



**CITY OF SURPRISE**  
**Planning and Zoning Commission**  
**16000 N. Civic Center Plaza**  
**Surprise, AZ 85374**  
Thursday, January 4, 2024 @ 6:00 PM  
**COUNCIL CHAMBERS**

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Current Events and Reports
- E. Staff Reports
- F. Planning and Zoning Commission Agenda:

**CALL TO THE PUBLIC:**

**INSTRUCTIONS:** In order to address the Board\Commission, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the Secretary before the meeting begins.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address the Board\Commission only on issues within the jurisdiction of the Board\Commission which are not an item on the agenda. At the conclusion of the open call, the Board\Commission may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

**CONSENT AGENDA:**

- |    |          |                                                                                                                                 |                                            |
|----|----------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| 1. | Internal | Consideration and action to approve the Planning and Zoning Commission Meeting dates for 2024.                                  | Michelle Espie<br>Community<br>Development |
| 2. | Internal | Consideration and action to approve or disapprove the December 21, 2023 Planning and Zoning Commission Regular Meeting Minutes. | Michelle Espie<br>Community<br>Development |

**REGULAR AGENDA ITEM - PUBLIC HEARING:**

- |    |          |                                                                                                                                                                                                                                                                                                                                               |                                          |
|----|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| 3. | Citywide | Consideration and action pertaining to a Zoning Text Amendment (ZTA) to amend the Surprise Land Development Ordinance (LDO) by removing the development standard restricting marijuana facilities to having a single entrance, thereby bringing the Land Development Ordinance into compliance with Arizona Revised Statutes. Case FS23-0512. | Chris Sexton<br>Community<br>Development |
|----|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|

**REGULAR AGENDA ITEM - NON-PUBLIC HEARING:**

- G. Other Business and Future Agenda Items
- H. Executive Session

For information purposes: Upon a public majority vote of a quorum ("Commission"), the Commission may hold an executive session, which will not be open to the public, but for only the following purposes: discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03(A)(2));

or discussion or consultation for legal advice with the attorney or attorneys of the public body (A.R.S. §38-431.03(A)(3)).

Confidentiality Requirements: Pursuant to A.R.S. §38-431.03(C)(D), any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney or by agreement of the Commission, or as otherwise ordered by a court of competent jurisdiction.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

I. Adjournment

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KRISTI PASSARELLI, CITY CLERK

POSTED: Wednesday, December 27, 2023 @ 12:05 PM

**SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.**



**CITY OF SURPRISE**  
**Planning and Zoning Commission**

Council Meeting Date: January 4, 2024

Contact Person: Michelle Espie, Administrative Specialist

Submitting Department: Community Development District: Internal

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

**Agenda Wording:**

Consideration and action to approve the Planning and Zoning Commission Meeting dates for 2024.

**Motion:**

I move to approve the Planning and Zoning Commission Meeting dates for 2024.

**Background:**

**Objective Analysis:**

**Policy Compliant:**

**Financial Impact:**

**Budget Impact:**

**FTE Impact:**

**ATTACHMENTS:**

1. Planning and Zoning Commission Meeting Dates 2024

## Planning and Zoning Commission Meeting Dates 2024

### **January**

01/04/2024

01/18/2024

### **February**

02/01/2024

02/15/2024

### **March**

03/07/2024

03/21/2024

### **April**

04/04/2024

04/18/2024

### **May**

05/02/2024

05/16/2024

### **June**

06/06/2024

06/20/2024

### **July**

07/04/2024 – *HOLIDAY No Meeting*

07/18/2024

### **August**

08/01/2024

08/15/2024

### **September**

09/05/2024

09/19/2024

### **October**

10/03/2024

10/17/2024

### **November**

11/07/2024

11/21/2024

### **December**

12/05/2024

12/19/2024



**CITY OF SURPRISE**  
**Planning and Zoning Commission**

Council Meeting Date: January 4, 2024

Contact Person: Michelle Espie, Administrative Specialist

Submitting Department: Community Development District: Internal

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

**Agenda Wording:**

Consideration and action to approve or disapprove the December 21, 2023 Planning and Zoning Commission Regular Meeting Minutes.

**Motion:**

I move to approve the December 21, 2023, Planning and Zoning Commission Regular Meeting Minutes.

