

**TOWN OF FAIRFAX
STAFF REPORT
Department of Planning and Building Services**

TO: Fairfax Planning Commission
DATE: April 21, 2016
FROM: Jim Moore, Director of Planning and Building Services
Garrett Toy, Town Manager
ACTION: Discussion of results of On-Line community forum and potential standards for medical marijuana delivery

BACKGROUND

In October 2015, the Governor signed into law AB 266 which established a comprehensive State licensing and regulatory framework for the cultivation, manufacture, transportation, storage, distribution, and sale of medical marijuana. At their March 2016 meeting, the Town Council expressed interest in developing local standards for delivery in addition to whatever standards are developed by the State agencies.

The Council also approved staff's recommendation to use Town's on-line forum (run by "Peak Democracy") to solicit more community input and to report the results to the Planning Commission (PC) at its April 21st meeting to be discussed in conjunction with a general discussion regarding delivery standards. The community was informed of the on-line forum via the Town newsletter, website, and Nextdoor. The on-line forum ran from March 9th to April 11th.

The Council referred the matter to the Commission for consideration since the PC previously adopted delivery standards for the former medical marijuana dispensary in Town.

DISCUSSION

The Planning Commission did approve in 2010 delivery standards for the previous medical marijuana dispensary in Town. The standards were a part of the conditions of approval for the use permit for the dispensary. Council and staff believe these standards are a good framework by which to begin discussions for general delivery standards (see attached conditions). The on-line forum questions were based on the key standards.

There were 44 total responses (All Response report). The responses are classified as follows:

29 On-Forum responses: All respondents registered and verified their email addresses which allows other respondents to view their comments. Twenty (20)

of the 29 respondents live in Fairfax.

15 Off-Forum responses: These responses came from people who either did not begin or complete the registration process. These respondents' comments cannot be seen by the public and we cannot identify their place of residence. We also do not know if a respondent took the survey more than once. Please note the total Off-Forum responses does not include five (5) surveys that did not contain any responses to the questions (i.e., persons apparently reviewed the survey, but did not complete their registration nor answer any of the questions.

16 hard copy responses: These were provided to the Town by Sharefax, a cannabis education and awareness group. We did not include these results in the All-Response report because we would need to manually recalculate the overall results. However, we provided a summary sheet of their responses. Most of the respondents did not include their place of residence, but of the ones that did, two are Fairfax residents.

Attached are three summary reports detailing the results: On-Forum, Off-Forum and All Responses (combines On-Forum and Off-Forum). The comments of the individual respondents to the On-Forum report can be viewed on the Town website by clicking on the community forum topic response line.

The following are the key policy decisions addressed in the Town's On-Line Forum, but they are not meant to be inclusive of all the policy issues. For purposes of this report, we used the results from the All Responses report. It should be noted that the On-Forum responses closely reflected the percentages of the Off-Forum responses.

Should the Town develop regulations governing the delivery of medical marijuana by dispensaries in Town?

Over 70% (32 of 44) of the respondents supported the Town Council's desire to regulate delivery. This is also consistent with the PC's approval of delivery standards for the previous medical marijuana dispensary in Town.

Should the Town try to regulate all deliveries in Town by dispensaries, whether located in Town or not?

Interestingly, the response was evenly split: approximately 46% (20) voted Yes and 46% (20) voted No. Legal Counsel is researching the ability of the Town to regulate deliveries by dispensaries located outside of the Town. Also, it is not clear exactly how staff would enforce such a regulation.

Should the hours of the delivery service be limited to Monday through Saturday, between the hours of 9:00 AM and 5:00 PM.?

This is the standard approved for the previous dispensary. Over 70% (32 of 44) of respondents indicated there should be no limit. It should be noted that eleven (11) of the On-Forum (majority of residents) responses replied Yes.

Should a dispensary be allowed to have more than one vehicle provide deliveries?

The standard set for the dispensary was up to two vehicles. Over 85% of respondents (38) supported the use of more than one vehicle.

Should delivery vehicles be unmarked (i.e., no business logo)?

The standard set for the dispensary was the use of unmarked vehicles. Over 70% (31) supported the use of unmarked vehicles.

Should there be a limit to the amount of medical marijuana delivery vehicles may carry?

This was somewhat evenly split: approx. 48% (21) said Yes and 36% said No. The standard set for the dispensary was 16 oz.

For those that answered Yes, 32% (8) selected 32 ounces or less.

Should the delivery driver be allowed to accept payments upon delivery?

Over 75% (33) of respondents supported the concept. The standard set for the dispensary allowed the driver to carry cash and medical marijuana products which implies the ability to accept payments.

If so, should there be a limit to the amount of cash a delivery vehicle may carry?

The response was evenly split: Approx. 37% (14) said Yes and 42% (16) replied No. The standard set for the dispensary allowed the driver to carry no more than \$2,500 in cash and \$2,500 in medical marijuana products.

