

Recreational Marijuana

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Proposition 207

Smart and Safe Arizona Act

- Passed by voters on November 3, 2020
- Signed by Governor Ducey on November 30, 2020
- Effective December 1, 2020
- Department of Health Services (DHS) accepting early applicants January 21 – March 9

Police Ordinance

Adopted December 8, 2020

- Limited recreational marijuana establishments to dual license facilities
- Prohibited home delivery of recreational marijuana
- Prohibited marijuana testing facilities
- Prohibited the consumption of marijuana on city properties
- Prohibited the consumption of marijuana while driving, operating or riding in a vehicle used for transportation

Current Zoning Regulations



Regulates medical marijuana dispensaries, cultivation, and infusion facilities



Permitted in Light Industrial (LI) and General Industrial (GI) zoning districts



Permissible hours of operation - 8:00 a.m. to 9:00 p.m.



Dispensaries limited to 2,500 sq ft, no more than 500 sq ft of which can be used for storage

Current Zoning Regulations







Separation Requirements:


- 500 ft from day cares, preschools, public parks (other than *LI or GI*), HOA owned open space
- 1,200 ft from churches, libraries, schools, and public parks (*LI or GI*)
- 2,400 ft from residential substance abuse facilities, alcohol rehabilitation facilities, correctional transitional housing facilities, and off-site medical marijuana cultivation facilities
- 5,280 ft from another medical marijuana dispensary


Medical Marijuana Dispensary Locations

MM Facility (All)

FacilityType

-  Dispensary (only) - 10
-  Cultivation (only) - 3
-  Cultivation/Infusion - 1
-  Dispensary/Cultivation/Infusion - 4

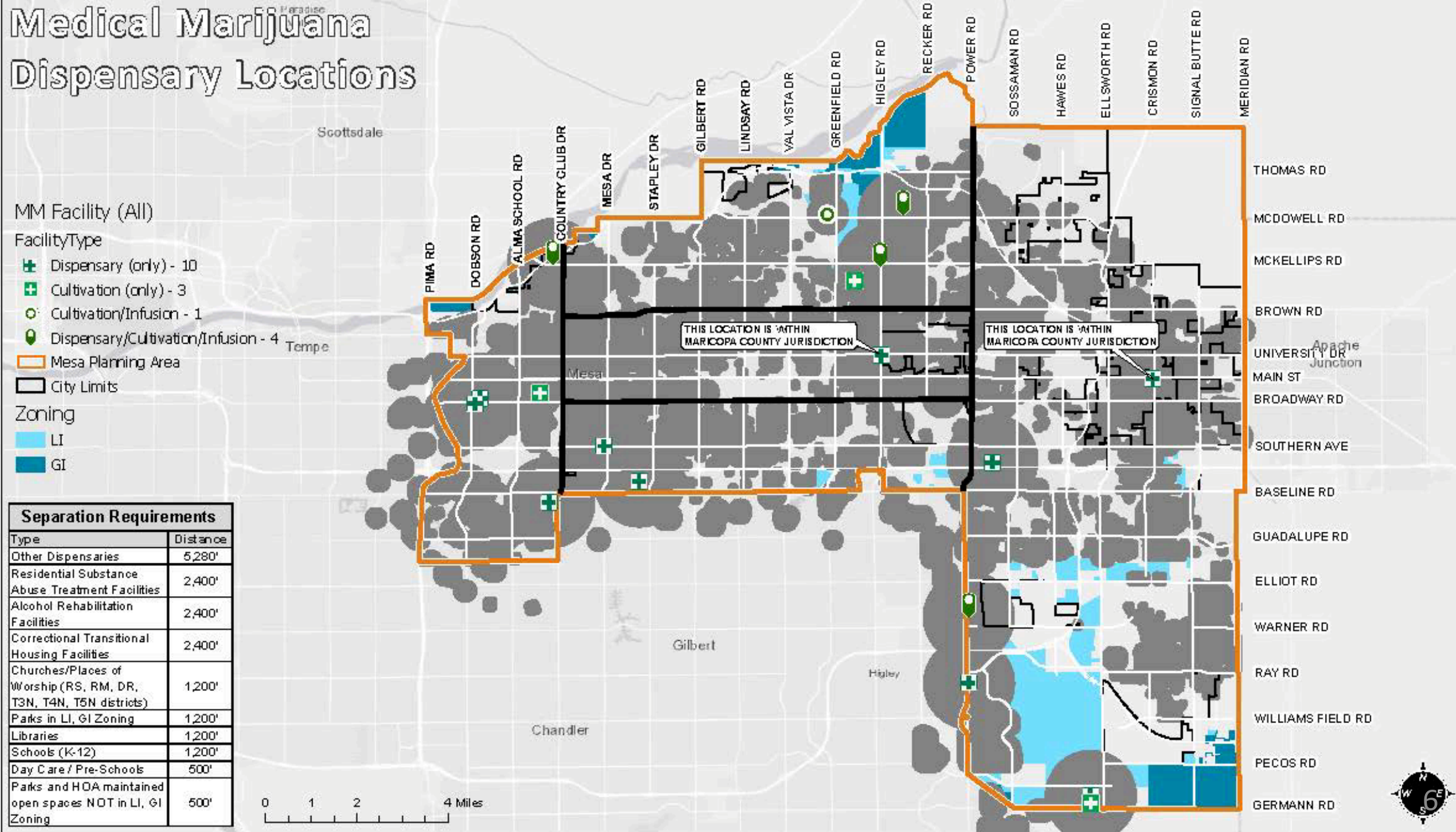
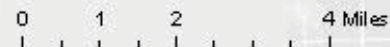
 Mesa Planning Area