**Background:**

**Objective Analysis:**

**Policy Compliant:**

**Financial Impact:**

**Budget Impact:**

**FTE Impact:**

**ATTACHMENTS:**

1. 12-21-23 MINS

**CITY OF SURPRISE  
PLANNING AND ZONING COMMISSION**

**MEETING MINUTES**

**December 21, 2023 / 6:00 PM**

**COUNCIL CHAMBERS  
16000 North Civic Center Plaza  
Surprise, AZ 85374**

**CALL TO ORDER.**

Chair Holland called the Planning and Zoning Commission Meeting to order at 6:00 p.m. at Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on December 21, 2023.

**A. ROLL CALL**

In attendance were, Commissioner Dennis Bash, Vice Chair Ken Chapman, Chair Jared Holland, Commissioner Dennis Smith, Commissioner Matthew Keating, Commissioner Mitchell Rosenbaum. Commissioner Jay Leonard had an unexcused absence.

**STAFF PRESENT:**

Jeffrey Murray, Deputy City Attorney; Lloyd Abrams, Director of Community Development; Tiffany Copp, Assistant Director of Community Development; Chris Sexton, Current Planner; Leslie Carnie, Current Planner; Michelle Espie, Administrative Specialist.

**COUNCIL MEMBERS PRESENT:**

None.

**B. PLEDGE OF ALLEGIANCE**

**C. CURRENT EVENTS REPORT**

None.

**D. STAFF REPORT**

None.

**CALL TO THE PUBLIC:**

Chair Holland opened the call to the public to discuss any items not listed on the agenda.  
Chair Holland closed the call to the public.

**CONSENT AGENDA:**

**Item 1 – Internal – Consideration and action to approve or disapprove the December 07, 2023, Planning and Zoning Commission Regular Meeting Minutes.**

Commissioner Keating made a motion to approve the December 07, 2023, Planning and Zoning Commission Regular Meeting Minutes as presented. Vice Chair Chapman seconded the motion. Motion

passed with 5 votes in favor. Commissioner Rosenbaum abstained. Commissioner Leonard was not present.

## **REGULAR AGENDA ITEM – PUBLIC HEARING:**

**Item 2 – District 1 – Consideration and action regarding the Conditional Use Permit (CUP) with Site Plan for a new convenience food restaurant, Swig Drink, and a 10,149 square foot multitenant building on a vacant 3.88 parcel zoned Surprise Farms Planned Area Development (PAD) located near the southeast corner of Bell Road and Citrus Road. FS23-0603.**

Chris Sexton, Current Planner, presented item 2 to the Commission.

Chair Holland opened the public hearing.

Hearing no requests, Chair Holland closed the public hearing.

The Commission discussed the following:

- None

Commissioner Keating motioned to approve case FS23-0603, a CUP with Site Plan for Allora Multi-Tenant Commercial Project, subject to stipulations 'a' through 'f' as outlined in the staff report. Commissioner Bash seconded the motion. Motion passed with 6 votes in favor.

**Item 3 – District 5 – Consideration and action pertaining to a Zone Change of approximately 12 acres from Neighborhood Commercial with Planned Unit Development Overlay (C-1 PUD) and Rural Residential (RR) to Residential High Density (R-3), and release of an existing Deed Restriction, for a site generally located on the northeast corner of Reems Rd. and Tierra Buena Ln. Case #FS22-0858.**

Leslie Carnie, Current Planner, presented item 3 to the Commission.

Chair Holland opened the public hearing.

Hearing no requests, Chair Holland closed the public hearing.

The Commission discussed the following:

- Employment Interest and opportunities
- Commercial Use within the development
- Community Care Concept

Commissioner Bash motioned to approve the Release of an existing Deed Restriction previously recorded against Lot 1 of Mariposa Acres (APN 501-19-063), and to Recommend Approval of the Zone Change of approximately 12 acres from Neighborhood Commercial with Planned Unit Development Overlay (C-1 PUD) and Rural Residential (RR) to Residential High Density (R-3), subject to stipulations 'a' and 'b' as memorialized in the staff report. Vice Chair Chapman seconded the motion. Motion passed with 6 votes in favor.

## **OTHER BUSINESS AND FUTURE AGENDA ITEMS:**

None.

**ADJOURNMENT:**

Hearing no further business, Chair Holland called for a motion to adjourn. Commissioner Smith made a motion to adjourn; Commissioner Bash seconded the motion. All voted in favor.

Meeting adjourned at 6:20 p.m.

\_\_\_\_\_  
Jared Holland  
Planning and Zoning Commission Chair

The foregoing instrument is a full, true, and correct copy of the original document on file in the office of the City Clerk, City of Surprise, Arizona.

