

TOWN OF PARADISE VALLEY

**Adoption of Resolution No. 2020-30
Recommending Referral of a Draft Ordinance to the
Planning Commission for Review and
Recommendations Regarding Recreational
Marijuana Establishments**

Council Meeting – October 8, 2020

Town Council
April 2020



Key Question

Does the Town Council desire to adopt Resolution 2020-30?

Background

- 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
- Proposition 207, if enacted, 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
- Allows 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

Background

- Allows 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
- Based on the lack of any appropriate retail zoning districts in the Town, the potential high-volume quick trip traffic that might be generated from a marijuana establishment or marijuana testing facility, and in order to protect public health, safety, and welfare of the Town, the Town staff recommends that the Town Council consider adopting revisions to the Town Zoning Ordinance that would prohibit marijuana establishments and/or marijuana testing facilities in the Town

Background

- Changes to the Town Zoning Ordinance are necessary in order to enact the prohibition
- Staff also recommends that the Council approve a resolution that will refer the draft ordinance to the Commission with directions to review the ordinance, consider modifications that are consistent with the intent to prohibit marijuana establishments and testing facilities, and hold a citizen review session and public hearing on the draft ordinance, with a final recommendation to be made by the Commission by December 8, 2020

Recommendation

It is recommended that the Town Council adopt Resolution 2020-30 referring the draft ordinance to the Commission with directions to review the ordinance, consider modifications that are consistent with the intent to prohibit marijuana establishments and testing facilities, and hold a citizen review session and public hearing on the draft ordinance, with a final recommendation to be made by the Commission by December 8, 2020