PLANNING COMMISSION REPORT

Meeting Date: July 12, 2023
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Harvest of Scottsdale
10-UP-2015#4

Request to consider the following:

1. A recommendation to City Council regarding a request by owner for an amendment to an existing conditional use permit (10-UP-2015#3) for a marijuana dispensary, including elimination of the 5-year timing stipulation and the addition of drive-through operations for a site located at 15190 N Hayden Road with Industrial Park (I-1) zoning.

Goal/Purpose of Request

The applicant's request is to add drive-through operations to an existing marijuana dispensary and eliminate the need for future conditional use permit renewals.

Key Items for Consideration

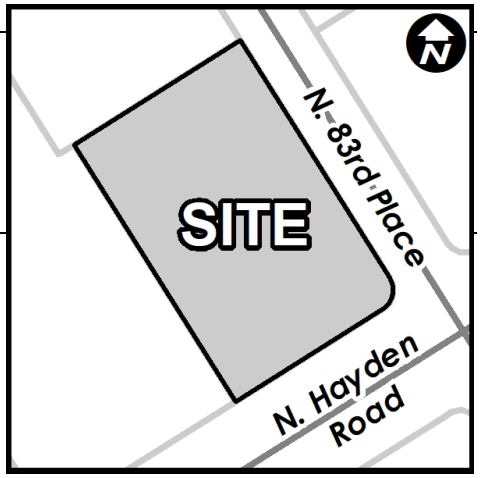
- Conditional Use Permit Criteria
- No known violations or complaints reported regarding existing use
- Related text amendment to add drive-through operations (2-TA-2022)
- No public comment has been received

OWNER

CLG Investments, LLC
(303) 827-9039

APPLICANT CONTACT

Harvest of Scottsdale
Lauren Niehaus
(303) 827-9039



Action Taken _____

LOCATION

15190 N Hayden Rd

BACKGROUND

General Plan

General Plan Land Use Element designates the property as Employment. This category is intended to support a variety of employment uses including office, light manufacturing, and light industrial. Locations have been identified for employment areas where impacts on residential neighborhoods are limited and access is available to labor pools and transportation facilities.

Character Area Plan

The subject property is located within the boundaries of the Greater Airpark Character Area Plan (GACAP). The GACAP future land use map designates this site as Employment (EMP). The Employment area is intended to include an array of office, commercial, warehousing, and light industrial land uses that provide for business enterprises, as well as regional and local jobs.

Zoning

The site is zoned Industrial Park (I-1) district. The I-1 zoning district allows for a variety of light manufacturing, light industrial, aeronautical, office, and support uses to sustain and enhance major employment opportunities. The I-1 district allows a medical marijuana use, subject to a Conditional Use Permit.

Context

The subject property is located at the southwest corner of N. Hayden Road and N. 83rd Place. The existing dispensary occupies the entire building. Surrounding uses include office, aviation, warehouse, and retail. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Office, zoned Industrial Park (I-1) district.
- South: Retail, showroom, zoned Industrial Park (I-1) district.
- East: Office, zoned Industrial Park (I-1) district.
- West: Retail, showroom, zoned Industrial Park (I-1) district.

Other Related Policies, References:

- 10-UP-2015: Original Conditional Use Permit for a Medical Marijuana Use (Dispensary) at the subject site (1-year term)
- 10-UP-2015#2: Conditional Use Permit renewal for a Medical Marijuana Use (Dispensary) at the subject site (5-year term)
- 10-UP-2015#3: Conditional Use Permit renewal and amendment to expand hours of operation for a Medical Marijuana Use at the subject site (Active, 5-year term, began 11/23/2020)

- 2-TA-2022: Pending text amendment to Zoning Ordinance to allow drive-through operations for marijuana uses.
- Arizona Revised Statutes, Title 36, Chapter 28.1
- Arizona Department of Health Services, Title 9, Chapter 17

APPLICANT'S PROPOSAL

Development Information

The applicant is requesting approval of a Conditional Use Permit amendment to delete the existing stipulation requiring renewal after 5-years and to add drive-through operations to the existing facility. The existing dispensary is in a building previously occupied by a bank which already had drive-through lanes. The existing site circulation and building configuration will accommodate the proposed drive-through operations without modification.

- Existing Use: Marijuana dispensary
- Proposed Use: Marijuana dispensary
- Parcel Size: 1.08 acres
- Parking Required: 28 spaces
- Parking Provided: 31 spaces
- Floor Area: 6,800 square feet (including drop-off bay area)

IMPACT ANALYSIS

Land Use

The dispensary occupies the existing building in its entirety. The facility operates similar to a medical office and retail use, with foot traffic including patients, caregivers, and general public. The surrounding area is home to a variety of professional offices and retail uses, similar in intensity and character to the proposed use. Other than adding the drive-through operation, the applicant is not proposing any changes to the existing dispensary operations, and there have been no reported complaints regarding the existing use.

City Regulations

In 2011, the City of Scottsdale Zoning Ordinance was amended in response to the Arizona Medical Marijuana Act (Proposition 203), which legalized the use of marijuana (or cannabis) for medical purposes only (8-TA-2010). How marijuana uses are regulated varies from city to city. In the case of Scottsdale, it was determined that marijuana uses only be permitted in three zoning districts: Commercial Office (C-O), Light Industrial (I-1) and Special Campus (S-C), and that a Conditional Use Permit be required to locate in any of these three districts. Presently, there are six (6) marijuana uses operating in Scottsdale: five (5) dispensaries and one (1) cultivation facility.

Shortly after the original ordinance was adopted, an amendment was approved in 2012 (8-TA-2010#2) in response to knowledge gained through implementation of the original ordinance. This

amendment consolidated all Marijuana uses into one use category and expanded the list of protected uses. A third amendment was approved in 2016 (8-TA-2010#3) that further expanded the list of protected uses and increased the previously established separation requirements for new MM uses established after September 30, 2016.

On November 3, 2020 the voters of Arizona passed the Smart and Safe Arizona Act (Proposition 207). The ballot initiative made the Arizona Department of Health Services responsible for adopting rules to regulate marijuana, including the licensing of a new type of marijuana dispensary (for recreational use), cultivation facilities, production facilities and marijuana testing facilities. In June 2021 the Scottsdale City Council approved an amendment to the zoning ordinance (6-TA-2020) allowing recreational marijuana uses at facilities that are also licensed for medical marijuana uses.

Currently the zoning ordinance allows for marijuana uses, including dispensaries, subject to approval of a conditional use permit by the City Council. Section 1.403.M. of the zoning ordinance includes criteria specific to marijuana uses, one of which does not allow for drive-through or drive-in operations at a marijuana establishment. The applicant is proposing (through related application 2-TA-2022) to amend this section of the zoning ordinance to allow a marijuana use to have drive-through operations. State Law does not prohibit drive-through operations for marijuana uses and there are other dispensaries in other valley cities which currently operate drive-through dispensaries.

Conditional Use Permit (Active Permitted Uses Existing as of September 30, 2016)

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and City Council has found as follows:

A. That the granting of such Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:

   1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.

      - **With the exception of the proposed drive-through window, all operations associated with this use will be conducted within the building. No processing or cultivation is proposed at this location that might require the use of machinery. All products offered for sale will arrive prepackaged in sealed, air tight, bar coded packages ready to sell. No damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination is anticipated.**

   2. Impact on surrounding areas resulting from an unusual volume or character of traffic.

      - **As the proposed use is a dispensary only with no cultivation or processing, it is anticipated the facility will generate traffic similar to a medical office or retail use, both of which are prominent in this area. The existing dispensary is in a building previously occupied by a bank which already had drive-through lanes. The existing site circulation and building configuration will accommodate the proposed drive-through operations without modification. No significant impacts to existing traffic patterns, or increase in traffic volume is anticipated.**

B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

- **It is anticipated the use will continue to operate similar to a medical office or retail use, both of which are prominent in this area. The subject site is located in an area occupied by a variety of professional office, retail, and restaurant uses of similar or higher intensity than the proposed use. The proposed use is reasonably compatible with the uses in the area.**

C. The additional conditions in Section 1.403 have been satisfied:
The proposal meets the provisions for Medical Marijuana use as identified in Zoning Ordinance Section 1.403.M., including:

1. All operations are conducted within a completely enclosed building, in conformance with Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, and regulations issued thereunder, as amended.

   - **All operations are conducted within a fully enclosed building, with the exception of necessary security measures as required by the Public Safety and Refuse Control Plan.**

2. The Medical Marijuana use is not located within 500 feet of any of the following protected districts or uses:

   a. Any residential zoning district, or the residential portion of a Planned Community District (PCD), or any portion of a Planned Residential Development (PRD) with an underlying residential zoning district.

   b. Manufactured Home District (M-H).

   c. Any elementary or secondary school.

   - **The facility is not located within 500 feet of any of the above uses or districts.**

3. The Medical Marijuana use is at least 1,320 feet from the following uses within the City limits:

   a. Medical marijuana caregiver cultivation use.

   b. Any medical marijuana use; however, no separation between these uses is required in the Industrial Park District (I-1) where a medical marijuana caregiver cultivation use and a medical marijuana use hold a state issued caregiver registry identification card and a non-profit medical marijuana dispensary registration certificate under the same name or entity.

   - **The facility is not located within 1,320 feet of any other medical marijuana facility.**

4. All distances are measured from the wall of the medical marijuana dispensary use nearest to the district(s) or use(s) indicated above, to the nearest property line of the district(s) or use(s) indicated above.

   - **All separation requirements were measured and confirmed as indicated above.**

5. The applicant has provided a written exterior refuse control plan, subject to City approval.

- **A Public Safety and Refuse Control Plan has been reviewed and approved by the Scottsdale Police Department. Conditions of the plan will be implemented and enforced by the City's Code Enforcement Division and the Scottsdale Police Department.**

6. The applicant has provided a written public safety plan, subject to City approval.
   - **A Public Safety and Refuse Control Plan has been reviewed and approved by the Scottsdale Police Department. Conditions of the plan will be implemented and enforced by the City's Code Enforcement Division and the Scottsdale Police Department.**
7. The hours of operation for a medical marijuana use that provides, shares, exchanges, sells, or dispenses medical marijuana are no earlier than 6:00 AM and not later than 10:00 PM.
   - **The proposed hours of operation for this facility are Monday thru Sunday, 6:00 AM to 10:00 PM.**
8. There is no take-out window, or drive-in services permitted. *****
   - **There is not a take-out window or drive-in service proposed.**
9. Drive-through services may be permitted, subject to City Council approval. *****
   - **The applicant is requesting approval of drive-through service with this request.**

***Note: Criteria 8 and 9 as shown above include modifications as requested in related text amendment application 2-TA-2022.**

Water/Sewer

No cultivation is proposed for this location. Existing water and sewer infrastructure is sufficient to accommodate a Marijuana Use.

Public Safety

The Scottsdale Police Department has been involved in reviewing the proposal to allow drive-through operations at dispensaries. There are no objections to the proposed amendment, subject to the Police Department review and approval of a Public Safety and Refuse Control Plan detailing the security measures addressing drive-through operations. A comprehensive Public Safety and Refuse Control Plan has been reviewed and approved by the Scottsdale Police Department. The nearest fire station is located at 14970 N 78th Way. No significant impacts to existing service levels are anticipated.

Community Involvement

The applicant notified all property owners within 750 feet of the site by mail, and City staff also notified all property owners within 750 feet of the site by mail. Additionally, the site has been posted with required signage. As of the date of this report staff has not received any public comment regarding the application.