ATTEST BY: \_\_\_\_\_  
Michelle Espie, Administrative Specialist

DATE: \_\_\_\_\_



## CITY OF SURPRISE Planning and Zoning Commission

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Council Meeting Date: January 4, 2024      Contact Person: Chris Sexton  
Submitting Department: Community Development      District: Citywide  
Staff Recommendations:

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|             |             |                     |                       |
|-------------|-------------|---------------------|-----------------------|
| Consent: No | Regular: No | Public Hearing: Yes | Report/Discussion: No |
|-------------|-------------|---------------------|-----------------------|

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### **Agenda Wording:**

Consideration and action pertaining to a Zoning Text Amendment (ZTA) to amend the Surprise Land Development Ordinance (LDO) by removing the development standard restricting marijuana facilities to having a single entrance, thereby bringing the Land Development Ordinance into compliance with Arizona Revised Statutes. Case FS23-0512.

### **Motion:**

I move to recommend **approval** of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to remove the development standard related to marijuana facilities to a single entrance to City Council.

I move to recommend **denial** of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to remove the development standard related to marijuana facilities to a single entrance to City Council.

### **Background:**

The applicant, Lindsay Schube of Gammage and Burnham, initiated the ZTA to the LDO to remove an existing development standard related to marijuana facilities. The LDO currently limits the number of entrances to a marijuana facility to a single entrance. The applicant proposed to remove this limitation in the LDO per Arizona Revised Statutes (A.R.S.) §36-2806(c).

### **Objective Analysis:**

This amendment clarifies, updates, and aligns the City of Surprise Land Development Ordinance as it relates to marijuana facilities with state requirements.

### **Policy Compliant:**

The Zoning Text Amendment is consistent with City and Council Policies.

### **Financial Impact:**

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

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**Budget Impact:**

There is no anticipated budget impact related to this item.

**FTE Impact:**

This item does not have an impact on current staffing levels.

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**ATTACHMENTS:**

1. 00-FS23-0512 Bella Fiesta Pad B - ZTA - Staff Report.1
  2. 01-FS23-0512 Bella Fiesta Pad B - ZTA - Legislative Edit
  3. 02-FS23-0512 Bella Fiesta Pad B - ZTA - Narrative Report
  4. 03-FS23-0512 Bella Fiesta Pad B - ZTA Citizen Participation Report
  5. 04-FS23-0512 Bella Fiesta Pad B - ZTA - Legal Ad
  6. FS23-0512 - Bella Fiesta Pad B - ZTA - PowerPoint
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# ZONING TEXT AMENDMENT

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REPORT TO THE PLANNING AND ZONING COMMISSION

**Case:** FS23-0512

**Project Name:** Bella Fiesta Pad B - Zone Text Amendment

**Council District:** Citywide

**Meeting Date:** January 04, 2024

**Planner:** Chris Sexton, Planner II

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**Applicant:** Lindsay Schube with Gammage & Burnham, PLC

**Request:** Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to remove an existing development standard relating to a marijuana facility that restricts facilities to a single entrance.

**General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035

**Support/Opposition:** None known.

**Staff Recommendation:** Staff recommends the Commission recommend **approval** of FS23-0512 to the Mayor and City Council

**PROJECT DESCRIPTION:**

Lindsay Schube with Gammage and Burnham, PLC initiated this ZTA to the LDO to remove an existing development standard relating to a marijuana facility that restricts facilities to a single entrance.

**BACKGROUND:**

The applicant, Lindsay Schube with Gammage and Burnham, PLC initiated the ZTA to the LDO to remove an existing development standard related to marijuana facilities. The LDO currently limits the number of entrances to a marijuana facility to a single entrance. The applicant proposes to remove this limitation in the LDO per Arizona Revised Statutes (A.R.S.) §§ 36-2806(C) and 36-2858(D)(4).

45 **ANALYSIS AND DISCUSSION:**

46  
47 ARS §36-2806(C) was amended in 2021 to remove the provision requiring a single entrance  
48 for a medical marijuana dispensary. Additionally, A.R.S. § 36-2858(D)(4)(c) specifically states  
49 that a dual licensee is not required to have a single entrance. The LDO should be updated  
50 to accurately reflect the state statutes regarding secure entrances for marijuana dispensaries.  
51 The proposed text amendment will reflect the changes in A.R.S. § 36-2858(D)(4)(c).

