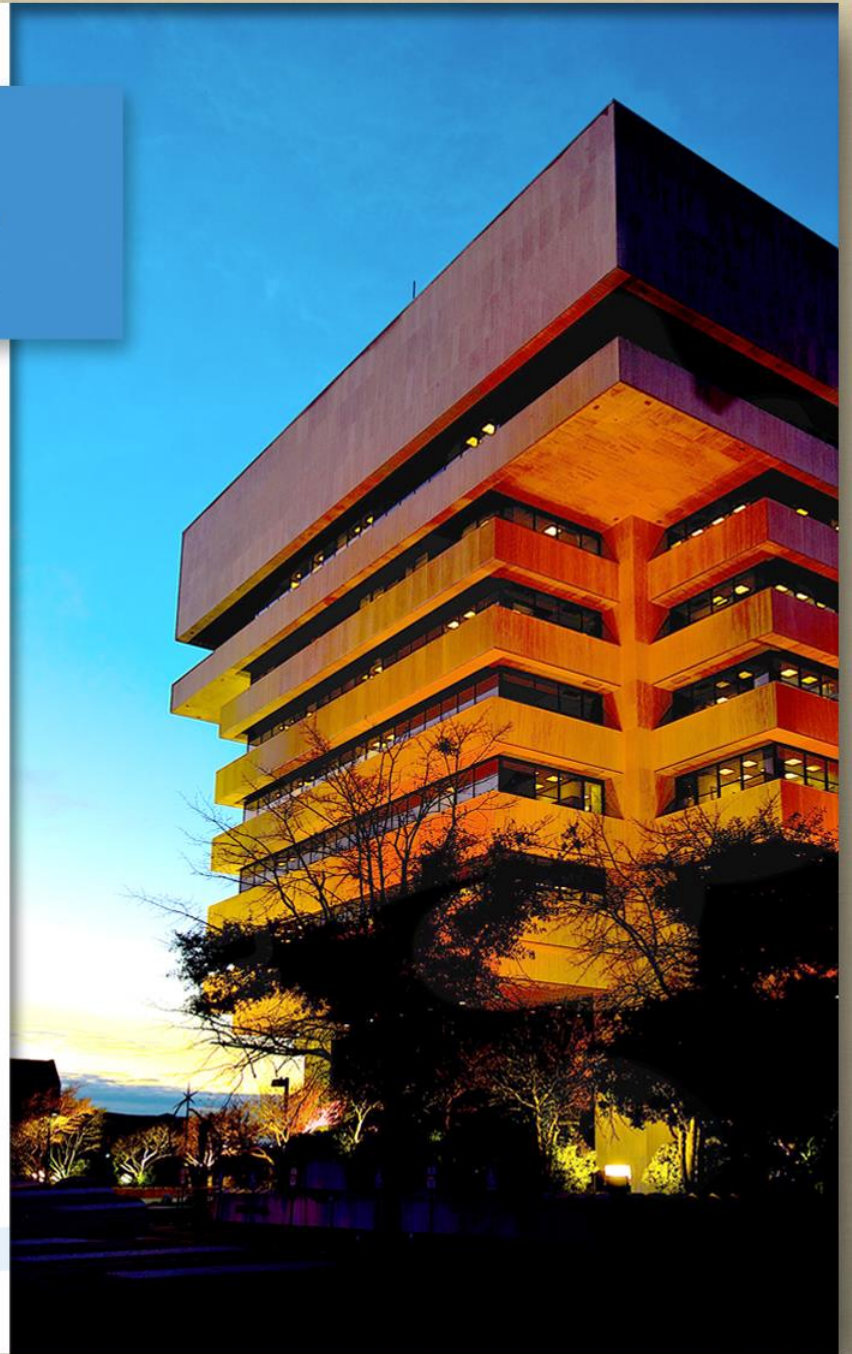


HAMPTON VA

Pharmaceutical Processors Zoning Determination/ Briefing

**City Council
June 13th, 2018**



Agenda

- Pharmaceutical Processor Information
 - Legal Landscape
 - State Request for Applications
 - Evaluation Criteria
 - Current Zoning
 - Future Possibilities
 - Questions?
- 

Why are we Presenting Today?

