

2015-03685

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Requested By: Board Of Supervisors

Navajo County Recorder - Lorette Justan

03-25-2015 01:28 PM Recording Fee \$0.00

When recorded mail to:

Melissa Buckley, Clerk of the Board

P O Box 668

Holbrook Arizona 86025

CAPTION HEADING: Ordinance No. 02-15  
Medical Marijuana

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ORDINANCE NO. 02 -15

**AN ORDINANCE OF THE NAVAJO COUNTY BOARD OF SUPERVISORS,  
AMENDING ARTICLE 16A OF THE NAVAJO COUNTY ZONING  
ORDINANCE, CONCERNING MEDICAL MARIJUANA**

**WHEREAS**, the Arizona Medical Marijuana Act, A.R.S. § 36-2801 et seq., authorizes counties to enact zoning regulations for Medical Marijuana dispensaries and related land uses; and

**WHEREAS**, the Board of Supervisors adopted Article 16A on February 22, 2011, under Ordinance #01-11, and

**WHEREAS**, the Public Works staff and the Planning and Zoning Commission have recommended that Article 16A be amended as set forth herein regarding the regulation of Medical Marijuana cultivation within the Zoning Ordinance; and

**WHEREAS**, following a duly noticed public hearing held this date, the Board of Supervisors finds that the recommended amendment to Article 16A is in the public interest and should be approved.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Supervisors that Article 16A of the Zoning Ordinance is hereby amended to read as follows (proposed language is underlined):

**ARTICLE 16A – MEDICAL MARIJUANA**

**Section 16A-02 – Zoning Locations:**

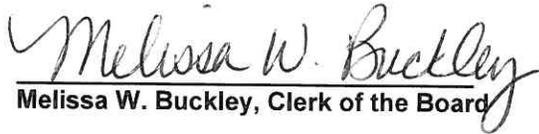
1. Medical Marijuana Qualifying Patient Cultivation Locations and Medical Marijuana Designated Caregiver Cultivation Locations shall be permitted in any zoning district, subject to all rules adopted by the Arizona Department of Health Services.
2. Medical Marijuana Dispensaries shall be allowed in the Commercial-Residential and Industrial (IND-1 and IND-2) zoning districts only, subject to securing a Special Use Permit and the related provisions of Article 20.
3. Medical Marijuana Dispensary Offsite Cultivation Location facilities shall be allowed in the A-General, Rural (RU-20, RU-10, and RU-5), Commercial-Residential and Industrial (IND-1 and IND-2) zoning districts only, subject to securing a Special Use Permit and the related provisions of Article 20.

**SO ORDAINED** by the Navajo County Board of Supervisors at Holbrook, Arizona, on March 24, 2015 by a vote of 4 ayes and 1 nays.

NAVAJO COUNTY BOARD OF SUPERVISORS

By:   
Dawnafe Whitesinger, Chairwoman

ATTEST:

  
Melissa W. Buckley, Clerk of the Board