

**FIFE LAKE TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN
(Ordinance No. 2021- 12-16)**

At a regular meeting of the Township Board for Fife Lake Township held at Fife Lake Township Hall on December 16, 2021, the following Ordinance was offered for adoption by Township Supervisor Gerianne Street and was seconded by Township Board Member Nicole Gibson:

AN ORDINANCE TO AMEND THE FIFE LAKE TOWNSHIP ZONING ORDINANCE SECTION 9.2 ENTITLED “PERMITTED USES”; ARTICLE 10, SECTION 10.1 ENTITLED “PURPOSES”; ARTICLE 10, SECTION 10.2 ENTITLED “PERMITTED USES”; ARTICLE 11, SECTION 11.1 ENTITLED “PURPOSES”; AND ARTICLE 11, SECTION 11.2 ENTITLED “PERMITTED USES” OF THE ZONING ORDINANCE FOR THE TOWNSHIP OF FIFE LAKE.

THE TOWNSHIP OF FIFE LAKE (the “Township”) ORDAINS:

Section 1. Amendment of Section 9.2. Article 9, Section 9.2 of the Zoning Ordinance for Fife Lake Township entitled “Permitted Uses” for the C-1 Commercial District is hereby amended and reads in its entirety as follows:

- 9.2 PERMITTED USES. No building or structure, or any part thereof, shall be erected, altered or used, or lands or premises used, in whole or in part, for other than one or more of the following specified uses:
- A. Accessory Buildings provided the accessory building area is less than the footprint of the principal structure, and subject to Section 4.2.
 - B. Accessory Uses related to the principal use, subject to Section 4.3
 - C. Banks, Credit Unions and Savings & Loan Associations
 - D. Clinics
 - E. Combinations of Uses, subject to Section 4.43.
 - F. Gasoline Service Stations
 - G. General Retail Establishments
 - H. Medical Marijuana Grower (any class) - subject to the following requirements:
 - i. All cultivation and processing must take place inside of an enclosed permanent building.
 - ii. No light used for the cultivation or processing of medical marijuana may be visible from outside the building in which the cultivation or processing takes place.

- iii. Odor Emissions.
 - (a) The marihuana grow facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility (including but not limited to the cultivation and processing of medical marihuana) from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marihuana grow facility.
 - iv. The lot where the marihuana grow facility is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.
- I. Medical Marihuana Processor - subject to the following requirements:
- i. Odor Emissions.
 - (a) The marihuana processor facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility (including but not limited to the processing of medical marihuana) from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marihuana processor facility
 - ii. The lot where the medical marihuana processor is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.
- J. Medical Marihuana Provisioning Center - subject to the following requirements:
- i. Odor Emissions.
 - (a) The marihuana provisioning center must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the provisioning center from being detectable outside of the provisioning center. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the provisioning center will be that of a reasonable person with normal sensory sensitivities.

- (b) Negative air pressure must be maintained inside the marijuana provisioning center.
- ii. The lot where the medical marijuana provisioning center is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding The State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.
- iii. The Marijuana provisioning center is only permitted to be open to the public on Monday – Saturday between 8:00 am – 8:00 pm and on Sunday between 12 pm – 6 pm.
- iv. Walk-up windows, drive-thru service, and drive-in service are prohibited.

K. Medical Marijuana Safety Compliance Facility:

- i. Odor Emissions.
 - (a) The marijuana safety compliance facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marijuana safety compliance facility.
- ii. The lot where the marijuana safety compliance facility is located may not be located within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

L. Medical Marijuana Secure Transporter

M. Nurseries and Greenhouses

N. Offices

O. Personal Service Establishments

P. Private Garages

- Q. Recreational Marijuana Grower (any class) - subject to the following requirements:
- i. All cultivation and processing must take place inside of an enclosed permanent building.
 - ii. No light used for the cultivation or processing of recreational marijuana may be visible from outside the building in which the cultivation or processing takes place.
 - iii. Odor Emissions.

