

**GOODLAND TOWNSHIP
LAPEER COUNTY, MICHIGAN**

ORDINANCE NO. 100

AMENDMENT OF THE GOODLAND TOWNSHIP ZONING ORDINANCE

TITLE

AN ORDINANCE amending the Goodland Township Zoning Ordinance, being Ordinance No. 100 of the Goodland Township Ordinances, as amended, to provide that medical marijuana caregivers may operate as a home occupation in the Agricultural/Rural Residential District (A) and Residential District (R), establish regulations for such home occupations and repeal any and all Ordinances and/or Resolutions in conflict therewith.

**THE TOWNSHIP BOARD OF THE TOWNSHIP OF GOODLAND, LAPEER
COUNTY, MICHIGAN, ORDAINS:**

SECTION 1 – AMENDMENTS

1.1 Article VII (R Residential), Section 7.02 (Permitted Uses) of the Goodland Township Zoning Ordinance being Ordinance No. 100, as amended, is hereby amended to add the following additional provision:

F) Medical marijuana uses as set forth in Section 12.17D.1 – Medical Marijuana Uses.

1.2 Article XII (General Provisions), Section 12.17 (Home Occupations) of the Goodland Township Zoning Ordinance being Ordinance No. 100, as amended, is hereby amended to add the following additional provisions:

D.1 – Medical Marijuana Uses

Primary caregiver activities are permitted as a Type I home occupation in the A (Agricultural Rural Residential) district and R (Residential) district in strict compliance with the following requirements:

1. A registered primary caregiver, in compliance with the Michigan Medical Marijuana Act (“Act”), MCL 333.26421, *et seq.*, the Administrative Rules promulgated by the State of Michigan as amended from time to time and the requirements of this Section, shall be permitted to grow marijuana in the caregiver’s residential dwelling in the A and R zoning districts as a home occupation pursuant to the requirements of this Section 12.17D.12.

2. A primary caregiver is required to register the location of the grow activity with the Goodland Township Clerk’s office and the Lapeer County Construction Code Commission. At the

time of registration, the caregiver shall provide the following information on a form provided by the Township Clerk and Construction Code Commission:

- a. A current Michigan registration card issued to the primary caregiver.
 - b. A full description of the nature and types of equipment which will be used in marijuana cultivation and processing.
 - c. Sufficient evidence that the residential dwelling is owned by the caregiver.
3. All medical marijuana grown by the caregiver shall be contained in an enclosed, locked facility and inaccessible on all sides and equipped with locks or other security devices that permit access only the registered primary caregiver or registered qualifying patient in full compliance with the Act and Administrative Rules.
4. All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of the structure in which electrical wiring, lighting and/or watering devices that support the production of marijuana are located.
5. Those portions of the residential structure where energy usage and heat exceed typical residential use, such as a marijuana grow room, and the storage of any chemicals such as herbicides, pesticides and fertilizers are subject to inspection and approval by the Goodland Township Fire Department to insure compliance with applicable fire codes.
6. If a room with windows is utilized as the marijuana-growing location, any lighting methods that exceed usual residential use between the hours of 11 p.m. and 7 a.m. shall employ shielding methods, without alteration to the exterior of the residence, to prevent ambient light spillage that causes or created a distraction or nuisance to adjacent residential properties.
7. A primary caregiver must be the owner of the residential premises to engage in primary caregiver home occupation activities pursuant to this Section.
8. No person other than the primary caregiver shall be engaged or involved in the growing, processing, dispensing, delivering, or handling of medical marijuana except to the extent that the primary caregiver lawfully transfers medical marijuana to a qualifying patient to whom the primary caregiver is linked through the state registration system.
9. The use of the primary caregiver's residential dwelling for medical marijuana related purposes shall be clearly incidental and subordinate to the dwelling's use for residential purposes. Not more than 25% of the gross finished floor area of the dwelling including the basement, if any, in single family dwellings shall be used for the growing, processing, or handling or medical marijuana. Any modifications to the dwelling made for the purpose of cultivating medical marijuana shall comply with all applicable building, electrical, mechanical and fire safety code requirements, including all requisite permit applications and related inspections. No part of any accessory building, detached garage, pole barn or similar building or structure shall be used for the growing, processing or distribution of medical marijuana.
10. There shall be no visible change to the outside appearance of the primary caregiver's residential dwelling or other visible evidence of conducting a medical marijuana operation within the dwelling.

11. This Section 12.17D.12 shall govern primary caregiver activities as home occupations in the A and R zoning districts and supersedes the home occupation provisions contained in Section 12.17D.

SECTION 2. REPEAL OF CONFLICTING PROVISIONS

All resolutions, ordinances, or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 3. SEVERABILITY

If any section, paragraph, clause, or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4. PUBLICATION

A Notice of Ordinance Adoption setting forth the regulatory effect of the Ordinance or the text of the Ordinance shall be published in the Tri-City Times newspaper, a newspaper of general circulation within Goodland Township within fifteen (15) days of the adoption of this Ordinance.

SECTION 5. EFFECTIVE DATE

PLEASE TAKE NOTICE that on April 6, 2021, the Goodland Township Board of Trustees Adopted and Ordinance amending the Goodland Township Zoning Ordinance to provide that the medical marijuana caregivers may operate as a home occupation in the Agricultural/Rural Residential District (R), establish regulations for such home occupations and repeal any and all Ordinances and/or Resolutions in conflict therewith. The Zoning Amendment is included with this Notice and shall take effect seven (7) days after date of this publication.

A true copy of the Zoning Ordinance Amendment is on file at the offices of the Goodland Township Clerk, located at 2374 N. Van Dyke, Imlay City, MI 48444 and is available for public examination or purchase during regular business hours.