ORDINANCE NO. 11-02

AN ORDINANCE OF THE CITY OF HOLBROOK, ARIZONA, AMENDING THE HOLBROOK CITY CODE 6-5 ENTITLED MEDICAL MARIJUANA DISPENSARIES AND COMMERCIAL CULTIVATION LOCATIONS SECTION 6-5-3 (3) LOCATION AND DESIGNATING AN EFFECTIVE DATE

Section 1. Amendment

Chapter 6 of the City of Holbrook City Code, Article 6-2-4, Medical Marijuana is hereby amended to read as follows, with deletions shown as strikethroughs, and with added language show in CAPS and underlined:

6-5-3 Location

1. A Medical Marijuana Dispensary or COMMERCIAL Cultivation Location may not be located within any Residential District within the City.

2. A Medical Marijuana Dispensary or COMMERICAL Cultivation Location may not be operated as a Home Occupation anywhere within the City.

3. A Medical Marijuana Dispensary or COMMERCIAL Cultivation Location may only be located in C-2, I-1 or I-2 Zoning Districts ~~pursuant to a conditional use permit as may be approved pursuant to Section 6-2-1 I of this Code, except that the recommendation of the Planning Commission shall also be reviewed and approved by the City Council prior to the issuance of a conditional use permit for a Medical Marijuana Dispensary or Cultivation Location.~~

4. A Medical Marijuana Dispensary or COMMERCIAL Cultivation Location shall not be located within Five Hundred (500') feet of any public park, school or another Medical Marijuana Dispensary or COMMERCIAL Cultivation Location.

Section 2 That the City Clerk is hereby authorized and directed to publish and post this Ordinance in accordance with State law.

Section 3 The effective date of this Ordinance shall be thirty (30) days following adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Holbrook, Arizona, this 1st day of March 2011.

Jeff Hill, Mayor

ATTEST:

Cher Reyes, CMC, CPM, City Clerk

APPROVED AS TO FORM:

Marlene Pontrelli, City Attorney