

210047

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning, Article IV, B Two-Family District, and Article IV.1 B-1 Townhouse District, by repealing said Articles and adopting Article IV, Commercial Zone Districts, which shall read in its entirety as follows:

ARTICLE 4 – COMMERCIAL ZONE DISTRICTS

§ 50-26. CC CITY CORRIDOR: PURPOSE AND INTENT

THE CC CITY CORRIDOR DISTRICT IS INTENDED TO ACCOMMODATE A WIDE RANGE OF COMMERCIAL AND INSTITUTIONAL USES STRUNG ALONG FLINT'S MAJOR ROADWAYS. RETAIL, SERVICE, AND EMPLOYMENT ARE THE PRIMARY USES WITH STRUCTURES ORIENTED TOWARD THE ROADWAY. DEVELOPMENT MAY BE AUTO-ORIENTED IN NATURE, BUT WITH AMENITIES SUCH AS SIDEWALKS, BENCHES, PEDESTRIAN-SCALE LIGHTING, AND LANDSCAPING THAT MAKE IT EASY FOR RESIDENTS AND VISITORS TO TRAVERSE THE CORRIDOR. MULTI-FAMILY RESIDENTIAL AND MIXED-USE DEVELOPMENT WITH

RESIDENTIAL ON THE UPPER FLOORS IS ALSO PERMITTED. DUPLEXES AND ATTACHED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT SUCH AS ROWHOMES ARE ALLOWED AS A SPECIAL LAND USE WHERE THEY WILL SERVE AS A TRANSITION BETWEEN CITY CORRIDOR AND A LOWER DENSITY RESIDENTIAL DISTRICT.

§ 50-27. NC NEIGHBORHOOD CENTER: PURPOSE AND INTENT

THE NC NEIGHBORHOOD CENTER DISTRICT IS INTENDED TO ACCOMMODATE A VARIETY OF LOCAL-SERVING COMMERCIAL USES THAT PROVIDE DAILY GOODS AND SERVICES TO SURROUNDING NEIGHBORHOODS. STAND-ALONE RETAILERS AND SMALL MIXED-USE BUILDINGS ARE THE PREDOMINANT COMMERCIAL USE WITHIN A NEIGHBORHOOD CENTER, WHILE RETAIL CENTERS ARE PERMITTED ON A LIMITED SCALE. INSTITUTIONAL AND CULTURAL USES, INCLUDING SCHOOLS, CHURCHES, AND COMMUNITY CENTERS, AS WELL AS MULTI-FAMILY RESIDENTIAL USES MAY ALSO BE PERMITTED. ALL NEIGHBORHOOD CENTER USES MUST BE COMPATIBLE WITH THE ADJACENT AND SURROUNDING RESIDENTIAL AREAS AND CONTRIBUTE TO NEIGHBORHOOD CHARACTER, VIABILITY, AND ATTRACTIVENESS.

**§ 50-28. D-E DOWNTOWN EDGE:
PURPOSE AND INTENT**

THE D-E DOWNTOWN EDGE DISTRICT IS INTENDED TO ACCOMMODATE A DYNAMIC MIX OF COMMERCIAL, EMPLOYMENT, RESIDENTIAL, AND PUBLIC USES THAT TOGETHER FOSTER AN ACTIVE PEDESTRIAN-ORIENTED AREA. COMMERCIAL USES ARE PREDOMINANT, BUT MIXED-USE BUILDINGS ARE ALSO COMMON. THE D-E DISTRICT MAKES UP THE MAJORITY OF THE COMMUNITY'S CENTRAL BUSINESS DISTRICT AND SURROUNDS THE SMALLER D-C DOWNTOWN CORE DISTRICT. DEVELOPMENT IN THE D-E DISTRICT IS GENERALLY LESS INTENSE THAN WHAT IS TYPICAL FOR THE ADJACENT D-C DISTRICT, PROVIDING A TRANSITION TO SURROUNDING MIXED RESIDENTIAL AND COMMERCIAL AREAS.

**§ 50-29. D-C DOWNTOWN CORE:
PURPOSE AND INTENT**

THE D-C DOWNTOWN CORE DISTRICT IS INTENDED TO ACCOMMODATE THE UNIQUE AND VIBRANT MIXED-USE AREA LOCATED ALONG SAGINAW STREET ROUGHLY BETWEEN THE FLINT RIVER AND INTERSTATE 69. SINGLE-PURPOSE BUILDINGS MAY EXIST, BUT MIXED-USE BUILDINGS SHOULD PREDOMINATE, TYPICALLY CONSISTING OF DINING OR RETAIL USES ON THE GROUND FLOOR, AND OFFICE OR MULTI-FAMILY RESIDENTIAL USES ABOVE. THIS DISTRICT IS THE HIGHEST

INTENSITY DISTRICT WITHIN THE COMMUNITY AND ALL DEVELOPMENT SHOULD BE PEDESTRIAN-ORIENTED WITH BUILDINGS LOCATED AT OR NEAR THE SIDEWALK'S EDGE.

§ 50-30. PERMITTED USES

ARTICLE 16 DEFINITIONS SHALL BE REFERRED TO FOR CLARITY ON THE USES AS LISTED.

A. LAND USES. USES ARE ALLOWED IN RESIDENTIAL ZONE DISTRICTS IN ACCORDANCE WITH TABLE 50-30. USES: COMMERCIAL ZONE DISTRICTS. THE FOLLOWING KEY IS TO BE USED IN CONJUNCTION WITH THE USE TABLE.

1. PERMITTED USES. USES PERMITTED BY RIGHT IN THE ZONE DISTRICT, SUBJECT TO COMPLIANCE WITH ALL OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER. THESE USES ARE IDENTIFIED WITH A "p."

2. SPECIAL LAND USES. USES WHICH MAY BE ALLOWED SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING COMMISSION IN ACCORDANCE

WITH ARTICLE 17
AND WITH ALL
OTHER
APPLICABLE
REQUIREMENTS OF
THIS CHAPTER.
THESE USES ARE
IDENTIFIED WITH
AN "S."

3. ADDITIONALLY
REGULATED USES.
USES WHICH MAY
BE ALLOWED
SUBJECT TO
REVIEW AND
APPROVAL BY THE
PLANNING
COMMISSION IN
ACCORDANCE
WITH ARTICLE 17
AND WITH ALL
OTHER
APPLICABLE
REQUIREMENTS OF
THIS CHAPTER,
INCLUDING
LIMITING
CONDITIONS
SPECIFIED IN
ARTICLE 9. THESE
USES ARE
IDENTIFIED WITH
"ARU".

4. ACCESSORY USES.
USES WHICH ARE
PERMITTED BY
RIGHT, ASSUMING
THEY ARE NOT THE
PRIMARY USE ON
THE SIGHT AND
THAT THEY ARE IN
COMPLIANCE WITH
ALL OTHER
APPLICABLE
REQUIREMENTS OF
THIS CHAPTER.
THESE USES ARE

IDENTIFIED WITH
AN "A."

5. USES NOT
ALLOWED. A CELL
WHICH IS LEFT
BLANK INDICATES
THAT THE LISTED
USE IS NOT
ALLOWED IN THAT
ZONE DISTRICT.

6. USE REGULATIONS.
MANY ALLOWED
USES, WHETHER
PERMITTED BY
RIGHT OR AS A
SPECIAL LAND USE,
ARE SUBJECT TO
COMPLIANCE WITH
ARTICLE 9.

7. UNLISTED USES. IN
GENERAL
UNLISTED USES ARE
PROHIBITED.
HOWEVER, IF AN
APPLICATION IS
SUBMITTED FOR A
USE NOT LISTED,
THE ZONING
COORDINATOR
SHALL MAKE A
DETERMINATION
AS TO THE PROPER
ZONE DISTRICT
AND USE
CLASSIFICATION
FOR THE NEW OR
UNLISTED USE. IF
THE UNLISTED USE
IS SIMILAR TO AN
EXISTING
PERMITTED USE IN
THE SAME ZONE
DISTRICT AND FITS
THE INTENT OF
THE ZONE
DISTRICT, THE

ZONING
COORDINATOR
MAY DETERMINE
THAT THE
UNLISTED USE IS
PERMITTED.

8. PARKING
STANDARDS.
PARKING
REQUIREMENTS
ARE LOCATED IN
ARTICLE 12
PARKING, LOADING
AND CIRCULATION.

9. LEVEL OF REVIEW
FOR MIXED-USE
PROJECTS. THE
LEVEL OF REVIEW
FOR A PROJECT
WITH MULTIPLE
USES BEING
DEVELOPED
SIMULTANEOUSLY
SHALL BE THE
SAME AS THE
HIGHEST LEVEL OF
REVIEW OF THE
INDIVIDUAL USES.

ATTACHMENT:
TABLE 50-30A (EXHIBIT 13)

§ 50-31. SITE, BUILDING
PLACEMENT, AND BULK
STANDARDS

A. SITE DIMENSIONS TABLE.
ALL DEVELOPMENT IN
COMMERCIAL ZONE
DISTRICTS MUST
COMPLY WITH THE
REQUIREMENTS IN
TABLES 50-31A-B AND
DIAGRAMS 50-31A-B
UNLESS OTHERWISE
EXPRESSLY STATED.

ATTACHMENTS:
TABLE 50-31A (EXHIBIT 14)
DIAGRAM 50-31A (EXHIBIT 15)
TABLE 50-31B (EXHIBIT 16)
DIAGRAM 50-31B (EXHIBIT 17)

§ 50-32. GENERAL COMMERCIAL
REQUIREMENTS

A. REQUIRED CONDITIONS.
ALL USES AUTHORIZED
IN THIS ARTICLE SHALL
BE SUBJECT TO THE
FOLLOWING
CONDITIONS:

1. ENCLOSED
BUILDINGS. ALL
BUSINESS, SERVICE,
REPAIR,
PROCESSING,
STORAGE OR
DISPLAY OF
MERCHANDISE
SHALL BE
CONDUCTED
WHOLLY WITHIN
AN ENCLOSED
BUILDING, EXCEPT
OFF-STREET
PARKING
STRUCTURES AND
LOTS, FOOD
TRUCKS/CARTS,
PRODUCE STANDS,
CAR AND TRUCK
SALES LOTS, OFF-
STREET LOADING
AREAS, GASOLINE
STATIONS AND
OUTDOOR
ADVERTISING, OR
OTHER USES
SPECIFICALLY
ALLOWED IN THIS
CHAPTER. HOWEVE
R, FOOD,
BEVERAGES
(INCLUDING
ALCOHOL WITH

PROPER
LICENSING) AND
MERCHANDISE
MAY BE DISPLAYED
AND SOLD BY AN
OWNER OR TENANT
OUTSIDE OF A
COMPLETELY
ENCLOSED
BUILDING SUBJECT
TO ZONING
COORDINATOR
APPROVAL AND
THE CONDITIONS
IN SECTION 50-105
OUTDOOR
ACTIVITIES OF
ARTICLE 9.

2. USE TO BE NON-
OBJECTIONABLE. P
ROCESSES AND
EQUIPMENT
EMPLOYED AND
GOODS SOLD
SHALL BE LIMITED
TO THOSE WHICH
ARE NON-
OBJECTIONABLE
BY REASON OF
ODOR, HEAT, DUST,
SMOKE, CINDERS,
GAS, FUMES, NOISE,
VIBRATION,
RADIATION,
REFUSE MATTER
OR WATER-
CARRIED WASTE.

3. HOURS OF
BUSINESS. NO
BUSINESS, SERVICE
OR PROCESSING
SHALL CONDUCT
ITS OPERATION AT
ANY POINT IN TIME
BETWEEN THE
HOURS OF 12:00
MIDNIGHT AND 6:00

A.M. IF IT IS
ADJACENT TO A GN
OR TN DISTRICT
UNLESS IT IS
ENCLOSED ON ALL
SIDES ADJOINING
SAID RESIDENTIAL
DISTRICT BY
SCREENING AND
FENCING.

4. IMPROVEMENT OF
AUTO STORAGE
AREAS. AREAS
WHICH ARE IN THE
NORMAL CONDUCT
OF BUSINESS
FREQUENTLY USED
BY AUTOMOBILES,
TRUCKS, OR
TRAILERS SHALL
BE GRADED,
DRAINED AND
SURFACED AND
OTHERWISE
COMPLY WITH THE
REQUIREMENTS OF
THE OFF-STREET
PARKING AND
LOADING
REGULATIONS OF
THIS CHAPTER.

§ 50-33. BUILDING ELEMENT REQUIREMENTS

A. PURPOSE. THE INTENT OF
THESE REQUIREMENTS IS
TO PROMOTE MIXED-USE
DEVELOPMENT AND
REHABILITATION IN
FLINT'S MOST VIBRANT
COMMERCIAL AREAS
THAT SHALL:

1. ESTABLISH A
DEVELOPMENT
PATTERN IN WHICH
NEW BUILDINGS
AND BUILDING

**MODIFICATIONS
ENHANCE THE
CHARACTER OF
THE EXISTING
BUILT
ENVIRONMENT;**

- 2. INCREASE
TRANSPARENCY
(WINDOWS) TO ADD
VISUAL INTEREST,
INCREASE
PEDESTRIAN
TRAFFIC AND TO
REDUCE CRIME
THROUGH
INCREASED
SURVEILLANCE;**
- 3. ENHANCE A SENSE
OF PLACE AND
CONTRIBUTE TO
THE
SUSTAINABILITY
OF THE CITY;**
- 4. ORIENT BUILDING
ENTRANCES AND
STOREFRONTS TO
THE STREET;**
- 5. ARTICULATE
LONGER BUILDING
FAÇADES INTO
MORE HUMAN-
SCALE
INCREMENTS;**
- 6. DISTINGUISH
COMMERCIAL USES
BASED ON SCALE
AND AUTO-
ORIENTATION; AND**
- 7. ENCOURAGE
TRANSPORTATION
ALTERNATIVES
(WALKING, BIKING
AND TRANSIT) TO**

**REDUCE
AUTOMOBILE
DEPENDENCE AND
FUEL
CONSUMPTION.**

**B. APPLICABILITY. ALL
DEVELOPMENT IN THE
NC, CC, D-E, AND D-C
DISTRICTS SHALL
COMPLY WITH THE
REQUIREMENTS
INCLUDED IN THIS
SECTION UNLESS
OTHERWISE EXPRESSLY
STATED.**

C. MATERIALS.

- 1. DURABLE
BUILDING
MATERIALS,
SIMPLE
CONFIGURATIONS
AND SOLID
CRAFTSMANSHIP
ARE REQUIRED. A
MINIMUM FIFTY
(50) PERCENT OF
WALLS VISIBLE
FROM PUBLIC
STREETS,
EXCLUSIVE OF
WALL AREAS
DEVOTED TO
MEETING
TRANSPARENCY
REQUIREMENTS
SHALL BE
CONSTRUCTED OF:
BRICK, GLASS;
FIBER CEMENT
SIDING, METAL
(BEAMS, LINTELS,
TRIM ELEMENTS
AND
ORNAMENTATION
ONLY); WOOD LAP,
STUCCO, SPLIT-
FACED BLOCK, OR**

STONE. EXTERIOR
INSULATED
FINISHING
SYSTEMS (EIFS),
AND VINYL OR
ALUMINUM SIDING
SHOULD ONLY BE
USED FOR ACCENTS
AND ARE
PROHIBITED ON
THE FIRST STORY.
METAL SIDING MAY
BE USED AS A
PRIMARY
BUILDING
MATERIAL IF
ALLOWED BY THE
PLANNING
COMMISSION WITH
SPECIAL LAND USE
APPROVAL.

**D. FAÇADE PRESERVATION
AND VARIATION.**

1. EXTERIOR
ALTERATIONS.
EXTERIOR
CHANGES AND
FAÇADE
RENOVATIONS
SHALL NOT
DESTROY OR
COVER ORIGINAL
DETAILS ON A
BUILDING,
WHEREVER
PRACTICABLE.
BRICK AND STONE
FAÇADES SHALL
NOT BE COVERED
WITH ARTIFICIAL
SIDING OR PANELS.
2. WINDOW AND
DOOR OPENINGS.
EXISTING WINDOW
AND DOOR
OPENINGS SHALL

BE MAINTAINED
WHEREVER
PRACTICABLE.
NEW WINDOW AND
DOOR OPENINGS
SHALL MAINTAIN A
SIMILAR
HORIZONTAL AND
VERTICAL
RELATIONSHIP AS
THE ORIGINALS.

3. VERTICAL AND
HORIZONTAL
LINES. THE
VERTICAL LINES OF
COLUMNS AND
PIERS, AND THE
HORIZONTAL
DEFINITION OF
SPANDRELS AND
CORNICES, AND
OTHER PRIMARY
STRUCTURAL
ELEMENTS SHALL
BE MAINTAINED
WHEREVER
PRACTICABLE.
4. UNINTERRUPTED
FAÇADE ON NEW
CONSTRUCTION.
THE MAXIMUM
LINEAR LENGTH OF
AN
UNINTERRUPTED
BUILDING FAÇADE
FACING PUBLIC
STREETS AND/OR
PARKS SHALL BE
THIRTY (30) FEET.
FAÇADE
ARTICULATION OR
ARCHITECTURAL
DESIGN
VARIATIONS FOR
BUILDING WALLS
FACING THE
STREET ARE

REQUIRED TO
ENSURE THAT THE
BUILDING IS NOT
MONOTONOUS IN
APPEARANCE.

BUILDING WALL
OFFSETS
(PROJECTIONS AND
RECESSES),
CORNICES,
VARYING BUILDING
MATERIALS OR
PILASTERS SHALL
BE USED TO BREAK
UP THE MASS OF A
SINGLE BUILDING.

5. ADMINISTRATIVE
DEPARTURES. AN
ADMINISTRATIVE
DEPARTURE,
APPROVED BY THE
DIRECTOR OF
PLANNING AND
DEVELOPMENT, OR
HIS/HER DESIGNEE,
MAY BE APPROVED
TO ALLOW THE
FOLLOWING:

- I. TO REDUCE
UP TO FIVE (5)
FEET OF THE
THIRTY (30)
FOOT
REQUIREME
NT MAY BE
APPROVED,
DEPENDING
ON ACTUAL
BUILDING
DESIGN,
ENTRANCE
PLACEMENT,
AND OTHER
FACTORS
THAT MAKE
THE THIRTY
(30) FOOT

REQUIREME
NT
IMPRACTICA
L; OR

- II. OTHER
METHODS TO
PROVIDE
ADEQUATE
ARTICULATI
ON,
PROVIDED
THAT THE
VISUAL
EFFECT OF
ARTICULATI
ON IS
MAINTAINED.
EXAMPLES
OF
ACCEPTABLE
VARIATIONS
MAY
INCLUDE
ARCHITECTU
RAL OR
ARTISTIC
DETAILS OR
FEATURES, A
VARIATION
IN COLOR OR
MATERIALS
AND
ENHANCED
ORNAMENTA
TION
AROUND
BUILDING
ENTRANCEW
AYS.

E. ENTRANCES.

1. RECESSED
DOORWAYS.
WHERE THE
BUILDING
ENTRANCE IS
LOCATED ON OR

WITHIN FIVE (5)
FEET OF A LOT
LINE, DOORWAYS
SHALL BE
RECESSED INTO
THE FACE OF THE
BUILDING TO
PROVIDE A SENSE
OF ENTRANCE AND
TO ADD VARIETY
TO THE
STREETSCAPE.

ZONING
COORDINATO
R MAY BE
GRANTED TO
PERMIT NON-
RECESSED
SERVICE
DOORS
WHERE NO
SAFETY
HAZARD
EXISTS.

- I. THE
ENTRANCE
RECESS
SHALL NOT
BE LESS
THAN THE
WIDTH OF
THE DOOR(S)
WHEN
OPENED
OUTWARD.
- II. THE
ENTRANCE
RECESS MAY
NOT EXCEED
THE
ENTRANCE
WIDTH; AND
- III. THE
ENTRANCE
MAY NOT
EXCEED TWO
(2) STORIES IN
HEIGHT
- IV. ADMINISTRA
TIVE
DEPARTURE.
AN
ADMINISTRA
TIVE
DEPARTURE
APPROVED
BY THE

2. RESIDENTIAL
DWELLINGS.
ENTRANCES FOR
ALL RESIDENTIAL
DWELLINGS SHALL
BE CLEARLY
DEFINED BY AT
LEAST ONE (1) OF
THE FOLLOWING:

- I. PROJECTING
OR RECESSED
ENTRANCE. A
RECESSED
ENTRANCE IS
REQUIRED IF
THE
BUILDING
ENTRANCE IS
LOCATED ON
OR WITHIN
FIVE (5) FEET
OF THE LOT
LINE.
- II. STOOP OR
ENCLOSED
OR COVERED
PORCH.
- III. TRANSOM
AND/OR SIDE
LIGHT
WINDOW
PANELS
FRAMING

THE DOOR
OPENING.

IV. ARCHITECTU
RAL TRIM
FRAMING
THE DOOR
OPENING.

V. ADMINISTRA
TIVE
DEPARTURE.
AN
ADMINISTRA
TIVE
DEPARTURE
APPROVED
BY THE
ZONING
COORDINATO
R MAY BE
PERMITTED
FOR OTHER
METHODS,
SUCH AS
UNIQUE
COLOR
TREATMENT
S, PROVIDED
THE SAME
EFFECT IS
ACHIEVED.

3. BUILDING
ORIENTATION.

I. PRIMARY
ENTRANCE.
THE MAIN
BUILDING
ENTRANCE
SHALL BE
LOCATED IN
THE FRONT
FAÇADE
PARALLEL
TO THE
PRIMARY
STREET.

II. ADMINISTRA
TIVE
DEPARTURE.
ALTERNATIV
E
ORIENTATIO
NS MAY BE
PERMITTED
BY THE
ZONING
COORDINAT
OR WHERE
SUCH
ALTERNATIV
E
ORIENTATIO
NS ARE
CONSISTENT
WITH
EXISTING
ADJACENT
DEVELOPME
NT.

F. EXPRESSION LINE (EL).

1. A HORIZONTAL
LINE ON THE
FAÇADE KNOWN AS
THE EXPRESSION
LINE (EL) SHALL
DISTINGUISH THE
BASE OF THE
BUILDING FROM
THE REMAINDER
TO ENHANCE THE
PEDESTRIAN
ENVIRONMENT.
THE EL SHALL BE
CREATED BY A
CHANGE IN
MATERIAL, A
CHANGE IN DESIGN,
OR BY A
CONTINUOUS
SETBACK, RECESS,
OR PROJECTION
ABOVE OR BELOW
THE EXPRESSION

LINE. SUCH
ELEMENTS AS
CORNICES, BELT
COURSES,
CORBELLING,
MOLDING,
STRINGCOURSES,
ORNAMENTATION,
AND CHANGES IN
MATERIAL OR
COLOR OR OTHER
SCULPTURING OF
THE BASE, ARE
APPROPRIATE
DESIGN ELEMENTS
FOR ELS.

2. IF APPLICABLE,
THE HEIGHT OF
THE EXPRESSION
LINE SHALL BE
RELATED TO THE
PREVAILING SCALE
OF DEVELOPMENT
IN THE AREA. A
CHANGE OF SCALE
MAY REQUIRE A
TRANSITIONAL
DESIGN ELEMENT
BETWEEN
EXISTING AND
PROPOSED
FEATURES.

ATTACHMENT:
DIAGRAM 50-33F

G. TRANSPARENCY.

1. PURPOSE. THE
FIRST FLOORS OF
ALL BUILDINGS
SHALL BE
DESIGNED TO
ENCOURAGE AND
COMPLEMENT
PEDESTRIAN-
SCALE ACTIVITY
AND CRIME

PREVENTION
TECHNIQUES. IT IS
INTENDED THAT
THIS BE
ACCOMPLISHED
PRINCIPALLY BY
THE USE OF
WINDOWS AND
DOORS ARRANGED
SO THAT ACTIVE
USES WITHIN THE
BUILDING ARE
VISIBLE FROM OR
ACCESSIBLE TO
THE STREET, AND
PARKING AREAS
ARE VISIBLE TO
OCCUPANTS OF
THE BUILDING.

2. APPLICABILITY.

- I. THE
MINIMUM
TRANSPAREN
CY
REQUIREME
NT SHALL
APPLY TO
ALL SIDES OF
A BUILDING
THAT ABUT
AN URBAN
OPEN SPACE
OR PUBLIC
RIGHT-OF-
WAY.
TRANSPAREN
CY
REQUIREME
NTS SHALL
NOT APPLY
TO SIDES
WHICH ABUT
AN ALLEY.
- II. WINDOWS
FOR
BUILDING

SIDES (NON-FRONT) SHALL BE CONCENTRATED TOWARD THE FRONT EDGE OF THE BUILDING, IN LOCATIONS MOST VISIBLE FROM AN URBAN OPEN SPACE OR PUBLIC RIGHT-OF-WAY.

3. WINDOWS AND DISPLAYS.

I. GROUND LEVEL STOREFRONT TRANSPARENCY SHALL BE HORIZONTALLY ORIENTED OVERALL, DIVIDED INTO VERTICAL SEGMENTS.

II. PRODUCT DISPLAY WINDOWS SHALL BE INTERNALLY LIT.

III. INTERIOR DISPLAYS SHALL BE SET BACK A MINIMUM OF ONE (1) FOOT FROM THE WINDOW AND

SHALL NOT COVER MORE THAN FIFTY (50) PERCENT OF THE WINDOW OPENING.

IV. NO WINDOW COVERING OR SCREENING SHALL COVER MORE THAN TWENTY-FIVE (25) PERCENT OF WINDOWS OR DOORS THAT ARE USED TO MEET TRANSPARENCY REQUIREMENTS.

4. PERCENTAGE OF REQUIRED TRANSPARENCY

I. GROUND-FLOOR TRANSPARENCY PERCENTAGES MUST BE APPLIED BETWEEN TWO (2) FEET AND EIGHT (8) FEET FROM THE GROUND. THE AREA OF WINDOWS IN DOORS MAY COUNT TOWARDS

THE
TRANSPAREN
CY
PERCENTAG
E.

- II. STRUCTURES
IN THE NC,
DE, AND DC
DISTRICTS
SHALL
COMPLY
WITH TABLE
50-33G
BELOW WITH
REGARDS TO
THE AMOUNT
OF
TRANSPAREN
T MATERIALS
THAT IS
REQUIRED
FOR
GROUND-
FLOOR AND
UPPER
FLOOR
FACADES.
WINDOWS
MUST BE
CLEAR AND
ALLOW
VIEWS OF
THE INDOOR
SPACE OR
DISPLAY
AREAS.

ATTACHMENTS:

TABLE 50-33 (EXHIBIT 19)

DIAGRAM 50-33G (EXHIBIT 20)

**H. TRANSITIONAL
FEATURES.**

1. PURPOSE.
TRANSITIONAL
FEATURES ARE
ARCHITECTURAL

ELEMENTS, SITE
FEATURES OR
ALTERATIONS TO
BUILDING MASSING
THAT ARE USED TO
PROVIDE A
TRANSITION
BETWEEN HIGHER
INTENSITY USES
AND LOW- OR
MODERATE-
DENSITY
RESIDENTIAL
AREAS. IT IS THE
INTENT OF THESE
STANDARDS TO:

- I. REDUCE
LAND
CONSUMPTIO
N;
- II. CREATE A
COMPATIBLE
MIXED-USE
ENVIRONME
NT;
- III. LIMIT
INTERRUPTI
ONS IN
VEHICULAR
AND
PEDESTRIAN
CONNECTION
S CREATED
BY EFFORTS
TO
SEGREGATE
USES; AND
- IV. ESTABLISH
OR MAINTAIN
VIBRANT
PEDESTRIAN-
AND
TRANSIT-
ORIENTED
AREAS

WHERE
DIFFERING
USES ARE
PERMITTED
TO OPERATE
IN CLOSE
PROXIMITY
TO ONE
ANOTHER.

