



City of Apache Junction

Development Services Department



DATE: February 22, 2017

MEMO TO: Planning and Zoning Commission Members

THROUGH: Larry Kirch, Development Services Director

FROM: Rudy Esquivias, Senior Planner/Zoning Admin.

SUBJECT: February 28, 2017, P&Z Public Hearing Item:
Case AM-2-16 - Proposed Text Amendments to city's
Medical Marijuana Regulations by SVACCHA, LLC
(item continued from February 14, 2017 meeting).

CONTINUATION REQUEST FROM FEB. 14, 2017 MEETING:

At their meeting of February 14, 2017, the Commission voted to continue public hearing case AM-2-16 (the proposed text amendments to the city's medical marijuana regulations by SVACCHA LLC), to their meeting of February 28. Because of issues expressed by the applicants about staff's proposed language and other concerns which were expressed by various Commissioners and from public input, the Commission requested that staff come back with more information on the following items:

- 1) What do the state's regulations say about the issue of transfers, i.e., a medical marijuana facility moving out of a CHAA to another location after three years?

ANSWER: Transfers are allowed after three years, where a dispensary can apply to move within a CHAA or to another CHAA. See excerpts from the Arizona Administrative Code, Sections R9-17-306 and 307 attached. Staff is recommending additional language to our code, Section 1-6-12(B), to offer protection to the city on this issue.

- 2) How many patients are served by the local dispensary?
ANSWER: Staff posed this question to Nature's Wonder's attorney. As of the writing of this report, staff has not received a response. However, please see the "Arizona Medical Marijuana Program January 2016 Monthly Report" issued by ADHS (attached). It states that there are 971 medical marijuana patients in the Apache Junction CHAA. We could not find more recent numbers. Staff also recalls that at a recent meeting with the operators of Nature's

Wonder, they mentioned that they had around 500 patients, many of whom come from outside the City.

- 3) For what diseases or ailments have most of the state's medical marijuana cards been issued to patients?

ANSWER: According to the "Arizona Medical Marijuana Program 2016 Fiscal Year-End Report" (also attached), as of June 2016, there were 102,040 active cardholders in the state. Of those, 82,772 cards have been issued to patients with chronic pain. Patients with two or more conditions comprise 10,426 of cardholders. Patients with cancer and PTSD represent the other two categories with numbers in the thousands. And cards issued for other conditions number in the hundreds.

SUMMARY

As mentioned above, attached to this update memo is an excerpt from the Arizona Administrative Code pertaining to transfers, and the two ADHS reports. We have also attached: a handout which was provided to the Commissioners on the night of February 14 by the applicants, suggesting a motion for their item; recent input from Nature's Wonder's attorney, Lesli Sorensen, with their own suggested language and changes to the text; Planning staff's most recent suggested language "clean version", which incorporates many (but not all) of the suggestions made both by the applicants and other public input, as well as the changes which have already been suggested by Staff. Lastly, we have provided you with the complete staff report from February 14. The options for the Commission decision are still as outlined in the staff report of February 14.

Department of Health Services — Medical Marijuana Program

1. The signatures of the principal officers of the dispensary according to R9-17-301(A) and the date the principal officers signed;
2. A copy of documentation issued by the local jurisdiction to the dispensary authorizing occupancy of the building as a dispensary and, if applicable, as the dispensary's cultivation site, such as a certificate of occupancy, a special use permit, or a conditional use permit;
3. A sworn statement signed and dated by the individual or individuals in R9-17-301(A) certifying that the dispensary is in compliance with local zoning restrictions;
4. The distance to the closest private school or public school from:
 - a. The dispensary; and
 - b. If applicable, the dispensary's cultivation site;
5. A site plan drawn to scale of the dispensary location showing streets, property lines, buildings, parking areas, outdoor areas if applicable, fences, security features, fire hydrants if applicable, and access to water mains;
6. A floor plan drawn to scale of the building where the dispensary is located showing the:
 - a. Layout and dimensions of each room,
 - b. Name and function of each room,
 - c. Location of each hand washing sink,
 - d. Location of each toilet room,
 - e. Means of egress,
 - f. Location of each video camera,
 - g. Location of each panic button, and
 - h. Location of natural and artificial lighting sources;
7. If applicable, a site plan drawn to scale of the dispensary's cultivation site showing streets, property lines, buildings, parking areas, outdoor areas if applicable, fences, security features, fire hydrants if applicable, and access to water mains; and
8. If applicable, a floor plan drawn to scale of each building at the dispensary's cultivation site showing the:
 - a. Layout and dimensions of each room,
 - b. Name and function of each room,
 - c. Location of each hand washing sink,
 - d. Location of each toilet room,
 - e. Means of egress,
 - f. Location of each video camera,
 - g. Location of each panic button, and
 - h. Location of natural and artificial lighting sources.
- B. A dispensary's cultivation site may be located anywhere in the state where a cultivation site is allowed by the local jurisdiction.

Historical Note

New Section made by exempt rulemaking at 17 A.A.R. 734, effective April 14, 2011 (Supp. 11-2).

R9-17-306. Changes to a Dispensary Registration Certificate

- A. A dispensary may not transfer or assign the dispensary registration certificate.
- B. A dispensary may change the location of the:
 1. Dispensary:
 - a. Within the first three years after the Department issues the dispensary's registration certificate, to another location in the CHAA where the dispensary is located; or
 - b. After the first three years after the Department issues a dispensary registration certificate to the dispensary, to another location in the state; or
 2. Dispensary's cultivation site to another location in the state.

- C. A dispensary or the dispensary's cultivation site shall not cultivate, manufacture, distribute, dispense, or sell medical marijuana at a new location until the dispensary submits an application for a change in a dispensary location or a change or addition of a cultivation site in R9-17-307 and the Department issues an amended dispensary registration certificate or an approval for the dispensary's cultivation site's new location to the dispensary.

Historical Note

New Section made by exempt rulemaking at 17 A.A.R. 734, effective April 14, 2011 (Supp. 11-2).

R9-17-307. Applying to Change a Dispensary's Location or Change or Add a Dispensary's Cultivation Site

- A. To change the location of a dispensary or the dispensary's cultivation site or to add a cultivation site, the dispensary shall submit an application to the Department that includes:
 1. The following information in a Department-provided format:
 - a. The legal name of the dispensary;
 - b. The registry identification number for the dispensary;
 - c. Whether the request is for:
 - i. A change of location for the dispensary,
 - ii. A change of location for the dispensary's cultivation site, or
 - iii. An addition of a cultivation site;
 - d. The current physical address of the dispensary or the dispensary's cultivation site;
 - e. The physical address of the proposed location for the dispensary or the dispensary's cultivation site;
 - f. The distance to the closest public or private school from:
 - i. The proposed location for the dispensary, or
 - ii. The proposed location for the dispensary's cultivation site;
 - g. The name of the entity applying;
 - h. If applicable, the anticipated date of the change of location;
 - i. Whether the proposed dispensary or the dispensary's proposed cultivation site is ready for an inspection by the Department;
 - j. If the proposed dispensary or the dispensary's proposed cultivation site is not ready for an inspection by the Department, the date the dispensary or the dispensary's cultivation site will be ready for an inspection by the Department;
 - k. An attestation that the information provided to the Department to apply for a change in location is true and correct; and
 - l. The signature of the individual or individuals in R9-17-301(A) and the date the individual or individuals signed;
 2. A copy of documentation issued by the local jurisdiction to the dispensary authorizing occupancy of the proposed building as a dispensary or the dispensary's cultivation site such as a certificate of occupancy, a special use permit, or a conditional use permit;
 3. A sworn statement signed by the individual or individuals in R9-17-301(A) certifying that the building where the proposed dispensary or the dispensary's proposed cultivation site will be located is in compliance with local zoning restrictions;
 4. If the change in location is for the dispensary:
 - a. A site plan drawn to scale of the proposed dispensary location showing streets, property lines, build-

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- ings, parking areas, outdoor areas if applicable, fences, security features, fire hydrants if applicable, and access to water mains; and
- b. A floor plan drawn to scale of the building where the proposed dispensary is located showing the:
 - i. Layout and dimensions of each room,
 - ii. Name and function of each room,
 - iii. Location of each hand washing sink,
 - iv. Location of each toilet room,
 - v. Means of egress,
 - vi. Location of each video camera,
 - vii. Location of each panic button, and
 - viii. Location of natural and artificial lighting sources;
- 5. If the change in location is for the dispensary's cultivation site or if adding a cultivation site:
 - a. A site plan drawn to scale of the dispensary's proposed cultivation site showing streets, property lines, buildings, parking areas, outdoor areas if applicable, fences, security features, fire hydrants if applicable, and access to water mains; and
 - b. If applicable, a floor plan drawn to scale of each building used by the dispensary's proposed cultivation site showing the:
 - i. Layout and dimensions of each room,
 - ii. Name and function of each room,
 - iii. Location of each hand washing sink,
 - iv. Location of each toilet room,
 - v. Means of egress,
 - vi. Location of each video camera,
 - vii. Location of each panic button, and
 - viii. Location of natural and artificial lighting sources; and
- 6. The applicable fee in R9-17-102 for applying for a change in location or adding a cultivation site.
- B. If the information and documents submitted by the dispensary comply with A.R.S. Title 36, Chapter 28.1 and this Chapter, the Department shall issue an amended dispensary registration certificate that includes the new address of the new location and retains the expiration date of the previously issued dispensary registration certificate.
- C. An application for a change in location of a dispensary or a dispensary's cultivation site or the addition of a cultivation site may not be combined with an application for renewing a dispensary registration certificate. The Department shall process each application separately according to the applicable time-frame established in R9-17-107.
- D. A dispensary shall submit written notification to the Department when the dispensary no longer uses a previously approved cultivation site.

Historical Note

New Section made by exempt rulemaking at 17 A.A.R. 734, effective April 14, 2011 (Supp. 11-2).

R9-17-308. Renewing a Dispensary Registration Certificate

- A. An entity with a dispensary registration certificate that has not submitted an application for approval to operate a dispensary to the Department at least 60 calendar days before the expiration date of the dispensary registration certificate or has not obtained an approval to operate a dispensary issued by the Department is prohibited from renewing the dispensary registration certificate.
- B. To renew a dispensary registration certificate, a dispensary that has an approval to operate a dispensary issued by the Department, shall submit to the Department, at least 30 calendar days

before the expiration date of the dispensary's current dispensary registration certificate, the following:

1. An application in a Department-provided format that includes:
 - a. The legal name of the dispensary;
 - b. The registry identification number for the dispensary;
 - c. The physical address of the dispensary;
 - d. The name of the entity applying;
 - e. The name of the individual designated to submit dispensary agent registry identification card applications on behalf of the dispensary;
 - f. The name and license number of the dispensary's medical director;
 - g. The dispensary's hours of operation during which the dispensary is available to dispense medical marijuana to qualifying patients and designated caregivers;
 - h. The name, address, date of birth, and registry identification number of each:
 - i. Principal officer,
 - ii. Board member, and
 - iii. Dispensary agent;
 - i. For each principal officer or board member, whether the principal officer or board member:
 - i. Has served as a principal officer or board member for a dispensary that had the dispensary registration certificate revoked,
 - ii. Is a physician currently providing written certifications for qualifying patients,
 - iii. Is a law enforcement officer, or
 - iv. Is employed by or a contractor of the Department;
 - j. The dispensary's Transaction Privilege Tax Number issued by the Arizona Department of Revenue;
 - k. Whether the dispensary agrees to allow the Department to submit supplemental requests for information;
 - l. An attestation that the information provided to the Department to renew the dispensary registration certificate is true and correct; and
 - m. The signature of the individual or individuals in R9-17-301(A) and the date the individual or individuals signed;
2. If the application is for renewing a dispensary registration certificate that was initially issued within the previous 12 months, a copy of the dispensary's approval to operate a dispensary issued by the Department;
3. A copy of an annual financial statement for the previous year, or for the portion of the previous year the dispensary was operational, prepared according to generally accepted accounting principles;
4. A report of an audit by an independent certified public accountant of the annual financial statement required in subsection (B)(3); and
5. The applicable fee in R9-17-102 for applying to renew a dispensary registration certificate.