- (a) The marihuana grow establishment must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the establishment (including but not limited to the cultivation and processing of recreational marihuana) from being detectable outside of the establishment. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the establishment will be that of a reasonable person with normal sensory sensitivities.
- (b) Negative air pressure must be maintained inside the marihuana grow establishment.
- iv. The lot where the recreational marihuana grow establishment is located may not be located within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

R. Recreational Marihuana Processor - subject to the following restrictions:

- i. Odor Emissions.
 - (a) The marihuana processor establishment must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the establishment (including but not limited to the processing of recreational marihuana) from being detectable outside of the establishment. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the establishment will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marihuana processor establishment.
- ii. The lot where the recreational marihuana processor establishment is located may not be located within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

S. Recreational Marihuana Retailer - subject to the following restrictions:

- i. Odor Emissions.
 - (a) The marihuana retailer establishment must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the establishment from being detectable outside of the retail establishment. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the establishment will be that of a reasonable person with normal sensory sensitivities.

- (b) Negative air pressure must be maintained inside the marijuana retailer establishment.
 - ii. The lot where the recreational marijuana retail establishment is located may not be located within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.
 - iii. The marijuana retailer establishment center is only permitted to be open to the public on Monday – Saturday between 8:00 am – 8:00 pm and on Sunday between 12 pm – 6 pm.
 - iv. Walk-up windows, drive-thru service, and drive-in service is prohibited.
- T. Recreational Marijuana Safety Compliance Facility - subject to the following restrictions:
- i. Odor Emissions.
 - (a) The marijuana safety compliance facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marijuana safety compliance facility.
 - ii. The lot where the recreational marijuana safety compliance facility is located may not be located within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park excluding the State of Michigan park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.
- S. Recreational Marijuana Secure Transporter
- T. Roadside Stands, less than 100 square feet
- U. Sexually Oriented Business, subject to Section 4.35
- V. Social Club Facilities
- W. Vehicle Repair Shops
- X. Vehicle Sales, vehicles owned by property owners

Section 2. Amendment of Section 10.1. Article 10, Section 10.1 of the Zoning Ordinance for Five Lake Township entitled “Purpose” for the I-1 Industrial District is hereby amended as follows:

- The “District Summary” is deleted in its entirety.

[The remainder of Section 10.1 is unchanged]

Section 3. Amendment of Section 10.2. Article 10, Section 10.2 of the Zoning Ordinance for Fife Lake Township entitled "Permitted Uses" for the I-1 Industrial District is hereby amended and reads in its entirety as follows:

10.2 PERMITTED USES. No building or structure, or any part thereof, shall be erected, altered or used, or lands or premises used, in whole or in part, for other than one or more of the following specified uses:

A. Accessory Buildings of less area than the principal structure, subject to Section 4.2.

B. Contractor Facilities, Yards and Appurtenances

C. Fabrication and Assembly

D. Medical Marihuana Grower (any class) - subject to the following requirements:

- i. All cultivation and processing must take place inside of an enclosed permanent building.
- ii. No light used for the cultivation or processing of medical marihuana may be visible from outside the building in which the cultivation or processing takes place.
- iii. Odor Emissions.
 - (a) The marihuana grow facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility (including but not limited to the cultivation and processing of medical marihuana) from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marihuana grow facility.
- iv. The lot where the medical marihuana grow establishment is located may not be located within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on highway U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

E. Medical Marihuana Processor - subject to the following requirements:

- i. Odor Emissions.

(a) The marihuana processor facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility (including but not limited to the processing of medical marihuana) from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a

- reasonable person with normal sensory sensitivities.
- (b) Negative air pressure must be maintained inside the marijuana processor facility.
- ii. The lot where the medical marijuana processor facility is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

F. Medical Marijuana Provisioning Center - subject to the following requirements:

- i. Odor Emissions.
 - (a) The medical marijuana provisioning center must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the provisioning center from being detectable outside of the provisioning center. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the provisioning center will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marijuana provisioning center.
- ii. The lot where the marijuana provisioning center is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.
- iii. The marijuana provisioning center is only permitted to be open to the public on Monday – Saturday between 8:00 am – 8:00 pm and on Sunday between 12 pm – 6 pm.
- iv. Walk-up windows, drive-thru service, and drive-in service is prohibited.

G. Medical Marijuana Safety Compliance Facility:

- i. Odor Emissions.
 - (a) The marijuana safety compliance facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marijuana safety compliance facility.
- ii. The lot where the marijuana safety compliance facility is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest

straight-line distance between lots.