AFFECT THE
LIVABILITY
OF AN AREA.
THE
PLANNING
COMMISSION
, BOARD OF
ZONING
APPEALS, OR
CITY
COUNCIL
MAY
REQUIRE
TRANSITION
AL FEATURES
AS PART OF A
SPECIAL
LAND USE,
VARIANCE,
PLANNED
UNIT
DEVELOPME
NT OR
EXCEPTION
APPROVAL.

2. APPLICABILITY.
TRANSITIONAL
FEATURES SHALL
BE REQUIRED FOR
BUILDINGS OR
STRUCTURES
THAT:

I. AREA
ADJACENT
TO A
RESIDENTIAL
ZONE
DISTRICT
WHERE A
PERMITTED
BUILDING OR
STRUCTURE
WOULD BE
ONE (1) OR
MORE
STORIES
HIGHER
THAN
ADJACENT
BUILDINGS
OR
STRUCTURES
LOCATED IN
THE TN OR
MR ZONE
DISTRICTS.

II. HOST
HIGHER-
INTENSITY
LAND USES
THAT WOULD
ADVERSELY

3. LANDSCAPE
BUFFER. THE
PLANNING
COMMISSION,
ZONING BOARD OF
APPEALS, CITY
COUNCIL OR
DIRECTOR OF
PLANNING AND
DEVELOPMENT
MAY REQUIRE THE
USE OF A
LANDSCAPE
BUFFER IN LIEU OF,
OR IN ADDITION TO,
A TRANSITIONAL
FEATURE WHERE
SUCH LANDSCAPE
BUFFER WOULD
REDUCE
POTENTIALLY
ADVERSE IMPACTS
BETWEEN

INCOMPATIBLE
USES OR
DIFFERENT
BUILDING TYPES.

FEATURES ON
SURROUNDING
SITES.

4. ARCHITECTURAL
FEATURES.
SIMILARLY SIZED
AND PATTERNED
ARCHITECTURAL
FEATURES SUCH AS
WINDOWS, DOORS,
ARCADES,
PILASTERS,
CORNICES, WALL
OFFSETS, BUILDING
MATERIALS, AND
OTHER BUILDING
ARTICULATIONS
INCLUDED ON THE
LOWER-INTENSITY
USE SHALL BE
INCORPORATED IN
THE
TRANSITIONAL
FEATURES.

6. LIGHTING AND
NOISE.
INCOMPATIBLE
OUTDOOR
LIGHTING OR
SOURCES OF
AUDIBLE NOISE
SHALL BE
PREVENTED
WHENEVER
PRACTICABLE.

5. PARKING AND
LOADING. OFF-
STREET PARKING,
LOADING, SERVICE
AND UTILITY
AREAS SHALL BE
LOCATED AWAY
FROM THE LOWER-
INTENSITY USE
AND, WHERE
POSSIBLE,
ADJACENT TO
SIMILAR SITE

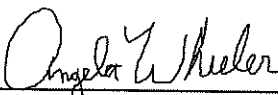
Sec. 2. The ordinances in this
Article shall become effective upon
publication.

Adopted this _____ day of
_____, 2021, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

§ 50-30 Permitted Uses

Table 50-30 (Exhibit 13):

Table 50-30. Uses: Commercial Zone Districts					
	NC	CC	DE	DC	Reference
RESIDENTIAL					
Household Living					
Single-Family Dwelling	S		S		50-59
Two-Family Dwelling (Duplex)	P	S	P		50-85
Single-Family Attached Dwelling	P	S	P		50-85
Multi-Family Dwelling (all floors)	P	P	P		50-104
Multi-Family Dwelling (above first floor)	P	P	P	P	50-104
Accessory Dwelling Unit	S		S		50-79
Mixed Use	P	P	P	P	
Group Living					
Convalescent or Nursing Home		S	P		
Fraternity/Sorority House			P		50-96
Transitional or Emergency Shelter	S	S	S		50-119
Adult Foster Care Family Home (1-6 residents)			S		50-81
Adult Foster Care Small Group Home (1-6)			S		50-81
Adult Foster Care Small Group Home (7-12)		P	P		50-81
Adult Foster Care Large Group Home (13-20)		P	P		50-81
RECREATIONAL					
Community Center	P		S		
AGRICULTURAL					
Farmers' Market (Permanent)	P		P		
Farmers' Market (Temporary)	P	P	P	P	50-118
Produce Stand	A	S			50-109
Community Garden	A	A	A		50-91
INSTITUTIONAL AND CULTURAL					
Religious					
Place of Worship	S	P	P	S	
Cemetery		S			
Government and Educational					
Elementary/Middle School		S	P		
High School		S	P		
College or University or Vocational Training		S	P	P	
Other Governmental Use or Facility		P	P	P	
Other Institutional, and Cultural					
Social Service Facility	P	P	P	S	
Civil, Religious, or Charitable Organization	P	P	P	S	
Library	P	P	P	S	
Museum		S	P	S	
Art Gallery	P	P	P	P	
Health					
Rehabilitation Center (w/o residential care)	S	P	P	S	
Hospital or Medical Center		P	P	S	
COMMERCIAL					
Automotive Services					
Automotive Rental		P			50-122
Auto Supply/Accessory Sales	S	P			
Vehicle Repair and Services		P			50-123
Vehicle Fuel Station (without vehicle repair, may include 1,000 sq. ft. convenience-Store)	S	P	S		50-121
Vehicle Sale/ Lease (including auto, RV, boat)		P			50-122
Car Wash	S	P			
Farm Implement Sales		P			

	NC	CC	DE	DC	Reference
Entertainment and Hospitality					
Arcade, Amusement Devices, Gaming, Pool Hall	S	P	P	S	50-94
Auditorium, Cinema, Concert Hall, Theater, Banquet Hall, Amphitheater	S	P	P	P	50-86
Adult Entertainment Uses		ARU			50-80
Bingo Hall		ARU	ARU		50-92
Bowling Alley, Skating Rink	S	P	S	S	
Casino			S		
Charity Gaming		ARU	ARU		50-92
Convention Center		P	P	P	
Dance Club, Night Club		S	S	S	50-94
Drive-In Theaters (Entertainment)		S			
Entertainment, Live (Not including ARUs)	S	P	P	P	
Hookah Lounge, Cigar Lounge	S	P	S	S	
Sports and Entertainment Arena		S	S		
Temporary Lodging					
Bed and Breakfast			P		50.9.11
Motel		P			
Hotel		P	P	P	
Offices					
Financial Services	P	P	P	P	
Physician or Dentist Office or Medical Clinic	P	P	P	P	
General Professional Office	P	P	P	P	
Research Facility/Laboratory		P	S		
Copying, Mailing, Courier Services, Parcel Receiving, Shipping Station	P	P	P	P	
Film Production, Photography, Radio, TV Studio	P	P	P	P	
Live/Work Unit	P	P	P		50-101
Personal Service Establishments					
Personal Service Establishments	P	P	P	P	
Gym or Fitness center	P	P	P	P	
Animal Services Day Care (w/o overnight boarding)	P	P	P		
Kennel (w/ boarding and/or grooming)		P			
Veterinary Clinic or Hospital (with or w/o boarding)	P	P	P		
Funeral Home or Mortuary		P			
Tattoo Establishment		ARU	ARU		50-80
Residential Service					
Adult Day Care or Day Services Center		P	S		50-81
Group Day Care Home		P	S		
Child Care Center	S	P	P	S	50-90
Retail and Service					
Grocery Store	P	P	P	S	
Retail Sales, General	P	P	P	P	
Retail Sales, Outdoor Nursery, Garden Center or Landscaping Supply		P			
Convenience Store (W/ or w/o liquor)	S	P	P	S	50-83
Restaurant w/Alcohol (beer, wine and/or liquor)	S	P	P	P	50-83
Restaurant w/o Alcohol	P	P	P	P	
Catering Business	P	P	S	S	
Bar, Tavern, Taproom, or Tasting Room	S	S	S	S	50-83
Brewpub	S	S	S	S	50-83
Craft Winery/distillery	S	S	S	S	50-83
Commercial Art Gallery	P	P	P	P	
Instruction Studio	P	P	P	P	
Cash Advance		S			
Liquor Store/Package Goods/Party Store		ARU	ARU		50-83/50-80
Antique, Second-Hand Store (except pawn shop)	P	P	P	P	

Article IV – Attachments

	NC	CC	DE	DC	Reference
Pawn Shop or Pawn Broker		ARU			50-80
Firearms Sales		S			
Drive Through (all commercial uses w/drive through; includes dry cleaning)	S	A	A		
INDUSTRIAL					
Manufacturing and Production, Light					
Trade: Sheet Metal, Carpenter, Plumbing or Heating, Furniture Upholstering, Paint, Paper Hanging, Decorating or Sign Painting Shop, or Similar Enterprise, etc.		P			
Household Service: Dry Cleaning Facility, Household Goods or Appliance Repair Shop, etc.	S	P	S		
Pottery and Figurine making, large-scale commercial/industrial		P			
Microbrewery/Small Distillery/Small Winery		P	P	P	
Large Brewery/Large Distillery/Large Winery		S			
Self-Storage Facility		P			50-114
Stone Monument Works		P			
Transportation					
Parking Structures		P	P		50-108
Stand Alone Parking, Surface Lots		P	S		
Transit Terminal or Station			P		
Utilities					
Electrical Substations and Private Utilities	S	S	S	S	50-93
Wireless Communication Facilities – Collocated on Existing Towers	P	P	P	P	50-126
Small-Scale Solar Energy Production	A	A	A	A	50-117
Large-Scale Solar Energy Production		A	A		50-116
Small-Scale Wind Energy Production	A	A	A	A	50-125
Additionally Regulated Uses					
Liquor/Package Goods/Party Store	ARU				50-80/50-83

§ 50-31. Site Placement, Building Placement, Bulk Standards

Table 50-31A (Exhibit 14):

Table 50-31A. Lot and Bulk Standards: NE and CC Districts										
District Name	Lot Characteristics		Site Design						Development Intensity	
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Setback (F)		Corner Side Setback (C)		Interior Side Setback (S)	Rear Setback	Min. Lot Area per Dwelling Unit	Max. Building Height
			Min.	Max.	Min.	Max.	Min.	Min. (R)		
NC	25'	3000	None	10'	None	10'	None, unless lot width is greater than 100' and against a residential use, then 10'	20'	1,000 sq. ft.	4 stories/50'
CC										
For lots less than 140' deep	40'	3000	None	10'	None	10'	None, except for against a TN or M district, then 10'	20'	2,000 sq. ft.	4 stories/50'
For lots 140' deep or more	60'	8400	None	80'	None	20'	None, except for against a TN or M district, then 20'	40'	2,000 sq. ft.	4 stories/50'

Diagram 50-31A (Exhibit 15):

Commerical Zone Bulk Standards

NC, CC Districts

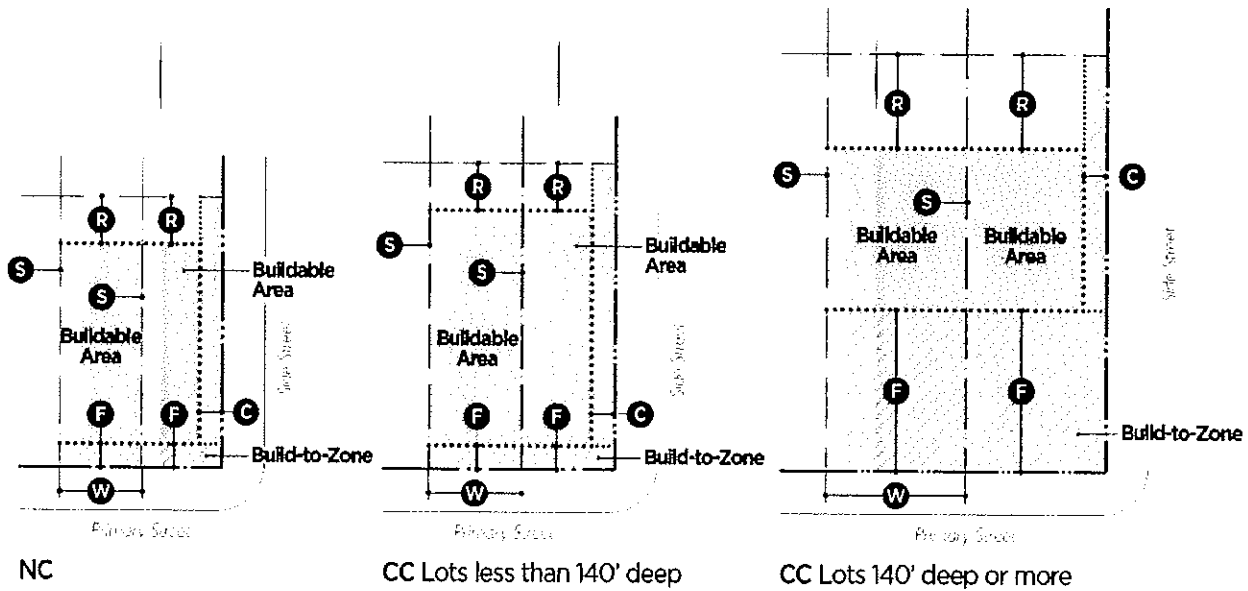


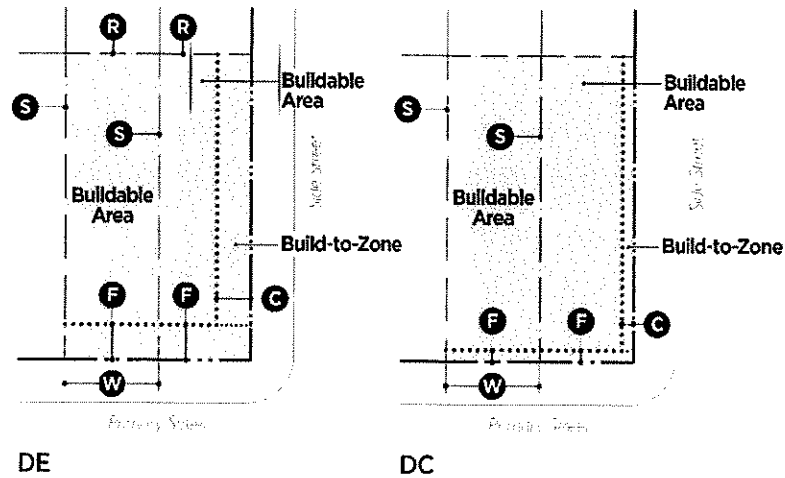
Table 50-31B (Exhibit 16):

Table 50-31B. Lot and Bulk Standards: D-E and D-C Districts

District Name	Lot Characteristics		Site Design						Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Setback (F)		Corner Side Setback (C)		Interior Side Setback (S)	Rear Setback (R)	Min. Lot Area per Dwelling Unit	Building Height	
			Min.	Max.	Min.	Max.	Min.	Min.		Max.	Min.
DE	40'	6000	None	15'	None	15'	None, except for against a TN or MR district, then 10'	None, except for against a TN or MR district, then 20'	600 sq. ft. per efficiency or one bedroom apartment; 800 sq. ft. per two or more bedroom apartment	Max. 75'	
DC	20'	3000	None	5'	None	5'	None	None	None	Max. 125'	Min. 35'

Diagram 50-31B (Exhibit 17):

Commercial Zone Bulk Standards
DE, DC Districts



§ 50-33 Building Element Requirements

Diagram 50-33F (Exhibit 18):

Expression Line
§ 50-33F

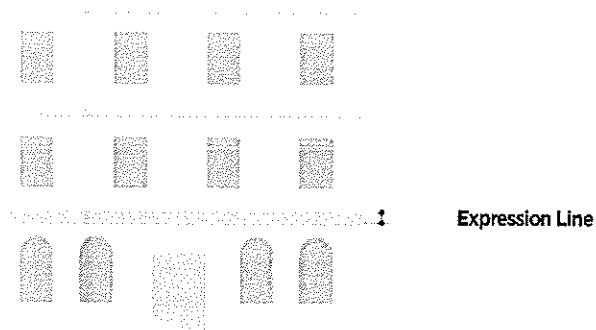
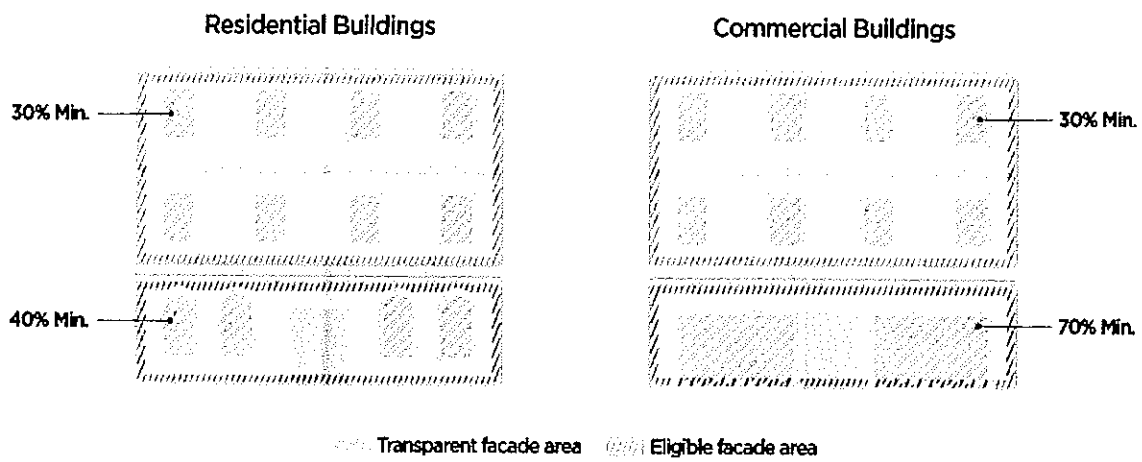


Table 50-33 (Exhibit 19):

Table 50-33. Minimum Façade Transparency In NC, D-E, and D-C Districts		
	Commercial Use	Residential Use
Ground-floor	70%	40%
Upper floors	30%	30%

Diagram 50-33G (Exhibit 20):

**Transparency Requirements
§ 50-33G**



210048

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning, Article V, C-1 Multifamily Walk-Up Apartment District, by repealing said Article and adopting Article V, Employment Zone Districts, which shall read in its entirety as follows:

ARTICLE 5 – EMPLOYMENT ZONE DISTRICTS

§ 50-34. CE COMMERCE AND EMPLOYMENT: PURPOSE AND INTENT

THE CE COMMERCE AND EMPLOYMENT DISTRICT IS INTENDED TO ACCOMMODATE A HIGH INTENSITY MIX OF USES INCLUDING LARGE EMPLOYERS, REGIONAL COMMERCIAL CENTERS, AND LARGE CLUSTERS OF SMALL AND MID-SIZE COMMERCIAL AND EMPLOYMENT USERS. MULTI-FAMILY RESIDENTIAL USES, SUCH AS WORKFORCE HOUSING, MAY BE PERMITTED ON A LIMITED SCALE TO BUFFER LESS INTENSE NEARBY RESIDENTIAL DEVELOPMENT FROM MORE INTENSE USES WITHIN THE DISTRICT. DAILY ACTIVITIES

WITHIN THE DISTRICT ATTRACT VISITORS FROM THROUGHOUT THE REGION AND SURFACE LOTS AND PARKING DECKS MAY BE COMMON. CONSIDERATION SHOULD BE GIVEN TO ACCESS MANAGEMENT, LOADING AND SERVICE AREA SCREENING, AND THE USE OF OPEN SPACE AND LANDSCAPING TO FOSTER A POSITIVE PEDESTRIAN ENVIRONMENT.

§ 50-35. PC PRODUCTION CENTER: PURPOSE AND INTENT

THE PC PRODUCTION CENTER DISTRICT IS INTENDED TO ACCOMMODATE INTENSE INDUSTRIAL USES CAPABLE OF GENERATING CONSIDERABLE NOISE, TRAFFIC, AND OTHER NUISANCES. USES MAY ALSO INCLUDE INDUSTRIAL USERS REQUIRING SIGNIFICANT AREAS DEDICATED TO THE STORAGE OF MATERIALS OR WHOSE OPERATION IS TYPICALLY PERFORMED IN THE OPEN-AIR, PROVIDED THEIR IMPACTS ARE MITIGATED THROUGH SCREENING AND BUFFERING. LANDSCAPED OR NATURALIZED AREAS ALONG THE PERIMETER OF THE DISTRICT SHOULD BE USED TO PROVIDE A BUFFER TO LESS INTENSE RESIDENTIAL, COMMERCIAL, AND EMPLOYMENT DISTRICTS, LIMITING IMPACTS ON PROPERTY VALUES AND QUALITY OF LIFE.

§ 50-36. GI-2 GREEN INNOVATION – HIGH INTENSITY: PURPOSE AND INTENT

THE CITY OF FLINT STRIVES TO ENCOURAGE ACTIVITY IN THE GREEN ECONOMY, WHICH IS DEFINED AS BUSINESSES OR ORGANIZATIONS THAT PRODUCE GOODS AND SERVICES WITH AN ENVIRONMENTAL BENEFIT OR ADD VALUE TO SUCH PRODUCTS USING SKILLS OR TECHNOLOGIES THAT ARE UNIQUELY APPLIED TO THOSE PRODUCTS. ECONOMIC BENEFITS CAN BE DERIVED EITHER INHERENTLY, SUCH AS ENVIRONMENTAL REMEDIATION SERVICES, HOME WEATHERIZATION, ENERGY RETROFITTING, AND SOLAR PANEL INSTALLATION, OR RELATIVELY, SUCH AS ORGANIC FOOD PRODUCTION OR PROCESSING, THE PRODUCTION OF SOLAR PANELS, OR THE PRODUCTION OF PARTS FOR WIND TURBINES. EDUCATION AND TRAINING IN GREEN ECONOMY SKILLS IS ENCOURAGED. GREEN ECONOMY BUSINESSES OR ORGANIZATIONS ARE NOT SIMPLY BUSINESSES THAT CONDUCT THEMSELVES IN AN ENVIRONMENTALLY-FRIENDLY MANNER, RATHER, GREEN INNOVATION USES ENHANCE THE LOCAL ECONOMY AND PROVIDE PRODUCTS OR SERVICES WITH AN ENVIRONMENTAL BENEFIT.

GI GREEN INNOVATION DISTRICTS ARE INTENDED TO ACCOMMODATE A WIDE ARRAY OF ACTIVITIES CAPABLE OF CAPITALIZING ON TURNING VACANT, FORMERLY DEVELOPED LAND INTO A PRODUCTIVE REUSE WITHIN THE COMMUNITY WITH A FOCUS ON

GREEN OR SUSTAINABLE INITIATIVES. IN CONJUNCTION WITH THE CITY'S 2013 MASTER PLAN, THERE ARE TWO DISTINCT TYPES OF GREEN INNOVATION DISTRICTS: GI-1 (FOUND IN ARTICLE 6) AND GI-2.

THE GI-2 DISTRICT IS COMPRISED OF LARGER VACANT OR MINIMALLY DEVELOPED PARCELS THAT MAY SERVE AS A TRANSITION OR BUFFER BETWEEN COHESIVE RESIDENTIAL NEIGHBORHOODS AND MORE INTENSELY DEVELOPED INDUSTRIAL AREAS. MEDIUM-HIGH INTENSITY INDUSTRIAL, RESEARCH AND DEVELOPMENT, AND AGRICULTURAL LAND USES ARE APPROPRIATE, PROVIDED THAT THEY ARE CONSISTENT WITH THE DEFINITION OF GREEN BUSINESSES AND HAVE MINIMAL IMPACT ON ADJACENT RESIDENTIAL AREAS. UNLIKE THE GI-1 DISTRICT, THE GI-2 DISTRICT IS PREDOMINANTLY ADJACENT TO EMPLOYMENT DISTRICTS AND SO WILL HAVE SIMILAR BULK AND DIMENSIONAL STANDARDS, UNLESS DIRECTLY ADJACENT TO RESIDENTIAL, WHERE ADDITIONAL SCREENING AND SETBACKS WILL APPLY.

§ 50-37. PERMITTED USES

ARTICLE 16 DEFINITIONS SHALL BE REFERRED TO FOR CLARITY ON THE USES AS LISTED.

- A. LAND USES. USES ARE ALLOWED IN RESIDENTIAL ZONE DISTRICTS IN ACCORDANCE WITH TABLE 50-37. USES: EMPLOYMENT ZONE DISTRICTS. THE FOLLOWING KEY IS TO BE

USED IN CONJUNCTION
WITH THE USE TABLE.

1. PERMITTED USES. USES PERMITTED BY RIGHT IN THE ZONE DISTRICT, SUBJECT TO COMPLIANCE WITH ALL OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER. THESE USES ARE IDENTIFIED WITH A "P."
2. SPECIAL LAND USES. USES WHICH MAY BE ALLOWED SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING COMMISSION IN ACCORDANCE WITH ARTICLE 17 AND WITH ALL OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER. THESE USES ARE IDENTIFIED WITH AN "S."
3. ADDITIONALLY REGULATED USES. USES WHICH MAY BE ALLOWED SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING COMMISSION IN ACCORDANCE WITH ARTICLE 17 AND WITH ALL OTHER

APPLICABLE REQUIREMENTS OF THIS CHAPTER, INCLUDING LIMITING CONDITIONS SPECIFIED IN ARTICLE 9. THESE USES ARE IDENTIFIED WITH "ARU".

4. ACCESSORY USES. USES WHICH ARE PERMITTED BY RIGHT, ASSUMING THEY ARE NOT THE PRIMARY USE ON THE SIGHT AND THAT THEY ARE IN COMPLIANCE WITH ALL OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER. THESE USES ARE IDENTIFIED WITH AN "A."
5. USES NOT ALLOWED. A CELL WHICH IS LEFT BLANK INDICATES THAT THE LISTED USE IS NOT ALLOWED IN THAT ZONE DISTRICT.
6. USE REGULATIONS. MANY ALLOWED USES, WHETHER PERMITTED BY RIGHT OR AS A SPECIAL LAND USE, ARE SUBJECT TO COMPLIANCE WITH ARTICLE 9.

7. UNLISTED USES. IN GENERAL UNLISTED USES ARE PROHIBITED. HOWEVER, IF AN APPLICATION IS SUBMITTED FOR A USE NOT LISTED, THE ZONING COORDINATOR SHALL MAKE A DETERMINATION AS TO THE PROPER ZONE DISTRICT AND USE CLASSIFICATION FOR THE NEW OR UNLISTED USE. IF THE UNLISTED USE IS SIMILAR TO AN EXISTING PERMITTED USE IN THE SAME ZONE DISTRICT AND FITS THE INTENT OF THE ZONE DISTRICT, THE ZONING COORDINATOR MAY DETERMINE THAT THE UNLISTED USE IS PERMITTED.