Historical Note

New Section made by exempt rulemaking at 17 A.A.R. 734, effective April 14, 2011 (Supp. 11-2). Amended by emergency rulemaking at 18 A.A.R. 1010, effective April 11, 2012 for 180 days (Supp. 12-2). Emergency expired (Supp. 12-4). Amended by final rulemaking at 18 A.A.R. 3354, with an immediate effective date of December 5, 2012 (Supp. 12-4).

Arizona Medical Marijuana Program January 2016 Monthly Report



In November 2010, Arizona voters passed the Arizona Medical Marijuana Act (AMMA), A.R.S. §36-2801 *et seq.* The AMMA went into effect on April 14, 2011, making Arizona the fourteenth state to adopt a medical marijuana law. The AMMA designates the Arizona Department of Health Services (ADHS) as the licensing and issuing authority for the Arizona Medical Marijuana Program.

The AMMA monthly report highlights the most current program statistics. This includes data on active medical marijuana cardholders as well as transaction data from the sale of medical marijuana at non-profit medical marijuana dispensaries. Tables 1 through 6 and Figures 1 through 3 reflect data that are point in time. Table 7 and Figure 4 are data from the month of January, 2016. For further information and statistics, please reference the Arizona Medical Marijuana Annual Report.

Table 1. Arizona Medical Marijuana Active Qualifying Patients, Designated Caregivers and Dispensary Agents Profile

Active Cardholder's Profile	Totals	Percent total
1. Qualifying patients (QPs)	89,255	96.46%
2. Caregivers (CGs)	644	0.70%
3. Qualifying patients (minors)	150	0.16%
4. Caregivers (minor patients)	150	0.16%
5. Dispensary agents (DAs)	2,329	2.52%
Total	92,528	100%

*Note: For caregivers and dispensary agents, these data reflect unique individuals, not the number of cards.

Table 2. Arizona Medical Marijuana Active Qualifying Patients Profile

Application profile of qualifying patients	Totals	Percent total
1. New applications	61,124	68.37%
2. Renewal applications	25,133	28.11%
3. Changed demographics	1,202	1.34%
4. Added Caregivers	267	0.30%
5. Change Dup	1,647	1.84%
6. Replaced Caregivers	11	0.01%
7. Removed Caregivers	21	0.02%

Approximately 12 percent (n = 11,286) of the active cardholders were determined to be SNAP eligible. Of the 11,286 that were determined to be eligible, 4,954 (~44%) were females and 6,332 (~56%) were males.

Table 3. Arizona Medical Marijuana Active Qualifying Patients Characteristics

Characteristics of Active Cardholders who are Qualified Patients	Totals (N = 89,405)	Percent total
Patient Age-groups		
Less than 18 years	138	0.15%
18 to 30 years	21,835	24.42%
31 to 40 years	18,088	20.23%
41 to 50 years	14,140	15.82%
51 to 60 years	16,965	18.98%
61 to 70 years	14,373	16.08%
71 to 80 years	3,176	3.55%
81 and older	690	0.77%
Patient Gender		
Male	58,558	65.50%
Female	30,847	34.50%

Figure 1. Arizona Medical Marijuana Active Qualifying Patients Characteristics by Gender and Age

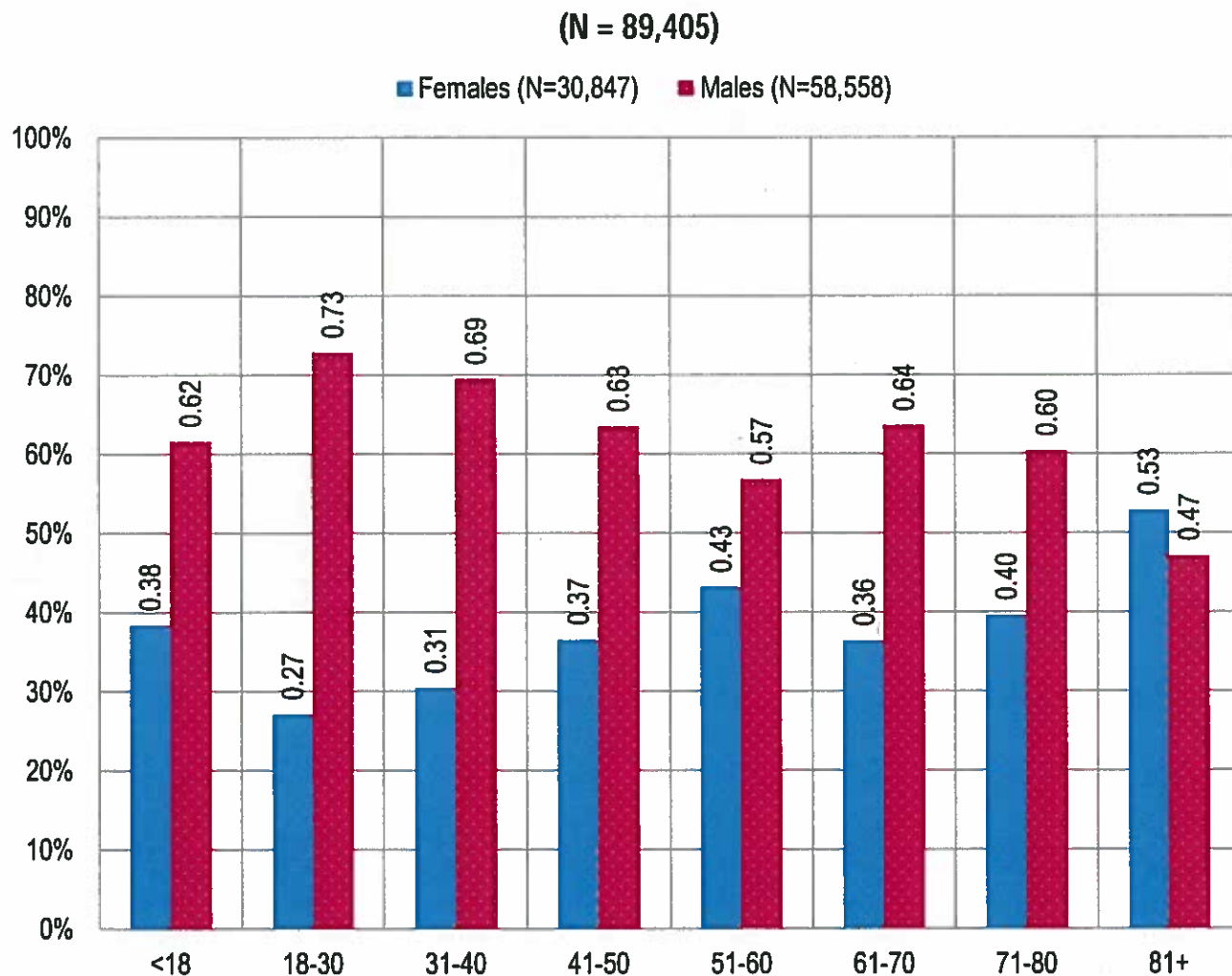


Table 4. Arizona Medical Marijuana Active Qualifying Patients Medical Condition Profile

Patient medical condition profile of Active Cardholders ¹	Totals	Percent total
ALZHEIMERS	36	0.04%
CACHEXIA	86	0.10%
CANCER	2,372	2.65%
CHRONIC PAIN	70,045	78.35%
CROHN'S DISEASE	377	0.42%
GLAUCOMA	631	0.71%
HEPATITIS; C	812	0.91%
HIV/AIDS	445	0.50%
MUSCLE SPASMS	669	0.75%
NAUSEA	628	0.70%
POST TRAUMATIC STRESS DISORVER (PTSD)	984	1.10%
SCLEROSIS	28	0.03%
SEIZURES	793	0.89%
TWO OR MORE CONDITIONS	11,499	12.86%

¹Unique debilitating conditions

Figure 2. Arizona Medical Marijuana Active Designated Caregiver Characteristics by Gender and Age

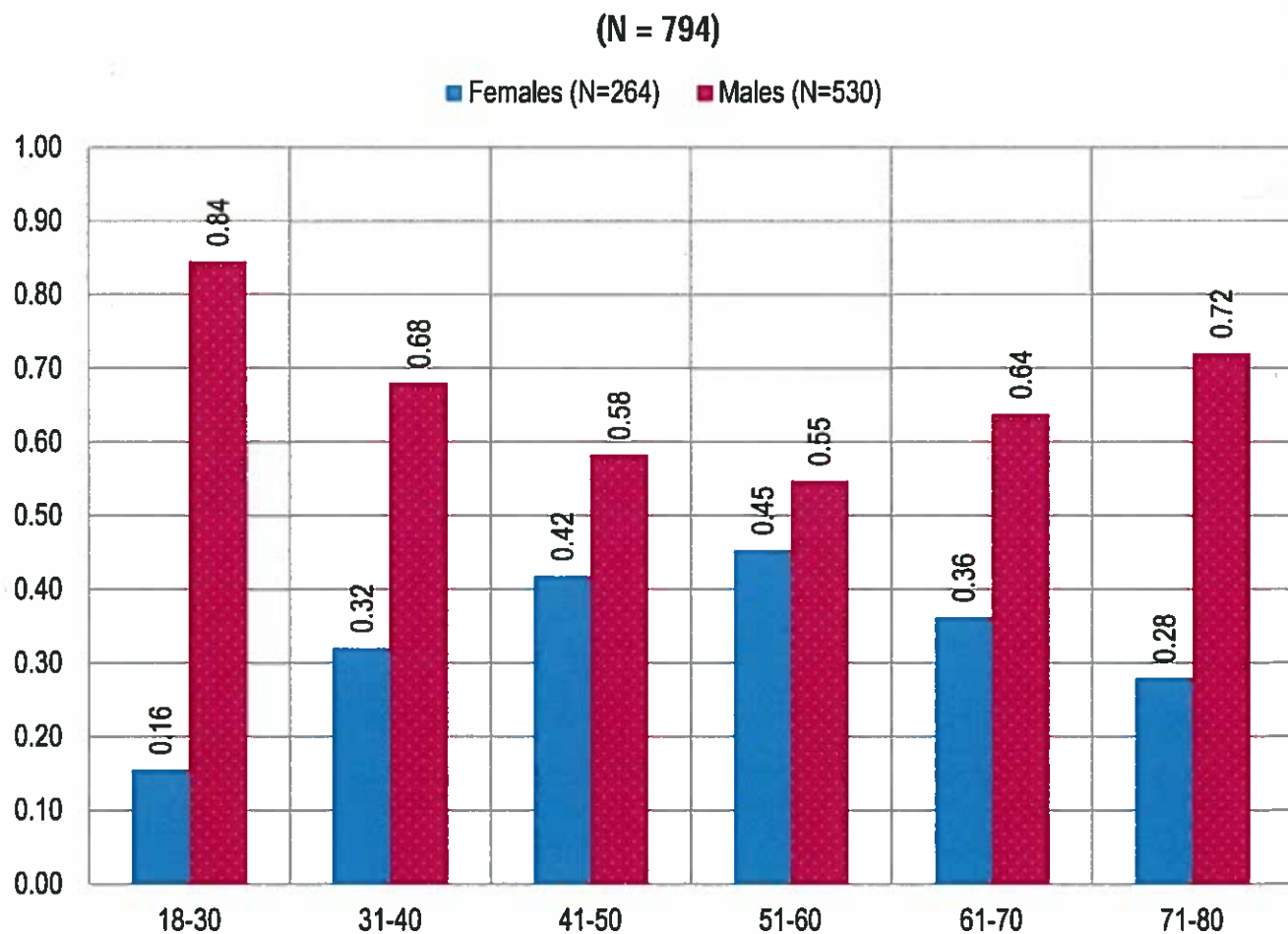


Table 5. Arizona Medical Marijuana Active Qualifying Patients and Designated Caregivers Authorized for Cultivation

