

VILLAGE OF HOLLY

ORDINANCE NO. 469

An ordinance to amend the Village of Holly zoning ordinance by amending sections 157.008.

THE VILLAGE OF HOLLY HEREBY ORDAINS:

Section 1. Amendment of Title XV of the Code of Ordinance.

The Village hereby amends Title XV of the Code of Ordinance by amending Chapter 157 Zoning Ordinances, to read as follows:

Section 2. Definitions

The below language will be added to Sec. 157.008 Definitions in the Zoning Ordinances:

A. **Grower** means a licensee that is a commercial entity located in this state that cultivates, dries, trims, or cures and packages marihuana for sale to a processor or provisioning center as defined in the Medical Marihuana Facilities Licensing Act and Michigan Regulation and Taxation of the Marihuana Tracking Act.

B. **Marihuana 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.

C. **Marihuana Retailer/Provisioning Center** means a person licensed to obtain marihuana from marihuana establishments in order to transfer marihuana to marihuana establishments and to individual who are 21 years or older as defined in the Medical Marihuana Facilities Licensing Act and Michigan Regulation and Taxation of the Marihuana Tracking Act.

D. **Processor** means a licensee that is a commercial entity located in this state that purchases marihuana from a grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in packaged form to a provisioning center as defined in the Medical Marihuana Facilities Licensing Act and Michigan Regulation and Taxation of the Marihuana Tracking Act.

E. **Safety Compliance Facility** means a licensee that is a commercial entity that receives marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the marihuana facility as defined in the

Medical Marihuana Facilities Licensing Act and Michigan Regulation and Taxation of the Marihuana Tracking Act.

F. **Secure Transporter** means a licensee that is a commercial entity located in this state that stores marihuana and transports marihuana between marihuana facilities for a fee as defined in the Medical Marihuana Facilities Licensing Act and Michigan Regulation and Taxation of the Marihuana Tracking Act.

Section 3. Zoning Districts

The below language will be added to the below sections:

- A. Sec. 157.074 NOC - Neighborhood Office Commercial Districts:
(B)(5) Safety Compliance Facility

- B. Sec. 157.075 O - Office Districts:
(B)(9) Safety Compliance Facility, see requirements in Sec. 157.130(B)(32)

- C. Sec. 157.077 C - Commercial District:
(B)(11) Marihuana Retailer/Provisioning Center, see requirements in Sec. 157.130(B)(32)
(B)(12) Safety Compliance Facility, see requirements in Sec. 157.130(B)(32)
(B)(13) Marihuana Grower GFA of under 35,000 sq. ft., see requirements in Sec. 157.130(B)(32)
(B)(14) Secure Transporter, see requirements in Sec. 157.130(B)(32)

- D. Sec. 157.078 M - Industrial District
(B)(17) Marihuana Grower GFA of 35,000 sq. ft. or more, see requirements in Sec. 157.130(B)(32)
(B)(18) Marihuana Grower GFA of under 35,000 sq. ft., see requirements in Sec. 157.130(B)(32)
(B)(19) Marihuana Processor, see requirements in Sec. 157.130(B)(32)
(B)(20) Secure Transporter, see requirements in Sec. 157.130(B)(32)

Section 4. Marihuana Requirements

The below language will be added to Sec. 157.130 Special Land Use Specific Requirements:

- A. (A) (32) Marihuana Establishments

- B. (B) (32) Marihuana Establishment
 - (a) Must meet all of the requirements of Ordinance No. 158 Recreational Marijuana Establishments.

(b) Must meet all applicable Village of Holly and State of Michigan marihuana license and other regulation.

Section 5 Off-street Parking

The below language will be added to Section 157.146(B):

<i>Use</i>	<i>Number of Minimum Parking Space Unit of Measure</i>
Business and Commercial	
Marihuana Retailer/Provisioning Center	3 spaces per 1,000 sq. ft. of gross leasable space
Safety Compliance Facility	5 plus 1 space for every 1 ½ employees in the largest working shift
Industrial	
Marihuana Grower	1 per each 1,500 sq. ft. of gross floor area or 1 space per employee at peak shift, whichever is greater
Marihuana Processor	1 per each 1,500 sq. ft. of gross floor area or 1 space per employee at peak shift, whichever is greater
Secure Transporter	5 plus 1 space for every 1 ½ employees in the largest working shift plus 1 space for each corporate vehicle

Section 6. Severability

This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

Section 7. Conflict

All ordinances and provisions of ordinances of the Village of Holly in conflict herewith are hereby repealed.

Section 8. Effective Date.

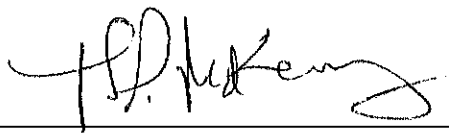
This ordinance shall take effect immediately upon publication.

At a regular meeting of the Village of Holly Council held on February 8, 2022, adoption of the foregoing ordinance was moved by Musgrave and supported by Delaney.

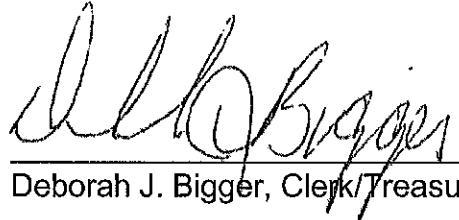
Voting for: Powers, Perkins, Musgrave, Winebrenner, Delaney, Kinnamon, McKenney
Voting against: None

Absent: None

The Village President declared the ordinance adopted.



Thomas P. McKenney, President



Deborah J. Bigger, Clerk/Treasurer

Certification

The foregoing is a true copy of Ordinance No. 469 which was enacted by the Village Council of the Village of Holly at a regular meeting held on February 8, 2022.



Deborah J. Bigger, Clerk/Treasurer