H. Medical Marihuana Secure Transporter.

I. Recreational Marihuana Grower (any class) - subject to the following requirements:

- i. All cultivation and processing must take place inside of an enclosed permanent building.
- ii. No light used for the cultivation or processing of recreational marihuana may be visible from outside the building in which the cultivation or processing takes place.
- iii. Odor Emissions.
 - (a) The marihuana grow establishment must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the establishment (including but not limited to the cultivation and processing of recreational marihuana) from being detectable outside of the establishment. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the establishment will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marihuana grow establishment.
- iv. The lot where the recreational marihuana grow is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park excluding the State of Michigan roadside park on highway U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

J. Recreational Marihuana Processor - subject to the following restrictions:

- i. Odor Emissions.
 - (a) The marihuana processor establishment must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the establishment (including but not limited to the processing of recreational marihuana) from being detectable outside of the establishment. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the establishment will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marihuana processor establishment.
- ii. The lot where the marihuana processor establishment is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on highway U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

K. Recreational Marijuana Retailer - subject to the following restrictions:

i. Odor Emissions.

(a) The marijuana retailer establishment must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the establishment from being detectable outside of the retail establishment. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the establishment will be that of a reasonable person with normal sensory sensitivities.

(b) Negative air pressure must be maintained inside the marijuana retailer establishment.

ii. The lot where the marijuana retailer establishment is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

iii. The marijuana retailer establishment is only permitted to be open to the public on Monday – Saturday between 8:00 am – 8:00 pm and on Sunday between 12 pm – 6 pm.

iv. Walk-up windows, drive-thru service, and drive-in service is prohibited.

L. Recreational Marijuana Safety Compliance Facility – subject to the following restrictions:

i. Odor Emissions.

(a) The marijuana safety compliance facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a reasonable person with normal sensory sensitivities.

(b) Negative air pressure must be maintained inside the marijuana safety compliance facility.

ii. The lot where the marijuana safety compliance facility is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

M. Recreational Marijuana Secure Transporter

N. Research and Development Facilities

O. Subdivisions, subject to Article 15

P. Trade Schools

Q. Vehicle Repair Shop

R. Warehouses

Section 4. Amendment of Section 11.1. Article 11, Section 11.1 of the Zoning Ordinance for Fife Lake Township entitled “Purpose” for the PD – Planned Development District is hereby amended as follows:

- The “District Summary” is deleted in its entirety.

[The remainder of Section 11.1 is unchanged]

Section 5. Amendment of Section 11.2. Article 11, Section 11.2 Zoning Ordinance for Fife Lake Township entitled “Permitted Uses” for the PD – Planned Development District is hereby amended and reads in its entirety as follows:

11.2 PERMITTED USES. No building or structure, or any part thereof, shall be erected, altered or used, or lands or premises used, in whole or in part, for other than one or more of the following specified uses:

- A. Accessory Buildings of less area than the principal structure, subject to Section 4.2.
- B. Accessory Uses related to uses permitted by right, subject to Section 4.3
- C. Contractor Facilities, Yards and Appurtenances
- D. Fabrication and Assembly
- E. Gasoline Service Stations
- F. General Retail Establishments
- G. Medical Marijuana Grower (any class) - subject to the following requirements:
 - i. All cultivation and processing must take place inside of an enclosed permanent building.
 - ii. No light used for the cultivation or processing of medical marijuana may be visible from outside the building in which the cultivation or processing takes place.
 - iii. Odor Emissions.
 - (a) The marijuana grow facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility (including but not limited to the cultivation and processing of medical marijuana) from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the

operation of the facility will be that of a reasonable person with normal sensory sensitivities.

- (b) Negative air pressure must be maintained inside the marihuana grow facility.
- iv. The lot where the marihuana grow facility is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

H. Medical Marihuana Processor - subject to the following requirements:

- i. Odor Emissions.
 - (a) The marihuana processor facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility (including but not limited to the processing of medical marihuana) from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marihuana processor facility.
- ii. The lot where the marihuana processor facility is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach or park excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

I. Medical Marihuana Provisioning Center - subject to the following requirements:

- i. Odor Emissions.
 - (a) The marihuana provisioning center must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the provisioning center from being detectable outside of the provisioning center. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the provisioning center will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marihuana provisioning center.
- ii. The lot where the marihuana provisioning center is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.
- iii. The marihuana provisioning center is only permitted to be open to the public on Monday – Saturday between 8:00 am – 8:00 pm and on

Sunday between 12 pm – 6 pm.

iv. Walk-up windows, drive-thru service, and drive-in service is prohibited.