Active cardholders cultivation status	Totals	Percent total
Qualifying patients (n = 89,405)	1,348	1.51%
Caregivers (n = 794)	435	54.79%

Figure 3. Medical Marijuana Qualifying Patient Cardholders by CHAA

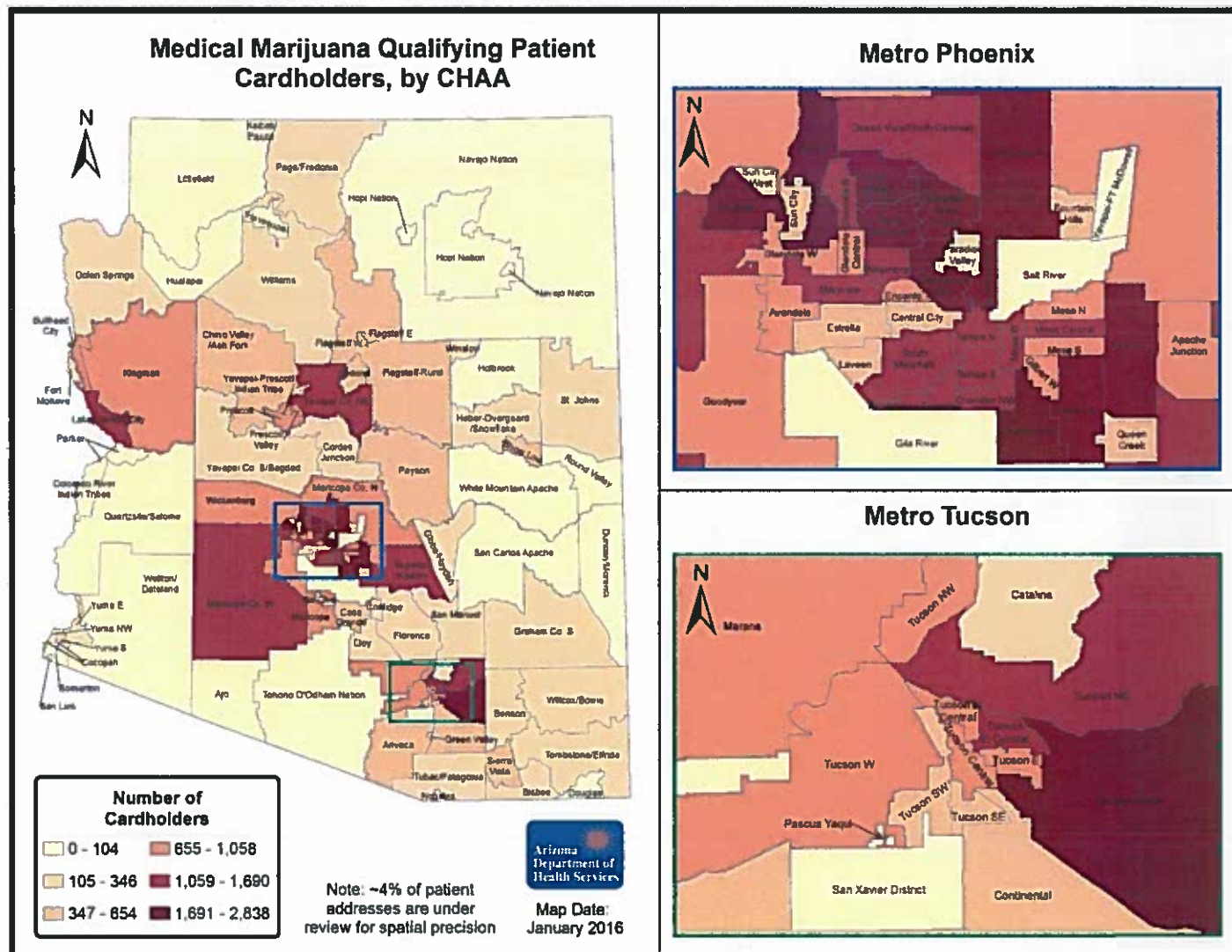


Table 6. Frequency and Percent of Total Frequency of Qualifying Patients per CHAA

CHAA ID	CHAA Name	Frequency Count	Percent of Total Frequency
78	Ahwatukee Foothills	1262	1.47292
101	Ajo	70	0.08170
97	Ak-Chin	Count 1-19	
59	Alhambra	1439	1.67951
92	Apache Junction	971	1.13329
117	Arivaca	393	0.45868
62	Avondale	977	1.14029
119	Benson	187	0.21825
123	Bisbee	209	0.24393
6	Bullhead City	934	1.09010
56	Camelback East	2268	2.64706
99	Casa Grande	654	0.76331
104	Catalina	160	0.18674
67	Central City	642	0.74930
79	Chandler NW	1335	1.55812
80	Chandler SE	2215	2.58520
25	Chino Valley/Ash Fork	649	0.75747
89	Cocopah	Count 1-19	
37	Colorado River Indian Tribes	Count 1-19	
114	Continental	436	0.50887
98	Coolidge	133	0.15523
31	Cordes Junction	143	0.16690
44	Deer Valley	2448	2.85714
42	Desert View/North Gateway	1322	1.54295
3	Dolan Springs	140	0.16340
124	Douglas	54	0.06303
83	Duncan/Morenci	104	0.12138
100	Eloy	139	0.16223
63	Encanto	955	1.11461
66	Estrella	594	0.69328
16	Flagstaff E	503	0.58707
15	Flagstaff W	636	0.74230
14	Flagstaff-Rural	418	0.48786
95	Florence	205	0.23926
7	Fort Mohave	126	0.14706
50	Fountain Hills	442	0.51587
75	Gila River	Count 1-19	
77	Gilbert E	2072	2.41830
76	Gilbert W	830	0.96872
54	Glendale Central	966	1.12745
45	Glendale N	1350	1.57563
53	Glendale W	881	1.02824
33	Globe/Hayden	245	0.28595
61	Goodyear	930	1.08543
84	Graham Co. S	257	0.29995

118	Green Valley	179	0.20892
13	Havasupai	Count 1-19	
20	Heber-Overgaard/Snowflake	273	0.31863
19	Holbrook	96	0.11204
11	Hopi Nation	Count 1-19	
4	Hualapai	Count 1-19	
2	Kaibab Paiute	Count 1-19	
5	Kingman	899	1.04925
8	Lake Havasu City	1183	1.38072
72	Laveen	607	0.70845
1	Littlefield	22	0.02568
102	Marana	749	0.87418
96	Maricopa	712	0.83100
38	Maricopa Co. N	964	1.12512
51	Maricopa Co. W	1237	1.44374
60	Maryvale	1459	1.70285
70	Mesa Central	1259	1.46942
65	Mesa E	1963	2.29108
64	Mesa N	924	1.07843
73	Mesa S	1039	1.21265
69	Mesa W	1616	1.88609
10	Navajo Nation	Count 1-19	
126	Nogales	72	0.08403
52	North Mountain	2558	2.98553
9	Page/Fredonia	154	0.17974
55	Paradise Valley	192	0.22409
46	Paradise Valley Village	2838	3.31232
35	Parker	63	0.07353
116	Pascua Yaqui	Count 1-19	
32	Payson	635	0.74113
41	Peoria	2095	2.44514
28	Prescott	1058	1.23483
29	Prescott Valley	752	0.87768
36	Quartzsite/Salome	82	0.09570
81	Queen Creek	381	0.44468
24	Round Valley	65	0.07586
57	Salt River	76	0.08870
34	San Carlos Apache	Count 1-19	
91	San Luis	Count 1-19	
94	San Manuel	227	0.26494
115	San Xavier District	Count 1-19	
40	Scottsdale N	2229	2.60154
58	Scottsdale S	1962	2.28992
17	Sedona	624	0.72829
21	Show Low	424	0.49486
122	Sierra Vista	591	0.68978
90	Somerton	44	0.05135
71	South Mountain	1339	1.56279
23	St. Johns	194	0.22642

49	Sun City	645	0.75280
48	Sun City West	214	0.24977
93	Superior/Kearny	1342	1.56629
47	Surprise	1894	2.21055
106	Tanque Verde	1815	2.11835
68	Tempe N	1690	1.97246
74	Tempe S	1539	1.79622
82	Tohono O'Odham Nation	26	0.03035
121	Tombstone/Elfrida	117	0.13655
125	Tubac/Patagonia	195	0.22759
111	Tucson Central	761	0.88819
112	Tucson E	705	0.82283
109	Tucson E Central	1350	1.57563
108	Tucson N Central	745	0.86951
105	Tucson NE	1688	1.97012
103	Tucson NW	815	0.95121
113	Tucson SE	365	0.42600
110	Tucson SW	620	0.72362
107	Tucson W	714	0.83333
85	Wellton/Dateland	82	0.09570
22	White Mountain Apache	Count 1-19	
39	Wickenburg	742	0.86601
120	Willcox/Bowie	116	0.13539
12	Williams	218	0.25444
18	Winslow	138	0.16106
26	Yavapai Co. NE	1390	1.62232
27	Yavapai Co. S/Bagdad	253	0.29528
43	Yavapai-FT McDowell	20	0.02334
30	Yavapai-Prescott Indian Tribe	Count 1-19	
86	Yuma E	346	0.40383
87	Yuma NW	135	0.15756
88	Yuma S	382	0.44585

