



Battle Creek City Planning Commission

Staff memo for the December 13th, 2017 meeting

To: Planning Commissioners

From: Eric Feldt, AICP, CFM Planner

Date: December 6, 2017

Subject: Draft Ordinance Medical Marihuana

Summary

Adopt new zoning regulations to enable regulating medical marihuana pursuant to the Michigan Medical Marihuana Facilities Licensing Act (MMFLA) of 2016 and subsequent amendments.

Background

With the adoption of the MMA (Michigan Medical Marihuana Act of 2008) and MMFLA (Michigan Medical Marihuana Facilities Licensing Act of 2016 and subsequent amendments), communities across the state are deciding to allow or prohibit any of the five state medical marihuana facility licenses: 1) Growing, 2) Processing, 3) Safety Compliance Facility (Testing), 4) Secure Transporters (transporting & storage), and 5) Provisioning Centers (selling).

After multiple workshops on the issue, staff provided a month-long survey throughout October asking City residents and business owners if they support any of the five licenses, and any restrictions or additional concerns. Tallying over 700 submittals, 82% of which stated they were City residents, a majority do support allowing all five medical marihuana licenses. Also, many support limitations be applied to those licenses. See attached survey results.

After tallying the survey, staff was instructed to write the subject draft zoning ordinance to permit all five state license medical marihuana businesses with limitations (see attached draft ordinance beginning on page 4 of this memorandum. Below is a brief summary of the proposed draft ordinance.

Summary of Zoning Regulations

In the following sections, staff has provided a brief summary of proposed zoning regulations of each of the five medical marijuana licenses of the MMFLA. Staff has noted MMFLA requirements and additional City of Battle Creek limitations. The setbacks stated below are specific to the City but are similar to other neighboring community's draft medical marijuana ordinances.

1) Medical Marijuana Growers (See 'Grower & Processor Map' for permitted locations.)

Pursuant to MMFLA, a Grower can cultivate, dry, trim, or cure and package marijuana for sale to a Processor or Provisioning Center. Further, MMFLA allows growing of medical marijuana in Industrial and Agricultural zoning districts with approved State and City license. The City is recommending that Growers would be allowed in the I-1 & I-2 zoning districts. A grow operation consists of growing and limited processing entirely inside a building, and therefore, is similar to an Industrial operation. Allowing Growers in the city's Agriculture district, however, would not meet the purpose of the Agriculture district because this district is primarily dedicated for open-air farming, livestock, and field crops. Also, their relatively remote agriculture properties do not have the city utilities that would likely be needed for growing more than 1,500 plants. And those remote locations may have slow public safety response times.

Unlike the MMFLA, the city has recommended that all Growers be located at least 1,000 feet away from schools, parks, churches, residences, and daycares. Under the MMFLA, grow facilities may obtain a Class A license to grow 500 plants; Class B license to grow 1,000 plants; Class C license to grow 1,500 plants; or multiple Class C license to grow more than 1,500 plants. The City would permit all Classes and multiple thereof. Lastly, under the MMFLA, a property may have a licensed Grow and Processor operations (called collocation) to enable growing and processing of medical marijuana. This will support efficiencies in business operations. The City will allow this form of collocation.

2) Medical Marijuana Processors (See 'Grower & Processor Map' for permitted locations.)

According to the MMFLA, a processor purchases medical marijuana from a grower and extracts resin from the marijuana or creates a marijuana-infused product for sale and transfer in packaged form to a provisioning center. The MMFLA does not restrict the location of a processor. The city, however, is recommending that Processors would be allowed in the I-1 & I-2 Industrial zoning districts with an approved State and City license because Processors have an industrial-like operation. Like Growers, Processors must be setback at least 1,000 feet away from schools, parks, churches, residences, and daycares. Also, a property containing a Processor may be collocated with a Grow operation, as noted above under Growers.

3) Medical Marijuana Safety Compliance Facilities (Testing) (See 'Safety Compliance Facilities Map' for permitted locations.)

Pursuant to the MMFLA, a Safety Compliance Facility receives marijuana from a marijuana facility or registered primary caregiver (Primary Caregiver - MMA 2008), tests it for contaminants and for THC and other cannabinoids, returns the test results, and may return the marijuana to the facility. The MMFLA does not restrict the location of a Safety Compliance Facility, but the city is treating it as a testing lab and therefore would allow it in the I-1 & I-2 Industrial districts, and C-3 & C-4 Commercial districts with an approved State and City license. Like the above facilities,

Safety Compliance Facilities must be setback at least 1,000 feet away from schools, parks, churches, residences, and daycares.

Pursuant to the MMFLA, a Safety Compliance Facility cannot have an interest in a state licensed Grower, Processor, or Provisioning Center. This is likely to reduce the possibility of skewing favorable testing results or unlawfully benefitting a specific operation/ company.

4) Medical Marihuana Secure Transporters (Transportation & Storage) (See ‘Secure Transporters Map’ for permitted locations.)

Pursuant to the MMFLA, a Secure Transporter transports marihuana between marihuana facilities for a fee and may store marihuana. The Secure Transporter must submit a dedicated driving route and plan to the State. The MMFLA does not restrict the location of where a Secure Transporter can store medical marihuana, but the City would allow it in the I-1, I-2, and C-3 Commercial districts with an approved State and City license. General storage is currently allowed in those districts. Like the other marihuana facilities, the location of stored marihuana must be setback at least 1,000 feet away from schools, parks, churches, residences, and daycares.

Pursuant to the MMFLA, a Secure Transporter cannot have an interest in a state licensed Grower, Processor, Provisioning Center or Safety Compliance Facility. This is likely to reduce the possibility excessive control of one medical marihuana business, or to force greater business diversity within the overall medical marihuana industry.

5) Medical Marihuana Provisioning Centers (Selling; Dispensaries) (See ‘Provisioning Centers Map’ for permitted locations.)

According to the MMFLA, a Provisioning Center purchases marihuana from a Grower or Processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through their registered primary caregivers. Provisioning Centers sell marihuana to qualifying patients or primary caregivers only; not to the general public. The MMFLA does not restrict the location of Provisioning Centers. The City, however, would allow them only in the C-2, C-3, C-4, C-6, & C-7 Commercial zoning districts; and in the I-1 & I-2 districts only when collocated with a Grower and Processor on the same property.

The City’s locational restriction in the Commercial districts is primarily due to by treating Provisioning Centers as pharmacies because the marihuana is for medical purposes only and for a specific customer base. As such, the city would allow them in the same commercial districts as pharmacies. The City’s collocation restriction of Provisioning Centers in the I-1 & I-2 districts is to 1) enable additional business operation efficiencies; 2) recognize that this retail component is not likely to be expansive; and 3) the retail size is insignificant compared to the overall site’s growing and processing operations. A stand-alone Provisioning Center in the Industrial districts would not meet the purpose of the Industrial district (as defined above) and properties best used by large industrial operations. The City is not treating Provisioning Centers entirely equal to pharmacies because of the nature of the product being sold, and will require all Provisioning Centers be located at least 1,000 feet away from other permitted Provisioning Centers. Staff estimates a full market build out scenario of 44 Provisioning Centers. Lastly, per the MMFLA, a location where a qualified patient receives medical marihuana through their primary caregiver in accordance with the 2008 MMA is not a Provisioning Center.

Permit Process, Required

An applicant wishing to development any medical marihuana facility must obtain the following approvals in the order shown below:

1) Required Licenses.

- (1) An approved medical marihuana license from the City pursuant to Chapter 833 Medical Marihuana; and
- (2) An approved medical marihuana operating license from the State.

2) Required Permits.

- (1) Approved Building permit & Occupancy Permit. All medical marihuana facilities shall require an approved Building permit showing compliance with applicable zoning and building codes. A Certificate of Occupancy shall be issued once all applicable inspections show satisfactory compliance with all zoning and building codes.
- (2) Approved Site Plan Application. Certain medical marihuana facilities shall require gaining an approved Site Plan Application pursuant to Chapter 1294 Site Plan Review.
- (3) Approved Special Use Permit. Certain medical marihuana facilities shall require an approved Special Use Permit pursuant to Chapter 1290 Special Land Uses.

This proposed ordinance will amend the following sections of Chapter 12 *Planning & Zoning Code*:

- Ch. 1230 *General Provisions and Definitions*
- Ch. 1262 C-2 *General Business Districts*
- Ch. 1264 C-3 *Intensive Business Districts*
- [Staff note: Not amending C-4 because MMFLA uses permitted in C-4 are permitted through the C-3 district – see 1266.02(a)]
- Ch. 1270 C-6 *Major Highway Interchange Business Districts*
- Ch. 1271 C-7 *Street-Level Retail District*
- Ch. 1272 I-1 *Light Industrial District*
- Ch. 1274 I-2 *Heavy Industrial District*
- Ch. 1290 *Special Uses and Land Development*
- Ch. 1299 *Medical Marihuana* **NEW**

Neighboring Community's Actions

Neighboring communities such as, Kalamazoo, Portage, Comstock Twp, etc. are drafting new ordinances to permit medical marihuana facilities. Some of the setbacks and allowed districts stated earlier are similar to what those communities are using. Of these, as of this memo, only Marshall has adopted an ordinance addressing these types of facilities. You can see a summary of those community's views on allowing medical marihuana facilities in the attached excel document.

New Regulatory Tools

In addition to the new State's rules for medical marihuana facilities, the City will adopt new zoning regulations (subject draft ordinance) and a new City Medical Marihuana Facility license (New Chapter 833) that will work in tandem. This new license will contain rules affecting where medical marihuana can be grown, rules on transportation, security measures, ventilation controls, and other elements to preserve public safety, reduce neighborhood and environmental impacts. The State released these rules on December 4th and city staff is currently drafting the new City Medical Marihuana licensing ordinance.

Next Steps

Planning staff recommends the Planning Commission take action recommending to the City Commission approval of the package of ordinances. With this support, staff will present it to the City Commission at their December 19, 2017 meeting for introduction. At this point, the draft zoning ordinance will be held until such time a licensing ordinance can be drafted. Multiple departments will soon be meeting to discuss potential licensing regulations, and that draft ordinance will be presented to City Commission review in the upcoming weeks. The new license and draft ordinance will both be presented to the City Commission for final adoption at a future date.

CHAPTER 1230.06 DEFINITIONS

(42) Medical Marihuana Facilities

(a) Medical Marihuana Grower or Grow Facilities means a licensee that is a commercial entity located in this State and licensed pursuant to the MMFLA that cultivates, dries, trims, or cures and packages marihuana for sale to a processor or provisioning center.

(b) Medical Marihuana Processing Facilities means a licensee that is a commercial entity and facility located in this State and licensed pursuant to the MMFLA that purchases 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.

(c) Medical Marihuana Provisioning Center means a licensee and facility that is a commercial entity located in this State and licensed pursuant to the MMFLA that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through their registered primary caregivers. The term 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 marihuana registration process of the Department of Licensing and Regulation in accordance with the Michigan Medical Marihuana Act will not be a provisioning center for purposes of the Licensing Act.

(d) Medical Marihuana Safety Compliance Facility means a licensee and facility that is a commercial entity and licensed pursuant to the MMFLA that receives marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol (THC) and other cannabinoids, returns the test results, and may return the marihuana to the facility.

(e) Medical Marihuana Secure Transporter means a licensee and facility that is a commercial entity located in this State and licensed pursuant to the MMFLA that stores marihuana and transports it between marihuana facilities for a fee.

(43) Mobile Home. "Mobile home" means a factory assembled structure, at least eight feet wide and thirty-two feet in length, which is built on a permanent chassis and designed to

- be used as a dwelling unit, with or without a permanent foundation, when connected to required utilities.
- (44) Mobile Home Park. "Mobile home park" means any site required improvements and utilities for the long-term parking of mobile homes, which may include services and facilities for residents.
- (45) Nonconforming Use. "Nonconforming use" means a building or land lawfully occupied by a use at the time of passage of this Zoning Code (December 18, 1984), or an amendment thereto, which does not conform, after the passage of this Zoning Code or an amendment thereto, with the use regulations of the district in which it is situated.
- (46) Nursery School. "Nursery school" means a day care group facility which has as its main objective a developmental program for three or more preschool children and whose staff meets the educational qualifications as established by the State Department of Education.
- (47) Parking Space. "Parking space" means an area enclosed in the main building or in an accessory building, or unenclosed, sufficient in size to store one standard automobile and, if unenclosed, comprising an area of not less than 166.5 square feet, exclusive of a driveway or aisleway connecting the parking space with a street or alley, and permitting the satisfactory ingress and egress of an automobile.
- (48) Recreational Vehicle. "Recreational vehicle" means a vehicle, as herein defined, which is intended for recreational use, including, but not limited to, travel trailers, folding campers, pick-up campers, motor homes and boats.
- (49) Rooming House. "Rooming house" means any dwelling occupied in such a manner that certain rooms, in excess of those used by the members of the immediate family and occupied as a home or family unit, are leased or rented to three or more persons outside of the family, without any attempt to provide therein or therewith, cooking or kitchen accommodations for individuals leasing or renting rooms. This definition is in contradistinction to hotels open to transients.
- (50) Story. "Story" means that portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, then the space between the floor and the ceiling next above it.
- (51) Story, Half. "Half story" means a space under a sloping roof which has the line of intersection of the roof decking and the wall face not more than five feet above the top floor level, in which space not more than sixty percent of the floor area is finished off for use and which may be used for occupancy only in conjunction with and by the occupants of the floor immediately below.
- (52) Street. "Street" means all property dedicated or intended for public or private street, highway, freeway or roadway purposes, or subject to a public easement therefor.
- (53) Street Line. "Street line" means a dividing line between a lot, tract or parcel of land and the right-of-way line for a contiguous street.
- (54) Structural Alteration. "Structural alteration" means a change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or a substantial change in the roof or in the exterior walls except such alterations as may be required for the safety of the building and changes and alterations of the facade of the building.

- (55) Structure. "Structure" means anything constructed or erected, the use of which requires a permanent location on the ground or which is attached to something having a permanent location on the ground, including, but not limited to, advertising signs, billboards,
- (56) Tattoo parlor. "Tattoo parlor" means a business having as its principal activity the application or placing, by any method, of designs, letters, scrolls, figures, symbols or other marks upon or under the human skin with ink or any other substance or method resulting in the coloration of the skin by the aid of needles or any other instrument designed to touch or puncture the skin. (Ord. 19-01. Passed 12-4-01.)
- (57) Tourist Home. "Tourist home" means a building, other than a hotel, where lodging is provided and offered to the public by a resident family for compensation to three or more individuals and which is open to transient guests. "Bed and breakfast" houses are considered "tourist homes" for the purpose of this Zoning Code.
- (58) Vehicle. "Vehicle" means every device, regardless of its operable condition, in, upon or by which, by its original design and intent, any person or property might be transported or drawn upon a highway or waterway, except device designed to move by human power exclusively.
- (59) Yard. "Yard" means an open space that is on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the mean horizontal distance between the lot line and the main building shall be used.
- (a) "Front yard" means that area measured by the full width of the front lot line to a depth measured from such lot line to the first supporting member of the main structure. The first supporting member includes the main building or any projection thereof, other than the usual steps, entranceways, unenclosed balconies or open roofless porches. For the purpose of this Zoning Code, properties having frontage on a lake, river, creek or other waterway shall be required to meet front yard requirements along that water frontage and along any street frontage.
- (b) "Side yard" means a yard between the main building and the side line of a lot that extends from the front yard line to the rear yard line.
- (c) "Rear yard" means a yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and the rear of the main building or a projection thereof, other than steps, unenclosed balconies or porches. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yard shall, in all cases, be at the opposite end of the lot from the front yard.
- (60) Zoning Administrator. "Zoning Administrator" means the Director of Planning and Zoning, as well as any division or employee reporting to the Director, which or who is charged with the responsibility for administering and enforcing this Zoning Code. (Ord. 8-95. Passed 4-18-95.)
- (61) Zoning Code. "Zoning Code" means Ordinance 36-84, passed December 18, 1984, codified herein as Title Six of Part Twelve - the Planning and Zoning

CHAPTER 1262 C-2 General Business Districts

1262.01 Applicable regulations.

1262.02 Purpose.

1262.03 Permitted uses.

1262.04 Prohibited uses.

1262.05 Height, yard, lot area, building coverage, sign and parking and loading and site plan review requirements.

CROSS REFERENCES

Zoning and planning in home rule cities - see M.C.L.A. Sec. 117.4i

Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. Sec. 125.581

Regulation of buildings; authority to zone - see M.C.L.A. Sec. 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

Yard exceptions within commercial districts - see P. & Z. 1278.05

Signs in the C-2 Districts - see P. & Z. 1296.37

Rental housing - see B.R. & T. Ch. 842

1262.01 APPLICABLE REGULATIONS.

The regulations set forth in this chapter, or set forth elsewhere in this Zoning Code, when referred to in this chapter, are the regulations of the C-2 General Business District. (Ord. 36-84. Passed 12-18-84.)

1262.02 PURPOSE.

The C-2 General Business District is established to accommodate those retail and business service activities that serve the whole community and the metropolitan region. Such activities require land and structure uses that are typically compact and densely grouped, generating a large volume of pedestrian and vehicular traffic.

It is the purpose of these regulations to permit the establishment of a wide variety of business enterprises and to provide flexibility for adaptation to new merchandising techniques.

(Ord. 36-84. Passed 12-18-84.)

1262.03 PERMITTED USES.

In a C-2 General Business District, a building or premises shall be used only for the following purposes:

- (a) Any use permitted in the C-1 Neighborhood Commercial District;

- (b) Restaurants and eating establishments, including drive-ins;
- (c) Dyeing and cleaning works, provided that the cleaning fluid used has a base which is of a nonexplosive material;
- (d) Hotels and motels;
- (e) Laundries;
- (f) Printing shops;
- (g) Recreation and amusement activities when enclosed within a building;
- (h) Theaters;
- (i) Radio broadcasting and telecasting stations, studios, offices and telecommunications exchange buildings;
- (j) Veterinary or animal hospitals, provided that no such building, kennel or exercise runway is closer than 100 feet to any residence or Residential District;
- (k) Accessory buildings and uses which are customarily incidental to the uses set forth in this section; and
- (l) Boarding houses for more than ten individuals.
- (m) State Licensed Medical Marihuana Provisioning Centers with an approved City license pursuant to Ch. 833 when located at least 1,000 feet from another property containing another Medical Marihuana Provisioning Center, as measured between nearest property lines, regardless of ownership of property or licensee.

1262.04 PROHIBITED USES.

The following uses shall specifically be prohibited in the C-2 General Business District:

- (a) Sale, rental or display of motor vehicles, trailers or boats; and
- (b) Manufacturing and processing establishments not selling their entire output at retail on the premises.

(Ord. 36-84. Passed 12-18-84.)

1262.05 HEIGHT, YARD, LOT AREA, BUILDING COVERAGE, SIGN, PARKING AND LOADING AND SITE PLAN REVIEW REQUIREMENTS.

The uses provided for in Section 1262.03 are subject to the following requirements:

- (a) Maximum height, as required by Chapter 1276;
- (b) Yards, as required by Chapter 1278;
- (c) Lot area, as required by Chapter 1282;
- (d) Building coverage, as required by Chapter 1280;
- (e) Signs, as required by Chapter 1296;
- (f) Off-street parking and loading, as required by Chapter 1284; and
- (g) Site plan review, as required by Chapter 1294.

CHAPTER 1264 C-3 Intensive Business Districts

1264.01 Applicable regulations.

1264.02 Purpose.

1264.03 Permitted uses.

1264.04 Height, yard, lot area, building coverage, sign and parking and loading and site plant review requirements.

CROSS REFERENCES

Zoning and planning in home rule cities - see M.C.L.A. Sec. 117.4i

Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. Sec. 125.581

Regulation of buildings; authority to zone - see M.C.L.A. Sec. 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

Commercial businesses - see B.R. & T. Ch. 822

Yard exceptions within commercial districts - see P. & Z. 1278.05

Signs in the C-3 Districts - see P. & Z. 1296.37, 1296.39

Rental housing - see B.R. & T. Ch. 842

1264.01 APPLICABLE REGULATIONS.

The regulations set forth in this chapter, or set forth elsewhere in this Zoning Code, when referred to in this chapter, are the district regulations of the C-3 Intensive Business District. (Ord. 36-84. Passed 12-18-84.)