8. PARKING STANDARDS. PARKING REQUIREMENTS ARE LOCATED IN ARTICLE 12 PARKING, LOADING AND CIRCULATION.

9. LEVEL OF REVIEW FOR MIXED-USE PROJECTS. THE LEVEL OF REVIEW FOR A PROJECT WITH MULTIPLE

USES BEING DEVELOPED SIMULTANEOUSLY SHALL BE THE SAME AS THE HIGHEST LEVEL OF REVIEW OF THE INDIVIDUAL USES.

ATTACHMENT:

TABLE 50-37 (EXHIBIT 21)

§ 50-38. SITE, BUILDING PLACEMENT, AND BULK STANDARDS

SITE DIMENSIONS TABLE. ALL DEVELOPMENT IN EMPLOYMENT ZONE DISTRICTS MUST COMPLY WITH THE REQUIREMENTS IN TABLE 50-38 UNLESS OTHERWISE EXPRESSLY STATED. SETBACKS ARE MEASURED FROM THE NEAREST PARCEL LINE.

ATTACHMENTS:

TABLE 50-38 (EXHIBIT 22)

DIAGRAM 50-38 (EXHIBIT 23)

DIAGRAM 50-38 (EXHIBIT 24)

§ 50-39. ADDITIONAL CRITERIA AND REQUIREMENTS FOR REVIEW OF USES IN GREEN INNOVATION DISTRICTS

A. INTENT. DEVELOPMENT INTENSITY WITHIN THE GI-1 AND GI-2 DISTRICTS SHOULD BE CONTEXT SENSITIVE AND SHOULD LIMIT IMPACTS ON SURROUNDING LAND USES, INCLUDING SINGLE FAMILY HOMES WITHIN THE GI-1 DISTRICT AS WELL AS LESS INTENSE COMMERCIAL AND RESIDENTIAL USES IN ADJACENT DISTRICTS. GIVEN THE RAPIDLY CHANGING NATURE OF

GREEN BUSINESS AND THE
UNIQUE CONTEXT IN FLINT,
ALL FUTURE DEVELOPMENT
AND ACTIVITY WITHIN A GI-
1 OR GI-2 DISTRICT MUST
DEMONSTRATE IT MEETS
THE SUSTAINABILITY
INTENT AND GOALS OF
GREEN INNOVATION.

ENVIRONMENT
AL
MANAGEMENT,
AND
RECYCLING

V. RENEWABLE
ENERGY

B. NARRATIVE FOR LOCATION
WITHIN DISTRICT. USES
MUST DEMONSTRATE THEIR
APPROPRIATENESS FOR THE
GI DISTRICT INSTEAD OF
OTHER DISTRICTS WITHIN
THE COMMUNITY. ALONG
WITH ANY NECESSARY
APPLICATION MATERIALS
OUTLINED BY ARTICLE 17 OF
THIS CHAPTER, THE
APPLICANT MUST INCLUDE
A NARRATIVE DETAILING
HOW THE DEVELOPMENT
MEETS THE FOLLOWING
REQUIREMENTS.

1. THE APPLICANT
MUST DESCRIBE
HOW THE USE MAY
BE CLASSIFIED IN
ONE OR MORE OF
THE FOLLOWING
GREEN BUSINESS
AREAS:

- I. AGRICULTURE
AND NATURAL
RESOURCES
CONSERVATION
- II. EDUCATION
AND
COMPLIANCE
- III. ENERGY AND
RESOURCE
EFFICIENCY
- IV. GREENHOUSE
GAS
REDUCTION,

2. THE APPLICANT
MUST DESCRIBE
HOW THE
DEVELOPMENT
WILL NOT
ADVERSELY
AFFECT ADJACENT
RESIDENTIAL OR
LESS INTENSIVE
USES.

C. ADDITIONAL LANDSCAPING.
ANY NON-RESIDENTIAL USE
IN A GI-1 DISTRICT SHARING
A LOT LINE WITH A
RESIDENTIAL USE SHALL
PROVIDE AT LEAST A TYPE-2
TRANSITION YARD (SEE
SECTION 50-157) ALONG THE
SHARED LINE(S). THIS
TRANSITION YARD MAY BE
INCORPORATED AS PART OF
A REQUIRED SETBACK
PROVIDED THE SETBACK IS
LARGER THAN THE
TRANSITION YARD. IF THE
SPECIFIC USE REQUIRES A
MORE SPECIFIC OR INTENSE
LEVEL OF
LANDSCAPING/BUFFERING
THOSE REGULATIONS
SHALL APPLY.

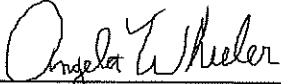
Sec. 2. The ordinances in this
Article shall become effective upon
publication.

Adopted this _____ day of
_____, 2021, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

S:\Ordinance Review\1.19.21_ARTICLE 5 EMPLOYMENT
ZONE DISTRICTS pc approved.docx

§ 50-37. Permitted Uses

Table 50-37 (Exhibit 21):

Table 50-37. Uses: Employment Zoning Districts

	CE	GI-2	PC	Reference
RESIDENTIAL				
Household Living				
Single-Family Detached Dwelling				50-59
Multi-Family Dwelling	S			50-104
Accessory Dwelling Unit				
Mixed Use	P			
Group Living				
Convalescent or Nursing Home	S			
Adult Foster Care Small Group Home (7-12 residents)	S			50-81
Adult Foster Care Large Group Home (13-20)	S			50-81
Community Center				
Park				
Public-Owned Park	P	P	P	
AGRICULTURAL				
Aquaculture				50-84
Aquaponics	S	P	P	50-84
Farmers Market (Temporary)	P			50-118
Produce Stand				
Greenhouse	A	P		50-98
Hoophouse	S	P		50-100
Hydroponics	S	P	P	
Apiary/Beekeeping		P		50-88
Commercial Composting		P	P	
Orchard (11 or more trees)		P		
Urban Agriculture		P		50-120
Community Garden	A			50-91
INSTITUTIONAL AND CULTURAL				
Religious				
Place of Worship	S			
Cemetery	S			
Government and Educational				
Elementary/Middle School	S			
High School	S	S		
College or University or vocational training	P	S		
Other Governmental Use or Facility	P			
Other Institutional, and Cultural				
Social Service Facility (w/o residential care)	P			
Civil, Religious, or Charitable Organization	P			
Health				
Rehabilitation Center (w/o residential care)	P			
Hospital or Medical Center	P			
COMMERCIAL				
Automotive Services				
Automotive Rental	P		P	50-122
Auto Supply/Accessory Sales	P		P	
Vehicle Repair and Services	P		P	50-123
Vehicle Fuel Station (without vehicle repair, may include 1,000 sq. ft. convenience-Store)	P		P	50-121
Vehicle Sale/ Lease (including auto, RV, boat)	P		P	50-122

Article V – Attachments

	CE	GI-2	PC	Reference
Vehicle Salvage and Wrecking Operations			P	50-103
Vehicle Towing and Storage (including auto, RV, boat)	S		P	
Car Wash	P		P	
Farm Implement Sales	P		P	
Entertainment and Hospitality				
Adult Entertainment Uses	ARU		ARU	50-80
Arcade, Amusement Devices, Gaming, Billiards Hall	P			50-94
Auditorium, Cinema, Concert Hall, Theater, Banquet Hall, Amphitheater	P			50-86
Bingo Hall	ARU			50-80
Bowling Alley, Skating Rink	P			50-94
Casino	S		S	
Charity Gaming	ARU			50-80
Convention Center	P		S	
Dance Club, Night Club	S			50-94
Drive-In Theaters	P			
Entertainment, Live (Not including ARUs)	P			
Hookah Lounge, Cigar Lounge	S			
Sports and Entertainment Arena	S			
Lodging				
Motel	P			
Hotel	P		S	
Offices				
Financial Services	P		S	
Physician or Dentist Office or Medical Clinic	P			
General Professional Office	P			
Research Facility/ Laboratory	P	S	P	
Copying, Mailing, Courier Services, Parcel Receiving, Shipping Station	P		P	
Film Production, Photography, Radio, TV Studio	P		P	
Live/Work Unit	S			50-101
Personal Service Establishments				
Personal Service Establishments	P			
Animal Day Care (w/o boarding)	P			
Kennel (w/ boarding and/or grooming)	P			
Veterinary Clinic or Hospital (with or w/o boarding)	P			
Funeral Home or Mortuary	P			
Crematory			P	
Gym or Fitness Center	P			
Tattoo Establishment	ARU			50-80
Residential Service				
Adult Day Care or Day Services Center	P			50-81
Group Day Care Home	P			
Child Care Center	P			50-90
Retail and Service				
Retail Sales, General	P			
Grocery Store	P		S	
Non-food Retail Sales, General (w/o alcohol)	P		S	
Convenience Store	P			50-83
Retail Sales, Outdoor Nursery, Garden Center or Landscaping Supply	P	P	P	
Restaurant w/Alcohol (beer, wine and/or liquor)	S			50-83
Restaurant w/o Alcohol	S			
Catering Business	P			
Bar, Tavern, Taproom, or Tasting Room	S			50-83
Brewpub	S			50-83
Craft Winery/Distillery	S			50-83

	CE	GI-2	PC	Reference
Commercial Art Gallery	S			
Instruction Studio	S			
Cash Advance	S			
Antique, Second-Hand Store (except pawn shop)	P			
Liquor/Package Goods/Party Store	ARU			50-80/50-83
Limited Wholesale	P	S	P	
Wholesale Business	P	S	P	
Pawn Shop or Pawn Broker	ARU		ARU	50-80
Fire Arms Sales	S		S	
Drive Through (all commercial uses w/drive through; includes dry cleaning)	A		A	50-92
INDUSTRIAL				
Manufacturing and Production, Light				
Trade: Sheet Metal, Carpenter, Plumbing or Heating, Furniture Upholstering, Paint, Paper Hanging, Decorating or Sign Painting Shop, or Similar Enterprise, etc.	P		P	
Household Service: Dying and Dry Cleaning Facility, Household Goods or Appliance Repair Shop, etc.	P		P	
Assembly, Manufacturing, or Production of food, textile products, technology, wood products, furniture and fixtures, paper, clay, glass or fabricated metal	S	S	P	
Canning and Bottling Works	S		P	
Food Products	S	S	P	
Production of Pharmaceuticals	S		P	
Products from Previously Prepared Materials	S	S	P	50-103
Pottery and Figurine making, large-scale commercial	P		P	
Welding Shops and Other Metal Working Machine Shops	S		P	
Ice Manufacturing	S		P	
Warehousing, Storage	P	A	P	
Microbrewery/Small Distillery/Small Winery	P		S	
Large Brewery/Large Distillery/Large Winery	S		S	
Self-Storage Facility	P		P	50-114
Stone Monument Works	P		P	
Building Materials Sales Yards	S		P	
Contractors Yards and Similar Establishments	S		P	
Manufacturing and Production, Heavy				
Automotive and Parts Manufacturing	S		P	
Bulk Stations			P	
Coal, Coke and Wood Yards			S	
Other Storage and Equipment Yards			P	
Materials Salvage, Recycling and Processing			P	50-103
Commercial Laundry, Dry Cleaning Processing, Drug and Lab Disposal			S	
High Emissions Manufacturing (i.e. Acid, Asbestos, Brewing and Distilling, Flour or Forge Grain Mill, Meat Packing, etc.)			S	
Foundry			P	
Transportation				
Airports			P	
Railroad Yard and Major Freight Station	S		P	
Freight Terminal	S		P	
Parking Structures	P		P	50-108
Stand Alone Parking, Surface Lots	P		P	
Transit Terminal or Station	P		S	
Utilities				
Electrical Substations and Private Utilities	S	S	S	50-93
Wireless Communication Facilities – Collocated on Existing Tower	P	P	P	50-126
Wireless Communication Facilities – New Towers and Facilities	S		S	50-126

	CE	GI-2	PC	Reference
Large-scale Solar Energy Production	S	P	S	50-116
Small-scale Solar Energy Production	A	A	A	50-117
Large-scale Wind Energy Production		P	S	50-124
Small-Scale Wind Energy Production	A	A	A	50-125
Additionally Regulated Uses				
Medical Marijuana Dispensaries/Provisioning Centers	ARU	ARU	ARU	50-80.1
Commercial Medical Marijuana "Growing" Facility	ARU	ARU	ARU	50-80.1
Commercial Medical Marijuana Processing Facility	ARU	ARU	ARU	50-80.1
Commercial Medical Marijuana Safety Compliance Facility	ARU	ARU	ARU	50-80.1

§ 50-38 Site, Building Placement, and Bulk Standards

Table 50-38 (Exhibit 22):

Table 50-38. Employment Districts Bulk and Site Standards

District	Lot Characteristics		Site Design			
	Min. Lot Width	Min. Lot Area (s.f.)	Min. Front Setback	Min. Corner Side Setback	Min. Interior Side Setback	Min. Rear Setback
CE	100'	15000	10', unless abutting residential development, then 40'	None, unless abutting residential development, then 20'	None, unless abutting residential development, then 20'	None, unless abutting residential development or the NC, CC, or D districts, then 40'
PC	100'	15000	30', unless abutting residential development, then 50'	None, unless abutting residential development, then 30'	None, unless abutting residential development, then 30'	None, unless abutting residential development or the NC, CC, or D districts, then 60'
GI-2	N/A	30,000	30'	30'	30'	25'

Diagram 50-38 (Exhibit 23):

Industrial Zone Bulk Standards

CE, PC Districts

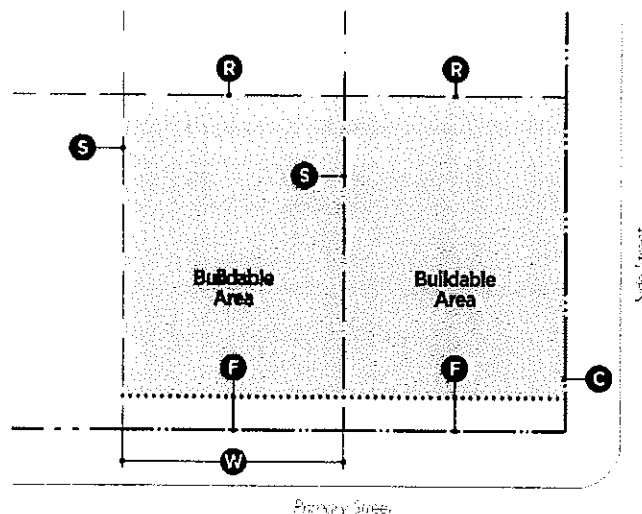
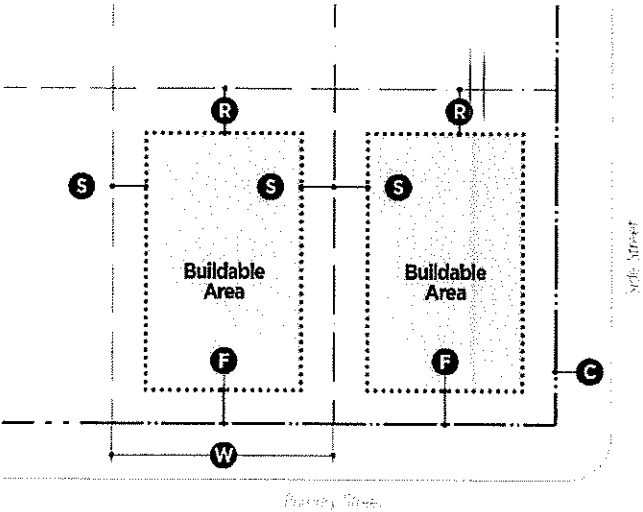


Diagram 50-38 (Exhibit 24):

Industrial Zone Bulk Standards
GI-1, GI-2 Districts



210049

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning, Article VI, C-2 Multifamily High Density Apartment District, by repealing said Article and adopting Article VI, Institutional/Innovation Zone Districts, which shall read in its entirety as follows:

ARTICLE 6
INSTITUTIONAL/INNOVATION
ZONED DISTRICTS

§ 50-40. IC INSTITUTIONAL CAMPUS:
PURPOSE AND INTENT

THE IC INSTITUTIONAL CAMPUS DISTRICT IS INTENDED TO ACCOMMODATE DEVELOPMENT DEDICATED SOLELY TO THE FUNCTION OF MAJOR COMMUNITY INSTITUTIONS, INCLUDING COLLEGES, UNIVERSITIES, MUSEUMS, CULTURAL CENTERS, PERFORMING ARTS VENUES, ETC. THE DISTRICT CONSISTS OF CLUSTERS OF RELATED BUILDINGS ARRANGED IN A CAMPUS SETTING THAT IS LARGELY SEPARATED FROM THE SURROUNDING AREAS. ANY REDEVELOPMENT WITHIN THIS DISTRICT SHOULD CONSIST OF USES THAT COMPLEMENT OR STRENGTHEN THE CORE

INSTITUTION. DAILY ACTIVITIES WITHIN THE DISTRICT ATTRACT VISITORS FROM THROUGHOUT THE REGION AND CONSIDERATION SHOULD BE GIVEN TO ACCESS AND EGRESS TO LIMIT NON-LOCAL TRAFFIC THROUGH RESIDENTIAL AREAS. IN ADDITION, BUFFERING AND SCREENING SHOULD BE USED TO MITIGATE ANY OTHER IMPACTS OF INSTITUTIONAL ACTIVITY, INCLUDING AREAS DEDICATED TO COMMUNITY INSTITUTION OPERATION AND MAINTENANCE.

§ 50-41. UC UNIVERSITY CORE:
PURPOSE AND INTENT

THE UC UNIVERSITY CORE DISTRICT IS INTENDED TO ACCOMMODATE THE DEVELOPMENT OF COLLEGES AND UNIVERSITIES ALONG A RANGE OF INSTITUTIONAL, RESIDENTIAL, COMMERCIAL, AND EMPLOYMENT ACTIVITIES IN A UNIQUE ENVIRONMENT WITHIN THE UNIVERSITY AVENUE AREA THAT SUPPORTS SIGNIFICANT INTENSITY AND A MIX OF COMPLEMENTARY USES. EXAMPLES OF PERMITTED USES INCLUDE RESEARCH AND DEVELOPMENT, PROFESSIONAL OFFICES, MULTI-FAMILY RESIDENTIAL, AND LIGHT MANUFACTURING. LAND USE COMPATIBILITY AND TRANSITIONING TO ADJACENT LAND USES ARE IMPORTANT CONSIDERATIONS IN THIS DISTRICT. ADJACENT RESIDENTIAL AREAS SHOULD BE PROTECTED THROUGH USE OF BUFFERING, SCREENING, AND OTHER MEASURES TO MITIGATE IMPACTS

OF ACTIVITIES FROM WITHIN THE DISTRICT.

§ 50-42. GI-1 GREEN INNOVATION – MEDIUM INTENSITY: PURPOSE AND INTENT

THE CITY OF FLINT STRIVES TO ENCOURAGE ACTIVITY IN THE GREEN ECONOMY, WHICH IS DEFINED AS BUSINESSES OR ORGANIZATIONS THAT PRODUCE GOODS AND SERVICES WITH AN ENVIRONMENTAL BENEFIT OR ADD VALUE TO SUCH PRODUCTS USING SKILLS OR TECHNOLOGIES THAT ARE UNIQUELY APPLIED TO THOSE PRODUCTS. ECONOMIC BENEFITS CAN BE DERIVED EITHER INHERENTLY, SUCH AS ENVIRONMENTAL REMEDIATION SERVICES, HOME WEATHERIZATION, ENERGY RETROFITTING, AND SOLAR PANEL INSTALLATION, OR RELATIVELY, SUCH AS ORGANIC FOOD PRODUCTION OR PROCESSING, THE PRODUCTION OF SOLAR PANELS, OR THE PRODUCTION OF PARTS FOR WIND TURBINES. EDUCATION AND TRAINING IN GREEN ECONOMY SKILLS IS ENCOURAGED. GREEN ECONOMY BUSINESSES OR ORGANIZATIONS ARE NOT SIMPLY BUSINESSES THAT CONDUCT THEMSELVES IN AN ENVIRONMENTALLY-FRIENDLY MANNER, RATHER, GREEN INNOVATION USES ENHANCE THE LOCAL ECONOMY AND PROVIDE PRODUCTS OR SERVICES WITH AN ENVIRONMENTAL BENEFIT.

GI GREEN INNOVATION DISTRICTS ARE INTENDED TO ACCOMMODATE A WIDE ARRAY OF ACTIVITIES CAPABLE OF CAPITALIZING ON TURNING VACANT, FORMERLY

DEVELOPED LAND INTO A PRODUCTIVE REUSE WITHIN THE COMMUNITY WITH A FOCUS ON GREEN OR SUSTAINABLE INITIATIVES. IN CONJUNCTION WITH THE CITY'S 2013 MASTER PLAN, THERE ARE TWO DISTINCT TYPES OF GREEN INNOVATION DISTRICTS: GI-1 AND GI-2 (FOUND IN ARTICLE 5).

THE GI-1 DISTRICT IS COMPRISED OF PLATTED LOTS OF RECORD WITHIN RESIDENTIAL NEIGHBORHOODS THAT HAVE BEEN LARGELY VACATED. THE REHABILITATION AND REUSE OF STRUCTURES THAT WERE INTEGRAL AT ONE TIME TO THE SURROUNDING NEIGHBORHOOD, SUCH AS FORMER SCHOOL BUILDINGS, IS ENCOURAGED. IT IS ANTICIPATED THAT TWO OR MORE LOTS WILL BE ASSEMBLED FOR REDEVELOPMENT IN THIS DISTRICT. DEVELOPMENT AND LAND USE INTENSITY WILL BE LIMITED, GIVEN THAT RESIDENTIAL USES, INCLUDING SINGLE-FAMILY RESIDENTIAL HOMES, ARE ALLOWED IN THE DISTRICT. BECAUSE MOST OF THE GI-1 DISTRICTS ARE ABUTTING GN-1 RESIDENTIAL DISTRICTS, BULK AND DIMENSIONAL STANDARDS WILL BE COMPATIBLE, ALLOWING FOR TYPICALLY SIZED RESIDENTIAL LOTS IN THE DISTRICT, MEETING THE STANDARDS OF THE TO GN-1 RESIDENTIAL STANDARDS.

§ 50-43. PERMITTED USES

ARTICLE 16 DEFINITIONS SHALL BE REFERRED TO FOR CLARITY ON THE USES AS LISTED.

A. LAND USES. USES ARE

ALLOWED IN RESIDENTIAL
ZONE DISTRICTS IN
ACCORDANCE WITH TABLE
50.6.04. USES:
INSTITUTIONAL ZONE
DISTRICTS. THE
FOLLOWING KEY IS TO BE
USED IN CONJUNCTION
WITH THE USE TABLE.

1. PERMITTED USES.
USES PERMITTED
BY RIGHT IN THE
ZONE DISTRICT,
SUBJECT TO
COMPLIANCE WITH
ALL OTHER
APPLICABLE
REQUIREMENTS OF
THIS CHAPTER.
THESE USES ARE
IDENTIFIED WITH A
“P.”
2. SPECIAL LAND
USES. USES WHICH
MAY BE ALLOWED
SUBJECT TO
REVIEW AND
APPROVAL BY THE
PLANNING
COMMISSION IN
ACCORDANCE
WITH ARTICLE 17
AND WITH ALL
OTHER
APPLICABLE
REQUIREMENTS OF
THIS CHAPTER.
THESE USES ARE
IDENTIFIED WITH
AN “S.”
3. ADDITIONALLY
REGULATED USES.
USES WHICH MAY
BE ALLOWED
SUBJECT TO
REVIEW AND
APPROVAL BY THE

PLANNING
COMMISSION IN
ACCORDANCE
WITH ARTICLE 17
AND WITH ALL
OTHER
APPLICABLE
REQUIREMENTS OF
THIS CHAPTER,
INCLUDING
LIMITING
CONDITIONS
SPECIFIED IN
ARTICLE 9. THESE
USES ARE
IDENTIFIED WITH
“ARU”.

4. ACCESSORY USES.
USES WHICH ARE
PERMITTED BY
RIGHT, ASSUMING
THEY ARE NOT THE
PRIMARY USE ON
THE SITE AND
THAT THEY ARE IN
COMPLIANCE WITH
ALL OTHER
APPLICABLE
REQUIREMENTS OF
THIS CHAPTER.
THESE USES ARE
IDENTIFIED WITH
AN “A.”
5. USES NOT
ALLOWED. A CELL
WHICH IS LEFT
BLANK INDICATES
THAT THE LISTED
USE IS NOT
ALLOWED IN THAT
ZONE DISTRICT.
6. USE REGULATIONS.
MANY ALLOWED
USES, WHETHER
PERMITTED BY
RIGHT OR AS A

SPECIAL LAND USE, ARE SUBJECT TO COMPLIANCE WITH ARTICLE 9.

7. UNLISTED USES. IN GENERAL UNLISTED USES ARE PROHIBITED. HOWEVER, IF AN APPLICATION IS SUBMITTED FOR A USE NOT LISTED, THE ZONING COORDINATOR SHALL MAKE A DETERMINATION AS TO THE PROPER ZONE DISTRICT AND USE CLASSIFICATION FOR THE NEW OR UNLISTED USE. IF THE UNLISTED USE IS SIMILAR TO AN EXISTING PERMITTED USE IN THE SAME ZONE DISTRICT AND FITS THE INTENT OF THE ZONE DISTRICT, THE ZONING COORDINATOR MAY DETERMINE THAT THE UNLISTED USE IS PERMITTED.

8. PARKING STANDARDS. PARKING REQUIREMENTS ARE LOCATED IN ARTICLE 12 PARKING, LOADING AND CIRCULATION.

9. LEVEL OF REVIEW FOR MIXED-USE PROJECTS. THE LEVEL OF REVIEW FOR A PROJECT WITH MULTIPLE USES BEING DEVELOPED SIMULTANEOUSLY SHALL BE THE SAME AS THE HIGHEST LEVEL OF REVIEW OF THE INDIVIDUAL USES.

ATTACHMENT:

TABLE 50-43 (EXHIBIT 25)

§ 50-44. SITE, BUILDING PLACEMENT, AND BULK STANDARDS

SITE DIMENSIONS TABLE. ALL DEVELOPMENT IN INSTITUTIONAL ZONE DISTRICTS MUST COMPLY WITH THE REQUIREMENTS IN TABLE 50-44 UNLESS OTHERWISE EXPRESSLY STATED.

ATTACHMENTS:

TABLE 50-44 (EXHIBIT 26)

DIAGRAM 50-44 (EXHIBIT 27)

DIAGRAM 50-44 (EXHIBIT 28)

§ 50-45. DEVELOPMENT STANDARDS APPLICABLE TO THE IC AND UC DISTRICTS

A. LOTS WITH MULTIPLE BUILDINGS ON THE SAME SITE ARE SUBJECT TO THE FOLLOWING REQUIREMENTS:

1. BUILDING SPACING. NO PORTION OF A BUILDING FAÇADE SHALL BE WITHIN

20' OF ANY
PORTION OF
ANOTHER
BUILDING FAÇADE
ON THE SAME SITE.

ARCHITECTURE,
BUILDING
MATERIALS, AND
DETAILS.

2. ORIENTATION.
BUILDINGS
SHOULD
GENERALLY BE
ORIENTED
TOWARD PUBLIC
STREETS AND ON-
SITE COMMON
AMENITIES, SUCH
AS PLAZAS, PARKS,
DECORATIVE
LAKES OR PONDS,
ETC. COLLEGES
AND UNIVERSITIES
MAY ORIENT
BUILDINGS
AROUND SUCH
AMENITIES TO FIT
WITHIN CAMPUS
MASTER PLANS
FOR BEST SERVING
STUDENTS.

