



Rose Law Group
Attn: Ryan Hurley
7144 E. Stetson Drive, Ste. 300
Scottsdale, Arizona 85251

[Sent via Email: RHurley@roselawgroup.com]

November 10, 2014

Dear Mr. Hurley,

RE: Zoning Interpretation (14-04) re: zoning for medical marijuana

Dear Mr. Hurley:

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 your client wish to locate a marijuana use in Buckeye, he may located on land zoned either I-1 or I-2, provided it meets the requirements of Section 3.2.3K. Alternatively, he may seek to rezone to the proper district.

If you disagree with this determination, you may appeal.

Sincerely,

Terri S. Hogan, AICP
Zoning Administrator
Planning Manager

Cc: George Flores, Development Services Director