- VA General Assembly passed legislation in 2016, 2017, 2018 which authorized the permitting of Pharmaceutical Processors
- **Pharmaceutical Processor** – a facility that is authorized to: cultivate Cannabis plants intended only for the production and dispensing of cannabidiol (CBD) oil or THC-A oil; produce cannabidiol oil or THC-A oil; and dispense cannabidiol oil or THC-A oil to patients for treatment or to alleviate the symptoms of any diagnosed condition or disease determined by a practitioner to benefit from such use.

Pharmaceutical Processors

- VA Board of Pharmacy
 - Conditional Approval
 - State divided into 5 health services areas
 - 1 awarded per service area
 - Hampton included in district with Southside, Peninsula, Middle Peninsula and parts of Northern Neck – 24 localities

Legal

- **Federal Law**

- Marijuana remains classified as a Schedule I substance under the Controlled Substances Act
- Obama Administration took a more relaxed view of state marijuana laws; Trump Administration has signaled that it may reverse that course

- **State Law**

- A total of 30 states, the District of Columbia, Guam, and Puerto Rico now allow medical marijuana and cannabis programs
- Case law in states where medical marijuana has been legalized indicates that as long as state laws do not mandate conduct that federal law prohibits or pose an obstacle to enforcement of federal law, state laws are not preempted

Legal

- 2018 General Assembly Amendments
 - Expanded the use of cannabis oil and THC-A oil to any diagnosed condition or disease determined by the practitioner to benefit from such use (“Let Doctors Decide”);
 - Authorized any practitioner of medicine or osteopathy licensed by the Virginia Board of Medicine (and registered by the Virginia Board of Pharmacy) to issue written certifications; and
 - Additional requirements for pharmaceutical processors.

Legal

- 2018 Board of Pharmacy Regulations
 - Criteria for approval and revocation of pharmaceutical processor permits
 - Inventory, security, and disposal requirements
 - Regulations concerning employees working in permitted facilities
 - Physicians must be registered with the Board of Pharmacy prior to issuing a written certification for a patient
 - Possession of written certification is an affirmative defense against prosecution of marijuana in the form of cannabis oil and THC-A oil