Should a delivery driver be allowed at the delivery to sell more product than requested, or to others who did not order?

The response was evenly split: Approx. 46% (20) said Yes and 48% (21) replied No. The standard set for the dispensary stated "In no event shall the quantity of medical marijuana carried exceed the reasonable amount required by the patients being delivered to." This would seem to support the restriction.

Should the delivery vehicle be staffed by at least two persons a licensed driver and permittee or another employee designated as a caregiver, pursuant to state law, during all deliveries?

Over 72% (32) replied No. The standard set for the dispensary was a minimum of two (2) staff.

Should deliveries only be made to residential properties (i.e., no commercial property)?

Over 68% (30) replied No. There was no such restriction for the dispensary.

Should deliveries only be made to adults?

All 44 respondents said Yes. While not specifically stated in the standards set for the dispensary, it is implied.

Should drivers be required to verify the patient's identity by checking the patient's State or permittee-issued ID card at the point of delivery?

Approximately 82% (36) replied yes. This standard was required for the dispensary.

Other

The On-Line Forum is limited and could not address all the delivery standards or issues. As a result, we anticipate that the PC may want to discuss other standards not addressed by the On-Line Forum.

RECOMMENDATION

Based on the PC's direction, staff anticipates returning to the Commission in May with a proposed ordinance for consideration.

ATTACHMENTS

Attachment A - PC conditions of approval for dispensary

Attachment B - All Responses report

Attachment C - On-Forum report

Attachment D - Off-Forum report

Attachment E - Summary of hard copies



TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930
(415) 453-1584 / FAX (415) 453-1618

July 13, 2010

Ms. Lynette Shaw
Marin Alliance for Medicinal Marijuana
6 School Street Plaza, Suite 210
Fairfax, CA. 94930

NOTICE OF PLANNING COMMISSION ACTION

RE: **6 School Street Plaza, Suite 210; Application 97-UP-2**
Continued consideration of a request for a modification of a previously approved Use Permit for a medicinal marijuana dispensary to allow for the (1) operation of a delivery service, (2) the propagation and sale of clones, (3) an amendment to the conditions allowing for location of a grow site run by the dispensary within the Town limits, and (4) the elimination of a series of specific conditions in the existing conditional use permit.

Dear Ms. Shaw,

It is a pleasure to inform you that the Fairfax Planning Commission at its meeting on June 17, 2010, approved the above referenced application subject to the enclosed Conditions of Approval in Exhibit A, and Exhibit B, Resolution No. 10-05.

For the record, any changes, modifications, additions or alterations to the newly approved Use Permit No 97-UP-2 will require another modification of the Use Permit from the Planning Commission.

If you have any questions regarding the Planning Commission action, or if you would like to purchase a copy of the meeting recording, please do not hesitate to contact the Fairfax Department of Planning and Building Services.

Best Regards,

James M. Moore
Director of Planning and Building Services

Enclosures: Exhibit A, Use Permit 97-UP-2 Modified Conditions of approval
Exhibit B, Resolution No. 10-05, A Resolution of the Fairfax Planning
Commission Granting in Part and Denying in Part an application for Modification
of Use Permit # 97-UP-2 for a Medicinal Marijuana Dispensary at 6 School Street
Plaza, Suite 210, Assessor's Parcel No. 002-112-13

ATTACHMENT



“EXHIBIT A”

USE PERMIT 97-UP-2 MODIFIED CONDITIONS OF APPROVAL

1. The dispensary is to be operated in an area zoned as Limited Commercial (CL). A dispensary will not be located in a residential area.
2. No dispensary shall be operated within 500ft of any public or private school.
3. No dispensary shall be operated after 10:00 PM at night or before 8:00 AM in the morning. The dispensary shall not be open to the public between 8:00 AM and 9:00 AM, but this time may be used for setup and other administrative functions. Similarly, the dispensary shall not be open to the public between 9:00 PM and 10:00 PM, but this time may be used for closedown, cleaning, inventory and other administrative functions.
4. Neither live marijuana plants nor cultivation of marijuana is permitted in the dispensary, except that immature, non-flowering cloned live marijuana plants measuring less than 12 inches in height may be stored and sold.
5. There shall be no transportation of medicinal marijuana except the lawful transportation by patients, caregivers, and deliveries conducted pursuant to Conditions 29-36.
6. No amount of medicinal marijuana which is unduly disproportionate to the average number of patients served by the dispensary may be stored in the dispensary.
7. All clients of the Marin Alliance for Medical Marijuana are required to possess valid and current Marijuana for Medical Purposes identification card from the County of Marin Department of Health Services, the City and County of San Francisco Department of Public Health, or the City of Oakland Department of Public Health.