1264.02 PURPOSE.

The C-3 Intensive Business District is intended to accommodate those business activities that typically generate large volumes of motor vehicle traffic, that require large areas of off-street parking, that produce, in varying amounts, noise, glare, odors, dust, hazards and that are potential obstacles to an efficient and convenient general business district. (Ord. 36-84. Passed 12-18-84.)

1264.03 PERMITTED USES.

In a C-3 Intensive Business District, a building or premises shall be used only for the following purposes:

- (a) Any use permitted in the C-2 General Business District;
- (b) Any retail business;

- (c) Motor vehicle, trailer and boat display, sales and rental, provided that the space used therefor is paved and adequately maintained so as to provide a durable, smooth and dust-free surface, and is so graded and provided with adequate drainage facilities so that all collected surface water is effectively carried away from the site;
- (d) Motor vehicle repairing, in which all storage of vehicles, as well as all activities, are conducted within a permanent, fully enclosed building;
- (e) Drive-in businesses, excluding drive-in theaters, where service may be in automobiles or outdoors, but with all other activities carried on within a building;
- (f) Second hand stores; and
- (g) Freezer lockers for retail business only.
- (h) State Licensed Medical Marihuana Secure Transporters and Safety Compliance Facilities with an approved City license pursuant to Ch. 833 when located at least 1,000 feet away from properties, measured between nearest property lines, containing any of the following uses:
 - 1) Religious Assembly Uses;
 - 2) Private or public schools;
 - 3) State Licensed Day Care Facilities;
 - 4) Public parks;
 - 5) Any property with a Residential use; and
 - 6) Any Residential ('R') zoned property.

(Ord. 36-84. Passed 12-18-84.)

1264.04 HEIGHT, YARD, LOT AREA, BUILDING COVERAGE, SIGN, PARKING AND LOADING AND SITE PLAN REVIEW REQUIREMENTS.

The uses provided for in Section 1264.03 are subject to the following requirements:

- (a) Maximum height, as required by Chapter 1276;
- (b) Yards, as required by Chapter 1278;
- (c) Lot area and lot width, as required by Chapter 1282;
- (d) Building coverage, as required by Chapter 1280;
- (e) Signs, as required by Chapter 1296;
- (f) Off-street parking and loading, as required by Chapter 1284; and
- (g) Site plan review, as required by Chapter 1294.

CHAPTER 1270 C-6 Major Highway Interchange Business District

- 1270.01 Applicable regulations.
- 1270.02 Purpose.
- 1270.03 Permitted uses.
- 1270.04 Site development requirements.

CROSS REFERENCES

- Zoning and planning in home rule cities - see M.C.L.A. Sec. 117.4i
- Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. Sec. 125.581
- Regulation of buildings; authority to zone - see M.C.L.A. Sec. 125.582
- Regulation of congested areas - see M.C.L.A. Sec. 125.583
- Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a
- Signs in C-6 Districts - see P. & Z. 1296.37
- Rental housing - see B.R. & T. Ch. 842

1270.01 APPLICABLE REGULATIONS.

The regulations set forth in this chapter, or set forth elsewhere in this Zoning Code, when referred to in this chapter, are the district regulations of the C-6 Major Highway Interchange Business District.

(Ord. 36-84. Passed 12-18-84.)

1270.02 PURPOSE.

The C-6 Major Highway Interchange Business District is established to accommodate those specialized retail and business service activities herein specified that serve the whole community, as well as persons traveling on interstate highways, and typically may be grouped around a major interstate highway interchange (I-94) generating a considerable volume of vehicular traffic. It is the purpose of these regulations to permit the establishment of a limited variety of business enterprises and to provide flexibility for adaptation to new merchandising techniques as may develop, particularly where the use of motor vehicles is involved. In order to utilize the full potential effectiveness of this District, certain functions that would operate more effectively in other districts and that would interfere with the general business effectiveness of this District have been intentionally excluded. The uses permitted in this District shall be limited strictly to those uses mentioned in Section 1270.03.

(Ord. 36-84. Passed 12-18-84.)

1270.03 PERMITTED USES.

In a C-6 Major Highway Interchange Business District, the following uses are permitted. However, all must be conducted wholly in a permanent, fully enclosed building, unless otherwise stated:

- (a) Retail establishments selling principally (ninety percent of total sales measured in dollar volume) new merchandise;
- (b) Personal and business services, excluding processing of physical materials;
- (c) Passenger terminals;
- (d) Offices, banks and public buildings;
- (e) Restaurants and drive-in businesses, excluding drive-in theaters, where service may be in automobiles or outdoors;
- (f) Motels or hotels, subject to the following conditions:
 - (1) Minimum lot area. The minimum lot area shall be one acre with a minimum width of 150 feet, provided that there shall be not less than 800 square feet of lot area for each guest unit.
 - (2) Lighting. No lighting shall have a source of illumination visible outside of the boundaries of the lot. Such lighting shall, in no way, impair safe movement of traffic on any street or highway. No lighting shall shine directly on adjacent properties.
- (g) Essential services;
- (h) Golf driving ranges and miniature golf courses under the following conditions:
 - (1) No lighting shall have a source of illumination visible outside of the boundaries of the lot from a residential area and no lighting shall shine directly on adjacent properties.
 - (2) Parking areas shall be screened from adjacent residences to prevent headlight glare.
 - (3) Access by motor vehicles to such lot by way of minor or residential streets is permitted, provided that such streets are paved with a bituminous or concrete surface meeting the specifications of the City Engineer.
- (i) Indoor amusement and entertainment, including, but not limited to, movie theaters, roller skating rinks, bingo, soccer and hockey.
- (j) State Licensed Medical Marihuana Provisioning Centers with an approved City license pursuant to Ch. 833 and where located at least 1,000 feet away from a property, measured between nearest property lines, containing another Medical Marihuana Provisioning Center, regardless of ownership of property or licensee.

1270.04 SITE DEVELOPMENT REQUIREMENTS.

Developments permitted within the C-6 Major Highway Interchange District shall meet the following minimum site development requirements:

- (a) Minimum Lot Area. The minimum lot area shall be not less than 25,000 square feet, unless otherwise specified.
- (b) Minimum Lot Width. The minimum lot width shall be not less than 150 feet, unless otherwise specified.
- (c) Yards. A yard adjacent to a street right of way shall provide a minimum building setback of thirty-five feet, except that south of 1-94 on lots fronting Beckley Road or Capital Avenue, S.W., such setback shall be a minimum of fifty feet, and the following:

- (1) Safety strip. A strip of land at least ten feet wide along the street lot line shall be preserved with a berm or permanent natural plantings, neither of which shall exceed three feet in height. This ten-foot wide strip shall be referred to as the safety strip.
- (2) Rear yard. No rear yard shall be required, but if any lot in this District abuts a residential use or a Residential District, a transition strip of at least fifty feet shall be provided. The inner thirty feet of the transition strip may be used for parking and there shall be erected along the boundary lines of any such lot abutting a Residential District a five-foot high landscaped berm or combination of natural plantings that total not less than eight feet high and act as a year round visual barrier. A masonry wall of at least five feet but not more than eight feet in height will also satisfy this requirement. The fence or wall shall be neat and harmonious in appearance with the character of the immediate residential area and shall be maintained in good condition at all times. The fence or berm shall be considered an integral part of the requirements for the use proposed.
- (d) Compliance Requirements for New Businesses. For those sites that do not currently provide sufficient setbacks to ensure traffic safety along any public right of way, it shall be required that upon a site plan modification or a re-opening of a business closed for more than 120 days, a ten-foot wide safety strip shall be provided along the road frontage. No sign shall be permitted on or above the safety strip.
(Ord. 36-84. Passed 12-18-84; Ord. 7-87. Passed 6-2-87.)
- (e) Noise. Noise emanating from a use in this District shall not exceed the levels for ordinary conversation or normal traffic noise peaks at the boundaries of the lot. No physical vibration humanly perceptible at or beyond the lot boundaries shall be allowed.
- (f) Signs. Signs shall comply with Chapter 1296.
- (g) Off-Street Parking and Loading. Developments must comply with the off-street parking and loading requirements of Chapter 1284 unless otherwise specified.
- (h) Site Plan Review. Developments must comply with the site plan review requirements of Chapter 1294.

CHAPTER 127 C-7 Street-Level Retail District

- 1271.01 Applicable regulations.
- 1271.02 Purposes.
- 1271.03 Definitions.
- 1271.04 Permitted uses.
- 1271.05 Erection of poles and wires.
- 1271.06 Height, width, lot area, building coverage, sign and site plan review requirements.
- 1271.07 Mixed commercial and residential uses.
- 1271.08 Off-street parking and loading.
- 1271.09 Conflicts with State of local business licensing requirements or regulations.
- 1271.10 (Repealed).
- 1271.11 Prohibited uses.

CROSS REFERENCES

Zoning and planning in home rule cities - see M.C.L.A. Sec. 117.4i

Authority to zone; Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. Sec. 125.3201

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.3208

Commercial businesses - see B.R. & T. Ch. 822

Rental housing - see B.R. & T. Ch. 842

1271.01 APPLICABLE REGULATIONS.

- (a) The regulations set forth in this chapter, or set forth elsewhere in this Zoning Code, when referred to in this chapter, are the district regulations of the C-7 Street-Level Retail District.
- (b) The restrictions and regulations of Chapter 814 shall be applicable to this chapter. (Ord. 25-92. Passed 11-24-92; Ord. 08-2010. Passed 7-6-10.)

1271.02 PURPOSES.

The C-7 Street-Level Retail District is established to revitalize commercial areas which, through business relocation, substantial change in surrounding uses, changes in the market, or a combination thereof, require the orderly placement of business establishments to provide the maximum use of buildings to accommodate and respond to changes in vehicular and pedestrian traffic flow. To permit the full potential of this District, certain uses which would interfere with

the general effectiveness of this District have been intentionally excluded, and uses permitted herein are intended to be strictly limited in their definition.
(Ord. 25-92. Passed 11-24-92; Ord. 08-2010. Passed 7-6-10.)

1271.03 DEFINITIONS.

As used in this chapter:

- (a) "Apartment" means a living unit of at least 500 square feet which is intended or designed for use as a residence by a single family and which includes its own kitchen and bath facilities.
- (b) "Art gallery" means a premises used for the display and sale of original works of art.
- (c) "Art studio" means a building used for the production, display and sale of works of art.
- (d) "Banquet and meeting hall" means a premises available to the public for rental for the purpose of holding meetings, banquets and receptions.
- (e) "Box office" means a premises, not necessarily attached to a theater, museum, exhibition hall or athletic facility, used for the sale of tickets for admission to entertainment, including, but not limited to, athletic events, theatrical performances, museum admissions or concerts.
- (e)(1) "Brewpub" means a licensed facility that manufactures and sells at that licensed premises not more than 2,000 barrels of beer/ale per year for consumption on that premises only.
- (f) "Church" means a building that people regularly attend to participate in or hold religious services, meetings or other religious activities of any denomination. The term "church" also includes synagogues, temples and mosques.
- (g) "Collectibles shop" means a business limited to the sale or trade of first-edition hardcover books, board or electronic games, including card games, computer games, role-playing or miniature games, CD's, DVD's, sports trading cards, comic books, stamps, coins, antique jewelry or a combination thereof. The term "collectibles shop" does not include secondhand goods dealers or pawn shops.
- (h) "Exhibition hall" means a premises open to the public for the viewing of temporary exhibits of collections or displays of items relating to, or artifacts of, natural, local, State or national history; the presentation of theatrical performances or musical concerts; or the holding of flea markets, swap meets or other shows involving the sale or trade of publicly displayed items and merchandise.
- (i) "Financial institutions" means banks, savings and loans, credit unions, mortgage or loan companies and stock brokers. The term "financial institutions" does not include pawnbrokers, bail bondsmen or cash advance establishments.
- (j) "Florist shop" means a business whose principal purpose is the display and sale of natural and silk flowers, arrangements of flowers and decorative accessories used in the display of flowers.

- (k) "Interior decorating and design studio" means a business which displays interior decorating and design merchandise, such as furniture, wallpaper, fabric, floor coverings and accessories as samples shown on the premises which individuals may order from catalogues. The term "interior decorating and design studio" does not include the warehousing of interior decorating and design merchandise for on-site retail sale.
 - (l) "Microbrewery" means a brewery that produces less than 20,000 barrels of ale/beer per year for on-site consumption, take-out and distribution to wholesalers and/or restaurants, taverns and retail stores, and is open to the general public for sales and tours.
 - (m) "Mission" means a facility providing temporary lodging and ancillary services, such as the provision of food, clothing or other services, to alleviate the suffering of indigent, needy, homeless or transient persons.
 - (n) "Museum" means a premises used for the storage and display of artifacts, memorabilia and works of art which are open to public viewing.
 - (o) "Photocopy service" means a business that reproduces drawings, plans, maps or other documents by means of blueprinting or photocopying.
 - (p) "Print shop" means a retail establishment which provides duplicating services using photocopy, blueprint or off-set printing equipment, which may also include the collating of booklets and reports.
 - (q) "Private club" means a premises not open to the public and used for the meeting of a nonprofit organization of persons operated for the promotion and promulgation of common interests. The term "private club" does not include churches and missions.
 - (r) "Professional offices" means, by way of example, but is not limited to, an attorney's offices, an architect's offices, an engineer's offices, insurance offices, an accountant's offices and real estate offices, but not medical, dental or veterinary offices, clinics or laboratories.
 - (s) "Retail sales" means the sale of new, unused goods.
 - (t) "Tailor, dressmaking or millinery shops" means premises used for the custom manufacture of clothing and hats as well as the alteration and repair of clothing and hats.
 - (u) "Visitor information center" means a premises used for the dissemination of cultural, historic or tourist information.
 - (v) "Work of art" means an original creation, such as, but not limited to, oil, acrylic or water color paintings, clay, pottery or papermache sculptures or screened or photographic prints, of such a nature as to be suitable for a juried art exhibition or auction. The term "work of art" does not include objects which are knitted or crocheted, items created by a kit, wooden toys or other similar craft or hobby items made from a pattern.
- (Ord. 25-92. Passed 11-24-92; Ord. 08-2010. Passed 7-6-10.)

1271.04 PERMITTED USES.

- (a) In a C-7 Street-Level Retail Subdistrict, a building or premises shall be used only for the following purposes:
 - (1) Retail sales;
 - (2) Art gallery;
 - (3) Museums;
 - (4) Visitor information centers;

- (5) Beauty and barber shops;
 - (6) Tailor, dressmaking and millinery shops;
 - (7) Financial institutions;
 - (8) Photography studios;
 - (9) Restaurants, including fast food restaurants, but not including drive-in restaurants;
 - (10) Pet shops, but not kennels or veterinary offices;
 - (11) Printing and photocopying shops;
 - (12) Theaters having a minimum of fifty seats;
 - (13) Travel bureaus;
 - (14) Collectible shops;
 - (15) Florist shop;
 - (16) Exhibit hall;
 - (17) Stores for the collection and distribution of laundry and dry cleaning, but not for the actual treatment, cleaning or processing of such articles;
 - (18) Photographic film sales and development shops;
 - (19) Shoe repair/shoe shine shops;
 - (20) News and magazine stands;
 - (21) Box offices;
- (Ord. 25-92. Passed 11-24-92.)
- (22) Microbreweries and brewpubs; and
- (Ord. 4-96. Passed 6-4-96.)
- (23) United States Military forces, including the U.S. Army, U.S. Navy, U.S. Air Force, U.S. Marines, U.S. Coast Guard, and National Guard recruiting offices.
- (Ord. 17-07. Passed 11-20-07.)
- (24) Professional offices;
 - (25) Artist studios;
 - (26) Banquet and meeting halls;
 - (27) Private clubs;
 - (28) Employment agencies;
 - (29) In-door health and fitness facilities;
 - (30) Medical or dental, but not veterinary, offices, clinics and laboratories;
 - (31) Private trade, vocational, art, business, dance or music schools;
 - (32) Recording studios;
 - (33) Reading rooms;
 - (34) Interior decorating studios;
 - (35) Child day-care centers;
 - (36) Apartments on the second floor, or higher;
 - (37) Small appliance repair shop;
 - (38) Video rental stores;
 - (39) Dance studios.
 - (40) State Licensed Medical Marihuana Provisioning Centers with an approved City license pursuant to Ch. 833 and where located at least 1,000 feet away from a property, measured between nearest property lines, containing another Medical Marihuana Provisioning Center, regardless of ownership of property or licensee.

1271.05 ERECTION OF POLES AND WIRES.

No person shall erect poles or wires for telephone, telegraph, cable television or power distribution purposes within the boundaries of a C-7 Street-Level Retail District.
(Ord. 25-92. Passed 11-24-92; Ord. 08-2010. Passed 7-6-10.)

1271.06 HEIGHT, WIDTH, LOT AREA, BUILDING COVERAGE, SIGN AND SITE PLAN REVIEW REQUIREMENTS.

Uses provided for in this chapter are subject to the maximum height, width, lot area, building coverage, sign and site plan review requirements of a C-4 Central Business District.
(Ord. 25-92. Passed 11-24-92; Ord. 08-2010. Passed 7-6-10.)

1271.07 MIXED COMMERCIAL AND RESIDENTIAL USES.

Commercial and residential uses may occupy the same building, provided that the residential use is limited in its entirety to the second level or higher of the building and meets the requirements of the Building and Housing Code and all State building and fire codes.
(Ord. 25-92. Passed 11-24-92; Ord. 08-2010. Passed 7-6-10.)

1271.08 OFF-STREET PARKING AND LOADING.

Off-street parking and loading requirements shall be in accordance with Chapter 1284, provided that in the case of mixed uses, the number of parking spaces shall equal the sum of the requirements for each use computed separately.
(Ord. 25-92. Passed 11-24-92; Ord. 08-2010. Passed 7-6-10.)

1271.09 CONFLICTS WITH STATE OR LOCAL BUSINESS LICENSING REQUIREMENTS OR REGULATIONS.

Nothing in this chapter is intended or should be construed as a waiver of any State or local business licensing requirement or regulation.
(Ord. 25-92. Passed 11-24-92; Ord. 08-2010. Passed 7-6-10.)

1271.10 (REPEALED)

Editor's Note: Section 1271.10, as adopted by Ord. 25-92, passed 11-24-92 was repealed by Ord. 08-2010, passed 7-6-10.

1271.11 PROHIBITED USES.

The following uses are prohibited in a C-7 Street-Level Retail District:

- (a) Adult businesses regulated by Chapter 1295;
- (b) Any form of transient dwelling, including, but not limited to, rooming houses, boarding houses, tourist homes, motels or hotels.
- (c) Retail sales of motor vehicles, motorcycles, recreational vehicles or motor homes, or the retail sale of motor vehicle or motorcycle parts.
- (d) Retail sales of large household appliances, such as washing machines, dryers, stoves, refrigerators, freezers or hot-water heaters.

(Ord. 25-92. Passed 11-24-92; Ord. 08-2010. Passed 7-6-10.)

CHAPTER 1272

I-1 Light Industrial District

1272.01 Applicable regulations.

1272.02 Purpose.

1272.03 Permitted uses.

1272.04 Height, yard, lot area, building coverage, sign, parking and loading and site plan review requirements.

CROSS REFERENCES

Zoning and planning in home rule cities - see M.C.L.A. Sec. 117.4i

Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. Sec. 125.581

Regulation of buildings; authority to zone - see M.C.L.A. Sec. 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

Yard exceptions within industrial districts - see P. & Z. 1278.05

Signs in I Districts - see P. & Z. 1296.39, 1296.40

Rental housing - see B.R. & T. Ch. 842

1272.01 APPLICABLE REGULATIONS.

The regulations set forth in this chapter, or set forth elsewhere in this Zoning Code, when referred to in this chapter, are the district regulations of the I-1 Light Industrial District. (Ord. 36-84. Passed 12-18-84.)