52  
53 Amending Section §106-10.27(B)(14) of the LDO has an additional safety benefit. The  
54 removal of a single entrance requirement will better protect the security of patrons, staff and  
55 the product by eliminating the funneling of these parties through one primary entrance.  
56 Further, the addition of multiple entrances allows secure deliveries through one entrance with  
57 patron access through a separate entrance.

58  
59 The proposed change is outlined in the attached Legislative Edit.

60  
61 The affected code section for the proposed amendment includes:

- 62 • 106-10.27(B)(14) Use Specific Standards

63  
64 **CITIZEN PARTICIPATION:**

65  
66 An outreach meeting was held at the Hilton Garden Inn on Monday, November 13, 2023, at  
67 6:00PM. There were no members of the public in attendance. A summary of the outreach  
68 meeting is provided in the attached Citizen Participation Report.

69  
70 **CONFORMANCE WITH ADOPTED PLANS:**

71  
72 **Surprise General Plan 2035:** The subject request is consistent with the Surprise General  
73 Plan 2035.

74  
75 **SUMMARY:**

76  
77 The proposed Zoning Text Amendment to the Land Development Ordinances (LDO) will  
78 remove an existing development standard relating to a marijuana facility by removing the  
79 requirement of a single entrance and will align the city's Land Development Ordinance with  
80 A.R.S. §§ 36-2806(C) and 36-2858(D)(4).

81  
82 **RECOMMENDATION:**

83  
84 Based on the findings noted above, staff recommends the Commission move to recommend  
85 **approval** of the subject Zoning Text Amendment request to the Mayor and City Council.

86  
87 However, should the Commission wish to recommend denial of the request, the Commission  
88 should make its own findings and base its decision on those alternative findings.

89  
90 **Attachments:**

91 01 ZTA Legislative Edit

- 92 02 Narrative
- 93 03 Citizen Participation Report
- 94 04 Legal Ad
- 95 PPT

Zoning Text Amendment to the Land Development Ordinance (FS23-0512)

Edits in *red* are deletions; edits *highlighted* are additions

**Sec. 106-10.27. Marijuana facility uses.**

- A. All *marijuana facility uses* shall comply with laws pursuant to the Arizona Revised Statutes and all regulations issued by DHS. The following provisions will not be construed as permitting any *use* or act which is otherwise prohibited or made punishable by law.
- B. Any *marijuana facility* shall meet the following requirements:
1. Be located in a permanent *building* and may not be located in a trailer, cargo container, storage unit, or motor vehicle.
  2. The *business* location shall not exceed a maximum size of two thousand five hundred (2,500) gross square feet, except that a co-located *medical marijuana dispensary* and *marijuana retail establishment* operated by a *dual licensee* may be a maximum size of five thousand (5,000) gross square feet.
  3. May have a drive-through service per **Section 106-10.17**.
  4. Not emit dust, fumes, vapors, or odors into the environment.
  5. Not provide *off-site* delivery of *marijuana* or *marijuana products*.
  6. Prohibit *consumption* of *marijuana* on the premises.
  7. Not have outdoor seating areas.
  8. Disposal of *marijuana* remnants, by-products, and/or infused products shall not to be placed within exterior refuse containers.
  9. The secure storage area for the *marijuana* stored at a *marijuana facility* operated by a *dual licensee* shall not exceed twenty (20) percent of the maximum gross floor area of the *marijuana facility*.
  10. The permitted hours of operation of a *marijuana facility* operated by a *dual licensee* shall be limited to 8:00 a.m. to 9:00 p.m.
  11. The operator of a *marijuana 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.
  12. Within a *marijuana facility* there shall be a secure storage area sufficient to deter and prevent theft.
  13. All *marijuana* and *marijuana products* shall be securely locked within the secure storage area at any time the *medical marijuana dispensary* or *marijuana facility* operated by a *dual licensee* is not open for business.
  14. A *medical marijuana dispensary* or *marijuana facility* operated by a *dual licensee* shall have ~~only one (1)~~ secure entrances to the building and shall be required to implement appropriate security measures to deter and prevent the theft of marijuana, and to reasonably regulate customer access to the premises including access into areas containing marijuana pursuant to A.R.S. §§36-2806(C) and 36-2858(D)(4). ~~and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.~~
  15. A *marijuana facility* shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.
  16. A *marijuana facility* shall have a video surveillance system that at all times records all interior areas and the exterior perimeter.