J. Medical Marijuana Safety Compliance Facility:

i. Odor Emissions.

(a) The marijuana safety compliance facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility from being detectable outside of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a reasonable person with normal sensory sensitivities.

(b) Negative air pressure must be maintained inside the marijuana safety compliance facility.

ii. The lot where the marijuana safety compliance facility is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

K. Medical Marijuana Secure Transporter:

L. Recreational Marijuana Grower (any class) - subject to the following requirements:

i. All cultivation and processing must take place inside of an enclosed permanent building.

ii. No light used for the cultivation or processing of recreational marijuana may be visible from outside the building in which the cultivation or processing takes place.

iii. Odor Emissions.

(a) The marijuana grow establishment must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the establishment (including but not limited to the cultivation and processing of recreational marijuana) from being detectable outside of the establishment. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the establishment will be that of a reasonable person with normal sensory sensitivities.

(b) Negative air pressure must be maintained inside the marijuana grow establishment.

iv. The lot where the marijuana grow establishment is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

M. Recreational Marihuana Processor - subject to the following restrictions:

- i. Odor Emissions.
 - (a) The marihuana processor establishment must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the establishment (including but not limited to the processing of recreational marihuana) from being detectable outside of the establishment. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the establishment will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marihuana processor establishment.
- ii. The lot where the marihuana processor establishment is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

N. Recreational Marihuana Retailer - subject to the following restrictions:

- i. Odor Emissions.
 - (a) The marihuana retailer establishment must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the establishment from being detectable outside of the retail establishment. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the establishment will be that of a reasonable person with normal sensory sensitivities.
 - (b) Negative air pressure must be maintained inside the marihuana retailer establishment.
- ii. The lot where the marihuana retailer establishment is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.
- iii. The marihuana retailer establishment center is only permitted to be open to the public on Monday – Saturday between 8:00 am – 8:00 pm and on Sunday between 12 pm – 6 pm.
- iv. Walk-up windows, drive-thru service, and drive-in service is prohibited.

O. Recreational Marihuana Safety Compliance Facility - subject to the following restrictions:

- i. Odor Emissions.
 - (a) The marihuana safety compliance facility must be equipped with an activated carbon filtration system or other similar filtration system that prevents smoke, odor, debris, dust, fluids, and other substances relating to the operation of the facility from being detectable outside

of the facility. The standard for the detection of smoke, odor, debris, dust, fluids, or other substances relating to the operation of the facility will be that of a reasonable person with normal sensory sensitivities.

(b) Negative air pressure must be maintained inside the marijuana safety compliance facility.

ii. The lot where the marijuana safety compliance facility is located may not be within 1,000 feet of a pre-existing public or private K-12 school, or within 500 feet of a church, beach, or park, excluding the State of Michigan roadside park on U.S. Highway 131. Distance is measured as the shortest straight-line distance between lots.

P. Recreational Marijuana Secure Transporter

Q. Research and Development Facilities

R. Trade Schools

S. Vehicle Repair Shop

T. Warehouses

Section 6. Conflict.

A. Nothing in this Ordinance is to be construed to conflict with existing Township ordinances except as otherwise stated herein.

B. Nothing in this Ordinance is to be construed to conflict with the law of the State of Michigan.

Section 7. Repealer. All zoning ordinances or parts of zoning ordinances in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

Section 8. Savings Clause. The provisions of this Ordinance are severable. If any part of this Ordinance is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration does not void any or render inoperable other part or portion of this Ordinance.


Section 9. Effective Date. This Ordinance shall become effective 7 days following its publication in the manner required by law.

YEAS: 4


NAYS: 1

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.



Gerianne Street
Township Supervisor



Leigh Ann Gifford
Township Clerk

CERTIFICATION

It is hereby certified that the foregoing Ordinance was adopted by the Township Board for Fife Lake Township, Grand Traverse County, Michigan, at a meeting of the Township Board duly called and held on December 16, 2021

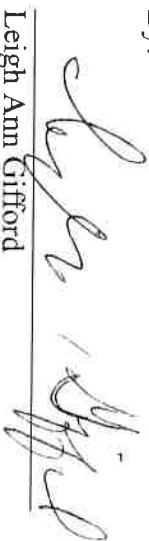
Public Hearing: December 14, 2021

Adopted: December 16, 2021

Published:

Effective:

By:



Leigh Ann Gifford
Township Clerk