

Article 4

Article 4-2-17

MARIJUANA DUAL FACILITY

A **marijuana dual facility** as defined in Article [2-2](#) of this Ordinance is subject to the following regulations:

A. GENERAL REQUIREMENTS:

1. An application for the establishment of a **marijuana dual facility** must be submitted, reviewed and approved by the Development Services Department Director or his designee prior to the issuance of a Zoning Permit by the City for the proposed establishment.
2. The application shall include:
 - a. If the application is by someone other than the owner of the property, an authorization signed by the property owner must be submitted with the application and include an explicit acknowledgement that the property owner knows that the proposed use of the property is for a **marijuana dual facility**.
 - b. The address and legal name of the **marijuana dual facility**.
 - c. The name and address of each of principal officer and board member of the **marijuana dual facility**, including their contact information and the emergency contact information.
 - d. A floor plan showing the layout and dimensions of the **marijuana dual facility** to demonstrate compliance with the development standards contained herein.
 - e. Any other documents necessary to ensure conformance with applicable codes and regulations.
3. A **marijuana dual facility** shall adhere to all applicable state, county and municipal laws, codes, ordinances, rules, and regulations and shall be operated in conformance with any rules adopted by the Arizona Department of Health Services pursuant said statutes.

B. SEPARATION STANDARDS.

1. There shall be one **marijuana dual facility** per CHAA.
 2. A **marijuana dual facility** shall not be located within five hundred feet (500') measured in a straight line in any direction from the closest exterior **building** wall of the **marijuana dual facility** to the closest property line of any property in a residential **district** (not including residentially-zoned public street right-of-way), as described in Article [3-1](#) of this ordinance.
 3. A **marijuana dual facility** shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior **building** wall of the **marijuana dual facility** to the closest property line of a public, private, parochial, or charter kindergarten, elementary, secondary or high school.
 4. A **marijuana dual facility** shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior **building** wall of the **marijuana dual facility** to the closest property line of a licensed **preschool**, day care or childcare center.
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5. A **marijuana dual facility** shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior **building** wall of the **marijuana dual facility** to the closest property line of a public park, library or public community center.

6. A **marijuana dual facility** shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior **building** wall of the **marijuana dual facility** to the closest property line of any church or place of worship.

7. A **marijuana dual facility** shall not be located within two thousand feet (2,000') measured in a straight line in any direction from the closest exterior **building** wall of the **marijuana dual facility** to the closest property line of any licensed residential substance abuse diagnostic and treatment facility or other licensed drug or alcohol rehabilitation facility.

8. A **marijuana dual facility** shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior **building** wall of the **marijuana dual facility** to the closest property line of any adult businesses as defined in Article 2 of this ordinance.

C. **DEVELOPMENT STANDARDS.** Unless otherwise exempted by Arizona state law, the following standards shall apply:

1. If the **marijuana dual facility** contains a **medical marijuana dispensary** the separation and development standards set forth in Article 4-2-11 also apply to the the **marijuana dual facility**.

2. If the **marijuana dual facility** contains a **medical marijuana dispensary cultivation location**, the separation and development standards set forth in Article 4-2-12 also apply.

2. The **marijuana dual facility** must be located in a permanent **building** and shall not be located in a trailer, cargo container, mobile or modular **building**, mobile home, recreational vehicle or other motor vehicle.

2. The maximum **gross floor area** of a **marijuana dual facility** shall not exceed five thousand five hundred (5,000) square feet.

3. The secure storage area for the marijuana stored at the **marijuana dual facility** shall not exceed twenty percent (20%) of the maximum **gross floor area** of the **marijuana dual facility**.

4. The permitted hours of operation of a **marijuana dual facility** shall be limited to between 8:00 a.m. and 7:00 p.m.

5. The **marijuana dual facility** shall not have a drive-through service.

6. The **marijuana dual facility** shall not offer a service that provides off-site delivery of the medical marijuana.

8. The **marijuana dual facility** shall not provide outdoor seating areas.

9. The operator of the **marijuana dual facility** shall provide unrestricted access to City code enforcement officers or police officers who request admission for the purpose of determining compliance with these standards.

10. Within the **marijuana dual facility** there shall be a secure storage area which has a single point of access and whose walls and roof are constructed of materials (eight-inch

concrete block or equal) sufficient to deter and prevent theft of marijuana being processed.

11. All **marijuana products** shall be placed within the secure storage area at any time when the dispensary is not open for business.

12. The operator of the **marijuana dual facility** shall provide for the proper disposal of marijuana remnants or by-products, and such material shall not be placed within the dispensary's exterior refuse containers.

13. The operator of the **marijuana dual facility** shall ensure that there is no emission of dust, fumes, vapors, or odors into the environment from the dispensary.

14. The operator of the **marijuana dual facility** shall not allow on-site consumption of marijuana.

15. The **marijuana dual facility** shall have only one secure entrance to the dispensary and any other doors required for exiting shall be locked to the outside and have an alarm that sound when opened from the inside;

16. The **marijuana dual facility** shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.

17. The **marijuana dual facility** shall have a video surveillance system that at all times records all interior areas and the exterior perimeter.

18. The operator of the **marijuana dual facility** shall post and maintain "No Loitering" sign(s) in sufficient quantity, size and location so that they are clearly visible by anyone in the immediate vicinity of the entrance or premises.

19. The **marijuana dual facility** shall have adequate exterior security lighting, which also complies with Article [10](#) of this ordinance.

20. The operator of the **marijuana dual facility** shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.