1272.02 PURPOSE.

The I-1 Light Industrial District is intended to accommodate those industrial uses that generate a minimum of noise, glare, odors, dust, vibration, air and water pollution, fire and safety hazards, the emission of any potentially harmful or obnoxious matter or radiation or any other nuisance characteristics. It is established as one in which the principal use of the land is for industrial activities wholly compatible with all other uses permitted in this District, commercial establishments not engaging in retail sales and service establishments which, if doing retail business, are of the type not generally requiring the customer to call at the place of business. (Ord. 36-84. Passed 12-18-84.)

1272.03 PERMITTED USES.

In an I-1 Light Industrial District, a building or premises shall be used only for the following purposes:

- (a) Any use permitted in the C-4 Central Business District, except that after the passage of this Zoning Code (Ordinance 36-84, passed December 18, 1984), no new dwelling may be erected and no existing structure may be converted for residential purposes in the I-1 District;
- (b) Bottling works;
- (c) Carting, express or hauling yards;
- (d) Contractor's yards;
- (e) Coal, coke or wood yards;
- (f) Essential service structures;
- (g) Assembly and manufacture, from prefabricated parts, of household appliances, electronic products and similar products or the processing or assembly of parts for production of finished equipment;
- (h) Lumber yards or millwork plants;
- (i) Petroleum storage, but only after the location and treatment of the premises have been approved by the Fire Chief and the State Fire Marshal;
- (j) Fruit and food processing and storage;
- (k) Sporting goods and athletic equipment manufacture;
- (l) Truck or transfer terminal or freight houses;
- (m) Utilities;
- (n) Warehousing and wholesale establishments;
- (o) Industrial manufacturing plants where the process of manufacturing or the treatment of materials is such that only a nominal amount of dust, gas, odor, smoke or noise is emitted;
- (p) Storage yards for motor vehicles for salvage, including the removal of parts therefrom. Such use shall be screened from exterior view by a solid, well maintained fence which is eight feet in height, and vehicles shall not be stored in a manner exceeding the height of the fence. Such fence shall be setback a minimum of fifteen feet from all property lines and the yard shall be secured during nonoperational hours.
- (q) Normal accessory uses and structures.
- (r) State Licensed Medical Marihuana Growers, Processors, Secure Transporters, and Safety Compliance Facilities with an approved City license pursuant to Ch. 833 where located at least 1,000 feet away from properties, measured between nearest property lines, containing any of the following uses:
 - 1) Religious Assembly Uses;
 - 2) Private or public schools;
 - 3) State Licensed Day Care Facilities;
 - 4) Public parks;
 - 5) Any property with a Residential use; and
 - 6) Any Residential ('R') zoned property.
- (s) State Licensed Medical Marihuana Provisioning Center located on the same property with an approved State Licensed Medical Marihuana Grow and Processor facilities, and when at least 1,000 feet away from another Provisioning Center, measured between nearest property lines.

(Ord. 36-84. Passed 12-18-84.)

1272.04 HEIGHT, YARD, LOT AREA, BUILDING COVERAGE, SIGN AND PARKING AND LOADING AND SITE PLAN REVIEW REQUIREMENTS.

The uses provided for in Section 1272.03 are subject to the following requirements:

- (a) Maximum height, as required by Chapter 1276;
- (b) Yards, as required by Chapter 1278;
- (c) Lot area, as required by Chapter 1282;
- (d) Building coverage, as required by Chapter 1280;
- (e) Signs, as required by Chapter 1296;
- (f) Off -street parking and loading, as required by Chapter 1284; and
- (g) Site plan review, as required by Chapter 1294.

CHAPTER 1274

I-2 Heavy Industrial District

1274.01 Applicable regulations.

1274.02 Dwellings prohibited.

1274.03 Permitted uses.

1274.04 Special requirements.

1274.05 Height, yard, lot area, building coverage, sign, parking and loading and site plan review requirements.

CROSS REFERENCES

Zoning and planning in home rule cities - see M.C.L.A. Sec. 117.4i

Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. Sec. 125.581

Regulation of buildings; authority to zone - see M.C.L.A. Sec. 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

Yard exceptions within industrial districts - see P. & Z. 1278.05

Signs in I Districts - see P. & Z. 1296.39, 1296.40

Rental housing - see B.R. & T. Ch. 842

1274.01 APPLICABLE REGULATIONS.

The regulations set forth in this chapter, or set forth elsewhere in this Zoning Code, when referred to in this chapter, are the district regulations of the I-2 Heavy Industrial District.

(Ord. 36-84. Passed 12-18-84.)

1274.02 DWELLINGS PROHIBITED.

In an I-2 Heavy Industrial District, no building shall be converted or erected for dwelling purposes.

(Ord. 36-84. Passed 12-18-84.)

1274.03 PERMITTED USES.

In an I-2 Heavy Industrial District any building or premises may be used for any purpose not in conflict with any of the provisions of these Codified Ordinances regulating nuisances, this includes the following:

(a) State Licensed Medical Marihuana Growers, Processors, Secure Transporters, and Safety Compliance Facilities having an approved City license pursuant to Ch. 833 where located at least 1,000 feet away from properties, measured between nearest property lines, containing any of the following uses:

- 1) Religious Assembly Uses;
- 2) Private or public schools;
- 3) State Licensed Day Care Facilities;
- 4) Public parks;
- 5) Any property with a Residential use; and
- 6) Any Residential ('R') zoned property.

(b) State Licensed Medical Marihuana Provisioning Center located on the same property with an approved State Licensed Medical Marihuana Grow and Processor facilities, and when at least 1,000 feet away from another Provisioning Center, measured between nearest property lines.

1274.04 SPECIAL REQUIREMENTS.

No building or occupancy permit shall be issued for any of the following uses until the location of such use is approved by the City Commission after a report regarding the effect of such use upon the safety and welfare of adjacent developments and its relationship to streets, sewers and other utilities is made by the Fire Chief, the City Engineer and the State Fire Marshal:

- (a) Acid manufacture;
- (b) Cement, lime or gypsum manufacture;
- (c) Distillation of bones or rendering plants;
- (d) Fertilizer manufacture;
- (e) Gas manufacture;
- (f) Garbage, offal or dead animals reduction, dumping or incinerating;
- (g) Smelting plants;
- (h) Stockyards or slaughter of animals;
- (i) Distilleries; and
- (j) Wholesale storage of gasoline or other similar fuels or chemicals.

(Ord. 36-84. Passed 12-18-84.)

1274.05 HEIGHT, YARD, LOT AREA, BUILDING COVERAGE, SIGN, PARKING AND LOADING AND SITE PLAN REVIEW REQUIREMENTS.

The uses provided for in this chapter are subject to the following requirements:

- (a) Maximum height, as required by Chapter 1276;
- (b) Yards, as required by Chapter 1278;
- (c) Lot area, as required by Chapter 1282;
- (d) Building coverage, as required by Chapter 1280;

- (e) Signs, as required by Chapter 1296;
- (f) Off-street parking and loading, as required by Chapter 1284; and
- (g) Site plan review, as required by Chapter 1294.

CHAPTER 1290 Special Land Uses

- 1290.01 Objectives; authority of City Commission.
- 1290.02 Application for special uses; certificates of occupancy.
- 1290.03 Hearings and notices.
- 1290.04 Decision on application; basis for determination.
- 1290.05 Approval of special land use with conditions.
- 1290.06 Reapplication.

CROSS REFERENCES

Zoning and planning in home rule cities - see M.C.L.A. Sec. 117.4i

Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. Sec. 125.581

Regulation of buildings; authority to zone - see M.C.L.A. Sec. 125.582

Regulation of congested areas - see M.C.L.A. Sec. 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

Effect of zoning ordinance or zoning decision in presence of demonstrated need for certain land use - see M.C.L.A. Sec. 125.592

Rental housing - see B.R. & T. Ch. 842

1290.01 OBJECTIVES; AUTHORITY OF CITY COMMISSION.

(a) The principal objective of this Zoning Code is to provide for the orderly arrangement of compatible buildings and land uses and for the proper location of all types of uses required for the social and economic welfare of the City. To accomplish this objective, each type of use is classified as permitted in one or more of the various districts established by this Zoning Code. However, in addition to those uses specifically classified and permitted by right in each district, there are certain additional uses which may be necessary or desirable to allow because of their unusual characteristics or the service they provide to the public. These special uses require particular consideration as to their proper location in relation to adjacent established or intended uses or to the planned development of the community. Such uses include:

- (1) Uses either Municipally operated or operated by publicly regulated utilities or traditionally affected by public interest; and
- (2) Uses entirely private in character which, because of their peculiar locational needs or the nature of the service they offer to the public, may have to be established in

a district in which they cannot reasonably be allowed as a permitted use under this Zoning Code.

- (b) The City Commission has the authority to authorize by permit the following uses of land or structures in any district, except as herein qualified and subject to the conditions and procedures set forth herein:
- (1) Airports, landing fields or landing strips for aircraft;
 - (2) Amusements parks, but not within 300 feet of any AG or R District;
 - (3) Cemeteries, crematories or mausoleums;
 - (4) Circus or carnival grounds, but not within 300 feet of any AG or R District;
 - (5) Commercial, recreational or amusement developments for temporary or seasonal periods;
 - (6) Public, parochial or private school housing facilities; convalescent or nursing homes; homes for the aged; nursery schools or day care centers;
 - (7) State licensed residential facilities for more than six residents, community residential facilities or group homes, provided that any such use:
 - A. Is located on a lot that is not less than one-half acre and has not less than 500 square feet of lot area per person, including patients, employees and other residents;
 - B. Provides a front yard of not less than fifty feet;
 - C. Provides side yards of an aggregate of fifty feet and in no instance less than fifteen feet;
 - D. Is limited to an identification sign as described and permitted in Chapter 1296;
 - E. Provides parking as required in Chapter 1284 applying to the particular use proposed; and
 - F. Is located outside of a 1,500 foot radius of the property lines of any other facility listed in paragraphs (b)(1) to (6) hereof;
 - (8) Electrical or communication stations or substations; transmission towers and receiving towers; and gas pressure regulating stations;
 - (9) Hospitals or institutions, provided that any hospital or institution authorized in any AG or R District is located on a site of not less than five acres, does not occupy more than twenty percent of the total lot area, and is set back from all yard lines at least two feet for each foot of building height;
(EDITOR'S NOTE: This paragraph was repealed by Ordinance 2-92, passed January 14, 1992.)
 - (10) Nurseries, greenhouses and truck gardens in any R District;
 - (11) Outdoor theaters according to the following:
 - A. The proposed internal design shall receive approval from the Building Superintendent and the City Engineer as to adequacy of drainage, lighting, screening and other technical aspects.
 - B. Outdoor theaters shall abut directly upon a major thoroughfare of not less than 120 feet of right-of-way width.
 - C. Points of ingress and egress shall be available to the outdoor theater only from abutting major thoroughfares of not less than 120 feet of right-of-way width and shall not be available from any residential street.

- D. Off-street waiting space shall be provided for all vehicles waiting or standing to enter the facility. No vehicle shall be permitted to wait or stand within a dedicated right of way.
 - E. The area shall be laid out so as to prevent the movie screen from being viewed from residential areas or adjacent major thoroughfares. All lighting used to illuminate the area shall be so installed as to be confined within and directed onto the premises of the outdoor theater site.
- (12) Parking lots on land not more than 300 feet from the boundary of any O, C or I District;
 - (13) Privately operated community buildings or recreation fields, and swimming pools and community facilities owned and operated by neighborhood organizations;
 - (14) Public or government buildings, water tanks and water collection and treatment facilities;
 - (15) Removal of gravel, topsoil or similar material;
 - (16) Flea markets or swap meets when proposed to occur outdoors;
 - (17) Sanitary landfill operations or commercial incineration of refuse;
 - (18) The keeping of animals or fowl not specifically permitted in Section 608.03 of the General Offenses Code, subject to the following provisions:
 - A. No such animal or fowl shall be housed, corralled or stabled within 200 feet of any property line or within twenty-five feet of any residence or dwelling unit.
 - B. They shall occupy no parcel of land less than five acres.
 - C. They shall be confined within a building or fenced area which is adequate to confine them. Such fence shall meet all ordinance requirements and be constructed of not less than woven wire farm fencing or solid paling.
These requirements do not apply to the keeping of animals permitted by right in AG or R-1R District.
- (Ord. 36-84. Passed 12-18-84.)
- (19) Planned unit development on any tract of land not less than ten acres. Such development shall comply with the procedures and requirements set forth in Chapter 1289.
- (Ord. 21-00. Passed 11-21-00.)
- (20) Mini-warehouse developments on a site of not less than two acres.
 - (21) Office buildings in any AG Agricultural or R Residential District located south of the southerly right-of-way line of I-94 in the City, provided that the site is comprised of at least five acres and complies with all of the requirements of Chapter 1258;
 - (22) Churches when located on a major street as shown on the Major Streets Plan and on a lot or parcel of not less than one acre;
- (Ord. 36-84. Passed 12-18-84.)
- (23) Funeral homes, including a chapel and one residential unit for the funeral director or caretaker, when located on a major street as shown on the Major Streets Plan and on a lot or parcel of not less than one acre;
- (Ord. 22-86. Passed 11-11-86.)
- (24) Transitional uses intended to provide for a gradual reduction in the intensity of uses between commercial and residential areas, limited to general and professional offices,

including architects, engineers, attorneys, accountants, advertising agencies, insurance agents and similar office uses, but not including medical or dental facilities; day care facilities; artist or photographic studios; and accessory buildings and uses customarily incidental to the uses set forth in this paragraph. However, any such use shall meet the following criteria:

- A. Such use shall be located on a lot of not less than one acre.
- B. Such use shall be located not more than 300 feet from the boundary of any C District.
- C. Such use shall be located south of the southerly right-of-way line of I-94 in the City.
- D. A building constructed on the lot shall conform to the yard requirements of the O-1 Office District and the height requirements of the residential district in which it is located.
- E. Such use shall maintain the basic character of the underlying district in terms of building appearance and where the degree of activity and other aspects of the operation would not be incompatible with the area.

(Ord. 13-87. Passed 7-14-87.)

(25) The placement of congregate living facilities for the elderly by special use permit.

(Ord. 24-87. Passed 11-24-87.)

(26) Catering businesses located in R-3A and R-3B Districts, provided that persons operating such businesses may serve meals on-site and teach cooking classes on-site in compliance with the following conditions:

- A. The serving of meals to private clients by reservation only, or the teaching of classes, shall be limited to the maximum occupancy level of the building as determined by the BOCA National Building Code, and the availability of off-street parking spaces as required under Section 1284.04.
- B. One identification sign shall be permitted. Such sign shall be not larger than twenty-five square feet in area, not more than ten feet in height, and not closer than ten feet from the street right-of-way or any other property line.
- C. The business shall comply with all other local, State or Federal licensing and inspection requirements.

(Ord. 5-96. Passed 6-4-96.)

(27) Tattoo parlors as permitted uses only in C-3, C-7, I-1, and I-2 Districts, but excluding those areas so zoned within the boundaries of the Battle Creek Tax Increment Finance Authority District known as Fort Custer Industrial Park, as approved by Resolution 27, passed April 28, 1986 and amended by Resolution 388, passed September 9, 1986.

(Ord. 19-01. Passed 12-4-01; Ord. 08-2011. Passed 6-7-11.)

(28) Antique shops when located in the C-4 or the C-7 Districts.

(Ord. 08-06. Passed 4-18-06.)

(29) Beauty shops or barber shops, when located on a major street, and only when all of the off-street parking spaces meeting the requirements of 1284.04 can be accommodated entirely within the rear yard of the premises containing the structure used as a beauty shop or barber shop.

(Ord. 24-06. Passed 10-3-06.)

(30) Residential uses on the first floor of buildings in the C-4 Central Business District, but not in the C-7 Street Level Retail District nor lots having buildings frontage along East or West Michigan Avenue, and under the following conditions:

- A. There must be more than one story above ground, and the upper story or stories of the building must also be entirely residential uses; and
- B. The building must include at least 5,000 square feet of floor area on the ground floor.

(31) State Licensed Growing & Processing facilities with an approved City license pursuant to Ch. 833 when the following are met.

A. Facility is located on a property in the I-1 or I-2 district which abuts the C-4 district;

B. Facility is permitted to grow more than 1,500 marihuana plants; and

C. The facility is located at least 1,000 feet away from properties (measured between nearest property lines) containing any of the following uses:

- 1) Religious Assembly Uses;
- 2) Private or public schools;
- 3) State Licensed Day Care Facilities;
- 4) Public parks;
- 5) Any property where the primary use is Residential; and
- 6) Any Residential ('R') zoned property.

1290.02 APPLICATION FOR SPECIAL USES; CERTIFICATES OF OCCUPANCY.

An application to build or occupy any of the special uses described in this chapter shall be submitted in accordance with the following procedure:

- (a) Applications shall be submitted through the Planning and Community Development Department to the Planning Commission. A copy of the application shall be forwarded to the City Commission. Each application shall be accompanied by a nonrefundable filing fee as established in the fee, bond and insurance schedule.
- (b) Every application shall be accompanied by the following information and data:
 - (1) A special use petition form supplied by the Planning and Community Development Department;
 - (2) A site plan, plot plan or development plan, drawn to a readable scale, of the total property involved showing the location of all abutting streets, the location of all existing and proposed structures, the types of buildings and their proposed uses;
 - (3) Preliminary plans and specifications of the proposed development and for all intended construction; and
 - (4) A statement with supporting evidence regarding the required findings specified in Section 1290.04.
- (c) Before authorization by the City Commission of any of the special uses referred to in this chapter, the Planning Commission shall cause a study and report concerning the effect of the proposed use on the Master Plan and on the character and development of the neighborhood.

- (d) The Planning Commission may recommend, and the City Commission may impose, such conditions or restrictions upon the construction, location and operation of a special use as is deemed necessary to secure the general objectives of this Zoning Code and to preserve the value of property in the neighborhood. Any proposed special use shall otherwise comply with all of the requirements set forth in this Zoning Code for the district in which the use is located, except that the City Planning Commission may permit hospitals and institutions to exceed the height limitations of such district.
- (e) Certificates of occupancy for special uses shall be valid for a period established by the City Planning Commission or as long as the use is established and maintained in conformity with the plans submitted and approved. Occupancy permits shall expire after one year if the use is not under construction or maintained. For good cause shown and upon written application, the Planning Commission may extend a special use permit for six months.

(Ord. 36-84. Passed 12-18-84; Ord. 09-2011. Passed 6-21-11.)

1290.03 HEARINGS AND NOTICES.

Requirements for public hearing and hearing notices are the same as for an amendment to the Zoning Code as specified in Section 1232.06(e).

(Ord. 36-84. Passed 12-18-84.)

1290.04 DECISION ON APPLICATION; BASIS FOR DETERMINATION.

- (a) The City Commission may deny, approve, or approve with conditions a request for special land use approval. The decision on a special land use shall be incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed.
- (b) Before approving, or approving with conditions, a request for a special land use, the Planning Commission and the City Commission shall establish, beyond a reasonable doubt, that the general standards specified in the following shall be satisfied by the completion and operation of a proposed development:
 - (1) The use will be harmonious with and in accordance with the general objectives of the Master Plan.
 - (2) The use will be designed, constructed, operated and maintained so as to be compatible with adjacent uses of land, the natural environment, and harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the neighborhood.
 - (3) The use will not be hazardous or disturbing to existing or future neighboring uses.
 - (4) The use will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
 - (5) The use will be adequately served by essential public facilities and services, such as streets, highways, police and fire protection, drainage, refuse disposal and schools, or the persons or agencies responsible for the development shall be able to adequately provide such services.

- (6) The use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
 - (7) The use will not create activities, processes, materials, equipment or conditions of operation that will be detrimental to any person, property or the general welfare by reason of an excessive generation of traffic, noise, smoke, fumes, glare, vibrations or odors.
 - (8) The use will be consistent with the intent and purpose of this Zoning Code.
 - (c) A request for approval of a special land use shall be approved (except requests for approval of a group child care home, which are discretionary approvals) if the request is in compliance with the standards stated in this ordinance, the conditions imposed under this ordinance, and other applicable ordinances, and state and federal statutes.
- (Ord. 36-84. Passed 12-18-84; Ord. 09-2011. Passed 6-21-11.)

