

Paw Paw Township

Planning Commission

Text Amendment: Commercial Medical Marihuana Facility

Sec 42-2. Definitions

Add:

Commercial Medical Marihuana Facility (or Facility): the term may include any of the following:

1. *Grower Facility*, as that term is defined in the Medical Marihuana Facilities Licensing Act (MMFLA) and authorized by Ordinance No. _____.
2. *Processor Facility*, as that term is defined in the MMFLA and authorized by Ordinance No. _____.
3. *Safety Compliance Facility*, as that term is defined in the MMFLA and authorized by Ordinance No. _____.
4. *Secure Transporter Facility*, as that term is defined in the MMFLA and authorized by Ordinance No. _____.

Sec 42-61. AGR agricultural (farmland protection) district

- d) *Permitted principal special uses with conditions.*

Add:

- (7) Grower Facility – Class A, Class B and Class C.
- (8) Processor Facility, when located on the same site as a Grower Facility.

Sec 42-62. ARR agricultural – rural residential district

- d) *Permitted principal special uses with conditions.*

Add:

- (14) Grower Facility – Class A, Class B and Class C.
- (15) Processor Facility, when located on the same site as a Grower Facility.

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Sec 42-72. HCI heavy commercial and industrial district

Add:

- c) *Permitted principal special uses with conditions.*
- (1) Grower Facility – Class A, Class B and Class C.
- (2) Processor Facility.
- (3) Safety Compliance Facility.
- (4) Secure Transporter Facility.

Amend to renumber:

- d) *Permitted accessory uses.*

Sec 42-110. Permitted special uses.

Add:

- (23) *Commercial Medical Marihuana Facilities*
 - A. A Commercial Medical Marihuana Facility may be authorized to operate within the Township by the holder of a state operating license, pursuant to PA 281 of 2016, as may be amended, the Rules promulgated thereunder, and all applicable local ordinances.
 - B. No Commercial Medical Marihuana Facility shall be located within 500 feet of any school or public park/playground, with the minimum distance between uses measured between the Facility and the nearest property line of the school or public park/playground.
 - C. Outdoor trash containers or dumpsters may be required to control the disposal of waste or by-products from any facility operation. When required, an outdoor trash container or dumpster shall be subject to the following:
 - 1. The placement of the container shall be subject to site plan review.
 - 2. Adequate vehicular access shall be provided to the container which does not conflict with the use of the parking areas or access drives.
 - 3. All containers shall rest on a concrete pad.
 - 4. A solid ornamental screening wall or fence shall be provided around all sides of the container and shall include an access gate. The screening

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- wall or fence and gate shall be of sufficient height to completely screen the container.
 - 5. The container, screening wall or fence, and gate shall be maintained in a neat and orderly manner, free from debris.
- D. A Commercial Medical Marihuana Facility shall be reviewed in consideration of the following:
- 1. Lighting – The placement and arrangement of outdoor lighting serving the facility shall provide adequate security and comply with the outdoor lighting standards set forth in Sec 42-204 (j).
 - 2. Noise – Noise and vibration shall be minimized in their effect upon the surrounding area by the utilization of modern equipment designed to accomplish such minimization and the use of walls and vegetative buffers/screens.
 - 3. Odor – Odor shall be minimized in its effect upon the surrounding area by the utilization of a modern odor control system designed to accomplish such minimization and operational procedures.
 - 4. Environmental – Information on the storage and use of products, water and energy consumption, and waste disposal associated with a facility will be required to allow for an assessment of potential impacts on the site and surrounding area and the applicability of state and local regulations.
 - 5. Traffic – A facility shall be located in consideration of the ingress/egress, loading and travel patterns of the traffic associated with the operation of the facility, with specific attention toward avoiding the creation of traffic through a predominantly residential area.
 - 6. Security – Security measures, such as fencing, access controls, and video surveillance, will be considered in determining the ability of the facility to adequately provide for public safety.
 - 7. Impact on Neighboring Property – Barriers and/or buffers, facility separations, and/or operational requirements may be applied to minimize identified injurious or annoying impacts on surrounding properties.

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8. Annual Review – A facility shall be subject to an annual review by the Planning Commission to confirm compliance with the Special Land Use Permit and the provisions of this Ordinance.

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