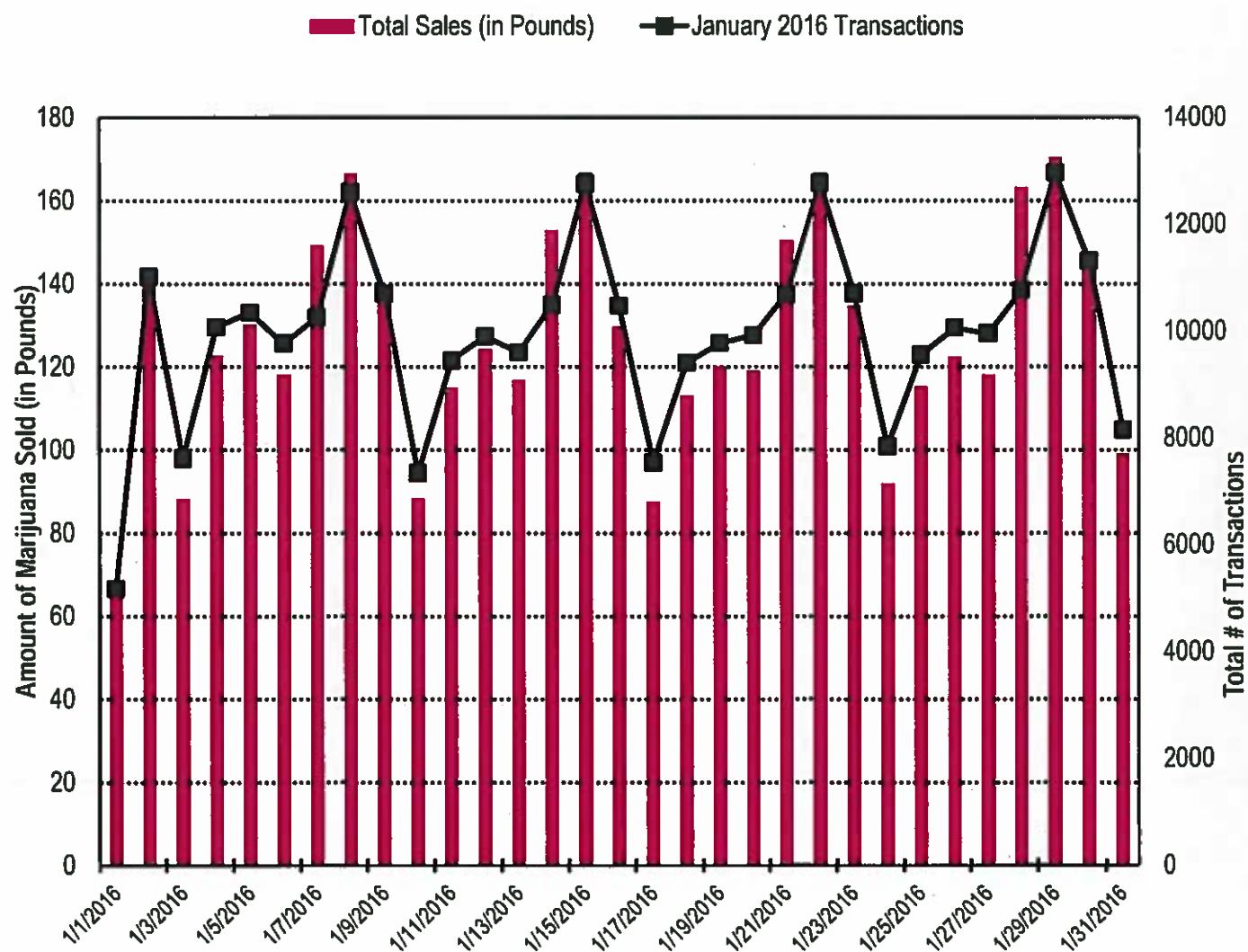
*Note: ~4% of patient addresses are under review for spatial precision

Table 7. Type and Amount of Transactions at Medical Marijuana Dispensaries in January, 2016

Type of Transaction [†]	Ounces (oz.)	Pounds
Marijuana	57,178.92	3,573.68
Marijuana Edible	4,371.35	273.21
Marijuana Other	1,393.95	87.12
Total Marijuana Sold	62,944.22	3,934.01

[†]Amounts have been rounded and may not added to exact totals

Figure 4. Daily Transactions and Amount of Marijuana Sold in January, 2016





Arizona Medical Marijuana Program 2016 Fiscal Year-End Report

In November 2010, Arizona voters passed the Arizona Medical Marijuana Act (AMMA), A.R.S. §36-2801 *et seq.* The AMMA went into effect on April 14, 2011, making Arizona the fourteenth state to adopt a medical marijuana law. The AMMA designates the Arizona Department of Health Services (ADHS) as the licensing and issuing authority for the Arizona Medical Marijuana Program.

The AMMA Fiscal Year-End Report highlights the most current program statistics. This includes data on active medical marijuana cardholders and transaction data from the sale of medical marijuana at non-profit medical marijuana dispensaries. Tables 1 through 6 and Figures 1 through 3 reflect data that are point in time. Table 7 and Figure 4 are data from the month of June, 2016. The Fiscal Year 2016 section that follows shows cumulative applications and approvals for the 2016 State Fiscal Year (July 1, 2015 - June 30, 2016). For additional information and statistics, please reference the Arizona Medical Marijuana Annual Report or Monthly Reports.

Table 1. Arizona Medical Marijuana Active Qualifying Patients, Designated Caregivers and Dispensary Agents Profile for June, 2016.

Active Cardholder's Profile	June 2016 Totals	June 2016 Percent Total
1. Qualifying Patients (QPs)	102,040	96.58%
2. Caregivers (CGs)	860	0.81%
3. Dispensary Agents (DA)	2,752	2.60%
Total	105,652	100.00%

*Note: For caregivers and dispensary agents, these data reflect unique individuals, not the number of cards.

Table 2. Arizona Medical Marijuana Active Qualifying Patients Profile for June, 2016.

Application profile of qualifying patients	June 2016 Totals	June 2016 Percent Total
1. New Applications	67,592	66.24%
2. Renewal Applications	30,349	29.74%
3. Changed Demographics	1,797	1.76%
4. Added Caregivers	212	0.21%
5. Change Duplicates	2,047	2.01%
6. Replaced Caregivers	37	0.04%
7. Removed Caregivers	6	0.01%
Total	102,040	100.00%

Approximately 12 percent (n = 12,612) of the active cardholders were determined to be SNAP eligible. Of the 12,612 that were determined to be eligible, 5,698 (~45%) were females and 6,923 (~55%) were males.

Table 3. Arizona Medical Marijuana Active Qualifying Patient Characteristics for June, 2016

Characteristics of Active Cardholders who are Qualified Patients (N=102,040)	June 2016 Totals	June 2016 Percent Total
Patient Age-groups		
Less than 18 years	164	0.16%
18 to 30 years	25,264	24.76%
31 to 40 years	20,902	20.48%
41 to 50 years	16,089	15.77%
51 to 60 years	18,685	18.31%
61 to 70 years	16,341	16.01%
71 to 80 years	3,812	3.74%
81 and older	783	0.77%
Patient Gender		
Male	65,762	64.45%
Female	36,278	35.55%

Figure 1. Arizona Medical Marijuana Active Qualifying Patients Characteristics by Gender and Age for June, 2016

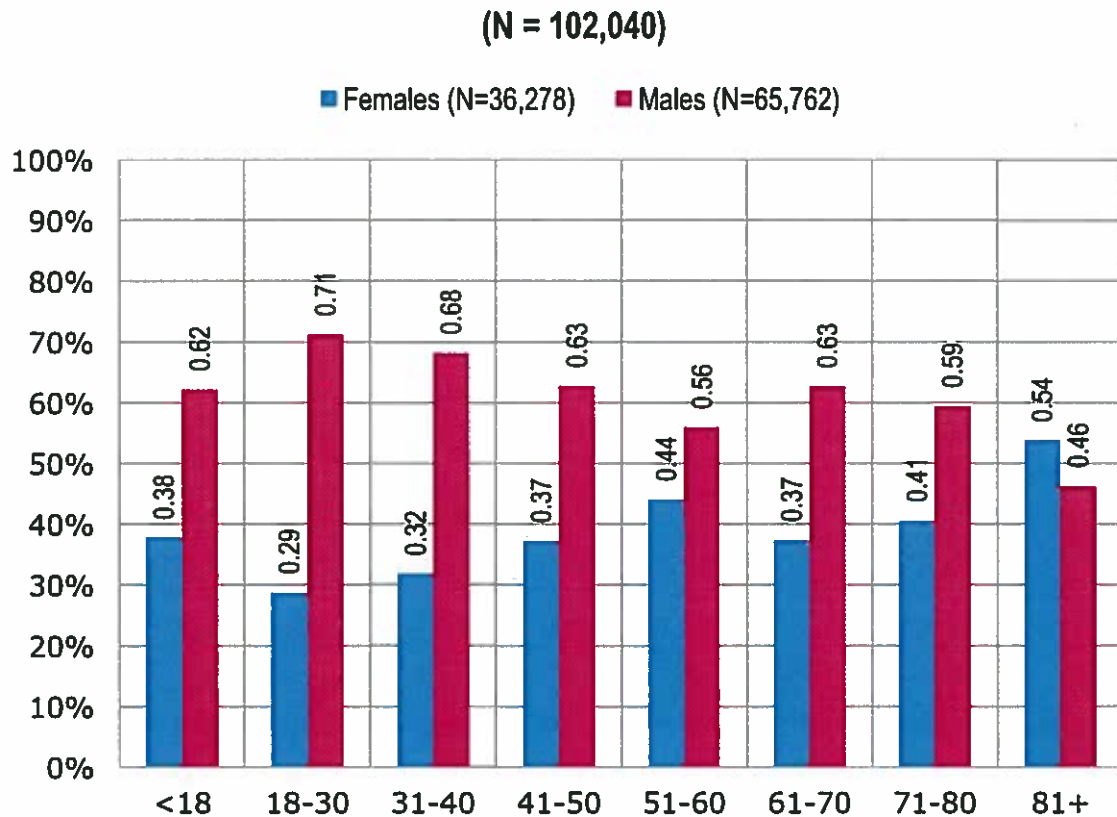


Table 4. Arizona Medical Marijuana Active Qualifying Patients Medical Condition Profile for June, 2016

Patient Medical Condition Profile of Active Cardholders [¶]	June 2016 Totals	June 2016 Percent total
Alzheimer's	47	0.05%
Cachexia	93	0.09%
Cancer	2,793	2.74%
Chronic Pain	82,772	81.12%
Crohn's Disease	426	0.42%
Glaucoma	722	0.71%
Hepatitis C	836	0.82%
HIV/AIDS	464	0.45%
Muscle Spasms	668	0.65%
Nausea	661	0.65%
Post-Traumatic Stress Disorder (PTSD)	1,226	1.20%
Sclerosis	27	0.03%
Seizures	879	0.86%
Two Or More Conditions	10,426	10.22%
TOTAL	102,040	100.00%

[¶]Unique debilitating conditions

Figure 2. Arizona Medical Marijuana Active Designated Caregiver Characteristics by Gender and Age for June, 2016

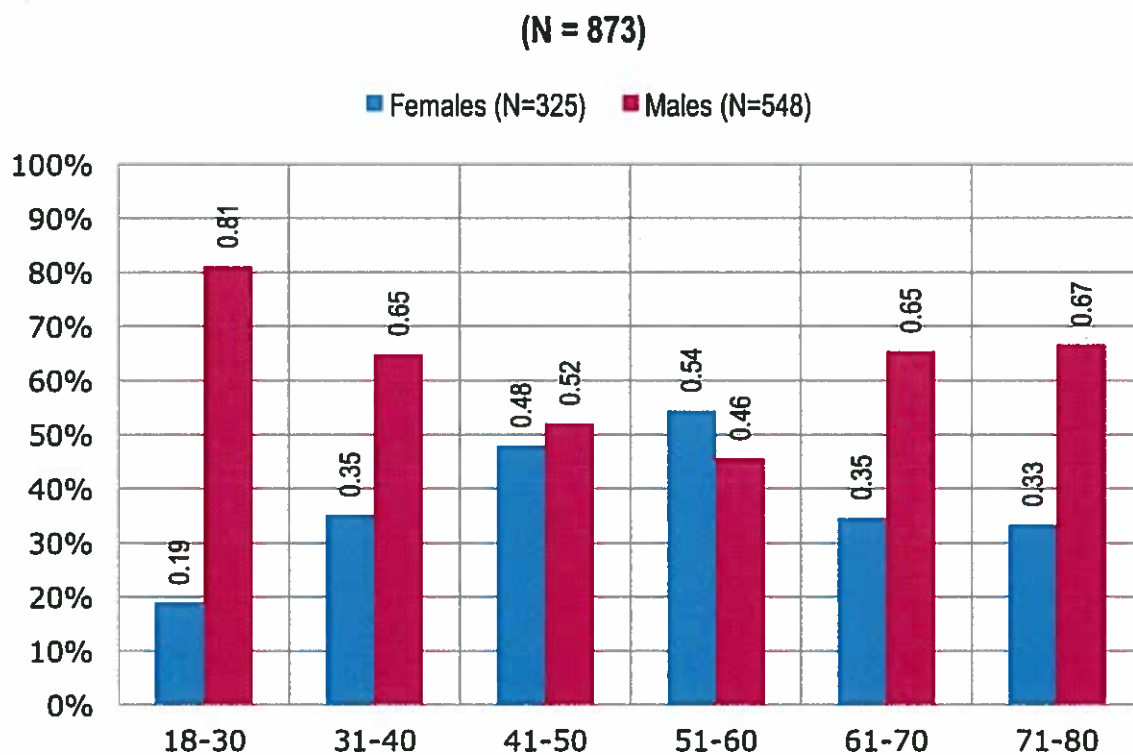


Table 5. Arizona Medical Marijuana Active Qualifying Patients and Designated Caregivers Authorized for Cultivation for June, 2016

Active Cardholders Cultivation Status	June 2016 Totals	June 2016 Percent Total
Qualifying Patients (n = 102,040)	1,394	1.37%
Caregivers (n = 1,083)	437	50.81%

Table 6. Frequency and Percent of Total Frequency of Qualifying Patients per County of Residence for June, 2016.

