, stone;
- Rendering works;
- Rock crushing and stripping;
- Scrap metal processing;
- Sewer service equipment yard;
- Slaughterhouse;
- Stockyard;
- Tannery;
- Topsoil stripping;
- Tire manufacturing
- Utility Substation;
- Water, oil, gas or geothermal drilling operations;
- Other conditional uses requiring a special use permit are those which may produce excessive noise, gaseous byproducts, obnoxious odors, by or of an inflammable or explosive nature, cause dust which may be offensive to adjoining property owners, or which the planning commission may consider to be detrimental to the public's health, safety and welfare.

4. The following uses are prohibited within the GI District:

- Churches;
- Institutions;
- Outdoor recreational use or facility;
- Residential uses;
- Schools (other than vocational).

(Ord. 2007-23 § 1 (part), 2007: Ord. 2006-4 § 10 (part), 2006: Ord. 2004-12 § 3, 2004: Ord. 2001-23 § 2 (part), 2001).

([Ord. No. 2008-33, § VII, 9-4-2008](#); Ord. No. [2014-10](#), § III, 7-3-2014; Ord. No. [2017-5](#), § II, 4-6-2017; Ord. No. [2017-21](#), § IV, 10-5-2017)



Carson City Dispensary Zoning

The allowable zoning for Dispensaries in Carson city per current zoning areas

Last edit was 8 minutes ago

◆ Add layer Share Preview

Untitled layer

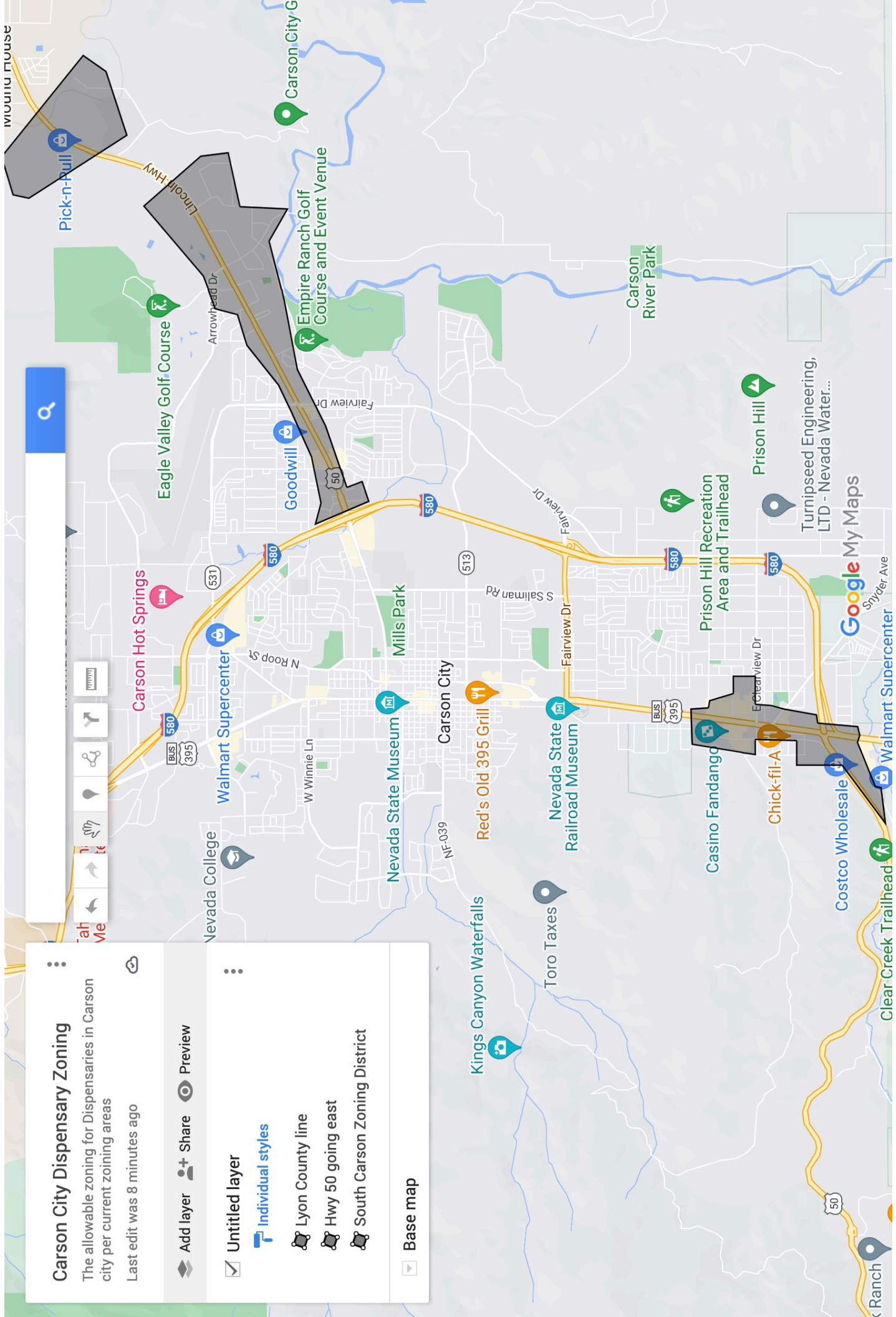
Individual styles

Lyon County line

Hwy 50 going east

South Carson Zoning District

Base map



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PLANNING DIVISION

Nevada Appeal | Saturday, April 30, 2022 | A25

ACLU sues to change Nevada cannabis listing

By Geoff Dornan
gdornan@nevadaappeal.com

The American Civil Liberties Union has filed suit in Las Vegas demanding the state remove cannabis from its list of schedule 1 drugs.

Schedule 1 drugs are those deemed to have no medical or beneficial use such as methamphetamine, heroin and cocaine.

The petition filed in Clark County District Court argues that is an unconstitutional violation of what Nevada voters approved when they

legalized pot, directing that it be treated like alcohol and removed from the state's list of controlled substances.

"Police departments and district attorneys in Nevada have wasted an immense amount of taxpayer dollars by seeking criminal convictions and penalties for small time cannabis possession," said ACLU lawyer Sadmira Ramic. "Despite Nevada voters' explicit desire to have cannabis treated like alcohol, it is readily apparent that they are treated very differently."

Ramic charged that cannabis must be removed from the list of schedule 1 drugs, saying failure to do so violates the Nevada Constitution which recognizes the medical value of cannabis.

Nevada voters amended

the state constitution in 2000 to recognize the medical uses of pot. Then, in 2016, voters legalized possession of pot for recreational purposes.

The lawsuit was filed by ACLU on behalf of the Cannabis Equity and Inclusion Community.