3. COMMON
AMENITIES.
COMMON
AMENITIES
SHOULD BE
ENCOURAGED, AND
BUILDING SHOULD
BE SITED TO
RELATE TO THE
AMENITIES AND
PROVIDE A SENSE
OF ENCLOSURE.

4. 360-DEGREE
DESIGN. ALL
FACADES OF
BUILDINGS
SHOULD
INTEGRATE
CONSISTENT

**B. LIGHT MANUFACTURING
AND PRODUCTION USES**

1. ADDITIONAL
SETBACK
REQUIREMENTS.
ANY LOTS HOSTING
LIGHT
MANUFACTURING
AND PRODUCTION
USES AS INDICATED
IN TABLE 50-42
SHALL PROVIDE
FRONT AND SIDE
YARD SETBACKS
TWICE AS LARGE
AS WHAT IS
REQUIRED IN
TABLE 50-43.

**§ 50-46. UNIVERSITY AVENUE
FRONTAGE BUILDING ELEMENT
REQUIREMENTS**

**C. PURPOSE. THE INTENT OF
THESE REQUIREMENTS IS
TO FOSTER THE
DEVELOPMENT OF
UNIVERSITY AVENUE
FRONTAGE IN THE
UNIVERSITY CORRIDOR AS
AN ATTRACTIVE MIXED-USE
AREA THAT SHALL:**

1. ESTABLISH A
DEVELOPMENT
PATTERN THAT
REINFORCES
UNIVERSITY
AVENUE AS AN
ATTRACTIVE
CORRIDOR;

2. ADD VISUAL
INTEREST,

INCREASE
PEDESTRIAN
TRAFFIC AND TO
REDUCE CRIME
THROUGH
INCREASED
SURVEILLANCE;

3. ENHANCE A SENSE
OF PLACE AND
CONTRIBUTE TO
THE VIBRANCY OF
THE DISTRICT;
4. ORIENT BUILDING
ENTRANCES AND
STOREFRONTS TO
THE STREET;
5. UTILIZE
ATTRACTIVE
BUILDING DESIGN
TO ESTABLISH A
DISTINCT LOCAL
CHARACTER; AND
6. ENCOURAGE
TRANSPORTATION
ALTERNATIVES
(WALKING, BIKING
AND TRANSIT) TO
REDUCE
AUTOMOBILE
DEPENDENCE AND
FUEL
CONSUMPTION.

D. APPLICABILITY. ALL
DEVELOPMENT ON
PROPERTIES WITH
FRONTAGE ON UNIVERSITY
AVENUE IN THE UC
DISTRICT SHALL COMPLY
WITH THE REQUIREMENTS
INCLUDED IN THIS SECTION
UNLESS OTHERWISE
EXPRESSLY STATED.

E. MATERIALS.

1. DURABLE
BUILDING
MATERIALS,
SIMPLE
CONFIGURATIONS
AND SOLID
CRAFTSMANSHIP
ARE REQUIRED. A
MINIMUM FIFTY
(50) PERCENT OF
WALLS VISIBLE
FROM PUBLIC
STREETS,
EXCLUSIVE OF
WALL AREAS
DEVOTED TO
MEETING
TRANSPARENCY
REQUIREMENTS
SHALL BE
CONSTRUCTED OF:
BRICK, GLASS;
FIBER CEMENT
SIDING, METAL
(BEAMS, LINTELS,
TRIM ELEMENTS
AND
ORNAMENTATION
ONLY); WOOD LAP,
STUCCO, SPLIT-
FACED BLOCK, OR
STONE. EXTERIOR
INSULATED
FINISHING
SYSTEMS (EIFS),
AND VINYL OR
ALUMINUM SIDING
SHOULD ONLY BE
USED FOR ACCENTS
AND ARE
PROHIBITED ON
THE FIRST STORY.
METAL SIDING MAY
BE USED AS A
PRIMARY
BUILDING
MATERIAL IF
ALLOWED BY THE

PLANNING
COMMISSION WITH
SPECIAL LAND USE
APPROVAL.

**F. FAÇADE PRESERVATION
AND VARIATION.**

1. EXTERIOR ALTERATIONS.
EXTERIOR CHANGES AND FAÇADE RENOVATIONS SHALL NOT DESTROY OR COVER ORIGINAL DETAILS ON A BUILDING, WHEREVER PRACTICABLE. BRICK AND STONE FAÇADES SHALL NOT BE COVERED WITH ARTIFICIAL SIDING OR PANELS.
2. WINDOW AND DOOR OPENINGS.
EXISTING WINDOW AND DOOR OPENINGS SHALL BE MAINTAINED WHEREVER PRACTICABLE. NEW WINDOW AND DOOR OPENINGS SHALL MAINTAIN A SIMILAR HORIZONTAL AND VERTICAL RELATIONSHIP AS THE ORIGINALS.
3. VERTICAL AND HORIZONTAL LINES.
THE VERTICAL LINES OF COLUMNS AND

PIERS, AND THE HORIZONTAL DEFINITION OF SPANDRELS AND CORNICES, AND OTHER PRIMARY STRUCTURAL ELEMENTS SHALL BE MAINTAINED WHEREVER PRACTICABLE.

4. UNINTERRUPTED FAÇADE.
THE MAXIMUM LINEAR LENGTH OF AN UNINTERRUPTED BUILDING FAÇADE FACING PUBLIC STREETS AND/OR PARKS SHALL BE THIRTY (30) FEET. FAÇADE ARTICULATION OR ARCHITECTURAL DESIGN VARIATIONS FOR BUILDING WALLS FACING THE STREET ARE REQUIRED TO ENSURE THAT THE BUILDING IS NOT MONOTONOUS IN APPEARANCE. BUILDING WALL OFFSETS (PROJECTIONS AND RECESSES), CORNICES, VARYING BUILDING MATERIALS OR PILASTERS SHALL BE USED TO BREAK UP THE MASS OF A SINGLE BUILDING.

G. BUILDING ORIENTATION.

1. PRIMARY ENTRANCE. THE PRIMARY BUILDING ENTRANCE SHALL BE LOCATED IN THE FRONT FAÇADE PARALLEL TO THE STREET. MAIN BUILDING ENTRANCES AND EXITS SHALL BE LOCATED ON THE PRIMARY STREET.

EXCEED THE ENTRANCE WIDTH; AND

- B. THE ENTRANCE MAY NOT EXCEED TWO (2) STORIES IN HEIGHT.

H. ENTRANCES.

1. RECESSED DOORWAYS. WHERE THE BUILDING ENTRANCE IS LOCATED ON OR WITHIN FIVE (5) FEET OF A LOT LINE, DOORWAYS SHALL BE RECESSED INTO THE FACE OF THE BUILDING TO PROVIDE A SENSE OF ENTRANCE AND TO ADD VARIETY TO THE STREETSCAPE.

- I. THE ENTRANCE RECESS SHALL NOT BE LESS THAN THE WIDTH OF THE DOOR(S) WHEN OPENED OUTWARD.

- A. THE ENTRANCE RECESS MAY NOT

- II. ADMINISTRATIVE DEPARTURE. AN ADMINISTRATIVE DEPARTURE APPROVED BY THE ZONING COORDINATOR MAY BE GRANTED TO PERMIT NON-RECESSED SERVICE DOORS WHERE NO SAFETY HAZARD EXISTS.

- III. RESIDENTIAL DWELLINGS. ENTRANCES FOR ALL RESIDENTIAL DWELLINGS SHALL BE CLEARLY DEFINED BY AT LEAST ONE (1) OF THE FOLLOWING:

- I. PROJECTING OR RECESSED ENTRANCE. A RECESSED ENTRANCE IS REQUIRED IF

THE BUILDING
ENTRANCE IS
LOCATED ON OR
WITHIN FIVE (5)
FEET OF THE
LOT LINE.

II. STOOP OR
ENCLOSED OR
COVERED
PORCH.

III. TRANSOM
AND/OR SIDE
LIGHT WINDOW
PANELS
FRAMING THE
DOOR OPENING.

IV. ARCHITECTURA
L TRIM
FRAMING THE
DOOR OPENING.

V. ADMINISTRATIV
E DEPARTURE.
AN
ADMINISTRATIV
E DEPARTURE
APPROVED BY
THE ZONING
COORDINATOR
MAY BE
PERMITTED FOR
OTHER
METHODS, SUCH
AS UNIQUE
COLOR
TREATMENTS,
PROVIDED THE
SAME EFFECT IS
ACHIEVED.

VI. BUILDING
ORIENTATION.

I. PRIMARY
ENTRANCE. THE
MAIN BUILDING

ENTRANCE
SHALL BE
LOCATED IN
THE FRONT
FAÇADE
PARALLEL TO
THE PRIMARY
STREET.

II. ADMINISTRATIV
E DEPARTURE.
ALTERNATIVE
ORIENTATIONS
MAY BE
PERMITTED BY
THE ZONING
COORDINATOR
WHERE SUCH
ALTERNATIVE
ORIENTATIONS
ARE
CONSISTENT
WITH EXISTING
ADJACENT
DEVELOPMENT.

ATTACHMENT:

TABLE 50-46H (EXHIBIT 29)

I. EXPRESSION LINE (EL).

1. A HORIZONTAL
LINE ON THE
FAÇADE KNOWN AS
THE EXPRESSION
LINE (EL) SHALL
DISTINGUISH THE
BASE OF THE
BUILDING FROM
THE REMAINDER
TO ENHANCE THE
PEDESTRIAN
ENVIRONMENT.
THE EL SHALL BE
CREATED BY A
CHANGE IN
MATERIAL, A
CHANGE IN DESIGN,
OR BY A

CONTINUOUS
SETBACK, RECESS,
OR PROJECTION
ABOVE OR BELOW
THE EXPRESSION
LINE. SUCH
ELEMENTS AS
CORNICES, BELT
COURSES,
CORBELLING,
MOLDING,
STRINGCOURSES,
ORNAMENTATION,
AND CHANGES IN
MATERIAL OR
COLOR OR OTHER
SCULPTURING OF
THE BASE, ARE
APPROPRIATE
DESIGN ELEMENTS
FOR ELS.

2. IF APPLICABLE,
THE HEIGHT OF
THE EXPRESSION
LINE SHALL BE
RELATED TO THE
PREVAILING SCALE
OF DEVELOPMENT
IN THE AREA. A
CHANGE OF SCALE
MAY REQUIRE A
TRANSITIONAL
DESIGN ELEMENT
BETWEEN
EXISTING AND
PROPOSED
FEATURES.

ATTACHMENT:
DIAGRAM 50-46I (EXHIBIT 30)

J. TRANSPARENCY.

1. PURPOSE. THE
FIRST FLOORS OF
ALL BUILDINGS
SHALL BE
DESIGNED TO

ENCOURAGE AND
COMPLEMENT
PEDESTRIAN-
SCALE ACTIVITY
AND CRIME
PREVENTION
TECHNIQUES. IT IS
INTENDED THAT
THIS BE
ACCOMPLISHED
PRINCIPALLY BY
THE USE OF
WINDOWS AND
DOORS ARRANGED
SO THAT ACTIVE
USES WITHIN THE
BUILDING ARE
VISIBLE FROM OR
ACCESSIBLE TO
THE STREET, AND
PARKING AREAS
ARE VISIBLE TO
OCCUPANTS OF
THE BUILDING.

2. APPLICABILITY.

- I. THE MINIMUM
TRANSPARENCY
REQUIREMENT
SHALL APPLY
TO ALL SIDES OF
A BUILDING
THAT ABUT AN
URBAN OPEN
SPACE OR
PUBLIC RIGHT-
OF-WAY.
TRANSPARENCY
REQUIREMENTS
SHALL NOT
APPLY TO SIDES
WHICH ABUT AN
ALLEY.
- II. WINDOWS FOR
BUILDING SIDES
(NON-FRONT)
SHALL BE

CONCENTRATE
D TOWARD THE
FRONT EDGE OF
THE BUILDING,
IN LOCATIONS
MOST VISIBLE
FROM AN URBAN
OPEN SPACE OR
PUBLIC RIGHT-
OF-WAY.

SCREENING
SHALL COVER
MORE THAN
TWENTY-FIVE
(25) PERCENT OF
WINDOWS OR
DOORS THAT
ARE USED TO
MEET
TRANSPARENCY
REQUIREMENTS.

3. WINDOWS AND
DISPLAYS.

- I. GROUND LEVEL
STOREFRONT
TRANSPARENCY
SHALL BE
HORIZONTALLY
ORIENTED
OVERALL,
DIVIDED INTO
VERTICAL
SEGMENTS.
- II. PRODUCT
DISPLAY
WINDOWS
SHALL BE
INTERNALLY
LIT.
- III. INTERIOR
DISPLAYS
SHALL BE SET
BACK A
MINIMUM OF
ONE (1) FOOT
FROM THE
WINDOW AND
SHALL NOT
COVER MORE
THAN FIFTY (50)
PERCENT OF
THE WINDOW
OPENING.
- IV. NO WINDOW
COVERING OR

4. PERCENTAGE OF
REQUIRED
TRANSPARENCY

- I. GROUND-FLOOR
TRANSPARENCY
PERCENTAGES
MUST BE
APPLIED
BETWEEN TWO
(2) FEET AND
EIGHT (8) FEET
FROM THE
GROUND. THE
AREA OF
WINDOWS IN
DOORS MAY
COUNT
TOWARDS THE
TRANSPARENCY
PERCENTAGE.
- II. STRUCTURES IN
THE UC
DISTRICT
FRONTING
UNIVERSITY
AVENUE SHALL
COMPLY WITH
TABLE 5.6.06.H
BELOW WITH
REGARDS TO
THE AMOUNT OF
TRANSPARENT
MATERIALS
THAT IS
REQUIRED FOR

GROUND-FLOOR
AND UPPER
FLOOR
FACADES.
WINDOWS MUST
BE CLEAR AND
ALLOW VIEWS
OF THE INDOOR
SPACE OR
DISPLAY AREAS.

PEDESTRIAN
CONNECTIONS
CREATED BY
EFFORTS TO
SEGREGATE
USES; AND

IV. ESTABLISH OR
MAINTAIN
VIBRANT
PEDESTRIAN-
AND TRANSIT-
ORIENTED
AREAS WHERE
DIFFERING USES
ARE PERMITTED
TO OPERATE IN
CLOSE
PROXIMITY TO
ONE ANOTHER.

ATTACHMENT:
DIAGRAM 50-46J (EXHIBIT 31)

K. TRANSITIONAL FEATURES.

1. PURPOSE.
TRANSITIONAL
FEATURES ARE
ARCHITECTURAL
ELEMENTS, SITE
FEATURES OR
ALTERATIONS TO
BUILDING MASSING
THAT ARE USED TO
PROVIDE A
TRANSITION
BETWEEN HIGHER
INTENSITY USES
AND LOW- OR
MODERATE-
DENSITY
RESIDENTIAL
AREAS. IT IS THE
INTENT OF THESE
STANDARDS TO:

- I. REDUCE LAND
CONSUMPTION;
- II. CREATE A
COMPATIBLE
MIXED-USE
ENVIRONMENT;
- III. LIMIT
INTERRUPTIONS
IN VEHICULAR
AND

2. APPLICABILITY.
TRANSITIONAL
FEATURES SHALL
BE REQUIRED FOR
BUILDINGS OR
STRUCTURES
THAT:

- I. HOST HIGHER-
INTENSITY
LAND USES
THAT WOULD
ADVERSELY
AFFECT THE
LIVABILITY OF
AN AREA. THE
PLANNING
COMMISSION,
BOARD OF
ZONING
APPEALS, OR
CITY COUNCIL
MAY REQUIRE
TRANSITIONAL
FEATURES AS
PART OF A
SPECIAL LAND
USE, VARIANCE,

PLANNED
REDEVELOPME
NT DISTRICT OR
CONDITIONAL
REZONING
APPROVAL.

OUTDOOR
LIGHTING OR
SOURCES OF
AUDIBLE NOISE
SHALL BE
PREVENTED
WHENEVER
PRACTICABLE.

3. ARCHITECTURAL
FEATURES.
SIMILARLY SIZED
AND PATTERNED
ARCHITECTURAL
FEATURES SUCH AS
WINDOWS, DOORS,
ARCADES,
PILASTERS,
CORNICES, WALL
OFFSETS, BUILDING
MATERIALS, AND
OTHER BUILDING
ARTICULATIONS
INCLUDED ON THE
LOWER-INTENSITY
USE SHALL BE
INCORPORATED IN
THE
TRANSITIONAL
FEATURES.
4. PARKING AND
LOADING. OFF-
STREET PARKING,
LOADING, SERVICE
AND UTILITY
AREAS SHALL BE
LOCATED AWAY
FROM THE LOWER-
INTENSITY USE
AND, WHERE
POSSIBLE,
ADJACENT TO
SIMILAR SITE
FEATURES ON
SURROUNDING
SITES.
5. LIGHTING AND
NOISE.
INCOMPATIBLE

**§ 50-47. ADDITIONAL CRITERIA AND
REQUIREMENTS FOR REVIEW OF
USES IN GREEN INNOVATION
DISTRICTS**

- A. INTENT. DEVELOPMENT
INTENSITY WITHIN THE GI-1
AND GI-2 DISTRICTS SHOULD
BE CONTEXT SENSITIVE AND
SHOULD LIMIT IMPACTS ON
SURROUNDING LAND USES,
INCLUDING SINGLE FAMILY
HOMES WITHIN THE GI-1
DISTRICT AS WELL AS LESS
INTENSE COMMERCIAL AND
RESIDENTIAL USES IN
ADJACENT DISTRICTS.
GIVEN THE RAPIDLY
CHANGING NATURE OF
GREEN BUSINESS AND THE
UNIQUE CONTEXT IN FLINT,
ALL FUTURE DEVELOPMENT
AND ACTIVITY WITHIN A GI-
1 OR GI-2 DISTRICT MUST
DEMONSTRATE IT MEETS
THE SUSTAINABILITY
INTENT AND GOALS OF
GREEN INNOVATION.
- B. NARRATIVE FOR LOCATION
WITHIN DISTRICT. USES
MUST DEMONSTRATE THEIR
APPROPRIATENESS FOR THE
GI DISTRICT INSTEAD OF
OTHER DISTRICTS WITHIN
THE COMMUNITY. ALONG
WITH ANY NECESSARY
APPLICATION MATERIALS
OUTLINED BY ARTICLE 17 OF
THIS CHAPTER, THE
APPLICANT MUST INCLUDE
A NARRATIVE DETAILING
HOW THE DEVELOPMENT

MEETS THE FOLLOWING REQUIREMENTS.

1. THE APPLICANT MUST DESCRIBE HOW THE USE MAY BE CLASSIFIED IN ONE OR MORE OF THE FOLLOWING GREEN BUSINESS AREAS:

- I. AGRICULTURE AND NATURAL RESOURCES CONSERVATION
- II. EDUCATION AND COMPLIANCE
- III. ENERGY AND RESOURCE EFFICIENCY
- IV. GREENHOUSE GAS REDUCTION, ENVIRONMENTAL MANAGEMENT, AND RECYCLING
- V. RENEWABLE ENERGY

2. THE APPLICANT MUST DESCRIBE HOW THE DEVELOPMENT WILL NOT ADVERSELY AFFECT ADJACENT RESIDENTIAL OR LESS INTENSIVE USES.

C. ADDITIONAL LANDSCAPING. ANY NON-RESIDENTIAL USE IN A GI-1 DISTRICT SHARING

A LOT LINE WITH A RESIDENTIAL USE SHALL PROVIDE AT LEAST A TYPE-2 TRANSITION YARD (SEE SECTION 50-157) ALONG THE SHARED LINE(S). THIS TRANSITION YARD MAY BE INCORPORATED AS PART OF A REQUIRED SETBACK PROVIDED THE SETBACK IS LARGER THAN THE TRANSITION YARD. IF THE SPECIFIC USE REQUIRES A MORE SPECIFIC OR INTENSE LEVEL OF LANDSCAPING/BUFFERING THOSE REGULATIONS SHALL APPLY.


Sec. 2. The ordinances in this Article shall become effective upon publication.

Adopted this _____ day of _____, 2021, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

S:\Ordinance Review\1.19.21_ARTICLE 6 INSTITUTIONAL ZONE DISTRICTS pc approved.docx

§ 50-43. Permitted Uses

Table 50-43 (Exhibit 25):

Table 50.6.04. Uses: Institutional Zoning Districts				
	IC	UC	GI-1	Reference
RESIDENTIAL				
Household Living				
Single-Family Detached Dwelling		S	P	50-59
Two-Family Dwelling (duplex)		P		50-85
Single-Family Attached Dwelling		P		50-85
Multi-Family Dwelling (all floors)		P		50-104
Multi-Family Dwelling (above ground floor)	S	P		50-104
Accessory Dwelling Unit		A	A	50-79
Mixed Use, Residential	S	P		
Group Living				
State Licensed Residential Facility		S		
Fraternity/Sorority		P		50-96
Convalescent or Nursing Home		S		
Boarding House		P		50-112
Transitional or Emergency Shelter		S		50-119
Adult Foster Care Family Home (1-6 residents)		S		50-81
Adult Foster Care Small Group Home (1-6)		S		50-81
Adult Foster Care Small Group Home (7-12)		S		50-81
Adult Foster Care Large Group Home (13-20)		S		50-81
RECREATIONAL				
Community Center	S	S	P	
Park			P	
Public-Owned Park			P	
AGRICULTURAL				
Aquaculture		P	A	50-84
Aquaponics		P	S	50-84
Farmers' Market (Permanent)		P		
Farmers' Market (Temporary)	P	P		50-118
Produce Stand		A	A	50-109
Greenhouse		A	P	50-98
Hoophouse		S	P	50-100
Hydroponics		P	S	
Apiary/Beekeeping		A	P	50-88
Commercial Composting			S	
Orchard (11 or more trees)			P	
Urban Agriculture			P	50-120
Community Garden	A	A	P	50-91
INSTITUTIONAL AND CULTURAL				
Religious				
Place of Worship	S	S	S	
Cemetery			S	
Government and Educational				
Elementary/Middle School	P	P	S	
High School	P	P	S	
College or University	P	P	S	
Other Governmental Use or Facility	P	P		
Other Institutional, and Cultural				
Social Service Facility		P		
Civil, Religious, or Charitable Organization		P		

Table 50.6.04. Uses: Institutional Zoning Districts

	IC	UC	GI-1	Reference
Library	P	P		
Museum	P	P		
Art Gallery	P	P		
Health				
Rehabilitation Center (w/o residential care)		P		
Hospital or Medical Center	S	P		
COMMERCIAL				
Automotive Services				
Auto Supply/Accessory Sales		S		
Vehicle Repair and Services		S		50-123
Vehicle Fuel Station (without vehicle repair, may include 1,000 sq. ft. convenience-Store)		S		50-121
Car Wash		S		
Entertainment and Hospitality				
Arcade, Amusement Devices, Gaming, Billiards Hall	S	P		50-69
Auditorium, Cinema, Concert Hall, Theater, Banquet Hall	P	P		50-86
Bingo Hall		ARU		50-80
Bowling Alley, Skating Rink		P		50-94
Charity Gaming		ARU		50-80
Convention Center	S	S		
Dance Club, Night Club		S		50-94
Entertainment, Live (Not including ARUs)	P	P		50-94
Hookah Lounge, Cigar Lounge		S		
Sports and Entertainment Arena		S		
Lodging				
Bed and Breakfast		P		50-87
Hotel		P		
Offices				
Financial Services		P		
Physician or Dentist Office or Medical Clinic		P		
General Professional Office	S	P		
Research Facility/ Laboratory		P		
Copying, Mailing, Courier Services, Parcel Receiving, Shipping Station		P		
Film Production, Photography, Radio, TV Studio	S	P		
Live/Work Unit	S	P		50-101
Personal Service Establishments				
Personal Service Establishments		P		
Animal Day Care (w/o boarding)		S		
Veterinary Clinic or Hospital (with or w/o boarding)		S		
Gym or Fitness Center		P		
Funeral Home or Mortuary		S		
Tattoo Establishment		ARU		50-80
Residential Service				
Adult Day Care or Day Services Center		S		50-81
Group Day Care Home		S		
Child Care Center		P		50-90
Retail and Service				
Grocery Store		P		
Convenience Store		S		50-83
Retail Sales, General		P		
Retail Sales, Outdoor Nursery, Garden Center or Landscaping Supply			S	
Restaurant w/Alcohol (beer, wine and/or liquor)	S	S		50-83
Restaurant w/o Alcohol	S	P		

Table 50.6.04. Uses: Institutional Zoning Districts						
	IC	UC	GI-1			Reference
Catering Business	S	P				
Bar, Tavern, Taproom, or Tasting Room	S	S				50-83
Brewpub	S	S				50-83
Craft Winery/Distillery	S	S				50-83
Commercial Art Gallery	S	P				
Instruction Studio	S	P				
Antique, Second-Hand Store (except pawn shop)		P				
Drive-Through (all commercial uses w/drive through; includes dry cleaning)		A				
INDUSTRIAL						
Manufacturing and Production, Light						
Trade: Sheet Metal, Carpenter, Plumbing or Heating, Furniture Upholstering, Paint, Paper Hanging, Decorating or Sign Painting Shop, or Similar Enterprise, etc.		S				
Assembly, Manufacturing, or Production of textile products, technology, wood products, furniture and fixtures, paper, clay, glass or fabricated metal		S				
Food Products			S			
Household Service: Laundry, Dying and Dry Cleaning Facility, Household Goods or Appliance Repair Shop, etc.		S				
Pottery and Figurine making, large-scale commercial/industrial		P				
Automotive and Parts Manufacturing		S				
Welding Shops and Other Metal Working Machine Shops		S				
Green Economy Light Industrial Uses			S			
Microbrewery/Small Distillery/Small Winery	P	P				
Large brewery/Large Distillery/Large Winery		S				
Transportation						
Parking Structures	S	S				50-108
Stand Alone Parking, Surface Lots		S				
Transit Terminal or Station		S				
Utilities						
Electrical Substations and Private Utilities	S	S	S			50-93
Wireless Communication Facilities – Collocated on Existing Towers	P	P	P			50-126
Small-Scale Solar Energy Production	A	A	A			50-117
Large Scale Solar Energy	A	A	P			
Small-Scale Wind Energy Production	A	A	A			50-125
Large Scale Wind Energy	A	A	S			

§ 50-44. Site, Building Placement, and Bulk Standards

Table 50-44 (Exhibit 26):

