

ORDINANCE NO. 248-A-93

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF WESTLAND BY AMENDING ARTICLE IX, SECTIONS 9.3, 9.4, 9.5, 9.7, AND 9.8, AND ARTICLE X, SECTION 10.3, OF CHAPTER 110, TO ALLOW MARIJUANA BUSINESSES IN OFFICE, COMMERCIAL, AND INDUSTRIAL DISTRICTS

Section 1. Sections 9.3, 9.4, 9.5, 9.7, and 9.8 of Article IX, and Section 10.3 of Article X of Chapter 110 of the Code of Ordinances are hereby amended to read as follows:

“SECTION 110-9.3

OB OFFICE BUSINESS DISTRICT

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9.3.2 Special land uses.

- a. Any permitted principal use in the CB-1 or CB-2 districts shall be permitted as a special land use in the OB business district subject to the standards and approval requirements as provided in article XIII and subject further to the requirement that such special land use or combination of special land uses shall not occupy more than 25 percent of the structure in which it is located or the complex of structures on the same zoning lot on which it is located.
- b. Establishments other than drive-in or drive-through restaurants that sell prepared food such as ice cream, baked goods, and pizza, for take out.
- c. Institutional and related uses as listed below:
 - Child care centers and nursery schools.
 - Cultural facilities, as follows:
 - Public libraries and public art galleries.
 - Public museums and aquariums.
 - Educational facilities (nonboarding) as follows:
 - Elementary schools.
 - Junior and senior high schools.
 - Colleges and universities.
 - Essential services for which special land use is required in accordance with section 110-6.3.
 - Recreation and social facilities, as follows:

Golf courses, golf driving ranges, pitch and putt, or miniature golf courses, recreational buildings and community centers, noncommercial.

Swimming pools, noncommercial.

Tennis clubs and courts, noncommercial.

Religious institutions, as follows:

Churches, chapels, temples, and synagogues.

Rectories, parsonages, and parish houses.

Extended health care facilities as follows:

Hospitals.

Sanitariums.

Nursing and convalescent homes.

d. Marijuana provisioning centers/retailers, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.

e. Marijuana safety compliance facilities, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.

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SECTION 110-9.4

CB-1 LOW INTENSITY COMMERCIAL BUSINESS DISTRICT

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9.4.2 Special land uses.

- a. Any permitted principal use in the CB-2 district shall be permitted as a special land use in the CB-1 low intensity commercial business district subject to the standards and approval requirements as provided in article XIII and subject further to the requirement that such special land uses or combination of special land uses shall not occupy more than 25 percent of the structure in which it is located or the complex of structures in the same zoning lot on which it is located.
- b. Restaurants and establishments serving alcoholic beverages for consumption on the premises shall be permitted as special land uses in the CB-1 district subject to the standards and approval requirements as provided in article XIII.
- c. Institutional and related uses as listed below shall be permitted as special land uses in the CB-1 low intensity commercial business district subject to the standards and approval requirements as provided in article XIII. Such uses shall include:
Child-care centers and nursery schools.

Cultural facilities, as follows:

Public libraries and public art galleries.

Public museums and aquariums.

Educational facilities (nonboarding), as follows:

Elementary schools.

Junior and senior high schools.

Colleges and universities.

Essential services for which special land use approval is required in accordance with section 110-6.3.

Extended health care facilities, as follows:

Hospitals.

Sanitariums.

Nursing and convalescent homes.

Public service uses and buildings, as follows:

Public administration buildings, local, county, state, and federal.

Fire stations.

Police stations.

Recreation and social facilities, as follows:

Golf courses, golf driving ranges, pitch and putt, or miniature golf courses.

Recreational buildings and community centers, noncommercial.

Swimming pools, noncommercial.

Tennis clubs and courts, noncommercial.

Religious institutions, as follows:

Churches, chapels, temples, and synagogues.

Rectories, parsonages and parish houses.

d. Automobile accessory stores, provided no installation of accessories or parts occur on the premises.

e. Drug stores and pharmacies.

f. Clothing stores.

g. Marijuana provisioning centers/retailers, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.

h. Marijuana safety compliance facilities, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.

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SECTION 110-9.5

CB-2 SHOPPING CENTER COMMERCIAL BUSINESS DISTRICT

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9.5.2 Special land uses.

- a. Any permitted principal use in the CB-3 district shall be permitted as a special land use in the CB-2 shopping center commercial business district subject to the standards and approval requirements as provided in article XIII and subject further to the requirement that such special land uses or combination of special land uses shall not occupy more than 25 percent of the structure in which it is located or the complex of structures in the same zoning lot on which it is located.
- b. Standard restaurants, fast-food restaurants, and establishments serving alcoholic beverages for consumption on the premises shall be permitted as special land uses in the CB-2 shopping center commercial business district subject to the standards and approval requirements as provided in article XIII.
- c. Institutional and related uses as listed below shall be permitted as special land uses in the CB-2 shopping center commercial business district subject to the standards and approval requirements as provided in article XIII. Such uses shall include:

Child-care centers and nursery schools.

Cultural facilities, as follows:

Public libraries and public art galleries.

Public museums and aquariums.

Educational facilities (nonboarding), as follows:

Elementary schools.

Junior and senior high schools.

Colleges and universities.

Essential services for which special land use approval is required in accordance with section 110-6.3.

Extended health care facilities, as follows:

Hospitals.

Sanitariums.

Nursing and convalescent homes.

Public service uses and buildings, as follows:

Public administration buildings, local, county, state, and federal.

