



CASE NO. _____
Accepted by: _____
Date: _____
Acct # _____
Fees: _____
Staff Use Only

MARIJUANA ESTABLISHMENT APPLICATION

(Incomplete applications will not be accepted)

PROJECT INFORMATION (Completed by Applicant)		
Legal Project Name:		
Address/Location:		
Parcel Number(s): Section: Township: Range:	Gross Area (Acre/sq. ft.)	Net Area (Acre/sq. ft.): Zoning:

APPLICANT INFORMATION (Single point of contact)			
Name:		Company:	
Address:			
City:		State:	Zip Code:
Phone Number:		E-mail address:	
Signature of Applicant:			Date:

PROPERTY OWNER			
Name:		Company:	
Address:			
City:		State:	Zip Code:
Phone Number:		E-mail address:	
Signature of Property Owner:			Date:
Review times in accordance with SB 1598 Policy .			

PROPOSED USE	
CASE TYPE	
__ Nonprofit medical marijuana dispensary and a marijuana establishment operated cooperatively in a shared location.	_____ A single cultivation location for a retail marijuana establishment owned or controlled by a licensee for a retail marijuana establishment.
_____ A single cultivation location for a nonprofit medical marijuana dispensary owned or controlled by a licensee holding a license for a medical marijuana dispensary.	

Development Services Department
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Per A.R.S. § 9-495, an employee able to provide additional information is available at 623-333-4000 and EmailDevelopmentServices@avondaleaz.gov. All inquiries will receive a response within five business days. Please refer to the notice located on the last page of this document.

MARIJUANA ESTABLISHMENT SUBMITTAL CHECKLIST & ACKNOWLEDGEMENTS

I acknowledge that the following items are required for the processing of my application with the City of Avondale Development Services Department. I understand that the application will be not accepted without the following items and that the City of Avondale reserves the right to request additional information supplementary to this list:

- Completed application with both the applicant's and owner's original signatures.
- Fees: \$1,528
- Project narrative to include the required information listed in this form.
- Notarized authorization, executed by the property owner, acknowledging and consenting to the proposed use of the property as a marijuana establishment. If a new marijuana establishment is proposed to be collocated with an existing medical marijuana dispensary, the property owner shall consent to the marijuana establishment.
- Notarized certification that none of the marijuana dispensary officers or board members has been convicted of any offenses under ARS. § 13-901.03(B) and ARS § 36-2811 as described in Section 13.1306 of the Zoning Ordinance.
- Notarized certification that none of the marijuana establishment managers, officers board members have served as an officer or board member for a marijuana establishment that has had its registration certificate revoked.
- Copy of a certification from the Arizona Corporation showing that the business in good standing, if a corporation or limited liability company.
- Written security plan to the City that describes the actions taken to deter and prevent unauthorized entrance into limited access areas including use of security equipment, exterior lighting to facilitate surveillance, and electronic monitoring such as video cameras.
- Copy of the operating procedures adopted in compliance with ARIZ. REV. STAT. § 36-2804(B)(1)(c).
- Site plan (24" x 36" drawn to scale)
- Floor plan – Must demonstrate conformance with ARS 36-2806 (24" x 36" drawn to scale)
- Scale drawing showing compliance with the separation requirements described in this form. If any of the uses are located within 50 feet of the minimum separations as described in this form, the drawing, showing actual surveyed separations, shall be prepared by a registered land surveyor.
- Each item on the checklist is to be submitted digitally online.

Signature: _____ Printed name: _____

Company: _____ Date: _____

If you have any questions regarding items on this checklist, please contact your project planner.

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PROJECT NARRATIVE

The project narrative provides Staff with the information necessary to fully evaluate the request for a marijuana establishment.

Provide compliance with the following minimum requirements in the Project Narrative:

- Location
- The legal name of the medical marijuana establishment.
- The name, address, birth date and valid marijuana establishment agent identification card of (a) each employee of a marijuana establishment. In the best interest of the city, the information pursuant to subsection 4 shall not be subject to disclosure as a public record.
- The name, address, birth date, and valid registry identification card number of (a) each medical marijuana dispensary agent if the application is related to a medical marijuana dispensary or an associated marijuana establishment cultivation location; and (b) each designated caregiver and qualifying patient if the application is related to a medical marijuana cultivation location associated with such qualifying patient and designated caregiver (not required if applying for a single cultivation location for a retail marijuana establishment owned or controlled by a licensee holding a license in good standing from the Department for a retail marijuana establishment).
- Hours of operation.

