

**Section 1.** That the Zoning Ordinance of the City of Scottsdale, Article I, Additional Conditions for specific conditional uses, and Article V, Table 5.3004.D. are being amended as follows with new text represented by grey shading and deleted text represented by strike-through.

Section 1.400 – Conditional Use Permit

Section 1.403

M. *Medical marijuana use.*

2. *Permits Issued After September 30, 2016.* Medical marijuana uses seeking a Conditional Use Permit after September 30, 2016, shall be subject to the following conditions:

- a. All operations are conducted within a completely enclosed building, in conformance with Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, and regulations issued thereunder, as amended.
- b. The medical marijuana use is at least one thousand five hundred (1,500) feet from the following uses within the City limits:
  - (1) Any residential use in a residential district shown on Table 4.100.A., or the residential portion of a Planned Community PC or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.
  - (2) Any elementary or secondary school or pre-school.
  - (3) Any Place of worship.
  - (4) Any Day care.
  - (5) Any Public park.

**c. Within the Downtown (D) District, the medical marijuana use is at least six hundred and fifty (650) feet from the following uses within the City limits:**

- (1) Any residential use in a residential district shown on Table 4.100.A., or the residential portion of a Planned Community PC or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A, if the residential use is separated by an arterial road. If not separated by an arterial road, the requirements of Section 1.403.M.2.b shall apply.**
- (2) Any elementary or secondary school or pre-school.**
- (3) Any Place of worship.**
- (4) Any Day care.**
- (5) Any Public park.**

~~e.~~**d.** The medical marijuana use is at least two thousand six hundred forty (2,640) feet from the following uses within the City limits:

- (1) Medical marijuana caregiver cultivation use, or
- (2) Another medical marijuana use.

However, no separation between these uses is required in the Industrial Park I-1 where a medical marijuana caregiver cultivation use and a medical marijuana use hold a state issued caregiver registry identification card and a nonprofit medical marijuana dispensary registration certificate, respectively, under the same name or organization.

~~d.~~**e.** All distances are measured from the wall of the medical marijuana use nearest to the district(s) or use(s) indicated above, to the nearest property line of the district(s) or use(s) indicated above.

~~e.~~**f.** The property owner has provided a written exterior refuse control plan, subject to City approval.

~~f.~~**g.** The property owner has provided a written public safety plan, subject to City approval.

**g-h.** The hours of operation for a medical marijuana use that provides, shares, exchanges, sells, or dispenses medical marijuana are no earlier than 6:00 a.m. and no later than 10:00 p.m.

**h-i.** There is no drive-through service, take-out window, or drive-in service

Sec. 5.3000. - Downtown (D).

**Table 5.3004.D., Land Uses**

**for Each Sub-district of the Downtown District**

- **P**—is a permitted use.
- **P(#)**—is a permitted use with limitations described in the notes (**P(#)**) following Table 5.3004.D.
- **CU**—is a use subject to a Conditional Use Permit.

<b>Land use</b>	Downtown Core (DC) Sub-districts	Downtown Civic Center (DCC) Sub-district	Downtown Medical (DM) Sub-district	Downtown Multiple Use (DMU) Sub-district	Downtown Regional Use (DRU) Sub-district
Adult use				CU	CU
After hours establishment				CU	CU
Ambulance service			P		
Bar	CU	CU		CU	CU
Big box					P
Civic and social organization		P		P	P

Cultural institution	P	P	P	P	P
Day care center			P	P	
Dwelling unit	P(1)	P	P	P	P
Educational service— elementary and secondary school					CU
Educational service—other than elementary and secondary school	P		P	P	P
Financial institution	P		P	P	P
Funeral home and funeral service				CU	CU

Game center and/or pool hall				CU	CU
Health and fitness studio			P	P	P
Helipad			P		CU

Hospital			P	P	P
Live entertainment	CU	CU		CU	CU
Medical diagnostic laboratory			P	P	P
<b>Medical Marijuana</b>	<b>CU</b>	<b>CU</b>	<b>CU</b>	<b>CU</b>	<b>CU</b>
Multimedia production				CU	CU
Municipal use	P	P	P	P	P
Office	P	P	P	P	P
Personal care service	P	P	P	P	P

Pet care service				P(3)	P(3)
Place of worship	P			P	P
Public utility buildings, structures or appurtenances thereto for public service uses			CU	CU	CU
Residential health care facility (minimal and specialized)			P	CU	P
Restaurant	P	P	P	P	P
Retail	P	P	P	P	P
Theater	P(2)	P(2)		P(2)	P(2)
Travel accommodation		P	P	P	P
Vehicle leasing, rental, and sales				CU	CU
Veterinary service			P(3)	P(3)	P(3)

Wireless communication facility		P (4)	P (4)	P (4)	P (4)
Work/live	P	P	P	P	P