1290.05 APPROVAL OF SPECIAL LAND USE WITH CONDITIONS.

- (a) Reasonable conditions may be required with the approval of a special land use. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all the following requirements:
 - (1) Be designed to protect the natural resources, the health, safety, and welfare, as well as the social and economic wellbeing, of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - (2) Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
 - (3) Be necessary to meet the intent and purpose of the zoning requirements, be related to the standards established in this zoning ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.
- (b) The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and remain unchanged except upon the mutual consent of the Planning Commission and the landowner. The Planning Commission shall maintain a record of conditions which are changed.
- (c) To ensure compliance with any conditions imposed pursuant to the section, the City may require that a cash deposit, certified check, irrevocable letter of credit, or surety bond acceptable to the City covering the estimated cost of necessary improvements be deposited with the City Clerk to insure faithful completion of the improvements relative to the imposed conditions. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the special use. The City may not require the deposit of the performance guarantee until it is prepared to issue the permit. The City shall establish procedures by which a rebate of any cash deposits in a reasonable proportion to the ratio of work completed on the required improvements shall be made as

work progresses. This subsection shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited under the land division act. 1967 PA 288, MCL 560.101 to 560.293.

(Ord. 09-2011. Passed 6-21-11.)

1290.06 REAPPLICATION.

- (a) No application for a special use permit shall be submitted for the same property, or any part thereof, or as part of a larger parcel, for a period of six months from the date of Planning Commission decision on a special use application for the property, except on grounds of newly discovered evidence or proof of changed conditions found, in the discretion of the Planning Commission, to be sufficient to justify a reconsideration.
- (b) As used in this section, "newly discovered evidence" means a finding that the evidence itself, not merely its materiality, is newly discovered; that the evidence is not cumulative; that the evidence is such as to render a different result probable on rehearing; and that the evidence could not, with reasonable diligence, have been discovered and produced at the time of the original hearing.
- (c) For purposes of this section, "proof of changed conditions" shall not include an application for another or different special use than that originally requested.

CHAPTER 1299 Medical Marihuana

1299.01 Purpose

1299.02 Authority

1299.03 Permits & Process

1299.04 Locations & Standards

1299.05 Prohibited Areas & Setbacks

1299.06 Signage

1299.01 PURPOSE

The purpose of this chapter is to implement the provisions of State legislation PA 283 of 2008 ‘Medical Marihuana Act’ (MMA) and PAs 281, 282, & 282 of 2016 ‘Medical Marihuana Facilities Licensing Act’ (MMFLA) and, subsequent amendments, for establishing local zoning authority for the permitting of medical marihuana licenses and facilities. Further, the purpose of this chapter also provides:

- (a) A process for the City to legally facilitate the development of medical marihuana facilities which are otherwise illegal under federal law.
- (b) A procedure for growing, processing, testing, transporting, and selling medical marihuana for qualified persons.
- (c) Zoning authority for the protection and preservation of public safety, welfare, and property value; and ensuring consistency with the future land use map of the Master Plan.
- (d) A licensing and taxing authority to the City to defray costs to additional public safety, administrative, and enforcement with the result of facilitating development of medical marihuana facilities.
- (e) Additional economic industry and benefit to the community.

1299.02 AUTHORITY

With the adoption of PA 283 of 2008 and PAs 281, 282, & 282 of 2016 and subsequent amendments, the City of Battle Creek has legislative authority to establish zoning regulations, application processes and associated fees, and enforcement abilities for medical marihuana development without penalty or inconsistencies with Federal law.

1299.03 LICENSE AND PERMIT REQUIRED; APPLICATION; FEE;

- (a) Licenses Required. No person or entity shall operate a medical marihuana facility without receiving the following licenses:

- (1) An approved medical marihuana license from the City pursuant to Chapter 833 *Medical Marihuana*; and
- (2) An approved medical marihuana operating license from the State;

(b) Permit Type. No person or entity shall operate a medical marihuana facility without receiving the following permits where required:

- (1) Approved Building permit & Occupancy Permit. All medical marihuana facilities shall require an approved Building permit showing compliance with applicable zoning and building codes. A Certificate of Occupancy shall be issued once all applicable inspections are show satisfactory compliance with all zoning and building codes.
- (2) Approved Site Plan Application. Certain medical marihuana facilities shall require gaining an approved Site Plan Application pursuant to Chapter 1294 *Site Plan Review*.
- (3) Approved Special Use Permit. Certain medical marihuana facilities shall require an approved Special Use Permit pursuant to Chapter 1290 *Special Land Uses*.

1299.04 NON-CONFORMING USES

- (a) Medical marihuana dispensaries and growing operations which may have been established under the auspices of the 2008 MMA but have not gained approved permits from the City shall not be considered legally non-conforming. Owners of such dispensaries or growing operations shall cease operation, or if applicable, obtain required permit pursuant to subsection Ch. 1299.03.
- (b) Medical marihuana dispensaries and growing operations which may have been established under the auspices of the 2008 MMA and have approved permits from the City are considered legally non-conforming and may continue operating pursuant to Chapter 1288 *Nonconforming Uses and Structures*.

1299.05 LOCATIONAL STANDARDS

- (a) Pursuant to the 2016 MMFLA and subsection 1299.03, all types of state licensed medical marihuana facilities are allowed in zoning districts established by this chapter and within specific zoning districts provided in this zoning ordinance.
- (b) The official updated ‘Medical Marihuana Map’ of the City of Battle Creek will be maintained by the City’s Planning Division.

1299.06 DEVELOPMENT, OPERATIONAL STANDARDS

The following regulations are applicable to all State Licensed medical marihuana facilities.

- (a) Medical Marihuana Location. Except when being transporting by State Licensed Security Transporter, all medical marihuana shall be located entirely inside a building having permanent foundation, walls, and roof.
 - (1) Notwithstanding subsection (a), a roof on grow facilities may consist of a sturdy transparent material, such as glass, to allow sunlight into the growing areas of the building. If such transparent material is utilized, it must be fully covered with a

non-transparent material between dusk and dawn that prevents interior lighting from escaping through the roof.

(2) Walls shall be constructed of brick or masonry construction from grade to eight (8) feet in height.

(b) Signage. Notwithstanding Chapter 1296 *Signs*, only one sign per street frontage shall be permitted for any state licensed medical marihuana facility. Neon lighted signs are prohibited.

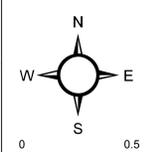
(c) Fence. Use of barb wire outside of the Industrial districts is prohibited.

(d) Growers. An entity(ies) of a single property may be allowed multiple Class ‘C’ licenses under the 2016 MMFLA with approved licenses and permits pursuant to this chapter.



Marihuana Grower and Processor with 1,000 ft Setbacks

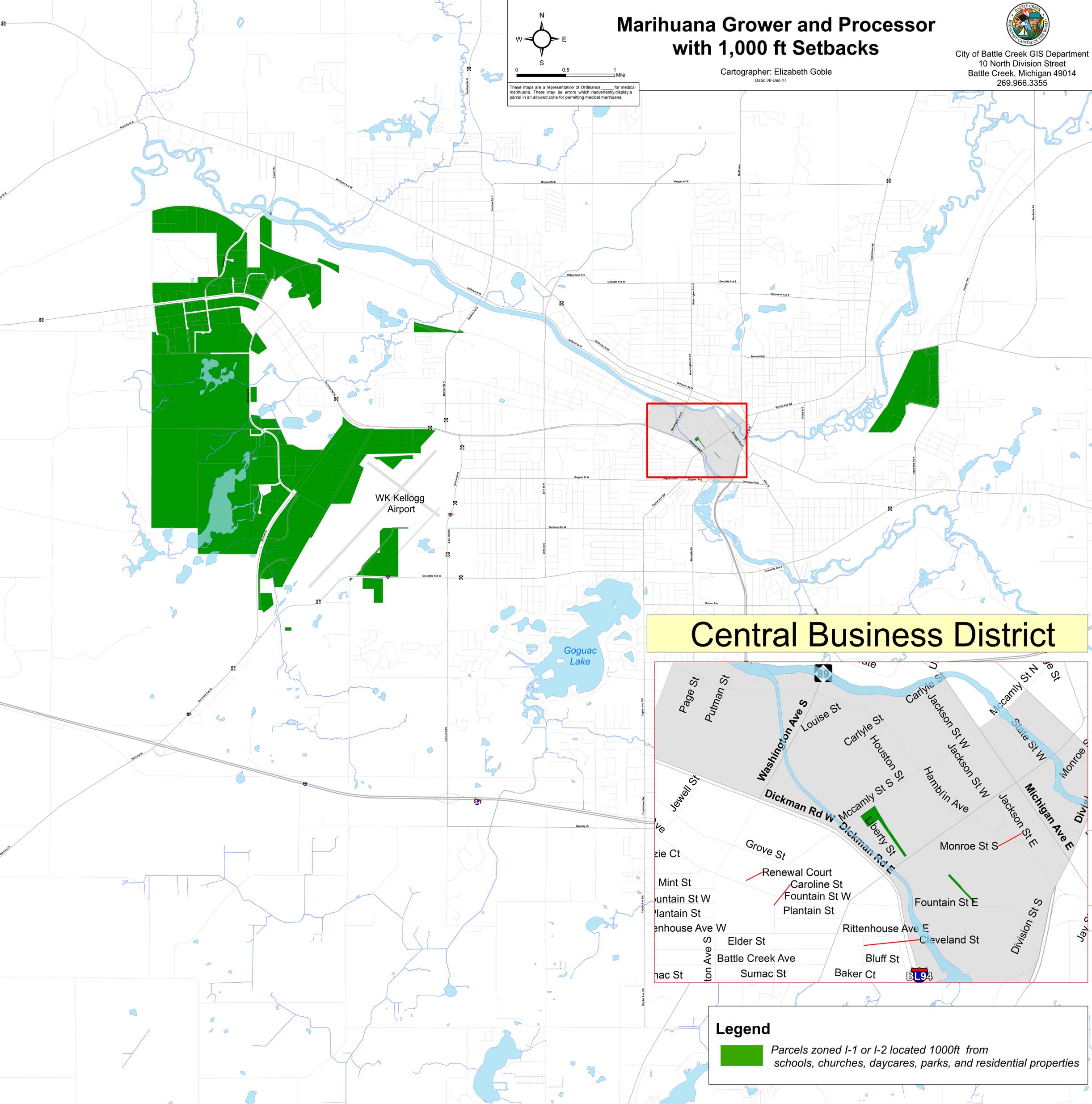
City of Battle Creek GIS Department
10 North Division Street
Battle Creek, Michigan 49014
269.966.3355



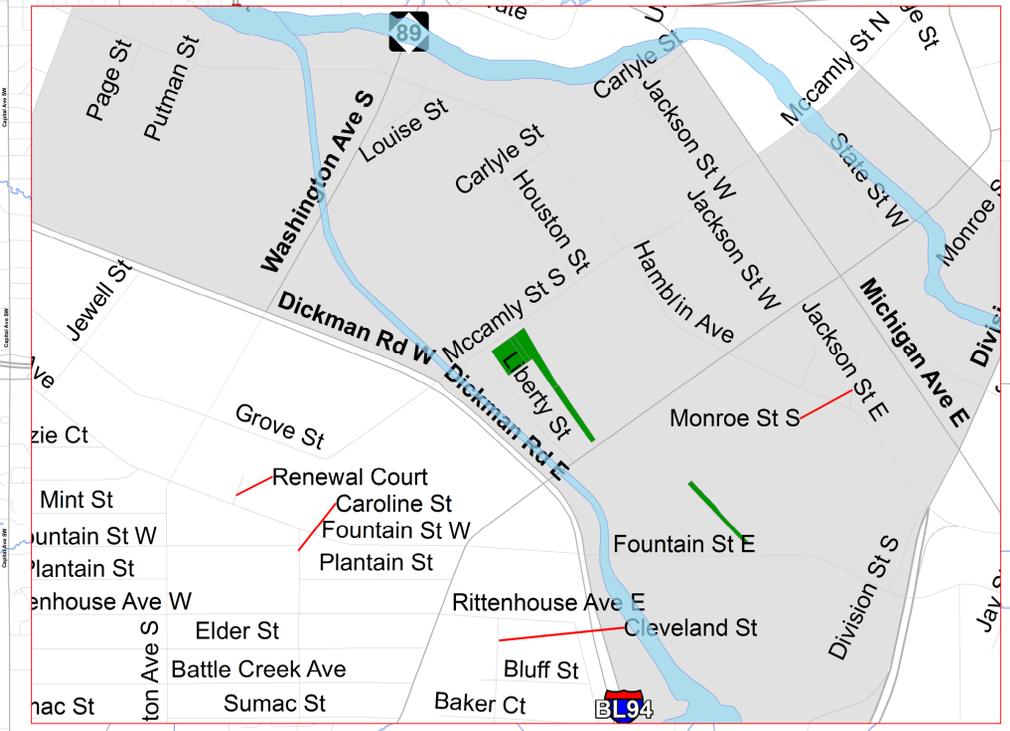
0 0.5 1 Mile

Cartographer: Elizabeth Goble
Date: 06-Dec-17

These maps are a representation of Ordinance for medical marihuana. There may be errors which inadvertently display a parcel in an allowed zone for permitting medical marihuana.



Central Business District



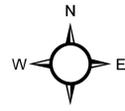
Legend

 *Parcels zoned I-1 or I-2 located 1000ft from schools, churches, daycares, parks, and residential properties*



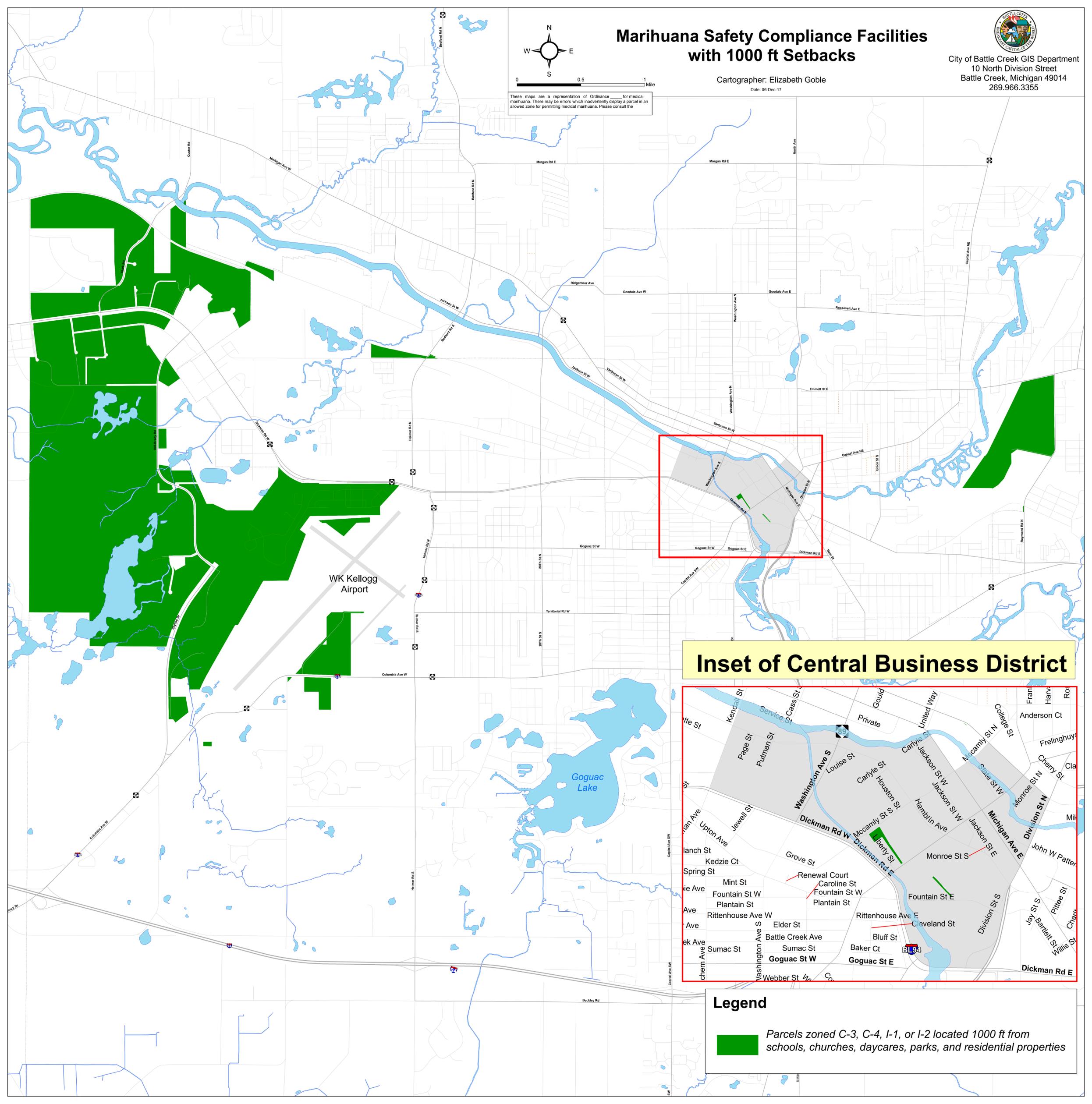
Marihuana Safety Compliance Facilities with 1000 ft Setbacks

Cartographer: Elizabeth Goble
 Date: 06-Dec-17

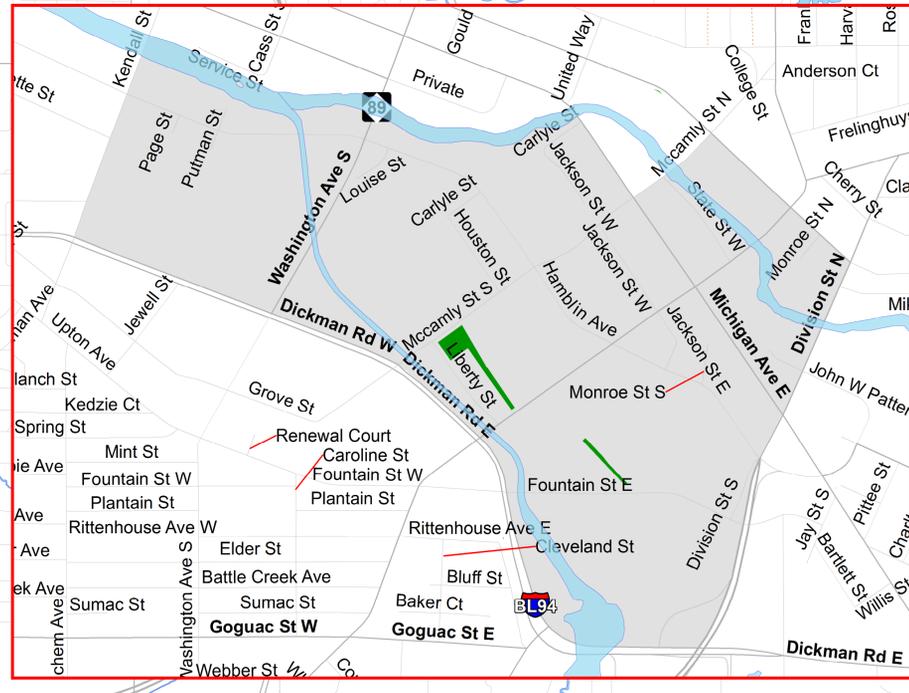


0 0.5 1 Mile

These maps are a representation of Ordinance for medical marihuana. There may be errors which inadvertently display a parcel in an allowed zone for permitting medical marihuana. Please consult the



Inset of Central Business District



Legend

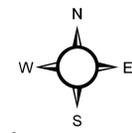
 *Parcels zoned C-3, C-4, I-1, or I-2 located 1000 ft from schools, churches, daycares, parks, and residential properties*