NOTARIZED CERTIFICATIONS

Provide by separate instrument the following:

- A notarized certification that none of the medical marijuana dispensary and/or marijuana establishment officers or board members has been convicted of any of the following offenses:
 - A violent crime, as defined in ARIZ. REV. STAT. § 13-901.03(B), that was classified as a felony in the jurisdiction where the person was convicted.
 - A violation of state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted except an offense for which the sentence, including any term of probation, incarceration or supervised release, was completed ten or more years earlier or an offense involving conduct that would be immune from arrest, prosecution or penalty under Ariz. Rev. Stat. § 36-2811 except that the conduct occurred before the effective date of that statute or was prosecuted by an authority other than the state of Arizona.
- A notarized certification that none of the medical marijuana dispensary officers and/or marijuana establishment officers or board members has served as an officer or board member for a medical marijuana dispensary that has had its registration certificate revoked.

REQUIRED PLANS

1. A site plan showing the location of the facility or suite of the facility.
2. A floor plan showing the location, dimensions and type of security measures demonstrating that the marijuana establishment will be secured, enclosed, and locked as required by law.
3. A scale drawing depicting the property lines and the separations from the nearest property boundary of the parcel containing the marijuana establishment to the property boundary of the parcel containing any existing uses listed below. If any of the uses are located within fifty (50) feet of the minimum separation as listed below, the drawing, showing actual surveyed separations, shall be prepared by a registered land surveyor.

LOCATION / SEPARATION REQUIREMENTS

- A. Medical marijuana dispensaries or a marijuana establishment are prohibited from being established operated, operated, or licenses in any City of Avondale zoning district other than A-1 and are further limited below:
1. The operation of a marijuana establishment is prohibited in the City, except where authorized for a dual licensee who:
 - a. Operates both a nonprofit medical marijuana dispensary and a marijuana establishment cooperatively in a shared location; and
 - b. Has not forfeited or terminated the nonprofit medical marijuana dispensary registration from the Arizona Department of Health Services (herein after referred to as the “Department”).
- B. Medical marijuana dispensaries, marijuana establishments and marijuana cultivation locations providing product to a medical marijuana dispensary or retail marijuana establishment shall meet the following minimum separation requirements, measured in a straight line from the closest property boundary line of the parcel containing the medical marijuana dispensary, marijuana establishment or marijuana cultivation location to the closest property boundary line of the parcel containing any existing uses listed below:
1. Two thousand (2,000) feet from any other medical marijuana dispensary, marijuana establishment or marijuana cultivation location.
 2. Two thousand (2,000) feet from a substance abuse diagnostic and treatment facility or other drug or alcohol rehabilitation facility.
 3. Two thousand (2,000) feet from a public, private, parochial, charter, dramatic, dancing or music school, a learning center, or other similar school or educational or entertainment facility that caters to children.
 4. Two thousand (2,000) feet from a childcare center or registered residential childcare facility.
 5. Two thousand (2,000) feet from a public library.
 6. Two thousand (2,000) feet from a park.

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7. Two thousand (2,000) feet from a church or place of worship.
- C. A marijuana establishment engaging in the cultivation of marijuana and not associated with an Arizona medical marijuana dispensary engaging in the sale of marijuana to qualified individuals is prohibited, and only one (1) marijuana cultivation location shall be permitted for the single medical marijuana dispensary engaging in the sale of marijuana to qualified individuals located in the City with which it is associated. The provisions of the Zoning Ordinance Subsection 13.1302.C shall not apply to locations identified pursuant to Ariz. Rev. Stat. § 36-2804-02(A)(3)(f) for cultivation of medical marijuana by a designated caregiver or qualifying patient for a qualifying patients medical use.
- D. A marijuana establishment engaging in the cultivation of marijuana and not associated with a marijuana establishment engaging in the retail sale of marijuana in the City is prohibited, and only one (1) cultivation location shall be permitted for the single marijuana establishment engaging in the retail sale of marijuana located in the City with which it is associated.
- E. Dual licensee as set forth in Zoning Ordinance Subsection 13.1302.A.1 means that the medical marijuana dispensary and the marijuana establishment engaging in the retail sale of marijuana shall be:
 1. Located in a single facility.
 2. May have a shared entrance but shall have physically separate waiting areas and dispensary and retail sales areas.
 3. May have shared parking, however parking will be calculated as if two businesses are located at the physical location.

