

# Recreational Marijuana:

## Proposed Changes to Zoning Ordinance, Section 1-6-12 Medical Marijuana



**City of Apache Junction  
City Council Work Session  
May 17, 2021**



# Background

- December 1, 2020: Staff was directed to amend the current medical marijuana regulations to include recreational marijuana regulations.
- February 23, 2021: Staff held a work session with the planning and zoning commission to review the two draft text changes. Staff was given direction to focus on Version 2, which allowed Recreational Marijuana in the B-1, B-2, B-3 and B-4 zoning districts and treats it the same way as Medical Marijuana.

# Background

- March 23, 2021: Planning and zoning commission recommended approval of version 2 to city council.
- April 5, 2021: Staff held a work session with city council to review PZ recommended changes.

# Background

- April 6, 2021:
  - A public hearing was held, but no action was taken on the draft text amendments.
  - Council wanted more information about what other municipalities were doing to regulate recreational marijuana.

# Text Amendments: Version 1

1. Allow dual licensee facilities through CUP process
  2. Regulate recreational marijuana establishments the same as medical marijuana dispensaries.
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1. Testing facilities prohibited

# Text Amendments: Version 2

1. Allow recreational marijuana establishments through CUP process in the B-1, B-2, B-3 and B-4 zoning districts
2. Allow standalone recreational marijuana establishments
3. Distance requirements the same as current medical marijuana dispensaries
4. Testing facilities prohibited

# Keep Current Medical Marijuana Regulations “As-Is”

1. No text specifically regarding recreational marijuana in the zoning ordinance
2. Allows for interpretation of the code:
  - Agree with staff that no language in the code = not allowed in city
  - Seek an appeal/interpretation from the Board of Adjustment
  - Board of Adjustment may agree with staff or may determine that they are allowed in any commercial zone
3. May allow dual licensee to go fully recreational without a CUP

# Questions/Text Amendment Review



# City Council Motion 12/01/2020

1. 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.
2. 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.