County	Qualifying Patients	Caregivers	Dispensary Agents
Apache County	756	Count under 20	Count under 20
Cochise County	1,515	Count under 20	21
Coconino County	2,619	36	115
Gila County	1,128	Count under 20	30
Graham County	358	Count under 20	Count under 20
Greenlee County	127	Count under 20	Count under 20
La Paz County	259	Count under 20	Count under 20
Maricopa County	63,588	542	1696
Mohave County	3,878	Count under 20	105
Navajo County	1,436	26	69
Pima County	13,661	90	310
Pinal County	5,403	43	100
Santa Cruz County	328	Count under 20	34
Yavapai County	5,757	62	202
Yuma County	1,226	Count under 20	Count under 20
TOTAL	102,040	860	2,724

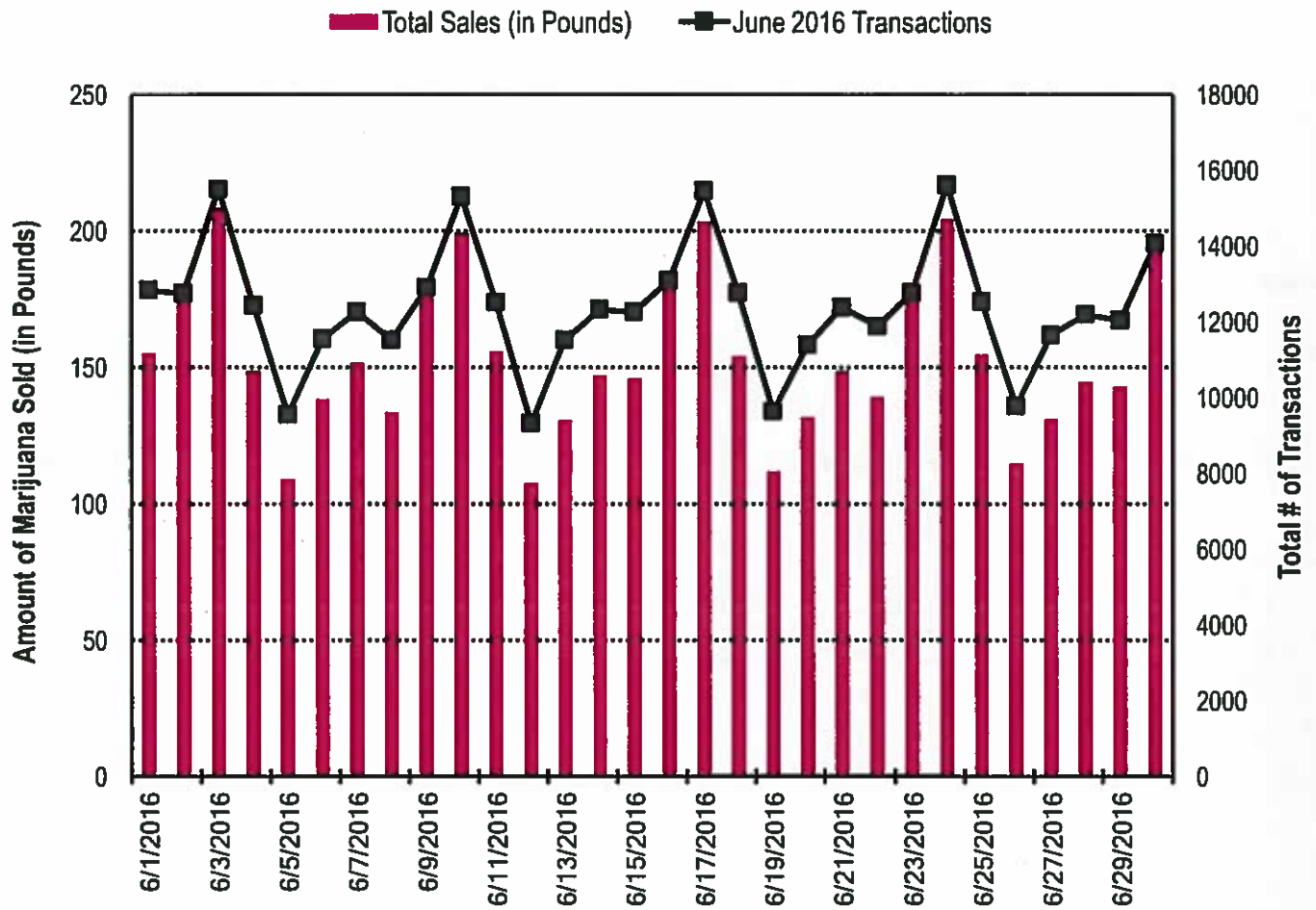
*Note: 29 active patients have not been assigned to counties due to spatial precision of their residence address

Table 7. Type and Amount of Transactions at Medical Marijuana Dispensaries in June, 2016

Type of Transaction [†]	Ounces (oz.)	Pounds
Marijuana	67,912.01	4,244.50
Marijuana Edible	4,482.13	280.13
Marijuana Other	1,676.32	104.77
Total Marijuana Sold	74,070.46	4,629.40

[†]Amounts have been rounded and may not add to exact column totals

Figure 3. Daily Transactions and Amount of Marijuana Sold in June, 2016



Medical Marijuana Summary for State Fiscal Year 2016 (FY16)

Information contained in the tables below represents information for State Fiscal Year 2016 (July 1, 2015 – June 30, 2016).

Table 1a. Arizona Medical Marijuana Applications Received for Qualifying Patients, Caregivers, and Dispensary Agents in FY16

Applications Received Profile	FY 16 Totals	Percent Total
Qualifying Patients (QPs)	109,109	94.58%
Caregivers (CGs)	2,200	1.91%
Dispensary Agents (DA)	4,056	3.52%
Total	115,365	100.00%

*Note: For caregivers and dispensary agents, these data reflect unique individuals, not the number of cards.

Table 1b. Arizona Medical Marijuana Licensed Qualifying Patients, Designated Caregivers and Dispensary Agents in FY16

Applications Approved Cardholder Profile	FY 16 Totals	Percent Total
Qualifying Patients (QPs)	108,883	94.67%
Caregivers (CGs)	2,166	1.88%
Dispensary Agents (DA)	3,959	3.44%
Total	115,008	100.00%

*Note: For caregivers and dispensary agents, these data reflect unique individuals, not the number of cards.

Table 2. Arizona Medical Marijuana Licensed Qualifying Patient Profile in FY16

Applications Received for Qualifying Patients	FY 16 Totals	Percent Total
New Applications	70,183	64.46%
Renewal Applications	32,206	29.58%
Changed Demographics	2,632	2.42%
Added Caregivers	411	0.38%
Change Duplicates	3,358	3.08%
Replaced Caregivers	57	0.05%
Removed Caregivers	36	0.03%
Total	108,883	100.00%

Table 3a. Arizona Medical Marijuana Applications Received - Qualifying Patient Characteristics in FY16

Characteristics of Applications Received who are Qualified Patients	FY 16 Totals (N = 109,109)	Percent Total
Patient Age-groups		
Less than 18 years	192	0.18%
18 to 30 years	29,004	26.58%
31 to 40 years	22,187	20.33%
41 to 50 years	16,869	15.46%
51 to 60 years	19,948	18.28%
61 to 70 years	16,461	15.09%
71 to 80 years	3,691	3.38%
81 and older	757	0.69%
Patient Gender		
Male	70,650	64.75%
Female	38,459	35.25%

Table 3b. Arizona Medical Marijuana Licensed Qualifying Patient Characteristics in FY16

Characteristics of Approved Applications who are Qualified Patients	FY 16 Totals (N=108,883)	Percent Total
Patient Age-groups		
Less than 18 years	190	0.17%
18 to 30 years	28,943	26.58%
31 to 40 years	22,141	20.33%
41 to 50 years	16,838	15.46%
51 to 60 years	19,908	18.28%
61 to 70 years	16,425	15.08%
71 to 80 years	3,685	3.38%
81 and older	753	0.69%
Patient Gender		
Male	70,506	64.75%
Female	38,377	35.25%

Figure 1a. Gender and Age Characteristics of Qualifying Patient (QP) Applications Received in FY16

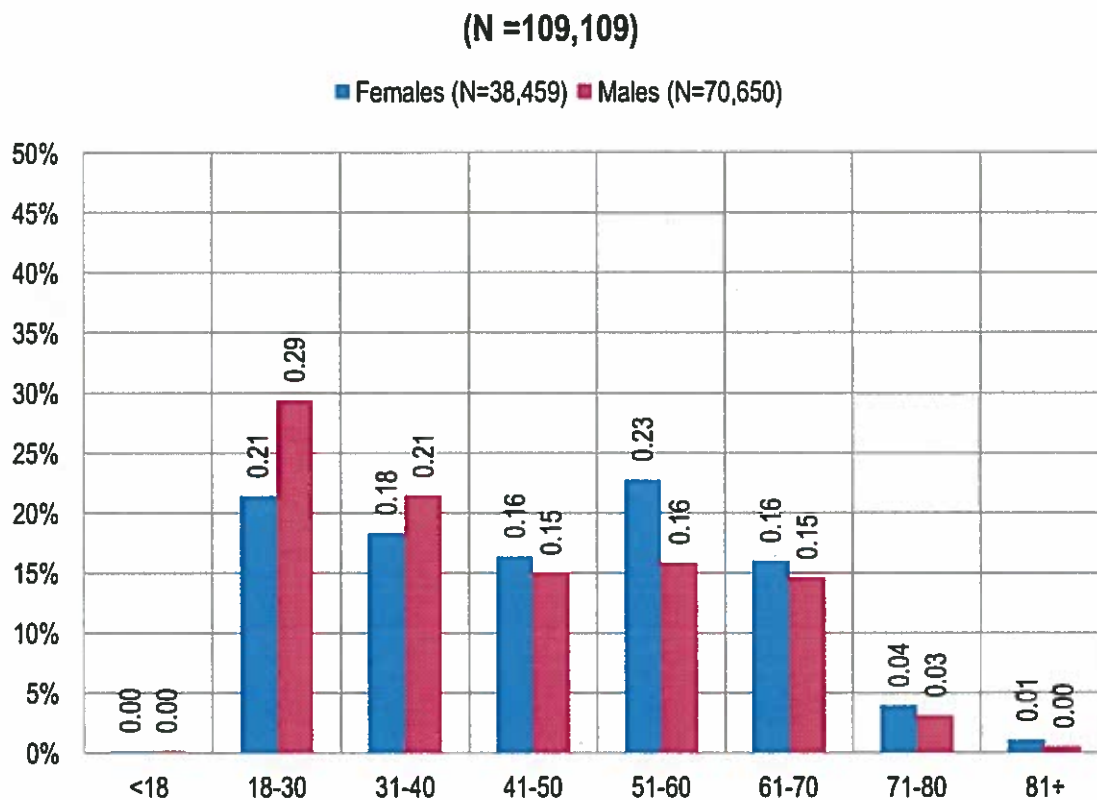


Figure 1b. Gender and Age Characteristics of Licensed Qualifying Patients in FY16

