



MDJ Studios
Attn: Michael Jorgensen
2111 E. Fraktur Rd.
Phoenix, Arizona 85040

[Sent via Email: mbjorgensen@cox.net]

August 29, 2016

RE: Zoning Interpretation (16-03) re: zoning for medical marijuana

Dear Mr. Jorgensen,

You have requested an interpretation of the City of Buckeye Development Code regarding the location of medical marijuana dispensary and cultivation uses. You have asserted that an interpretation is required to permit marijuana uses within lands already zoned General Commerce within the City. I disagree with your assertion, and have determined that since the Code permits marijuana uses within two industrial districts, that the City has complied with the Arizona Medical Marijuana Act permitting municipalities to enact reasonable zoning.

The Buckeye Development Code was amended by Ordinance 04-11 in 2011 to accommodate medical marijuana uses. These uses are now permitted as a matter of right in the City's two Industrial zoning districts, I-1 and I-2 (Buckeye Development Code 3.1.5 *Table of Allowed Uses*). Should you wish to locate a marijuana use in Buckeye, you may locate on land zoned either I-1 or I-2, provided it meets the requirements of Section 3.2.3K. Alternatively, you may seek to rezone to the proper district.

If you disagree with this determination, you may appeal.

Sincerely,

Terri S. Hogan, AICP
Deputy Director / Zoning Administrator

Cc: George Flores, Development Services Director