Marihuana Provision Center with 1000 ft Buffer Between Other Provision Centers

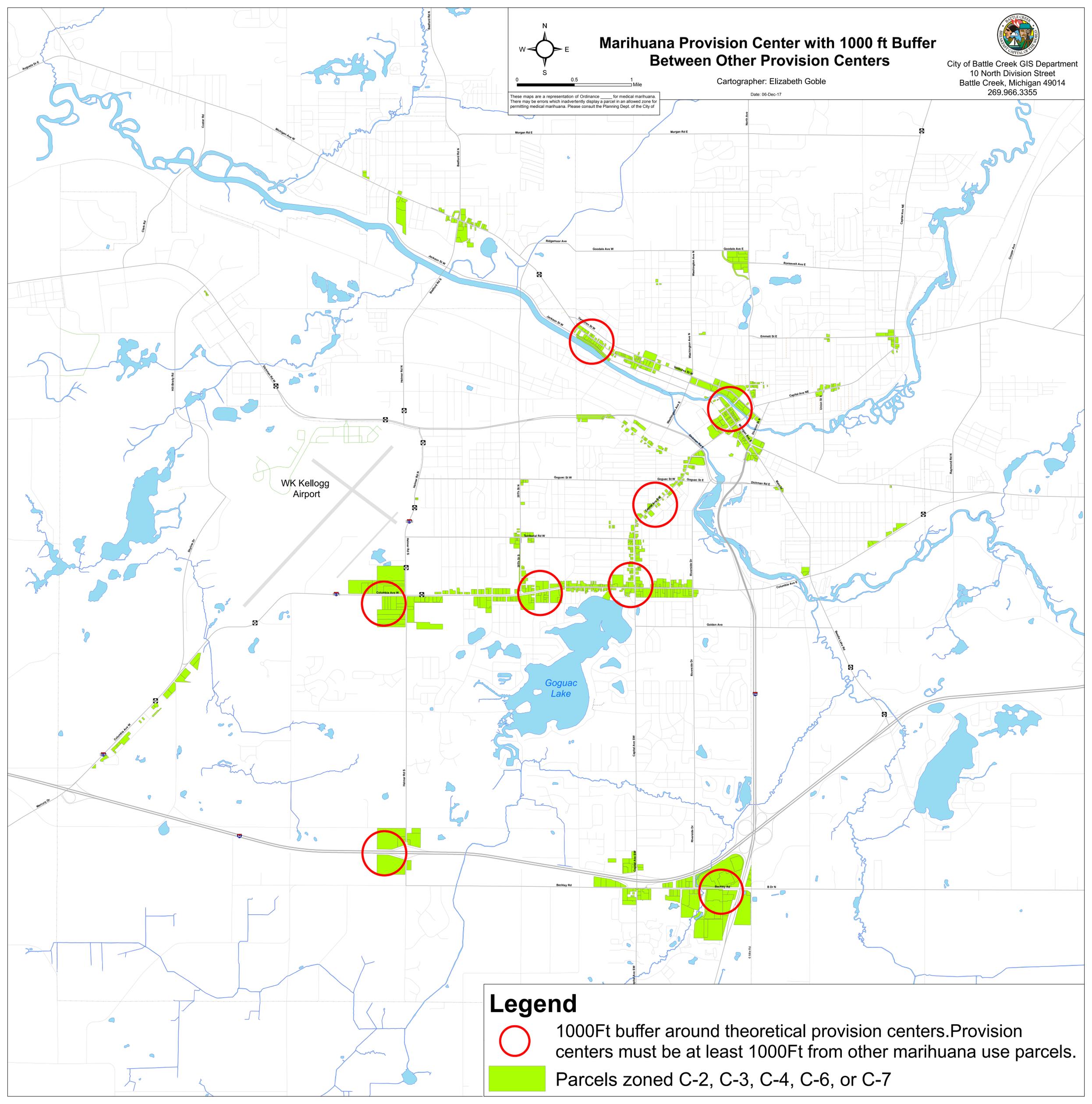
Cartographer: Elizabeth Goble

Date: 06-Dec-17



0 0.5 1 Mile

These maps are a representation of Ordinance _____ for medical marihuana. There may be errors which inadvertently display a parcel in an allowed zone for permitting medical marihuana. Please consult the Planning Dept. of the City of



Legend



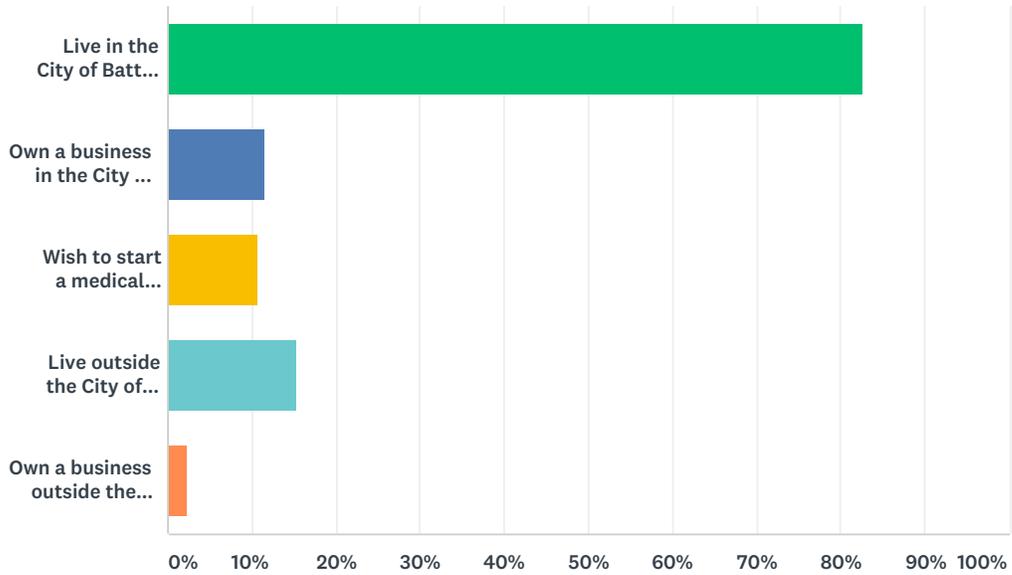
1000Ft buffer around theoretical provision centers. Provision centers must be at least 1000Ft from other marihuana use parcels.



Parcels zoned C-2, C-3, C-4, C-6, or C-7

Q1 This survey is anonymous, but we would like to know if you... (check all that apply)

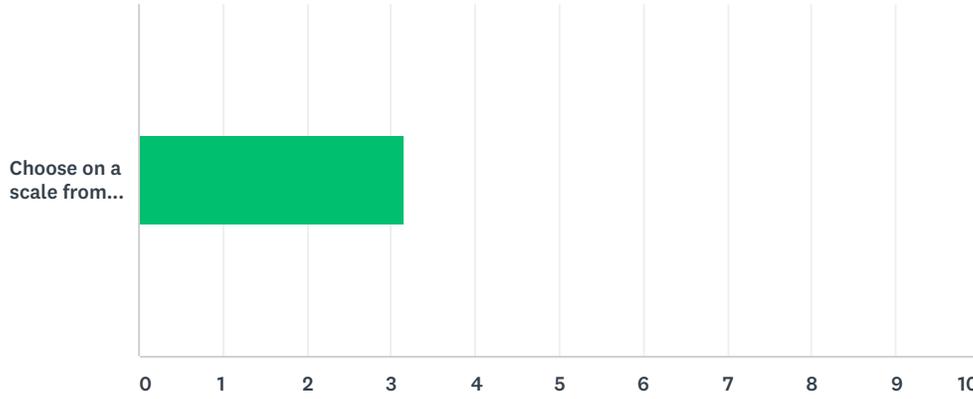
Answered: 698 Skipped: 9



| ANSWER CHOICES | RESPONSES | |
|--|-----------|-----|
| Live in the City of Battle Creek | 82.66% | 577 |
| Own a business in the City of Battle Creek | 11.60% | 81 |
| Wish to start a medical marihuana business in the City of Battle Creek | 10.60% | 74 |
| Live outside the City of Battle Creek | 15.33% | 107 |
| Own a business outside the City of Battle Creek | 2.29% | 16 |
| Total Respondents: 698 | | |

Q2 If the City Commission allows growing, testing, processing, or the selling of medical marihuana in Battle Creek, how much would this worry you?

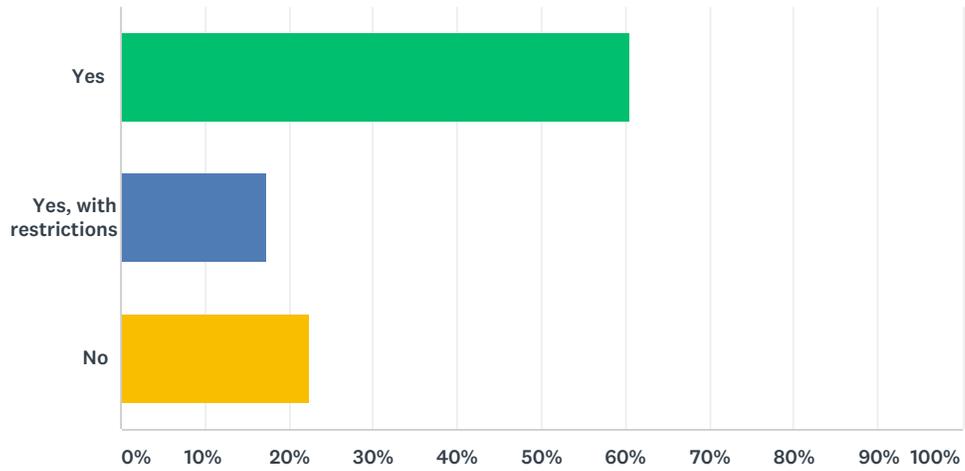
Answered: 687 Skipped: 20



| | 1 - NOT WORRIED AT ALL | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 - EXTREMELY WORRIED | TOTAL | WEIGHTED AVERAGE |
|------------------------------|------------------------|-------------|-------------|------------|-------------|------------|-------------|-------------|-------------|------------------------|-------|------------------|
| Choose on a scale from 1-10. | 64.77% 445 | 5.68% 39 | 3.35% 23 | 0.73% 5 | 1.89% 13 | 1.02% 7 | 2.47% 17 | 2.62% 18 | 1.75% 12 | 15.72% 108 | 687 | 3.16 |

Q3 Do you support growing facilities in Battle Creek?

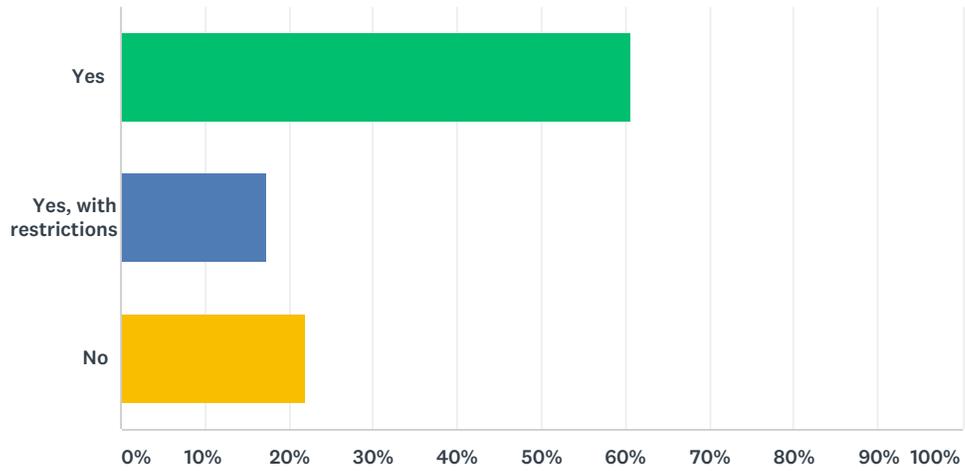
Answered: 704 Skipped: 3



| ANSWER CHOICES | RESPONSES | |
|------------------------|-----------|-----|
| Yes | 60.37% | 425 |
| Yes, with restrictions | 17.33% | 122 |
| No | 22.30% | 157 |
| TOTAL | | 704 |

Q4 Do you support processing facilities in Battle Creek?

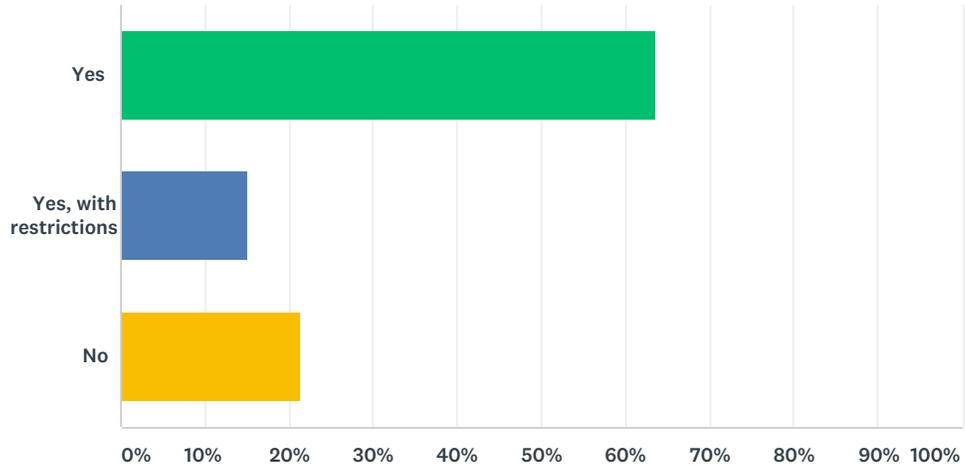
Answered: 702 Skipped: 5



| ANSWER CHOICES | RESPONSES | |
|------------------------|-----------|------------|
| Yes | 60.68% | 426 |
| Yes, with restrictions | 17.38% | 122 |
| No | 21.94% | 154 |
| TOTAL | | 702 |

Q5 Do you support testing facilities in Battle Creek?

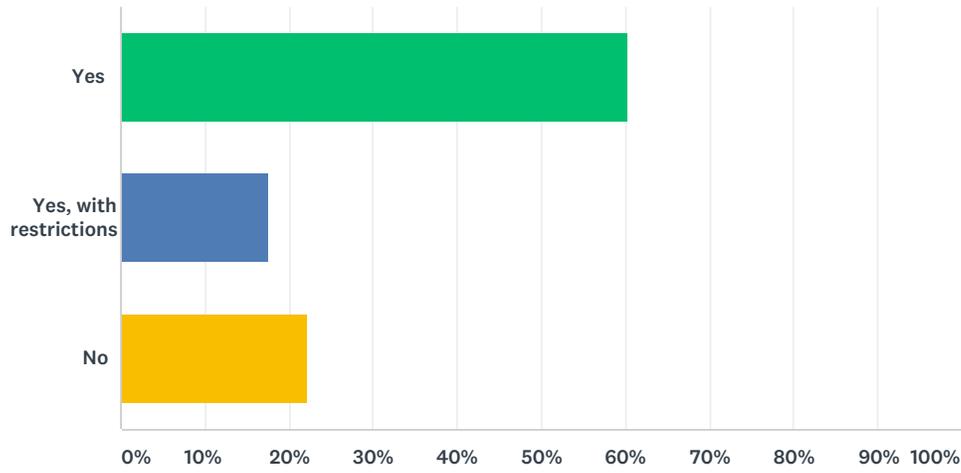
Answered: 701 Skipped: 6



| ANSWER CHOICES | RESPONSES | |
|------------------------|-----------|-----|
| Yes | 63.62% | 446 |
| Yes, with restrictions | 14.98% | 105 |
| No | 21.40% | 150 |
| TOTAL | | 701 |

Q6 Do you support transporting facilities in Battle Creek?

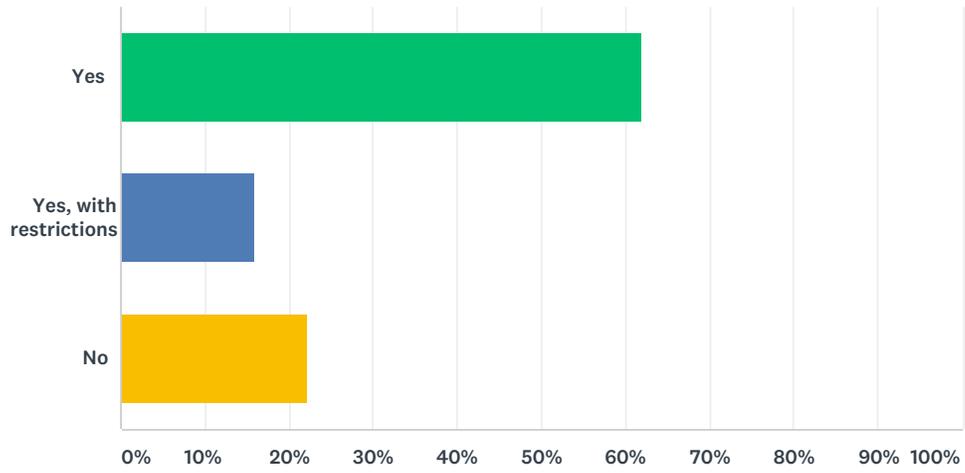
Answered: 703 Skipped: 4



| ANSWER CHOICES | RESPONSES | |
|------------------------|-----------|-----|
| Yes | 60.31% | 424 |
| Yes, with restrictions | 17.50% | 123 |
| No | 22.19% | 156 |
| TOTAL | | 703 |

Q7 Do you support selling facilities in Battle Creek?

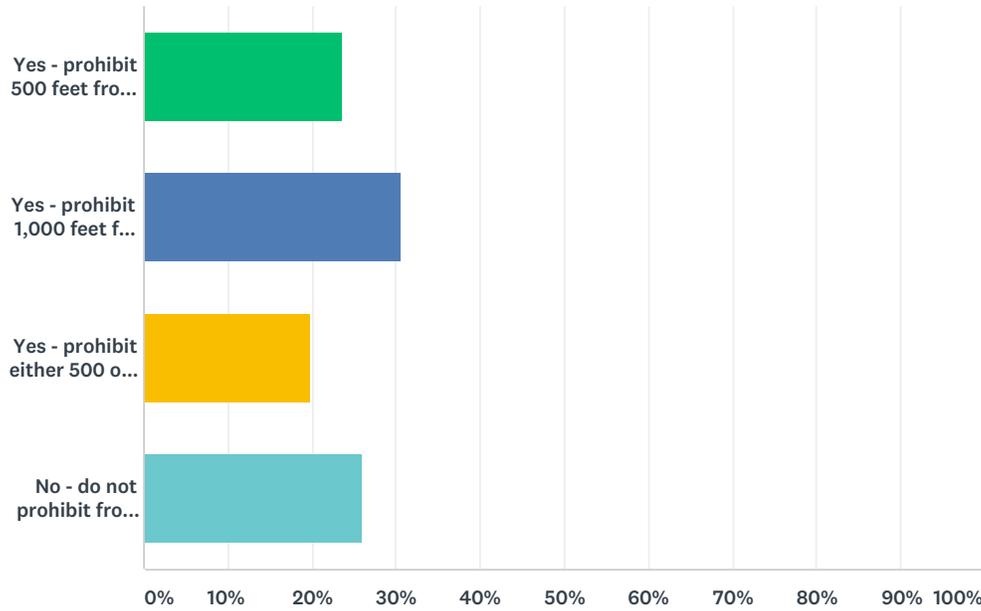
Answered: 703 Skipped: 4



| ANSWER CHOICES | RESPONSES | |
|------------------------|-----------|-----|
| Yes | 61.88% | 435 |
| Yes, with restrictions | 15.93% | 112 |
| No | 22.19% | 156 |
| TOTAL | | 703 |

Q8 Other Michigan communities plan to prohibit medical marihuana businesses within 500 to 1,000 feet of schools, parks, churches, day cares, and residential areas. Should the City of Battle Creek do the same?