Prior to obtaining a State ID card, patients may given a 30-day trial membership. A current, written physician's recommendations that is confirmed by telephone shall be required for a 30-day trial membership. During this trial membership, patients should carry permittee-issued ID cards. The permittee shall maintain a written record of the telephone verification, including the name of the employee who made the telephone call and the name and contact information of the person who verified the physician's recommendation, for the 30-day period. At the conclusion of the 30-day trial period, the permittee shall verify that the patient has obtained a State ID card.

The permittee will contract a licensed physician to conduct an audit of client records prior to the close of any six month use permit compliance period, and report the findings of the audit to the Town of Fairfax to ensure compliance with this condition.

8. Should the patient be a minor, the record shall include the signed consent of the parent or legal guardian of the minor.

A

9. Patients may have a designated caregiver on record that shall be entitled to obtain marijuana on behalf of the patient.
10. Any designated caregiver of a patient of the Permittee shall comply with any and all requirements as set forth by the health department grantee (either the Marin Department of Health and Human Services, the San Francisco Department of Public Health, or the City of Oakland Department of Public Health) from which the patient has valid current identification card for the use of marijuana for medical purposes. Prior to obtaining a State ID card, patients may be given a 30-day trial membership pursuant to Condition 7, above, and may designate a caregiver to obtain marijuana on their behalf during that time.
11. Prior to commencing business each day, the permittee will record the total gross weight of all marijuana possessed at the dispensary which is no longer affixed to any living marijuana plant. In addition, the permittee shall record the total numbers of cloned live marijuana plants being stored or offered for sale pursuant to Condition 4.
12. At the close the business each day, permittee will record the total gross weight of marijuana dispensed on that date and the total gross weight of all marijuana possessed at the dispensary which is no longer affixed to any living marijuana plant.
13. The permittee or his or her employee, shall record upon an individual receipt the membership number of the person obtaining the marijuana, the amount of marijuana purchased, the amount paid for the marijuana, and the time and date the marijuana was dispensed. Receipts shall be retained pursuant to Condition 22.
14. Permittee shall maintain financial records identifying information for all savings accounts, checking accounts, investment accounts and trusts associated with the operation of the dispensary.
15. Permittee shall maintain ledgers documenting all credits and debits affecting said accounts.
16. Permittee shall maintain records documenting all parties involved in, amounts of and purposes, for all cash transactions.
17. Permittee shall maintain records of all transactions related to the operation of the dispensary, including but not limited to rent, utilities, inventory, insurance and payroll.
18. Permittee shall maintain the records regarding the actual address, including Assessor's Parcel Number, of each site that medicinal marijuana is cultivated, grown and/or harvested on behalf of the dispensary.
19. Permittee shall maintain the records regarding the estimated yield that the growth will provide during each harvest of each site that medical marijuana is cultivated pursuant to Condition 17.

20. The dispensary shall not obtain marijuana from any other source other than those identified pursuant to Condition 18.
21. The cultivation site(s) identified pursuant to Condition 18 shall not be in areas zoned as residential.
22. Permittee shall maintain all of the required records at the dispensary site or in secured, accessible storage at all times.
23. All required records shall be subject to inspection by the Chief of Police, or his designee, without warrant and without notice, during the time the dispensary is open for business.
24. Nothing in this section shall prohibit the discovery of seizure of records pursuant to court process.
25. Permittee may use alternatives for inspection of designated records. Records not specifically exempted herein shall be available to police inspection pursuant to Condition 23.
26. As an alternative to police inspection and with the consent of the Marin County Department of Health and Human Services, the Marin County Department of Health and Human Services shall conduct the patient and care giver records inspection. With this alternative the permittee will maintain, for police inspection, the letter of consent and a letter verifying that an inspection has been conducted within 6 months. The letter of verification shall also contain the number of patients, and the estimated total marijuana by weight that is necessary to support patient requirements.
27. As an alternative to police inspection, the Town of Fairfax may request that an audit of receipts be conducted by a Certified Public Accountant (CPA) chosen by the Town and paid for by the permittee. The permittee shall provide a summary of the report to the Town.
28. As an alternative to police inspection and with the consent of the Marin County Department of Agriculture, the Marin County Department of Agriculture shall inspect grower records and inspect the actual agricultural site. With this alternative the permittee will maintain, for police inspection, the letter of consent and a letter verifying that an inspection of the records and the growing site has been conducted within four months. The letter of verification shall contain the number of growing sites and the estimated yield, by weight, of medicinal marijuana.
29. The permittee may operate a delivery service and deliver medical marijuana to patients pursuant to the conditions of this permit.
30. The hours of the delivery service are limited to Monday through Saturday, between the hours of 9:00 AM and 5:00 PM. Permittee may utilize up to two vehicles for deliveries at any one time.

