

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” in said sections and add Groups “F” and “G”, in light of the Special Regulated Uses E, F and G set forth in Chapter 50, Zoning, Article XXXII, Section 50-183 Medical Marihuana 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 Use USES:

~~Medical Marijuana Dispensaries~~
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.

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

Adopted this _____ day of _____ 2018, A.D.

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

Dr. Karen W. Weaver, Mayor

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

Inez M. Brown, City Clerk

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

APPROVED AS TO FORM:

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

Angela Wheeler, Chief Legal Officer

(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 MARIHUANA 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 MARIHUANA FACILITIES.

S:\REE\Medical Marijuana\Final Ordinances\Chapter 50, Zoning; Article XXIX, Special Regulated Uses, Sections 50-161 through 50-169 Medical Marihuana Facilities.doc

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