 City Limits

Zoning

-  LI
-  GI

Separation Requirements	
Type	Distance
Other Dispensaries	5,280'
Residential Substance Abuse Treatment Facilities	2,400'
Alcohol Rehabilitation Facilities	2,400'
Correctional Transitional Housing Facilities	2,400'
Churches/Places of Worship (RS, RM, DR, T3N, T4N, T5N districts)	1,200'
Parks in LI, GI Zoning	1,200'
Libraries	1,200'
Schools (K-12)	1,200'
Day Care / Pre-Schools	500'
Parks and HOA maintained open spaces NOT in LI, GI Zoning	500'



Recommendation

- Dual licensed facilities only
 - **Dual Licensee Facility.** An entity licensed by the Arizona Department of Health Services (ADHS) to operate both a Medical Marijuana Dispensary and a Marijuana Establishment. The retail of recreational marijuana and medical marijuana must occur at the same location. Recreational marijuana sales may only occur in conjunction with medical marijuana sales regardless of the license held
- Permissible zoning (LI and GI districts)
- Permissible hours of operation (8 am - 9 pm)
- Size limits remain the same:
 - Dispensaries 2,500 sq. ft.
 - Cultivation Facility 25,000 sq. ft
 - Infusion Facility 10,000 sq. ft.
- Separation requirements remain the same

Next Steps

Projected P&Z Hearing.....April-May

Projected CC Hearing.....Before Council Break



Discussion

Municipality	Dual Licensee Only	Separation	Facility Size	Zoning Districts	Land Use Process	Hours of Operation	
Mesa	x	Dispensary	5,280	2,500 Dispensary 500 Storage	LI, GI	Administrative Permit	8 am – 9 pm
		Daycare	500				
Gilbert	x	Schools, Park in LI&GI	1,200	3,000 Dispensary & Cultivation 1,000 offsite cultivation	LI, GI	Conditional Use Permit	8 am – 8 pm
		Other schools & parks	500				
Tempe	?	Residential Zoning	N/A	5,000 Dispensary	CSS, CC, PCC-1, PCC-2, RCC, LID (Dispensary) GID, HID (Dispensary & Cultivation)	Administrative Permit	8 am – 10 pm
		Library	1,200				
Phoenix	?	Hospital	N/A	5,000 Dispensary	S1, S2, C2, A1	Use Permit	N/A
		Place of worship	1,320				
Chandler	x	Daycare, park, school	1,500	2,500 Dispensary 500 Storage 3,000 Cultivation 1,000 storage	C3, C3 (Dispensary) I1, I2 (Cultivation & infusion)	Zoning Clearance	9 am – 10 pm
		Residential Zoning	1,320				
Scottsdale	x	Library	N/A	N/A	CO, L1, SC	Conditional Use Permit	6 am – 7 pm
		Hospital	N/A				
		Place of worship	1,500				