Policy Implications

The 5-year timing stipulation on marijuana uses was a practice started in 2011 when marijuana uses in the state of Arizona were new and potential impacts were unknown. From 2011 to 2021 there were 5 marijuana uses operating in the City of Scottsdale, and since 2021 there are 6 marijuana uses in operation. Operation of marijuana uses (cultivation and dispensaries) over the last 12 years has shown that these uses have not generated any negative impacts to the communities within which they are located. Staff has not received any complaints regarding the existing facilities, and Police records show that calls for service at marijuana establishments are commensurate to general office or retail uses within the same areas. The City Council approved removal of the time stipulation on the most recent conditional use permit amendment (8-UP-2012#3), which was approved 1/11/2022, for a dispensary located at 8729 E. Manzanita Drive.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission find that the Conditional Use Permit criteria have been met, and make a recommendation to City Council for approval, per the attached stipulations.

RESPONSIBLE DEPARTMENT

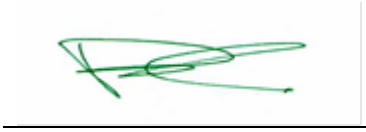
Planning and Development Services

Current Planning Services

STAFF CONTACT

Bryan Cluff
Planning & Development Area Manager
480-312-2258
E-mail: bcluff@ScottsdaleAZ.gov

APPROVED BY



6/28/2023

Bryan Cluff, Report Author — Date



6/28/2023

Tim Curtis, AICP, Current Planning Director — Date
Planning Commission Liaison
Phone: 480-312-4210 Email: tcurtis@scottsdaleaz.gov



06/29/2023

Erin Perreault, AICP, Executive Director — Date
Planning, Economic Development, and Tourism
Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov

ATTACHMENTS

1. Context Aerial
2. Resolution No. 12878
   - Exhibit 1: Site Location Map
   - Exhibit 2: Stipulations
   - Exhibit A to Exhibit 2: Site Plan
   - Exhibit B to Exhibit 2: Floor Plan
   - Exhibit 3: Additional Criteria
3. Applicant's Narrative
4. Zoning Map
5. Public Safety and Refuse Control Plan
6. Community Involvement
7. City Notification Map



Context Aerial

10-UP-2015#4

Attachment 1

RESOLUTION NO. 12878

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, FOR AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT (10-UP-2015#3) FOR A MARIJUANA DISPENSARY, INCLUDING ELIMINATION OF THE 5-YEAR TIMING STIPULATION AND THE ADDITION OF DRIVE-THROUGH OPERATIONS FOR A SITE LOCATED AT 15190 N HAYDEN ROAD WITH INDUSTRIAL PARK (I-1) ZONING.

WHEREAS, the Planning Commission held a public hearing on July 12, 2023;

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council finds:

a) that eliminating the timing stipulation and amending this conditional use permit per stipulations set forth on **Exhibit 2** will not be materially detrimental to the public health, safety or welfare based on, but not limited to, the following factors: damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination and impact on surrounding areas resulting from an unusual volume or character of traffic;

b) that the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas; and

c) that the additional zoning requirements necessary for marijuana use, set forth on **Exhibit 3,** have been met.

Section 2. That a description of the conditional use permit is set forth in Case No. 10-UP-2015#4. The property that is subject to the conditional use permit is shown on **Exhibit 1** and the conditional use permit approval is conditional upon compliance with all the stipulations that are set forth in **Exhibits 2 and 3**. All exhibits are incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ___ day of _____, 2023.

ATTEST:

By:_____
Ben Lane
City Clerk

CITY OF SCOTTSDALE, an Arizona municipal corporation

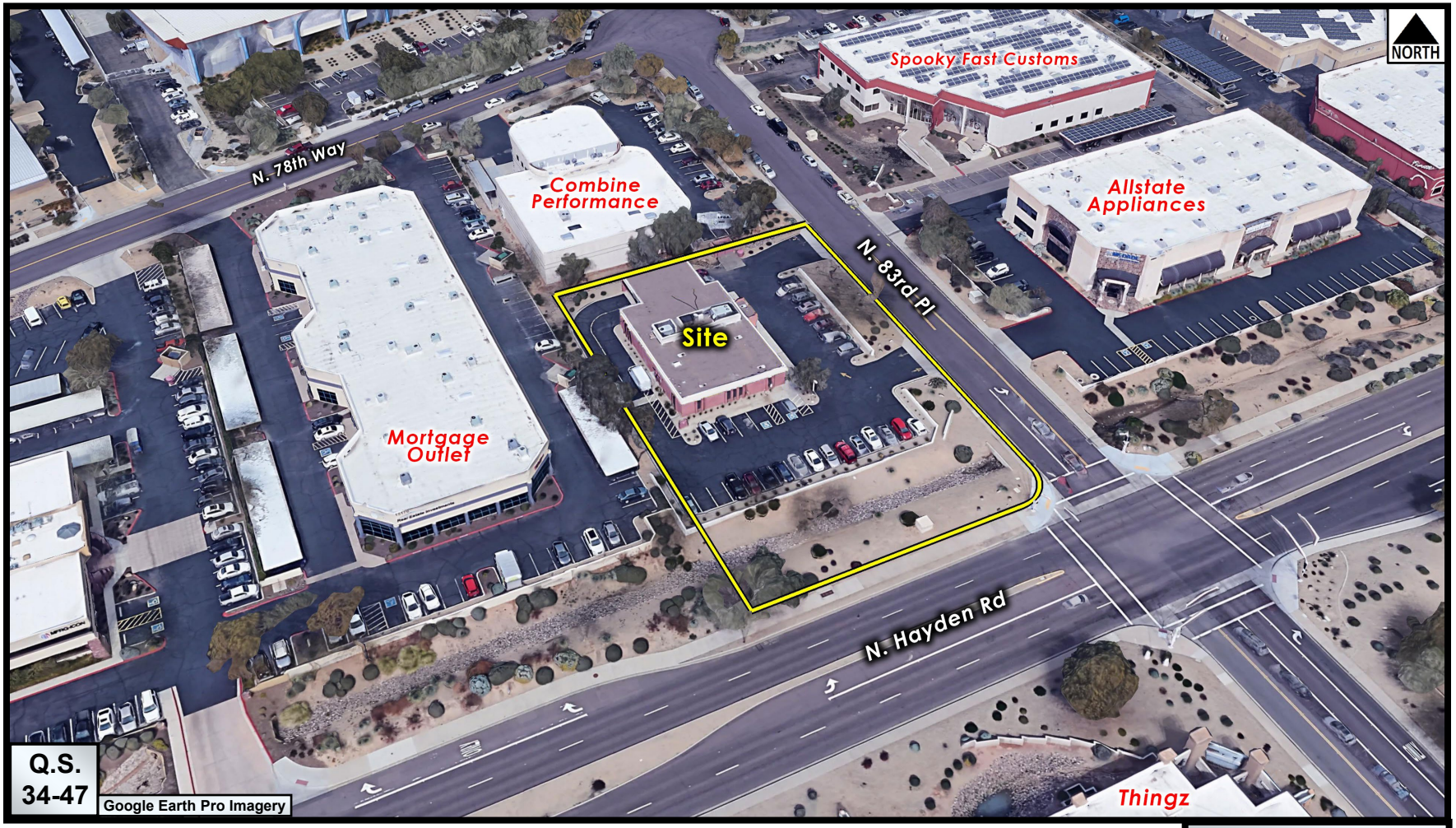
By:_____
David D. Ortega
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

Attachment 2

By:_____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney

DRAFT



Close-up Aerial

10-UP-2015#4

Resolution No. 12878
Exhibit 1

Stipulations for the Conditional Use Permit
For a Marijuana Use
Harvest of Scottsdale
Case Number: 10-UP-2015#4

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

OPERATIONS

1. CONFORMANCE TO SITE PLAN. The location of the medical marijuana use on the property shall be in substantial conformance with the site plan provided by the applicant, with the city staff date of 2/15/2023, and attached as Exhibit A to Exhibit 2 to Resolution No. 12878. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. CONFORMANCE TO FLOOR PLAN. The layout of the facility shall be in substantial conformance with the floor plan provided by the applicant, with the city staff date of 2/15/2023, and attached as Exhibit B to Exhibit 2 to Resolution No. 12878. Any proposed significant change to the conceptual floor plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. PUBLIC SAFETY AND REFUSE CONTROL PLAN. The operations of the Medical Marijuana Dispensary shall conform to the Public Safety and Refuse Control Plan approved by, and on record with, the Scottsdale Police Department and the Planning and Development Services Division. A copy of the approved Public Safety and Refuse Control Plan shall be maintained on-site. Within 10 days after a request by the City Manager or designee, the owner shall provide an update of the Public Safety and Refuse Control Plan to the Scottsdale Police Department and the Planning and Development Services Division. At least 10 days prior to any operational changes to the Medical Marijuana Dispensary that modify the requirements or contents of the Public Safety and Refuse Control Plan, the owner shall submit a revised Public Safety and refuse Control Plan to the Scottsdale Police Department and the Planning and Development Services Division. Any proposed amendments to the Public Safety and Refuse Control Plan are subject to approval by the Scottsdale Police Department and the Planning and Development Services Division.

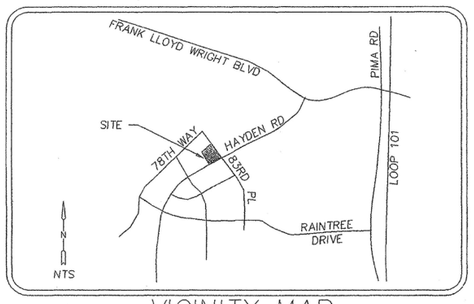
4. HOURS OF OPERATIONS. Per the applicant's Operation Plan, the hours of operation for this facility shall be limited to:

	Open to Customers	Close to Customers
Sunday	6:00 AM	10:00 PM
Monday	6:00 AM	10:00 PM
Tuesday	6:00 AM	10:00 PM
Wednesday	6:00 AM	10:00 PM
Thursday	6:00 AM	10:00 PM
Friday	6:00 AM	10:00 PM
Saturday	6:00 AM	10:00 PM

ADMINISTRATIVE/PROCESS

~~5. TERM OF CONDITIONAL USE PERMIT. This conditional use permit is valid for five (5) years, unless it is first amended or renewed.~~

6. CONDITIONAL USE PERMIT ADMINISTRATIVE REVIEW. Within ten (10) days after a request by the Zoning Administrator or designee, the owner shall submit a letter to the Zoning Administrator or designee demonstrating compliance with all stipulations. A deviation from any stipulations or change in the floor plan may be grounds for revocation of the Conditional Use Permit.
7. CHANGES IN OWNERSHIP. Within ten (10) days after a change in ownership, the owner shall provide notice to the Zoning Administrator in writing of any such ownership change.
8. COMPLIANCE WITH STATE LAW. The owner shall maintain in good standing all appropriate permits, licenses and certificates from the State of Arizona.



VICINITY MAP

Items Corresponding to Schedule B

1. Easements, restrictions, reservations, conditions and set-back lines as set forth on the plat recorded in Book 307 of Maps, Page 3, M.C.R.
2. Covenants, Conditions, and Restrictions in the document recorded as 86-634383, of Official Records and re-recorded as 87-027270 of Official Records.
3. An easement for sign and incidental purposes, recorded as 87-030148 of Official Records.
4. An easement for electrical lines and incidental purposes, recorded as 87-498360 of Official Records.