Table 50-44. Uses: Institutional Districts Bulk and Site Standards

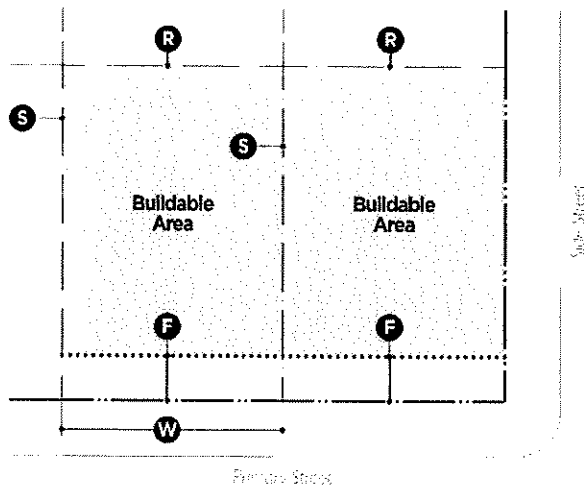
District Name	Lot Characteristics		Site Design						Development Intensity		
	Min. Lot Width	Min. Lot Area (s.f.)	Front Setback		Corner Side Setback		Interior Side Setback	Rear Setback	Min. Lot Area per Dwelling Unit	Building height	
			Min.	Max.	Min.	Max.	Min.	Min.			
IC	N/A	N/A	None, unless abutting or fronting on residential development, then 40'	None	None, unless abutting or fronting on residential development, then 20'	None	None, unless abutting or fronting on residential development, then 20'	None, unless abutting or fronting on residential development, then 40'	1,000 sq. ft. per efficiency or one bedroom apartment; 1,500 sq. ft. per two or more bedroom apartment	70' max	
UC											
District-wide	40'	10,000	10', unless abutting or fronting on residential development, then 20'	None	None, unless abutting a development with residential on the ground floor, then 15'	None	None, unless abutting a development with residential on the ground floor, then 15'	None, unless abutting a development with residential on the ground floor, then 40'	1,000 sq. ft. per efficiency or one bedroom apartment; 1,500 sq. ft. per two or more bedroom apartment	60' max, unless abutting a TN or GN District, then not more than 35' max within 100' of the property line of the parcel(s) in that district.	
For lots fronting on University Avenue	20'	3,000	0'	10'	None, unless abutting a development with residential on the ground floor, then 10'	15'	None, unless abutting a development with residential on the ground floor, then 10'	None, unless abutting a development with residential on the ground floor, then 40'	800 sq. ft. per efficiency or one bedroom apartment; 1,000 sq. ft. per two or more bedroom apartment	2 stories min	70' max
GI-1											
Residential *	120', unless a non-residential use,	13,500 sq. ft., unless a non-residential use, then	25', or consistent with the average front setback of residential structures on	None	15'	None	Width of Smaller Side Yard (S1)	Aggregate Width of Both Side Yards (S1+ S2)	25'	15,000 sq. ft.	2-1/2 stories /35'

	then 80'	8,000 sq. ft.	the same block				15'	50'			
<i>Industrial</i>	120'	30,000	25' or consistent with the font setback of residential structures on the same block, whichever is less	None	15'	None	15'	20'	None		

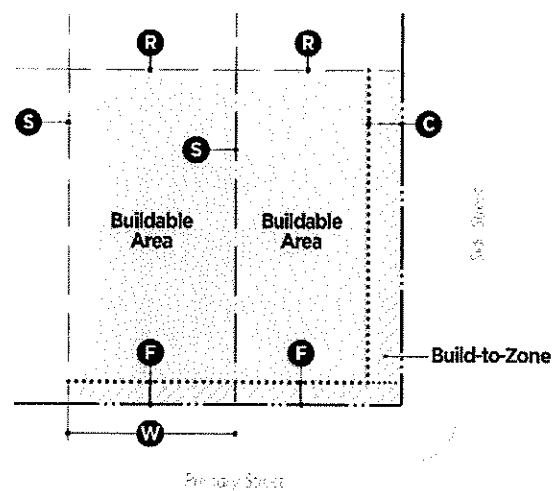
*Maximum Impervious Lot Coverage for GI-1 Residential: 30%, unless a non-residential use, then 80%

Diagram 50-44 (Exhibit 27):

University Core Zone Bulk Standards
UC Districts



UC District-wide



UC Lots fronting on University Avenue

Diagram 50-44 (Exhibit 28):

Industrial Zone Bulk Standards
GI-1, GI-2 Districts

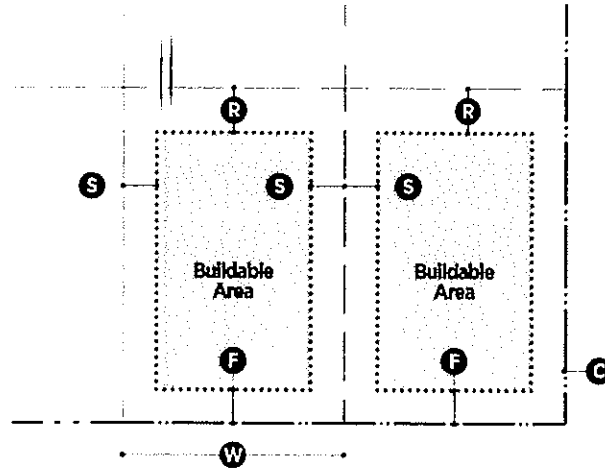


Table 50-46H (Exhibit 29):

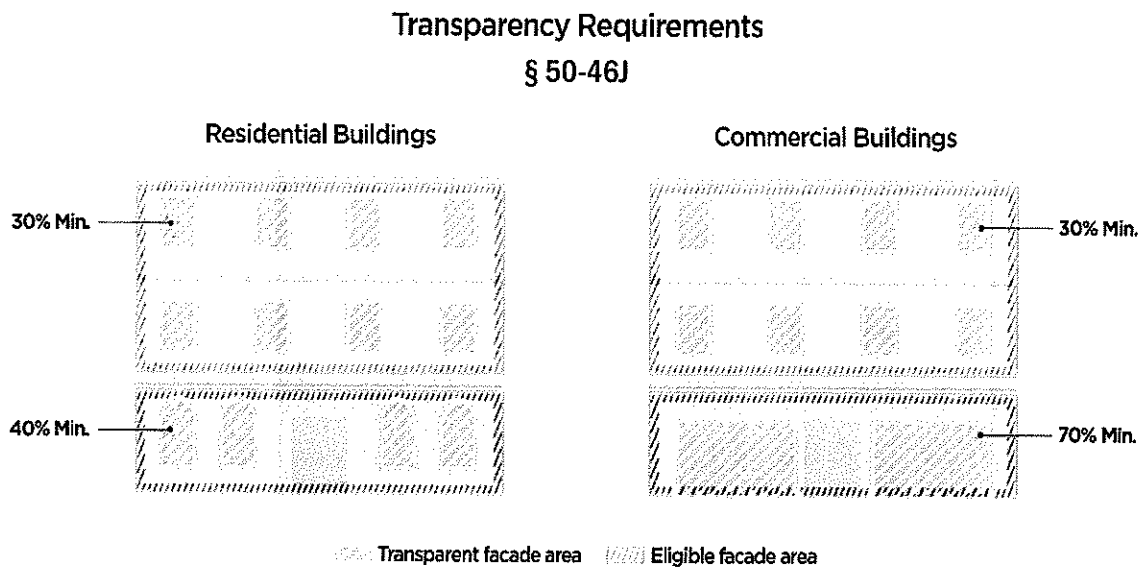
Table 50-46H. Façade Transparency in UC District		
	Commercial Use	Residential Use
Ground-floor	70%	40%
Upper floors	30%	30%

§ 50-46. University Avenue Frontage Building Element Requirements

Diagram 50-46I (Exhibit 30):



Diagram 50-46J (Exhibit 31):



200074

RECOMMENDED BY PLANNING COMMISSION 02.04.2020

ORDINANCE NO. _____

An ordinance to amend the Code of the City of Flint by amending Chapter 50, Zoning, by amending Article XXXII, Medical Marihuana Facilities, §50-183.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. That the Code of the City of Flint shall be amended by amending Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities, which shall read in their entirety as follows:

§50-183. MEDICAL MARIHUANA FACILITIES OPT IN ORDINANCE.

This ordinance of the City of Flint, Michigan is to provide for the licensing and regulation of **BOTH Medical AND ADULT-USE ("RECREATIONAL")** Marihuana Facilities within the City of Flint, Michigan; to ~~establish the maximum number of Medical Marihuana Licensed Facilities;~~ to establish operational, land use, and zoning requirements, and standards attendant thereto; to protect the health, safety and welfare of the City of Flint and its neighborhoods; and to provide penalties for violations of the chapter. These Special Regulated Uses pertain to Medical AND **ADULT-USE ("RECREATIONAL")** Marihuana Facilities that are allowed under the statutes of the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 ET SEQ., as amended ("MMMA"), the Medical Marihuana Facilities Licensing act, MCL 333.2701, ET SEQ., (MMFLA), and the Marihuana Tracking Act (MTA), MCL 333.27901, ET SEQ. **AND THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA")**, 2018 IL 1, MCL 333.27951 ET SEQ. This Ordinance is subject to interpretation and revision based on rules yet to be fully and permanently adopted by the Michigan Department of Licensing and Regulatory Affairs (LARA) **AND THE**

MICHIGAN REGULATORY AGENCY (MRA). If the standards set forth in this Ordinance are in conflict with the standards adopted by LARA / **THE MRA** than the standards from LARA / **THE MRA** shall apply.

A. Uses subject to these controls are as follows:

(1) Group "B" Special Regulated Uses:

i. Medical Marihuana Provisioning Centers

ii. **RETAIL FACILITIES**

iii. **COMMERCIAL MARIHUANA SECURE TRANSPORT FACILITIES**

(2) Group "F"- Special Regulated Uses:

i. Commercial Medical Marihuana Growing Centers

ii. Commercial Medical Marihuana Processing Center

iii. **COMMERCIAL MARIHUANA SAFETY COMPLIANCE FACILITIES**

(3) Group "G" – Special Regulated Uses:

i. ~~Commercial~~ ~~Medical~~ ~~Marihuana~~ ~~Secure~~ ~~Transport~~ ~~Facility~~ **MICROBUSINESSES**

- ii. ~~Commercial~~ ~~Medical~~
~~Marihuana~~ ~~Safety~~
~~Compliance-Facility~~

B. Definitions:

For the purposes of this chapter:

Any term defined by the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 ET SEQ., as amended ("MMMA"), or the Medical Marihuana Facilities Licensing Act, 2016 PA 281, **OR THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA")**, 2018 IL 1, MCL 333.27951 ET SEQ shall have the definition given in the MMMA, as amended, or the Medical Marihuana Facilities Licensing Act, as amended, **OR THE MRTMA**. These Special Regulated Uses pertain to Medical Marihuana Facilities that are allowed under the statutes of the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 ET SEQ., as amended ("MMMA"), the Medical Marihuana Facilities Licensing Act, MCL 333.2701, ET SEQ., ("MMFLA"), and the Marihuana Tracking Act ("MTA"), MCL 333.27901, ET SEQ **AND ADULT-USE OR RECREATIONAL FACILITIES THAT ARE ALLOWED UNDER THE THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA")**, 2018 IL 1, MCL 333.27951 ET SEQ. If the definition of a word or phrase set forth in this Ordinance conflicts with the definition in the MMMA, **THE MRTMA** or the Medical Marihuana Facilities Licensing Act, or if a term is not defined but is defined in the MMMA or the Medical Marihuana Facilities Licensing Act, then the definition in the MMMA or the Medical Marihuana Facilities Licensing Act, **OR THE MRTMA** shall apply.

This ordinance shall not limit an individual's or entity's rights under the MMMA, MMFLA, or MTA **OR THE MRTMA** and these acts supersede this ordinance where there is a conflict between

them and the immunities and protections established in the MMMA unless superseded or preempted by the MMFLA **OR THE MRTMA**.

The following definitions apply to all Group "E", "F", and "G" Special Regulated Uses:

1. **Dedicated Public Park** - A city or privately owned piece of property that contains deed restrictions explicitly stating the property is for the use of the general public for leisure, recreation, or general public purposes. Property does not need to contain playground or recreation equipment to be established as a Dedicated Public Park space.
2. **City** - the City of Flint, Michigan.
3. **Medical—Marihuana Growing Center** - An entity that is licensed to operate by the State of Michigan **FOR MEDICAL AND/OR ADULT-USE MARIJUANA** and has applied to be established as a Special Regulated Use by the City. This facility is used to cultivate, dry, and package ~~Medical~~ Marihuana in accordance with state law.
 - i. The Growing Center must be located in a structure that is, **IN A SINGLE BUILDING OR CUMULATIVELY IN A COLLECTION OF BUILDINGS**, a minimum of 2,000 square feet for a class a licensed grower, 5,000 square feet for a class b licensed grower, and 8,000 square feet for a

class c licensed grower
**OR AN EXCESS
GROWER.** The
building(S) may be split
among multiple state
licensed growers, and
processors given that
there are walls or
partitions erected
between them and
approved by BSI
officials, pursuant to
state building code.

- ii. If a Growing Center is
collocated with a Group
E Provisioning Center
OR RETAILER, the
structure must be a
minimum of 9,000
square feet, **IN A
SINGLE BUILDING
OR CUMULATIVELY
IN A COLLECTION
OF BUILDINGS**
- iii. A Growing Center shall
provide only wholesale
products for the use of
other Medical Marijuana
Provisioning Centers **OR
RETAILERS.**

4. **Medical Marijuana Processing
Center** - An entity that is
licensed by the State of
Michigan **FOR MEDICAL
AND/OR ADULT-USE
MARIJUANA** that acquires
marihuana from a grower and
that extracts resin from the
marihuana or creates a
marihuana-infused product for
sale and transfer in packaged
form to a Provisioning Center
OR RETAILER.

- i. The Processing Center
must be located in a

facility that is a
minimum of 3,000
square feet. The building
may be split among
multiple state licensed
processors & growers,
given that there are walls
or partitions erected
between them and
approved by BSI
officials, pursuant to
state building code.

- ii. If a Processing Center is
collocated with a Group
E Provisioning Center
OR RETAILER, the
structure must be a
minimum of 9,000
square feet, **IN A
SINGLE BUILDING
OR CUMULATIVELY
IN A COLLECTION
OF BUILDINGS.**

- iii. A Processing Center
shall provide only
wholesale products for
the use of other **Medical
Marihuana Provisioning
Centers OR
RETAILERS.**

5. **Medical Marijuana Secure
Transport Facility** - A licensee
that is a commercial entity
located in this state **AND IS
LICENSED BY THE STATE
OF MICHIGAN FOR
MEDICAL AND/OR ADULT-
USE MARIJUANA** that stores
Medical Marijuana and
transports **Medical Marijuana**
between **Medical Marijuana**
Licensed Facilities for a fee.

- 6. **Medical Marijuana Safety
Compliance Facility** - A
commercial entity **LICENSED**

BY THE STATE OF MICHIGAN FOR MEDICAL AND/OR ADULT-USE MARIJUANA that receives marijuana from a marihuana facility or registered caregiver, tests it for contaminants and for tetrahydrocannabinol (THC) and other cannabinoids, returns the test results, and may return the marijuana to the Medical Marihuana Licensed Facility.

7. Enclosed, Locked Facility - A permanent building having a roof supported by columns or any other support used for the enclosure of persons, animals, chattels or property of any kind, or carrying on business activities or other uses. Marihuana must be grown and stored in a fully enclosed area equipped with secured locks or other functioning security devices that permit access only by registered licensee or registered qualifying patient.

8. Grower- A licensee that is an entity located in this state, approved by the State FOR MEDICAL AND/OR ADULT-USE MARIJUANA, that cultivates, dries, trims, or cures and packages marihuana for sale to a Processor or Provisioning Center OR RETAILER.

9. Pre-K through 12 School - A building or facility that houses students ranging from grades pre-kindergarten (K) through the 12th grade (12). Pre-K through 12 facilities can be both public and private educational establishments and include both Charter and Parochial scholastic systems, CONTINGENT

UPON THE FACT THAT SAID SCHOOL IS EITHER CURRENTLY BEING USED AS A SCHOOL OR IS UNDER CONSTRUCTION AND WILL BE OPENED AND USED AS A SCHOOL ON A FUTURE DATE CERTAIN. This list includes early childhood education facilities.

10. License Application - The requirements and procedures set forth in this Ordinance to secure the subject license.

11. Licensee - A person holding a state operating license, pursuant to the Medical Marihuana Facilities Licensing Act, 2016 PA 281 AND/OR THE MRTMA, 2018 IL 1, MCL 333.27951 ET SEQ.

12. Marihuana / MARIJUANA - The term as defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106. "MARIHUANA" AND "MARIJUANA" ARE USED INTERCHANGEABLY.

13. Marihuana facility - Location at which a license holder is licensed to operate under this Ordinance, including a Provisioning Center, RETAILER, Processor, Grower, EXCESS GROWER, Safety Compliance Facility, and Secure Transporter, AND MICROBUSINESS.

14. Marihuana-infused product - A topical formulation, tincture, beverage, edible substance, or similar product containing any usable marihuana that is

intended for human consumption in a manner other than smoke inhalation. Marihuana-infused product shall not be considered a food for purposes of the food law, 2000 PA 92, MCL 289.1101 to 289.8111

15. Marihuana plant - Any plant of the species *Cannabis sativa* L.

16. Medical use of marihuana - The acquisition, possession, cultivation, manufacture, extraction, use, internal possession, delivery, transfer, or transportation of marihuana, marihuana-infused products, or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

17. Medical Marihuana Provisioning Center- A licensee that is an entity located in the state that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning Center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA act

is not a Provisioning Center for purposes of this Ordinance.

18. Michigan Medical Marihuana Act - The Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 to 333.26430.

19. NEIGHBORHOOD -
"NEIGHBORHOOD"
MEANS A
NEIGHBORHOOD
RECOGNIZED BY THIS
ORDINANCE, A
NEIGHBORHOOD SERVED
BY AN ORGANIZED
NEIGHBORHOOD
ASSOCIATION
RECOGNIZED BY THE
CITY, OR AN AREA
WITHIN A ONE
THOUSAND (1,000) FOOT
RADIUS OF THE
APPLICANT'S/LICENSEE'S
SITE, WHICHEVER IS
GREATER.

20. Ordinance - This ordinance, Chapter 50 article xxxi, section 183.

21. Place of Worship - A place of worship is a specially designed structure or consecrated space where individuals or a group of people such as a congregation come to perform acts of devotion, veneration, or religious study that is recognized as a tax-exempt entity, as determined by the City Assessor's Office.

22. Plant - Any living organism that produces its own food through photosynthesis and has observable root formation or is in growth material.

23. Residential Property - A piece of property that is principally zoned for dwelling purposes. This type of structure includes, but is not limited to, single-family dwellings, two-family dwellings, multi-family dwellings, and manufactured housing communities.

24. Residential Zoned District - The residential zoned districts are "A-1", "A-2", "B", "B-1", "C-1", and "C-2".

25. State - The State of Michigan.

26. State Licensed Cultivator/Grower - An individual who has applied for and been authorized for a grower license in Michigan pursuant to the Medical Marihuana Facilities Licensing Act, 2016 PA 281 AND THE MRTMA, 2018 IL MCL 333.27951 ET SEQ. The license authorizes the grower to transfer of marihuana and the sale of seeds or plants to another grower or processor. Individuals can apply for 3 different license classes, each of which authorizes the grower to grow not more than the following number of marihuana plants:

- i. Class A - 500 marihuana plants.
- ii. Class B - 1,000 marihuana plants.
- iii. Class C - 1,500 marihuana plants.

*All commercial Growing Center license classes may be "stacked", to the extent permitted by the State of Michigan,

INCLUDING FOR AN EXCESS GROWER LICENSE.

27. State operating license (or license) - A license that is issued under the Medical Marihuana Facilities Licensing Act, 2016 PA 281, OR THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA"), 2018 IL MCL 333.27951 ET SEQ, that allows the licensee to operate as one (1) of the following, specified in the license:

i. A grower.

AN EXCESS GROWER.

iii. A processor.

iv. A secure transporter (facility).

v. A provisioning center.

vi. A safety compliance facility.

vii. A RETAIL FACILITY.

28. Medical Research Facility - an applicant which (1) seeks a grow and processing and/or provisioning center license, (2) is located in a building of at least 10,000 square feet, (3) in an industrially zoned district, where (4) the applicant is a verified Michigan-licensed physician or partnership/entity made up exclusively of verified Michigan-licensed physicians, (5) and one or more michigan-licensed physicians are physically on site and available

to see medical marihuana patients during at least half of operating hours and (5) annually demonstrates proof of clinical research involving medical marihuana; is defined as a "medical research facility" and thusly shall be subject to amended locational standards.

29. MICROBUSINESS - PERSON OR ENTITY LICENSED TO CULTIVATE NOT MORE THAN 150 MARIHUANA PLANTS; PROCESS AND PACKAGE MARIHUANA; AND SELL OR OTHERWISE TRANSFER MARIHUANA TO INDIVIDUALS WHO ARE 21 YEARS OF AGE OR OLDER OR TO A MARIHUANA SAFETY COMPLIANCE FACILITY, BUT NOT TO OTHER MARIHUANA ESTABLISHMENTS, LOCATED IN THE CITY THAT IS LICENSED OR APPROVED TO OPERATE BY THE STATE PURSUANT TO THE MRTMA AND IS LICENSED BY THE CITY PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER.

30. DESIGNATED CONSUMPTION ESTABLISHMENT - A COMMERCIAL SPACE THAT LEGALLY PERMITS THE ON-SITE CONSUMPTION OF ADULT-USE MARIJUANA VIA A LICENSE FROM THE STATE.

31. EXCESS GROWER - A GROWING FACILITY THAT IS LICENSED FOR 5 CLASS C MARIHUANA GROWER LICENSES AND LICENSED TO CULTIVATE MARIHUANA AND SELL OR OTHERWISE TRANSFER MARIHUANA TO MARIHUANA ESTABLISHMENTS.

32. RETAILER (OR RETAIL FACILITY) - A LICENSEE THAT IS AN ENTITY LOCATED IN THIS STATE THAT PURCHASES MARIHUANA FROM A GROWER OR PROCESSOR AND SELLS, SUPPLIES, OR PROVIDES MARIHUANA TO PERSONS 21 YEARS OF AGE OR OLDER. RETAILER INCLUDES ANY COMMERCIAL PROPERTY WHERE MARIHUANA IS SOLD AT RETAIL TO TO PERSONS 21 YEARS OF AGE OR OLDER. A NONCOMMERCIAL LOCATION USED BY A PRIMARY CAREGIVER TO ASSIST A QUALIFYING PATIENT CONNECTED TO THE CAREGIVER THROUGH THE DEPARTMENT'S MARIHUANA REGISTRATION PROCESS IN ACCORDANCE WITH THE MMMA ACT IS NOT A RETAILER FOR PURPOSES OF THIS ORDINANCE.

C. License Allocation and Annual Fees

1. No person shall operate a Group "E", "F", or "G" use in the City of Flint without obtaining both a

license to do so through both the City and the State.

2. ~~The City shall issue no more than the following for each license type:~~

i. ~~Medical — Marihuana Provisioning Centers: 20 Licenses~~

ii. ~~Commercial — Medical Marihuana — Growing Center: No Limit * More than 1 State issued — Commercial Growing Center License can operate within 1 structure, to the extent permitted by the State of Michigan.~~

iii. ~~Commercial — Medical Marihuana Processing Center: No Limit * More than 1 State issued — Commercial Processing Center License can operate within 1 structure, to the extent permitted by the State of Michigan.~~

iv. ~~Commercial — Medical Marihuana — Secure Transporter: 5 Licenses~~

~~Commercial Medical Marihuana Safety Compliance Facility: 5 Licenses —~~ **THE CITY AFFIRMATIVELY OPTS OUT OF THE DESIGNATED CONSUMPTION ESTABLISHMENT LICENSE TYPE, AND SHALL NOT GRANT ANY SUCH LICENSE.**

3. ~~The license quotas are permitted to the extent regulated by the MMLB rules and regulations and are subject to change based on any potential rulings made by the board. A LICENSEE FOR MEDICAL AND ADULT-USE MARIJUANA MUST MAINTAIN BOTH LICENSE TYPES WITH BOTH THE STATE AND THE CITY.~~

4. ~~Merit Review Process.~~

~~In order to seek the best candidates for medical marihuana facility licensure for the City of Flint, the City shall review and score and rank the applicants based upon their objective merits if the number of license applicants exceeds the number of licenses available.~~

- a. ~~Application Window.~~

~~Following the effective date of this ordinance, there shall be an open application period of forty five (45) days during which the City shall collect applications for all Marihuana Facility licenses that are subject to a cap. In the event that more applications for licenses are submitted during this window than the number of licenses available, those applications would then be reviewed by staff.~~

- b. ~~Blind Review.~~

~~Each application shall assigned an Application Number by the Zoning Coordinator, which shall be the sole means of identifying that application through the entirety of the review and scoring process. The Zoning~~

~~Coordinator shall not participate in the scoring process; and all individuals reviewing and scoring the applications shall only know the specifications of the applications and the application number not the identities of the applicants themselves.~~

~~c. Scoring Panel.~~

~~City staff shall review and score the applications. Assigned staff consisting of the designees of the heads of the city clerk's office, Legal, Planning and Zoning, Police, Fire, and Building and Safety Inspection Departments shall score the medical marijuana facility licenses, based upon a predetermined rubric of criteria.~~

~~d. Factors for Scoring.~~

~~The assigned City staff shall create a scoring rubric, outlining the factors and weight of criteria considered for the scoring of such applications, and shall provide the final rubric for modification and final approval by a majority of the City Council. The scoring criteria shall include factors such as the proposed number of employees who would be working at the site, whether and to what extent the application commits to local hiring for staff and/or subcontractors, the size of the proposed facility, the total capital investment, whether the applicant has a history of prior building/code violations and whether the applicant has already received pre-approval by~~

~~the State of Michigan for licensure.~~

~~e. Determination of Order.~~

THE CITY DOES NOT PLACE A NUMERICAL LIMIT ON MARIJUANA LICENSES. HOWEVER, IN RECOGNITION OF THE EFFORTS AND COMMITMENTS MADE BY THE MEDICAL MARIJUANA FACILITY APPLICANTS THROUGHOUT THE PUBLIC SCORING PROCESS, THE CITY SHALL EXHAUST THE LIST OF PROVISIONING CENTER APPLICATIONS, IN THE ORDER SET FORTH IN RESULT OF SAID SCORING, BY HEARINGS OF ALL SUCH APPLICATIONS BY THE CITY'S PLANNING COMMISSION, PRIOR TO NEW RETAIL FACILITY OR PROVISIONING CENTER APPLICATIONS BEING HEARD BY THE COMMISSION.

~~Once the applications are scored, individual applicants shall be notified of the order of their placement, and those within the cap may proceed through the license application process accordingly. Failure to complete the license application process within six (6) months shall result in the denial of the application, and the next best applicant shall be afforded the opportunity to apply. The resulting list of scores shall be~~

~~used as the order for any waiting list, in the event that (a) currently existing, grandfathered facilities do not pass the State of Michigan's licensure process; (b) other facilities close on their own accord, are closed by court or administrative order and/or have their licenses revoked, or (c) the City chooses to raise the license limit for that kind of facility at a future date.~~

5. The non-refundable application fee for a Medical Marihuana Facility license is \$1500 per license, and the annual fee for a Medical Marihuana Facility license shall be \$5000. The term of each license shall be one (1) year, beginning when the Licensee is granted a Certificate of Occupancy permit from the Building & Safety, Inspections Division.

- i. The \$5000 annual license fee begins and commences at the time of receipt of the Applicant's Certificate of Occupancy by the City.

D. Operation Without License Prohibited

Every Medical Marihuana establishment in the City of Flint shall be licensed pursuant to the terms and provisions set forth in this chapter. No person shall operate a Medical Marihuana establishment in the City without first obtaining a license. A Medical Marihuana establishment operation without a license under the provisions of this chapter or without a state license or approval pursuant to

the MMFLA, as amended from time to time, is hereby declared to be a public nuisance.