31. Permittee must maintain current automobile insurance in the amount of \$1 million per incident, and shall agree to indemnify, defend, and hold harmless the Town of Fairfax, its officers, agents, employees and volunteers from all claims, suits, or actions of every name, kind and description arising from or connected with the delivery service. Permittee shall name the Town of Fairfax as an additional insured on its automobile insurance policy. Permittee's insurance records shall be maintained and subject to inspection pursuant to Conditions 22 and 23.
32. Delivery vehicles shall be unmarked. Delivery vehicles shall carry no more than sixteen ounces of medical marijuana, no more than \$2,500 worth of other medical marijuana products, and no more than \$2,500 in cash at any time. In no event shall the quantity of medical marijuana carried exceed the reasonable amount required by the patients being delivered to
33. Each delivery vehicle shall be staffed by at least two persons: a licensed driver and permittee or another employee designated as a caregiver pursuant to state law, during all deliveries. All drivers and caregivers shall submit to a criminal background check with the Town Police Department. Persons convicted of a felony shall not be allowed to operate or accompany delivery vehicles.
34. Deliveries shall be made to residential properties only.
35. Permittee shall note the member number and address of the patient by telephone when taking orders for delivery, and the permittee or their employee shall verify the patient's identity by checking the patient's State or permittee-issued ID card at the point of delivery. Permittee shall maintain records and receipts of all deliveries pursuant to Conditions 13 and 23.
36. Permittee shall provide its delivery schedule and delivery vehicle information to the Fairfax Police Department on request during dispensary business hours.
37. No amount of medicinal marijuana which is unduly disproportionate to the average number of patients served by the dispensary may be brought to the dispensary location.
38. When a patient or care-giver is in possession of medicinal marijuana, the person shall also be in possession of a State or permittee-issued identification card as specified in Condition 7.
39. No medicinal marijuana will be used or consumed at the dispensary site.
40. Permittee shall not distribute medicinal marijuana to any person without confirming the patient's lawful ability to obtain marijuana in compliance with Health and Safety Code Section 11362.5.

41. Permittee shall not provide medicinal marijuana to any person without confirming the patient's or care giver's identity by means of valid government issued identification which bears a photograph of the patient or care giver obtaining the marijuana.
42. Permittee shall not distribute any amount of medicinal marijuana which exceeds one ounce to, or on behalf of, any one person during any consecutive seven day period without a physician's written recommendation.
43. Any marijuana that is dispensed shall be in sealed containers. Commercially manufactured child-resistant containers shall be available.
44. The medicinal marijuana dispensary shall be equipped with an operable alarm system. This alarm system, at a minimum, will protect the perimeter of the dispensary and the location within the structure where medicinal marijuana is stored, packaged or dispensed.
45. The alarm is to be monitored by a professional alarm company at all times when the dispensary is closed for business.
46. All doors and windows of the premises shall be equipped with adequate security devices.
47. All medicinal marijuana and cash shall be stored in a locked safe at all times which the dispensary is closed for business.
48. This safe will be retained at the dispensary at all times.
49. All medicinal marijuana and cash shall be stored in a locked safe at all times when the dispensary is closed for business.
50. This safe will be retained at the dispensary at all times.
51. Permittee shall notify the Fairfax Police Department of all criminal activity which is occurs at, or adjacent to, the dispensary.
52. This activity shall be reported as it is occurring, or when first discovered by the permittee, and shall include all activity that can reasonably be determined to be criminal in nature.
53. For the purpose of these requirements the term: a) "Permittee" is defined to include, but not be limited to, the permittee, and all owners, directors, advisors, consultants, contractors, employees and volunteers engaged in, or assisting in the operation of a medicinal marijuana dispensary, whether operated for profit or not.
54. "Premises" is defined to include, but not be limited to, all offices, rooms, storage facilities, lockers, stationary conveyances, outbuildings, parking lots and ground, whether open to the public or not.
55. Any violation of these conditions shall be cause for revocation of the use permit.

56. The use must be conducted in compliance with the provisions of Proposition 215.
57. No persons under the age of 18 shall be permitted in the dispensary at any time, except for underage members accompanied by a parent, legal guardian, or the member's personal medical professional.
58. No retail sales of any products other than medical marijuana will be permitted at the dispensary located at 6 School Street Place, Suite 210.
59. The dispensary is required to have a display on the front door and within the waiting room advising its clientele that no person under the age of 18 is permitted onto the premises except underage members accompanied by a parent, legal guardian, or the member's personal medical professional.
60. The use shall be subject to all State adopted guidelines immediately upon adoption of such guidelines.
61. The use permit shall be revoked if any final judicial decision is made rendering the use illegal.
62. The applicant shall make a good faith effort to obtain any and all required permits and/or licenses from the State of County agencies having jurisdiction over this type of use (i.e. Marin County Health Department, State Board of Equalization, etc.).
63. There shall be no alcohol used on the premises of the dispensary.