UTILITY EASEMENT PER DKT 87-498360
(LEGAL IS NOT SPECIFIC AS TO LOCATION OF TIE TO LOT 2)

LOT AREAS:

GROSS LOT AREA:	47,164 SQ FT
AREA OF EASEMENTS:	10,424 SQ FT
NET LOT AREA:	36,740 SQ FT

LEGEND

- BACK FLOW PREVENTER
- CATCH BASIN
- DRYWELL OR CATCH BASIN
- STREET LIGHT ELECTRIC BOX
- ELECTRIC CABINET
- FIRE HYDRANT
- HANDICAPPED SPACE
- LIGHT POLE
- SEWER MANHOLE
- STREET SIGN
- STREET LIGHT
- TELEPHONE RISER
- TRAFFIC SIGNAL
- TRAFFIC SIGNAL BOX
- WATER METER
- WATER VALVE
- IRRIGATION CONTROLL BOX
- IRRIGATION CONTROLL VALVE

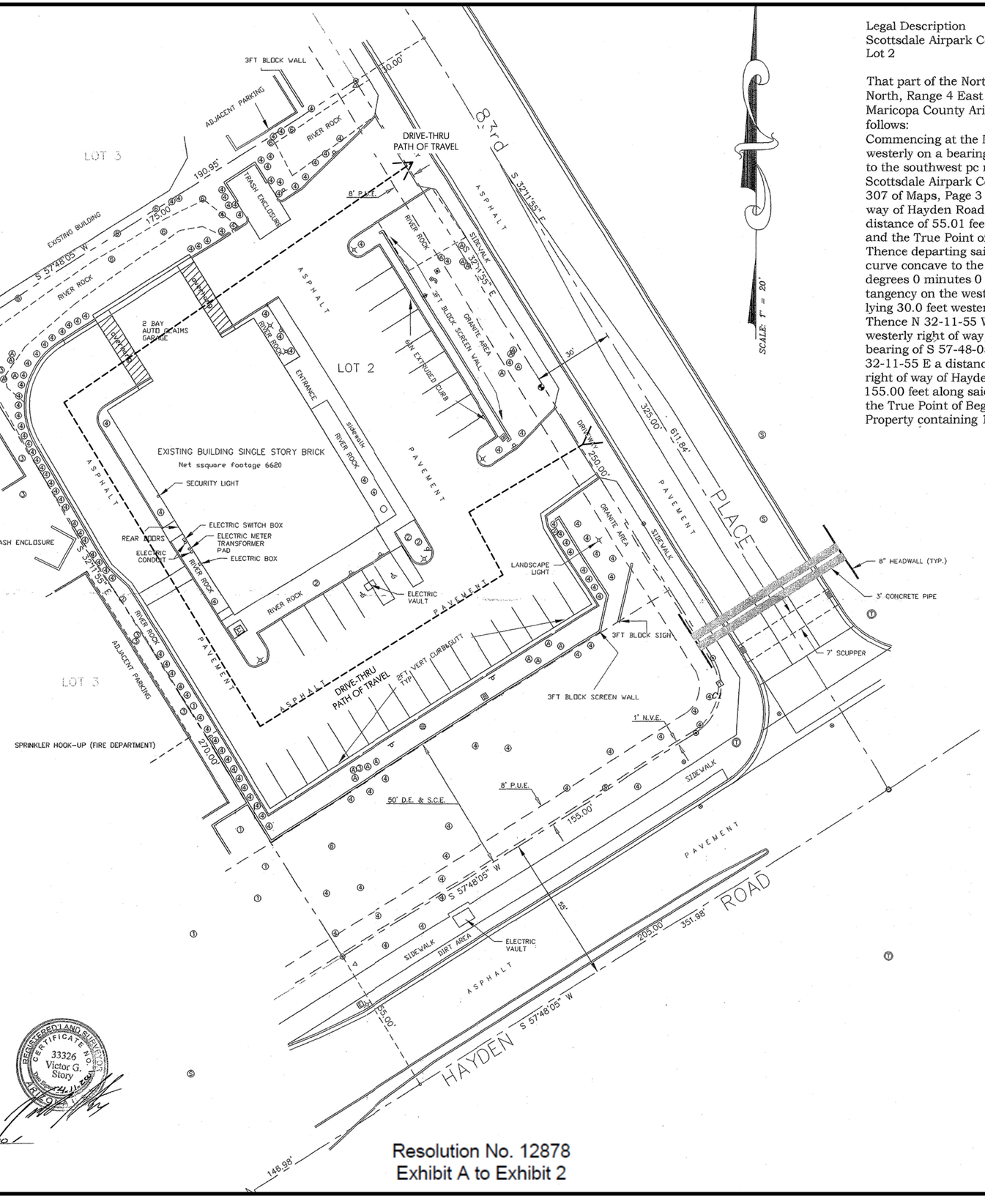
CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELEIF THAT IT WAS PERFORMED BY IE OR BY OTHERS UNDER MY DIRECT SUPERVISION THAT NO ABOVEGROUND ENCROACMENTS EXISTS OTHER THAN THOSE SHOWN THAT THIS SURVEY COMPLIES WITH ANY STATUORY REQUIREMENTS APPLICABLE HERETO.

Victor Story
VICTOR G. STORY, R.L.S.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
33326
Victor G. Story
ARIZONA U.S.A.

4-11-2001
DATE



CURVE	RADIUS	LENGTH	TANGENT	DELTA
C1	20.00'	31.42'	20.00'	90°00'00"

LABEL	TREE TYPE
1	IRONWOOD TREE
2	EUCALYPTUS TREE
3	MESQUITE TREE
4	OLEANDER 3' DIAMETER
5	PALO VERDE
6	TREE
A	GRANITE BOULDER

Legal Description
Scottsdale Airpark Corporate Center Phase 2
Lot 2

That part of the Northwest quarter of Section 12, Township 3 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County Arizona being more particularly described as follows:
Commencing at the North quarter corner said section 12, Thence westerly on a bearing of S 57-48-05 W a distance of 1284.07 feet to the southwest pc return at the southeasterly corner Lot 2 of Scottsdale Airpark Corporate Center Phase 2 as found in Book 307 of Maps, Page 3 M.C.R. a point lying on the Northerly right of way of Hayden Road, said right of way running parallel to and a distance of 55.01 feet north of said centerline of Hayden Road, and the True Point of Beginning,
Thence departing said North right of way northeasterly along a curve concave to the northwest through a central angle of 90 degrees 0 minutes 0 seconds a distance of 31.42 feet to a point of tangency on the westerly right of way of 83rd PL. said right of way lying 30.0 feet westerly and parallel to the centerline of 83rd PL. Thence N 32-11-55 W a distance of 250.00 feet along said westerly right of way, Thence departing said right of way on a bearing of S 57-48-05 W a distance of 175.00 feet, Thence S 32-11-55 E a distance of 270.00 feet to a point on the Northerly right of way of Hayden Road, Thence N 57-48-05 E a distance of 155.00 feet along said Northerly right of way of Hayden Road to the True Point of Beginnng.
Property containing 1.08 Acres + or -

Resolution No. 12878
Exhibit A to Exhibit 2

PROJECT:
INTERIOR DISPENSARY RENOVATION
TRULIEVE; ATTN. ROBERT JOYCE
15190 N HAYDEN ROAD
SCOTTSDALE, AZ 85260

PROJECT NUMBER: 22165

DENNIS COLWELL ARCHITECTS
132 CENTRAL STREET, SUITE 203, FOXBOROUGH, MA 02035
P. 508-241-2122 F. 508-455-4466 WWW.DC-ARCHITECT.COM

STAMP:

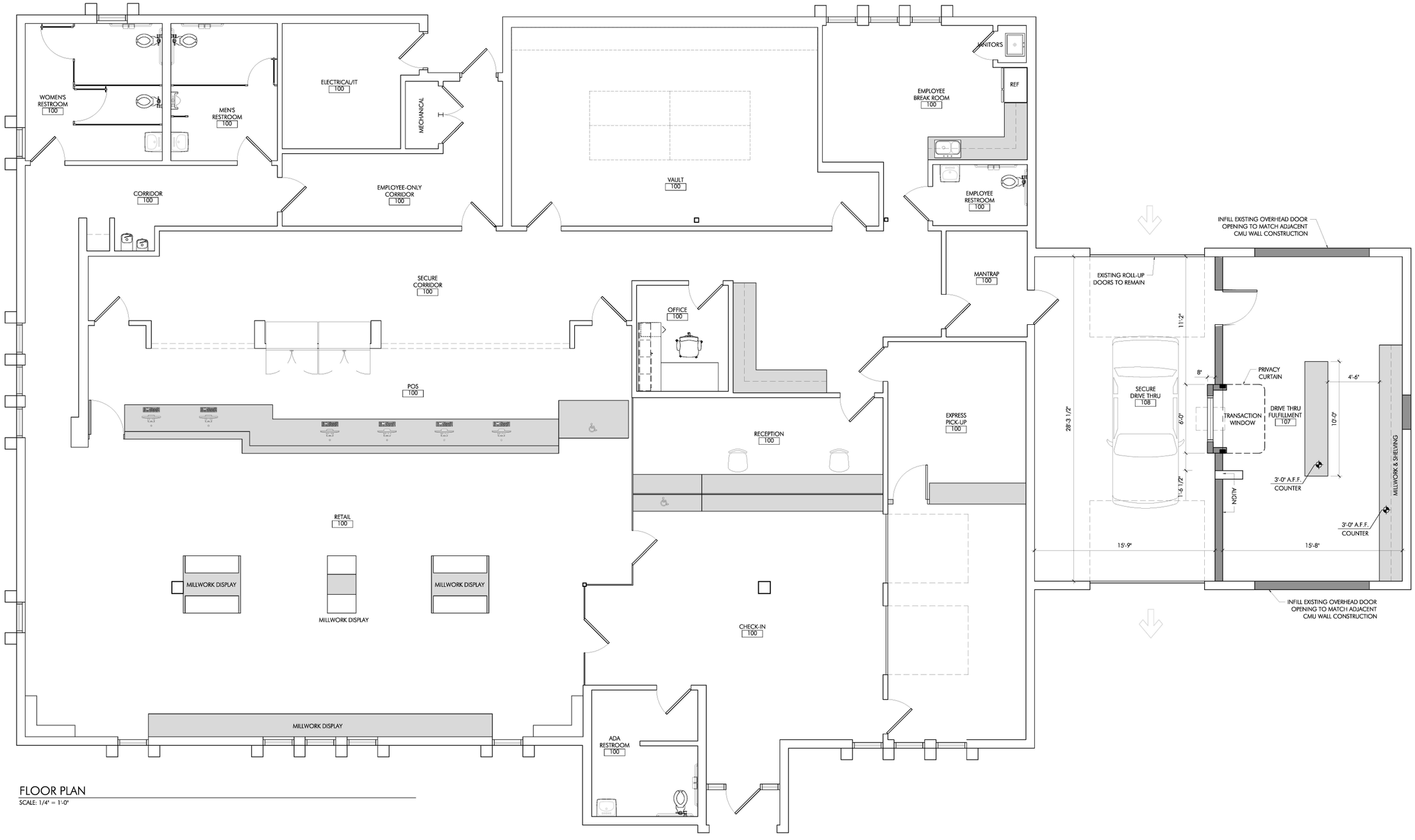
ISSUE:	DATE:
PRELIMINARY	01.20.2023

DRAWING SCALE: 1/4" = 1'-0"

DRAWN BY: MEH CHECKED BY: DMC

DRAWING TITLE:
SITE PLAN

DRAWING NUMBER:
A1.3



FLOOR PLAN

SCALE: 1/4" = 1'-0"

Resolution No. 12878
Exhibit B to Exhibit 2

PROJECT:

INTERIOR DISPENSARY RENOVATION

TRULIEVE; ATTN. ROBERT JOYCE

15190 N HAYDEN ROAD

SCOTTSDALE, AZ 85260

PROJECT NUMBER: 22165

DENNIS COLWELL ARCHITECTS
132 CENTRAL STREET, SUITE 203, FOXBOROUGH, MA 02035
P. 508-241-2122 F. 508-455-4466 WWW.DC-ARCHITECT.COM

STAMP:

ISSUE:	DATE:
PRELIMINARY	01.20.2023

DRAWING SCALE: 1/4" = 1'-0"

DRAWN BY: MEH CHECKED BY: DMC

DRAWING TITLE: FLOOR PLAN

DRAWING NUMBER: A1.2

Section 1.403 Additional Conditions for Specific Conditional Uses

M. *Marijuana use.*

1. *Active Permitted Uses Existing as of September 30, 2016.* Active Marijuana uses legally established and operating under a valid Conditional Use Permit before September 30, 2016, including extensions, renewals, and amendments to existing approvals, shall be subject to the following conditions:

a. A marijuana operation for recreational purposes is only permitted in establishments that hold both a valid non-profit medical marijuana dispensary registration and a marijuana establishment license.

b. All operations are conducted within a completely enclosed building, in conformance with Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, and regulations issued thereunder, as amended.

c. The marijuana use is at least five hundred (500) feet from the following uses within the City limits:

(1) Any residential use in a residential district shown on Table 4.100.A., or the residential portion of a Planned Community PC or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., and

(2) Any Educational service, elementary or secondary school.

d. The marijuana use is at least one thousand three hundred twenty (1,320) feet from the following uses within the City limits:

(1) Medical marijuana caregiver cultivation use, or

(2) Another marijuana use.