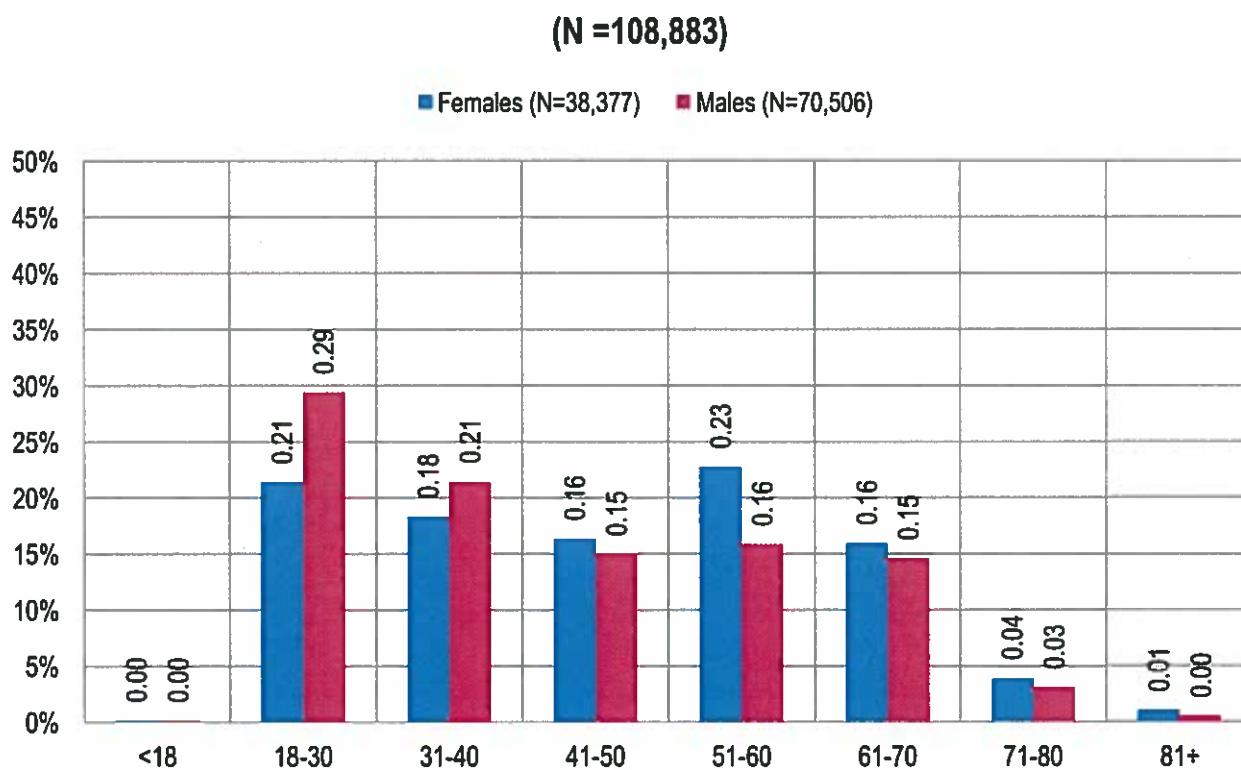


Figure 2a. Gender and Age Characteristics of Caregiver Applications Received in FY16

(N = 2,200)

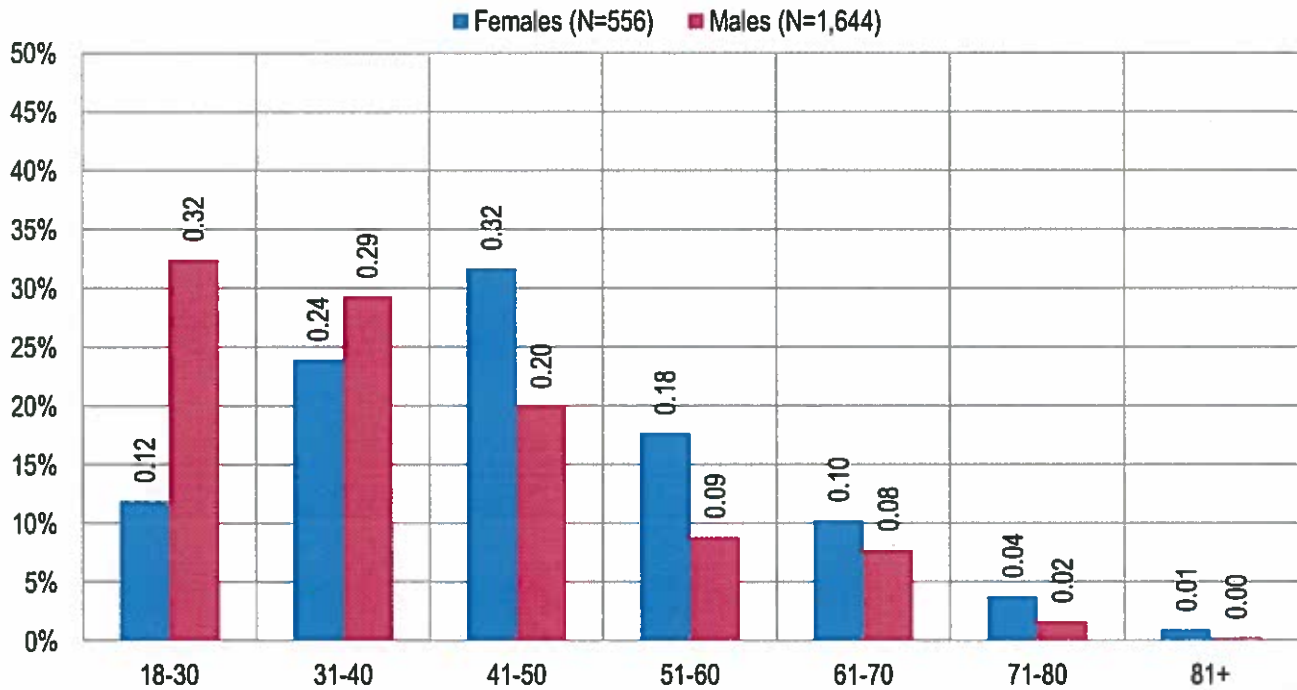


Figure 2b. Gender and Age Characteristics of Licensed Care Caregivers in FY16

(N = 2,166)

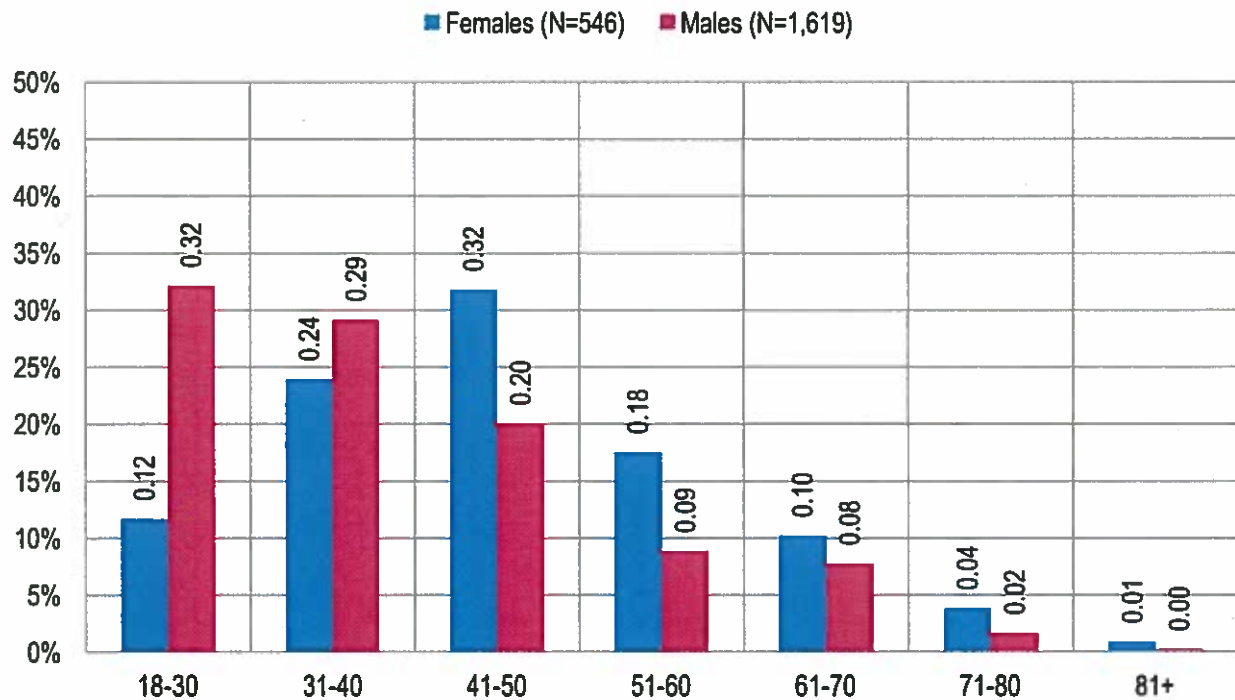


Table 4a. Patient Medical Conditions Profile for Arizona Medical Marijuana Applications Received in FY16

Patient Medical Condition Profile of Applications Received	FY 16 Totals	Percent Total
Alzheimer's	47	0.04%
Cachexia	96	0.09%
Cancer	2,919	2.68%
Chronic Pain	88,568	81.17%
Crohn's Disease	445	0.41%
Glaucoma	765	0.70%
Hepatitis C	875	0.80%
HIV/AIDS	499	0.46%
Muscle Spasms	698	0.64%
Nausea	698	0.64%
Post-Traumatic Stress Disorder (PTSD)	1,319	1.21%
Sclerosis	27	0.02%
Seizures	945	0.87%
Two Or More Conditions	11,208	10.27%
TOTAL	109,109	100.00%

[¶]Unique debilitating conditions

Table 4b. Licensed Qualifying Patients Medical Conditions Profile in FY16

Patient Medical Condition Profile of Applications Approved[¶]	FY 16 Totals	Percent Total
Alzheimer's	47	0.04%
Cachexia	96	0.09%
Cancer	2,909	2.67%
Chronic Pain	88,414	81.20%
Crohn's Disease	445	0.41%
Glaucoma	763	0.70%
Hepatitis C	873	0.80%
HIV/AIDS	497	0.46%
Muscle Spasms	695	0.64%
Nausea	698	0.64%
Post-Traumatic Stress Disorder (PTSD)	1,312	1.20%
Sclerosis	27	0.02%
Seizures	939	0.86%
Two Or More Conditions	11,168	10.26%
TOTAL	108,883	100.00%

[¶]Unique debilitating conditions

Table 5a. Arizona Medical Marijuana Applications Received for Applicants Seeking Authorization to Cultivate in FY16

Applications Received for Cardholders with Cultivation Status	FY 16 Totals	Percent Total
Qualifying Patients (n = 109,109)	1,668	1.53%
Caregivers (n = 2,200)	0	0.00%

Table 5b. Arizona Medical Marijuana Licensed Qualifying Patients and Designated Caregivers Authorized for Cultivation in FY16