EXHIBIT "B"

RESOLUTION NO. 10-05

A RESOLUTION OF THE FAIRFAX PLANNING COMMISSION GRANTING IN PART AND DENYING IN PART AN APPLICATION FOR MODIFICATION OF USE PERMIT # 97-UP-2 FOR A MEDICAL MARIJUANA DISPENSARY AT 6 SCHOOL STREET PLAZA, SUITE 210, ASSESSOR'S PARCEL NO. 002-112-13

WHEREAS, the Town of Fairfax received an application ("Application") for modification of Use Permit # 97-UP-2 ("Use Permit") from Ms. Lynette Shaw ("Applicant"), who operates the Marin Alliance for Medicinal Marijuana Collective at 6 School Street Plaza, Suite 210, Fairfax, California (Assessor's Parcel No. 002-112-13);

WHEREAS, the Town of Fairfax approved the Use Permit in 1997 subject to 84 conditions; and

WHEREAS, in 2001, the Planning Commission amended the Use Permit, eliminating 12 conditions and modifying others; and

WHEREAS, the Application requests the elimination or modification of 40 of the remaining 72 conditions, relating to a variety of aspects of the use; and

WHEREAS, on March 18, 2010, the Planning Commission held a duly noticed Public Hearing on the Application, and continued the hearing to April 15, 2010, May 20, 2010, and June 17, 2010, at which times all interested parties were given a full opportunity to be heard and to present evidence;

WHEREAS, the Application is Categorically Exempt from the Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1, exempting modifications to the permitting of existing uses; and

NOW, THEREFORE, the Planning Commission does hereby find and determine as follows:

1. In light of the Applicant's successful and largely problem-free operation over the past 15 years, Applicant's request to extend her allowed hours of operation by two hours to allow for additional set-up and close-down time is reasonable.
2. The Applicant's request to permit the sale of immature, non-flowering cloned plants less than twelve inches in height is reasonable. The Planning Commission finds that allowing the sale of clones will benefit patients by allowing patients to cultivate a small number of medical marijuana plants on their private property pursuant the Compassionate Use Act. Limiting the sale to immature, non-

flowering cloned plants of a small size will prevent the cultivation of medical marijuana at the dispensary. Additional record-keeping requirements will ensure that proper records are kept of the sale of cloned plants.

3. The Applicant's request to allow new patients to obtain emergency trial access for 30 days with a verified written doctor's recommendation while they obtain a State ID card is reasonable and will benefit patients who are in the process of obtaining the State ID card and need medical marijuana in the meantime. Additional record-keeping requirements will ensure that the 30-day trial period is appropriately monitored and proper records are kept of verified written doctor's recommendations.
4. The Applicant's request to allow her records to be maintained either onsite or offsite in a secured, accessible storage location is reasonable. The Applicant's request to remove the condition allowing the Chief of Police to inspect her records at any time without a warrant is reasonable in light of current law. The Applicant will continue to offer access to records during her business hours. Similarly, the Applicant's request that, as an alternative to police review, she opt to have the Town appoint a certified public accountant to review her receipts, at her expense, and prepare a report, is reasonable and will not be detrimental or injurious to the neighborhood, the general welfare of the Town or to the health, safety, peace, morals, comfort, or general welfare of residents of and visitors to the Town.
5. The Applicant's request to eliminate the conditions requiring that patients not use medical marijuana on public property and on private property without the permission of the property owner, and other conditions where enforcement is outside of the her direct control, will not be detrimental or injurious to the neighborhood, the general welfare of the Town or to the health, safety, peace, morals, comfort, or general welfare of residents of and visitors to the Town.
6. The operation of a delivery service will benefit disabled, elderly, and homebound patients who have difficulty going to the Marin Alliance for medication. The Planning Commission finds that if such a service is operated pursuant to Conditions 29-36 of the Use Permit 97-UP-2 Modified Conditions of Approval, attached hereto as "Exhibit A" and incorporated into this Resolution, it will benefit patients while avoiding any detriment or injury to the neighborhood, the general welfare of the Town or to the health, safety, peace, morals, comfort, or general welfare of residents of and visitors to the Town.
7. The Planning Commission does not have the jurisdiction to grant the Applicant's request to permit a grow site for medical marijuana without designating a location for a grow site. An application for a grow site on a specific parcel would be subject to public review and Planning Commission deliberation pursuant to the Town Code. Therefore, Applicant's request for permission to operate an unspecified grow site within Town limits is denied.