However, no separation between these uses is required in the Industrial Park District I-1 where a medical marijuana caregiver cultivation use and a marijuana use hold a state issued caregiver registry identification card and/or a nonprofit medical marijuana dispensary registration certificate under the same name or organization.

e. All distances are measured from the wall of the marijuana use nearest to the district(s) or use(s) indicated above, to the nearest property line of the district(s) or use(s) indicated above.

f. The property owner has provided a written exterior refuse control plan, subject to City approval.

g. The property owner has provided a written public safety plan, subject to City approval.

h. The hours of operation for a marijuana use that provides, shares, exchanges, sells, or dispenses marijuana are no earlier than 6:00 a.m. and no later than 10:00 p.m.

i. There is no ~~drive-through service.~~ take-out window or drive-in services permitted.

j. Drive-through services may be permitted, subject to City Council approval.

Application Narrative

The purpose for this submittal is a renewal and amendment to an existing conditional use permit, removing the 5-year annual renewal requirement and to allow drive-thru operations for the existing marijuana dispensary at 15190 North Hayden Road and issued to Byers Dispensary, Inc. This facility will dispense marijuana and is licensed by the Arizona Department of Health Services.

Conditional Use Permit Criteria

Damage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination.

The operations of this use (i.e., the retail sales of marijuana products) will not create a detriment to public health, safety, or welfare in the form of smoke, vibration, noise, dust, or illumination. A sophisticated air purifier system will be used to ensure that odor is not detectable outside of the facility.

Impact on surrounding areas resulting from an unusual volume or character of traffic.

The location of the proposed marijuana dispensary is a commercial area. As this is a commercial use without unusual volume, there will be no impact on the surrounding areas in the form of an unusual volume or character of traffic.

The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

The proposed use will be a retail facility in a commercial area. Therefore, it is compatible with the types of uses in the surrounding area.

Additional conditional use permit criteria, as outlined in Section 1.403 of the Zoning ordinance.

Improvements on this parcel will result in a completely enclosed building. The location of the proposed marijuana dispensary is 1) more than 500 feet from any residential use or the residential portion of a Planned Community or any portion of a Planned Residential Development with an underlying zoning district comparable to residential zoning districts, 2) more than 500 feet from any elementary or secondary school, and 3) more than 1,320 feet from another marijuana use. All distances were measured from the wall of the proposed facility nearest these uses to the nearest property line of these uses.

The proposed marijuana dispensary will operate between the hours of 6:00 a.m. and 10:00 p.m., Monday- Sunday.

The proposed marijuana facility will offer a drive-through service.

Product Security

Product Quantity

Harvest of Scottsdale will limit its inventory of marijuana and marijuana-infused products to meet the needs of patients and customers while remaining in compliance with all state and local laws and regulations.

Dutchie Inventory Tracking System

The Dispensary's inventory control system, known as Dutchie, is an internet-based comprehensive marijuana inventory and sales tracking system that complies with all State of Arizona laws and Department regulations pertaining to the cultivation, processing, tracking, identification, transfer, transportation and sale of marijuana. Dutchie is a fully integrated seed-to-sale tracking software that tracks all marijuana seeds, plants, and produce and verifies product identification and weight measures.

Secure and Safe Storage

All product is stored in a secure vault during non-business hours. Only pre-packaged marijuana, edibles, and marijuana-infused products that are ready to be sold to a qualifying patient, or recreational users with valid identification are accessible in the secure cashier area during business hours. All products are clearly labeled and tracked within Dutchie.

Marijuana is pre-packaged and labeled using secure packaging before being sold to customers. The packaging will be tamper-proof ensuring that the marijuana is not subject to humidity or other external factors. Keeping the product in tamper-proof packaging helps reduce the risk of theft, spoilage, and damage to the product.

At the dispensary, marijuana, edibles, and marijuana-infused products will be stored in enclosed, locked locations. These locations include secure devices, display cases, cabinets, and rooms, all protected by locks or locking mechanisms. Packaged, sealed products will be stored in the secure access-controlled dispensing area (Cashier Stations) during business hours and will stored inside the secure vault during non-business hours.

Once the marijuana, edibles, and marijuana-infused products are purchased from a licensed cultivation or production facility, the product will be entered into the Dutchie System. Once the product has been entered in the Dutchie System, the product will be securely moved into the vault for storage and safekeeping.

From the main vault, the dispensary Manager on Duty will transfer enough marijuana, edibles, and marijuana-infused products for one day's operations into the access-controlled dispensing area/cashier station to which only authorized personnel will have access.

Waste Disposal

Contaminated and unwanted marijuana, edibles, and infused products are stored in a properly labeled secure container in a designated quarantined area, located within the climate-controlled dispensary vault. All products located in the designated quarantined area pending destruction and disposal are destroyed within 24 hours of receipt into the dispensary. All destruction is performed by Dispensary Agents, using protective equipment, within a well-ventilated area monitored by video surveillance.

Prior to destroying contaminated and unwanted marijuana, Dispensary Agents will complete a Marijuana Disposal Form to document any such disposal, which will include the description of and reason for the marijuana being disposed of including, if applicable, the number of any failed or

unusable plants; the date of disposal; the method of Disposal, the name and registry identification number of the dispensary agent responsible for the disposal.

With regard to the method of disposal of unusable marijuana, the Dispensary will engage a multi-step process for doing so, including the following steps, which shall prevent any further use of unusable marijuana:

- The ground up unusable marijuana will be mixed with vinegar and kitty litter in proportions that ensure any such unusable marijuana is not identifiable within, and not retrievable from, the non-marijuana grow material and media; and
- The resulting mixture will be disposed of in an acceptable manner for organic plant waste, in compliance with all applicable laws and rules of any state, county or local government.

Drive Thru Service

Vehicles will enter through the south side of the property and exit the north side. There will be visible signage and driveway markings to guide vehicles to the drive-thru area.

Each vehicle will need to present valid identification (either medical marijuana card or valid ID proving age of 21+). The same level of verifications will be performed by the dispensary agent in the drive thru service, that are performed for in-store purchases, before any products are dispensed.

For the safety of our customers and staff, there will be additional video surveillance added to the facility ensuring full coverage of the area including front of car and rear of car for license plate identification.

Transportation

Transportation of marijuana plays a vital role in a safe, successful, and patient-oriented marijuana establishment. Harvest of Scottsdale will adopt the following procedures and guidelines to ensure the needs of patients, customers, employees, medicines, and the community are best served.

Transportation to/from Licensed Dispensaries and Cultivation Facilities

Dispensary agents shall follow these procedures and guidelines when transporting marijuana to/from other licensed marijuana dispensaries and cultivation facilities.

Guidelines

- Dispensary agents who qualify to transport marijuana must possess a current, valid Driver's License and have successfully completed Harvest of Scottsdale's Transportation Training. As with all dispensary employee-agents, those who deliver marijuana must also pass a criminal background check.
- Deliveries and movements of marijuana-based medicines will always occur using an unmarked vehicle equipped with and monitored by a GPS system, if applicable the transportation vehicles will also be equipped with a recording device that complies with chapter 18 of the adult use transportation regulations.
- Marijuana or marijuana product will always be transported in a secured container within the transport vehicle.
- No product will ever be visually seen inside the transport vehicle.
- Cash will always be stored in a locked safe within the delivery vehicle.
- All marijuana, edibles, and infused products will be placed in a secure, non-transparent transportation box in the vehicle's trunk.
- Vehicles used for deliveries shall be duly registered in Arizona and be covered by an active insurance policy. Vehicles should have no less than 1/2 tank of gasoline.

- Vehicles used for deliveries must be properly maintained, using dealership standards.

- Dispensary agents shall always travel with at least one mobile phone with no less than one half battery life.
- Dispensary agents shall follow all applicable traffic laws including, but not limited to, using a hands-free device while using the phone in the vehicle.
- Dispensary agents shall wear his/her state-issued credentials and shall be visible at all times
- Vehicles used shall be equipped with GPS tracking device that stores routes taken with time stamps and can be recorded and monitored remotely by the Manager on Duty.
- Prior to departure, the dispensary agents must complete a Trip Manifest, Invoice and turn by turn directions.

Procedure

Marijuana to another dispensary or cultivation site;

The Dispensary will utilize its inventory control system Dutchie to document its provision of marijuana to a dispensary agent of another dispensary and will input all required information (see below) into the inventory control system immediately upon releasing any marijuana from the Dispensary building. The required information to be input by a dispensary agent upon any provision of marijuana to a dispensary agent of another dispensary will include:

- The amount, strain, and batch number of marijuana provided
- The name and registry identification number of the other dispensary
- The name and registry identification number of the dispensary agent who received the marijuana on behalf of the other dispensary
- The date the marijuana was provided

Marijuana delivered to a qualified patient or caregiver;

- The patient or caregivers proposed purchase must be approved through the EVS to ensure that the quantity limitations have not been reached (i.e. no more than 2.5 ounces every 14 days) and that the patient holds a valid registry card
- The dispensary agents shall follow the prescribed route outlined on the Trip Manifest
- The dispensary agents shall inform the Manager on Duty of any route deviations during the delivery
- Upon arrival at the destination, the dispensary agent will verify the patient's registry card, identification (i.e. Driver's License) and form of payment. Upon verification of these three items, the dispensary agent will document the transaction within the EVS system and Dutchie and relinquishes the marijuana to the qualifying patient or caregiver

Receiving Marijuana from another dispensary or cultivation site;

An authorized dispensary agent will visually inspect all marijuana products that arrive at Harvest of Scottsdale to ensure there are no signs of mold or insects. Any unsuitable product will be destroyed according to the procedures outlined in the Security Plan for product disposal.

Harvest of Scottsdale will record the following information regarding acquired marijuana products into Dutchie:

Marijuana from another dispensary:

- A description of the marijuana acquired, including the amount, strain, and batch number
- The name and registry identification number of the dispensary providing the marijuana
- The name and registry identification number of the dispensary agent providing the marijuana
- The name and registry identification number of the dispensary agent receiving the marijuana on behalf of the dispensary
- The date of acquisition

Cultivated marijuana:

- The batch number
- Whether the batch originated from marijuana seeds or cuttings
- The origin and strain of the marijuana seeds or cuttings
- The number of marijuana seeds or cuttings
- The date the marijuana seeds or cuttings were planted
- A list of all chemical additives, including non-organic pesticides, herbicides, and fertilizers used in cultivation
- The number of plants grown to maturity
- Harvest information, including:
    - Date of harvest
    - Final processed usable marijuana yield weight
    - Name and registry identification number of the dispensary agent responsible for the harvest

The disposal of marijuana that is not usable, including the;

- Description of and reason for the marijuana being disposed of, including, if applicable, the number of failed or other unusable plants
- Date of disposal
- Method of disposal
- Name and registry identification number of the dispensary agent responsible for the disposal

Edible food products infused with marijuana from another dispensary:

- A description of the edible food products received from the dispensary, including total weight of each edible food products and estimated amount and batch number of the marijuana infused in each edible food product
- The name and registry identification number of the dispensary and the dispensary agent providing the edible food products to the receiving dispensary and dispensary agent receiving the edible food products on behalf of the receiving dispensary
- The date the edible food products were provided to the Dispensary

Harvest of Scottsdale will maintain all inventory-related documents for at least five years from the date the document was created and will provide all documentation to the Department for review upon request.