Nevada Appeal | Saturday, April 9, 2022 | A9

Nevada to get \$284 million in opioid settlement cash

Nevada Appeal Capitol Bureau

Attorney General Aaron Ford says Nevada will receive \$284 million in opioid settlement cash later this month.

Nevada reached settlements with Johnson & Johnson and with opioid distributors AmerisourceBergen, Cardinal Health and McKesson.

He said the money will go directly to dealing with the harm done to Nevadans by the opioid epidemic. He said it will give

the state, counties and cities the funding and tools needed to help the victims of opioid addiction.

He said Nevada has been uniquely impacted by the opioid crisis and continues to be one of the hardest hit states in the nation.

The settlement follows the \$45 million settlement with opioid consultants McKinsey and Co., that provided the marketing plans used by the largest makers of the drugs to increase sales and use of opioids.

Ford said Nevada will also participate in the \$26 billion opioid settlement with the three largest distributors of the drugs which will net the state some \$231.6 million over the next 18 years.

All the money received from these settlements will be distributed according to the Fund for Resilient Nevada created by Senate Bill 390 in 2021. The state, counties and cities will work together to develop plans designed to maximize the use of the money.

State Supreme Court: Employees can be fired for using marijuana

By Geoff Dornan
gdornan@nevadaappeal.com

The Nevada Supreme Court on Thursday rejected the argument that, since using pot is not a criminal offense in Nevada, bosses can't legally fire a worker for marijuana use when not at work. Danny Ceballos filed suit after he was terminated as a dealer at Palace Station.

According to the unanimous opinion, he tested positive for marijuana after arriving for work because he had used the drug at home the night before. He cited state statute creating a "private right of action" for employees who are fired for the lawful use of any product outside the premises of their workplace when off duty.

The justices agreed with the district court decision that marijuana use doesn't qualify for that protection because even though adult recreational use is not a crime in Nevada, it remains unlawful because another statute allows employers to prohibit the use of pot by employees and the drug remains illegal at the federal level.

Ceballos was tested after he shipped and fell in the employee break room and he was terminated.

The opinion by Justice Kris Pickering also rules that while recreational marijuana use was decriminalized by the Legislature and governor, it remains illegal. Recreational pot was decriminalized by a voter initiative effective Jan. 1, 2017. That initiative stated that adult recreational marijuana use is "exempt from state prosecution."