8. The operation of Applicant's business does not conflict with or create any problems for any organized youth activities that occur in the nearby area. On the other hand, the Use Permit's limitations on operation of Marin Alliance during youth activities have had a detrimental impact on patients who need to obtain medical marijuana during those times. Eliminating these limitations is unlikely to harm youth and will benefit patients who need to obtain medical marijuana on weekends and afternoons when youth activities are occurring.
9. The Use Permit's age limitation for patients adversely impacts underage patients, forcing patients under age 18 to remain outside while their caregivers obtain medical marijuana for them. Allowing patient members under the age of 18 to enter Marin Alliance in the company of a parent, legal guardian, or personal medical professional will allow legitimate underage patients to personally obtain medical marijuana while still prohibiting non-patient minors from entering Marin Alliance premises.
10. Other clerical changes to the conditions were made, with the agreement of the Applicant, to streamline and clarify the condition requirements and remove redundant language.

NOW, THEREFORE, the Planning Commission of the Town of Fairfax does hereby grant the Application for Modification of Use Permit #97-UP-2 in part and deny the Application in part, as described in the Use Permit 97-UP-2 Modified Conditions of Approval, attached hereto as "Exhibit A" and incorporated into this Resolution.

The foregoing Resolution was duly passed and adopted at a Regular Meeting of the Planning Commission of the Town of Fairfax held in said Town on the 17th day of June, 2010 by the following vote, to wit:

AYES:
NOES:
ABSENT:

Chair

Attest:

Judy Anderson, Town Clerk

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

All Responses sorted chronologically

As of April 18, 2016, 4:23 PM



As with any public comment process, participation in Community Forum is voluntary. The responses in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

As of April 18, 2016, 4:23 PM, this forum had:

Attendees: 73

All Responses: 49

Hours of Public Comment: 2.5

This topic started on March 9, 2016, 3:29 PM.

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

Responses

Should the Town develop regulations governing the delivery of medical marijuana by dispensaries in Town?

		%	Count
Yes		72.7%	32
No		22.7%	10
Don't Know		4.5%	2

Should the Town try to regulate all deliveries in Town by dispensaries, whether located in Town or not?

		%	Count
Yes		45.5%	20
No		45.5%	20
Don't Know		9.1%	4

Should the hours of the delivery service be limited to Monday through Saturday, between the hours of 9:00 AM and 5:00 PM?

		%	Count
Yes		9.1%	4
Yes, but different days or hours (specify below)		18.2%	8
No		72.7%	32

If you selected, "Yes, but different hours or days" - What times and/or days should delivery hours be limited to?

Answered	11
Skipped	38

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

00 24 7 9 access **business** creates **dispensary** leave matter **only open** pm reasonable
regarding **rules** same **state** until up

Should a dispensary be allowed to have more than one vehicle provide deliveries?

		%	Count
Yes		86.4%	38
No		2.3%	1
Don't Know		11.4%	5

Should delivery vehicles be unmarked (i.e. no business logo)?

		%	Count
Yes		70.5%	31
No		9.1%	4
Don't Know		20.5%	9

Should there be a limit to the amount of medical marijuana a delivery vehicle may carry?

		%	Count
Yes		36.4%	16
No		47.7%	21
Don't Know		15.9%	7

If you answered "Yes" to limiting the amount of marijuana a delivery vehicle can carry, what should that limit be?

		%	Count
Less than 16 oz		12.0%	3

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

		%	Count
Less than 32 oz		20.0%	5
No limit		24.0%	6
Don't Know		20.0%	5
Other		24.0%	6

Should the delivery driver be allowed to accept payments upon delivery?

		%	Count
Yes		75.0%	33
No		20.5%	9
Don't Know		4.5%	2

If "Yes," should there be a limit to the amount of cash a delivery vehicle may carry?

		%	Count
Yes		36.8%	14
No		42.1%	16
Don't Know		21.1%	8

Should a delivery driver be allowed, at the delivery, to sell more product than requested, or to others who did not order?

		%	Count
Yes		45.5%	20
No		47.7%	21
Don't Know		6.8%	3

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

Should the delivery vehicle be staffed by at least two persons: a licensed driver and permittee or another employee designated as a caregiver, pursuant to state law, during all deliveries?

		%	Count
Yes		13.6%	6
No		72.7%	32
Don't Know		13.6%	6

Should deliveries only be made to residential properties (i.e. no commercial properties)?

		%	Count
Yes		18.2%	8
No		68.2%	30
Don't Know		13.6%	6

Should deliveries only be made to adults?

		%	Count
Yes		100.0%	44

Should drivers be required to verify the patient's identity by checking the patient's State or permittee-issued ID card at the point of delivery?

		%	Count
Yes		81.8%	36
No		9.1%	4
Don't Know		9.1%	4

Are there any other comments you would like to add?