Product Labeling and Analysis

Harvest of Scottsdale will ensure that all marijuana or marijuana product provided to qualifying patients, caregivers, or recreational users complies with packaging and labeling requirements in A.R.S 36-2860(A)

- The dispensary's registry identification number
- The dispensaries establishment number
- The amount, strain, and batch number of marijuana
- The form of marijuana or marijuana product
- If applicable the weight of the edible product
- In compliance with table 3.1 the potency of the marijuana or marijuana product based on the testing from the marijuana testing facility, including the milligrams per designated unit or percentage of: total tetrahydrocannabinoid, total cannabinoid, or any other cannabinoid which makes claim related to the effect of the cannabinoid on the human body
- The following statement "**ARIZONA DEPARTMENT OF HEALTH SERVICES' WARNING**: Marijuana can impair an individual's ability to drive a motor vehicle or operate heavy machinery. Marijuana smoke contains carcinogens and can lead to an increased risk for cancer, tachycardia, hypertension, heart attack, and lung infection. KEEP OUT OF REACH OFCHILDREN"

- If not cultivated by the dispensary, whether the marijuana was obtained from a qualifying patient, a designated caregiver, or another dispensary
- The date of manufacture, harvest, or sale
- A list of all chemical additives, including non-organic pesticides, herbicides, and fertilizers, used in the cultivation and production of the marijuana
- The registry identification number of the qualifying patient.

For all marijuana provided by Harvest of Scottsdale to another dispensary, the labeling will include:

- The dispensary's registry identification number
- The amount, strain, and batch number of marijuana
- The date of harvest or sale
- A list of all chemical additives, including nonorganic pesticides, herbicides, and fertilizers, used in the cultivation and production of the marijuana

For all edible food products infused with marijuana the labeling will include:

- The dispensary's registry identification number
- The amount, strain, and batch number of marijuana
- The following statement "**ARIZONA DEPARTMENT OF HEALTH SERVICES' WARNING**: Marijuana can impair an individual's ability to drive a motor vehicle or operate heavy machinery. Marijuana smoke contains carcinogens and can lead to an increased risk for cancer, tachycardia, hypertension, heart attack, and lung infection. KEEP OUT OF REACH OFCHILDREN "
- If not cultivated by the dispensary, whether the marijuana was obtained from a qualifying patient, a designated caregiver, or another dispensary
- The date of manufacture, harvest, or sale
- The total weight of the edible food product
- A list of all chemical additives, including non-organic pesticides, herbicides, and fertilizers, used in the cultivation and production of the marijuana

While in the dispensary, a dispensary agent will report to the General Manager any health condition that may adversely affect the safety or quality of any marijuana with which the dispensary agent may come into contact. Harvest of Scottsdale will ensure that all dispensary agents receive appropriate training regarding reporting adverse health conditions and that the policy regarding reporting is enforced.

If the General Manager determines that a dispensary agent has a health condition that may adversely affect the safety or quality of the marijuana, the General Manager will prohibit the dispensary agent from direct contact with any marijuana or equipment or materials for processing marijuana until it is determined that the dispensary agent's health condition will not adversely affect the marijuana. In addition, the dispensary agent will have no interaction with patients or caregivers. Harvest of Scottsdale will ensure that all dispensary agents receive appropriate training regarding reporting adverse health conditions to the General Manager and that the policy regarding reporting is enforced.

Medical Director

Harvest of Scottsdale will appoint William D. Troutt, NMD, as its Medical Director. As Medical Director, Dr. Troutt will be present onsite or available by telephone during the hours of operation.

Harvest of Scottsdale is committed to providing employees and patients with training and up-to- date information that will help them better understand the legal, operational and medical issues regarding the use of marijuana and marijuana-infused products. Employees will be trained before working in the dispensary and will be required to fulfill mandatory on-going training and evaluations.
Patients will be offered access to patient education materials and free seminars created and organized by Dr. Troutt. Dr. Troutt has consulted with thousands of medical marijuana patients, top physicians, researchers, public servants, and industry leaders on a wide array of medical marijuana issues, and he

has conducted dozens of lectures on various aspects of medical marijuana.

The main components of Harvest of Scottsdale's employee training plan include the following:

- New Employee Training and Education
- Harvest Medical Training/Cannabis Fundamentals
- Annual Employee Training and Education
- Annual Employee Evaluations
- Employee and Patient Education Materials
- Daily staff meetings

Initial Employee Training

Upon hire, new employees are enrolled in the company's Learning Management Software where they will complete a series of interactive online training modules that cover all areas of or related to the business, with topics such as; Culture, Employee Benefits, Compliance and Legal, Systems & Software, Security and Product Education. All employees will also complete Medical Cannabis and Cannabis Fundamentals training presented by Dr. Troutt upon hire and once annually thereafter.

The Medical Director will also develop and distributes patient education materials. On a continuing basis, but no less than once annually, the Medical Director will update, review, and revise Harvest of Scottsdale' patient education materials to incorporate new medical findings with regard to marijuana and any feedback and suggestions from dispensary agents and the patients and caregivers purchasing marijuana from the dispensary.

Harvest of Scottsdale ensures that the education materials distributed to customers, qualified patients and designated patient caregivers include, at a minimum:

- Availability & Effects of Different Strains of Marijuana
- Methods, Forms, and Routes of Administration
- Prohibition on the Smoking of Marijuana in Public Places
- Alternate Medical Options
- Information About Possible Side-Effects of and Contraindications of Marijuana Use (including possible impairment with use and operation of motor vehicles or heavy machinery; caring for children; or job performance)
- Information about potential drug-to-drug interactions to include alcohol, prescription drugs, non-prescription drugs, and supplements
- Techniques for the use of medical marijuana and marijuana paraphernalia
- Signs and Symptoms of Substance Abuse to include tolerance, dependency, and withdrawal
- A List of Substance Abuse Programs and Referral Information
- Marijuana Smoking is Prohibited in Public Places, and Places Exposed to Public View

Among the requirements of a dispensary agent dispensing marijuana is the requirement that the dispensary agent offer patient education and support materials to every patient or caregiver requesting marijuana. The dispensary will distribute education and support materials through its dispensary agents at the time of any dispensing of marijuana and will track through the Dutchie system when a patient or caregiver accepts or denies such materials.

The dispensary has developed a system for a patient or the patient's caregiver to document the patient's pain, cachexia or wasting syndrome, nausea, seizures, muscle spasms, or agitation that includes:

- A logbook, maintained by the patient and or the patient's caregiver, in which the patient or the patient's caregiver may track the use and effects of specific marijuana strains and products

- A rating scale for pain, cachexia or wasting syndrome, nausea, seizures, muscles spasms, and agitation

- Guidelines for the patient's self-assess mentor, if applicable, assessment of the patient by the patient's caregiver
- Guidelines for reporting usage and symptoms to the physician providing the written certification for medical marijuana and any other treating physicians

Dispensing Marijuana

Dispensary agents will adhere to the following procedure when dispensing marijuana to qualifying patients and customers.

Agent Responsibilities

Before dispensing marijuana to a customer, a qualifying patient or designated caregiver and through the use of the Electronic Verification System, the Dispensary's dispensary agent will;

1. Verify the qualifying patient's or designated caregiver's identity, or customers age
2. Verify that the qualifying patient, designated caregiver or customer is in immediate possession of a valid registry identification card or state issued license
3. Offer any appropriate patient education or support materials and;
4. For medical patients, verify that the amount of marijuana the qualifying patient or designated caregiver is requesting would not cause the qualifying patient to exceed the limit on obtaining no more than 2.5 ounces of marijuana during any 14-calendar-day period. If the Dispensary's dispensary agent is unable to complete any of the above requirements, the dispensary agent will terminate the transaction and refuse to dispense any marijuana. The dispensary agent will then complete a Denial of Sale Form
5. For adult use customers, 1oz of cannabis

Procedure

1. After approved entry into the Dispensary building by a customer, qualifying patient or designated caregiver, a dispensary agent of the Dispensary will electronically access the Electronic Verification System using the dispensary agent's particular login credentials.
2. Upon completing the verification/education requirements listed above, the dispensary agent will transact the sale and dispense the requested marijuana.
3. The dispensary agent will require a customer, qualifying patient or designated caregiver to first present payment for the specific amount of marijuana.
4. Upon completion of the sale transaction, the dispensary agent will update both the Electronic Verification System and the Dutchie system to reflect the sale transaction, including the amount and date.

Electronic Verification System (Point of Sale System)

Before dispensing marijuana to a customer, qualifying patient or designated caregiver, the dispensary agent will;

- If medical patient: enter the qualifying patient's or designated caregiver's registry identification number on the qualifying patient's or designated caregiver's registry identification card into the medical marijuana Electronic Verification System and verify the validity of the qualifying patient's or designated caregiver's registry identification card.
- If recreational customer: enter the customers identification number into the marijuana Electronic Verification System and verify the validity of the customers information.
- Before dispensing any marijuana, the dispensary agent will enter the following information into the marijuana Electronic Verification System for the customer, qualifying patient or designated caregiver:
    1. The amount of marijuana dispensed
    2. If applicable, whether the marijuana was dispensed to the qualifying patient or to the qualifying patient's designated caregiver

3. The date and time the marijuana was dispensed
4. The dispensary agent's registry identification number
5. The dispensary's registry identification number



Zoning Aerial

10-UP-2015#4

Attachment 4

CITY OF SCOTTSDALE
Public Safety Plan
For Marijuana Facilities

Licensed Entity: Byers Dispensary, Inc.

DBA: Harvest of Scottsdale

Parent Company: Trulieve Cannabis Corp.

15190 N. Hayden Road
Scottsdale, AZ 85260

Managing Agent:
Steve White, President, Trulieve Cannabis Corp.

Address:
1155 W. Rio Salado Parkway Ste. 201, Tempe, AZ 85281

Phone:
480.999.5456

Property Owner:
CLG Investments, Ryan Miller

Address:
30600 N. Pima Road No. 75
Scottsdale, AZ 85262

Phone:
480.220.8793

Purpose of the Plan

To address security measures, maintenance, waste management and operations for a facility that requires a Security, Maintenance and Operations Plan pursuant to Scottsdale Revised Codes. The applicable uses are as follows: Marijuana Dispensary, Marijuana Cultivation and Marijuana Processing, all of which require a Conditional Use Permit. The contents of this plan will address the listed concerns as well as community concerns regarding:

- Compatibility with surrounding structures and uses
- Dispensary security and patron safety
- Waste disposal measures related to the dispensing, cultivation or processing of the product

It is the intent of the City of Scottsdale to provide an environment that enhances the safeguarding of property as well as public welfare and to limit the need for law enforcement involvement.

The Permittee agrees that successful execution and enforcement of this Plan are a required condition of the use permit. Termination, cancellation, deviation or non-approval of the Plan constitutes a breach of the Plan and could result in the revocation of the use permit.

Operations and Hours

1. **Permitee:** Byers Dispensary Inc.

