

ORDINANCE 2015- 39

AN ORDINANCE OF THE PIMA COUNTY BOARD OF SUPERVISORS RELATING TO ZONING; AMENDING THE PIMA COUNTY ZONING CODE TITLE 18 BY AMENDING CHAPTER 18.45 (CB-2 GENERAL BUSINESS ZONE), SECTION 18.45.040 (CONDITIONAL USES) TO REVISE THE PROHIBITED LOCATIONS SECTIONS TO ALLOW MEDICAL MARIJUANA DISPENSARIES AND MEDICAL MARIJUANA DISPENSARY OFFSITE CULTIVATION LOCATIONS IN THE GATEWAY AND BUFFER OVERLAY ZONES. (ALL DISTRICTS)

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

1. The Planning and Zoning Commission, at its July 29, 2015 meeting initiated amendments to the Pima County Code.
2. The amendments in this ordinance allow medical marijuana dispensaries and medical marijuana dispensary offsite cultivation locations located in the CB-2 zone to locate in either a Gateway Overlay zone or a Buffer Overlay zone.
3. This ordinance does not create new restrictions on the use of property, and this ordinance is not intended to, nor should it be construed to reduce any existing rights to use, divide, sell or possess private real property.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY AS FOLLOWS:

SECTION 1. Pima County Zoning Code Chapter 18.45, CB-2 General Business zone is amended by amending Section 18.45.040 Conditional Uses as follows:

Chapter 18.45
CB-2 GENERAL BUSINESS ZONE

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Section 18.45.040 Conditional Uses

...

D. Medical marijuana dispensary...

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3. Prohibited locations: A medical marijuana dispensary is not permitted in the gateway overlay zone, ~~buffer overlay zone~~ or a historic zone.

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E. Medical marijuana dispensary offsite cultivation location...

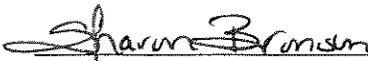
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3. Prohibited locations: A medical marijuana dispensary offsite cultivation location is not permitted in the ~~gateway overlay zone, buffer overlay zone~~ or a historic zone.

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SECTION 2. This ordinance is effective 30 days after its adoption.

PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona, this 15th day of September, 2015.



Chair, Pima County Board of Supervisors

ATTEST:



Clerk, Board of Supervisors

APPROVED AS TO FORM



Civil Deputy County Attorney



Executive Secretary, Pima County
Planning and Zoning Commission