

ORDINANCE OF THE LAWRENCE TOWNSHIP

BOARD OF TRUSTEES

AN ORDINANCE TO AMEND IN PART
AN ORDINANCE ENTITLED "LAWRENCE TOWNSHIP ZONING ORDINANCE"
WHICH WAS ADOPTED 03/26/2005, AS AMENDED, 10/09/2014, 11/13/2014, 02/12/2015,
07/13/2017, AND 04/12/2018 TO PROVIDE FOR MEDICAL MARIHUANA FACILITIES BY
SPECIAL USE PERMIT WITHIN THE TOWNSHIP

Said ORDINANCE amending the Zoning Ordinance, is adopted at a REGULAR meeting held on December 12, 2019 at 7:00 P.M. at 411 N Paw Paw St Lawrence, Michigan 49064.

THE MUNICIPALITY OF LAWRENCE TOWNSHIP, VAN BUREN, MICHIGAN,
ORDAINS:

1. AMENDMENT. The Lawrence Township Zoning Ordinance of 03/26/2005, as amended, 10/09/2014, 11/13/2014, 02/12/2015, 07/13/2017, AND 04/12/2018 (hereinafter the "Ordinance"), shall be amended as follows, to wit:

The TABLE OF CONTENTS, is hereby amended to add the following:

Section 7.2.8 Campgrounds	7-30
Section 7.2.9 Commercial Medical Marihuana Facility	7-30

The remainder of the Table of Contents is unchanged.

The SECTION 4.3, Definitions is hereby amended to add the following:

Commercial Medical Marihuana Facility. The term may include any of the following:

1. *Grower Facility*, as that term is defined in the Medical Marihuana Facilities Licensing Act (MMFLA) and authorized by Ordinance No. 31.
2. *Processor Facility*, as that term is defined in the MMFLA and authorized by Ordinance No. 31.
3. *Safety Compliance Facility*, as that term is defined in the MMFLA and authorized by Ordinance No. 31.
4. *Secure Transporter Facility*, as that term is defined in the MMFLA and authorized by Ordinance No. 31.

The remainder of Section 4.3 is unchanged.

The SECTION 6.5 “A-1: AGRICULTURAL DISCTRICT,” 6.5.4, *Uses Permitted by Special Use Permit*, is hereby amended to add the following:

(T) Grower Facility – Class A, Class B and Class C, as regulated under Section 7.2.9.

1. The Facility shall be located on a minimum of forty (40) acres for outdoor grow facility and a minimum of twenty (20) acres for indoor grow facility. The minimum acreage requirement may be comprised of multiple parcels if the parcels have common ownership and are contiguous to each other.
2. The Facility, including outdoor grow operations, shall conform with all setbacks, such that no portion of the operation shall intrude into the setbacks.
3. The Facility shall have a minimum separation distance from a permanent dwelling whether or not occupied on adjacent parcels as listed below:
 - a. Outdoor Grow Facility: 500 feet
 - b. Indoor Grow Facility: 300 feet

(U) Processor Facility, when located on the same site as a Grower Facility, as regulated under Section 7.2.9.

1. The Facility shall be setback a minimum of 100 feet from the road right-of-way and property lines.

The remainder of Section 6.5 is unchanged.

The SECTION 6.11 “C-1: COMMERCIAL DISCTRICT,” 6.11.4, *Uses Permitted by Special Use Permit*, is hereby amended to add the following:

- (i) Processor Facility.
- (j) Safety Compliance Facility.
- (k) Secure Transporter Facility.

The remainder of Section 6.11 is unchanged.

The SECTION 6.12 “I-1: INDUSTRIAL MANUFACTURING DISCTRICT,” 6.12.4, *Uses Permitted by Special Use Permit*, is hereby amended to add the following:

(R) Grower Facility – Class A, Class B and Class C, as regulated under Section 7.2.9. However, the Grower Facilities must be in a fully enclosed building; there are no outdoor Grower Facilities permitted in I-1.

(S) Processor Facility.

(T) Safety Compliance Facility.

(U) Secure Transporter Facility.

The remainder of Section 6.12 is unchanged.

