

RESOLUTION NUMBER 2020-30

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA, REQUESTING THAT THE TOWN OF PARADISE VALLEY PLANNING COMMISSION REVIEW PROPOSED REVISIONS OF THE ZONING ORDINANCE RELATING TO THE REGULATION OF RECREATIONAL MARIJUANA AND A DRAFT ORDINANCE WITH SAID REVISIONS; AND RECOMMEND APPROVAL, DENIAL, OR MODIFICATIONS TO THE DRAFT ORDINANCE; AND PROVIDING A DATE CERTAIN FOR SAID RECOMMENDATION

WHEREAS, the statewide ballot measure I-23-2020, known as “Smart and Safe Arizona Act” has been certified as Proposition 207 and placed on the November 3, 2020 general election ballot and contains provisions authorizing the possession, consumption, purchase, processing, manufacturing or transporting of marijuana by an individual who is at least twenty-one (21) years of age; authorizing possession, transport, cultivation or processing of marijuana plants in a primary residence by adults over 21 years of older; allowing a nonprofit medical marijuana dispensary or other non-dispensary applicant to apply to the Department of Health Services to become a licensed marijuana establishment authorized to engage in the retail sale, cultivation and manufacturing of marijuana; and allowing the Department, or another entity designated by the Department, to become a marijuana testing facility to test the potency of marijuana and detect any harmful contaminants; and,

WHEREAS, in the event that Proposition 207 passes, the Town desires to prohibit recreational marijuana establishments and testing facilities; and,

WHEREAS, changes to the Zoning Ordinance are necessary in order to enact such a prohibition; and,

WHEREAS, the Town Council desires to have the Town of Paradise Valley Planning Commission (Commission) review and make recommendations to the Town Council in the form of a proposed ordinance, a draft of which is attached hereto as Exhibit A, including the holding of any necessary citizen reviews and public hearings; and,

WHEREAS, the Commission is required complete such review, hearings, and final recommendation by December 8, 2020;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA THAT:

Section 1. The Commission review the draft ordinance attached hereto as Exhibit A relating to Article II – Definitions and Section 1027 of the Zoning Ordinance and recommend approval, denial, or approval with modifications that are consistent with prohibiting recreational marijuana establishments.

Section 2. That the Commission complete such recommendation by December 8, 2020.

PASSED AND ADOPTED by the Town Council this 8th day of October, 2020.

Jerry Bien-Willner, Mayor

ATTEST:

Duncan Miller, Town Clerk

APPROVED AS TO FORM

Andrew M. Miller, Town Attorney

Exhibit A

Attached: Draft Ordinance to Amend the Zoning Ordinance