E. License Application Submission

- (1) Application for any Group "E", "F", or "G" Medical Marihuana license required by this Ordinance shall be made in writing to the Zoning Coordinator, and must be approved by the Planning Commission, and approved by the State of Michigan, prior to commencing operation. Upon the expiration of an existing license, a license will be automatically renewed by the City of Flint for one (1) year if the following conditions are met: (1) there are no uncured administrative violations in the prior year; (2) the applicant has paid the annual licensing fee for the renewal period; (3) any Stakeholder changes have been fully disclosed to the City of Flint; and (4) the applicant has paid and received the renewal of its State license.

- (2) An application for a Medical Marihuana Facility license required by this Ordinance shall contain the following:

- i. The appropriate non-refundable application fee is \$1500 per license, and the annual license fee for a Medical Marihuana Facility license shall be \$5000, less the initial payment of the application fee for the first year only.

- ii. If the applicant is an individual, the applicant's name, date of birth, physical address, copy of government issued photo identification, email address, and one or more phone numbers, including emergency contact information;
- iii. If the applicant is not an individual, the names, dates of birth, physical addresses, copy of government issued photo identification, email addresses, and one or more phone numbers of each stakeholder of the applicant, including designation of the highest ranking stakeholder and emergency contact person and contact information for the emergency contact person, articles of incorporation, assumed name registration documents, Internal Revenue Service SS-4 EIN confirmation letter, and a copy of the operating agreement of the applicant, if a limited liability company, a copy of the partnership agreement, if a partnership, or a copy of the by-laws or shareholder agreement, if a corporation;
- iv. The name and address of the proposed Medical Marihuana Facility and any additional contact information deemed necessary and requested by the City;
- v. For the applicant, for each Stakeholder of the applicant, an affirmation under oath as to whether they are at least 18 years of age and have never been indicted for, charged with, arrest for, convicted or pled guilty of a crime, forfeited bail concerning, or had expunged any criminal offense under the laws of any jurisdiction, either felony or controlled-substance-related misdemeanor not including traffic violations, regardless of whether the offense has been expunged, pardoned, reversed on appeal or otherwise, including the date, name and location of the court, arresting agency, and prosecuting agency, the case caption, the docket number, the offense, the disposition, and the location and length of incarceration;
- vi. An affirmation under oath that the applicant, before hiring a prospective agent or employee of the applicant, and after, the holder of a license shall conduct a background

check of the prospective employee. If the background check indicates a pending charge or conviction within the past ten (10) years for a controlled substance-related felony, the applicant shall not hire the prospective employee or agent without written permission from the City Council;

- vii. A signed release authorizing the City of Flint Police Department to perform a criminal background check to ascertain whether the applicant, each Stakeholder of the applicant, each managerial employee and employee of the applicant meet the criteria set forth in this Ordinance;

- viii. The name, date of birth, physical address, copy of photo identification, and email address for any managerial employee or employee of the Medical Marihuana Facility, if other than the applicant;

- ix. An affirmation under oath as to whether the applicant or Stakeholder has ever applied for or has been granted any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been

denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or non-renewal, including the licensing authority, the date each action was taken, and the reason for each action;

One of the following: (a) proof of ownership of the entire premises wherein the Medical Marihuana Facility is to be operated; or (b) written consent from the property owner for use of the premises in a manner requiring licensure under this Ordinance along with a copy of the lease for the premises OR (C) A PURCHASE AGREEMENT EXECUTED BY BOTH THE APPLICANT AS PURCHASER AND THE SELLER OF THE PARCEL IN QUESTION;

- xi. Proof of an adequate premise liability and casualty insurance policy in the amount not exceeding the requirements addressed in the Medical Marihuana Facilities Licensing Act OR THE

MRTMA or applicable State laws, covering the ~~Medical~~ Marihuana Facility and naming the City as an additional insured party, available for the payment of any damages arising out of an act or omission of the applicant or its stakeholders, agents, employees, or subcontractors;

- xii. A security plan for the ~~Medical~~ Marihuana Facility that contains a comprehensive diagram, including, but not limited to, any lighting, alarms, barriers, recording/monitoring devices, and/or security guard arrangements proposed for the facility and premises. The security plan must contain the specification details of each piece of security equipment. Each ~~Medical~~ Marihuana Facility must have a security guard present during business hours or alternative security procedures shall be proposed in the business plan;

1. Security cameras are required for any Group "E", "F" or "G" Special Regulated Use operation. For Group "E", "F", and "G" Special

Regulated Uses, the security plans most include details on the location and number of security cameras located on the premises, both on the interior and exterior. At a minimum, security cameras must be installed to capture all entry and exit doors, public counters, and parking lots;

2. The make and model of the security cameras must meet the Flint Project C.A.T.T. EYE specifications and the video feed made available to be monitored twenty-four hours/day by the Flint Police Department. Signs and decals are strongly encouraged to be posted within the ~~Medical~~ Marihuana establishment indicating the facility is part of Flint Project C.A.T.T. EYE.

- xiii. A floor plan of the ~~Medical~~ Marihuana

Facility, as well as a scale diagram illustrating the property upon which the Medical Marihuana Facility is to be operated, including all available parking spaces, and specifying which parking spaces, if any, are handicapped-accessible;

- xiv. An affidavit that neither the applicant nor any Stakeholder of the applicant is in default to the City. Specifically, that the applicant or Stakeholder of the applicant has not failed to pay any property taxes, special assessments, fines, fee or other financial obligations to the City;
- xv. An affidavit that the transfer of Marihuana to and from Medical Marihuana Facilities shall be in compliance with the MMA and the Medical Marihuana Facilities Licensing Act AND THE MRTMA or any applicable state laws;
- xvi. A staffing plan complete with an organizational chart listing all individuals that includes position descriptions and the names of each person holding each position;
- xvii. Any proposed text or graphical materials to be shown on the exterior of

the proposed Medical Marihuana Facility;

- xviii. A business plan that includes a proposed marketing plan, scheduled tangible capital investment in the City including an explanation of the economic benefits to the City and job creation statistics. The plan should include both the short and long term goals and objectives of the business operation;
- xix. A location area map of the Medical Marihuana Facility and surrounding area that identifies the relative locations and the distances (closest property line to the subject Medical Marihuana Facility's building) to the subject Medical Marihuana Facility to the closest real property comprising a Pre-K-12 school; a place of worship; and any dedicated public park(s);
- xx. A facility sanitation plan to protect against any Marihuana being ingested by any person or animal, indicating how the waste will be stored and disposed of, and how any Marihuana will be rendered unusable upon disposal. Disposal by on-site burning or introduction

in the sewerage system is prohibited;

- xxi. A hazardous material plan, indicating what, if any, hazardous substances will be on the premises, in what quantities, the intended usage of such hazardous materials, and the plans for the disposal of such hazardous materials and/or their byproducts. All waste that is hazardous must be disposed of pursuant to Part 111 of 1994 PA 451, Hazardous Waste Management.
- xxii. A proposed patient **AND/OR CUSTOMER** recordkeeping plan that will track quantities sold to individual patients and caregivers, **AND/OR CUSTOMERS 21 YEARS OF AGE AND OLDER**, and will monitor inventory;
- xxiii. A description of procedures for testing of contaminants, including mold and pesticides;
- xxiv. An affirmation under oath that the applicant acknowledges the current status of federal marihuana law and agrees that, as a condition of receiving a license from the City of Flint, any plant(s) possessed by the applicant in excess of the licensed quantity of

plants permitted may be immediately confiscated for destruction without a hearing; and that the applicant agrees to waive any right of recourse against the City for any damages or restitution for the value of such excess plant(s).

xxv. As it relates to a Growing or a Processing Facility **OR AN EXCESS GROWER**, the following additional items shall be required:

1. A grower plan that includes at a minimum a description of the Grower methods to be used, including plans for the growing mediums, treatments and/or additives;
2. A processing plan that includes at a minimum a description of the methods to be used;
3. A production testing plan that includes at a minimum a description of how and when samples for laboratory testing by a state approved Safety Compliance Facility will be

selected, what type of testing will be requested, and how the test results will be used;

where and how pesticides and chemicals will be stored in the facility, along with a plan for the disposal of unused pesticides;

4. An affidavit that all operations will be conducted in conformance with the MMMA, the Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or other applicable State laws and such operations shall not be cultivated on the premises at any one time more than the permitted number of Marihuana Plants per the Michigan Medical Marihuana Act, as amended, **THE MRTMA**, and the Medical Marihuana Facilities Licensing Act;

5. All Growers, **EXCESS GROWERS** and Processors must be performed within an Enclosed Locked Facility which may include indoors or in an enclosed greenhouse.

- (3) Upon receipt of a completed Medical Marihuana Facility application meeting the requirements of this Ordinance and ~~confirmation that the number of existing licenses does not exceed the maximum number established by resolution pursuant to 2(G);~~ above, the Zoning Coordinator shall refer a copy of the application to each of the following for their review and approval: the City Attorney or their designee, the Police Department or their designee, the Fire Department or their designee, the Building & Safety Inspections Division and the Director of Planning & Development or their designee. Once applications are verified by each department to be sufficiently complete and comprehensive, and no sooner,

5. A Chemical and pesticide storage plan that states the names of the chemicals and pesticides to be used in a Growing or Processing Facility, and

the Zoning Coordinator shall forward the applications to the Planning Commission. The plans that are submitted for both preliminary review and final review, must be completed by a State of Michigan licensed Architect or Engineer. The plans must include all of the required elements mentioned in this section. Preliminary plans must be stamped and signed by the licensed architect or engineer who authored the plans. Final plans must be stamped, signed and sealed by the licensed architect or engineer who authored the plans.

(4) No application shall be approved unless:

- i. The Fire Department or designee and the Building & Code Inspections Division have inspected the plans of the proposed location for compliance with all laws for which they are charged with enforcement;
- ii. The applicant, each Stakeholder of the applicant, and the managerial employees and employees of the applicant, have passed a criminal background check conducted by the State of Michigan;
- iii. The Zoning Coordinator has confirmed that the proposed location complies with the Zoning Code;

iv. The City Treasurer or their designee has confirmed that the applicant and each Stakeholder of the applicant are not in default to the City;

v. The City Attorney or their designee has completed a detailed review of the Medical Marihuana Facility application for compliance with the applicable state laws and City Ordinances.

(5) If written approval is given by each individual or department identified in subsection 1-5, the Zoning Coordinator shall submit the application to the Planning Commission for recommendation to the city council for the issuing of a license to the applicant. All licenses issued are contingent upon the State of Michigan issuing a license for the operation under State law.

(6) Licensees shall report any other change in the information required by subsection 4 above, to the City within ten (10) days of the change. Application Fees shall be set by Council Resolution for any Stakeholder added after the original Application is filed.

F. License Evaluation; LIMITED ADMINISTRATIVE APPROVAL

(1) The Planning Commission shall assess all applications pursuant to its authority under the city

zoning code and the terms outlined herein.

- (2) Past criminal convictions of the applicant or stakeholder will be evaluated. Convictions involving any of the following listed below, but not limited to, may result in denial of the application.

- i. Gambling;
- ii. Prostitution;
- iii. Weapons;
- iv. Violence;
- v. Tax evasion;
- vi. Fraudulent activity; and
- vii. Serious moral turpitude.

- (3) The Planning Commission shall consider the community impact of the proposed regulated use, including but not limited to the number of jobs created, the number of jobs that will be created specifically for City of Flint residents, and the overall impact on the character and growth of the surrounding neighborhood.

Further grounds for denial of the application may include a felony or misdemeanor of such nature that it may impair the ability of the applicant or stakeholder to operate a licensed business in a safe and competent manner.

- (5) The Planning Commission, in evaluating a license application, may consider whether the applicant or stakeholder has filed, or had filed against it, a

proceeding for bankruptcy within the past seven (7) years as grounds for denial.

- (6) The Planning Commission, in evaluating a license application, may consider whether the applicant or stakeholder has a history of noncompliance with any regulatory requirements in this state or any other jurisdiction as grounds for denial.

- (7) The Planning Commission may further impose any conditions or limitations upon the establishment, location, construction, maintenance or operations of regulated use as may in its judgment be necessary for the protection of the public interest. Any evidence and guarantee may be required as proof that the conditions stipulated in connection therewith will be fulfilled.

- (8) IF AN APPLICANT WHO ALREADY HOLDS AN SRU UNDER THIS SECTION SEEKS A RELATED RECREATIONAL MARIJUANA LICENSE PURSUANT TO THE MRTMA ON THE SAME SITE OF THAT EXISTING SRU, WITH NO MODIFICATION TO PREVIOUSLY APPROVED SITE PLANS OR FLOOR PLANS, AND THAT APPLICANT MAINTAINS A VALID AND RELATED MMFLA LICENSE WITH THE STATE OF MICHIGAN AND THE CITY OF FLINT, THAT APPLICATION MAY BE ADMINISTRATIVELY**

APPROVED IN
CONSULTATION WITH
THE PLANNING
COMMISSION CHAIR OR
THE CHAIR'S DESIGNEE,
AND ADDED TO THE
EXISTING SPECIAL
REGULATED USE PERMIT,
BY THE CITY'S ZONING
COORDINATOR UPON
PAYMENT OF A
NONREFUNDABLE
SPECIAL REGULATED USE
PERMIT APPLICATION
FEE.

G. Minimum Operating Standards of
Medical Marihuana Provisioning
Centers AND RETAILERS

The following minimum standards for
Provisioning Centers AND RETAILERS shall
apply

(1) Operating hours limited
between 8:00 a.m. and 8:00 p.m.
Monday through Saturday and
12:00 noon and 6:00 p.m.
Sunday;

(2) If in a multi-use or multi-tenant
building, the Group "E" Special
Regulated Use shall not use
common entrances or entrances
off a common hall and must be
directly accessed from the
outside by its own separate
entrance;

i. If co-located with a
Group "F" Special
Regulated Use, the
structure must be a
minimum of 9,000
square feet, IN A
SINGLE BUILDING
OR CUMULATIVELY
IN A COLLECTION
OF BUILDINGS, and

must be separated by
walls, and accessible via
separate entrances
pursuant to state building
code.

(3) Consumption of Marihuana shall
be prohibited on the premises of
a Provisioning Center OR
RETAILER, and a sign shall be
posted on the premises of each
Provisioning Center OR
RETAILER indicating that
consumption is prohibited on the
premises.

(4) Pursuant to Section E., 2., xii., 1.
& 2., Provisioning Centers AND
RETAILERS shall
continuously monitor the entire
premises on which they are
operated with surveillance
systems that include security
cameras;

(5) Unless permitted by the
MMMA, and THE Medical
Marihuana Facilities Licensing
Act, THE MRTMA or
applicable state law, public or
common areas of the
Provisioning Center OR
RETAILER must be separated
from restricted or non-public
areas of the provisioning center
OR RETAILER by a
permanent barrier. Unless
permitted by the MMMA, and
THE Medical Marihuana
Facilities Licensing Act, THE
MRTMA or applicable state
law, no Marihuana is permitted
to be stored, displayed, or
transferred in an area accessible
to the general public;

(6) All Marihuana storage areas
within THE Provisioning Center
OR RETAILER must be

separated from any customer/patient areas by a permanent barrier. Unless permitted by the MMMA, and **THE Medical Marihuana Facilities Licensing Act, THE MRTMA** or applicable state law, no Marihuana is permitted to be stored in an area accessible by the general public or registered customers/patients. Marihuana may be displayed in a sales area only if permitted by the MMMA, **THE MRTMA** or the Medical Marihuana Facilities Licensing Act;

(7) Any usable Marihuana remaining on the premises of a Provisioning Center **OR RETAILER** while the Provisioning **OR RETAILER** Center is not in operation shall be secured in a safe permanently affixed to the premises;

(8) Drive-through windows on the premises of a Provisioning Center **OR RETAILER** shall not be permitted;

(9) Provisioning Center **OR RETAILER** shall not allow the sale, consumption, or use of alcohol or tobacco products on the premises;

(10) No Provisioning Center **OR RETAILER** shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Provisioning Center **OR RETAILER** is operated;

(11) The license required by this Ordinance shall be

prominently displayed on the premises of a Provisioning Center **OR RETAILER**;

(12) The premises shall be open, at all times, to any Michigan ~~Medical~~ Marihuana ~~Licensing~~ ~~Board~~ **REGULATORY AGENCY** investigators, agents, auditors, the state police, local police, local fire inspectors or local building and safety inspection officials, without a warrant and without notice to the holder of the license, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with the MMMA and **THE Medical Marihuana Facilities Licensing Act, THE MRTMA** or applicable state laws is likely to be found and consistent with constitutional limitations, for the following purposes:

i. To inspect and examine all premises of ~~Medical~~ Marihuana Facility;

ii. To inspect, examine, and audit relevant records of the licensee and, if the holder of the license or any of the managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically

stored records, money receptacles, or equipment in which the records are stored;

iii. To inspect the person, and inspect or examine personal effects present in a ~~Medical~~ Marihuana Facility, of any holder of state operating license while that person is present in a ~~Medical~~ Marihuana Facility;

iv. To investigate alleged violations of the MMMA, and ~~THE~~ Medical Marihuana Facilities Licensing Act, ~~THE MRTMA~~ or applicable state laws.

H. Minimum Operating Standards of Commercial ~~Medical~~ Marihuana Growing Centers, **INCLUDING EXCESS GROWERS**

The following minimum standards for Growing Centers shall apply

(1) The Growing Facility shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act, the ~~Medical~~ Marihuana Facilities Licensing Act, ~~THE MRTMA~~, and the general rules of the Department of Licensing and Regulatory Affairs, as they may be amended from time to time;

(2) At no time and for any reason, shall the enclosed structure be open to the general public;

(3) No Growing Facility shall be operated in a manner creating

noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Grower Facility is operated;

(4) Any Growing Facility shall maintain a log book and/or database indicating the number of Marihuana Plants therein. Each Marihuana Plant will be tagged as required by the ~~MMMA~~, ~~THE MRTMA~~, and ~~Medical~~ Marihuana Facilities Licensing Act;

(5) Pursuant to Section E., 2., xii., 1. & 2., Growing Centers shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras.

(6) All Marihuana shall be contained within an Enclosed Locked Facility;

(7) All necessary building, electrical plumbing and mechanical permits shall be obtained for any portion of the structure in which electrical wiring, lighting and/or watering devices that support the Grower, growing or harvesting of Marihuana are located;

(8) That portion of the structure storing any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the City of Flint Fire Department to insure compliance with all applicable statutes, codes and ordinances;

(9) The dispensing of Medical Marihuana at the Growing Facility shall be prohibited;

i. If co-located with a Group "E" Special Regulated Use, Provisioning Center OR RETAILER, the structure must be a minimum of 9,000 square feet, IN A SINGLE BUILDING OR CUMULATIVELY IN A COLLECTION OF BUILDINGS, and must be separated by walls, and accessible via separate entrances pursuant to state building code.

ii. On such a co-located site, the dispensing of Medical Marihuana must only be in the area designated specifically as the Provisioning Center OR RETAILER.

(10) All persons working in direct contact with Marihuana shall conform to hygienic practices while on duty, including but not limited to:

Maintaining adequate personal cleanliness;

ii. Washing hands thoroughly in adequate hand-washing areas before starting work and at any other time when the hands may have become soiled or contaminated;

iii. Refraining from having direct contact with Marihuana if the person has or may have an illness, open lesion, including boils, sores or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.

(11) Litter and waste shall be properly removed, and the operating systems for waste disposal shall be maintained in an adequate manner so that they do not constitute a source of contamination in the areas where Marihuana is exposed.

(12) Floors, walls and ceilings shall be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair;

(13) There shall be adequate screening or other protection against the entry or pests. Rubbish shall be disposed of so as to minimize the development of odor and minimize the potential for the waste development of odor and minimize the potential for waste becoming and attractant, harborage or breeding places for pests;

(14) Any buildings, fixtures and other facilities shall be maintained in a sanitary condition;

(15) Each Grower Facility shall provide its occupants with adequate and readily accessible toilet facilities that are

maintained in a sanitary condition and good repair;

(16) Marihuana that can support the rapid growth of undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms;

(17) Grower Facility shall be free from infestation by insects, rodents, birds, or vermin or any kind;

(18) The Center must be located in a structure that is a minimum of 2,000 square feet, for a class a licensed grower, 5,000 square feet for a class b licensed grower, and 8,000 square feet for a class c licensed grower **OR EXCESS GROWER, IN A SINGLE BUILDING CUMULATIVELY IN COLLECTION BUILDINGS.** The building(s) may be split among multiple state licensed growers, and processing centers, given that there are walls or partitions erected between them and approved by Building and Safety Inspection officials, pursuant to state building code.

(19) A Growing Center shall provide only wholesale products for the use at other Medical Marihuana Provisioning Centers **OR RETAILERS.**

(20) The premises shall be open, at all times, to any Michigan Medical—Marihuana Licensing—Board **REGULATORY AGENCY** investigators, agents, auditors,

the state police, local police, local fire inspectors or local building and safety inspection officials, without a warrant and without notice to the holder of the license, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with the MMMA and Medical Marihuana Facilities Licensing Act, **THE MMMA**, or applicable state laws is likely to be found and consistent with constitutional limitations, for the following purposes:

To inspect and examine all premises of Medical Marihuana Facility;

ii. To inspect, examine, and audit relevant records of the licensee and, if the holder of the license or any of the managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically stored records, money receptacles, or equipment in which the records are stored;

iii. To inspect the person, and inspect or examine personal effects present in a Medical Marihuana Facility, of any holder of

state operating license while that person is present in a ~~Medical~~ Marihuana Facility;

- iv. To investigate alleged violations of the MMMA, ~~THE~~ **MRTMA**, and Medical Marihuana Facilities Licensing Act or applicable state laws.

I. Minimum Operating Standards of Commercial ~~Medical~~ Marihuana Processing Center

The following minimum standards for Processing Centers shall apply:

- (1) The Processor shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act, the Medical Marihuana Facilities Licensing Act, ~~THE~~ **MRTMA**, and the general rules of the Department of Licensing and Regulatory Affairs, as they may be amended from time to time;
- (2) Consumption and/or use of Marihuana shall be prohibited at the Processor Facility;
- (3) All activity related to the Processor Facility shall be done indoors;
- (4) The premises shall be open, at all times, to any Michigan ~~Medical—Marihuana Licensing Board~~ **REGULATORY AGENCY** investigators, agents, auditors, the state police, local police, local fire inspectors or local building and safety inspection officials, without a

warrant and without notice to the licensee, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with the MMMA, ~~THE~~ **MRTMA**, and Medical Marihuana Facilities Licensing Act or applicable state laws is likely to be found and consistent with constitutional limitations, for the following purposes:

- i. To inspect and examine all premises of ~~Medical~~ Marihuana Facilities;

To inspect, examine, and audit relevant records of the licensee and, if the licensee or any managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically stored records, money receptacles, or equipment in which the records are stored;

- iii. To inspect the person, and inspect or examine personal effects present in a ~~Medical~~ Marihuana Facility, of any holder of state operating license while that person is present in a ~~Medical~~ Marihuana Facility;

- iv. To investigate alleged violations of the MMMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws.
- (5) Any Processor Facility shall maintain a log book and/or database which complies with the MMMA, as amended, **THE MRTMA** and Medical Marihuana Facilities Licensing Act or applicable state laws;
- (6) All Marihuana shall be tagged as required by the MMMA, the Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws;
- (7) All Marihuana shall be contained within Enclosed Locked Facility in accordance with the MMMA, as amended;
- (8) All necessary building, electrical plumbing and mechanical permits shall be obtained for any portion of the structure in which electrical wiring for devices that support the processing of Marihuana are located;
- (9) That portion of the structure where the storage of any chemicals are located shall be subject to inspection and approval by the City of Flint Fire Department to insure compliance with all applicable statutes, codes and ordinances;
- (10) The dispensing of **Medical** Marihuana at the Processor facility shall be prohibited;
- i. If co-located with a Group "E" Special Regulated Use, Provisioning Center **OR RETAILER**, the structure must be a minimum of 9,000 square feet, **IN A SINGLE BUILDING OR CUMULATIVELY IN A COLLECTION OF BUILDINGS**, and must be separated by walls, and accessible via separate entrances pursuant to state building code.
- On such a co-located site, the dispensing of **Medical** Marihuana must only be in the area designated specifically as the Provisioning Center **OR RETAILER**.
- (11) All persons working in direct contact with Marihuana shall conform to hygienic practices while on duty, including but not limited to:
- Maintaining adequate personal cleanliness;
 - Washing hands thoroughly in adequate hand-washing areas before starting work and at any other time when the hands may have become soiled or contaminated;
 - Refraining from having direct contact with Marihuana if the person has or may have an illness, open lesion,

including boils, sores or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.

(12) Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not constitute a source of contamination in areas where Marihuana is exposed;

(13) Floors, walls, and ceilings shall be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair;

(14) There shall be adequate screening or other protection against the entry of pests. Rubbish shall be disposed of so as to minimize the development of odor and minimize the potential for the waste development of odor and minimize the potential for waste becoming an attractant, harborage or breeding places for pests;

(15) Any buildings, fixtures and other facilities shall be maintained in a sanitary condition;

(16) Each Processor Facility shall provide its occupants with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair;

(17) Marihuana that can support the rapid growth of

undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms;

(18) Processor Facility shall be free from infestation by insects, rodents, birds, or vermin or any kind;

(19) Processor Facility shall produce no products other than usable Marihuana intended for human consumption;

(20) The Center must be located in a structure that is a minimum of 3,000 square feet. The building may be split among multiple state licensed growers and processors, given that there are walls or partitions erected between them and approved by BSI officials, pursuant to state building code.

(21) A Growing Center shall provide only wholesale products for the use at other Medical Marihuana Provisioning Centers
OR RETAILERS.

J. Minimum Operating Standards of Commercial Medical Marihuana Secure Transport Facility

The following minimum standards for Secure Transporter shall apply

(1) The Secure Transporter shall comply at all times with the Michigan Medical Marihuana Act, the Medical Marihuana Facilities Licensing Act, **THE MRTMA**, the Marihuana Tracking Act and the general rules of the Department of Licensing and Regulatory

Affairs, as they may be amended from time to time.

(2) Consumption and or use of marihuana shall be prohibited at a facility of a Secure Transporter.

