

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2023-Z-012

MEDICAL MARIHUANA TEXT AMENDMENTS TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) to provide for Planning Commission review of site plans prior to the review of a license application by the Township Board.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 2-604.2 of the Waterford Township Zoning Ordinance that specifies Approval Procedures, Conditions and Fees shall be amended to read as follows:

2.604.2 Approval Procedures, Conditions, Fees

A-D Unchanged

- E. Upon review under Section 4-004 the Planning Commission shall make a recommendation to the Board of Trustees as to whether they recommend or do not recommend change of use approval. The Board of Trustees shall make the final decision as to whether a change of use shall be granted and whether a Township Adult Use Establishment License shall be issued.

Section 2 of Ordinance

Section 2-604.4 of the Waterford Township Zoning Ordinance that specifies Use Regulations for all Licensed Medical Marihuana Uses shall be amended to read as follows:

2.604.4 Use Regulations for all Licensed Medical Marihuana Uses. Compliance with the following use regulations is required for licensed medical marihuana growers, processors, provisioning centers, safety compliance facilities, and secure transporters to be a permitted use in the zoning districts in which they are allowed:

- A. The Township Board approved comprehensive facility operation and security plans for the medical marihuana license.
- B. The Township Board approved site plans, or if applicable, subsequent Planning Commission site plan approvals.
- C. To the extent not addressed in the Township Board license approved security plan, a detailed safety and security plan for marihuana, employees, and others at the

premises, and for neighboring residents, offices, and businesses must be submitted as a site plan document, and upon approval be complied with.

- D. To the extent not addressed in the Township Board license approved facility operation plan, an operations statement that describes the life-cycle of marihuana and marihuana-infused products entering, stored on, grown, dried, and leaving the site, how deliveries are handled, methods of storage, cash handling, a business floor plan, hours of operation, and other operational information shall be submitted as a site plan document, and upon approval be complied with.
- E. To the extent not addressed in the Township Board license approved facility operation plan, a water/wastewater statement that describes the expected volume of water used and any on-site wastewater treatment permits required for wastewater disposal and the expected volume of wastewater based on the maximum number of plants allowed in that facility's grower class shall be submitted as a site plan document and upon approval be complied with.
- F. The Medical Marihuana Township License and the standards, terms, and conditions of that license under Section 10-306 of the Waterford Charter Township Code.
- G. The vehicle, signs, fences, and screening and landscaping regulations in Section 3-702 for commercial zoning districts and 3-802 for higher intensity use zoning districts, with temporary and portable signs prohibited and Planning Commission enhancements, reductions, or waivers of screening and landscaping requirements not allowed.
- H. The applicable provisions of the Engineering Standards and Site Planning and Landscape Design Standards established under Sections 5-003 and with Division 2-4 and Division 2-8.
- I. All use, operations, and storage shall be in a fully enclosed building, with no marihuana to be visible from outside the building. However, contactless and limited contact service is permitted for provisioning centers to accept online and telephone orders and payment for the order as well as curbside pick-up at the provisioning center location. The designated area for curbside service must be identified in the provisioning center scaled site and building plan and provided for in the security plan
- J. Smoking, inhalation, and consumption of marihuana on the premises is prohibited.
- K. The retail sale of marihuana and other products on the premises is prohibited with the exception of provisioning centers where the retail sale of medical marihuana or paraphernalia for the administration of medical marihuana to medical marihuana qualifying patients is allowed.
- L. The Medical Marihuana State License and the MMFLA, MMFLA Rules, and Tracking Act.

Section 3 of Ordinance

The effective date of this Ordinance shall be July 25, 2023, or on the 8th day after publication, whichever is later, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

CERTIFICATION

I certify that this Zoning Ordinance Text Amendment was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on July 17, 2023.

Date

Kimberly Markee, Township Clerk