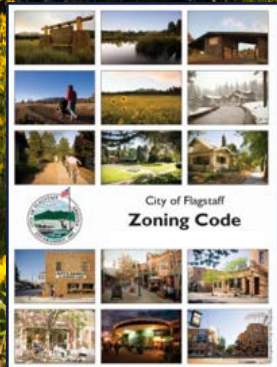


# Amendments to the Zoning Code Marijuana Operations

PZ-22-00074 & PZ-22-00089

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Zoning Code Manager





# Marijuana Operations

## PZ-22-00074 Marijuana Dispensary Hours of Operation

The Applicant is requesting that the City of Flagstaff amend the Zoning Code to allow extended hours of operation from the existing provision which allows dispensaries to be open from 8 a.m. to 7 p.m. to 8 a.m. to 10 p.m.

### *Overview of Proposed Amendment: 10-40.60.220.C*

#### 10-40.60.220 Marijuana Establishments

C. A Marijuana Dispensary shall have operating hours not earlier than 8:00 a.m. and not later than ~~7:00 p.m.~~ 10 p.m.



# Marijuana Operations

## **PZ-22-00089 Single Recreational Sales Establishment**

**The City is requesting to amend the Zoning Code to address marijuana Operation in the City of Flagstaff by updating terms and definitions to include single recreational sales establishments and potentially revise the separation requirements for all Marijuana Operations.**



# Marijuana Operations

## City's Proposed Zoning Code Text Amendment

### *Overview of Proposed Amendment:*

#### ***Table 10-40.30.040.B Commercial Zones – Allowed Uses***

**Change Marijuana Dispensary to Marijuana Retail Establishment**

#### ***Table 10-40.30.050B Industrial Uses Allowed Uses***

**Change Marijuana Off-site Cultivation Location and Marijuana Off-site Manufacturing Location to Marijuana Off-site Cultivation Establishment and Marijuana Off-site Manufacturing Establishment**



# Marijuana Operations

## City's Proposed Zoning Code Text Amendment

### ***Overview of Proposed Amendment: 10-40.60.220 Marijuana Establishments***

**Replace Marijuana Establishment with Marijuana Operation and replace Marijuana Dispensary with Marijuana Retail Establishment.**

**Review the existing separation requirements for Marijuana Operations found in 10-40.60.220**

- 1. Two thousand feet from another Marijuana Establishment;**
- 2. Five hundred feet from a residential substance abuse treatment facility or other residential drug or alcohol rehabilitation facility licensed by the State of Arizona;**
- 3. Five hundred feet from a community college, university, or from any public, private, parochial, charter, dramatic, dancing, music learning center, or other similar school or education facility that caters to children;**
- 4. Five hundred feet from a daycare home or daycare center;**
- 5. Five hundred feet from a public library or public park; and**
- 6. Five hundred feet from a facility devoted to family recreation or entertainment.**



# Marijuana Operations

## City's Proposed Zoning Code Text Amendment

### *Overview of Proposed Amendment: 10-80.20.130 Definitions "M"*

- **Rename Marijuana Establishment to Marijuana Operation and add Retail Establishment to the definition to avoid conflicts with the Arizona Revised Statutes definitions.**
- **Rename Marijuana Off-site Cultivation Location and Marijuana Off-site Manufacturing Location to Off-site Cultivation Establishment and Marijuana Off-site Manufacturing Location to better align with Arizona Revised Statutes definitions.**
- **Delete Marijuana Dispensary definition and replace with Marijuana Retail Establishment. This will allow for recreational only marijuana sales.**
  - **Marijuana Retail Establishment: A Non-Profit Medical Marijuana Dispensary, Dual-Licensed establishment (as defined in A.R.S. §36-2850, as amended), or a single recreational retail establishment certified by the State of Arizona to sell Marijuana and Marijuana products to consumers, which may include the cultivation, manufacturing, processing, packaging, or storage of Marijuana products as an accessory use to the dispensary.**



# Marijuana Operations

## Questions for the Commission

- **Should the City of Flagstaff expand the hours of operation for Marijuana Dispensaries or Marijuana Retail Establishments?**
- **Should the City of Flagstaff allow single recreational marijuana retail establishments to operate in the city, thereby accommodating social equity licenses?**
- **Should the City of Flagstaff increase the separation distance requirements for Marijuana Dispensaries or Marijuana Retail Establishments to ensure public health, safety, and welfare are maintained?**



# Marijuana Operations

## Staff Recommendation

### Findings for Zoning Code Text Amendments:

- (1) The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;**
- (2) The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City; and**
- (3) The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.**



# Marijuana Operations

## Questions, Comments, and Suggestions