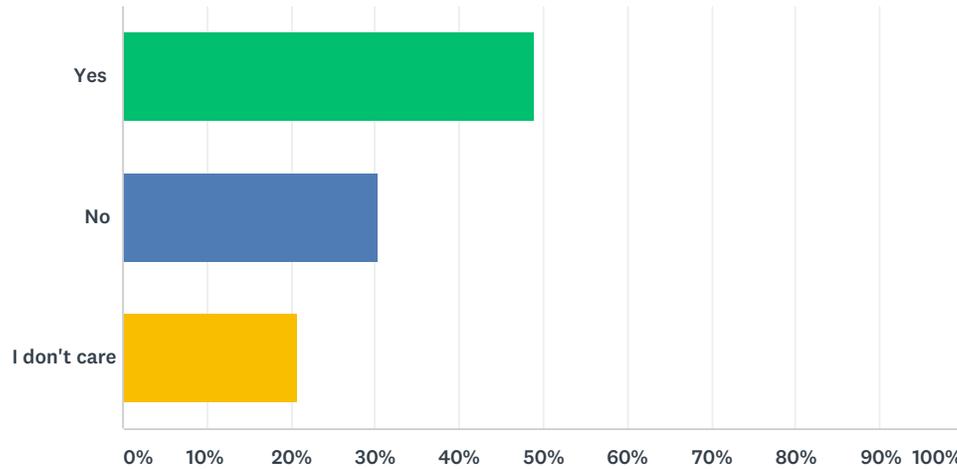
Answered: 687 Skipped: 20



| ANSWER CHOICES | RESPONSES | |
|---|-----------|------------|
| Yes - prohibit 500 feet from the listed locations | 23.73% | 163 |
| Yes - prohibit 1,000 feet from the listed locations | 30.57% | 210 |
| Yes - prohibit either 500 or 1,000 feet | 19.80% | 136 |
| No - do not prohibit from the listed locations | 25.91% | 178 |
| TOTAL | | 687 |

Q9 City staff have drafted Medical Marihuana Maps to show potential areas in the city where these business would be allowed and prohibited. Do you support limited locations for potential medical marihuana businesses?

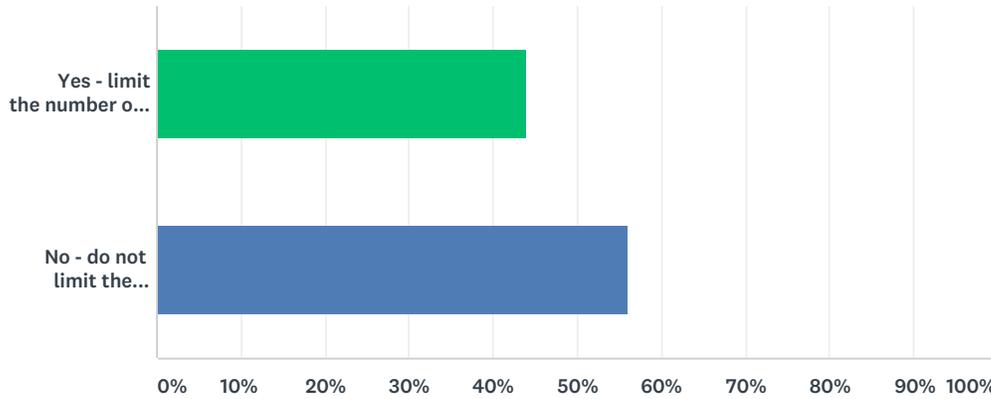
Answered: 685 Skipped: 22



| ANSWER CHOICES | RESPONSES | |
|----------------|-----------|------------|
| Yes | 48.91% | 335 |
| No | 30.36% | 208 |
| I don't care | 20.73% | 142 |
| TOTAL | | 685 |

Q10 Should the City Commission limit the number of medical marihuana business permits/licenses, to control growth of this industry?

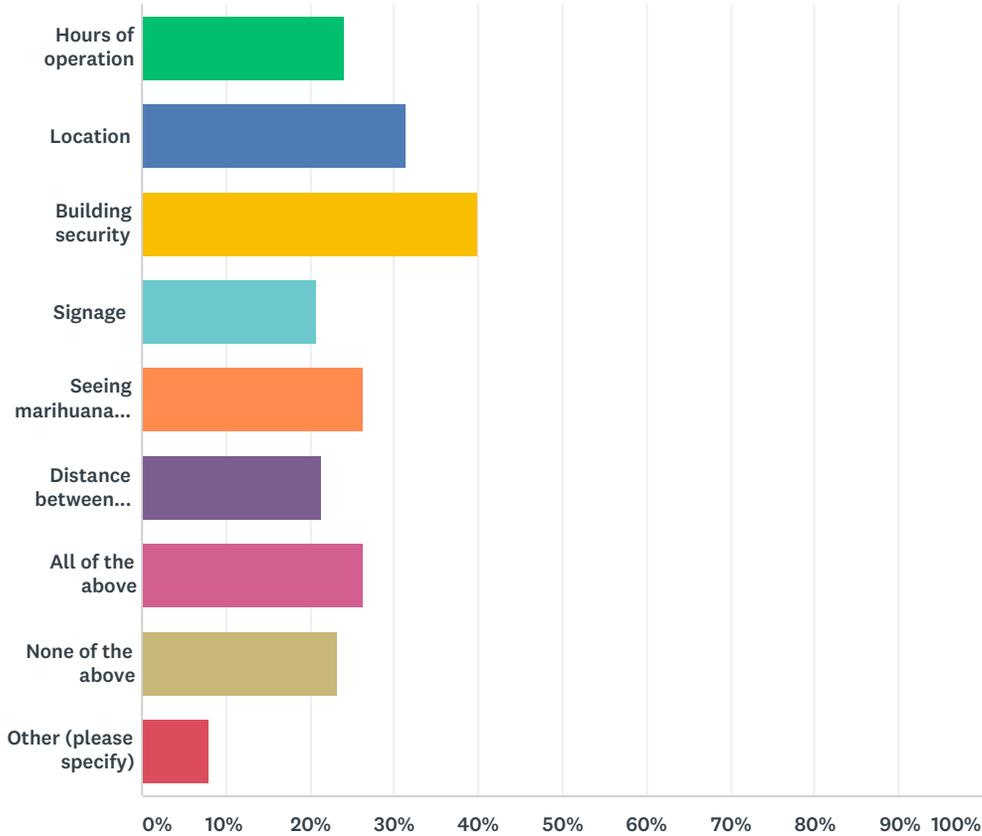
Answered: 689 Skipped: 18



| ANSWER CHOICES | RESPONSES | |
|--|-----------|------------|
| Yes - limit the number of licenses | 43.83% | 302 |
| No - do not limit the number of licenses | 56.17% | 387 |
| TOTAL | | 689 |

Q11 Should the City Commission regulate the following items related to a medical marihuana business? Check all those you believe should be regulated.

Answered: 692 Skipped: 15



| ANSWER CHOICES | RESPONSES | |
|--|-----------|-----|
| Hours of operation | 24.13% | 167 |
| Location | 31.36% | 217 |
| Building security | 39.88% | 276 |
| Signage | 20.81% | 144 |
| Seeing marihuana products from the street/public | 26.45% | 183 |
| Distance between marihuana businesses | 21.39% | 148 |
| All of the above | 26.30% | 182 |
| None of the above | 23.27% | 161 |
| Other (please specify) | 7.95% | 55 |
| Total Respondents: 692 | | |

Q12 Please share any other comments you have -- about restriction ideas, concerns, or other issues -- related to the new medical marihuana licenses.

Answered: 259 Skipped: 448

Q12 Please share any other comments you have -- about restriction ideas, concerns, or other issues -- related to the new medical marihuana licenses.

Answered: 259 Skipped: 448

| # | RESPONSES | DATE |
|----|--|--------------------|
| 1 | Comment #8: don't have at all | 11/9/2017 1:06 PM |
| 2 | It alters the brain no one should have to breathe it! Birth to age 28 adverse effects - brains. Early childhood and children's are damaged. It is a dreadful idea to permit medical marihuana. Those of us who choose to keep our brain well and thinking clearly should not have to breathe the chemicals all around us! The marihuana destroys and alters the brain developing babies, children, young people and young adults and all individuals. God forgive those who are, have been or will be in favor of having licenses...and any part of it. Our world will have a decline in intelligence, rational thinking, and lost of following the law which keeps us safe! It is a gateway to more dangerous addictive drugs. I have seen the destructive consequences of drugs on babies, children, young people, young adults. | 11/9/2017 7:55 AM |
| 3 | do not do this just to chase the money, it will result in costs higher than the return | 11/8/2017 6:05 AM |
| 4 | Comment #10: yes, limit the number to 0 General Comment: Don't Allow! | 11/7/2017 1:51 PM |
| 5 | Comment #8: Same as alcohol Comment #11: Same as alcohol General Comment: Same as liquor | 11/7/2017 1:49 PM |
| 6 | Comment #8: except from churches | 11/7/2017 1:48 PM |
| 7 | Prohibit this business! | 11/7/2017 1:46 PM |
| 8 | Should not be allowed period! | 11/7/2017 1:45 PM |
| 9 | Comment #9: 'yes' as in 0. | 11/7/2017 1:45 PM |
| 10 | Comment #2: We happy | 11/7/2017 1:44 PM |
| 11 | I do not support any sale of it at all! | 11/7/2017 1:42 PM |
| 12 | Comment #8: N/A Shouldn't have at all! Comment #9: N/A Don't have at all!!! Comment #10: N/A Don't have at all Comment #11: N/A Don't have at all!!! General Comment: Are you serious!!! Don't need/ want all of this!!! | 11/7/2017 1:37 PM |
| 13 | Comment # 8: Prohibit Period Comment # 9: Keep it in California Comment # 10: Limit to none Comment # 11: Regulate so they are not allowed | 11/7/2017 1:31 PM |
| 14 | Comment #8: Except Churches and Residential areas. Patients get amount free to allow them to grow and sell the remainder amounts. | 11/7/2017 1:23 PM |
| 15 | It's dope, stupid. Self medication is unsafe for people and the victims of their drug-related activities. | 11/7/2017 1:19 PM |
| 16 | Comment #9: I don't want legalization. Comment #11: No legalization. I agree with checked items only if ordinance passes. Someone I know that uses marijuana for medical reasons cannot function properly because of its effect on their memory. Their memory is severely affected by medical marijuana. It also affects their ability to drive; to remember to take their other medication; and to remember to eat. Please consider the consequence before allowing this action of legalization. Our city has enough to worry about, let's not add to it. | 11/7/2017 1:18 PM |
| 17 | There are way to many people now that do drugs-we need control on that also. If passed hope that there is better control than there is on welfare scams! | 11/7/2017 8:30 AM |
| 18 | We must take advantage of this financial opportunity. Not only will the tax dollars increase, but the city spending to police, prosecute, oversee and jail current offenders must stop. Let's be leaders in this area because it will come sooner or later. | 11/6/2017 10:07 AM |
| 19 | They always grow more than they should. Next, our kids will be getting the marihuana from their parents growing businesses, and sharing with their friends. | 11/5/2017 5:39 PM |

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| 20 | I pray the City of Battle Creek; would not make restrictions so regulated that it makes it nearly impossible for one to attain a license and conduct business. If all goes well in this business, it would create many new job's and help to restore the quality of many lives. | 11/5/2017 3:26 PM |
| 21 | I personally hate marijuana, but it is somewhat legal now, and I don't think it should be the focus of law enforcement or what fills our prisons. And they should not be limited any more than a business such as Kellogg's is. | 11/5/2017 11:27 AM |
| 22 | I have heard the comparison made to alcohol. There are some distinct differences. One is that people can come to work under the influence of marijuana and while not overtly seen, their performance with anything from large machinery in a factory to the welfare of children in a daycare is compromised. Continuing with this line of reasoning in decision making in this community leads people to believe that anything that a group of people find acceptable can be made into a law regardless of the affects--direct or indirect--if the government can be found to have a benefit (however contrived). | 11/4/2017 5:50 PM |
| 23 | Comment # 8: N/A I said No Comment #10: NONE Comment #11: By not allowing General Comment: We have enough societal problems w/o my gov't getting in the weed business by being involved. | 11/3/2017 6:46 AM |
| 24 | Comment #8: "1,000ft from provisioning centers. 500ft from all others." Comment #10: "Zoning reg & setbacks will do this naturally." | 11/3/2017 6:37 AM |
| 25 | No survey submitted but comment received: We don't need drugs. Marijuana can be smelled down my street. Last year, a person died in my driveway from an overdose. | 11/3/2017 6:33 AM |
| 26 | No survey submitted but general comment received: "Happy medicinal will be available when needed. (FDA not happy with) Has back surg. & arthritis cannot get drugs that you need. MMA helps." | 11/3/2017 6:30 AM |
| 27 | No survey submitted but general comment received: "In favor of it local in Battle Creek. Has PTSD suffer with metal in her leg. It eliminates pain/ use as need. Currently, goes to Kalamazoo etc. to get marihuana as she has no caregiver." | 11/3/2017 6:28 AM |
| 28 | Written response to #9: No Locations Written response to #11: Do not allow in the city General comment: We already have too many problems in our city. | 11/3/2017 6:23 AM |
| 29 | Create at least 75 jobs @ 15.00 hr - no tax breaks! Employees & owners no felony convic in last 10 yrs. | 11/3/2017 6:20 AM |
| 30 | Just don't get involved at all. | 11/3/2017 6:19 AM |
| 31 | I will move out of B.C. if there is a business near me growing marihuana. | 11/2/2017 2:54 PM |
| 32 | Don't pass this. Our city has enough problems. Get into drug industry. Concentrate on our youth and moral well being. | 11/2/2017 2:52 PM |
| 33 | This can be used for chronic back pain, instead of opioids. | 11/2/2017 2:45 PM |
| 34 | No marihuana at all in city | 11/2/2017 2:35 PM |
| 35 | It will get rid of man made drugs | 11/2/2017 2:33 PM |
| 36 | Do not allow the use of marihuana in B.C.! Medical Marihuana is a farce! | 11/2/2017 2:28 PM |
| 37 | Keep them away of Battle Creek | 11/2/2017 2:23 PM |
| 38 | #9 surveyor chose both 'Yes-prohibit either 500 or 1,000 feet' and 'No-do not prohibit from the listed locations' | 11/2/2017 9:56 AM |
| 39 | Let the people of BC spend their money in BC. | 11/2/2017 9:43 AM |
| 40 | #8 Don't allow at all! #9 Don't allow period! #10 to "0" Totally against medical marijuana in B.C. | 11/2/2017 9:39 AM |
| 41 | This survey dues not provide total objection to the introduction of marihuana enterprises in BC and relates only to location restrictions, operation hours etc. We don't need any more drugs in BC PERIOD!! | 11/2/2017 8:38 AM |
| 42 | please spell it correctly in your survey. Totally not what I expected when voting for medical marijuana as I've heard other people say too. | 11/2/2017 8:34 AM |
| 43 | City Commissioner should be ashamed to spending time on this kind of thing....more important things to "fix" in the City....disgusting... just trying to be "politically correct"... Please do the "right" thing and deny all of this!!!!!! David I. Oursler 269.969.0324 | 11/2/2017 8:03 AM |

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| 44 | It would be an excellent way to increase badly needed revenue in our city. | 11/1/2017 3:45 PM |
| 45 | I think this is long over due. Not only will it increase tax revenue it will reduce the amount of people unnecessarily jailed in calhoun county. | 11/1/2017 2:09 PM |
| 46 | I think this could be a great opportunity for those in our community in regards to employment/business ownership. | 11/1/2017 12:06 PM |
| 47 | This while concept is as dangerous for our youth, crime, and against federal law. | 11/1/2017 9:21 AM |
| 48 | None Allowed!!! | 11/1/2017 9:14 AM |
| 49 | I know that marihuana, legal or illegal, is a gateway drug to harder drugs from my own experience. So I am opposed to letting more of it in Battle Creek. | 10/31/2017 10:10 PM |
| 50 | Just don't allow at all | 10/31/2017 2:36 PM |
| 51 | I have been a long time resident of Battle Creek and would like to see the industry embraced, with that being said I think there should be some regulations on locations. One of my concerns as a hopeful grower is that limiting grow facilities to industrial zoning will leave very few properties available for use as much of the industrial falls in Springfield. My proposed fix would be to look into the use of agricultural land as well with regulations on waste water disposal. | 10/31/2017 10:24 AM |
| 52 | I have a medical marihuana card. I use it occasionally, vaporizing the product so I won't face the dangers of smoking tobacco cigarettes. It helps my migraine headache pain. I do not get any psychotropic benefit; it's for pain relief. I have advanced degrees and a high-level job. Please don't stigmatize me for needing medicine. | 10/31/2017 3:21 AM |
| 53 | i think this is a huge opportunity for the community and this is something we've needed for a long time. | 10/30/2017 2:23 PM |
| 54 | I would like to see the restrictions even be 1500 ft from schools, daycares, etc. | 10/30/2017 12:16 PM |
| 55 | I am against this all the way. We don't need this in our community | 10/30/2017 9:01 AM |
| 56 | High taxes on product. Decrease property taxes | 10/30/2017 7:39 AM |
| 57 | Get over it there are so many good uses for this stop the crap Even tho I don't use. It helps people & this takes it out of the black market!!! | 10/30/2017 7:38 AM |
| 58 | NO MARIHUANA PERIOD | 10/30/2017 7:34 AM |
| 59 | More problems for Michigan! | 10/30/2017 7:33 AM |
| 60 | Keep out of B.C. Completely! | 10/30/2017 7:32 AM |
| 61 | We do NOT need medical marihuana Business in Battle Creek! | 10/30/2017 7:31 AM |
| 62 | This is the last thing we need in this city | 10/30/2017 7:15 AM |
| 63 | All taxes from such business should be used to fund substance abuse treatment facilities. | 10/30/2017 7:11 AM |
| 64 | It's use (marihuana) is corrupting the 'thinking' and outlook of my 18 yr. old son. Please-DO NOT PERMIT. A very concerned parent 10/20/6 | 10/30/2017 7:05 AM |
| 65 | Comment on 9: Too Many | 10/30/2017 7:03 AM |
| 66 | Do not approve of it. | 10/30/2017 7:02 AM |
| 67 | Comment #8: "or further or simple don't allow." Comment #9: "or simply don't allow." Comment #10: "or don't allow" Comment #11: "or don't allow" General comment: "Bad idea, now more people won't work. Business do not want liability!!" | 10/30/2017 7:00 AM |
| 68 | This would be a wonderful opportunity to bring revenue to our city, and hopefully revitalize it. | 10/29/2017 7:39 AM |
| 69 | I wouldn't see as much of a problem with selling through another business, such as a larger market, or pharmacy. | 10/28/2017 11:45 AM |
| 70 | I think it's a great idea for Battle Creek to have these types of businesses! Our community will definitely benefit from medical marihuana. | 10/27/2017 12:33 PM |
| 71 | I personally know someone who is using marijuana for medical purposes, but she is abusing it and using it when she doesn't need it. I just don't see how medical marijuana can be a good idea. | 10/26/2017 5:41 PM |