   Type of Organization: Corporation

2. **Managing Agents:**

   Name: Steve White
   Title: President
   Address: 1155 W. Rio Salado Pkwy Ste 201, Tempe, AZ 85281
   Phone: 480.999.5456

   Business Owner(s) (if different than Managing Agent)
   Name: CLG Investments, LLC
   Address: 30600 N. Pima Road No. 75, Scottsdale, AZ 85262
   Phone: 480-220-8793 (Ryan Miller)

3. **Property Owner or Property Manager (if different from Managing Agent) Name, Address, Phone: N/A**

4. **Hours of Operation:**

Day	Open	Close
Monday	8:00am	10:00pm
Tuesday	8:00am	10:00pm
Wednesday	8:00am	10:00pm
Thursday	8:00am	10:00pm
Friday	8:00am	10:00pm
Saturday	8:00am	10:00pm
Sunday	8:00am	10:00pm

5. **Cooperation/Complaints/Concerns:**

Permittee will maintain communications with establishments located on and adjacent to the premises, and with residents and other businesses that may be affected by patrons or operations of the Permittee. Permittee designates the following person to receive and respond to concerns or complaints from other residents or businesses:

Name: Tessa Barnes

Address: 1155 W. Rio Salado Pkwy. Ste 201, Tempe, AZ 85281

Phone: 602.327.5409

Permittee, managing agents, on-duty managers, supervisors and security personnel will cooperate closely with Scottsdale Police, City of Scottsdale Code Enforcement staff or other City staff as well as business and residential neighbors in addressing and investigating complaints, criminal acts, refuse issues and any other concerns.

Security and Maintenance

When security guards are utilized at Harvest of Scottsdale, they will abide by the below outlined conduct:

Security Attire

- Security personnel must be readily identifiable to police, patrons, and other employees to ensure the safety of the security staff when engaged with patrons.
- On-site security personnel will wear an appropriate uniform-style shirt with the word "security" on both the front and back, in two (2) inch lettering and clearly visible. During cold weather, a jacket with the same inscription should be worn.

Security Officer Responsibilities

- The Permittee or management must clearly delineate the below responsibilities to all new security personnel and ensure these responsibilities are explained and understood.
- Civilian Security Officers will be responsible for patrolling the full property of the facility during all hours when patrons are in the facility, outside the facility, and in the facility parking areas.
- The Permittee warrants that camera surveillance, Harvest Management will be responsible for the following:
    - Roaming the interior of the business and identifying hazards, problems, and maintaining patron safety.
    - Conducting roaming patrol of the exterior in an effort to prevent criminal behavior, maintain the peace and prevent refuse issues. This patrol shall include all parking areas to prevent a gathering of patrons during business hours and up to thirty (30) minutes after closing.
    - Ensuring that no persons are consuming marijuana on the dispensary property, or on adjacent properties.

In addition, Harvest Management will report all acts of violence to via a complete written report, log the act of violence, and contact Scottsdale Police Department immediately. Unreported acts of violence may result in revocation of the Permittee's Conditional Use Permit. Facility management, company members, corporate officers/shareholders, or facility ownership has the ultimate responsibility for the recording of the act of violence, logging of the act of violence, and reporting the act of violence to the Police Department and the Arizona Department of Health Services.

Management Responsibilities

- The Permittee must clearly delineate the below responsibilities to all managers, assistant managers, and person (s)-in-charge and ensure these responsibilities are understood and followed.
- The manager(s) shall ensure that all employees, security staff and off-duty officers, if employed by the facility, be trained and knowledgeable about the contents of this plan. The following shall be agreed upon and adhered to:
- There will be a minimum of 1 manager(s) available on the premises during hours of operation.
- At least one manager shall be identified as the "Security Manager" for the facility and be responsible for ensuring that a safe environment exists, for the supervision of all security personnel and that all security personnel as identified here shall meet or exceed the requirements established by A.R.S. 32-2621through A.R.S. 32-2636, as amended, relating to security personnel and guards, and any regulation issued pursuant thereto .

At least one Harvest manager will be on duty until 30 minutes after closing or the last security officer is off duty, whichever occurs last.

Uniformed Sworn Officer Responsibilities:

- When an off-duty law enforcement is used for security, it is the responsibility of the Permittee or management to clearly delineate the following responsibilities, which include at a minimum the following:
    - Conduct traffic control as needed
    - Assist civilian security officer(s) in removal of disorderly and/or impaired patrons and maintain the peace outside the establishment.
    - If necessary, patrol the exterior portions of the business to maintain the peace as well as prevent criminal act s.

Parking

- In order to reduce criminal activity that negatively affects the nearby businesses or residential, the Permittee is responsible for the designated parking area to include any lots used by the Permittee's patrons and employees.
- It is the Permittee's responsibility to ensure that parking areas utilized by patrons and employees will be routinely patrolled so parking areas are not used: as a gathering place for use or consumption of medical marijuana or spirituous liquor, for other violations of state or city law or for acts of violence or disorderly conduct .

Refuse Plan

- It is the Permittee's responsibility to ensure refuse containers are properly used and the area in and around the business is kept clean. Failure to do so will result in an investigation and possible citation from the City of Scottsdale Code Enforcement or other governmental agencies.
- Waste associated with the medical marijuana, including seeds, stems, leaves, oils, etc. shall be disposed of in accordance with Title 36, Chapter 28.1 of the Arizona Revised Statutes and/or Title 9, Chapter 17, Article 3 of the Arizona Department of Health Services.

Establishment of Records

- In addition to those requirements spelled out in Title 9, Chapter 17, Article 3 of the Arizona Department of Health Services, the Permittee-shall retain all records related to the operation of the establishment for a period of no less than 2 years. Records include all audio recordings, video recordings, written receipts, invoices and evidence of any transaction occurring within or without the establishment that are related to the establishment.
- Records may be maintained at an off-site location, but must be produced, if requested by any law enforcement officer, within 24 hours.
- Failure to maintain records for a minimum of 2 years may result in revocation of the Conditional Use Permit.
- Failure to produce records subsequent to a written or verbal request by any law enforcement officer within 24 hours may result in revocation of the Conditional Use Permit.

Physical Security

- It is the Permittee's responsibility to utilize the following security measures throughout the property:
    - Video Surveillance
        - In addition to those requirements spelled out in Title 9, Chapter 17, Article 3 of the Arizona Department of Health Services, the Permittee must install and utilize 24-hour video surveillance and hardened video lines that record to a secure or off-site location, and that the Permittee can provide to the

Arizona Department of Health Services or Scottsdale Police Department upon request.
        - Video surveillance must record all persons who enter the facility, persons who submit registry identification cards, and the registry identification cards.
        - Video surveillance must cover all interior patron areas and exterior parking areas.

- Audible and Silent Alarms
    - In addition to those requirements spelled out in Title 9, Chapter 17, Articl e 3 of the Arizona Department of Health Services, the Permittee must install and utilize audio and silent monitored alarms and must obtain the required City of Scottsdale alarm permits.

- Physical Security Measures
    - The Permittee must develop a plan to address all aspects of physical security for the facility, including bollards to prevent vehicle intrusions into the facility, alarm security and written risk assessment by police personnel.

- Access to Employee Areas
    - The Permittee must utilize coded security doors that restrict access to any employee-only areas.

- Vending Machines
    - Vending machine operation for dispensing of product is restricted to the times when a manager or assistant manager is present and the facility is open for business.

- Lighting
    - All portions of the establishment and patron parking areas will be sufficiently illuminated, and the lighting will be consistent with the City Policy for Exterior arid Site Lighting.

Drive-Thru Safety

- Roll up gates in drive-thru will remain shut and locked during product movement procedures prior to opening.
- The Drive-Thru Fulfillment room will remain locked and under access control at all times.
- The transaction window will be constructed of impact resistant material and will have an opening size that will only allow for the transfer of product and payment.
- All areas within the Drive-Thru Fulfillment room will be covered by security cameras to capture all product and cash handling.
- There will be sufficient panic alarms placed near work stations in the event of an emergency incident.

Enforcement of Security Plan

Violations of this Security Plan will be enforceable by City of Scottsdale Police Officers and/or Code Enforcement employees and may constitute grounds for revocation of applicable use permits relating to the facility.

Violation, amendment, revocation, as defined in Scottsdale City Zoning Code Sec .1.402

- Conditional use-permits, which have been approved by the City Council, shall be subject to the following procedures and criteria regarding any violation, amendment, or revocation.
    - The violation of any condition imposed by the conditional use permit shall constitute a violation of this ordinance and shall be subject to the requirements

of Section 1.1400 et seq..

- Conditional uses shall be developed in conformance to the approved plans as determined by the Zoning Administrator. An amendment to a conditional use permit is required before implementation of any material change in the scope and nature of an approved conditional use, material change in any conditions or stipulations to a conditional use permit or material change in the physical size, placement or structure of property subject to a conditional use permit. The Zoning Administrator shall have the discretion to determine if a proposed change warrants an amendment. An amendment must be approved as provided in Section1.400 et seq. for the approval of conditional use permits.
- The Zoning Administrator may recommend to the City Council and the City Council may affect revocation of a conditional use permit pursuant to Section 1.402 of the Scottsdale Zoning Code for acts including but not limited to:
  - A violation of the Plan.
  - Violation of the conditions of the Use Permit.
  - Violation of Scottsdale ordinances or law.
  - Repeated acts of violence or disorderly conduct as reflected by police calls for service or offenses occurring on premises utilized by patrons of the Permittee, or failure to report acts of violence
  - Failure of the Permittee to take reasonable steps to protect the safety of persons entering, leaving or remaining on the premises when the Permittee knew or should have known of the danger to such person, or the Permittee fails to take reasonable steps to intervene by notifying law enforcement officials or otherwise to prevent or break up an act of violence or an altercation occurring on the premises or on premises utilized by patrons and employees of the Permittee when the Permittee knew or reasonably should have known of such acts of violence or altercations.
  - Any enlargement or expansion of the premises, plan of operation or program format without appropriate approval from the City.
  - Misrepresentations or material misstatements of the Permittee, its agents or employees.

Dissemination of the Security Plan

- A copy of this security plan must be provided to each security officer, off-duty sworn law enforcement officer, manager(s) and assistant manager(s) employed by the permittee.
- A reading log will be maintained and will be signed by each of the above persons, stating they have read and understood this plan. Each security employee must read the plan once per year, or when there are any changes to the plan.
- A current copy of this plan will be maintained on the premises at all times, and a copy of this plan must be made available upon request of any code enforcement officer or police officer.
- Failure to conform to this plan will be considered a violation of the use permit.

Termination of the Plan

- This plan terminates on the date that the permittee's use permit terminates.
- An annual review of this plan may be conducted by City staff and revisions may be required.

Enclosures:

Addendums Attached:

X – Additional Security Provisions

Applicant/Management:

Name: Lauren Niehaus
Address: 1155 W. Rio Salado Pkwy. Ste 201, Tempe, AZ 85281
Phone: 303-827-9039
Date: 04/06/2023
Signature: 

Approved By:

Detective: Det. Tyler Parks #1423
Phone: 480-709-6133
Date: 5-23-23
Signature: T. PARKS #1423

Harvest of Scottsdale (Byers Dispensary, Inc).
Additional Security Provisions

Harvest of Scottsdale is committed to the peace of mind of its staff, customers, patients, and community members. To that end, security is of utmost importance to the Dispensary team, and we will ensure that the Dispensary is highly secure. The main components of Dispensary security include Building Security and Product Security.

Management Responsibilities

Management (e.g., managers, assistance managers, and all persons-in-charge) are responsible for communicating security procedures to employees, training them on security policies and procedures, and ensuring that the policies procedures are understood and followed.

Record Keeping

All establishment operation records will be kept for a minimum of 30 days per state regulation. Such records will include video, written receipts, invoices, and evidence of any transactions occurring within and without the establishment.

BUILDING SECURITY

Video Surveillance System

The Dispensary will be under 24-hour recorded video surveillance capable of capturing and recording clear and certain Identification of any person entering or exiting.