Answered 22

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

Skipped

27

able all **also** any **business** **cannabis** **cost** **deliveries**
delivery dispensary **driver** enough **from** like **marijuana**
medical **medicine** more **need** **needs** **one** **other** **patient**
patients per **privacy** **seems** **service** **state** **t** **than** **thank** **they** **those** **too** **up**
vehicle **vehicles** **way** **work**

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

All On Forum Responses sorted chronologically

As of April 18, 2016, 5:01 PM



As with any public comment process, participation in Community Forum is voluntary. The responses in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

As of April 18, 2016, 5:01 PM, this forum had:

Attendees:	73
On Forum Responses:	29
All Responses:	49
Hours of Public Comment:	2.5

This topic started on March 9, 2016, 3:29 PM.

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

Responses

Should the Town develop regulations governing the delivery of medical marijuana by dispensaries in Town?

		%	Count
Yes		79.3%	23
No		20.7%	6

Should the Town try to regulate all deliveries in Town by dispensaries, whether located in Town or not?

		%	Count
Yes		51.7%	15
No		44.8%	13
Don't Know		3.4%	1

Should the hours of the delivery service be limited to Monday through Saturday, between the hours of 9:00 AM and 5:00 PM?

		%	Count
Yes		10.3%	3
Yes, but different days or hours (specify below)		27.6%	8
No		62.1%	18

If you selected, "Yes, but different hours or days" - What times and/or days should delivery hours be limited to?

Answered	9
Skipped	20

00 7 9 access business dispensary only open pm reasonable same

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

Should a dispensary be allowed to have more than one vehicle provide deliveries?

		%	Count
Yes		86.2%	25
No		3.4%	1
Don't Know		10.3%	3

Should delivery vehicles be unmarked (i.e. no business logo)?

		%	Count
Yes		75.9%	22
No		6.9%	2
Don't Know		17.2%	5

Should there be a limit to the amount of medical marijuana a delivery vehicle may carry?

		%	Count
Yes		48.3%	14
No		44.8%	13
Don't Know		6.9%	2

If you answered "Yes" to limiting the amount of marijuana a delivery vehicle can carry, what should that limit be?

		%	Count
Less than 16 oz		15.0%	3
Less than 32 oz		15.0%	3
No limit		25.0%	5
Don't Know		15.0%	3

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

		%	Count
Other		30.0%	6

Should the delivery driver be allowed to accept payments upon delivery?

		%	Count
Yes		75.9%	22
No		17.2%	5
Don't Know		6.9%	2

If "Yes," should there be a limit to the amount of cash a delivery vehicle may carry?

		%	Count
Yes		42.3%	11
No		38.5%	10
Don't Know		19.2%	5

Should a delivery driver be allowed, at the delivery, to sell more product than requested, or to others who did not order?

		%	Count
Yes		48.3%	14
No		44.8%	13
Don't Know		6.9%	2

Should the delivery vehicle be staffed by at least two persons: a licensed driver and permittee or another employee designated as a caregiver, pursuant to state law, during all deliveries?

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

		%	Count
Yes		17.2%	5
No		65.5%	19
Don't Know		17.2%	5

Should deliveries only be made to residential properties (i.e. no commercial properties)?

		%	Count
Yes		24.1%	7
No		62.1%	18
Don't Know		13.8%	4

Should deliveries only be made to adults?

		%	Count
Yes		100.0%	29

Should drivers be required to verify the patient's identity by checking the patient's State or permittee-issued ID card at the point of delivery?

		%	Count
Yes		89.7%	26
No		6.9%	2
Don't Know		3.4%	1

Are there any other comments you would like to add?

Answered	15
Skipped	14

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

able all also **business cannabis** cost deliveries **delivery** don
driver drivers enough **from** issue like make marijuana may medical
medicine more need **one other** patient **patients** per
privacy seems service t than **thank they up** use **vehicle vehicles** way
work

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

All Off Forum Responses sorted chronologically

As of April 19, 2016, 2:03 PM



As with any public comment process, participation in Community Forum is voluntary. The responses in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.

ATTACHMENT D

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

As of April 19, 2016, 2:03 PM, this forum had:

Attendees:	73
Off Forum Responses:	20
All Responses:	49
Hours of Public Comment:	2.5

This topic started on March 9, 2016, 3:29 PM.

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

Responses

Should the Town develop regulations governing the delivery of medical marijuana by dispensaries in Town?

		%	Count
Yes		60.0%	9
No		26.7%	4
Don't Know		13.3%	2

Should the Town try to regulate all deliveries in Town by dispensaries, whether located in Town or not?

		%	Count
Yes		33.3%	5
No		46.7%	7
Don't Know		20.0%	3

Should the hours of the delivery service be limited to Monday through Saturday, between the hours of 9:00 AM and 5:00 PM?

		%	Count
Yes		6.7%	1
No		93.3%	14

If you selected, "Yes, but different hours or days" - What times and/or days should delivery hours be limited to?

Answered	2
Skipped	18

Should a dispensary be allowed to have more than one vehicle provide deliveries?

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

		%	Count
Yes		86.7%	13
Don't Know		13.3%	2

Should delivery vehicles be unmarked (i.e. no business logo)?