Process for Approval

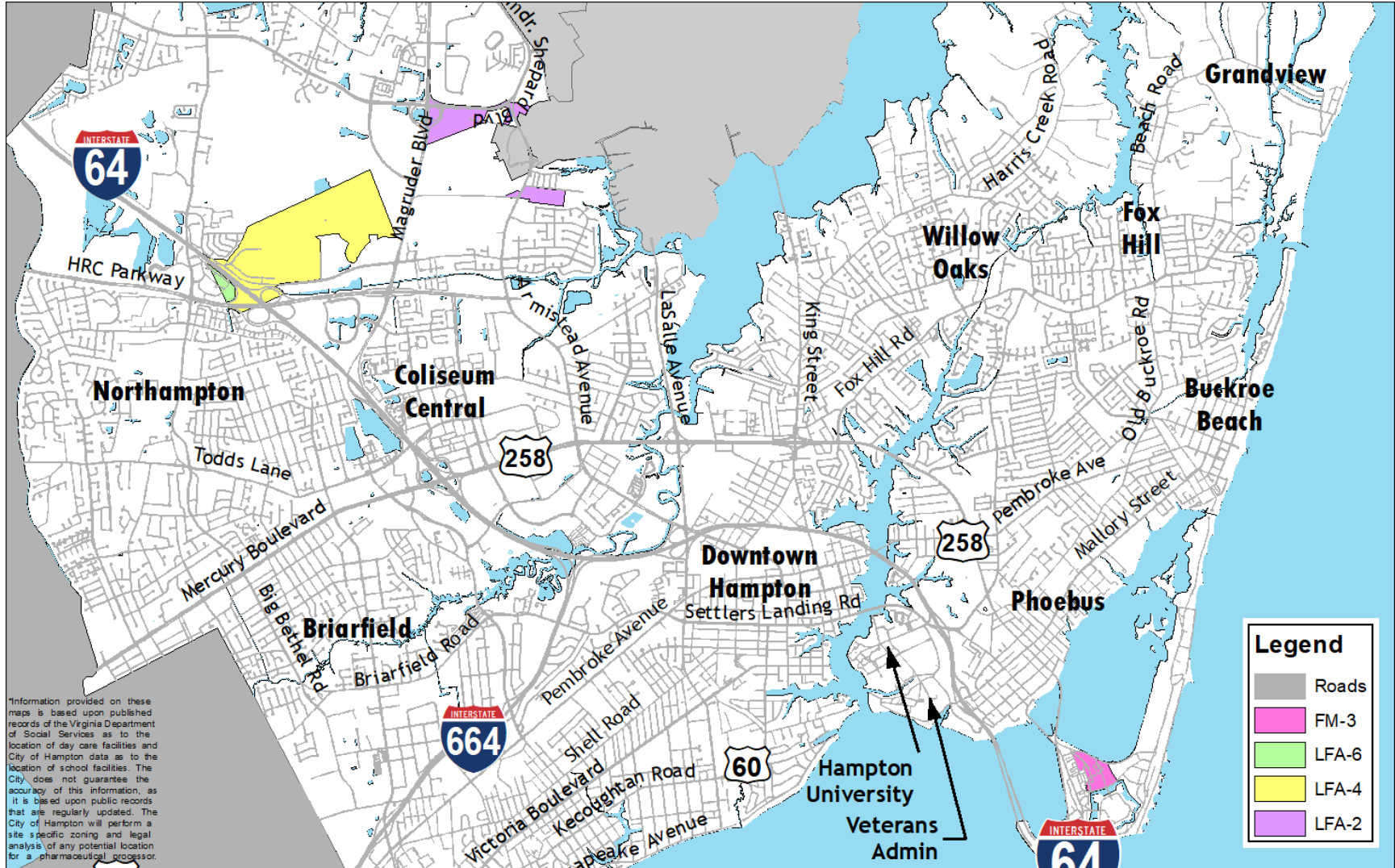
- Initial application fee
 - \$10,000
 - Non-refundable
- If approved:
 - One year to complete all requirements (including construction or remodeling of a facility)
 - Initial permit fee
 - \$60,000
 - Valid for 1 year
 - Can be renewed annually

Board of Pharmacy Application Criteria






- Maximum of 275 points
 - Proposals must achieve a minimum of 160 points
- Conditions:
 - Financial position
 - Location (cannot be within 1000 ft. of a school or day care)
 - Security Plan
 - Production and dispensing expertise
 - Site safety

Where it is Allowed in Hampton

- Interpretation:
 - Manufacturing
 - Retail sales
 - Growing of the plants
- Currently permitted with a Use Permit:
 - Langley Flight Approach Mixed Business and Manufacturing (LFA-2)
 - Langley Flight Approach Limited Business I (LFA-4)
 - Langley Flight Approach Limited Business II (LFA-6)
 - Ft. Monroe North Gate (FM-3)



