

- F. While the Planning Commission may issue a Zoning Exception Permit conditionally, no operation may commence or continue until the required Permit has been issued by the City Clerk and all conditions enumerated in Sections 46-506 and 46-507 are being met.
5. Marihuana Provisioning Centers as defined in PA 281 of 2016, as amended, and Marihuana Retailers, as defined in Initiated Law 1 of 2018, as amended, subject to the following conditions:
- A. All Marihuana Provisioning Centers and Marihuana Retailers must be owned and operated by the licensed grower and be located on the same parcel as the licensed grow facility.
 - B. All such facilities shall hold a valid license for the appropriate operation as issued by the State of Michigan, before the use is commenced.
 - C. The licensee shall have, or shall have applied for, a permit as described in Chapter 46 of the Adrian City Code.
 - D. There is no limit to the number of Marihuana Provisioning Centers or Marihuana Retailers within the Marihuana Overlay District(s). A site may function as both a Provisioning Center and a Retailer.
 - E. No such facility shall be situated within 1000 feet of a school, public or private, including pre-school through college (but not including sports facilities or other accessory uses not located on a school's educational campus).
 - F. No such facility shall be situated within 250 feet of any of the following uses:
 - i) A church or house of worship located in a residential district.
 - ii) A public park or playground.
 - iii) A state licensed day-care facility in the City of Adrian Zoning Ordinance, definition(s) 2.46.
 - iv) A facility that provides substances abuse disorder services as defined by MCL 330.1100d.
 - G. No such facility shall be situated on a site abutting land zoned for single-family residential use (R-1 through R-4).
 - H. Drive-through, drive-up or curb-side service facilities are prohibited.
 - I. A property owner shall have no vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment of this ordinance.
 - J. While the Planning Commission may issue a Zoning Exception Permit conditionally, no operation may commence or continue until the required Permit has been issued by the City Clerk and all conditions associated therewith are being met.



SECTION 23A.9 OVERLAY ZONE MARIHUANA 2 (WEST) (OZM):

The Overlay Zone shall authorize the use of Marihuana Processors, Compliance Facilities, Secure Transporters, Growers, Retailers, and Provisioning Centers subject to a Zoning Exception Permit. The Overlay Zone Marihuana (OZM) applies to properties located entirely within the overlay and for which the underlying zoning designation is either Light

Industrial (I-1) District or General Industrial (I-2) District. The Overlay Zone Marihuana 1 (WEST) applies to all the land so zoned within the following geographic boundaries:

- South of Beecher Street, west of US-223, north of the southern limits of the City, and east of Sand Creek Highway.

All new construction within the OZM must adhere to Area, height, bulk, and placement requirements unless otherwise specified are as provided in Article XXIV Schedule of Regulations, Zoning District.

1. Marihuana Processors as defined in PA 281 of 2016, as amended, and Initiated Law 1 of 2018, as amended, subject to the following conditions:
 - A. All such facilities shall hold a valid License for the appropriate operation as issued by the State of Michigan, before the use is commenced.
 - B. The Licensee shall have, or shall have applied for, a Permit as described in Section of 46-505.
 - C. No equipment or process shall be used in the processing which creates noise, dust, vibration, glare, fumes, odors or electrical interference detectable to the normal senses beyond the property boundaries.
 - D. All processing and operations shall occur within an enclosed building.
 - E. A property owner shall have no vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment of this ordinance.
 - F. While the Planning Commission may issue a Zoning Exception Permit conditionally, no operation may commence or continue until the required Permit has been issued by the City Clerk and all conditions enumerated in Sections 46-506 and 46-507 are being met.
2. Marihuana Compliance Facilities as defined in PA 281 of 2016, as amended, and Initiated Law 1 of 2018, as amended, subject to the following conditions:
 - A. All such facilities shall hold a valid License for the appropriate operation as issued by the State of Michigan, before the use is commenced.
 - B. The Licensee shall have, or shall have applied for, a Permit as described in Section of 46-505.
 - C. No equipment or process shall be used in the testing process which creates noise, dust, vibration, glare, fumes, odors or electrical interference detectable to the normal senses beyond the property boundaries.
 - D. A property owner shall have no vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment of this ordinance.
 - E. While the Planning Commission may issue a Zoning Exception Permit conditionally, no operation may commence or continue until the required Permit has been issued by the City Clerk and all conditions enumerated in Sections 46-506 and 46-507 are being met.

3. Marihuana Secure Transporters as defined in PA 281 of 2016, as amended, and Initiated Law 1 of 2018, as amended, subject to the following conditions
 - A. All such facilities shall hold a valid License for the appropriate operation as issued by the State of Michigan, before the use is commenced.
 - B. The Licensee shall have, or shall have applied for, a Permit as described in Section of 46-505.
 - C. A property owner shall have no vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment of this ordinance.
 - D. While the Planning Commission may issue a Zoning Exception Permit conditionally, no operation may commence or continue until the required Permit has been issued by the City Clerk and all conditions enumerated in Sections 46-506 and 46-507 are being met.

4. Marihuana Growers, including Excess Growers, as defined in PA 281 of 2016, as amended, and Initiated Law 1 of 2018, as amended, subject to the following conditions:
 - A. All such facilities shall hold a valid License for the appropriate operation as issued by the State of Michigan, before the use is commenced.
 - B. The Licensee shall have, or shall have applied for, a Permit as described in Section of 46-505.
 - C. All operations shall occur within an enclosed building. The outdoor growth, cultivation or processing of marijuana plants is prohibited.
 - D. No equipment or process shall be used in the cultivation or processing which creates noise, dust, vibration, glare, fumes, odors or electrical interference detectable to the normal senses beyond the property boundaries.
 - E. A property owner shall have no vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment of this ordinance.
 - F. While the Planning Commission may issue a Zoning Exception Permit conditionally, no operation may commence or continue until the required Permit has been issued by the City Clerk and all conditions enumerated in Sections 46-506 and 46-507 are being met.

5. Marihuana Provisioning Centers as defined in PA 281 of 2016, as amended, and Marihuana Retailers, as defined in Initiated Law 1 of 2018, as amended, subject to the following conditions:
 - A. All Marihuana Provisioning Centers and Marihuana Retailers must be owned and operated by the licensed grower and be located on the same parcel as the licensed grow facility.
 - B. All such facilities shall hold a valid license for the appropriate operation as issued by the State of Michigan, before the use is commenced.
 - C. The licensee shall have, or shall have applied for, a permit as described in Chapter 46 of the Adrian City Code.
 - D. There is no limit to the number of Marihuana Provisioning Centers or Marihuana Retailers within the Marihuana Overlay District(s). A site may function as both a Provisioning Center and a Retailer.

- E. No such facility shall be situated within 1000 feet of a school, public or private, including pre-school through college (but not including sports facilities or other accessory uses not located on a school's educational campus).
- F. No such facility shall be situated within 250 feet of any of the following uses:
 - i) A church or house of worship located in a residential district.
 - ii) A public park or playground.
 - iii) A state licensed day-care facility in the City of Adrian Zoning Ordinance, definition(s) 2.46.
 - iv) A facility that provides substances abuse disorder services as defined by MCL 330.1100d.
- G. No such facility shall be situated on a site abutting land zoned for single-family residential use (R-1 through R-4).
- H. Drive-through, drive-up or curbside service facilities are prohibited.
- I. A property owner shall have no vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment of this ordinance.
- J. While the Planning Commission may issue a Zoning Exception Permit conditionally, no operation may commence or continue until the required Permit has been issued by the City Clerk and all conditions associated therewith are being met.