

WISE TOWNSHIP
ISABELLA COUNTY, MICHIGAN
MARIHUANA ADDENDUM TO
ORDINANCE NO. 18-01

At a regular meeting of the Township board of Wise Township, Isabella County, Michigan, held at the Wise Township Hall on October 18, 2018, at 7 pm, Township Board Member Robert Moore moved to adopt the following ordinance, which motion was seconded by Township Board Member Doris Methner.

An ordinance to amend the Wise Township Zoning Ordinance, as amended, to provide for the zoning regulation of Commercial Medical Marihuana Facilities, as permitted uses: in order to maintain the public health, safety and welfare of the residents and visitors of Wise Township.

THE TOWNSHIP OF WISE ORDAINS:

Section 1. Amendment of Article III, Definitions: Shall include the following definitions:

- 1 “Commercial Medical Marihuana Facility” or “facility” means one the following:
 - a. “Provisioning Center,” as term is defined in Medical Marihuana Facility Licensing Act,
Public Act 281 of 2016 (“MMFLA”);
 - b. “Processor” as term is defined in the MMFLA:
 - c. “Secure Transporter,” as term is defined in the MMFLA:
 - d. “Grower” as term is defined in the MMFLA:
 - e. “Safety Compliance Facility” as term in defined in the MMFLA.
2. “Permit” means a current and valid permit for Commercial Medical Marihuana Facility issued under the Wise Township Ordinance Authorizing and Permitting Commercial Medical Marihuana Facilities, Ordinance 17-01, which shall be granted to a Permit Holder only for and limited to a specific Permitted Property.
3. “Marihuana” means that term as defined in Section 7106 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7106.
4. “Medical Marihuana” means that term as defined in MCL 333.26423.
5. “Patient” means a “registered qualifying patient” or a “visiting qualifying patient” as those terms are defined by MCL 333.26421, at seq.
6. “Person” means a natural person, company, partnership, profit or non-profit corporation, limited liability company, and joint venture for a common purpose.

Section 2. Amendment of Article X, XI, and XII to add Commercial Medical Marihuana Overlay District, providing as follows:

Commercial Medical Marihuana Overlay District Statement of Intent.

The CMM Overlay District is intended to provide opportunities for the development of certain Commercial Medical Marihuana Facilities permitted under the MMFLA. This section proposes to accomplish this through the implantation of regulations that promote the use of land within the CMM Overlay District for certain Commercial Medical Marihuana Facilities.

The CMM Overlay District is established as an overlay zoning district. The CMM Overlay District exists as an overlay district on top of a certain portions of the Agricultural District, Commercial District and Industrial District in Sections 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16,17,18,19, 20, 21,22, 23 and 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35 of Wise Township as designated on the zoning map. Land located within such overlay district may be developed according to the provisions of the underlying zoning district or according to the provisions of this Section.

The following uses are permitted in the CMM Overlay District:

- a. Provisioning Center
- b. Grower Facility, Class A, B, C
- c. Safety Compliance Facility

- a. Provisioning Center
- b. Grower Facility, Class A, B, C
- c. Safety Compliance Facility
- d. Processor Facility
- e. Secure Transport Facility
- f. Outdoor Growers, Class A, B, C 3 each

All facilities shall comply with the building codes and setback in the township zoning ordinance. Security regulations requiring cameras, lighting as not to interfere with surrounding area, outside of operation, alarm systems and fencing being cyclone style at least 10 feet high or blind style 8 feet high, will be installed at all outdoor grow facilities.

All facilities shall meet the zoning requirement for said operation within this district as set forth in Medical Marihuana Ordinance 18-1 of Wise Township.

Amend Ordinance 18-01 Section 2.2 Facility permits allow:

Grow Indoor Class C: increased to read additional grows at the Township Boards Discretion and option on size and location. Somewhat limited. To apply to both indoor and outdoor growers

Grow indoor Class B: increase to read 1 additional.

Processors: increase to read additional at Township boards discretion and option. Somewhat limited.

Provisioning Center: increase 1 additional.

Outdoor Growers; outdoor grows will be allowed in all sections mentioned above. The number of permits a grower may have, depends on State regulations and fire and safety guidelines.

Regulations for outdoor grows shall be; fencing shall be at least 10 feet in height and have at least an 80% blocking screen. All grows shall follow the State of Michigan Marihuana Guidelines, and rules for growing, fire and safety guidelines will be followed at all times, as well as for lighting and security. A Site Plan will be required for all grows, showing the property boundaries, location of driveways, any building you will be using, location of fencing. Fencing shall be 100 feet off the side and back property lines and 50 feet off the road right-of-way.

Section 3. 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 4. This Ordinance shall take effect seven (7) days after publication of a notice of adoption of this Ordinance.

YEAS: Renee Filhart, Robert Moore & Doris Methner

NAYS: Travis Burgess

ABSENT/ABSTAIN:

ORDINANCE DECLARED ADOPTED.

Robert Moore

Robert Moore, Wise Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of the Ordinance adopted by the Wise Township Board at the duly scheduled and noticed meeting of that Board held on October 18, 2018, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the Morning Sun newspaper, a newspaper that circulates with Wise Township, on October 24, 2018.
3. Within a week after such publication, I recorded the above Ordinance kept by me for the purpose, including the date of passage of the ordinance, and the names of the members of the board voting, and how they voted.

ATTESTED:

Doris Methner, Wise Township, Clerk

AMENDED: August 27, 2020 Published September 1, 2020

ATTESTED:

Doris Methner, Wise Township, Clerk