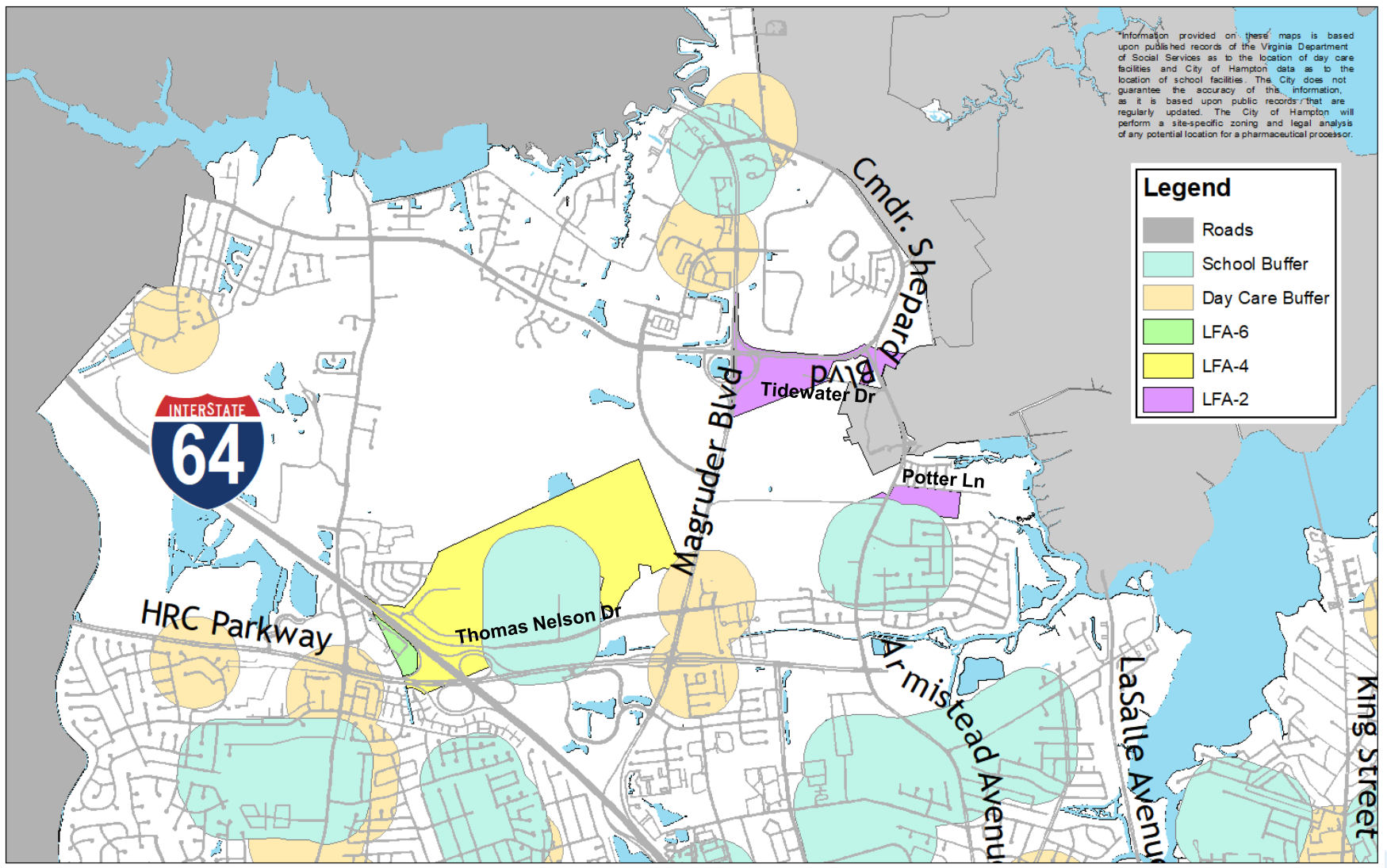
Information provided on these maps is based upon published records of the Virginia Department of Social Services as to the location of day care facilities and City of Hampton data as to the location of school facilities. The City does not guarantee the accuracy of this information, as it is based upon public records that are regularly updated. The City of Hampton will perform a site specific zoning and legal analysis of any potential location for a pharmaceutical processor.

Legend	
	Roads
	FM-3
	LFA-6
	LFA-4
	LFA-2

Information provided on these maps is based upon published records of the Virginia Department of Social Services as to the location of day care facilities and City of Hampton data as to the location of school facilities. The City does not guarantee the accuracy of this information, as it is based upon public records that are regularly updated. The City of Hampton will perform a site-specific zoning and legal analysis of any potential location for a pharmaceutical processor.