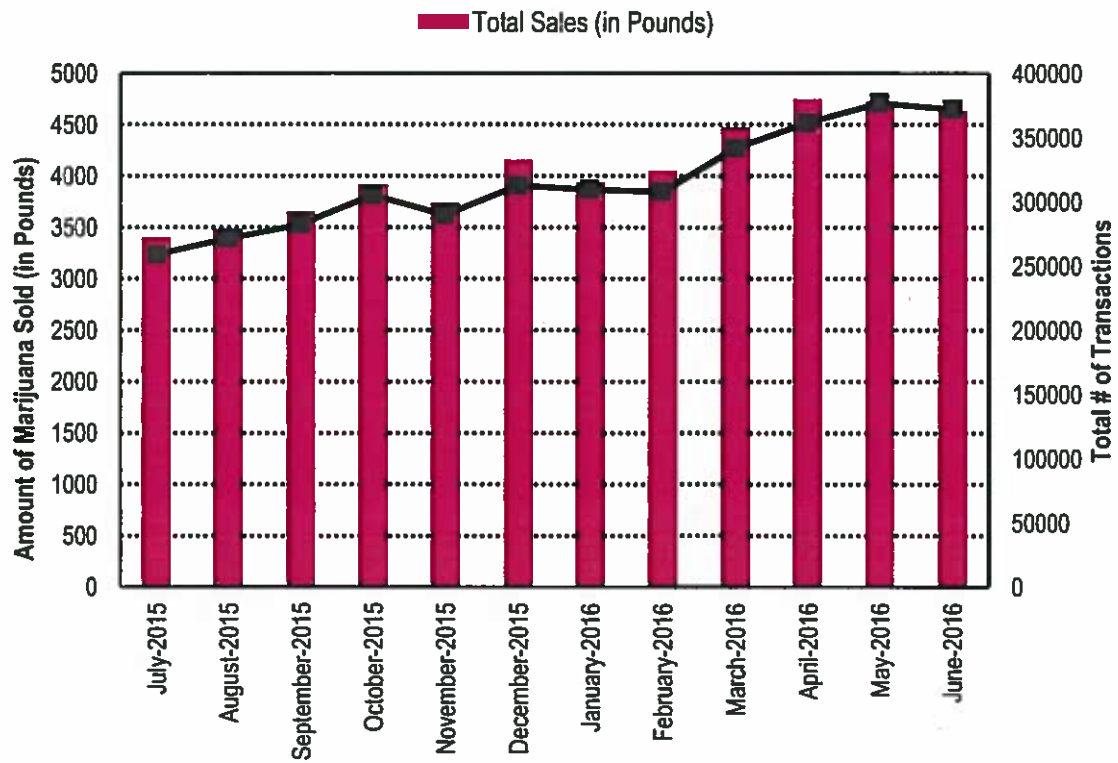
Approved Cardholders Cultivation Status	FY16 Totals	Percent Total
Qualifying Patients (n = 108,883)	1,620	1.47%
Caregivers (n = 2,166)	0	0.00%

Table 7a. Types and Amounts of Transactions at Medical Marijuana Dispensaries in FY16

Type of Transaction[†]	Ounces (oz.)	Pounds
Marijuana	712,858.66	44,553.67
Marijuana Edible	52,931.54	3,308.22
Marijuana Other	16,430.00	1,026.87
Total Marijuana Sold	782,220.20	48,888.76

[†]Amounts have been rounded and may not added to exact totals

Figure 5. Transactions and Amounts of Medical Marijuana Sold in FY16 by Month



Arizona Medical Marijuana Year-End Comparison

Information contained in the summary tables below represents a comparison of information for the last month of FY 15 (June 2015) and FY 16 (June 2016).

Table 8: Arizona Medical Marijuana Active Qualifying Patients, Designated Caregivers and Dispensary Agents Profile Summary Comparison

Active Cardholder Profile	June 2015 Totals	June 2016 Totals	Totals n(% Change)
1. Qualifying Patients (QPs)	76,698	102,040	25,342 (24.84%)
2. Caregivers (CGs)	695	860	165 (19.19%)
3. Dispensary Agents (DA)	1,898	2,752	854 (31.03%)
Total	79,291	105,652	26,361 (24.95%)

Table 9: Arizona Medical Marijuana SNAP Eligible Active Cardholders Comparison

Active Cardholders who are SNAP Eligible	June 2015 Totals	June 2016 Totals	Totals n(% Change)
1. Male	5,563	6,923	1,360 (19.64%)
2. Female	4,377	5,698	1,321 (23.18%)
Total	9,940	12,612	2,672 (21.19%)

Table 9. Arizona Medical Marijuana Active Qualifying Patient Demographics Comparison

Characteristics of Active Cardholders who are Qualified Patients	June 2015 Totals (N=76,697)	June 2016 Totals (N=102,040)	Totals n(% Change)
Patient Age-groups			
Less than 18 years	109	164	55(33.54%)
18 to 30 years	18,605	25,264	6,659(26.36%)
31 to 40 years	15,372	20,902	5,530(26.46%)
41 to 50 years	12,095	16,089	3,994(24.82%)
51 to 60 years	15,148	18,685	3,537(18.93%)
61 to 70 years	12,177	16,341	4,164(25.48%)
71 to 80 years	2,606	3,812	1,206(31.64%)
81 and older	585	783	198(25.29%)
Patient Gender			
Male	50,977	65,762	14,785(22.48%)
Female	25,720	36,278	10,558(29.10%)

Table 10. Arizona Medical Marijuana Licensed Qualifying Patients Medical Conditions Profile Comparison

Active Cardholder Patient Medical Condition Profile [¶]	June 2015 Totals	June 2016 Totals	Totals n(% Change)
Alzheimer's	34	47	13(27.66%)
Cachexia	57	93	36(38.71%)
Cancer	2,052	2,793	741(26.53%)
Chronic Pain	56,699	82,772	26,073(31.50%)
Crohn's Disease	372	426	54(12.68%)
Glaucoma	578	722	144(19.94%)
Hepatitis C	802	836	34(4.07%)
HIV/AIDS	371	464	93(20.04%)
Muscle Spasms	702	668	-34(-5.09%)
Nausea	558	661	103(15.58%)
Post-Traumatic Stress Disorder (PTSD)	517	1,226	709(57.83%)
Sclerosis	34	27	-7(-25.93%)
Seizures	684	879	195(22.18%)
Two Or More Conditions	13,237	10,426	-2,811(-26.96%)
TOTAL	76,797	102,040	25,243(24.74%)

¶ Unique debilitating conditions

Table 11. Arizona Medical Marijuana Licensed Qualifying Patients and Designated Caregivers Authorized for Cultivation Comparison

Active Cardholder Cultivation Status	June 2015 Totals	June 2016 Totals	Totals n(% Change)
Qualifying Patients	1,426 (n=70,189)	1,394 (n=102,040)	-32(-2.30%) (n=31,851)
Caregivers	399 (n=657)	437 (n=1,083)	38(8.70%) (n=426)

2/14/17: Rec'd From
Jenifer Corey. Hand
out to Commissioners.

APPLICANT'S PROPOSED AMENDED MOTION

AM-2-16

February 14, 2017

Planning & Zoning Commission

OPTION #2, amended (w/Planning Staff language modified as following):

"I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the APPROVAL of case AM-2-16, a proposed Text Amendment to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1 Zoning Ordinance, Article 1-6 Supplemental Regulations, Section 1-6-12 Medical Marijuana, requested by SVACCHA, LLC, represented by Jenifer Corey, to amend the city's non-profit medical marijuana use regulations, but in accordance with Planning Staff's suggested language contained in the February 14, 2017, P&Z staff report for case AM-2-16, with the following revisions:

1. The total number of nonprofit medical marijuana dispensaries facilities allowed shall be two. An additional dispensary shall be allowed when the City has at least twenty-five pharmacies within its municipal limits, and then one additional facility for every ten pharmacies thereafter.
2. Dispensaries selling marijuana related products such as pipes, water pipes, rolling paper, screens, vaporizers, mills, concealing devices etc., shall be restricted to selling only to patients displaying the required Arizona Department of Health Services medical marijuana card and to be used only in conjunction with prescription. Cookbooks and educations materials are excepted from this provision.
3. Drive-through pickup windows shall not be allowed. Delivery service shall be allowed, subject to the provisions described in the security and operating plan on file with the police department.
4. There shall be no restriction on the hours of operation."

REC'D 2/21/17 FROM LESLI SORENSEN

Apache Junction Planning and Zoning Commission Hearing
February 28, 2017

Summary of Nature's Wonder Proposed Amendments

Proposed Amendment #1:

- Requires the PZC to forward information from a CUP, planned development rezoning, or planned development major amendment application to the AJPD for investigation.
- Requires the AJPD to investigate the applicant, entity, and related parties, and report the results to the PZC.
- Prohibits the PZC from considering a CUP, planned development rezoning, or planned development major amendment application before receiving the AJPD report.
- Allows the PZC to deny a CUP, planned development rezoning, or planned development major amendment application if the report indicates a criminal history or concerns about an applicant's ability to operate a facility pursuant to law.

Proposed Amendment #2:

- Clarifies that the 750-foot requirement applies to public and private education institutions (as opposes to current "school.")

Proposed Amendment #3:

- Makes a technical change to conform the lead-in clause to the content below.

Proposed Amendment #4:

- Replaces "prescription" with "physician's certification" to align with state law.
- Makes a technical change.

Proposed Amendment #5:

- Requires a minimum of 2 miles, rather than 1,320 feet, between medical marijuana facilities.

**Nature's Wonder Proposed Amendments
February 28, 2017
Apache Junction Planning & Zoning Commission**

Proposed Amendment #1 to Apache Junction, AZ Land Development Code

§ 1-6-12 MEDICAL MARIJUANA.

(E) Applications.

(1) A CUP application for medical marijuana dispensaries, cultivation facilities or infusion facilities shall include, ~~at a minimum,~~ **ALL THE INFORMATION REQUIRED ON THE CUP APPLICATION FORM AND** the following supplemental information:

(a) Signature and consent on the application form by the property owner of record that he or she is aware the property will be used for medical marijuana dispensing, cultivating or infusion.

(b) A copy of the preliminary approval from the State Department of Health Services ("DHS"), such as a registration certificate, for the nonprofit medical marijuana dispensary, nonprofit medical marijuana dispensary off-site cultivation facility or stand-alone nonprofit medical marijuana infusion facility, and a written assurance that all nonprofit medical marijuana dispensary agents associated with the approved facility shall register with the Apache Junction Police Department upon final approval to operate from DHS, as well as a copy of said final approval document.

(c) Application and all applicable fees paid as required by Apache Junction City Code, Vol. I; Chapter 8, Business, and the Apache Junction City Tax Code as amended.

(d) A detailed site plan and floor plan for the facility prepared in accordance with Vol. II, § 1-16-9, and narrative explaining the operation of the facility and hours of operation.

(2) **UPON RECEIVING A CUP, PD REZONING OR PD MAJOR AMENDMENT APPLICATION, THE PLANNING AND ZONING COMMISSION SHALL FORWARD THE INFORMATION TO THE APACHE JUNCTION POLICE DEPARTMENT FOR INVESTIGATION. THE APACHE JUNCTION POLICE DEPARTMENT SHALL CONDUCT AN INVESTIGATION OF THE APPLICANT, THE ENTITY, AND ANY RELATED PARTIES, INCLUDING OWNERS, MEMBERS, OR OFFICERS, AND PROVIDE A REPORT TO THE PLANNING AND ZONING COMMISSION. THE PLANNING AND ZONING COMMISSION SHALL NOT CONSIDER A CUP, PD REZONING OR PD MAJOR AMENDMENT APPLICATION BEFORE RECEIVING THE REPORT FROM THE APACHE JUNCTION POLICE DEPARTMENT. THE PLANNING AND ZONING COMMISSION MAY DENY A CUP, PD REZONING OR PD MAJOR AMENDMENT APPLICATION IF INFORMATION FROM THE REPORT INDICATES A CRIMINAL HISTORY OR RAISES CONCERNS ABOUT THE ABILITY OF THE APPLICANT TO OPERATE A MEDICAL MARIJUANA FACILITY PURSUANT TO STATE OR LOCAL LAW.**

Nature's Wonder Proposed Amendments
February 28, 2017
Apache Junction Planning & Zoning Commission

Proposed Amendment #2 to Apache Junction, AZ Land Development Code

§ 1-6-12 MEDICAL MARIJUANA.