OTHER REQUIREMENTS

- A. A marijuana establishment shall:
 1. Be located in a permanent building and may not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other mobile vehicle.
 2. Not provide drive-thru services or off-site deliveries of marijuana or marijuana products.
 3. Shall not emit dust, fumes, vapors or odors into the environment from the facility and ensure that ventilation, air filtration, building and design standards are compatible with adjacent uses and the requirements of adopted building codes of the City.
 4. Prohibit smoking of marijuana or the consumption of marijuana infused products on the premises.
 5. Not have outdoor seating areas, but shall have adequate indoor seating to prevent outside loitering.
 6. Not sell marijuana or marijuana products, except as permitted by state law.
 7. Not display or keep marijuana or marijuana products that is visible from outside the premises.
 8. Comply with applicable state and county health regulations for food preparation and handling.
 9. Comply with applicable laws to safely and securely engage in extraction processes.

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10. Display a current City of Avondale business license and a State of Arizona tax identification number.
11. Install lighting to illuminate the exterior and interior of the building and all entrances and exits to the facility. Exterior lighting shall be at least five (5) foot candles, measured at ground level, and shall remain on during all hours between sunset and sunrise each day. Twenty-four (24) hours each day, the marijuana establishment shall illuminate the entire interior of the building, with particular emphasis on the locations of any counter, safe, storage area and any location where people are prone to congregate. The lighting must be of sufficient brightness to ensure that the interior is readily visible from the exterior of the building from a distance of one hundred (100) feet.
12. Provide security guards at the main entrances and exits during all hours of operation. For the purposes of this Section, "security guard" shall mean licensed and duly bonded security personnel registered pursuant to Ariz. Rev. Stat. § 32-2601 et seq. Prior to opening for business, the marijuana establishment shall provide all property owners within a five hundred (500) foot radius of the marijuana establishment with written notification via first class U.S. Mail of the security company responsible for providing its security services.
13. Have an exterior appearance compatible with commercial structures already constructed or under construction within the immediate neighborhood to insure against blight, deterioration, or substantial diminishment or impairment of property values in the vicinity.
14. Allow unrestricted access by City code enforcement officers, police officers or other agents or employees of the City requesting admission for the purpose of determining compliance with these standards.
15. Not display signs, or any other advertising matter used in connection with the marijuana establishment of any offensive nature and such signs shall in no way be contrary to the City code, or obstruct the view of the interior of the premises viewed from the outside.
16. Comply with all other applicable property development and design standards of the City.

B. A medical marijuana dispensary shall:

1. Be located in a permanent building and may not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other mobile vehicle.
2. Not have drive-through service.
3. Shall not emit dust, fumes, vapors or odors into the environment from the facility and ensure that ventilation, air filtration, building and design standards are compatible with adjacent uses and the requirements of adopted building codes of the City.
4. Not provide off-site delivery of medical marijuana.
5. Prohibit smoking of marijuana or the consumption of marijuana infused products on the premises.
6. Not have outdoor seating areas, but shall have adequate indoor seating to prevent outside loitering.
7. Not sell marijuana or marijuana products, except as permitted by state law to eligible patients.

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8. Not display or keep marijuana or marijuana products that are visible from outside the premises.
9. Comply with applicable state and county health regulations for food preparation and handling.
10. Comply with applicable laws to safely and securely engage in extraction processes.
11. Display a current City of Avondale business license and a State of Arizona tax identification number.
12. Install lighting to illuminate the exterior and interior of the building and all entrances and exits to the facility. Exterior lighting shall be at least five (5) foot candles, measured at ground level, and shall remain on during all hours between sunset and sunrise each day. Twenty-four (24) hours each day, the medical marijuana dispensary or marijuana establishment cultivation location shall illuminate the entire interior of the building, with particular emphasis on the locations of any counter, safe, storage area and any location where people are prone to congregate. The lighting must be of sufficient brightness to ensure that the interior is readily visible from the exterior of the building from a distance of one hundred (100) feet.
13. Provide security guards at the main entrances and exits during all hours of operation. For the purposes of this Section, "security guard" shall mean licensed and duly bonded security personnel registered pursuant to Ariz. Rev. Stat. § 32-2601 et seq. Prior to opening for business, the medical marijuana dispensary or marijuana establishment cultivation location shall provide all property owners within a five hundred (500) foot radius of the medical marijuana dispensary or marijuana establishment cultivation location with written notification via first class U.S. Mail of the security company responsible for providing its security services.
14. Have an exterior appearance compatible with commercial structures already constructed or under construction within the immediate neighborhood to insure against blight, deterioration, or substantial diminishment or impairment of property values in the vicinity.
15. Allow unrestricted access by City code enforcement officers, police officers or other agents or employees of the City requesting admission for the purpose of determining compliance with these standards.
16. Not display signs, or any other advertising matter used in connection with the medical marijuana dispensary or marijuana establishment cultivation location of any offensive nature and such signs shall in no way be contrary to the City code, or obstruct the view of the interior of the premises viewed from the outside.
17. Comply with all other applicable property development and design standards of the City of Avondale.