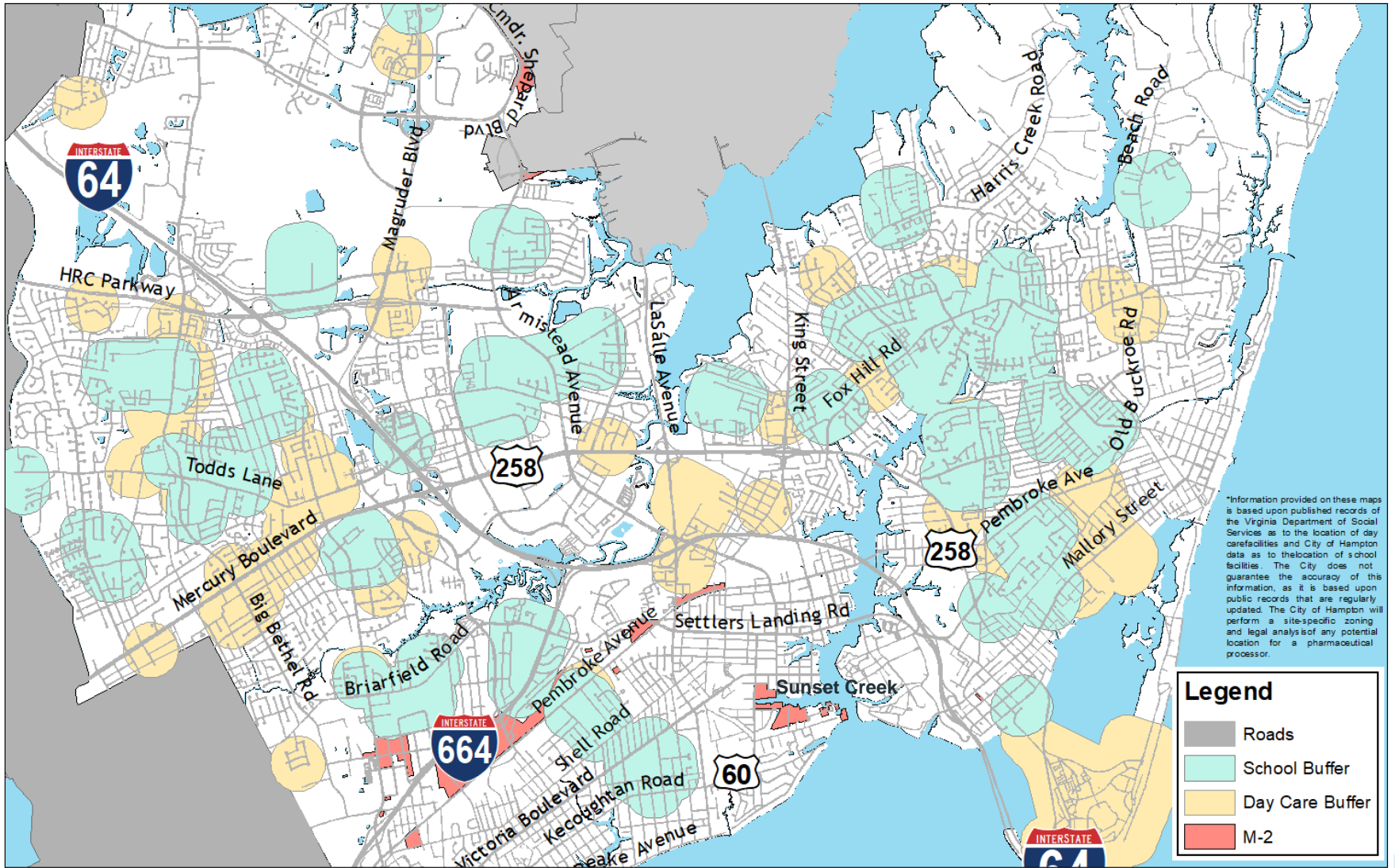
Legend

- Roads
- School Buffer
- Day Care Buffer
- LFA-6
- LFA-4
- LFA-2



Future Possibilities

- Light Manufacturing (M-2)
 - If we expand allowable districts



*Information provided on these maps is based upon published records of the Virginia Department of Social Services as to the location of day care facilities and City of Hampton data as to the location of school facilities. The City does not guarantee the accuracy of this information, as it is based upon public records that are regularly updated. The City of Hampton will perform a site-specific zoning and legal analysis of any potential location for a pharmaceutical processor.

Legend

- Roads
- School Buffer
- Day Care Buffer
- M-2

Questions?