17. A *marijuana facility* shall have adequate exterior security light, which also complies with **Chapter 107, Article 3** of this ordinance.
18. The operator of a *marijuana facility* shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.
- C. Any *marijuana facility* shall meet the following minimum separations, measured in a straight line from the boundary of the *parcel* containing the *marijuana facility* location to the boundary of the *parcel* containing any *uses* as listed below (see **Table 106-10c**). If either the *marijuana facility* or buffered *use* is in a *commerce center* development, the separation requirements shall be measured from the boundary of the *commerce center*.
- D. *Marijuana retail establishments* are prohibited, except that a *marijuana retail establishment* is permitted when it is operated in the same building on the same property with a *medical marijuana dispensary* by a *dual licensee* who has an active, valid *medical marijuana dispensary* registration from *DHS* as well as a *marijuana retail establishment* license issued by *DHS*.
- E. A *marijuana facility* lawfully operating is not rendered in violation of these provisions by the subsequent location of a new use established closer than the outlined below in **Table 106-10c**.

| <b>Table 106-10c—Separation Distances for any Marijuana Facility</b>                                    |                           |
|---------------------------------------------------------------------------------------------------------|---------------------------|
| <b>Land Use</b>                                                                                         | <b>Marijuana Facility</b> |
| From any parcels that are residentially zoned or designated residential land use within an approved pad | 500 feet                  |
| From any place of worship                                                                               | 500 feet                  |
| From any dwelling unit                                                                                  | 500 feet                  |
| From any public or private charter, primary, or secondary school                                        | 1,500 feet                |
| From any public or private day care, preschool, or kindergarten facility                                | 1,500 feet                |
| From any public park or playground or usable open space                                                 | 1,500 feet                |
| From any entertainment establishment                                                                    | 1,500 feet                |
| From any other <i>marijuana facility</i> of any type                                                    | 3,000 feet                |
| From any sexually oriented business                                                                     | 3,000 feet                |
| From any residential substance abuse facility                                                           | 3,000 feet                |

- F. Medical *marijuana* designated caregiver *cultivation* and qualifying patient *cultivation* locations shall further comply with the follow requirements:
  1. *Cultivation* locations will be an enclosed, locked facility such as a closet, room, greenhouse or other *building* that does not exceed fifty (50) square feet of *cultivation* space.
  2. *Cultivation* locations will not be visible from beyond the boundaries of the property on which the *cultivation* location is situated.
  3. Medical *marijuana cultivation* as an *accessory use* to the qualifying patient primary residence will only be permitted if the residence is located at least twenty-five (25) miles from a *medical marijuana dispensary*.

(Ord. No. 2021-24 , § 1(Exh. A), 11-16-21)

Editor's note(s)—Ord. No. 2021-24 , § 1(Exh. A), adopted November 16, 2021, changed the title of § 106-10.27 from "medical marijuana uses" to "marijuana facility uses."

**Text Amendment to the City of Surprise Land Development Ordinance:**

**Existing Section 106-10.27(B)(14):**

14. A *medical marijuana dispensary* or *marijuana facility* operated by a *dual licensee* shall have only one (1) secure entrance to the building and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.

**Proposed Section 106-10.27(B)(14):**

14. A *medical marijuana dispensary* or *marijuana facility* operated by a *dual licensee* shall have ~~only one (1) secure entrances~~ to the building **and implement appropriate security measures to deter and prevent the theft of marijuana and unauthorized entrance into areas containing marijuana pursuant to A.R.S. § 36-2806(c).** ~~and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.~~

# Text Amendment

## Citizen Participation Report

### FS23-0512

This Citizen Participation Report has been prepared for a Text Amendment application ("Application") for a minor revision to the LDO to reflect the same requirements as AZDHS for secure entrances, removing the limitation to only one (1) entrance, per below:

#### **Text Amendment to the City of Surprise Land Development Ordinance:**

##### **Existing Section 106-10.27(B)(14):**

14. A medical marijuana dispensary or marijuana facility operated by a dual licensee shall have only one (1) secure entrance to the building and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.

##### **Proposed Section 106-10.27(B)(14):**

14. A medical marijuana dispensary or marijuana facility operated by a dual licensee shall have ~~only one (1) secure entrances to the building~~ and implement appropriate security measures to deter and prevent the theft of marijuana and unauthorized entrance into areas containing marijuana pursuant to A.R.S. § 36-2806(c). ~~and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.~~

As prepared, the Citizen Participation Report meets the City's Citizen Participation requirements and the recommended notification area as identified by the Planning department.

