

**CHARTER TOWNSHIP OF ROYAL OAK
ZONING ORDINANCE AMENDMENTS**

DRAFT

ARTICLE 1.00, SHORT TITLE, RULES OF CONSTRUCTION, AND DEFINITIONS

Section 1.03 – DEFINITIONS

Add the following:

MEDICAL MARIHUANA FACILITY: A facility where primary caregivers who are legally registered by the Michigan Department of Community Health (MDCH) may lawfully assist qualifying patients who are also legally registered by the MDCH with the medical use of marihuana in accordance with the Michigan Medical Marihuana Act, as amended. A use which purports to have engaged in the medical use of marihuana either prior to enactment of said Act, or after enactment of said Act but without being legally registered by the MDCH, shall be deemed to not be a legally established use, and therefore not entitled to legal non-conforming status under the provisions of this Ordinance and/or State Law.

MEDICAL USE OF MARIHUANA: The acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of marihuana or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition, as defined under the Michigan Medical Marihuana Act, P. A. 2008, as amended.

ARTICLE 9:00, ESTABLISHING OF ZONING DISTRICTS

Section 9.05 – DISTRICT REQUIREMENTS

Add the following:

Uses not expressly permitted are prohibited. Uses for enterprises or purposes that are contrary to federal, state or local laws or ordinances are prohibited.

ARTICLE 16.00, M-1, INDUSTRIAL PARK DISTRICT

Section 16.02 B. Special Land Uses

Add the following:

5. Medical Marihuana Facilities subject to the following conditions:

- a. A minimum setback of 200 feet from all homes or residentially zoned districts, schools, churches, child care facilities, parks, and drug-free zones.
- b. A state registered and local business license is required for all facilities and primary caregivers. If the primary caregiver is not the owner of the premises then consent must be obtained in writing from the property owner to ensure the owner's knowledge of the use.
- c. Consumption of marihuana on the premises is prohibited.
- d. The location from which a primary caregiver manufactures, stores and distributes medical marihuana to a qualifying patient shall not be used by another primary caregiver for any purpose whatsoever.
- e. No more than 5 patients per caregiver. Each patient shall be limited to: 2.5 ounces of usable marihuana (excludes seeds, stalks and roots) and 12 marihuana plants kept in an enclosed, locked facility.
- f. The facility shall be subject to quarterly inspections to confirm compliance in accordance with applicable laws, including, but not limited to, State Law and City Ordinances.
- g. Hours of operations permitted: M-F: 9:00 AM – 9:00 PM; Sat.: 9:00 AM- 6:00 PM; Sunday: 10:00 AM- 6:00 PM
- h. Minimum Distance from other similar uses: 500 ft.
- i. Drive-through facilities shall be prohibited.
- j. Security: Security cameras shall be installed and maintained. All security cameras shall have at least 120 concurrent hours of digitally recorded documentation. In addition, an alarm system shall be operated and maintained by a recognized security company.
- k. A conspicuous sign(s) shall be posted stating that “No loitering is permitted” on such property.
- l. Exterior lighting shall be required for security purposes, but in accordance with the provisions of the Zoning Ordinance.