

ARTICLE XIV C

MBO – MARIHUANA BUSINESS OVERLAY

(added 5-1-23)

Section 14C.01 PURPOSE.

This Overlay District is intended provide suitable locations for adult-use marihuana establishments that are otherwise authorized under state law and the Township's Code of Ordinances and Zoning Ordinance, taking into account neighboring land uses, natural resources, and quiet, comfort, and repose of the community.

Section 14C.02 DELINEATION OF THE MARIHUANA BUSINESS OVERLAY ZONE.

- A. The Marihuana Business Overlay Zone overlays existing zoning districts delineated on the official South Haven Charter Township Zoning Map. The boundaries of the Marihuana Business Overlay Zone are depicted on Zoning Map, incorporated herein by reference.
- B. If there are disputes as to the location of a Marihuana Business Overlay Zone boundary, the Zoning Board of Appeals will resolve the dispute in accordance with the Zoning Ordinance.
- C. In addition to other requirements of this Ordinance applicable to development in the underlying zoning district, compliance with the requirements of this Chapter is required for all development occurring within the Marihuana Business Overlay Zone.

Section 14C.03 PERMITTED USES.

There are no uses permitted by right in the Marihuana Business Overlay Zone, other than uses permitted by right in the underlying zoning districts.

Section 14C.04 SPECIAL USES.

The following uses are permitted following approval by the Planning Commission as a Special Use and as regulated by Article XV of the Zoning Ordinance:

- A. Adult-use marihuana retailers authorized under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951 *et seq*, subject to Ordinance No. 153 and this Zoning Ordinance.