



Initiation of Code Amendment Planning and Zoning Commission Staff Report

SUBJECT: Request to set applicant's Zoning Code Amendment related to medical marijuana dispensaries for public hearing

MEETING DATE: May 3, 2016

AGENDA ITEM: 2

STAFF CONTACT: Roosevelt Arellano, Senior Planner
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Applicant: Planning and Zoning staff

Request: Zoning Code Amendment related to increasing the hours of operation for medical marijuana dispensaries

Location: C-1 and C-2 zoned properties

Recommendation: Initiate Zoning Code Amendment

SUMMARY:

Section 22.3.B of the Oro Valley Zoning Code provides that all applications for code amendments must be initiated and set for public hearing by the Planning and Zoning Commission and/or Town Council. Should the amendment be initiated, the Commission may consider the proposed change in hours of operation.

Staff recently received a request (Attachment 1) from a business owner to pursue a code amendment to increase the permitted hours of operation from 9:00 a.m. – 5:00 p.m. to 7:00 a.m. – 10:00 p.m. The stated reason for the request is to improve patients' access to prescribed medicine.

BACKGROUND:

There is currently one (1) medical marijuana dispensary within Town limits located in the Rancho Vistoso Safeway Center. This is owned and operated by the applicant.

Timeline:

Below is an overview of key actions regarding medical marijuana dispensaries in Oro Valley:

- October 2010: Oro Valley approves zoning provisions for medical marijuana dispensaries
- November 2010: Arizona legalizes the use of medical marijuana
- March 2013: Oro Valley issues the applicant a business license to operate a medical marijuana dispensary

Please refer to Agenda Item No. 3 for further background and discussion.

**Zoning Code Initiation: Medical Marijuana Dispensary
Planning and Zoning Commission Staff Report**

Page 2 of 2

RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission initiate and set a public hearing for a Zoning Code Amendment related to increasing the hours of operation for medical marijuana dispensaries.

SUGGESTED MOTION:

The Planning and Zoning Commission may wish to consider the following suggested motion:

I MOVE to initiate and set a public hearing for a Zoning Code Amendment to Section 25.1.v (Medical Marijuana Dispensaries) regarding hours of operation.

ATTACHMENTS:

1. Application



Bayer Vella, Planning Manager