Fire stations.

Police stations.

Recreation and social facilities, as follows:

Golf courses golf driving ranges, pitch and putt, or miniature golf courses.

Recreational buildings and community centers, noncommercial.

Swimming pools, noncommercial.

Tennis club and courts, noncommercial.

d. Auto accessory stores, provided no installation of accessories or parts occur on the premises.

e. Drug stores and pharmacies.

f. Clothing stores.

g. Marijuana provisioning centers/retailers, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.

h. Marijuana safety compliance facilities, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.

SECTION 110-9.7

CB-4 VEHICLE SERVICE DISTRICT

9.7.2 *Special land uses.* The following land and/or structure uses are permitted as special land uses in the CB-4 vehicle service district subject to the standards and approval requirements as set forth in article XIII:

a. Standard restaurants, drive-in restaurants, fast-food restaurants, and drive-through restaurants.

b. Automobile service facilities involving major repairs such as body repair, painting, and engine rebuilding as regulated by article X, subsection 110-10.3.1.d and article XI.

c. Gasoline service stations with convenience food store or food shop that sell prepared food such as milk, bread, baked goods, etc. for carry-out.

- d. Any principal use permitted in the OB office business district.
- e. Marijuana provisioning centers/retailers, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.**
- f. Marijuana safety compliance facilities, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.**

SECTION 110-9.8

FORD ROAD OVERLAY DISTRICT (FROD)

9.8.4 *Special land uses.* The following uses may be permitted as special land uses in the FROD district:

- a. Drive through windows.
- b. Drug stores and pharmacies.
- c. Hotel or motel.
- d. Institutional uses (see section 110-9.5.2 for a listing of uses, excluding recreation and social facilities).
- e. Marijuana provisioning centers/retailers, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.**
- f. Marijuana safety compliance facilities, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.**

SECTION 110-10.3

I-1 LIGHT INDUSTRIAL DISTRICT

10.3.3 *Special land uses.* The following land and/or structure uses are permitted as special land uses in the I-1 light industrial district subject to the standards and approval requirements set forth in article XIII and provided such uses are not in conflict with the provisions of subsection 10.3.1:

- a. Fringe commercial uses. Such commercial uses shall be limited to:
 - Amusement establishments, including bowling alleys, dance hall, gymnasiums, pool halls, skating rinks and swimming pools.
 - Art, sculptor, and composer studios.
 - Auction rooms.

Auto, truck and recreation vehicle repair.

Automobile accessory stores.

Automobile and light truck sales establishments.

Automobile service stations.

Automobile washing establishments.

Bicycle sale, rental, and repair shops.

Blueprinting and photostating establishments.

Boat showrooms, sales and repair establishments.

Building materials and products sales and storage establishments.

Catering establishments.

Clubs and lodges, private.

Drive-in facilities for uses permitted.

Dry cleaning and laundry establishments.

Educational services, commercial, including trade and vocational schools.

Electrical showrooms and shops.

Exterminating shops.

Farm implement stores.

Food storage lockers.

Fuel and ice sales establishments.

Garden supply, tool, seed and feed stores.

Garages for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding as regulated by article X, subsection 10.3.1(d) and article XI.

Greenhouses and nurseries.

Ice sales.

Kennels machinery sales.

Locksmith shops.

Mail order and catalog stores.

Meeting halls.

Milk distributing stations excluding bottling.

Mobile home sales and rentals.

Model homes and garage displays.

Motor vehicle sales, new and used.

Mortuaries and funeral homes.

Newspaper distributing agencies.

Parking lots and garages.

Parks and playgrounds.

Physical culture and health services including gymnasiums, reducing and massage salons, and public baths.

Plumbing showrooms and shops.

Printing and publishing shops.

Recreational vehicle storage as regulated by article IX, subsection 110-9.7.7.

Rental of automobiles, trucks, trailers or recreation vehicles.

Restaurants serving food and alcoholic beverages for consumption within the building, but not having the character or a carry-out, drive-in, or drive-through facility.

Secondhand stores and rummage shops.

Taxidermists.

Theaters, indoor and outdoor.

Trailer and camper sales and rental — for uses with private passenger motor vehicles.

Veterinary establishments.

Warehouses for families and small businesses.

b. Chemical processing and production.

c. Cosmetics production.

d. Food manufacture, packaging, and processing.

e. Freight terminals.

f. Sewage treatment plants, municipal.

g. Shooting ranges, including, but not limited to, the firing of guns and/or bows and arrows, provided that such a facility is completely enclosed and sound proofed.

- h. Marijuana secure transporters, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.**
- i. Marijuana microbusinesses, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.**
- j. Marijuana collocated facilities, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.**
- k. Marijuana safety compliance facilities, subject to the provisions and regulations of Chapter 27 of the Westland Code of Ordinances.**

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Section 2. That all other provisions of the Westland City Code shall remain in full force and effect.

Section 3. Severability. 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.

Section 4. Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

Section 5. Publication. The City Clerk shall cause this Ordinance to be published in the manner required by law.

Section 6. Effective Date. This Ordinance shall take effect on November 1, 2019.

ON MOTION OF Johnson, SUPPORTED BY Herzberg, the foregoing Ordinance was adopted by the following vote:

ROLL CALL:	AYE <u>Hammons</u> Hart Herzberg Johnson Londeau Godbout	NAY <u>Green</u>	ABSENT <u>None</u>
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Adopted: October 21, 2019
Effective: November 1, 2019
Published: October 31, 2019