(3) Storage of Medical Marihuana by a Secure Transporter shall comply with the following:

- i. Pursuant to Section E., 2., xii., 1. & 2., Secure Transport Facilities shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras.
- ii. The storage facility shall not be used for any other commercial purpose.
- iii. The storage facility shall not be open or accessible to the general public.
- iv. The storage facility shall be maintained and operated so as to comply with all state and local rules, regulations and ordinance.
- v. The storage facility shall be open at all times to any Michigan Medical Marihuana—Licensing Board REGULATORY AGENCY investigator, local or state police officers, local fire inspectors or local building and safety inspection officials, without a warrant and without notice to the

holder of the license, enter the premises, offices, facilities or other places of business of a licensee, if evidence of compliance or non-compliance with the MMMA and Medical Marihuana Facilities Licensing Act, THE MRTMA, or applicable state laws is likely to be found and consistent with constitutional limitations for the following purposes:

1. To inspect and examine all premises of Medical Marihuana Facility;
2. To inspect, examine and audit relevant records of the licensee and, if the holder of the license or any of the managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and

videotapes,
including
electronically
stored records,
money
receptacles, or
equipment in
which the records
are stored;

3. To inspect the
person(s), and
inspect or
examine personal
effects present, in
a ~~Medical~~
Marihuana
Facility, of any
holder or state
operating license
while that person
is present in a
~~Medical~~
Marihuana
Facility;

4. To investigate
alleged violations
of the MMMA
and ~~Medical~~
Marihuana
Facilities
Licensing Act,
THE MRTMA,
or applicable
state laws.

vi. All marihuana stored
within the facility shall
be stored within
Enclosed Locked
Facilities in accordance
with the MMMA as
amended.

vii. All persons working in
direct contact with
marihuana being stored
by a secure transporter

shall conform to
hygienic practices while
on duty, including but
not limited to:

1. Maintaining
adequate personal
cleanliness;

2. Washing hands
thoroughly
~~inadequate~~ hand
washing areas
before starting
work and at any
other time when
the hands may
have become
soiled or
contaminated;

3. Refrain from
having direct
contact with
marihuana if the
person has or
may have an
illness, open
lesion, including
boils, sores or
infected wounds,
or any other
abnormal source
of microbial
contamination,
until the
condition is
corrected.

(4) A Secure Transporter licensee
and each stakeholder shall not
have an interest in a Growing,
Processor, Provisioning, or
Safety Compliance Facility and
shall not be a registered
qualifying patient or a registered
primary caregiver.

(5) A Secure Transporter shall enter all transactions, current inventory, and other information as required by the state into the statewide monitoring system as required by law.

(6) A Secure Transporter shall comply with all of the following:

i. Each driver transporting marihuana must have a chauffeur's license issued by the state;

ii. Each employee who has custody of marihuana or money that is related to a marihuana transaction shall not have been convicted of or released from incarceration for a felony under the laws of this state, any other state, or the United States within the past five (5) years or have been convicted of a misdemeanor involving a controlled substance within the past five (5) years;

iii. Each vehicle shall be operated with a two person crew with at least one individual remaining with the vehicle at all times during the transportation of marihuana;

iv. A route plan and manifest shall be entered into the statewide monitoring system, and a copy shall be carried in the transporting vehicle

and presented to a law enforcement officer upon request;

v. The Medical Marihuana shall be transported by one or more sealed containers and not be accessible while in transit;

vi. A Secure transporting vehicle shall not bear markings or other indication that it is carrying Medical Marihuana or a marihuana infused product.

(7) A vehicle used by a Secure Transporter is subject to administrative inspection by a law enforcement officer at any point during the transportation of Medical Marihuana to determine compliance with all state and local laws, rules, regulations and ordinances.

K. Minimum Operating Standards of Commercial Medical Marihuana Safety Compliance Facility

The following minimum standards for Safety Compliance facilities shall apply

(1) The Safety Compliance Facility shall comply at all times and in all circumstances with the MMMA and Medical Marihuana Facilities Licensing Act or applicable State laws, , THE MRTMA, and the general rules of the Department of Licensing and Regulatory Affairs, as they may be amended from time to time;

(2) Consumption and/or use of Marihuana shall be prohibited at the facility;

(3) The premises shall be open, at all times, to any Michigan Medical—Marihuana Licensing Board **REGULATORY AGENCY** investigators, agents, auditors, the state police, local police, local fire inspectors or local building and safety inspection officials, without a warrant and without notice to the licensee, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with the MMMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws is likely to be found and consistent with constitutional limitations, for the following purposes:

i. To inspect and examine all premises of Medical Marihuana Facilities;

ii. To inspect, examine, and audit relevant records of the licensee and, if the licensee or any managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically stored records, money

receptacles, or equipment in which the records are stored;

iii. To inspect the person, and inspect or examine personal effects present in a Medical Marihuana Facility, of any holder of state operating license while that person is present in a Medical Marihuana Facility;

iv. To investigate alleged violations of the MMMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws.

(4) Any Safety Compliance Facility shall maintain a log book and/or database which complies with the MMMA, **THE MRTMA** and Medical Marihuana Facilities Licensing Act or applicable state laws;

(5) All Medical Marihuana shall be contained within the building in an enclosed, locked facility in accordance with the MMMA, as amended, **THE MRTMA** and Medical Marihuana Facilities Licensing Act or applicable state laws;

(6) There shall be no other accessory uses permitted within the same facility other than those associated with testing Medical Marihuana;

(7) All persons working in direct contact with Medical Marihuana shall conform to hygienic practices while on duty;

(8) Litter and waste shall be properly removed and the operating systems for waste disposal shall be maintained in an adequate manner so that they do not constitute a source of contamination in areas where Medical Marihuana is exposed;

(9) Floors, walls and ceilings shall be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair;

(10) Any buildings, fixtures and other facilities shall be maintained in a sanitary condition;

(11) Medical-Marihuana that can support the rapid growth of undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms;

(12) The premises shall be open, at all times, to any Michigan Medical Marihuana Licensing Board **REGULATORY AGENCY** investigators, agents, auditors, the state police, local police, local fire inspectors or local building and safety inspection officials, without a warrant and without notice to the holder of the license, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with the MMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws is likely to be found and consistent with constitutional

limitations, for the following purposes:

i. To inspect and examine all premises of Medical Marihuana Facility.

ii. To inspect, examine, and audit relevant records of the licensee and, if the holder of the license or any of the managerial employees or employees fail to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically stored records, money receptacles, or equipment in which the records are stored.

iii. To inspect the person, and inspect or examine personal effects present in a Medical Marihuana Facility, of any holder of state operating license while that person is present in a Medical Marihuana Facility.

iv. To investigate alleged violations of the MMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws.

L. MINIMUM OPERATING STANDARDS OF

**MARIJUANA
MICROBUSINESSES**

**THE FOLLOWING MINIMUM
STANDARDS FOR
MICROBUSINESSES SHALL
APPLY:**

- (1) OPERATING HOURS FOR
RETAIL CUSTOMERS
SHALL LIMITED TO
BETWEEN 8:00 A.M. AND
7:00 P.M. MONDAY
THROUGH SATURDAY
AND 12:00 NOON AND 6:00
P.M. SUNDAY;**
- (2) A MICROBUSINESS SHALL
NOT BE CO-LOCATED ON
THE SAME PARCEL WITH
ANOTHER GROUP "E" OR
GROUP "F" SPECIAL
REGULATED USE;**
- (3) CONSUMPTION OF
MARIHUANA SHALL BE
PROHIBITED ON THE
PREMISES OF A
MICROBUSINESS, AND A
SIGN SHALL BE POSTED
ON THE PREMISES OF
EACH MICROBUSINESS
INDICATING THAT
CONSUMPTION IS
PROHIBITED ON THE
PREMISES;**
- (4) PURSUANT TO SECTION
E., 2., XII., 1. & 2.,
MICROBUSINESSES
SHALL CONTINUOUSLY
MONITOR THE ENTIRE
PREMISES ON WHICH
THEY ARE OPERATED
WITH SURVEILLANCE
SYSTEMS THAT INCLUDE
SECURITY CAMERAS;**

- (5) UNLESS PERMITTED BY
THE MMMA, THE
MEDICAL MARIHUANA
FACILITIES LICENSING
ACT, THE MRTMA OR
APPLICABLE STATE LAW,
PUBLIC OR COMMON
AREAS OF THE
MICROBUSINESS MUST BE
SEPARATED FROM
RESTRICTED OR NON-
PUBLIC AREAS OF THE
PROVISIONING CENTER
OR RETAIL BY A
PERMANENT BARRIER.
UNLESS PERMITTED BY
THE MMMA, THE
MEDICAL MARIHUANA
FACILITIES LICENSING
ACT, THE MRTMA OR
APPLICABLE STATE LAW,
NO MARIHUANA IS
PERMITTED TO BE
STORED, DISPLAYED, OR
TRANSFERRED IN AN
AREA ACCESSIBLE TO
THE GENERAL PUBLIC;**
- (6) ALL MARIHUANA
STORAGE, GROW AND/OR
PROCESSING AREAS
WITHIN THE
MICROBUSINESS MUST BE
SEPARATED FROM ANY
CUSTOMER/PATIENT
AREAS BY A PERMANENT
BARRIER. UNLESS
PERMITTED BY THE
MMMA, THE MEDICAL
MARIHUANA FACILITIES
LICENSING ACT, THE
MRTMA OR APPLICABLE
STATE LAW, NO
MARIHUANA IS
PERMITTED TO BE
STORED IN AN AREA
ACCESSIBLE BY THE
GENERAL PUBLIC OR**

REGISTERED
CUSTOMERS/PATIENTS.
MARIHUANA MAY BE
DISPLAYED IN A SALES
AREA ONLY IF
PERMITTED BY THE
MMMA, THE MRTMA OR
THE MEDICAL
MARIHUANA FACILITIES
LICENSING ACT;

(7) ANY USABLE MARIHUANA
REMAINING ON THE
PREMISES OF A
MICROBUSINESS WHILE
THE MICROBUSINESS IS
NOT IN OPERATION
SHALL BE SECURED IN A
SAFE PERMANENTLY
AFFIXED TO THE
PREMISES;

(8) DRIVE-THROUGH
WINDOW(S) ON THE
PREMISES OF A
MICROBUSINESS SHALL
NOT BE PERMITTED;

(9) MICROBUSINESS SHALL
NOT ALLOW THE SALE,
CONSUMPTION, OR USE
OF ALCOHOL OR
TOBACCO PRODUCTS ON
THE PREMISES;

(10) NO MICROBUSINESS
SHALL BE OPERATED IN A
MANNER CREATING
NOISE, DUST, VIBRATION,
GLARE, FUMES, OR
ODORS DETECTABLE TO
NORMAL SENSES BEYOND
THE BOUNDARIES OF THE
PROPERTY ON WHICH
THE MICROBUSINESS IS
OPERATED;

(11) THE LICENSE
REQUIRED BY THIS

ORDINANCE SHALL BE
PROMINENTLY
DISPLAYED ON THE
PREMISES OF A
MICROBUSINESS;

(12) THE PREMISES
SHALL BE OPEN, AT ALL
TIMES, TO ANY
MICHIGAN MARIHUANA
REGULATORY AGENCY
INVESTIGATORS, AGENTS,
AUDITORS, THE STATE
POLICE, LOCAL POLICE,
LOCAL FIRE INSPECTORS
OR LOCAL BUILDING AND
SAFETY INSPECTION
OFFICIALS, WITHOUT A
WARRANT AND WITHOUT
NOTICE TO THE HOLDER
OF THE LICENSE, ENTER
THE PREMISES, OFFICES,
FACILITIES, OR OTHER
PLACES OF BUSINESS OF
A LICENSEE, IF EVIDENCE
OF COMPLIANCE OR
NONCOMPLIANCE WITH
THE MMMA AND THE
MEDICAL MARIHUANA
FACILITIES LICENSING
ACT, THE MRTMA OR
APPLICABLE STATE LAWS
IS LIKELY TO BE FOUND
AND CONSISTENT WITH
CONSTITUTIONAL
LIMITATIONS, FOR THE
FOLLOWING PURPOSES:

i. TO INSPECT AND
EXAMINE ALL
PREMISES OF
MARIHUANA
FACILITY;

ii. TO INSPECT,
EXAMINE, AND
AUDIT RELEVANT
RECORDS OF THE
LICENSEE AND, IF

THE HOLDER OF THE LICENSE OR ANY OF THE MANAGERIAL EMPLOYEES OR EMPLOYEES FAILS TO COOPERATE WITH AN INVESTIGATION, IMPOUND, SEIZE, ASSUME PHYSICAL CONTROL OF, OR SUMMARILY REMOVE FROM THE PREMISES ALL BOOKS, LEDGERS, DOCUMENTS, WRITINGS, PHOTOCOPIES, CORRESPONDENCE, RECORDS, AND VIDEOTAPES, INCLUDING ELECTRONICALLY STORED RECORDS, MONEY RECEPTACLES, OR EQUIPMENT IN WHICH THE RECORDS ARE STORED;

iii. TO INSPECT THE PERSON, AND THE PERSON OR EXAMINE PERSONAL EFFECTS PRESENT IN A MARIHUANA FACILITY, OF ANY HOLDER OF STATE OPERATING LICENSE WHILE THAT PERSON IS PRESENT IN A MARIHUANA FACILITY;

iv. TO INVESTIGATE ALLEGED VIOLATIONS OF THE MMMA, AND THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, THE MRTMA OR APPLICABLE STATE LAWS.

(13) THE MICROBUSINESS SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MICHIGAN MEDICAL MARIHUANA ACT, THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, , THE MRTMA, AND THE GENERAL RULES OF THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, AS THEY MAY BE AMENDED FROM TIME TO TIME;

(14) ANY MICROBUSINESS SHALL MAINTAIN A LOG BOOK AND/OR DATABASE INDICATING THE NUMBER OF MARIHUANA PLANTS THEREIN. EACH MARIHUANA PLANT WILL BE TAGGED AS REQUIRED BY THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT;

(15) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL PERMITS SHALL BE OBTAINED FOR

ANY PORTION OF THE
STRUCTURE IN WHICH
ELECTRICAL WIRING,
LIGHTING AND/OR
WATERING DEVICES
THAT SUPPORT THE
MICROBUSINESSES'
GROWING OR
HARVESTING OF
MARIHUANA ARE
LOCATED;

(16) THAT PORTION OF
THE STRUCTURE
STORING ANY
CHEMICALS SUCH AS
HERBICIDES, PESTICIDES,
AND FERTILIZERS SHALL
BE SUBJECT TO
INSPECTION AND
APPROVAL BY THE CITY
OF FLINT FIRE
DEPARTMENT TO INSURE
COMPLIANCE WITH ALL
APPLICABLE STATUTES,
CODES AND ORDINANCES;

(17) ALL PERSONS
WORKING IN DIRECT
CONTACT WITH
MARIHUANA SHALL
CONFORM TO HYGIENIC
PRACTICES WHILE ON
DUTY, INCLUDING BUT
NOT LIMITED TO:

i. MAINTAINING
ADEQUATE
PERSONAL
CLEANLINESS;

ii. WASHING HANDS
THOROUGHLY IN
ADEQUATE HAND-
WASHING AREAS
BEFORE STARTING
WORK AND AT ANY
OTHER TIME WHEN
THE HANDS MAY

HAVE BECOME
SOILED OR
CONTAMINATED;

iii. REFRAINING FROM
HAVING DIRECT
CONTACT WITH
MARIHUANA IF THE
PERSON HAS OR
MAY HAVE AN
ILLNESS, OPEN
WOUND, INCLUDING
BOILS, SORES OR
INFECTED WOUNDS,
OR ANY OTHER
ABNORMAL
SOURCE OF
MICROBIAL
CONTAMINATION,
UNTIL THE
CONDITION IS
CORRECTED.

(18) LITTER AND WASTE
SHALL BE PROPERLY
REMOVED AND THE
OPERATING SYSTEMS
FOR WASTE DISPOSAL
SHALL BE MAINTAINED
IN AN ADEQUATE
MANNER SO THAT THEY
DO NOT CONSTITUTE A
SOURCE OF
CONTAMINATION IN THE
AREAS WHERE
MARIJUANA IS EXPOSED.

(19) FLOORS, WALLS
AND CEILINGS SHALL BE
CONSTRUCTED IN SUCH A
MANNER THAT THEY
MAY BE ADEQUATELY
CLEANED AND KEPT
CLEAN AND IN GOOD
REPAIR;

(20) THERE SHALL BE
ADEQUATE SCREENING
OR OTHER PROTECTION

AGAINST THE ENTRY OR PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR THE WASTE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR WASTE BECOMING AND ATTRACTANT, HARBORAGE OR BREEDING PLACES FOR PESTS;

(21) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE MAINTAINED IN A SANITARY CONDITION;

(22) EACH MICROBUSINESS FACILITY SHALL PROVIDE ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;

(23) MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT PREVENTS THE GROWTH OF THESE MICROORGANISMS;

(24) MICROBUSINESSES SHALL BE FREE FROM INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;

(25) ALL GROWING, PROCESSING AND RETAIL ACTIVITY RELATED TO THE MICROBUSINESS SHALL BE DONE INDOORS;

M. Location of Group "E" Special Regulated Uses

(1) Group "E" Special Regulated Uses shall be limited to the "D-5", "D-6", "E", "F", & "G" zoning districts. For these Special Regulated Uses there shall be no other accessory uses permitted within the same facility other than those associated with the Provisioning of Medical Marijuana to registered patients.

(2) Group "E" Special Regulated Uses. An application to establish a Group "E" Special Regulated Use shall not be approved if there is already in existence four or more Group "A" or Group "E" Special Regulated Uses within 2,000 feet of the boundaries of the site of the proposed regulated use.

(3) Group "E" Special Regulated Use. An application to establish a Group "E" Special Regulated Use shall not be approved if the proposed location is within 1,000 feet of a Pre-K through 12 school, or within 500 feet from a dedicated public park (except for the trail, known as the flint river trail/iron belle trail, itself, where the principal use of the park space is for the flint river trail) or place of worship; or if the proposed location is within 300 feet of a residential property or residentially zoned district,

**UNLESS OTHERWISE
EXEMPTED BY CITY
CODE.**

- (4) Medical Research Facility Exemption - a medical research facility is bound by the locational standards for its proposed medical marihuana-related uses, including those set forth for groups "e," "f" or "g," except that the 300 foot residential zone exclusion does not apply. Such medical research facilities must still be 1,000 feet from pre-k through 12 schools, and 500 feet from places of worship and dedicated public parks.

N. Location of Group "F" and ~~"G"~~ Special Regulated Uses

- (1) Group "F" and ~~"G"~~ Special Regulated Uses shall be limited to the "E", "F", & "G" industrial zoning districts. For Special Regulated Uses there shall be no other accessory uses permitted within the same facility.
- (2) Group "F" and ~~"G"~~ Special Regulated Use. An application to establish a Group "F" and ~~"G"~~ Special Regulated Use shall not be approved if the proposed location is within 1,000 feet of a Pre-K through 12 school, or within 500 feet from a dedicated public park (except for the trail, known as the flint river trail/iron belle trail, itself, where the principal use of the park space is for the flint river trail), or place of worship; or if the proposed location is within 300 feet of a residential property or residentially zoned district, **UNLESS OTHERWISE**

**EXEMPTED BY CITY
CODE.**

- (3) Medical Research Facility Exemption - a medical research facility is bound by the locational standards for its proposed medical marihuana-related uses, including those set forth for groups "e," "f" or "g," except that the 300 foot residential zone exclusion does not apply. Such medical research facilities must still be 1,000 feet from pre-k through 12 schools, and 500 feet from places of worship and dedicated public parks.

**O. LOCATION OF GROUP "G"
SPECIAL REGULATED USES**

- (1) GROUP "G" SPECIAL REGULATED USES SHALL BE LIMITED TO THE "D-3," "D-4," "D-5," "D-6", "E", "F", & "G" ZONING DISTRICTS.
- (2) GROUP "G" SPECIAL REGULATED USE. AN APPLICATION TO ESTABLISH A GROUP "G" SPECIAL REGULATED USE SHALL NOT BE APPROVED IF THE PROPOSED LOCATION IS WITHIN 1,000 FEET OF A PRE-K THROUGH 12 SCHOOL, OR WITHIN 500 FEET FROM A DEDICATED PUBLIC PARK (EXCEPT FOR THE TRAIL, KNOWN AS THE FLINT RIVER TRAIL/IRON BELLE TRAIL, ITSELF, WHERE THE PRINCIPAL USE OF THE PARK SPACE IS FOR THE FLINT RIVER TRAIL) OR PLACE OF WORSHIP; OR IF THE PROPOSED

LOCATION IS WITHIN 300
FEET OF A RESIDENTIAL
PROPERTY OR
RESIDENTIALLY ZONED
DISTRICT, UNLESS
OTHERWISE EXEMPTED
BY CITY CODE.

P. Denial and Revocation

- (1) A license issued under this Ordinance may be revoked after an administrative hearing at which the Planning Commission by majority vote of members present, determines that any grounds for revocation under this Ordinance exist. Notice of the time and place of the Hearing and the grounds for revocation must be given to the holder of license at least five days prior to the date of the hearing, by first class mail to the address given on the license application; a licensee whose license is subject of such Hearing may present evidence and/or call witnesses at the Hearing;

- (2) A license applied for or issued under this Ordinance may be denied or revoked on any of the following basis:

- i. Violation of this Ordinance;
- ii. Any conviction of or release from incarceration for a felony under the laws of this State, any other state, or the United States within the past five (5) years by the Applicant or any stakeholder of the Applicant as measured

from the date of the Application or the date of becoming a stakeholder, whichever occurs later, or while licensed under this Ordinance; or any conviction of a substantial felony by the Applicant or any stakeholder of the Applicant ever while licensed under this Ordinance;

Commission of fraud or misrepresentation or the making of a false statement by the Applicant or any stakeholder of the Applicant while engaging in any activity for which this Ordinance requires a license;

- iv. Sufficient evidence that the Applicant(s) lack, or have failed to demonstrate, the requisite professionalism and/or business experience required to assure strict adherence to this Ordinance and the rules and regulations governing the Medical Marihuana Program, **THE MMFLA, AND/OR THE MRTMA**, in the State of Michigan;
- v. The Medical-Marihuana Facility is determined by the City of Flint to have become a public nuisance;

vi. The Michigan Medical Marihuana Licensing Board-REGULATORY AGENCY has denied, revoked or suspended the applicant's state license.

(3) Any Special Regulated Use that ceases for more than 30 days shall not be resumed except by application and approval pursuant to §50-162, unless the hiatus is caused by a temporary revocation or suspense of the license and is pending a Planning Commission hearing.

Q. RESIDENT-INITIATED HEARINGS; Penalties; Temporary Suspension of a License; Seizure and Forfeiture

(1) A PERSON, WHO LIVES, WORKS, AND/OR REGULARLY VISITS IN NEIGHBORHOOD IN WHICH A MARIJUANA FACILITY IS LOCATED, MAY MAKE A FORMAL COMPLAINT TO THE ZONING COORDINATOR OR HIS/HER DESIGNEE REGARDING ANY NUISANCE(S) OR VIOLATIONS OF CITY CODE BY THE FACILITY, INCLUDING BY NOT LIMITED TO NUISANCES CAUSED BY ITS CUSTOMERS OR ITS EMPLOYEES, WHICH SHALL TRIGGER A CASE REVIEW AT THE NEXT AVAILABLE PLANNING COMMISSION MEETING.

i. THE COMPLAINANT AND THE LICENSEE, AS RESPONDENT

FOR THE MARIJUANA FACILITY, SHALL BE NOTIFIED OF THE DATE AND TIME OF THE CASE REVIEW.

ii. THE COMPLAINANT, THE RESPONDENT LICENSEE, AND ANY MEMBER(S) OF THE PUBLIC MAY ADDRESS THE PLANNING COMMISSION TO ADDRESS THE ALLEGATIONS AND THE ISSUES GIVING RISE THERETO.

iii. IF THIS CASE REVIEW PROCESS DOES NOT ADDRESS AND CORRECT THE ISSUE(S) GIVING RISE TO THE COMPLAINT(S), AFTER SUFFICIENT TIME FOR THE RESPONDENT TO INITIATE CORRECTIVE ACTION(S), THE CITY SHALL INVESTIGATE FOR VIOLATION(S) OF THIS ORDINANCE AND THE CITY CODE AND, IF VIOLATION(S) ARE SUBSTANTIATED, INITIATE LICENSE SUSPENSION AND REVOCATION, AS OUTLINED IN THE AFOREMENTIONED

**SECTION Q OF THIS
ORDINANCE.**

(2) The City of Flint may require an applicant or holder of license of a Medical-Marihuana Facility to produce documents, records, or any other material pertinent to the investigation of an application or alleged violation of this Ordinance. Failure to provide the required material may be grounds for application denial, license revocation, or license suspension;

(3) Any person in violation of any provision of this Ordinance or any provision of a license issued under this Ordinance is responsible for a misdemeanor, punishable by fine of up to \$500.00 per violation plus cost of prosecution, 90 days imprisonment, or both, for each violation. Each plant possessed by any person in excess of the licensed quantity of plants permitted shall be a separate violation of this ordinance; and as such each plant in excess of the licensed quantity may be immediately confiscated for destruction. Any person in violation of this Ordinance is also subject to license revocation, as outlined in the aforementioned Section N. Q Immediate, temporary revocation or suspension of the Special Regulated Use license may be issued by the City's Zoning Coordinator, Director of Planning & Development, or their designee. This temporary suspension or revocation will not be rescinded until the Flint Planning Commission holds a

hearing with the applicant to discuss the violations and votes on whether to uphold the suspension or revocation. This section is not intended to prevent enforcement of any provision of the State law by the City of Flint Police Department;

(4) All fines imposed under this Ordinance shall be paid within forty-five (45) days after the effective date of the order imposing the fine or as otherwise specified in the order;

(5) Two or more violations of this ordinance within a six (6) month period by any individual offender shall be considered a public nuisance, and in the interest of such nuisance abatement, may result in the seizure and destruction of the marihuana plants, and/or marihuana product(s), and forfeiture of other related assets, in order to deter and prevent such nuisances and protect the health, safety and welfare of the City of Flint.

(6) The Planning Commission may temporarily suspend a Medical Marihuana Facility License without a hearing if it finds that public safety or welfare requires emergency action. The Planning Commission shall cause the temporary suspension by issuing a Suspension Notice by majority vote of members present and voting thereon in connection with institution of proceedings for a Hearing;

(7) If the Planning Commission temporarily suspends a license without a Hearing, the holder of

license is entitled to a hearing within thirty (30) days after the Suspension Notice has been issued. The hearing shall be limited to the issues cited in the Suspension Notice;

- (8) If the Planning Commission does not hold a hearing within thirty (30) days after the date of suspension was issued, then the suspended license shall be automatically reinstated and the suspension vacated.

R. Lawful Non-Conforming and Grandfathered Locations

- (1) Any Provisioning Center applicant granted Group "E" Special Regulated Use approval under the previous City of Flint Medical Marihuana Provisioning Center ordinance (50-161; & 12-XVI), prior to the adoption date of this ordinance on (insert date of adoption) and additionally, has undergone and successfully fulfilled the required "annual re-licensing process", and having been granted a 2017-2018 Special Regulated Use Group "E" license, will retain legal non-conforming rights and become a lawful conforming use.

- (2) ~~The collective amount of these grandfathered licenses will be subtracted from the license allocation amount listed in Section C.,2,i. (Medical Marihuana Provisioning Centers), with the difference representing the definite available allocation of Group "E" Special Regulated Use licenses available to the public;~~

~~pending approval for licensure by the State of Michigan.~~

- i. ~~Applicants who have fulfilled the relicensing requirements and successfully obtained a 2017-2018 Group "E" Medical Marihuana Provisioning Center License, will be granted an additional six (6) month extension to become compliant under the new terms of the Group "E" Special Regulated Use License, (insert ordinance number).~~

- ii. ~~Failure to become compliant under the revised Group "E" Special Regulated Use standards within a six (6) month period, will result in immediate revocation of the grandfathered license. Any number of licenses that are revoked will be added to the allocation amount listed in Section C.,2,i. (Medical Marihuana Provisioning Centers).~~

- (3) Any previously licensed Medical Marihuana Cultivation or Growing Facility who received a Special Regulated Use Group "E" permit from the Flint Planning Commission, will not be eligible to gain grandfathered status and will not be treated as a lawful, non-conforming land use. Facilities and applicants who have previously been issued a Group "E" Special Regulated Use for

Cultivation or Growing of Medical Marihuana are required to resubmit applications to the Flint Planning Commission to obtain a Group "F" Commercial Medical Marihuana Growing Center permit and must adhere to the minimum operating standards as referenced in Section H. and the any location of a Growing Center must adhere to the standards established in Section M. "Location of a Group "F" and "G" Special Regulated Use.