Surveillance systems will have full field digital view of the following areas:

- A well-lit exterior of entire building at all times
- Outdoor cameras that view the entire perimeter of the building
- Secured trash and recycling areas
- Multiple angles of entire interior facility except bathrooms
- Parking lot and rear exterior
- CCTV cameras will be placed in interior and exterior of the Dispensary
- Video cameras will have a recording resolution of at least 704x480, or the equivalent, and will record 24 hours/day
- Cameras and recording equipment will have sufficient battery backup to support at least 15 minutes of recording in the event of a power outage
- The video surveillance will be hard wired to an on-site computer, which will be used to store all video recordings and will have the capacity to store recordings for the previous 30 days. This computer will be secured on-site within a locked cabinet
- Connected to the computer will be a video printer capable of immediately producing a clear still photo from any video camera image that displays the time and date of capture

- A failure notification system will provide an audible and visual notification of any failure of the surveillance system
- The General Manager's office shall store the onsite hard drive for recorded surveillance

Exterior Building Security

The following security protocols will ensure that the exterior of the Dispensary is secure while providing a safe, welcoming, and professional environment:

- Video cameras will provide exterior coverage of all entrances and windows and any activities occurring outside or adjacent to the building.
- The perimeter of the property line may be enclosed with a concrete wall in compliance with local and state regulations and development standards.
- During business hours, Harvest management will be charged with monitoring the parking lot and area surrounding the Dispensary, ensuring safe ingress and egress to patients' transportation, and strictly enforcing loitering policies.
- A Greeter will be posted inside the room accessed by the patient entrance to perform an initial examination of the patient's credentials and ask patients to remove hats and/or sunglasses (except for religious headwear), if necessary, to facilitate the video capture for identification of the patient.
- Entrances will be protected with electronically controlled locking mechanisms that automatically lock entrances and prevent entrance to the facility without proper authorization.
- A licensed and bonded landscaping company will clean and maintain trees, bushes and other foliage around the perimeter of the Dispensary. In addition, cement-filled decorative planters will protect entrances and windows from unauthorized vehicular entrance.
- Windows and any other enclosures that provide a view of the inside of the Dispensary will be covered with security film.
- Exterior lighting will be installed to facilitate surveillance within the guidelines provided by the city in the City Policy for Exterior and Site Lighting document.
- The exterior will be outfitted with an HD CCTV cameras that cover the entire exterior of the building.

Interior Building Security

The following security protocols will ensure that the interior of the Dispensary is secure for qualifying patients and employees:

- Video cameras, which will operate on a CCTV system, will provide interior coverage of all entrances and windows, reception area, each point-of-sale location, and the vault, to Identify any person who holds a valid registry identification card or his or her designated caregiver purchasing medical marijuana.
- At least one call-up monitor nineteen inches or larger.
- Audible and silent alarms will alert the breach of all entrances and windows and provide motion-detection coverage for the entire Dispensary.

- Panic buttons will be installed at each point-of-sale location, in the vault, and under the reception stations, and when pressed will immediately contact local law enforcement agencies. Panic buttons are different from the alarm system in that they immediately alert law enforcement. The alarm system will be monitored by a professional alarm company who often times will be the first response before alerting law enforcement.

Access Control

The Dispensary will have an enclosed, locked IT and CCTV facility with no visible outside markings. The interior operations will be monitored such that entry into the building is regulated, and a complete access control system will be installed. The system will prevent entrance to the building, as well as limit access to employee-only areas through the use of key fob/electronic access and security doors at points of entry.

Authorized Access

The Dispensary will provide for the accurate and continuous Identification of individuals authorized to enter the Dispensary. The Dispensary will restrict access to the areas of the Dispensary that store marijuana to authorized individuals only.

Before dispensing marijuana to a customer, qualified patient or caregiver, the Dispensary Agent will enter the patient's or caregiver's registry identification number on the patient's or caregiver's registry Identification card into the Electronic Verification System and verify the validity of the registry identification card and age or for recreational customers verify the validity of the identification card and age. Access to the Dispensary building will be denied to any individual not providing the credentials listed above and satisfactorily proving eligibility and authorization to enter.

Controls to Detect and Prevent Unauthorized Access

To prevent unauthorized access to marijuana, edibles, and marijuana-infused products at the Dispensary, the Dispensary has security equipment to deter and prevent unauthorized entrance into limited-access areas that includes a series of devices to detect unauthorized intrusion, which may include a signal system interconnected with a radio frequency method, such as cellular, private radio signals, or other mechanical or electronic device. In addition, a burglar alarm shall be installed that will activate upon motion via entrance through the doors, glass, rooftop access and cover any shared wall. The alarm shall be monitored by an alarm company.

Access to the controlled areas will be limited to State licensed Dispensary Agents, and when needed, licensed contractors.

To ensure the safety of our employees, customers, and patients, only State licensed Dispensary Agents will have access to areas where marijuana is packaged and stored. These secure areas will have locked doors and key fob/electronic access at points of entry.

Panic Buttons

The Dispensary will install and maintain working panic buttons in the interior of the Dispensary. All Dispensary Agents within the Dispensary building will be trained to use and will have access to multiple panic buttons throughout the site. Panic buttons will be located within the Dispensary at the receptionist desk, all cashier stations, and within the vault. Dispensary Agents will be trained on the specific location of panic buttons and the specific circumstances under which panic buttons should be used, including threatening conduct, criminal invasion, and other security emergencies. The General Manager will ensure that all interior panic buttons are properly functioning at all times.

Security Equipment

The Dispensary will have security equipment to deter and prevent unauthorized entrance into limited access areas that includes devices or a series of devices to detect unauthorized intrusion, which may include a signal system interconnected with a radiofrequency method, such as cellular, private radio signals, or other mechanical or electronic device. In addition, a burglar alarm shall be installed that will activate upon motion via entrance through the doors, glass, rooftop access and cover any shared wall. The alarm shall be monitored by an alarm company.

Intrusion Detection

The Dispensary will comply with all State and local rules and regulations with regard to mandatory security and monitoring devices to prevent and detect unauthorized intrusion into the Dispensary building. The Dispensary will contract with a security and alarm monitoring company to conduct in-person or remote surveillance of the Dispensary building on a 24/7 basis. In addition, during business hours, the Manager on Duty will ensure that all electronically restricted access-controlled doors are properly secured with the alarm armed to notify of any unauthorized intrusion. During non-business hours, the Manager on Duty will ensure that the security system is armed and operational by securing all interior doors, electronically restricted access doors, and the exterior door, and setting the security system by way of a confidential access code.

Identification of Customers, Patients and Employees

The Dispensary will provide for the accurate and continuous identification of Individuals authorized to enter the Dispensary. Before dispensing marijuana to a customer, qualifying patient or designated caregiver, the Dispensary Agent will verify, through photo identification, that an individual presenting a marijuana identification card is the same as the individual depicted on the identification card, enter the patient's or caregiver's registry identification number on the registry identification card into the Electronic Verification System and verify the validity of the patient or caregiver's registry identification card and age. Access to the Dispensary building will be denied to any individual not providing the credentials listed above and satisfactorily proving eligibility and authorization to enter.

Customer and Patient Entrance

Each customer and patient entering the Dispensary will be met by a Greeter who will require the patient to display his/her registry card or identification card to enter. The customer/patient is then directed to the receptionist where he/she will display their registry card for verification. There shall be a physical separation or counter between the patient and the authorized Dispensary Agent. The separation shall form a barrier to prohibit patient access behind the counter. A panic alarm shall be installed behind the counter.

All patients must present a valid registry identification card or recreational customers must present a valid identification card in order to purchase marijuana. Patients and customers must remove hats, sunglasses, and any other objects that obstruct physical identification. This rule shall not apply to clothing worn over the face for established religious reasons. Video monitoring will show the customer, patient or caregiver's face.

Electronic Monitoring

The Dispensary will conduct electronic monitoring in and around the Dispensary building. The Dispensary will conduct electronic video monitoring of all visitors in the parking lot and in the entry area of the Dispensary building. All customers and patients entering the Dispensary shall remove their hats, sunglasses, and other similar objects, which obstruct physical identification. This shall not apply to clothing worn over the face for established religious reasons. At all times during business hours, at least one Dispensary Agent within the Dispensary building will be tasked with monitoring the electronic video monitoring systems and responding to any issues of security or safety that may arise. To prevent unauthorized access to marijuana at the Dispensary, the Dispensary will have security equipment to deter and prevent unauthorized entrance into limited access areas, which will include electronic video and visual monitoring. The Manager on Duty will be responsible for ensuring that all electronic video and visual monitoring security equipment is properly functioning at all times.

Loitering

The Dispensary will provide for the accurate and continuous identification of individuals authorized to enter the Dispensary. The Dispensary will post signs stating "no loitering" throughout the parking area utilized by patrons. Signs shall be placed in locations visible to all patrons. Harvest management will monitor the public areas around the Dispensary building to ensure no loitering is taking place and escort individuals away from the public areas around the Dispensary, or if necessary, contact law enforcement for assistance, in the event any loitering occurs.

Product Security

The Dispensary will ensure marijuana products are safe for customer and patient use by ensuring that products are properly procured, tracked, documented, stored, tested, packaged, labeled, inventoried, and that Dispensary Agents are properly trained to carry out all of these critical procedures. In addition to ensuring that customers and patients have access to safe products, our

responsibility to keep these products out of the hands of unauthorized individuals is a critical part of our product safety plan and our stewardship to the community.

Safe product storage begins with strong Chain of Custody and inventory procedures. This begins at a State licensed Cultivation site and ends with a final sale; a protocol will be in place for product recalls or shelf-life expiration. Enhanced secure storage, inventory procedures, and electronic monitoring systems, including real time access of data upon request, will serve as checks and balances throughout the Chain of Custody procedures for all products. Written documentation shall accompany all products being transported.

In addition to our integrated inventory and POS record-keeping system, Dutchie, the Dispensary will track physical access to products through the use of video monitoring and strict access controls. Physical storage of medicinal products is divided into three categories: In Transit, Bulk Storage, and Final Packaging. Bulk Storage is contained within a secure, climate-controlled vault within the Dispensary. Products that are in Final Packaging are stored in the vault during non-business hours and in the secure dispensing area during business hours. The details of product storage can be found below.

Transportation plays a role in ensuring the safety and security of marijuana, edibles, and marijuana-infused products. The Dispensary will take various steps to secure products during transportation and receiving, including:

- Deliveries and movements of marijuana-based products will always occur using an unmarked vehicle.
- Routes and schedules shall be randomized such that delivery patterns are not predictable.
- Cash is always stored in a locked safe within the delivery vehicle.
- All marijuana, edibles, and infused products are placed in a secure, non-transparent transportation box in the vehicle's secured compartment.
- Prior to departure, the Dispensary Agent must complete a Trip Form and a Chain of Custody form and have both approved by the General Manager.

Areas of the Dispensary where marijuana is stored, handled, packaged, or inspected are secured with key coded locks. Agent registration cards must be worn and be visible at all times, even if agent is delivering marijuana or marijuana-infused products off-site.

Agent registration cards will be used to clock in and out of work via magnetic strip, quick response (QR) code, or comparable electronic method.

In instances where light may degrade the quality of the marijuana or marijuana-infused product, lights may be turned off much of the day; however, motion sensors will turn lights on when anyone enters so that cameras will capture any and all movements in those secure areas. In addition, cameras pointed at all other interior and exterior lighted areas and entry points will record any authorized or unauthorized entry into secured rooms from the exterior of the enclosed, locked facility.

INVENTORY AND RECORD KEEPING

Materials Inventory

Dispensary Agents who are assigned inventory function are responsible for the storing, tracking, counting, and safekeeping of marijuana, marijuana-infused products, other company products, and cash. For purposes of maintaining an accurate inventory, the Dispensary adheres to the following:

Product Quantity

The Dispensary limits its inventory of marijuana and marijuana-infused products to meet the needs of patients while remaining in compliance with all state and local laws and regulations.