But justices ruled that doesn't make it lawful. They ruled that state laws cannot completely legalize marijuana use because the drug remains illegal under federal law which must be followed in Nevada. They quoted a similar case in Colorado that stated that nothing in the statute limits the term "lawful" to state law.

Therefore, Ceballos' use of marijuana isn't protected by the Nevada statute and Palace Station had the legal power to fire him for violating company policy.

CANNABIS IN NEVADA'S CAPITAL - HOW THIS HAPPENED

Carson City is one of those Nevada jurisdictions where "Big Marijuana" has found a home. Recreational marijuana should not be allowed in Carson City because voters rejected retail sales of recreational marijuana in the 2016 general election.

The Board of Supervisors who had already decided to allow both medical and recreational marijuana to be in our homes and with reduced enforcement on our streets ignored the vote of our citizens. This put our community on a course to become in two short years the number one community in drug related deaths (News 4-Fox11 Digital 8/4/19 study by 24/6 Wall St/USA Today). What a position to be in, out doing both Clark and Washoe counties for the most drug related deaths per capita in Nevada as reflected in the survey. It should be noted that marijuana is a "gateway drug" and classified as a Class I drug under the Federal Controlled Substance Act.

In 2013, a proposal was introduced by a commercial real estate broker and Carson City Board of Supervisors member to allow retail sales of marijuana for medical use. This public official engaged in marketing of the property and business location, then introduced the agenda item, acted in discussion, and voted for approval of the resolution and ordinance. There are Ethics Statutes that govern elected and public officials and prohibit this type of personal involvement. Public records from 2013 to 2017 show board member(s) directed and expanded other cannabis/marijuana businesses in Carson City. Zoning changes in certain locations, marketing certain properties, licensing marijuana type businesses and other actions that involved three of the board members in pursuing marijuana businesses would be part of the economic growth that was projected for the community.

The time has come to reverse the damage the former Board of Supervisors caused this city by their unethical conduct which has brought the city to be #1 in drug deaths. Two board members are needed to introduce a resolution and bill to restrict sales of recreational marijuana. This action would open debate in the community and expose collusion, collaboration and malfeasance by public officials who have violated their oath(s) of office.

Complaints in writing to the Ethics Commission is the normal procedure when naming public officials that use their government position(s) to enhance their own personal interest. Certain officials are excluded from scrutiny. The Ethics Commission takes no responsibility to investigate certain complaints of misconduct by Carson City officials who violate ethic statutes. Other community members have experienced the same rejection by the commission when filing complaints against the same Carson City official(s).

Examples of collusion among elected officials, ethics commission, and city staff include, the former city manager leaving to work in the drug industry, the state tax director who rushed early start marijuana licensing then left his position to associate with the former law firm of the mayor. Another example of an ethic commission member who donated campaign dollars to the supervisor who originated, introduced, and acted upon medical and recreation marijuana sales and markets commercial property for the industry. These are violation of the state's Ethics Statutes and have exasperated the existing opioid crisis in Carson City.

City business records are not available for public review for the cannabis industry. Residents who use marijuana in their homes may influence their young children (students) who could become users and dependent on marijuana as well as experiment with other drugs. Past news articles involving juveniles as young as 13 using a gun to obtain marijuana, selling marijuana at the high school, or packing marijuana on their person to be used at lunch break or other school activities are just a few examples of how far the community is out of control.

The former United States Attorney for Nevada has declared the marijuana industry "to be a public corruption threat" and "Nevada's regulatory structure is at best inept and at worst corrupt."

A DISCUSSION OF PUBLIC CORRUPTION & MALFEASENCE WHILE IN OFFICE SHOULD BE ADDRESSED WITH COMMUNITY INVOLVEMENT INSTEAD OF ADDING "POT SHOPS "



On October 5, 2017 the AB+C Cannabis Squad was established within the Board of Supervisors with the passage of Bill No 124 & 125 (Ordinance #2017-21 & 2017-22). ("A" represents Supervisor Abowd; "B+" represents Supervisor Bonkowski colluding w/Supervisors Bagwell & Barrette; and "C" represents Mayor Crowell) to include recreational marijuana as a lawful Carson City business. The proposed Logo as indicated on the front cover depicts the names of those in their official capacity who override Carson City Voters rejection of recreational marijuana sales in the election of 2016. They violated their Oath of Office, ethical, and other federal and state statutes. This BOS will be known as AB+C Capital City Cannabis Squad (AB+C CCCS) on all future correspondence relating to this matter. Additional information would be forthcoming when a grand jury is impaneled to investigate license



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