		%	Count
Yes		60.0%	9
No		13.3%	2
Don't Know		26.7%	4

Should there be a limit to the amount of medical marijuana a delivery vehicle may carry?

		%	Count
Yes		13.3%	2
No		53.3%	8
Don't Know		33.3%	5

If you answered "Yes" to limiting the amount of marijuana a delivery vehicle can carry, what should that limit be?

		%	Count
Less than 32 oz		40.0%	2
No limit		20.0%	1
Don't Know		40.0%	2

Should the delivery driver be allowed to accept payments upon delivery?

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

		%	Count
Yes		73.3%	11
No		26.7%	4

If "Yes," should there be a limit to the amount of cash a delivery vehicle may carry?

		%	Count
Yes		25.0%	3
No		50.0%	6
Don't Know		25.0%	3

Should a delivery driver be allowed, at the delivery, to sell more product than requested, or to others who did not order?

		%	Count
Yes		40.0%	6
No		53.3%	8
Don't Know		6.7%	1

Should the delivery vehicle be staffed by at least two persons: a licensed driver and permittee or another employee designated as a caregiver, pursuant to state law, during all deliveries?

		%	Count
Yes		6.7%	1
No		86.7%	13
Don't Know		6.7%	1

Should deliveries only be made to residential properties (i.e. no commercial properties)?

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

		%	Count
Yes		6.7%	1
No		80.0%	12
Don't Know		13.3%	2

Should deliveries only be made to adults?

		%	Count
Yes		100.0%	15

Should drivers be required to verify the patient's identity by checking the patient's State or permittee-issued ID card at the point of delivery?

		%	Count
Yes		66.7%	10
No		13.3%	2
Don't Know		20.0%	3

Are there any other comments you would like to add?

Answered 7
Skipped 13

cannabis delivery dispensary driver id like medical medicine more property recipient regulated safety state storefront thank think those too town where without

Medical Marijuana Delivery

How do you think the delivery of marijuana should be regulated in Fairfax?

Name not available (unclaimed)

April 11, 2016, 12:50 PM

Should the Town develop regulations governing the delivery of medical marijuana by dispensaries in Town?

Yes

Should the Town try to regulate all deliveries in Town by dispensaries, whether located in Town or not?

Yes

Should the hours of the delivery service be limited to Monday through Saturday, between the hours of 9:00 AM and 5:00 PM?

No

If you selected, "Yes, but different hours or days" - What times and/or days should delivery hours be limited to?

No Response

Should a dispensary be allowed to have more than one vehicle provide deliveries?

Yes

Should delivery vehicles be unmarked (i.e. no business logo)?

Yes

Should there be a limit to the amount of medical marijuana a delivery vehicle may carry?

Don't Know

If you answered "Yes" to limiting the amount of marijuana a delivery vehicle can carry, what should that limit be?

No Response

Should the delivery driver be allowed to accept payments upon delivery?

Yes

If "Yes," should there be a limit to the amount of cash a delivery vehicle may carry?

No

Should a delivery driver be allowed, at the delivery, to sell more product than requested, or to others who did not order?

Yes

SUMMARY OF HARD COPIES RESPONSES

Should the Town develop regulations governing the delivery of medical marijuana by dispensaries in Town?

Yes 10
No 5
Don't Know 1

Should the Town try to regulate all deliveries in Town by dispensaries, whether located in Town or not?

Yes 7
No 5
Don't Know 3

Should the hours of the delivery service be limited to Monday through Saturday, between the hours of 9:00 AM and 5:00 PM.?

Yes 0
No 1
Don't Know 15

Should a dispensary be allowed to have more than one vehicle provide deliveries?

Yes 15
No 0
Don't Know 1

Should delivery vehicles be unmarked (i.e., no business logo)?

Yes 11
No 3
Don't Know 2

Should there be a limit to the amount of medical marijuana delivery vehicles may carry?

Yes 5
No 8
Don't Know 3

Should the delivery driver be allowed to accept payments upon delivery?

Yes 12
No 0
Don't Know 4

If so, should there be a limit to the amount of cash a delivery vehicle may carry?

Yes 5

No 5

Don't Know 3

Should a delivery driver be allowed at the delivery to sell more product than requested, or to others who did not order?

Yes 6

No 7

Don't Know 3

Should the delivery vehicle be staffed by at least two persons a licensed driver and permittee or another employee designated as a caregiver, pursuant to state law, during all deliveries?

Yes 1

No 14

Don't Know 1

Should deliveries only be made to residential properties (i.e., no commercial property)?

Yes 0

No 12

Don't Know 3

Should deliveries only be made to adults?

Yes 14

No 0

Don't Know 2

Should drivers be required to verify the patient's identity by checking the patient's State or permittee-issued ID card at the point of delivery?

Yes 12

No 0

Don't Know 0