Dutchie Inventory Tracking System

The Dispensary will use the Dutchie POS and inventory management system. The software product is fully integrated with scales, label, and receipt printers. Dutchie is a fully integrated seed-to-sale tracking software tracks all marijuana seeds, plants, and produce and verifies product Identification and weight measures.

PRODUCT SECURITY

Secure and Safe Storage

All products are stored in a secure vault during non-business hours. Only pre-packaged marijuana, edibles, and marijuana-infused products that are ready to be sold to qualifying patients and customers are accessible in the secure cashier area during business hours. All products are clearly labeled and tracked within Dutchie, the point of sale and inventory management software designed to track products from seed to sale. Marijuana will be pre-packaged and labeled by Dispensary employees using secure packaging before being sold to patients. Keeping the product in tamper-proof packaging helps reduce the risk of theft, spoilage, and damage to the product.

At the Dispensary, marijuana, edibles, and marijuana-infused products will be stored in enclosed, locked locations. These locations include secure devices, display cases, cabinets, and rooms, all protected by locks or locking mechanisms. All bulk products are stored in the secure vault at all times. Packaged, sealed products are stored in the secure access-controlled dispensing area (Cashier Stations) during business hours and are stored inside the secure vault during non-business hours.

Once the marijuana, edibles, and marijuana-infused products are purchased from a licensed cultivation or production facility, the product will be entered into the Dutchie system. Once the product has been entered in Dutchie, the product will be securely moved into the vault for storage and safekeeping.

From the main vault, the Dispensary Manager on Duty will transfer enough marijuana, edibles, and marijuana-infused products for one day's operations into the access- controlled dispensing area/cashier station to which only authorized personnel will have access.

All transfers will be supervised by the Manager on Duty.

Customers, Patients and Sales

When a customer or patient arrives at the Dispensary, they will enter the first door and will be verified prior to entering the display area. They will only be allowed to enter with a valid registry card or identification card and going through the authorization process. The receptionist will verify all documentation using the Dutchie System and the state EVS system. The customer or patient will be allowed into the dispensing area upon verification. Once in the dispensing area, they will be greeted by a Patient Advisor. Once the customer or patient has selected the marijuana, edibles, and/or marijuana-infused products they wish to purchase, they will proceed to a cashier and receive their pre-packaged product in a sealed and stapled package and be issued a receipt.

The Dispensary will adhere to Arizona laws which limit the amount of marijuana, edibles, and marijuana-infused products to 2.5 ounces per 14 days for medical patients and 1 ounce for recreational customers.

To protect the safety and privacy of patients, and to prevent diversion, the use of cell phones and cameras is prohibited in the Dispensary.

Surveillance cameras will monitor all Points of entry to and exit from the Dispensary. This includes the parking lot, rear of the building, and all areas inside the Dispensary, including secured waste storage.

Management will ensure that customers and patients do not consume medicines in the Dispensary, the Dispensary parking lot, or in any other location around the Dispensary. Upon exiting the Dispensary, the Greeter will monitor the customer or patient and ensure that they leave the parking lot shortly after exiting the Dispensary in a safe and efficient manner. If a customer or patient has safety concerns or needs assistance leaving the Dispensary, the Greeter will assist and/or accompany them to their vehicle. The Greeter will also ensure that the Dispensary entrance and surrounding area and clean, professional, well maintained and well-lit at all times.

Drive-Thru Sales

All previously stated rules in place regarding identification and allotment totals apply to drive-thru sales.

Roll up gates in drive-thru will remain shut and locked during product movement procedures prior to opening. The Drive-Thru Fulfillment room will remain locked and under access control at all times. The transaction window will be constructed of impact resistant material and will

have an opening size that will only allow for the transfer of product and payment. All areas within the Drive-Thru Fulfillment room will be covered by security cameras to capture all product and cash handling. There will be sufficient panic alarms placed near work stations in the event of an emergency incident.

Customers and patients will use the drive-thru access on the south side of the building to obtain cannabis products and exit the north side of the building. Additional security surveillance will be in place to provide a safe and secure environment for staff, customers, and patients.

Monthly Audits

The Dispensary General Manager will conduct monthly audits of the Dispensary's internal controls, inventory tracking systems and procedures, and security systems and procedures. Dispensary management and staff will be familiar with an applicable local and state regulations and will conduct weekly audits to ensure compliance with all applicable regulations. These audits, in addition to the procedures described above, will help ensure the quality of products in a secure environment and that the products are being handled with care.

Refuse Plan

Contaminated or expired marijuana, and marijuana products will be stored in a designated area within the vault away from all other products designated for sale. During destruction process, the waste is collected and mixed with biodegradable kitty litter[1] and vinegar on a 1:1 ratio rendering it unusable, and it is then placed in a disposal container.

At the end of each day, the Dispensary employee will collect the disposal waste and place it in the designated locked Waste container located outside the licensed facility.

The following procedures will be followed to document the outgoing disposal:

1. Date and time the marijuana or Marijuana product waste was destroyed
2. The dispensary agent in charge of destroying the waste
3. The amount/ batch and product type
4. The method of destruction, which is performed on camera and recorded
5. Inventory records will be updated and uploaded by Manager on Duty once confirmed the marijuana or marijuana product was disposed of. And documented properly on the disposal log

[1]Biodegradable litters are made from various plant resources, including pine wood pellets, recycled newspaper, clumping sawdust, cassava, barley, okra and dried orange peel. This medium renders the disposed marijuana unusable in a safe, non-toxic, storage process.

December 19, 2022

Below please find complete details regarding the Citizen Review Plan for Trulieve, Harvest of Scottsdale's Conditional Use Permit Application Number 711-PA-2022

Harvest of Scottsdale, a marijuana dispensary located at 15190 N. Hayden Road, Scottsdale, Arizona 85260, is seeking to renew our conditional use permit.

Project Size: + or – 6,800SF

Zoning: Industrial Park (I-1)

Site Plans: See appendix

Applicant Contact:
Lauren Niehaus
Director of Government Relations, Trulieve
303.827.9039
Lauren.neihaus@trulieve.com

Specific Public Participation outreach:

- Trulieve mailed a public notification letter and site plans, via 1st class letter, to the City's interested party list and property owners, as provided by the City of Scottsdale on November 28, 2022.
    - Letters were mailed to the below listed property owners located within 750 feet of Harvest of Scottsdale. A copy of the mailed letter and map showing where neighbors are located.
    - Trulieve confirmed this mailing list included any residents as well through a Radius Survey Map conducted on December 15, 2022 with the findings included with this document.

Thank you,



Lauren Niehaus, Director of Government Relations
Trulieve

December 1, 2022

Dear interested party,

Trulieve's Harvest of Scottsdale, a marijuana dispensary located at 15190 N. Hayden Road, Scottsdale, Arizona 85260, is seeking renewal of its Conditional Use Permit.

As required by the City of Scottsdale, we are providing this notification to give surrounding property owners the opportunity to contact Trulieve, or the City of Scottsdale, with any questions or concerns.

Project Request and Description: Renewal of the Conditional Use Permit for Harvest of Scottsdale
Pre-Application Number: 711-PA-2022
Project Location: 15190 N. Hayden Road, Scottsdale, AZ 85260
Size: +/- 6,800 SF facility
Zoning: Industrial Park (I-1)
Conceptual Site Plan / Elevations: Attached to this letter

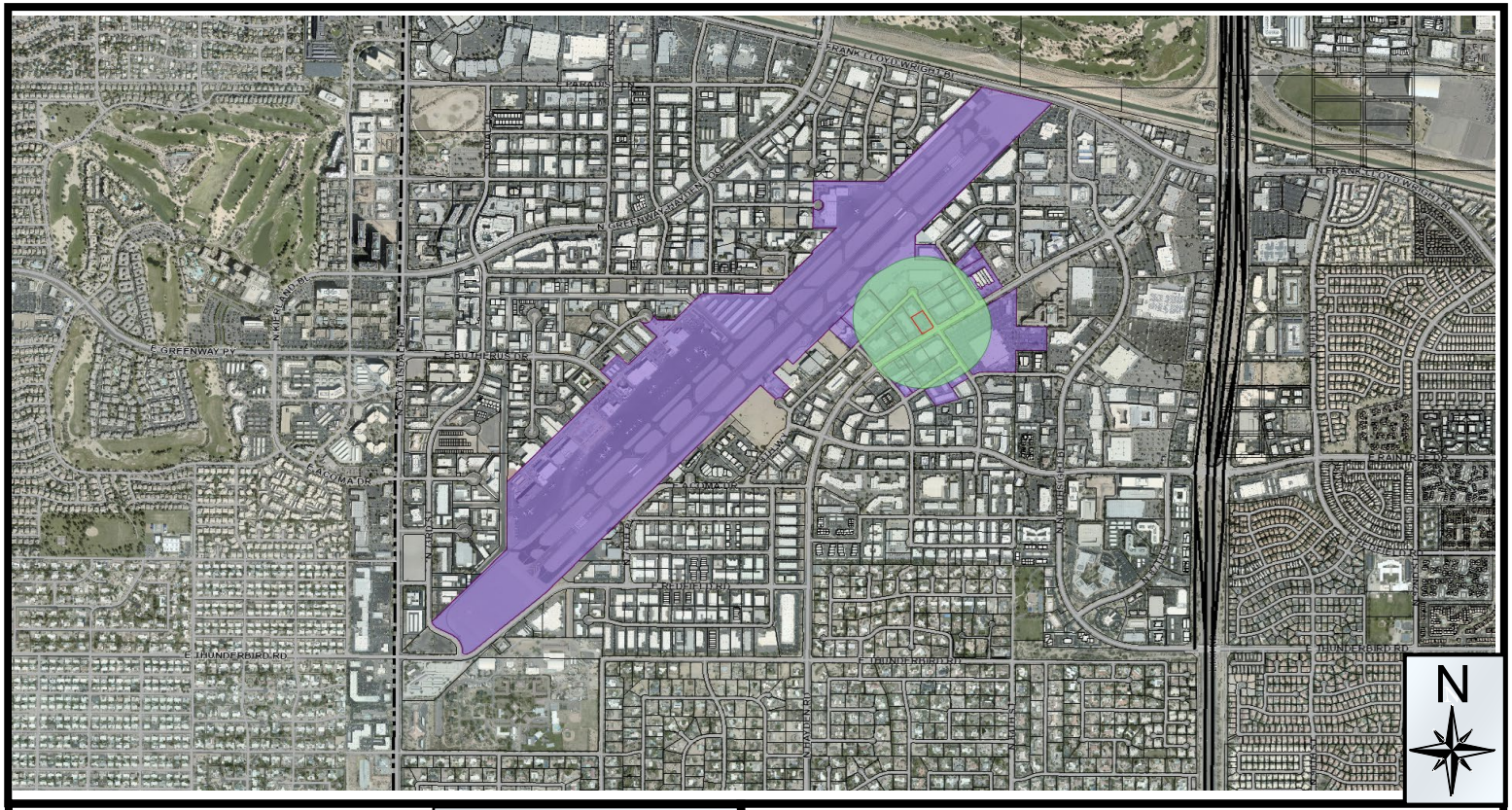
Applicant Contact:
Lauren Niehaus, Director of Government Relations, Trulieve
Phone: 303.827.9039
Lauren.Niehaus@Trulieve.com

City Contact:
Bryan Cluff, Senior Planner, City of Scottsdale Planning and Development
Phone: 480-312-2258
Fax: 480-312-7088
bcluff@ScottsdaleAZ.gov

Thank you,

Lauren Niehaus, Director of Government Relations
Trulieve

City Notifications – Mailing List Selection Map
Harvest of Scottsdale



Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Nextdoor.com
- City Website-Projects in the hearing process

Pulled Labels
February 17, 2023

Map Legend:

Site Boundary

Properties within 750-feet

Postcards: 87

10-UP-2015#4

Attachment 7