- (4) AN APPLICANT FOR AN ADDITIONAL LICENSE AT A LOCATION THAT IS A LAWFUL NON-CONFORMING USE, WHOSE LOCATION DOES NOT MEET THE LOCATIONAL REQUIREMENTS OF DISTANCES FROM RESIDENTIALLY-ZONED PROPERTY, SCHOOLS, PARKS OR PLACES OF WORSHIP, AND/OR DOES NOT MEET THE ZONING CLASSIFICATION REQUIRED UNDER THIS ORDINANCE, IS INELIGIBLE FOR ADMINISTRATIVE APPROVAL DESCRIBED IN SUBSECTION (F) AND MUST UNDERGO A PUBLIC HEARING BEFORE THE PLANNING COMMISSION PRIOR TO RECEIVING ANY ADDITIONAL LICENSE(S).

S. Transfer of Medical Marihuana Facility Licenses; Process

- (1) Special Regulated Use permits are issued to the Applicant, and not to the location. Any changes to the Special Regulated Use permit, including a change in ownership, requires approval by City, as outlined below.

- i. If the original applicant retains partial ownership, with no modification to previously approved site plans or floor plans, pending successful completion of a background check for any new owner(s), the new owner(s) would be administratively added to the Special Regulated Use Permit by the City's Zoning Coordinator upon payment of a nonrefundable Special Regulated Use Permit Application fee.
- ii. If ownership will be transferred entirely from the original applicant to a new individual, partnership or other corporate entity, but with no modification to previously approved site plans or floor plans, the transfer requires payment of a nonrefundable Special Regulated Use Permit Application fee, completion of a background check for any new owner(s), and public hearing before the Planning Commission for approval of the transfer of the applicable

Special Regulated Use Permit(s).

- iii. If there is any transfer, full or partial, of ownership that accompanies modification of previously approved site plans or floor plans, the Application will be treated as a new Special Use Permit application including all applicable site plan reviews, approvals and public hearing.

- iv. ANY CHANGE IN LOCATION OF A SPECIAL REGULATED USE, WITH OR WITHOUT A TRANSFER OF LEGAL OWNERSHIP SHALL BE TREATED AS A NEW APPLICATION. THAT APPLICATION MAY BE REVIEWED BY THE PLANNING COMMISSION AT THE NEXT AVAILABLE PUBLIC HEARING DATE FOLLOWING THE SUBMISSION OF ALL NECESSARY DOCUMENTS, AND IS NOT REQUIRED TO AWAIT THE EXHAUSTION OF THE EXISTING LIST OF PROVISIONING CENTER AND/OR RETAIL ESTABLISHMENT LOCATIONS, TO

THE EXTENT SUCH A LIST EXISTS AND APPLIES.

T. Group "E", "F" and "G" License Location Appeals Process

- (1) The Medical Marihuana Facilities Licensing Analysis "maps", developed and administered by the Planning & Zoning Division, symbolizes a spatial analysis performed utilizing the criteria listed in Section N., 1.-3. (Location of Group "E" Special Regulated Uses), and in Section M. O., 1.-3 AND P. (Location of Group "F" and "G" Special Regulated Uses, RESPECTIVELY). Any potential location of a Group "E", "F" or "G" Medical Marihuana Facilities license is appealable to the Flint Planning Commission. A \$5,000, non-refundable appeals fee is required upon submitting an application for a location appeal. An applicant submitting an appeal must clearly demonstrate an "undue hardship" and "prove that special and unusual conditions pertaining to the specific piece of property are warranted" for a variance to be granted.

- i. No such variance shall be authorized by the Planning Commission unless the Commission finds that all of the following facts and conditions exist:

1. The proposed use will not alter the essential

character of the area.

2. The problem was not a self-created hardship.
3. The use will be compatible with adjacent uses of land.
4. The plight is due to unique circumstances peculiar to the property and not to general neighborhood conditions.
5. Issuance of the variance would still ensure that the spirit of the ordinance is intact.

U. COMMUNITY BENEFIT LOCATIONAL EXEMPTIONS

- (1) **SOCIAL EQUITY PROGRAM EXEMPTION - APPLICANTS WHO APPLY FOR A GROUP "G" SRU, I.E. A MICROBUSINESS LICENSE, OR WHO APPLY FOR A GROUP "F" SRU STRICTLY FOR A CLASS "A" GROW FACILITY, MAY BE ELIGIBLE FOR AN EXCEPTION FROM THE 300 RESIDENTIAL DISTANCE REQUIREMENT, WITHOUT THE NEED FOR A LOCATION VARIANCE, PROVIDED THAT THEY**

MEET THE FOLLOWING CRITERIA:

- I. **THE APPLICANT, EITHER AS AN INDIVIDUAL OR ALL OF THE MEMBERS OF A PARTNERSHIP OR OTHER CORPORATE ENTITY APPLICANT, IS A RESIDENT OF THE CITY OF FLINT; AND**
- II. **THE APPLICANT, EITHER AS AN INDIVIDUAL OR ALL OF THE MEMBERS OF A PARTNERSHIP OR OTHER CORPORATE ENTITY APPLICANT, IS PRE-APPROVED IN THE STATE OF MICHIGAN'S SOCIAL EQUITY PROGRAM; AND**
- III. **THE APPLICATION IN QUESTION IS FOR A PARCEL ZONED D3 OR D4 FOR A MICROBUSINESSES, OR ZONED E FOR A CLASS A GROW FACILITY; AND**
 1. **THE APPLICANT MUST BE ABLE TO DEMONSTRATE THAT THEIR PROPOSED FACILITY**

WILL
DEMONSTRAB
LY BE AN
ASSET TO
THE
NEIGHBORHO
OD, AND AS
CONSTRUCTE
D AND
OPERATED BY
THE
APPLICANT
WILL NOT
HAVE ANY,
OR MINIMAL,
NEGATIVE
SECONDARY
EFFECTS ON
THE
NEIGHBORHO
OD.
NEGATIVE
SECONDARY
EFFECTS CAN
INCLUDE THE
FOLLOWING
IMPACTS:

2. VEHICULAR
AND
PEDESTRIAN
TRAFFIC;
3. NOISE,
ODORS, OR
LIGHTS THAT
EMANATE
BEYOND THE
SITE'S
BOUNDARIES
ONTO
PROPERTY IN
THE AREA ON
WHICH
THERE ARE
RESIDENTIAL
DWELLINGS;

4. EXCESSIVE
NUMBERS OF
PERSONS
GATHERING
OUTSIDE THE
ESTABLISHM
ENT;

5. PEAK HOURS
OF USE THAT
ADD TO
CONGESTION
OR OTHER
NEGATIVE
EFFECTS IN
THE
NEIGHBORHO
OD.

THE APPLICATION FOR
AN APPLICABLE PARCEL
WOULD REMAIN SUBJECT
TO THE OTHER
LOCATIONAL CRITERIA,
NOTWITHSTANDING THE
EXCEPTION OUTLINED
ABOVE. AN APPLICANT
WHO ELECTS NOT TO
PARTICIPATE IN THIS
VOLUNTARY EXEMPTION
PLAN PROCESS MAY
ALTERNATIVELY SEEK A
LOCATIONAL VARIANCE
BEFORE THE PLANNING
COMMISSION.

- (2) BLIGHT ELIMINATION
PLAN EXEMPTION -
APPLICANTS WHO APPLY
FOR A GROUP "E," GROUP
"F," AND/OR GROUP "G"
SPECIAL REGULATED USE
PERMIT, FOR A PARCEL
WITHIN 300 FEET OF
RESIDENTIALLY ZONED
PARCEL(S), MAY APPLY
FOR A BLIGHT
ELIMINATION PLAN
EXEMPTION, TO ALLOW

THE APPLICANT TO
RECEIVE THE
RESPECTIVE SRU(S)
WITHOUT A VARIANCE,
PROVIDED THAT THEY
MEET THE FOLLOWING
CRITERIA:

- i. THE APPLICANT
MUST MEET WITH
THE CITY OF FLINT
BLIGHT
ELIMINATION
DIVISION TO
DISCUSS BLIGHT
ISSUES WITHIN
NEIGHBORHOOD OF
THE PARCEL
SUBJECT TO THE
SRU APPLICATION;
AND
- ii. THE APPLICANT
MUST MEET WITH
MEMBERS
SURROUNDING
NEIGHBORHOOD
AND THE
SURROUNDING
NEIGHBORHOOD
ASSOCIATION (IN
THE EVENT THAT
ONE EXISTS), TO
DISCUSS BLIGHT
ISSUES WITHIN THE
AREA; AND
- iii. THE APPLICANT
MUST MEET WITH
THE SURROUNDING
NEIGHBORHOOD
AND THE
SURROUNDING
NEIGHBORHOOD
ASSOCIATION (IN
THE EVENT THAT
ONE EXISTS) TO
DISCUSS THEIR

BUSINESS PLAN;
AND

- iv. THE APPLICANT
THAT MUST
PRESENT A PLAN
TO ELEVATE
BLIGHT ISSUES,
SPECIFICALLY BUT
NOT LIMITED TO
ANY BLIGHT ISSUES
WITHIN 300 FEET OF
THE PARCEL
SUBJECT TO THE
SRU APPLICATION,
TO THE FLINT
PLANNING
COMMISSION AT A
PUBLIC HEARING;
AND

1. SUCH A PLAN
MUST
INCLUDE A
CAPITAL
INVESTMENT
TO ADDRESS
STRUCTURAL
BLIGHT IN
THE AREA IN
THE FIRST
YEAR OF THE
APPLICANT'S
BUSINESS
OPERATION;
AND

2. SUCH A PLAN
MUST ALSO
INCLUDE A
CAPITAL
INVESTMENT
TO ADDRESS
NON-
STRUCTURAL
BLIGHT
ANNUALLY
FOR FIRST
FIVE YEARS

OF
APPLICANT'S
BUSINESS
OPERATION;
AND

- v. THE APPLICANT'S
BLIGHT
ELIMINATION PLAN
MUST BE
APPROVED BY THE
PLANNING
COMMISSION, AND
MUST
SUBSEQUENTLY BE
PUT INTO EFFECT
AND CONTINUED AS
THE APPLICANT
OPERATES WITH
THEIR LICENSE(S)
INTO THE FUTURE.
FAILURE TO
UPHOLD SUCH
COMMITMENTS
MAY BE GROUNDS
FOR NON-RENEWAL
OF LICENSE(S)
AND/OR MAY BE
SUBJECT TO THE
LICENSE
RELOCATION
PROCESS OUTLINED
IN THIS
ORDINANCE.

THE APPLICATION FOR
AN APPLICABLE PARCEL
WOULD REMAIN SUBJECT
TO THE OTHER
LOCATIONAL CRITERIA,
NOTWITHSTANDING THE
EXCEPTION OUTLINED
ABOVE, HOWEVER THIS
EXCEPTION MAY BE USED
IN CONJUNCTION WITH
THE PARK
BEAUTIFICATION PLAN
EXEMPTION OUTLINED

BELOW. AN APPLICANT
WHO ELECTS NOT TO
PARTICIPATE IN THIS
VOLUNTARY EXEMPTION
PLAN PROCESS MAY
ALTERNATIVELY SEEK A
LOCATIONAL VARIANCE
BEFORE THE PLANNING
COMMISSION.

- (3) PARK BEAUTIFICATION
PLAN EXEMPTION -
APPLICANTS WHO APPLY
FOR A GROUP "E," GROUP
"F," AND/OR GROUP "G"
SPECIAL REGULATED USE
PERMIT, FOR A PARCEL
WITHIN 500 FEET OF A
DEDICATED PUBLIC
PARK, MAY APPLY FOR A
PARK BEAUTIFICATION
PLAN EXEMPTION, TO
ALLOW THE APPLICANT
TO RECEIVE THE
RESPECTIVE SRU(S)
WITHOUT A VARIANCE,
PROVIDED THAT THEY
MEET THE FOLLOWING
CRITERIA:

- i. THE APPLICANT
MUST MEET WITH
THE CITY OF FLINT
PLANNING &
ZONING DIVISION
TO DISCUSS
POTENTIAL PARK
IMPROVEMENTS
FOR THE PARK
NECESSITATING
THE EXEMPTION;
AND
- ii. THE APPLICANT
MUST MEET WITH
MEMBERS
SURROUNDING
NEIGHBORHOOD,

AND THE
SURROUNDING
NEIGHBORHOOD
ASSOCIATION (IN
THE EVENT THAT
ONE EXISTS), TO
DISCUSS
POTENTIAL PARK
IMPROVEMENTS
FOR THE PARK
NECESSITATING
THE EXEMPTION;
AND

iii. THE APPLICANT
MUST MEET WITH
THE APPLICABLE
MEMBER(S) OF THE
ADOPT A PARK
PROGRAM, IN THE
EVENT THAT ONE
EXISTS FOR THE
PARK
NECESSITATING
THE EXEMPTION
TO DISCUSS THE
APPLICANT'S
BUSINESS PLAN;
AND

iv. THE APPLICANT
MUST PRESENT A
PLAN TO BEAUTIFY
THE PARK
NECESSITATING
THE EXEMPTION
TO THE FLINT
PLANNING
COMMISSION AT A
PUBLIC HEARING;
AND

1. SUCH A PLAN
MUST
INCLUDE A
CAPITAL
INVESTMENT
TO IMPROVE
RECREATION

AL
AMENITIES IN
THE PARK IN
THE
APPLICANT'S
FIRST YEAR
OF BUSINESS
OPERATION;
AND

2. SUCH A PLAN
MUST ALSO
INCLUDE A
CAPITAL
INVESTMENT
TO SUPPORT
PARK
MAINTENANC
E WITHIN
THE FIRST
FIVE (5)
YEARS OF
THE
APPLICANT'S
BUSINESS
OPERATION.

v. THE APPLICANT'S
PARK
BEAUTIFICATION
PLAN MUST BE
APPROVED BY THE
PLANNING
COMMISSION, AND
MUST
SUBSEQUENTLY BE
PUT INTO EFFECT
AND CONTINUED AS
THE APPLICANT
OPERATES WITH
THEIR LICENSE(S)
INTO THE FUTURE.
FAILURE TO
UPHOLD SUCH
COMMITMENTS
MAY BE GROUNDS
FOR NON-RENEWAL
OF LICENSE(S),

AND/OR MAY BE
SUBJECT TO THE
LICENSE
REVOCATION
PROCESS OUTLINED
IN THIS
ORDINANCE.

THE APPLICATION FOR
AN APPLICABLE PARCEL
WOULD REMAIN SUBJECT
TO THE OTHER
LOCATIONAL CRITERIA,
NOTWITHSTANDING THE
EXCEPTION OUTLINED
ABOVE, HOWEVER THIS
EXCEPTION MAY BE USED
IN CONJUNCTION WITH
THE BLIGHT
ELIMINATION PLAN
EXEMPTION LISTED
ABOVE. AN APPLICANT
WHO ELECTS NOT TO
PARTICIPATE IN THIS
VOLUNTARY EXEMPTION
PLAN PROCESS MAY
ALTERNATIVELY SEEK A
LOCATIONAL VARIANCE
BEFORE THE PLANNING
COMMISSION.

- (4) ALL LICENSEES WHO
RECEIVING A
COMMUNITY BENEFIT
LOCATIONAL
EXEMPTION UNDER THIS
SECTION SHALL APPEAR
BEFORE THE PLANNING
COMMISSION AS A CASE
REVIEW UPON THE FIRST
ANNUAL RELICENSING OF
THEIR PERMIT(S).

Sec. 2. This ordinance shall become
effective immediately upon adoption.

Adopted this _____ day of
_____, 2019, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

PROPOSED

200075

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 12, Business and Occupations Generally; Article XVI, Medical Marihuana Facilities, Section 12-95.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 12, Business and Occupations Generally; amending Article XVI, Section 12-95, Medical Marihuana Facilities, by changing the references to Medical Marihuana Facilities to Marihuana Facilities, consistent with the licenses and standards set forth in Chapter 50, Zoning, Article XXXII, Section 50-183, Marihuana Facilities Opt In Ordinance, which shall read in its entirety as follows:

ARTICLE XVI. MEDICAL-MARIHUANA FACILITIES.

§12-95. STANDARDS FOR MEDICAL MARIHUANA FACILITIES.

(a) All Medical Marihuana Facilities shall be subject to any other applicable provisions of the Flint City Code. Medical Marihuana Facilities shall also comply with the Michigan Medical Marihuana Act (MCL 333.26421 *et seq.*) as amended ("MMMA"), the Medical Marihuana Facilities Licensing Act, MCL 333.2701, *et seq.*, (MMFLA), the Marihuana Tracking Act (MTA), MCL 333.27901, *et seq.*, **THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA")**, 2018 IL 1, MCL 333.27951 *ET SEQ.*, the general rules of the Michigan Department of Community Health, the rules of the Michigan Department Of Licensing And Regulatory Affairs (LARA) **AND THE MARIJUANA REGULATORY AGENCY (MRA)**, and other applicable State laws.

(b) **DEFINITIONS.** For the purpose of the code, the definitions set forth in Chapter 50,

Zoning, Article XXXII, Medical Marihuana Facilities, shall apply.

(c) No person shall operate a medical marijuana facility without the Facility having first obtained and being in possession of a valid medical marijuana facility license(s) issued by the City of Flint and the State of Michigan.

- (1) A medical-marijuana facility license application shall be made annually on forms provided by the City of Flint consistent with the terms set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.
- (2) The Chief of Police may conduct a criminal background check of the applicant, and a medical-marijuana facility license shall not be issued to any person who has been convicted of any felony involving illegal drugs, or for other reasons identified by the Chief of Police to protect the health, safety and welfare of the community. Drug related felony offenses does not include a conviction for activity allowed under the Michigan Medical Marihuana Act, even if the activity occurred before the enactment of the Michigan Medical Marihuana Act.
- (3) The applicant shall submit an affidavit of the property owner declaring that the owner is aware of the proposed medical-marijuana facility. The affidavit form will be provided by the City of Flint.
- (4) The applicant shall submit a tax clearance form demonstrating that city taxes are current. The form will be provided by THE City of Flint.
- (5) The applicant shall obtain a special regulated use permit before applying for a medical-marijuana facility license, and submit the permit along with the application.

- (6) The non-refundable fee to submit an application for a medical-marijuana facility license shall be one thousand, five hundred (\$1500.00) dollars.
- (7) The annual fee for a Provisioning Center MARIJUANA FACILITY license shall be five thousand (\$5,000.00) dollars (with the application fee deducted from that amount).
- (8) A license is valid only for the location identified on the license and cannot be transferred to another location within the city without a new application. The process for otherwise transferring Licenses is set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.
- (9) Compliance with all applicable laws, as enforced, is a condition of maintenance of a license.
- (10) Each day that a person shall conduct a medical-marijuana facility without a license shall constitute a separate offense.
- (d) No person shall act as an employee or volunteer of a medical-marijuana facility without compliance with the terms set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.
- (1) The non-refundable annual employee license application fee shall be one hundred fifty (\$150.00) dollars.
- (2) A license is valid only for the location identified on the license and cannot be transferred to another location within the City without a new application.

- (3) Compliance with all applicable laws, as enforced, is a condition of maintenance of a license.
- (4) Each day that a person shall work as an employee of a medical-marijuana facility without a license shall constitute a separate offense.
- (e) The following additional standards shall apply to medical-marijuana facilities
 - (1) All medical marihuana shall be contained within an enclosed, locked facility, inaccessible on all sides and equipped with locks that permit access only by the licensed medical—marijuana facility employee.
 - (2) All transfers and deliveries of medical marihuana must occur within a structure.
 - (3) Provisioning Centers, RETAIL FACILITIES, AND MICROBUSINESSES, as defined in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities, shall be limited to operating between 8:00 a.m. and 7:00 p.m. Monday through Saturday and 12:00 noon and 6:00 p.m. Sunday. No other Medical Marijuana Facility shall be open to the public at any time.
 - (4) Persons under the age of eighteen (18) years of age are not permitted to be on the premises of any Provisioning Center unless they possess a valid registry card and parent or legal guardian.
 - (5) PERSONS UNDER THE AGE OF TWENTY ONE (21) ARE NOT PERMITTED TO BE ON THE PREMISES OF ANY MICROBUSINESS OR RETAIL FACILITY.

(6) Marihuana shall not be smoked, eaten, or otherwise consumed at any medical-marijuana facility.

(f) An inspection of the building out of which a ~~provisioning-center~~ MARIJUANA FACILITY operates shall be required every year. The inspection fee shall be established by resolution of the City Council.

(g) Every medical-marijuana facility shall provide immediate access to the premises where business is conducted or property is stored, to any police officer, the building inspector or the fire marshal, without warrant, during regular hours of business, or at any time the medical-marijuana facility license holder or his employee or agent are on the premises.

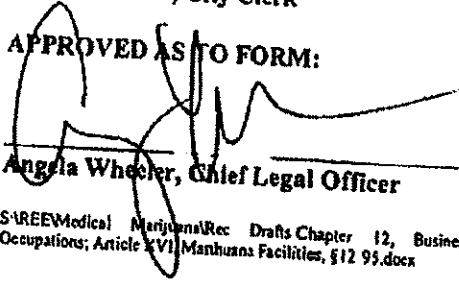
Sec. 2. This ordinance shall become effective immediately upon adoption.

Adopted this _____ day of _____ 2019, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

200076

RECOMMENDED BY PLANNING COMMISSION 02.04.2020

ORDINANCE NO. _____

An ordinance to amend the Ordinances of the City of Flint by amending Chapter 50, Zoning; Article XXIX, Special Regulated Uses; Sections 50-161; 50-163; 50-164; and 50-169.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. That the Ordinances of the City of Flint shall be amended by amending Chapter 50, Zoning; Article XXIX, Special Regulated Uses; Sections 50-161; 50-163; 50-164; and 50-169, to amend Group "E," "F" and "G", in light of the amendments to Special Regulated Uses E, F and G set forth in Chapter 50, Zoning, Article XXXII, Section 50-183 Marijuana Facilities Opt In Ordinance, to read in its entirety as follows:

§ 50-161 PURPOSE.

(a) In the development of a community it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are itemized in this article. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area.

(b) Uses subject to these controls are as follows:

(1) Group "A" — Special regulated uses:

Adult bookstore

Adult motion picture theater

Adult mini motion picture theater

Massage establishments

Establishments for consumption of beer or intoxicating liquor on the premises and having adult entertainment

Steam baths

Any other use, including a group B special regulated use, which provides goods or services which are distinguished or characterized by their emphasis on matters depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" which provides goods or services in a manner which is distinguished or characterized by its emphasis on "specified sexual activities" or "specified anatomical areas"

(2) Group "B" - Special regulated uses:

Pawnshops

Liquor stores

Tattoo Establishments

(3) Group "C" - Special regulated uses:

Pool or billiard halls

Gaming Tables

(4) Group "D" - Special regulated uses:

Wireless telecommunication facilities

Wireless telecommunication towers

Wireless telecommunication antennas

- (5) Group "E," "F" and "G" ...
Special Regulated Uses:

Medical-Marihuana Facilities

The standards set forth in Chapter 50,
Zoning, Article XXXII, Medical Marihuana
Facilities, shall apply.

**§ 50-163 LOCATIONAL STANDARDS —
RELATIONSHIP TO SIMILAR USES.**

(a) Group "A" special regulated uses (§ 50-161). An application to establish a group "A" special regulated use shall not be approved if there is already in existence two or more group "A", group "B", or group "C" special regulated uses within 2,000 feet of the boundaries of the site of the proposed regulated uses.

(b) Group "B" special regulated uses (§ 50-161). An application to establish a group "B" special regulated use shall not be approved if there is already in existence four or more group "B" or group "C" special regulated uses within 2,000 feet of the boundaries of the site of the proposed regulated uses.

(c) Group "C" special regulated uses (§ 50-161). An application to establish a group "C" special regulated use shall not be approved if there is already in existence four or more group "C" special regulated uses within 2,000 feet of the boundaries of the site of the proposed regulated use.

(d) Group "E" Special Regulated Uses (§ 50-161). An Application to Establish a Group "E" Special Regulated Use shall not be approved if there is already in existence four or more Group "A" or Group "E" Special Regulated Uses within 2,000 feet of the boundaries of the site of the proposed regulated use, as set forth in Chapter 50,

Zoning, Article XXXII, Medical Marihuana
Facilities.

(e) Group "E," "F" and "G" special regulated uses shall be limited by the locational standards set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.

**§ 50-164 LOCATIONAL STANDARDS —
RELATIONSHIP TO RESIDENTIAL AREA
AND OTHER USES.**

(a) Group "A" special regulated uses (§ 50-161). An application to establish a group "A" special regulated use shall not be approved if the proposed location is within 1,000 feet of any residentially zoned district, mobile home park, K through 12 school, park or church.

(b) Group "B" special regulated uses (§ 50-161). An application to establish a group "B" special regulated use shall not be approved if the proposed location is within 300 feet of a residentially zoned district, mobile home park, K through 12 school, dedicated park, or church.

(c) Group "C" special regulated uses (§ 50-161). An application to establish a group "C" special regulated use shall not be approved if the proposed location is within 200 feet of a residentially zoned district, mobile home park, K through 12 school, park or church, except in the D-4 zoning district where this locational standard is waived.

(d) Group "E," "F" and "G" special regulated uses. An application to establish a group "E," "F" and/or "G" special regulated use shall not be approved if the proposed location is within 300 feet of a residentially zoned district, or otherwise in conflict with the standards set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.

**§ 50-169 ZONING DISTRICTS
REQUIREMENTS FOR SPECIAL
REGULATED USES.**

(a) The special regulated uses itemized in this article shall be limited to the following zoning districts:

(1) Group "A" special regulated uses shall be allowed in D-6, E, F, and G districts.

(2) Group "B" special regulated uses shall be allowed in D-5, D-6, E, and F districts.

(3) Group "C" special regulated uses shall be allowed in D-4, D-5, D-6, E and F districts.

(4) Group "E" Special Regulated Uses shall be allowed in D-2, D-3, D-5, D-6, E, F, and G districts as set forth in Chapter 50, Zoning, Article XXXII, Medical Marijuana Facilities.

(5) Group "F" and "G" special regulated uses shall be limited to the "E", "F", & "G" industrial zoning districts, as set forth in Chapter 50, Zoning, Article XXXII, Medical Marijuana Facilities.

(b) Also, each special regulated use shall be subject to the specific requirements of each zoning district and all other applicable regulations.

Sec. 2. This ordinance shall become effective immediately upon adoption.

Adopted this _____ day of
_____ 2019, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

S:\REEMedical Marijuana Rec Drafts Chapter 50, Zoning, Article XXIX
Special Regulated Uses, Medical Marijuana Facilities, §50-161 - §50-169
RECOMMENDED BY PC.doc