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| 72 | I am heavily concerned about any restrictions due to proximity of Churches. Our United States Constitution holds the view and practice of separating Church and State. Any restrictions based on "Moral" constrictions is in violation of this value and law. Restrictions of such goes beyond the value of Individual rights; in fact, it bleeds into the Economic sector, which has can have unforeseen consequences of opportunity evaporate. When an overwhelming majority had approved this law, The Will of the People had spoken on this issue. Elections have consequences. If one willing chooses to sell-out to limited lobbyist, then the electorate will take notice and take action. | 10/26/2017 1:39 PM |
| 73 | Do not make business prohibitive for an industry that would provide services and goods that citizens want. Plus the extra revenue for the city would be beneficial (the city does get an extra cut for the operations right????? I sure hope so) | 10/25/2017 7:13 PM |
| 74 | The truly sad part about medical marijuana is the non-protection of the individual who needs it. In other words, if someone really needs it for their health, their place of employment should not be allowed to fire an individual for it UNLESS it is proven that they are too high to perform. | 10/25/2017 7:47 AM |
| 75 | The crime in this city is a GREAT concern. Introducing something that is known to be addictive is just plain silly. We can't handle our problems now and it will just increase. | 10/24/2017 2:17 PM |
| 76 | Just legalize it and skip this foolishness | 10/24/2017 12:47 PM |
| 77 | This drug dulls the senses like alcohol. How much does drunk driving cost us each year in lives and property? | 10/24/2017 10:21 AM |
| 78 | It's just time to embrace the many health benefits and difuse the stigma. | 10/23/2017 8:33 PM |
| 79 | Terrible idea! Need to take sufficient time for community awareness and input. Do not proceed without major support from community. Most are unaware. Don't do this. Dumb idea. Many more negatives than positives. | 10/23/2017 5:47 PM |
| 80 | This city's Archaic stance on marijuana laws is ridiculous. Loss of tax revenues from dispensaries and related facility's by now in millions of dollars. | 10/23/2017 7:25 AM |
| 81 | as with any business, regulations(not over regulated) should be in place please use common sense and give licences... | 10/22/2017 8:17 PM |
| 82 | I do not want this in my community! | 10/22/2017 3:58 PM |
| 83 | Please make sure the licences awarded (for any stage of the process) reflect the demographics of the community. I would like to see equitable access to licences. If BC decides to allow marijuana facilities, commissioners who vote against allowing them should recuse themselves from decisions involving awarding of licences. | 10/21/2017 1:17 PM |
| 84 | I am not opposed to medical or even recreational use of marihuana not that I personally use it. I feel it should be regulated similar to alcohol. I would prefer to see the hours of operation restricted to 8am to midnight. I would also prefer any processing facilities be restricted to industrial zoned areas and limit the number of storefront permits and locations to commercial zoned areas. I would be strongly opposed to having any of these operations in residentially zoned areas. | 10/21/2017 7:38 AM |
| 85 | I am happy to see this idea come up for discussion and feel it's a valid one with possible revenue generated to support our City community. I'd like to see if any of the commisoners have explored how other cities/states regulate marijuana with successful revenue for both business and city. I feel like this has possibility of being a positive endeavor for our city if we as a city look into it as a business endeavor and not a criminal one instead. | 10/20/2017 2:16 PM |
| 86 | I think the only restriction should be around schools...but I also think that should apply to alcohol and tobacco. | 10/20/2017 7:20 AM |
| 87 | We should not allow it at all, and this questionnaire seems to be promoting it in a positive "it will happen" format. your questions about distances to schools and businesses it the perfect example, there isn't a choice for don't allow at all! and that is my true answer to all of those question above. A facility 1001 feet from a school or business would still be allowed to operate, that extra foot will make no difference to someone who wants to obtain it illegally. I am totally opposed to this proposal and urge the city to reject it completely! | 10/20/2017 5:10 AM |
| 88 | It will drive alot of local business and should be aloud. | 10/19/2017 2:30 PM |
| 89 | The medical marijuana industry should be regulated in a similar manner to that of the alcohol industry. This would help curb DUI's, overconsumption,and other issues. | 10/19/2017 12:23 PM |

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| 90 | Short of building security and hours of operation, I think the city should allow the medical marihuana industry to grow before heavily regulating it. Regulations can be enforced whenever, but if you limit the abilities of an industry before it has a chance to take off, you are limiting its potential. That is to say, you will never know a person potential if you chain them down before they can walk. Give em a chance; if something doesn't work for the best, then regulate it. | 10/19/2017 11:30 AM |
| 91 | Medicine should be readily available to those who need it. | 10/19/2017 7:34 AM |
| 92 | I hope this could be a business community for BC that's accepting and economy generating. If we think creatively beyond the "production/selling" side - we can open up all kinds of opportunities like pain clinics, or recreational shops -- it would bring people in from all over the state. I hope we get out of the mindset of strict regulations on everything and let businesses and innovation grow... if anyone needs it, this town is it. | 10/19/2017 7:14 AM |
| 93 | Please but the focus to generating more revenue for the City that will benefit the citizens. What is the status of the Areospace options? Ask the Military to return to our community. Bring IT companies to our City. NO TO MARIHUANA!!!!!! | 10/18/2017 2:41 PM |
| 94 | instead of worrying about the abuse of opioids, allowing medical marijuana to treat medical conditions could alleviate that use/abuse. | 10/18/2017 2:02 PM |
| 95 | There is enough evidence to show that even if marijuana can have some positive effects for pain control, there is also evidence of detriments to health of future generations. It is hard to see kids suffer maladies because their parent(s) smoked marijuana. This is so sad. | 10/17/2017 9:12 AM |
| 96 | There will be lots of interest in Battle Creek for this industry. To be fair and to eliminate any perception of misconduct, I strongly suggest a lottery system be enacted to order the applicants | 10/16/2017 4:52 PM |
| 97 | I really don't think that patients should have to have license it's alot of money but I totally think it should be legal every where I live in Augusta Michigan | 10/15/2017 6:49 PM |
| 98 | The only reason this is happening is to capitalize on the money that can be made. Just legalize it and everyone wins. | 10/15/2017 5:53 PM |
| 99 | Let the people decide the restrictions. | 10/15/2017 4:03 PM |
| 100 | I believe this would be a start to helping the economy here in Battle Creek. I also believe marijuana would actually benefit the crime rate as well here. Having these sorts of plants be used for what they are intended for is good for the consumers and would create more job opportunities for people seeking employment or another source of income. | 10/15/2017 3:13 PM |
| 101 | This city has enough internal and budgetary problems w/o adding more that it can't control and that will be a negative to decent people who might consider living in this community! We have blight and drug dealers to handle as it is...let's get realistic about this and stop catering to a few to the detriment of the most! | 10/15/2017 2:35 PM |
| 102 | Bars can operate anywhere | 10/15/2017 1:58 PM |
| 103 | Better economy | 10/15/2017 12:15 PM |
| 104 | The largest problem facing the medical marihuana issue is government over regulating, interfering, and red tape. Areas where marijuana/marihuana are allowed have seen a decrease in the opioide epidemic up to 25% decreases in lost lives! Prohibition has never worked. We don't want to go back to the days of "bath tub gin", "coat hanger abortions" and "parking lot drug deals" to get our medication! Lake Effect in Portage has a monopoly in southwest Michigan and has been gouging patients just like Big Pharma did with tripling the price of meds. Bring marihuana businesses to Battle Creek and help patients have a better quality of life! I was a college educator for 30 years. I am now disabled after fighting breast cancer. Medical marihuana helped me survive breast cancer and keeps me from having to take over 1,000 Norco per year!!!! (3 pain pills per day x 365 days) | 10/15/2017 12:10 PM |
| 105 | Battle Creek police department need to focus on things other than always closing down dispensaries. All they are doing is making medical marijuana card holders have to travel outside of the city of Battle Creek to get their medication | 10/15/2017 12:00 PM |
| 106 | This Is A Safe Medicine For All. Benefits For Everyone & All Ages. Even Saving Life's Of Kids With CBD. Allow Children Access To Marijuana With Adult Consent. | 10/15/2017 11:19 AM |
| 107 | We need to embrace this change. Battle Creek has always been known for the medical advancement at the turn of the century. Which brought us the cereal industry a industry that has slowly been leaving us since before the turn of the new century. So it's time for our great city to make great changes for the century | 10/15/2017 11:02 AM |

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| 108 | I think it's a great idea. It will bring in more tourism and help the city grow. | 10/15/2017 10:58 AM |
| 109 | Regardless if what the City, County or State decide about growing/selling/using marijuana, it is still ILLEGAL at the Federal level....more effort should be used to change that - including research, testing and even the FDA regulated manufacture of CBDs to ensure appropriate and consistent dosing and safety.... | 10/15/2017 10:11 AM |
| 110 | A lot of people can benefit from this. I know people that have terminal cancer that have severe nausea so much that they are in physical pain. Marihuanna has been proven to be effective at treating nausea with fewer side effects than most perscription anti-nausea drugs. Not only does it help them with nausea/vomiting, but it also gets them to eat which is a good thing, because that's another symptom of chemotherapy. Overall though, I don't see despenseries as anymore harmful than your local liquor store. It should be regulated though to an extent. | 10/15/2017 9:53 AM |
| 111 | I think it is a great idea and a good way for the city to make money | 10/15/2017 9:46 AM |
| 112 | This state has had medicinal marijuana laws in the books for several years now and it is beyond time that our city commission begins to work in favor of the rights of the citizens of this community to give them safe access marijuana. These decisions should be made based on facts and scientific research and not on misguided personal opinion. In states that have regulated marijuana and have taken steps to make it widely available to adults teenage use has dropped, crime rates have dropped, and the products have become cleaner and safer for use. This is also a great opportunity for the city to receive income from business taxes, however I strongly oppose stronger or additional taxes on marijuana related businesses simply due to the type of business they operate, they should be taxed fairly and equally just the same as other unrelated businesses. It is time our city moves in line with state laws that permit marijuana businesses and provide a safe and reliable means to access it, there are several cities in this state that have successfully allowed the operation of marijuana businesses for several years, Ann Arbor being a fine example of how these businesses can successfully be a part of our community. | 10/15/2017 8:36 AM |
| 113 | This needs to be done, it cant be done fast enough. | 10/15/2017 8:31 AM |
| 114 | We need available dispensaries. The people shouldnt have to struggle to get their medication. | 10/15/2017 8:29 AM |
| 115 | No extra comments | 10/15/2017 7:31 AM |
| 116 | Marijuana is safer than man made medications, alcohol, and cigs. | 10/15/2017 6:55 AM |
| 117 | Only concern I have is that people will not see the overall health benefits and increase in money flow for our city! With schools steadily closing there doors I think this would be a very good way to help fund the things we as battle creek residents are losing and going without because of budget issues!!! Plus easier access for medical marihuana card holders to obtain their medicine! THANKS! | 10/15/2017 6:48 AM |
| 118 | Full legalization is coming in 2018. The laws regarding medical cannabis won't matter soon. | 10/15/2017 5:43 AM |
| 119 | This will bring much needed money to the area | 10/15/2017 5:10 AM |
| 120 | I know that it already gets in the wrong hands from people who are able to buy it medically. I worry that with it being sold here, that would increase. With that more crime, accidents, theft, etc. More over people using it who do not have a medical marihuana license. | 10/15/2017 4:27 AM |
| 121 | I would like to see a very limited number of provisioning centers and limited licensing of these facilities. I also would like to see provisioning centers in underdeveloped areas instead of downtown or in main shopping districts. A provisioning center in the main downtown sends the wrong message about the use of drugs in general to the community. | 10/15/2017 4:19 AM |
| 122 | We could benefit from the taxes, but crime is another issue | 10/15/2017 1:01 AM |
| 123 | Marihuana should not be permitted into Michigan! | 10/14/2017 2:01 PM |
| 124 | I believe medical marijuana has numerous health benefits as well as benefits towards the city of Battle Creek. | 10/14/2017 9:04 AM |
| 125 | people driving under the influence. crimes committed at the facilities; for money or the product. | 10/13/2017 8:51 AM |
| 126 | Seems like it might be something that would bring more business opportunities to Battle Creek. With so many business closing/moving out, it seems like an ideal tome to try something new to boost the economy and attract young adults to Eric around. | 10/12/2017 9:15 PM |
| 127 | I dont feel that the hours of operation should be restricted. | 10/12/2017 7:27 PM |

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| 128 | In a city plagued with mentally ill veterans, we have much to gain by utilizing the tested method of marijuana on PTSD. The propaganda war of the past on marihuana has been time and time again debunked. As long as there are careful license checks, there is no more risk to children than alcohol sales. I believe we have little to lose and everything to gain by introducing medical marihuana licenses. | 10/12/2017 7:20 PM |
| 129 | No matter what your personal beliefs are regarding marijuana, be sure to keep in mind this is a medicine for very sick people. Its already bad enough that at current pharmacies sick people have to walk to the back of the store to get their legally, doctor prescribed medication, while perfectly healthy people can get their unhealthy vices (cigarettes,beer, lotto, liquor) at the front of the store. Meanwhile legal, State Licensed Medicinal Maijuana patents haven't been able to legally obtain their medication anywhere in this city for the past 10 years. Sensible,reasonable regulation and enforcement without infringing or violating the rights of the patients or the business owners. Its 2017, the voters spoke loud and clear on the ballot when passing this. Its more than time for the city commission to get their act together and start supporting the will of the voters and the medical marijuana patients whom are having to incur an additional undue burdon, by having to travel out of the community to get their medicine. The moratorium has been extended once already and since the expiration of the moratorium there's been no change or effort by the commission to do anything to start bringing Battle Creek in to the 21st century and start allowing Medical Marijuana facilities in the city. | 10/12/2017 5:20 PM |
| 130 | The easier it is to buy legally the fewer drug cases will be filling up court rooms and jails at tax payer expense | 10/12/2017 12:35 PM |
| 131 | I feel it's a slippery slope...do not want to go the way of Colorado. | 10/12/2017 12:16 PM |
| 132 | We are talking about MEDICAL Marihuana! Stress to all concerned, we are working off of new discoveries about the positive effects this has for patients! By stressing this, you diminish the temptation to experiment with marihuana. We've tried to combat marihuana for more then 80 years by criminalizing it. How about a more enlightened, (and cheaper), approach to dealing with it. | 10/12/2017 12:15 PM |
| 133 | Focus on viewing this as any other business. | 10/12/2017 10:26 AM |
| 134 | It will be a big asset to Battle Creek and the economy. | 10/11/2017 10:21 PM |
| 135 | I look forward to the day when this business is welcomed into our city. I do not consume or smoke this drug but strongly feel it is a valuable medicinal product that is far safer than countless pHARMA drugs prescribed. This can and will generate a great deal of revenue for the city and should be allowed and welcomed. | 10/11/2017 8:46 PM |
| 136 | none | 10/11/2017 5:26 PM |
| 137 | let free enterprise loose. no restrictions for all citizens 21 years of age or older. | 10/11/2017 4:14 PM |
| 138 | It's Marijuana not marihuana. Glad whoever made this servey can spell. | 10/11/2017 3:55 PM |
| 139 | It seems that due to the lack of severe health problems with marijuana that many people decide to use it, and with it becoming more available, more people will misuse it. Chances are that stressed out students will use it to try and calm themselves, but it would also likely result in a lowering of test scores. There would have to be new laws implemented to factor in the new business, not to mention the increase of drivers who use the drug while/before driving. This could also lead into other more dangerous drugs becoming legal and/or more available for the sake of its medical attributes, such as cocaine, Adrenalin, morphine, etc. | 10/11/2017 3:51 PM |
| 140 | We need recreational | 10/11/2017 3:03 PM |
| 141 | Legalize all cannabis for recreational or medicinal use. Prohibition doesn't work and is detrimental to the people in the community | 10/11/2017 2:39 PM |
| 142 | decriminalize it completly | 10/11/2017 2:33 PM |
| 143 | I believe that those who have followed the guidelines for the current MMMA should have the first opportunity to get a license over those that opened up shop knowing the guidelines of the MMMA act but still did so! | 10/11/2017 2:22 PM |
| 144 | Make it legal and treat it like alcohol. | 10/11/2017 1:11 PM |

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| 145 | It needs to start out small and carefully regulated and monitored, to assess what the actual demand is locally. Small can more easily be made larger than large can be reduced. It needs to be looked at much like a pharmacy: regulated, safe, secure and aesthetically pleasing to its neighborhood. | 10/11/2017 1:02 PM |
| 146 | I have no issues. As long as these business owners comply with the laws in place, these businesses will help our local economy and most importantly, give those that are suffering in our community, close access to their medical marijuana. No different than a Walgreens, in my opinion. The stigma needs to stop and the healing needs to begin. Quality of life and the health and wellness of those in our community, is what is important. Just like any other business owner, safety precautions must be taken. Whether a new restaurant, liquor store(which we have far too many) or clothing store. Those risks and liabilities are everywhere. The only difference here, again my opinion, is legality. | 10/11/2017 12:24 PM |
| 147 | Legalize it, tax it, use the revenue to fix infrastructure and look into whether it could replace the city income tax that is helping drive people to live outside of town. | 10/11/2017 12:23 PM |
| 148 | I feel that restrictions on marihuana businesses should be no different than restrictions on pharmacies. | 10/11/2017 11:28 AM |
| 149 | Marijuana helps so many people with depression, anxiety, eating disabilities, and is much safer and more natural than putting pills made by man to help these symptoms. Marijuana has never caused a person to die, while other legal substances kill thousands. This "drug" being illegal makes no sense. | 10/11/2017 10:42 AM |
| 150 | Medical Marijuana should be a Personal Medical Choice. Based on the evidence, side effects with responsible use are nil. Thank you for the opportunity to submit feedback. | 10/11/2017 10:33 AM |
| 151 | I have read/seen studies that marijuana has helped people with certain medical issues. I believe it is to easy for people to get "marijuana cards" Even though I don't believe it should be legal, I also know that times have changed and why not make money for the local people/cities. | 10/11/2017 10:18 AM |
| 152 | This is not a dangerous drug. Those of us with chronic pain use marijuana instead of narcotics. This keeps us from becoming addicted. | 10/11/2017 9:39 AM |
| 153 | No concerns. | 10/11/2017 9:33 AM |
| 154 | People are going to smoke anyway. If anything the government will benefit from taxes and not jailing people for things like having a few grams in their possession. The energy spent going after people for marijuana could be spent on larger problems. | 10/11/2017 9:28 AM |
| 155 | My concerns are that if you take away the process which has been in place it will go back to being a black market and will just have random drug dealers selling and pushing to anybody that will buy it. Which in turn will raise costs on it and make it harder for someone who needs it medically to obtain because a lot of older people that are benefiting from it don't or won't want to deal with someone that isn't in a shop or registered care giver. | 10/11/2017 9:08 AM |
| 156 | Weed should of never left Battle Creek that's probably why the city as a whole is dying this could bring it back to life | 10/11/2017 8:37 AM |
| 157 | I see why people would be apprehensive but I beileve once it happen people will be much less weary | 10/11/2017 6:23 AM |
| 158 | None it's safer than alcohol | 10/10/2017 11:56 PM |
| 159 | how can we consider legitimizing marijuana while strengthening our war on tobacco? .who will own the responsibility for drivers under influence of marijuana? | 10/10/2017 11:25 PM |
| 160 | See comments on #1 | 10/10/2017 9:46 PM |
| 161 | Battle Creek is becoming a sinkhole for entrepreneurship and small business. Speaking on behalf of many Medicinal Marihuana Cardholders, we are tired of driving to other cities to spend our money on medicine that could easily, and safely be dispensed to patients here in Battle Creek. Battle Creek patients would greatly appreciate the kind gesture of allowing these businesses to open, not to mention the citizens of battle creek could use the tax revenue boost. Our city is slowly crumbling away, but that could be remedied by a few efforts, even as small as this one. | 10/10/2017 9:42 PM |

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| 162 | IF officials think the City of Battle Creek is so bad off they have to seek revenue off the backs of marijuana businesses then you should just pack it in and shut the City down completely. Not only that, you continually spell marijuana wrong in this survey. Shaking my head. Revitalization should not be done on the back of such as industry that will bring criminals and more gangs into this area to do this business. THAT IS WHAT WILL HAPPEN. I know citizens in Oregon that have shared what happened there. Take heed and learn from their mistakes. | 10/10/2017 8:07 PM |
| 163 | Battle Creek City Commission: please do not restrict growing, testing, processing, or the selling of medical marihuana beyond what's already required under Michigan State Law. It would be anti-business and anti-patient to restrict these activities. Please make Battle Creek a sanctuary community where sick patients can access medical marihuana freely. Thank you for your representation. | 10/10/2017 7:40 PM |
| 164 | Having it available legally should cut down on the amount of crime related to drug dealers. We recently had a murder related to marijuana dealing. It may be the lesser of evils but I don't like it. | 10/10/2017 7:40 PM |
| 165 | Battle Creek should have no part in new medical marihuana licenses. | 10/10/2017 7:10 PM |
| 166 | This can be very good for the city with proper rules and regulations. Don't be like Marshall and allow all but Dispensary that sort of makes it pointless, you can do everything but Dispence so now that will flow over to the street or to other cities that allow dispensaries and that city gets the revenue from it not Marshall. | 10/10/2017 7:04 PM |
| 167 | Make it legal and tax and regulate it fairly and watch the economy grow and crime drop | 10/10/2017 7:03 PM |
| 168 | This whole issue will change again next year if recreational marijuana should be approved. How this affects things should be discussed more, it seems to be ignored by government overwhelmed with the current changes. Much effort is being put into regulations that may change with new laws, something to consider. I have been working with this issue since 1990, and helped organize the first 2 medical marijuana petitions, so I am glad to see government taking this issue seriously, and I am available for help or advice if it helps. | 10/10/2017 6:59 PM |
| 169 | As a business owner in this community I feel that the city of Battle Creek needs to encourage any type of growth for our economic development. Please consider this as we need all new business, with the state regulating this and the cities guidance I believe this could be a good partnership for the city of Battle Creek | 10/10/2017 6:01 PM |
| 170 | No issues or concerns whatsoever. | 10/10/2017 5:52 PM |
| 171 | FIND OTHER REVENUE STREAMS FOR THE CITY AND THE FAMILIES THST LIVE HERE. | 10/10/2017 5:01 PM |
| 172 | I really believe that this industry could help change our city for the best. | 10/10/2017 5:01 PM |
| 173 | This is long over due. | 10/10/2017 4:41 PM |
| 174 | Legalize it. Alcohol kills people daily. Many people. What does weed do? Help people. The only reason i am not dead, is because I smoke. I've tried perscription depression and anxiety pills. Nothing works but WEED. Think of how many resources could be saved if we just switched to weed . Just random stoner thoughts.b | 10/10/2017 3:44 PM |
| 175 | Safety is a major concern | 10/10/2017 2:46 PM |
| 176 | I think if you limit the number of licenses you limit competition and increase costs to consumers. If you don't there could be "corner cutting" by businesses with limited pricing flexibility. | 10/10/2017 2:37 PM |
| 177 | No concerns. It's a good idea and it will be good for our city. | 10/10/2017 2:34 PM |
| 178 | Current patient/caregivers should be grandfathered into the growing license, that's very important, you need people who care about the product personally to ensure optimal quality. The distance from a church or residential area should not be restricted, but schools and daycares may be acceptable, depending on signage, etc. | 10/10/2017 2:04 PM |
| 179 | This could be fantastic for our community. Like it or not, this town is dying. We need to attract new businesses that can bring money into the area. I don't use, but I'd even support total legalization if it were taxed appropriately and could save our town. | 10/10/2017 2:00 PM |
| 180 | The city of Battle Creek should embrace MMJ and revitalize not only downtown but the area which is losing population. Liberalization is just a matter of time, why not embrace this stance and be a leader in the industry in Michigan? Taxpayer savings from law enforcement, court costs and other associated ills of prohibition could be eliminated, thus, assuring not only a regulated market but cost reduction to the city. | 10/10/2017 1:53 PM |

