

effective 6/16/17]

7. Within the R-2 district, a Hotel shall front on and be accessed primarily from a key street segment, as defined herein.
8. All signs shall be in compliance with the provisions of [Article 21](#) of this Ordinance.
9. All off-street parking shall be in compliance with [Section 514](#) of this Ordinance, except off-street parking for overnight guests may be located off-site, but not more than two (200) feet from the facility.
10. Landscaping and Buffering shall be provided in accordance with [Section 531](#) of this Zoning Ordinance.
11. Any failure on the part of the operator to maintain proper licensing shall be grounds for the revocation of a special use permit for a hotel.

## **SECTION 1850 LAUNDRY AND DRY CLEANING ESTABLISHMENT**

**A. Definition.** A service business which provides washers and dryers and other facilities for rental use to the general public for cleaning garments, bedclothes, and other household and personal materials and a facility which provides cleaning and dry cleaning services to the general public.

### **B. Regulations and Conditions.**

1. Pursuant to **Section 520** hereof, all storage tanks or other facilities used to store hazardous, toxic, odorous, explosive or flammable substances shall be equipped with appropriate containment structures or equipment; to prevent any migration of such substances into the groundwater or surface waters of the City; and to prevent said substances from being perceptible outside such containment.
2. All dumpster enclosures shall be in accordance with [Section 506](#) of this Zoning Ordinance. [Annotation: Changed to reflect Section 506 Dumpsters and Enclosures by Amendment Z17-05, effective 6/16/17]
3. All signs shall be in compliance with the provisions of [Article 21](#) of this Ordinance.
4. All off-street parking shall be in compliance with [Section 514](#) of this Ordinance.
5. Landscaping and Buffering shall be provided in accordance with [Section 531](#) of this Zoning Ordinance.
6. The Planning Commission may impose hours of operation limitations to protect the character of surrounding uses.
7. A Laundry or dry cleaning facility located in the C-2 district shall front on and be accessed from a key street segment, as defined herein.

## **SECTION 1851 MARIHUANA FACILITIES**

**A. Definition.** Marihuana Facilities means an enterprise at a specific location at which a licensee is licensed to operate under the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq., including a marihuana grower, marihuana processor, marihuana

provisioning center, marihuana secure transporter, or marihuana safety compliance facility. The term does not include or apply to a “primary caregiver” or “caregiver” as that term is defined in the Michigan Medical Marihuana Act, MCL 333.26421 et seq.

**B. Regulations and Conditions.**

1. A marihuana grower, marihuana processor, marihuana secure transporter, and marihuana safety compliance facility, in accordance with the provisions of state law, may be permitted through the issuance of a special use permit pursuant to Article 18 Standards and Requirements for Special Uses provided that:
  - a. In the P-D District such uses shall be permitted only as part of a mixed use building or development in which no more than forty-nine percent (49%) of the combined floor area of a building or buildings within the development are utilized and shall be further regulated by the provisions of [Section 1858](#).
  - b. At the time of application for a special use permit the marihuana facility must be licensed by the State of Michigan and then must be at all times in compliance with the laws of the State of Michigan including but not limited to the Michigan Medical Marihuana Act, MCL 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.; and the Marihuana Tracking Act, MCL 333.27901 et seq.; and all other applicable rules promulgated by the State of Michigan.
  - c. The use or facility must be at all times in compliance with [Chapter 866 Medical Marihuana Facilities](#) all other applicable laws and ordinances of the City of Manistee.
  - d. A marihuana facility, or activities associated with the licensed growing, processing, testing, transporting, or sales of marihuana , may not be permitted as a home business or accessory use nor may they include accessory uses except as otherwise provided in this ordinance.
2. **Marihuana Growers and Marihuana Processors.** Marihuana growers and marihuana processors shall be subject to the following standards:
  - a. Odor. As used in this subsection, building means the building, or portion thereof, used for marihuana production or marihuana processing.
    - 1) The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.
    - 2) The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter (s) shall be rated for the applicable CFM.
    - 3) The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every 365 days.
    - 4) Negative air pressure shall be maintained inside the building.
    - 5) Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.
    - 6) An alternative odor control system is permitted if the special use permit applicant submits and the municipality accepts a report by a mechanical

engineer licensed in the State of Michigan demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required. The municipality may hire an outside expert to review the alternative system design and advise as to its comparability and whether in the opinion of the expert it should be accepted.

- b. All off-street parking shall be in compliance with [Section 514](#) of this Ordinance.
  - c. Landscaping and Buffering shall be provided in accordance with [Section 531](#) of this Zoning Ordinance.
  - d. All exterior lighting shall be in accordance with [Section 525](#) hereof.
3. **Marihuana Safety Compliance Facility.** All activities of a marihuana safety compliance facility, including all transfers of marihuana, shall be conducted within the structure and out of public view.
  4. **Marihuana Secure Transporter.** A marihuana secure transporter shall be subject to the special regulations and standards applicable to [Section 1889 Warehouse, Public](#) uses in the Ordinance. [Annotation: Section 1851 Marihuana Facilities was added by amendment Z18-03, effective March 2,2018]

## **SECTION 1852 MARINA**

- A. Definition.** A facility, including three (3) or more waterfront boat slips, which provides for the servicing, storing, fueling, berthing, and securing of boats and that may include a communication tower, eating, sleeping, and retail facilities intended primarily for the owners, crews, and guests of boat owners using the marina. [Annotation: Definition of Marina was amended by adding “communication tower” by Amendment Z12-01, effective 6/19/12]
- B. Regulations and Conditions.**
  1. Such facilities shall maintain, at all times, all required state and local licenses and permits.
  2. Marinas shall be located only on parcels contiguous to, and with direct access to, navigable water.
  3. Marinas shall not interfere with riparian interests or the integrity and quality of the water body.
  4. Vehicular ingress and egress to the marina shall be within the riparian owner’s interest area, or written authorization shall be secured from an adjacent property owner granting such access.
  5. All Marinas shall be similar in architectural design, scale and character to adjacent structures and activities in the vicinity.
  6. The increased use of the water body associated with the marina shall not create congestion, reduce safety, or aggravate existing congestion and safety problems currently recognized. Marinas shall not constitute any navigational hazards, as determined by the Planning Commission.