

ZONING ORDINANCE NO. 2021-03

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF DAVISON TO

- **AMEND CHAPTER 1291, REGARDING THE LOCATION OF THE MM MEDICAL MARIHUANA OVERLAY DISTRICT.**

The City of Davison ordains:

CHAPTER 1291 – MM Medical Marihuana Overlay District.

Chapter 1291.04 of the City of Davison's Zoning Ordinance, MM Medical Marihuana Overlay District, is hereby amended, as follows:

1291.04. Site Development Location.

- Only one Medical Marihuana Facility is permitted per parcel or lot.
- A separation distance of five hundred (500) feet is required from any other Medical Marihuana Facility or a marihuana establishment.
- ~~The distances described in this section shall be computed by direct measurement in a straight line from the nearest property line of the land used for the purposes stated in this section above to the nearest property line for the property on which the Medical Marihuana Facility is located. A Medical Marihuana Facility is not permitted within seven hundred (700) feet of any private or public elementary or secondary school (K-12), church, library, public park, licensed day care center, or property zoned A-1, A-2, or A-3 Residential.~~
- ~~The distances described in this section shall be computed by direct measurement in a straight line from the nearest property line of the land used for the purposes stated in this section above to the nearest property line for the property on which the Medical Marihuana Facility is located. The Medical Marihuana Overlay District shall consist of properties that are located in the Commercial Central Business District (C-1). The provisions and restrictions of this chapter shall be considered to apply in addition to, and, where applicable, instead of, the provisions of the underlying zoning district shown on the official Zoning Map, sufficient to fulfill the purposes of this chapter.~~
- The separation distances contained in this section are applicable to Marihuana facilities and establishments located in adjacent governmental jurisdictions.
- A Medical Marihuana Facility is not permitted on the same property or parcel or within the same building where any of the following are located: a package liquor store, a convenience store that sells alcoholic beverages or a fueling station that sells alcoholic beverages.

Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or

existing, under any act or ordinance hereby revised as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

If any of the standards set forth in this amendment conflict with any other standards of previous or further ordinances or amendments, the stricter standards shall apply.

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

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

This ordinance shall take effect seven (7) days after notice of ordinance adoption has been published as required by MCL 125.3401, but not less than ten (10) days after it has passed as required by Charter.

Adopted, enacted and ordained by the City of Davison City Council this 10th day of May 2021.



Tim Bishop
Its Mayor



Andrea Schroeder
Its Clerk