SIZE LIMITATIONS

Marijuana Establishment Providing Cultivation Services to Medical Marijuana Dispensary

- A. The following size limitations shall apply to any marijuana establishment providing cultivation services to a medical marijuana dispensary and located at a separate location.
 1. The total maximum floor area of a marijuana establishment cultivation location shall not exceed two thousand five hundred (2,500) square feet.
 2. The secure storage area for the medical marijuana stored at the marijuana establishment

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cultivation location shall not exceed five hundred (500) square feet of the total two thousand five hundred (2,500) square foot maximum floor area of a marijuana establishment cultivation location.

- B. The following size limitations shall apply to any marijuana establishment cultivation location associated with and located at the same location as a medical marijuana dispensary:
1. The total maximum floor area of a marijuana establishment cultivation location shall not exceed three thousand (3,000) square feet.
 2. The secure storage area for the medical marijuana stored at the marijuana establishment cultivation location shall not exceed one thousand (1,000) square feet of the three thousand (3,000) square feet total maximum floor area of a marijuana establishment cultivation location.
 3. For a marijuana establishment engaging in cultivation for a medical marijuana dispensary, the total maximum floor area that may also be used for cultivation and incorporation or processing of the medical marijuana into consumable or edible products inclusive of any secure storage area, shall not exceed three thousand (3,000) square feet. The secure storage area for the medical marijuana stored at a medical marijuana dispensary that also is a cultivation location shall not exceed one thousand five hundred (1,500) square feet.

Medical Marijuana Qualified Patients and Caregivers, Cultivation

- A. The following size limitations shall apply to any marijuana cultivation location associated with a qualified patient or designated caregiver:
1. All conditions and restrictions for medical marijuana cultivation locations apply except that the designated caregiver cultivation area is limited to a total two hundred fifty (250) square feet maximum, including any storage areas.
 2. More than one designated caregiver may not co-locate cultivation locations.

Marijuana Establishment Providing Cultivation Services to Marijuana Establishments Engaged in the Retail Sale of Marijuana

- A. The following size limitations shall apply to any marijuana establishment providing cultivation services to a marijuana establishment and located at a separate location:
1. The total maximum floor area of a marijuana establishment engaged in the retail sale of marijuana shall not exceed two thousand five hundred (2,500) square feet.
 2. The secure storage area for the marijuana stored at the marijuana establishment engaged in the retail sale of marijuana shall not exceed five hundred (500) square feet of the total two thousand five hundred (2,500) square foot maximum floor area of a marijuana establishment.

SECTION 13 MARIJUANA USES

The City of Avondale Zoning Ordinance provides a complete list of all rules and regulations.

To view, visit [Article 13 Marijuana Uses](#)

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NOTICE: By participating in any correspondence, telephone conversation, discussion, meeting, or any other communication with an Avondale employee, you agree and acknowledge that: (1) any information provided in a format other than a formal written determination by the designated Zoning Administrator is preliminary in nature and shall not be relied upon for any purpose by the recipient or any other person or entity; (2) any information provided by an Avondale employee is not the equivalent of a title report or a real estate survey; (3) you are responsible for independently researching and verifying the information; (4) an Avondale employee is not authorized to bind the City of Avondale in any manner, except by formal Zoning Administrator determination; and (4) any error, omission, incorrect information, or false information provided by an Avondale employee shall not give rise to any liability on behalf of the City of Avondale.