



# City of Apache Junction

## Development Services Department



DATE: February 22, 2017

MEMO TO: Honorable Mayor and City Council Members

THROUGH: Bryant Powell, City Manager  
Larry Kirch, Development Services Director

FROM: Rudy Esquivias, Senior Planner/Zoning Admin.

SUBJECT: March 6 & 7, 2017, City Council Meetings:  
Case AM-2-16 (Ordinance No. 1444) Proposed Text Amendments  
to city's Medical Marijuana Regulations by SVACCHA, LLC.

### PROPOSAL:

AM-2-16 is 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 to allow for medical marijuana facilities, including dispensaries, cultivation facilities and infusion facilities, as determined by the Arizona Department of Health Services for the Apache Junction Community Health Analysis Area. They are also requesting the following: that two dispensaries be allowed in the city, and possibly another when there are 25 pharmacies in the city; that dispensaries be allowed in planned development-zoned areas; that library, public park and freestanding church be added to the list of protected uses; that dispensaries be allowed to offer delivery service; that our language on security be better clarified; that dispensaries be allowed to sell medical marijuana smoking products and paraphernalia, but only to card-carrying patients; that hours of operation be established; and adding a requirement that home cultivators also notify PD when they change residences.

### P&Z COMMISSION RECOMMENDATION:

The Planning and Zoning Commission held a public hearing on this item on February 14, 2017. They voted to continue the case to their public hearing on February 28 and requested more information from staff. Because of the continuation, the closeness of the P&Z and City Council meeting dates, and because of agenda item due dates, staff is not able to provide the City Council with the Commission's recommendation, nor a draft ordinance with this packet. However, staff will present the Commission's recommendation, in the form of draft Ordinance No. 1444, to the City Council at their work session discussion on Monday, March 6, and at their public hearing on March 7. Attached, please find the update memo with attachments which is being presented to the Commission on February 28, as well as a complete copy of the staff report which was presented to them on February 14, 2017.