#### **OVERVIEW OF ELEMENTS OF CITIZEN NOTIFICATION**

- On or around October 30, 2023, the City of Surprise posted the legal notice and neighborhood meeting information for the Text Amendment.
- On Monday, November 13, 2023, G&B hosted a neighborhood open house meeting at the Hilton Garden Inn. The meeting was set up as an open house at 6:00pm with a brief presentation prepared on the Text Amendment request. In addition to the development team and City staff there were no community members present.

No citizen, individual or group, has reached out with any questions regarding this proposal. Should any interested individuals raise any concerns between now and the date of the hearings, the Project Team will make every effort to address those concern in the appropriate manner, such as, but not limited, to personal visits, phone calls, or other acceptable means. Members of the Project Team are committed to working with the City of Surprise, surrounding neighbors, and any interested parties to ensure the compatibility and success of this application.

**CITY OF SURPRISE  
PUBLIC NOTICE**

Take notice that at the date, time, and place listed below, the City of Surprise Planning and Zoning Commission will hold a Public Hearing at the request of Ms. Lindsay Schube relating to a proposed zoning text amendment to the Surprise Land Development Ordinance (case FS23-0512) and seeks to remove an existing development standard related to marijuana facilities. The LDO currently limits the number of entrances to a marijuana facility to a single entrance. The applicant proposed to remove this limitation in the LDO per Arizona Revised Statutes (A.R.S.) §36-2806(c).

Community Development Department may be contacted prior to the scheduled meeting for additional information. City of Surprise Planner: Chris Sexton 623-222-3134, [Christina.sexton@surpriseaz.gov](mailto:Christina.sexton@surpriseaz.gov).

**Planning and Zoning Commission**

**Date: January 4, 2024  
Time: 6:00 p.m.  
Place: Surprise City Hall  
16000 N. Civic Center Plaza  
Surprise, AZ 85374**

**City Council**

**Date: January 16, 2024  
Time: 6:00 p.m.  
Place: Surprise City Hall  
16000 N. Civic Center Plaza  
Surprise, AZ 85374**

The City of Surprise streams and broadcasts its City Council meetings. Watch live on Cox channel 11, [www.surpriseaz.gov/surprisetv](http://www.surpriseaz.gov/surprisetv), or the Surprise City Gov Facebook page at [www.facebook.com/cityofsurprise](https://www.facebook.com/cityofsurprise).

At this meeting, any member of the public may appear and be heard relative to this request or may submit written comments at any time prior to the Public Hearing. To submit email comments, including Call to the Public for non-agenda items, please email [pandzcomments@surpriseaz.gov](mailto:pandzcomments@surpriseaz.gov) prior to the start of the meeting, which is 6 p.m. Please check the agenda for exact times. Only comments received prior to the start of the meeting will be considered and included in the record. Any interested party may obtain an agenda 24 hours prior to the Public Hearing at the Surprise City Hall. Please contact Christina Sexton at 623-222-3134 or at [christina.sexton@surpriseaz.gov](mailto:christina.sexton@surpriseaz.gov) for more information regarding this request. Please note that this item will be placed on the next available agenda should the meeting be canceled or quorum be lost.



**FS23-0512**  
**Bella Fiesta Pad B**  
**Zoning Text Amendment**

Planning & Zoning Commission  
January 4, 2024



# BACKGROUND



Zoning Text Amendment to reflect the current A.R.S. §36-2806(c)

- Eliminate the provision of a single entrance



# LEGISLATIVE EDIT

## Section 106-10.27(B)(14)

*A medical marijuana dispensary or marijuana facility* operated by a *dual licensee* shall have ~~only one (1)~~ secure entrances to the building and shall be required to implement appropriate security measures to deter and prevent the theft of marijuana, and to reasonably regulate customer access to the premises including access into areas containing marijuana pursuant to A.R.S. §§36-2806(C) and 36-2858(D)(4). ~~and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.~~



# CITIZEN PARTICIPATION

## Neighborhood Outreach Meeting:

- November 13, 2023
  - Held at the Hilton Garden Inn
  - No attendees
  - No input generated

# **Staff Recommendation**

Planning & Zoning Commission recommend approval to  
City Council



**SURPRISE**  
ARIZONA

**QUESTIONS OR  
COMMENTS?**

Thank You