The ARTICLE 7 USES AUTHORIZED BY SPECIAL USE PERMIT is hereby amended to add the following:

Section 7.2.9 *Commercial Medical Marihuana Facilities*

- A. A Commercial Medical Marihuana Facility may be authorized to operate within the Township by the holder of a state operating license, pursuant to PA 281 of 2016, as may be amended, the Rules promulgated thereunder, and all applicable local ordinances.
- B. No Commercial Medical Marihuana Facility shall be located within 1,000 feet of any school or public park/playground, with the minimum distance between uses measured between the Facility and the nearest property line of the school or public park/playground.
- C. Outdoor trash containers or dumpsters may be required in order to control the disposal of waste or by-products from any facility operation. When required, an outdoor trash container or dumpster shall be subject to the following:
 - 1. The placement of the container shall be subject to site plan review.
 - 2. Adequate vehicular access shall be provided to the container which does not conflict with the use of the parking areas or access drives.
 - 3. All containers shall rest on a concrete pad.
 - 4. A solid ornamental screening wall or fence shall be provided around all sides of the container and shall include an access gate. The screening wall or fence and gate shall be of sufficient height to completely screen the container.
 - 5. The container, screening wall or fence, and gate shall be maintained in a neat and orderly manner, free from debris.

D. A Commercial Medical Marihuana Facility shall be reviewed in consideration of the following:

1. Lighting – The placement and arrangement of outdoor lighting serving the facility shall provide adequate security and comply with the outdoor lighting standards set forth in Section 9.6.
2. Noise – Noise and vibration shall be minimized in their effect upon the surrounding area by the utilization of modern equipment designed to accomplish such minimization and the use of walls and vegetative buffers/screens.
3. Odor – Odor shall be minimized in its effect upon the surrounding area by the utilization of a modern odor control system designed to accomplish such minimization and operational procedures.
4. Environmental – Information on the storage and use of products, water and energy consumption, and waste disposal associated with a facility will be required to allow for an assessment of potential impacts on the site and surrounding area and the applicability of state and local regulations.
5. Traffic – A facility shall be located in consideration of the ingress/egress, loading and travel patterns of the traffic associated with the operation of the facility, with specific attention toward avoiding the creation of traffic through a predominantly residential area.
6. Security – Security measures, such as fencing, access controls, and video surveillance, will be considered in determining the ability of the facility to adequately provide for public safety.
7. Impact on Neighboring Property – Barriers and/or buffers, facility separations, and/or operational requirements may be applied to minimize identified injurious or annoying impacts on surrounding properties.

The remainder of Article 7 is unchanged.

2. UNCHANGED. All other acts, sections, and provisions of the Lawrence Township Zoning Ordinance shall remain in full force and effect except as changed by this Ordinance. The above

modifications can be inserted directly into the respective acts, sections, and provisions of the LAWRENCE TOWNSHIP CODE OF COMPILED ORDINANCES, Vol. I.

3. CONFLICTING ORDINANCES: All other ordinances and parts of ordinances, or amendments thereto, of Lawrence Township in conflict with the provisions of this ordinance are hereby repealed.

4. RECODIFICATION: That the Ordinance is hereby amended to recodify the numbering of articles and sections to conform to a standard or model codification scheme established by the Ordinance.

5. SEVERABILITY. If more restrictive, State or Federal Law or Regulations exist, they shall govern. The invalidity of any clause, sentence, paragraph, or part of this ordinance shall not affect the validity of the remaining parts of this ordinance. This Ordinance is to be construed as consistent with State and Federal Law and Regulations.

6. SAVINGS CLAUSE. A prosecution that is pending on the effective date of this ordinance and that arose from a violation of an ordinance repealed or amended by this ordinance, or a prosecution that is started within 1 year after the effective date of this ordinance arising from a violation of an ordinance repealed or amended by this ordinance and that was committed before the effective date of this ordinance, shall be tried and determined exactly as if the ordinance had not been repealed or amended.

7. EFFECTIVE DATE: This ordinance amendment shall take effect 30 days after publication.

Motion offered by Carpp and supported by Spenner
Roll Call Vote: Yes: Carpp, Thompson, Spenner, Stroud
No: Reynells

ORDINANCE DECLARED ADOPTED:

I hereby certify the foregoing constitutes a true and complete copy of the ordinance adopted by the Lawrence Township Board of Trustees, County of Van Buren, Michigan, at a regular meeting held on the Dec 12, 2019.

Date: 12/12/19



Kim Thompson, Lawrence Township Clerk

This Ordinance amendment was published on 12/20/19.

