



City of Apache Junction

Development Services Department



Date: May 5, 2021

To: Honorable Mayor and City Council Members

Through: Bryant Powell, City Manager
Larry Kirch, Development Services Director
Rudy Esquivias, Planning Manager/Zoning Administrator

From: Kelsey Schattnik, Planner

Subject: May 17, 2021, City Council Work Session Item:
AM-1-20 Presentation and discussion on 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.

Background

On December 1, 2020, Staff was directed by city council to amend the current medical marijuana regulations to include recreational marijuana regulations.

Councilmember Rizzi moved, seconded by Mayor Serdy to direct staff to allow existing dispensaries to become dual licensees: require CUP amendment process, operate under the same rules as existing dispensaries, allow recreational marijuana sales too, but no cultivation or processing, allow medical marijuana to convert to recreational marijuana through CUP amendment, the code to still allow for medical marijuana cultivation and infusion kitchens.

Councilmember Evans motioned to add on to Councilmember Rizzi's motion that marijuana be treated like retail and liquor stores in the B-1, B-2 and B-3 zones.

In response to the direction given to staff, staff drafted two versions of the proposed text amendment changes.

Version 1 allowed dual licensee facilities within the city, but did not allow new standalone recreational marijuana establishments or marijuana testing facilities.

Version 2 allowed standalone recreational marijuana establishments in the B-1, B-2, B-3 and B-4 zoning districts.

These establishments would operate under the same regulations as existing medical marijuana dispensaries. Marijuana testing facilities were not allowed.

On February 23, 2021, staff held a work session with the planning and zoning commission to review the two draft text changes. The commission recommended staff to focus on Version 2.

On March 23, 2021 the commission unanimously recommended approval of Version 2 to city council.

On April 5, 2021, staff held a work session with city council to review PZ recommended changes.

On April 6, 2021, a public hearing was held, but no action was taken on Ordinance No. 1502, Resolution 21-13, Ordinance No. 1504 or Resolution No. 21-15.

Council requested more information about what other municipalities were doing to regulate recreational marijuana establishments. A work session was requested for Monday, May 17th 2021.

Please feel free to visit the Arizona Department of Health Services website for more information regarding Medical and Recreational Marijuana:

<https://www.azdhs.gov/licensing/marijuana/index.php>

Attachments:

- List of Arizona Municipality Recreational Marijuana Regulations
- Revised Medical Marijuana Ordinance (Marked-up Version 1)
- Revised Medical Marijuana Ordinance (Marked-up Version 2)
- AM-1-20 PZ Staff Report