

**PINCONNING TOWNSHIP
BAY COUNTY, MICHIGAN
ZONING ORDINANCE AMENDMENT
ORDINANCE NO. 19-02**

At a regular meeting of the Township Board of Pinconning Township, Bay County, Michigan, held at the Pinconning Township Hall on September 25, 2019, at 10:00 a.m., Township Board Member Whitney moved to adopt the following ordinance, which motion was seconded by Township Board Member Beck:

An Ordinance to amend the Pinconning Township Zoning Ordinance, as amended, to provide for the zoning regulation of Marihuana Microbusiness Establishments; and designate such Establishments as special uses; in order to maintain the public health, safety and welfare of the residents and visitors to Pinconning Township.

THE TOWNSHIP OF PINCONNING ORDAINS:

Section 1. Amendment to Article II, Definitions. The Pinconning Township Zoning Ordinance, Article II, Definitions, shall be amended to add the following definitions:

1. “*Marihuana Establishment*” or “*Establishment*” means a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business Licensed by the department.
 - a. “*Marihuana grower*,” as that term is defined in the MRTMA; and
 - b. “*Marihuana microbusiness*,” as that term is defined in the MRTMA; and
 - c. “*Marihuana processor*,” as that term is defined in the MRTMA; and
 - d. “*Marihuana retailer*,” as that term is defined in the MRTMA; and
 - e. “*Marihuana secure transporter*,” as that term is defined in the MRTMA.
 - f. “*Marihuana safety compliance facility*,” as that term is defined in the MRTMA.
 - g. “*Excess Marihuana Grower*” as that term is defined by the Department of Licensing and Regulatory Affairs or as may be defined in the MRTMA;
 - h. “*Marihuana Event Organizer*” as that term is defined by the Department of Licensing and Regulatory Affairs or as may be defined in the MRTMA;
 - i. “*Temporary Marihuana Event*” as that term is defined by the Department of Licensing and Regulatory Affairs or as may be defined in the MRTMA;

- j. “*Designated Consumption Establishment*” as that term is defined by the Department of Licensing and Regulatory Affairs or as may be defined in the MRTMA;

Section 2. Amendment of Article VI, Section 6.7.3, Uses Permitted by Special Use Permit:

The Pinconning Township Zoning Ordinance, Article VI, Section 6.7.3, Uses Permitted by Special Use Permit, shall be amended to add the following special land uses in addition to those presently listed in the C-1 General Commercial District:

- a. – m. (See present Ordinance; no change).
- n. Marihuana Microbusiness
- o. Marihuana Event Organizer
- p. Designated Consumption Establishment

Section 3. Amendment of Article VI, Section 6.8.5, Uses Permitted by Special Permit: The Pinconning Township Zoning Ordinance, Article VI, Section 6.8.5, Uses Permitted by Special Use Permit, shall be amended to read as follows:

Section 6.8.5 Uses Permitted by Special Permit.

The following uses are permitted in the LI District with a Special Use Permit granted by the Township Board, after review and recommendation by the Planning Commission, in accordance with the provisions of Article V - Special Use Permits:

- a. Primary Caregiver Operation
- b. Grower, Class A
- c. Marihuana Grower, Class A
- d. Processor
- e. Marihuana Processor

Section 4. Amendment of Article VI, Section 6.9.5, Uses Permitted by Special Permit: The Pinconning Township Zoning Ordinance, Article VI, Section 6.9.5, Uses Permitted by Special Use Permit, shall be amended to allow the following special land uses in addition to those presently listed in the PUD District:

- a. Primary Caregiver Operation
- b. Provisioning Center
- c. Marihuana Retailer
- d. Processor
- e. Marihuana Processor
- f. Safety Compliance Facility
- g. Marihuana Safety Compliance Facility
- h. Marihuana Microbusiness
- i. Excess Marihuana Grower
- j. Marihuana Event Organizer
- k. Designated Consumption Establishment

Section 5. Amendment to Article VI, Section 6.10.3, Uses Permitted by Special Permit. The Pinconning Township Zoning Ordinance, Article VI, Section 6.10.3, Uses Permitted by Special Use Permit, shall be amended to allow the following special land uses:

- a. Primary Caregiver Operation
- b. Provisioning Center
- c. Grower Facility
- d. Safety Compliance Facility
- e. Processor Facility
- f. Secure Transporter Facility
- g. Marihuana Grower
- h. Marihuana Microbusiness
- i. Marihuana Processor
- j. Marihuana Retailer
- k. Marihuana Secure Transporter
- l. Marihuana safety compliance facility
- m. Excess Marihuana Grower
- n. Marihuana Event Organizer
- o. Designated Consumption Establishment

Secure Transporter Facilities and Marihuana Secure Transporters may be located on parcels adjacent to M-13, regardless of the underlying zoning district.

Section 6. Severability: The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

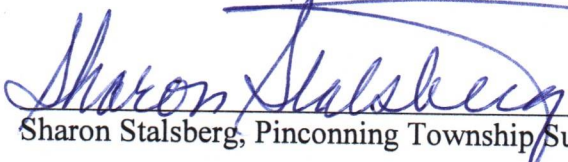
Section 7. Effective Date: This Ordinance shall take effect seven (7) days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

YEAS: Whitney, Beck, Hribek, Stalsberg, Switek

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.


Sharon Stalsberg, Pinconning Township Supervisor