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| 181 | It would bring revenue into the community, they will be taxed but make sure the tax is going to something constructive. Books for schools playgrounds updated public parks etc. our community need support and honestly I don't think the city is doing enough to help out with that at all! There isn't one place you can go without spending money to have a good time or even play basketball or get active these kids have nothing! | 10/10/2017 1:53 PM |
| 182 | No concerns, alcohol induced crashes, pain medications and harsh drugs are far more concerning than a natural substance that helps so many people. | 10/10/2017 1:25 PM |
| 183 | Please do not sell out to big businesses. There are a lot of little guys here in Battle Creek that need something like this. Look for local help and applications before taking on outrageous bids. | 10/10/2017 1:15 PM |
| 184 | Keep our residents safe, provide them with the means to get safe and effective medication, keep drug dealers from gaining anything. | 10/10/2017 12:41 PM |
| 185 | I strongly object to allowing anything to do with medical marihuana in the city of Battle Creek. | 10/10/2017 12:28 PM |
| 186 | While regulated, I think this industry should be allowed to grow and expand. The income it will generate will greatly help our city! | 10/10/2017 11:47 AM |
| 187 | As a patient I struggle to find safe medication for my MS. | 10/10/2017 11:33 AM |
| 188 | Safer than alcohol. Less domestic violence. Huge financial growth for the Battle Creek area. The trend is moving towards state legalization. I believe it would be smart for our area to start this regulation process and be ready for change. Legislature and Executive branches of government need to draft and implement laws and train their staffs on how to properly proceed. Also communicate to the community in a positive way how this will be ruled out. Much work needs to be done, and west Michigan is behind the ball. | 10/10/2017 11:28 AM |
| 189 | While it is still new, I'd like to see certain aspects of this industry stay small by limiting, or excluding big Pharmaceutical companies from taking the potential opportunities this offers to small business & entrepreneurs. | 10/10/2017 11:22 AM |
| 190 | not sure why we would need a 500-1000 ft. set back on processors transport or testing facility's? grow facility I can see heavy restrictions ! provisionary centers should be treated as a business and be zoned as such | 10/10/2017 11:20 AM |
| 191 | Just make sure the items listed above have checks and balances like the Jackson County Compassion Club has. Anyone abusing the law should be banned from any facilities and should not be able to buy anymore. | 10/10/2017 10:49 AM |
| 192 | Again, this is the best way to regulate and take it away from the underground. I am a registered Medical Marijuana user for HIV, it has been very expensive to go to the dispensary in Kalamazoo. As more businesses appear the prices will go down. | 10/10/2017 10:01 AM |
| 193 | I just hope all of this is passed through | 10/10/2017 9:36 AM |
| 194 | Although we can not be a country without alcohol..which results in many deaths per year through traffic accidents and suicides, we can be careful about marihuana... | 10/10/2017 9:14 AM |
| 195 | I feel at this point it should be legalized. There are far worse drugs that our city struggles with, we shouldn't be worried about this. | 10/10/2017 9:06 AM |
| 196 | This is great business for Battle Creek. Make it happen. Lansing is leading this effort without regulations and our people are traveling to get their medication. | 10/10/2017 7:37 AM |
| 197 | Do not allow it at all. | 10/10/2017 6:25 AM |
| 198 | Applicants should have 1,000,000 in escrow. This could come from investors or owner. | 10/10/2017 6:03 AM |
| 199 | Marijuana is safer than tylenol! We all need to follow colorados example, its pathetic and just plain ignorant that marijuana is not fully legal! | 10/10/2017 5:51 AM |
| 200 | I think battle creek can benefit from this...maybe people wont be hooked on so many drug like pills herion and meth..they will have a legal natural way to ease the pain they try to cover...and i also suffer from severe headaches and back problems im a server on my feet all day i have to make trips to lansing at least once a week to get my medication or i could be put on pills and develop and opiod addiction..i think medical marihuana is a wonderful idea .something that will help this hell hole they call battle creek.. | 10/10/2017 5:30 AM |
| 201 | They should be in a safe part of town. We have to remember some of these patients are elderly or women and current locations may make people not feel safe. Also people may need to access it by public transportation and we need to consider that as well!! | 10/10/2017 5:04 AM |

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| 202 | None | 10/10/2017 4:55 AM |
| 203 | is it possible to beat kazoo to the puck on anything ? REVENUE REVIVES BATTLE CREEK | 10/10/2017 4:42 AM |
| 204 | Ann Arbor has been very successful with Meidical Marihuana Distription Faviities. Getting the license to use Medical Marihuana is the easy part. Finding a good Distription Facility is the hard part. Knowing the products are tested and produced at that facility by well trained people offers a peace of mind to their buyers. Security and controlling how many customers are in the store at once is also very important. Location away from residential areas, schools is churches should be a top priority. Downtown Battle Creek would be a good location and possibly help to grow business back into the downtown area. Studying the operations in other successful areas such as Ann Arbor should be done in great detail. I think it is time for Battle Creek to accept the changes in the types of business people are spending their money at and getting those in Battle Creek. I spend a lot of money in other places because I can't get what I want in my community. | 10/10/2017 3:23 AM |
| 205 | I believe that if Battle Creek embraces the medical marijuana industry, as well as the possible recreational industry in the future, the city will be able to create an environment were entrepreneurs are drawn to the area, as opposed to our more restrictive neighbors in the county and beyond. | 10/10/2017 3:15 AM |
| 206 | Please help people like me who just want to have quality medicine where I know it came from a professional. We both win | 10/10/2017 2:25 AM |
| 207 | I don't want to live a community where I have to worry about my kids being around pot smoke. I make good money and didn't choose to live in filth and squaller. If this passes, I'll shut my doors and move. | 10/10/2017 12:38 AM |
| 208 | I think battle creek has become a a failing City and that the money made off these businesses could help renovate some of the rundown areas of Battle Creek. | 10/10/2017 12:11 AM |
| 209 | none | 10/9/2017 11:14 PM |
| 210 | I think this is a positive step forward for Battle Creek. | 10/9/2017 10:38 PM |
| 211 | None. Cannabis is safer the Ketsup. | 10/9/2017 10:24 PM |
| 212 | My neighbor is growing with multiple greenhouses and isn't following the regulations and his backyard isn't fenced in and kids can walk from the street into his backyard grow. Very unsafe. He lives on Quail Street. | 10/9/2017 10:19 PM |
| 213 | Don't overregulate or tax this. If any limits are enacted it should be required that all businesses are fully owned by residents of Battle Creek | 10/9/2017 10:04 PM |
| 214 | It seems to be working in other states. Legalize it and tax it. Everyone wins, just like we do with alcohol and tobacco. Can legalized prostitution be next? Oh wait, it's legal in Nevada, just outside Las Vegas. | 10/9/2017 10:01 PM |
| 215 | if already there should be left there | 10/9/2017 9:54 PM |
| 216 | Legalize it. Market it. Make some money and make some people happy. One only needs to look to Colorado to see what the potential could be. | 10/9/2017 9:43 PM |
| 217 | NA | 10/9/2017 9:37 PM |
| 218 | I am not in favor of marijuana growing establishments. I think Battle Creek has enough issues with drug use and perceptions of drug use in our community. There is no point in fueling those issues any further. I am only in favor of medical marijuana being sold out of an actual pharmacy like all other prescription drugs. | 10/9/2017 9:20 PM |
| 219 | Definitely put more strict laws on what and whom qualifies for a license. Doctors hand these out like candy. It's ridiculous, the same people that has been smoking or selling pot since high school is now licensed to sell or use. Smdh It's pathetic. What happened to the Dare program? Sad world we live in today!!! | 10/9/2017 9:12 PM |
| 220 | Please do not let big corporations take over operations in this new and exploding market. I believe marijuana is going to the instrumental at creating employment, small businesses growth, and new opportunities for cities, states, and the country as a whole. | 10/9/2017 9:04 PM |
| 221 | Should be good for the economy. Needs to be taken seriously. | 10/9/2017 8:39 PM |
| 222 | I think think this could be great for our community. | 10/9/2017 8:38 PM |

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| 223 | People who have the license should not be barred from owning a firearm. I would like to see that changed. | 10/9/2017 8:29 PM |
| 224 | I think increased public education on the multiple benefits should be made available somehow. We all know the criminal size that's been all over the tv and news. I feel that what the industry can offer the community in terms of financial growth as well as treatment without hard prescription drugs, should be the focus. | 10/9/2017 8:20 PM |
| 225 | It will bring in tax revenue and jobs to the city | 10/9/2017 8:18 PM |
| 226 | A a small tax to operators within the city to be used for community education and health services. | 10/9/2017 8:18 PM |
| 227 | I do not support street drugs. However I do feel very strong about medical marijuana. Or the various ways to use THC for medical reasons. I also feel it is better for you than prescription pills. | 10/9/2017 8:11 PM |
| 228 | Start getting revenue from what's currently going on. This would create jobs and tax revenue within the city. Considering this city is terrible with job opportunities, get as much going as you can. | 10/9/2017 8:09 PM |
| 229 | There should be more than 5 licenses given out for businesses allowed to sell medical marijuana. There should be less control of the government. Free market promotes free trade, money coming in from taxes. | 10/9/2017 7:58 PM |
| 230 | Tax it, keep it honest and open. The market will take care of the rest. | 10/9/2017 7:50 PM |
| 231 | You don't limit restaurants, you don't limit banks, you don't limit grocery stores. Treat it with maturity and the public will reflect that. | 10/9/2017 7:49 PM |
| 232 | I find this survey to be misleading and poorly assembled. You should hire professional survey creators or statisticians if you really want to survey your citizens. You are ill equipped at delivering appropriate surveys. | 10/9/2017 7:35 PM |
| 233 | Do not allow marijuana facilities closer than one mile from any city limit due to potential negative impact on surrounding communities not supporting Battle Creek's licenses policy. | 10/9/2017 7:29 PM |
| 234 | I have no concerns | 10/9/2017 7:25 PM |
| 235 | Even though I voted for regulation of hours they are open I don't necessarily think they should be forced to close as early as some places but not open till 2am either | 10/9/2017 7:23 PM |
| 236 | IF Battle Creek and The State of Michigan are to ok this industry in total..... The MAJORITY of profits from these 5 licenses/business' SHOULD go towards TAXES. If this were to be as profitable as in Other States/Cities then you should be able to Totally Eliminate Property Taxes. | 10/9/2017 7:13 PM |
| 237 | the dispensary(selling facility) should be ran similar to a pharmacy or doctors office setting, not a retail vape type shop. I think zoning from residential is difficult for most of the growing areas of Battle Creek for growing , processing and selling. | 10/9/2017 4:48 PM |
| 238 | DO NOT ALLOW..... | 10/9/2017 2:54 PM |
| 239 | It is legal in other states with few problems. Treat business like bars or the tobacco shops in town. | 10/9/2017 2:12 PM |
| 240 | I am glad that Battle Creek is taking this seriously. Thank you. | 10/9/2017 1:39 PM |
| 241 | Generally, I think we should tend to be less restrictive initially and add restrictions later if problems arise. | 10/9/2017 1:23 PM |
| 242 | I really would like to see Battle Creek embrace this business. If Battle Creek does move forward I hope they look to work with as many local businesses as they can. For Business owners who have stuck through some hard time with Battle Creek , should be reward with the first right to try to expand their business. I also hope we get some qualified honest businesses involved. | 10/9/2017 1:15 PM |
| 243 | Again how can a state make legal a drug still banned federally and this is a factory state. Glad I'm not working in one around someone who is high | 10/9/2017 1:15 PM |
| 244 | Medical marijuana should be welcomed and accepted everywhere. | 10/9/2017 1:02 PM |
| 245 | No concerns, this is a valuable plant to treat pain. | 10/9/2017 12:59 PM |
| 246 | If our city does not allow these businesses to open, MMA patients will continue to spend their money outside of city like Ann Arbor, Lansing, and Detroit. Let's keep our money here! | 10/9/2017 12:56 PM |
| 247 | I can understand why some residents may feel hesitant or fearful of a marihuana market in Battle Creek, but I believe those fears are unfounded. Allowing the legal sale of marihuana in Battle Creek would be good for the community. | 10/9/2017 12:41 PM |

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| 248 | This is a plant that should NEVER have been regulated in the first place. I am for legalization and MINIMAL regulation. Battle Creek already has too many regulations and ordinances for a town its size. | 10/9/2017 12:27 PM |
| 249 | Do this so the average blue collar worker can compete, don't make it so the already millionaires just get more rich because they have big \$\$ to play with. | 10/9/2017 12:20 PM |
| 250 | Medical is good. Def need regs to bring money I. To city with product. Could be helpful for budget. | 10/9/2017 12:13 PM |
| 251 | I just think that a few entities are going to profit financially from this business and I don't see how marihuana can help pain any more than the prescribed pain relievers do. I have never smoked so how would this benefit me? It wouldn't. | 10/9/2017 11:37 AM |
| 252 | This is way overdue. People understand now that the propaganda of the last 80 years was false. Marih/juana is much less problematic than alcohol with the exception of black market issues like violence. Once it is decriminalized, many of those problems subside. It's a beneficial PLANT!! Regulate it like any other business. There is enough evidence from Colorado, Washington, Oregon etc that shows we are already behind the curve. Enough with the feet dragging! | 10/9/2017 11:30 AM |
| 253 | I think this is an opportunity for our city to grow. This city has struggled economically for years. We need new industry to revitalize our economy. While we are talking about medical marijuana at the moment, there will most likely be a ballot initiative for legalizing recreational use. Having guidelines established for the owning and operation of a marijuana facility would help if that initiative were to pass. This is an opportunity for tourism! Battle Creek used to be known for the sanitarium. People from all over the world traveled here for health reasons. This is a new way to bring back that economic boom. And the fact of the matter is you already have these facilities operating, unlicensed, in private homes!! It's time for the city to benefit from what's already happening. | 10/9/2017 11:26 AM |
| 254 | Tax should be the only limiting factor. | 10/9/2017 11:24 AM |
| 255 | This is a slippery slope, do not let our community go down this path. | 10/9/2017 11:13 AM |
| 256 | I believe anything that can help our community is something that should be supported. If we are truly going to support this as Medical related, than we should support the same restrictions that we place on medical facilities. Whether it is treatment, distribution, and or creation of the product. | 10/9/2017 10:56 AM |
| 257 | Some of your questions are poorly worded. I do not support any of the facilities within the city, as noted in questions 3-7. In order to proceed, answer choices for questions 8-11 imply consent. | 10/9/2017 10:37 AM |
| 258 | clearly define what commercial entity is clearly define what violation penalties are | 10/9/2017 10:12 AM |
| 259 | Thank you for the consideration and chance to provide feedback | 10/6/2017 1:09 PM |

| Communities | Growing | Growing allowed where? | Processing | Processing allowed where? | Transporting | Transporting allowed where? | Testing | Testing allowed where? | Provisioning Center | Provision Center allowed where? | Restrict # licenses? | Setbacks? | Adopted? |
|---------------------|----------|--------------------------------|------------|--------------------------------|--------------|--------------------------------|----------|--------------------------------|---------------------|---------------------------------|----------------------|-----------|----------|
| State of MI | Yes | Industrial & Agriculture ZDs | Yes | Industrial & Agriculture ZDs | Yes | No Restriction | Yes | No Restriction | Yes | Industrial & Agriculture ZDs | No | | |
| Marshall | Yes | Industrial ZDs | Yes | Industrial ZDs | Yes | Industrial ZDs | Yes | Industrial ZDs | No | N/A | Yes | Yes | Yes |
| City of Kalamazoo | Yes | Manufacturing ZDs | Yes | Manufacturing ZDs | Yes | Commercial & Manuf. | Yes | Commercial & Manuf. | Yes | Commercial ZDs | Yes; 7 | Yes | No |
| Portage | Yes | Industrial ZD | No | N/A | No | N/A | No | N/A | Yes | Business ZD | Yes, 4 | Yes | No |
| Emmett Twp | May be | | May be | | May be | | May be | | May be | | | | No |
| City of Springfield | No | N/A | No | N/A | No | N/A | No | N/A | No | N/A | | | No |
| City of Adrian | Yes | Industrial / Manufacturing ZDs | Yes | Industrial / Manufacturing ZDs | Yes | Industrial / Manufacturing ZDs | Yes | Industrial / Manufacturing ZDs | Yes | Business ZD | ? | ? | Mid-Dec? |
| Pennfield Twp | No Draft | N/A | No Draft | N/A | No Draft | N/A | No Draft | N/A | No Draft | | | | |
| City of Jackson | No Draft | N/A | No Draft | N/A | No Draft | N/A | No Draft | N/A | No Draft | | | | |
| Comstock Twp | Yes | Agriculture, Manufacturing ZDs | Yes | Industrial / Manufacturing ZDs | Yes | Industrial / Manufacturing ZDs | Yes | Industrial / Manufacturing ZDs | Yes | Business ZDs | May be | Yes | No |
| Battle Creek | Yes | Industrial ZDs | Yes | Industrial ZDs | Yes | Commercial & Ind. | Yes | Commercial & Ind. | Yes | Commercial & Ind. | No | Yes | No |

Yes: Only 2 Transporters; 2 Testers

Yes: 1/2 mile setback between any Growers and Processors

Yes: Provisioning Centers: 1 per 10,000 (7 licer

Yes: Any MM building must be 500ft away from Res. ZD; 500ft between Testing and any other MM facility; 500ft between Provision Center any other MM facility; 600ft between Provision Center and key intersections; any MM mu

Yes: Allow only 4 Growing and 4 Provisioning Center Licenses; Only allow Class A Growing License; No Greenhouse

Yes: 1,500ft setback from each other; 1,000ft setback from churches, libraries, substance abuse/ recovering centers, parks; cannot abut a Residential ZD

Yes: They may consider a cap on any of the MM li

Yes: Provisioning Center must be at least 1,000ft away from one-, two-family residential property; Provisioning Centers must be at least 500ft away from any MM facility; All MM facility building shall be at least 1,000ft away from schools, parks/ playg

Must be at least 1,000ft away from schools, parks/ playgrounds, libraries, public housing; any MM must be 500ft away from child care, places of worship, any public pool, youth center, halfway house or correctional facility or

playgrounds, libraries, places of worship, child care centers, recreational use w/ childrens activities, and any Comstock Community Center property.

substance abuse/ treatment center