

U. Commercial Medical Marihuana Facilities (added 8-6-18)

- A. A 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 Marihuana Facility shall be located within five hundred (500) feet of any school or publicly maintained park, with the minimum distance between uses measured between the Facility and the nearest property line of the school or publicly maintained park, except that in no instance shall a five hundred (500) foot setback be required from the Kal Haven Trail. No Marihuana Facility shall be located within One hundred and fifty (150) feet of any dwelling unit on an adjacent property. No Marihuana Facility shall be located within thirty (30) feet of a property line.
- 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 follows:
  - 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 a secured access gate. The screening 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 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. All lighting shall be downward directed; wall lighting shall use cut off fixtures. Lighting shall not exceed more than 1 foot candle at any property line. The Planning Commission may require submission of a photometric plan with a special use application.
  - 2. Noise – Noise and vibrations shall be minimized in their effect upon the surrounding area by the use 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 use 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 predominately 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.