

ZONING CODE AMENDMENT APPLICATION

Title: XXXXXXXXXXXXXXXX - *Hours of Operation for Marijuana Dispensaries.*

Date: April 12, 2022

NARRATIVE

PROPOSED AMENDMENT:

The proposed amendment (Exhibit A to the Resolution No. XXXX) modifies the existing marijuana establishment hours of operation provision of the Flagstaff Zoning Code, 10-40.60.220 Marijuana Establishments.

Reason for the Request:

The purpose of the amendment is to extend the allowed hours a marijuana establishment may operate. The reason for the proposed amendment is to increase the accessibility of marijuana to patients and consumers, decrease the burden in obtaining marijuana for patients and consumers, and create more jobs in a thriving and high desired for employment industry.

CRITERIA #1: The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan. A change in operational hours still maintains and upholds council and staff's original stipulations for marijuana establishment operations except for an extension of operational hours. The extension of operational hours is consistent with other similarly situated businesses and the community character of the Plan.

Furthermore, the proposed amendment expanding the operating hours of marijuana establishments is consistent and conforms with many of the City's Economic Development policies and goals. Expanding the operating hours for marijuana establishments will align Flagstaff's hours with those permitted in other major cities in Arizona. Expanding the permitted hours of operation for marijuana dispensaries will allow for dispensaries to increase the hours for current employees and create demand to hire new employees. The demand for marijuana products will continue to grow with the population, and the expanded hours of operation will attract marijuana brands to sell their products at Flagstaff marijuana establishments.

CRITERIA #2

The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City as a result of extending the hours a marijuana dispensary may operate. The Arizona Department of Health Services regulated the Medical and Adult Use Marijuana programs in Arizona. State statute and rules regulate the security of marijuana dispensaries. All security requirements must be strictly adhered to. Please see R9-17-318 and R9-18-312 attached.

Furthermore, allowing for additional operating hours is important in mitigating and preventing the spread of COVID-19 or other comparable communicable / contagious diseases. Currently, there is a large rush of customers around closing. Extending the operational hours will allow for additional hours which should spread out customer visits allowing for less rushes, more social distancing, and a better flow of customers visits, etc.

CRITERIA #3

The proposed amendment is internally consistent with other applicable provisions of this Zoning Code and does not conflict with any other Zoning Code provision. The amendment maintains the contemporary set of land uses and requirements of the purpose of the Zoning Code and is usable, straightforward, and easily understood.

Benefit to the Community:

The proposed amendment will benefit the community and the overall quality of life in the City of Flagstaff. The amendment will have a positive impact on the well-being of the community by expanding patient and consumer access and promoting patients' right to choose alternative treatment and therapeutics. The current hours limit the ability of those individual with schedule constraints or those that work outside typical business hours to obtain marijuana.

Although delivery currently does help serve some patients in these groups, delivery is only available to medical patients by law at this time. A large portion of consumers under the adult-use program use marijuana for medicinal reasons but decline to obtain a medical card due to resource barriers or privacy concerns. Expanding the hours of operation will expand patient and consumers' access to powerful pain and inflammation treatment.

The proposed amendment will benefit the City of Flagstaff from an economic standpoint. Jobs in the cannabis industry are in high demand and expanding the permitted hours of operation will create more jobs at marijuana establishments. Flagstaff's population has been quickly growing and the expanded hours of operation will help businesses better serve patients in a timely manner.

Furthermore, the increasing demand for marijuana products and expanded hours of operation will attract marijuana brands and businesses to work with the marijuana establishment licensees in Flagstaff. This will create jobs at cultivation, processing, and retail sites, and increase the variety of marijuana products available to patients in Flagstaff. The proposed amendment to expand the permitted operating hours of dispensaries will further benefit the community and promote the tourism and events industry in Flagstaff by making marijuana accessible to those who want to visit and contribute to the tourism industry.