(F) *Conditions of approval.* The conditions of approval which may be considered by the Planning and Zoning Commission in evaluating these requests include the following:

- (1) Required spacing requirements:

...

(b) A minimum of 750 feet between a dispensary, ~~off-site~~ cultivation facility or ~~stand-alone~~ infusion facility and any public or private ~~school~~ EDUCATION INSTITUTION, LIBRARY, PUBLIC PARK, ~~business~~ COMMERCIAL-zoned day care ~~center~~ FACILITY, FREE-STANDING church, or drug and/or alcohol rehabilitation center, as measured from nearest building wall of the business to the nearest building wall of the protected use.

Proposed Amendment #3 to Apache Junction, AZ Land Development Code

§ 1-6-12 MEDICAL MARIJUANA.

(F) *Conditions of approval.* The conditions of approval which may be considered by the Planning and Zoning Commission in evaluating these requests include the following:

...

- (2) Operating requirements:

...

(c) ~~Security plans shall include lighting, monitored alarm and/or camera surveillance systems, secure storage, and other necessary building safety measures.~~ A MEDICAL MARIJUANA FACILITY SHALL:

i) SUBMIT A SECURITY PLAN CONTAINING THE FOLLOWING INFORMATION:

A) PROOF THAT ANY CULTIVATION AND STORAGE OF MEDICAL MARIJUANA WILL TAKE PLACE IN AN "ENCLOSED, LOCKED FACILITY" EQUIPPED WITH LOCKS OR OTHER SECURITY DEVICES THAT PERMIT ACCESS ONLY BY PERSONS AUTHORIZED TO ENTER PURSUANT TO STATE AND LOCAL LAW.

B) A FLOOR PLAN THAT DETAILS THE SECURITY MEASURES REQUIRED BY ARIZONA LAW, INCLUDING AN ON-SITE ALARM SYSTEM AND A SINGLE SECURE ENTRANCE.

C) ADDITIONAL PROTECTIONS, IF ANY, AGAINST MEDICAL MARIJUANA DIVERSION AND THEFT.

Nature's Wonder Proposed Amendments
February 28, 2017
Apache Junction Planning & Zoning Commission

ii) PROVIDE AND UPDATE AS NEEDED A CURRENT LIST OF ALL PERSONS WHO ARE AUTHORIZED TO ACCESS THE DISPENSARY, ~~OFF-SITE~~ CULTIVATION SITE, OR INFUSION FACILITY.

Proposed Amendment #4 to Apache Junction, AZ Land Development Code

§ 1-6-12 MEDICAL MARIJUANA.

(F) *Conditions of approval.* The conditions of approval which may be considered by the Planning and Zoning Commission in evaluating these requests include the following:

...

(2) Operating requirements:

...

(e) Dispensaries selling marijuana ~~or tobacco-smoking~~ related products, INCLUDING ~~such as pipes, water pipes, rolling paper, screens, vaporizers, mills, AND concealing devices and other than cookbooks and educational materials shall not be allowed, ETC.,~~ SHALL BE RESTRICTED TO SELLING ONLY TO PATIENTS DISPLAYING AN ARIZONA DEPARTMENT OF HEALTH SERVICES MEDICAL MARIJUANA CARD AND TO BE USED ONLY IN CONJUNCTION WITH ~~PRESCRIPTION~~ A PHYSICIAN'S CERTIFICATION. COOKBOOKS AND EDUCATIONAL MATERIALS ARE EXCEPTED FROM THIS PROVISION.

Proposed Amendment #5 to Apache Junction, AZ Land Development Code

§ 1-6-12 MEDICAL MARIJUANA.

(F) *Conditions of approval.* The conditions of approval which may be considered by the Planning and Zoning Commission in evaluating these requests include the following:

(1) Required spacing requirements:

(a) A minimum of ~~1,320 feet~~ TWO MILES between ANOTHER ~~dispensaries~~ DISPENSARY, ~~off-site cultivation facilities~~ FACILITY or ~~stand-alone infusion facilities~~ FACILITY, as measured from nearest building wall to nearest building wall.

PLANNING STAFF'S PROPOSED CHANGES – "CLEAN" VERSION – 2-28-17

(shaded = new language)

1-6-12 MEDICAL MARIJUANA

- A. Permit Required. A CUP shall be required for the establishment of nonprofit medical marijuana facilities, including dispensaries, cultivation facilities, and infusion facilities. The requirements of this section, for the establishment of a nonprofit medical marijuana use, may also be accomplished through a planned development ("PD") rezoning process or PD major amendment process.
- B. Number of Facilities Allowed in City. The total number of nonprofit medical marijuana dispensaries, cultivation facilities, and infusion facilities shall be as allowed by State statute for the Apache Junction Community Health Analysis Area ("GHAA"). (See A.R.S. Title 36, Chapter 28.1 Arizona Medical Marijuana Act, for definitions and statutes pertaining to medical marijuana.) Additional transfers as described by Arizona Administrative Code, Title 9, Chapter 17, Sections R9-17-307 and R9-17-307, shall not be allowed in the city limits.
- C. Allowed Zoning Districts.
- 1) Location of nonprofit medical marijuana dispensaries shall be allowed in the City's B-1, B-2, B-4 and B-5 zoning districts.
 - 2) Location of a cultivation facility and/or a stand-alone nonprofit medical marijuana infusion facility which serves one or more nonprofit medical marijuana dispensaries shall be limited to the City's B-5 (Industrial) zoning district.
 - 3) An existing medical marijuana facility that has received a conditional use permit approval from the city prior to the effective date of this ordinance, shall be allowed to continue operating at the approved location, regardless of any newly defined spacing requirements; and as long as said operation remains in strict accordance with the conditions of approval of said facility, or as may otherwise be approved by a CUP amendment or renewal.
- D. Facility Security. Medical marijuana dispensaries, cultivation facilities, and infusion facilities shall be located in an enclosed locked facility, such as a permanent secure building and not in a cargo container, RV, trailer, or motor vehicle. If a green house is used as a cultivation facility, reasonable measures shall be taken to obscure the visibility of the marijuana plants from outside the building.
- E. Applications. A CUP application for medical marijuana dispensaries, cultivation facilities or Infusion facilities shall include all the information required on the CUP application form and the following supplemental information:
1. Signature and consent on the application form by the property owner of record that he or she is aware the property will be used for medical marijuana dispensing, cultivating or infusion.

2. A copy of the preliminary approval from the State Department of Health Services ("DHS"), such as a registration certificate, for the nonprofit medical marijuana dispensary, nonprofit medical marijuana dispensary off-site cultivation facility or stand-alone nonprofit medical marijuana infusion facility, and a written assurance that all nonprofit medical marijuana dispensary agents associated with the approved facility shall register with the Apache Junction Police Department upon final approval to operate from DHS, as well as a copy of said final approval document.
3. Application and all applicable fees paid as required by Apache Junction City Code, Volume I; Chapter 8, Business, and the Apache Junction City Tax Code as amended.
4. A detailed site plan and floor plan for the facility prepared in accordance with Section 1-16-9, and narrative explaining the operation of the facility and hours of operation.

F. Conditions of Approval. The conditions of approval which may be considered by the Planning and Zoning Commission in evaluating these requests include the following:

1. Required Spacing Requirements:

- a. A minimum of 1,320 feet between another dispensary, cultivation facility or infusion facility, as measured from nearest building wall to nearest building wall.
- b. A minimum of 750 feet between a dispensary, cultivation facility or infusion facility and any public or private education institution, library, public park, commercial-zoned day care facility, free-standing church, or drug and/or alcohol rehabilitation center, as measured from nearest building wall of the business to the nearest building wall of the protected use.

2. Operating Requirements:

- a. Drive-through pickup windows and delivery service shall not be allowed.
- b. Outdoor seating areas at dispensaries, cultivation facilities or infusion facilities shall not be allowed.
- c. A medical marijuana facility shall submit a security plan containing the following information:
 - i) Proof that any cultivation and storage of medical marijuana will take place in an "enclosed, locked facility" equipped with locks or other security devices that permit access only by persons authorized to enter pursuant to State and local law.

- ii) A floor plan that details the security measures required by Arizona law, including and on-site alarm system, video surveillance devices and a single secure entrance.
 - iii) Additional protections, if any, against medical marijuana diversion and theft.
 - iv) Provide and update as needed a current list of all persons who are authorized to access the dispensary, off-site cultivation site or infusion facility.
 - d. On-site consumption of medical marijuana at a dispensary, cultivation facility or infusion facility shall not be allowed.
 - e. Dispensaries selling marijuana related products such as pipes, water pipes, rolling paper, screens, vaporizers, mills, concealing devices, etc., shall be restricted to selling only to patients displaying the required Arizona Department of Health Services medical marijuana card and to be used only in conjunction with a physician's certification or recommendation. Cookbooks and educational materials are excepted from this provision.
 - f. The size of facility in terms of square footage, building height or other factors shall be consistent with the character of existing or planned surrounding development.
 - g. Signage that will be visible from the exterior of the facility may be approved by the City if all sign code regulations have been met. The use of the marijuana leaf symbol shall not be allowed on any exterior signage.
3. Other Conditions. The Planning and Zoning Commission may deem it necessary to apply other conditions to conserve and promote the public health, safety, convenience and general welfare, including:
- a. Compliance with all City-adopted zoning, landscaping, engineering, building, design guidelines, overlay district and/or planned development district requirements.
 - b. The Commission shall reserve the right to revoke a CUP for noncompliance with any condition prescribed as part of the permit approval or if the use is demonstrated to be a nuisance or hazard to the neighborhood or community.
 - c. Hours of operation: a medical marijuana dispensary shall have operating hours not earlier than 8:00 a.m. and not later than 8:00 p.m., Mountain Standard Time. A medical marijuana cultivation or infusion facility shall not have limited hours of operation.
4. Patient Home Cultivation. In the event that a qualifying patient residing in the City lives 25 miles or farther from a dispensary, said individual or his or her designated

caregiver may cultivate no more than 12 marijuana plants at the place of primary residence (including a manufactured home or a recreational vehicle) of the qualifying patient, with owner's permission, without need to apply for a CUP. However, said individual or his or her designated caregiver shall apply the same types of precautions as above for security, use, documentation and must advise the Chief of Police of his or her intent to cultivate marijuana at home. At such time as a dispensary is located within 25 miles from the qualifying patient's home, all cultivation of marijuana plants in the home must cease or shall be considered a zoning violation, among other possible local, state and federal law violations. Any change in residence location shall be reported to the Chief of Police within 30 days.

5. Caregiver Home Cultivation. In the event that a designated caregiver whose residence is in the City limits is cultivating marijuana for the qualifying patient or patients in his or her care, and whose qualifying patient or patients in his or her care live 25 miles or farther from a dispensary, said designated caregiver may cultivate no more than 12 marijuana plants per patient at the place of primary residency of the designated caregiver (including a manufactured home or a recreational vehicle), with homeowner's permission, without need to apply for a CUP. However, said designated caregiver shall apply the same types of precautions as above for security, use, documentation and must advise the Chief of Police of his or her intent to cultivate marijuana at home for the benefit of his or her qualifying patient or patients. At such time as a dispensary is located within 25 miles from the designated caregiver's home, all cultivation of marijuana plants in the home must cease or shall be considered a zoning violation, among other possible local, state and federal law violations. Any change in residence location shall be reported to the Chief of Police within 30 days.