

**TOWNSHIP BOARD
YATES TOWNSHIP
LAKE COUNTY, MICHIGAN**

(Ordinance No. 2025- ____)

At a regular meeting of the Township Board for Yates Township held at Township Hall on _____, 2025, the following Ordinance was offered for adoption by Board Member _____ and was seconded by Board Member _____:

AN ORDINANCE TO AMEND ARTICLE 2, SECTION 33.6, SECTION 8.03, ARTICLE 13, ARTICLE 14, AND ARTICLE 19 OF THE YATES TOWNSHIP ZONING ORDINANCE.

THE TOWNSHIP OF YATES (the “Township”) ORDAINS:

Article 1. Amendment of article 2. Article 2 of the Yates Township Zoning Ordinance entitled “Definitions and Rules of Construction” is amended as follows:

Section 2.62 is amended in its entirety to read as follows:

Section 2.62 Medical Marihuana Facility

Medical marihuana facility means a marihuana facility as defined in and regulated by the Medical Marihuana Facilities Licensing Act, PA 281 of 2016 (MCL 333.27101 *et seq.*), as amended.

Section 2.73A is added and reads in its entirety as follows:

Section 2.73A Recreational Marihuana Establishment

Recreational marihuana establishment means a marihuana establishment as defined in and regulated by the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended. This term includes designated consumption establishments, temporary marihuana events, and any other specialty license type authorized by the State of Michigan Cannabis Regulatory Agency or its successor agency.

Section 2.73B is added and reads in its entirety as follows:

Section 2.73B Recreational Marihuana Grower

Recreational marihuana grower means a marihuana grower as defined in and regulated by the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended. This term includes class A recreational marihuana growers which are authorized cultivation of not more than 100 marihuana plants by the state; class B

marihuana growers which are authorized cultivation of not more than 500 marihuana plants by the state; and class C marihuana growers which are authorized cultivation of not more than 2,000 marihuana plants by the state.

Section 2.73C is added and reads in its entirety as follows:

Section 2.73C Recreational Marihuana Microbusiness

Recreational marihuana microbusiness means a marihuana microbusiness as defined in and regulated by the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

Section 2.73D is added and reads in its entirety as follows:

Section 2.73D Recreational Marihuana Processor

Recreational marihuana processor means a marihuana processor as defined in and regulated by the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

Section 2.73E is added and reads in its entirety as follows:

Section 2.73E Recreational Marihuana Retailer

Recreational marihuana retailer means a marihuana retailer as defined in and regulated by the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

Section 2.73F is added and reads in its entirety as follows:

Section 2.73F Recreational Marihuana Safety Compliance Facility

Recreational marihuana safety compliance facility means a marihuana safety compliance facility as defined in and regulated by the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

Section 2.73G is added and reads in its entirety as follows:

Section 2.73G Recreational Marihuana Secure Transporter

Recreational marihuana secure transporter means a marihuana secure transporter as defined in and regulated by the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

Article 2. Amendment of section 3.66. Article 3 section 3.66 of the Yates Township Zoning Ordinance entitled “Prohibition of Certain Marijuana Establishments and Facilities” is amended to read in its entirety as follows:

Sec. 3.66 Marihuana Businesses.

A. Except as specifically authorized in this Ordinance, recreational marihuana establishments are prohibited within the Township. Regardless of any zoning approvals under this Ordinance, recreational marihuana establishments must comply with all Township licensing and other regulatory requirements.

B. Medical marihuana facilities are prohibited within the Township.

Article 3. Amendment of section 8.03. Article 8 section 8.03 of the Yates Township Zoning Ordinance entitled “Special Use” is amended to add the following to the list of uses authorized as a special use in the “A” Agriculture Zoning District:

The following recreational marihuana establishments are authorized as a special land use: Class C recreational marihuana grower; marihuana processor, and marihuana secure transporter.

Article 4. Amendment of article 13. Article 13 of the Yates Township Zoning Ordinance entitled “‘CH’ Highway Commercial Zoning District” is amended to add section 13.02A as follows:

13.02A Special Uses

The following recreational marihuana establishments are authorized as a special land use: Class C recreational marihuana grower; marihuana processor, and marihuana secure transporter.

Article 5. Amendment of article 14. Article 14 of the Yates Township Zoning Ordinance entitled “‘I’ Industrial Zoning District” is amended to add section 14.02A as follows:

14.02A Special Uses

The following recreational marihuana establishments are authorized as a special land use: Class C recreational marihuana grower; marihuana processor, and marihuana secure transporter.

Article 6. Amendment of article 19. Article 19 of the Yates Township Zoning Ordinance entitled “Special Land Uses” is amended to add section 19.18 as follows:

Section 19.18 Recreational Marihuana Establishments.

Recreational marihuana establishments authorized as a special land use must comply with the following specific requirements:

- A. Recreational marihuana establishments may not be located within 1,500 feet of pre-existing public or private schools which provide education in kindergarten or any of grades 1 through 12. Distance is measured as the shortest straight-line distance between lots upon which the uses are located.
- B. Recreational marihuana establishments may not be located within 1,000 feet of any pre-existing church, synagogue, mosque, or other place of religious worship; Idlewild Historic Site as identified in section 4.02; camp or campground; or public park. Distance is measured as the shortest straight-line distance between lots upon which the uses are located.
- C. Recreational marihuana establishments may not be located within 100 feet of any lot for which a dwelling or accessory dwelling is a pre-existing use. Distance is measured as the shortest straight-line distance between lots.
- D. All cultivation of marihuana by recreational marihuana establishments must occur inside an enclosed permanent building.
- E. Compliance with all Township recreational marihuana establishment licensing and other regulatory requirements as a condition of special land use approval.

7. Repealer. All parts of the Yates Township Zoning Ordinance in conflict with this Ordinance are repealed to the extent of any such conflict.

Article 8. Conflict. Nothing in the Ordinance shall be construed in such a manner so as to conflict with the laws of the State of Michigan.

Article 9. Savings Clause. The provisions of this Ordinance are severable. If any provision of this Ordinance is declared void or inoperable for any reason by a court of competent jurisdiction, such a declaration shall not void any or render inoperable any other part or portion of this Ordinance.

Article 10. Effective Date. Except as otherwise provided by law, this Ordinance is effective upon the expiration of the seventh day following its publication in the manner required by law.

The vote regarding the adoption of this Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

Kurt Johnson
Township Supervisor

Barbara McGregory
Township Clerk

CERTIFICATION

I hereby certify that the foregoing Ordinance was adopted by the Township Board for the Yates Township, Lake County, Michigan, at a regular meeting of the Township Board duly called and held on _____, 2025.

By:

Barbara McGregory
Township Clerk

Planning Commission Public Hearing:
Submission to County Planning Commission:
Submission to Township Board:
Adopted:
Publication (date / paper):
Effective: