



AGENDA
Committee on Development and Planning
Monday, June 5, 2017 @ 3:00 p.m.
10th Floor Conference Room, City Hall

Councilmember Judi Brown Clarke, Chair
Councilmember Jessica Yorko, Vice Chair
Councilmember Tina Houghton, Member
Councilmember Adam Hussain, Member

1. Call to Order

2. Public Comment on Agenda Items

3. Minutes

- May 15, 2017
- May 23, 2017

4. Discussion/Action:

- A.) RESOLUTION- Appointment of Tim Lloyd; At Large Member to the Board of the Zoning Appeals; term to expire June 30, 2018
- B.) RESOLUTION – Appointment of Katie Johnson; At Large Member of the Planning Board; term to expire June 30, 2018
- C.) RESOLUTION – Brownfield Redevelopment Plan # 68; 513 & 515 W Ionia Street; Belen Buildings Redevelopment Project
- D.) RESOLUTION- Brownfield Redevelopment Plan # 69; 221 West Saginaw Avenue Redevelopment Project
- E.) DISCUSSION – Chapter 1300; Medical Marihuana Ordinance

5) Other

6) Adjourn

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MINUTES

Committee on Development and Planning
Monday, May 15, 2017 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER

Called to order at 4:00 p.m.

PRESENT

Council Member Brown Clarke, Chair
Council Member Yorko, Vice-Chair- arrived at 4:04 p.m.
Council Member Houghton, Member
Council Member Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Susan Stachowiak, Planning & Neighborhood Development
Bill Rieske, Planning & Neighborhood Development
Brandon Waddell, Assistant City Attorney
Kathy Prout, Central United Methodist Church
Rev. Linda Farmer- Lewis, Central United Methodist Church
Penny Zago, Central United Methodist Church
Larry Dreskell
Ricardo Brusala
Gordy Green
Steve Green
Jerry Sleer

PUBLIC COMMENT

Nothing at this time, they will be addressed during the agenda items.

MINUTES

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE MINUTES FROM MAY 1, 2017 AS PRESENTED. MOTION CARRIED 3-0.

DISCUSSION/ACTION

RESOLUTION – Introduction & Set the Public Hearing for the Establishment of a Historic District for Central United Methodist Church

Mr. Rieske reminded the Committee that in December 2016 the Council approved the establishment of a historical study group to see if there was a determination to make the

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property a historic district. The study in the packet outlined the information on the property including their placement on the National and State Register in 1980. The final report was sent to the Planning Board with no recommendations and the State Historic Preservation, whose comments were incorporated into the report.

Pastor Farmer-Lewis confirmed they had spoken to the neighboring churches, that the church was the only surviving “roman-isc” church still standing, and assured the Committee they have no intentions of selling or moving, but will preserve and protect from someone who might want to develop.

Council Member Hussain and Houghton acknowledged the church for the report and encouraged them to reach out to the Central Business District to get in their marketing publications.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR THE ESTABLISHMENT OF A HISTORIC DISTRICT FOR CENTRAL UNITED METHODIST CHURCH FOR JUNE 12, 2017. MOTION CARRIED 4-0.

Z-9-2016; Rezoning 2122 N MLK & Vacant Properties from Residential, Community Unit, Apartment Shop, Commercial and Parking to “H” Light Industrial, “G-2” Wholesale and “F” Commercial

Council Member Yorko asked about the concerns from the public hearing on the buffering concerns. Ms. Stachowiak pointed out to the Committee that any person could come in today, cut the trees and build an apartment building 15' from property line, as the current zoning stands, and they would only have to put up 6' high evergreens. Under the requested G-2 Whole sale, the minimum setback to the East is 15', however after hearing the residents the applicant proposed another 15' totaling 30', then adding in another 15' from that for the building, bringing the property line 45' from the building. The only thing behind the building in the closest 15' would be the required fire lane, so the other 30' will remain the existing trees, undisturbed. Ms. Stachowiak informed the Committee that the applicant's intentions would be for self-storage units which mean no odors, no vibrations, no traffic, and no noise. Council Member Yorko asked what the difference is between “Light” and “Heavy” industrial. Ms. Stachowiak answered that the “Heavy” is processing of raw materials and drop forge, “Light” would be working with already processed materials and could be assembly, distribution, already processed goods. She also pointed out that the only areas for “Light Industrial” is the area to the West where the bowling alley was. Council Member Hussain asked if at the Planning Board hearing if all the residents who attended were only concerned with the buffering, at which Ms. Stachowiak confirmed.

Mr. Brusala spoke in opposition to the rezoning due to his concern with the removal of the existing topography on the East side of the property.

Mr. Sler spoke in opposition to the clearing of the trees for the buffer.

Council Member Brown Clarke provided information to the public that reiterated the fact that the property is not City property, therefore the Committee and Council can only make decisions on if the application is concurrent with the zoning ordinance.

The Committee reviewed the layout of the parcels and dimensions for a comparison of the the proposed 45' set back would be. Council Member Houghton asked Ms. Stachowiak if the

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property was rezoned or stayed the current zoning, could the applicant clear the trees, at which Ms. Stachowiak confirmed they could and could even go up to the property line. Council Member Brown Clarke stated again to the public that the City cannot tell the applicant they can't cut down the trees, the Committee and Council can just make sure they follow the zoning ordinance, and the applicant has agreed to a conditional rezoning with the 45' setback.

Mr. Brusala asked who owned the land, and staff confirmed the applicant purchased it even before the bowling alley closed.

Council Member Hussain voiced his concern that in "Light Industrial" there could be the potential for medical marihuana. Council Member Brown Clarke added that the applicant has never stated that is their intention.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE ORDINANCE FOR THE REZONING Z-9-2016 FOR 2122 N MLK AND VACANT PROPERTY TO "H" LIGHT INDUSTRIAL, "G-2" WHOLESALE AND "F" COMMERCIAL. MOTION CARRIED 4-0.

Ordinance Amendments to Section 1240.03- Defining "Garden"

Council Member Brown Clarke referred the Committee to the letter from the Office of the City Attorney which offered clarification on the Farm Act, gardening, garden structure and open places. The ordinance in front of the Committee was the same draft they saw when they set the public hearing, and what was in front of the Council during the hearing.

Council Member Hussain asked if Code Enforcement and Zoning will enforce the Ordinance, and Ms. Stachowiak confirmed. Council Member Hussain then provided his concerns with allowing gardens on vacant lots, rodents, blight, and the enforcement piece, in addition to enforcement of Land Bank properties. Council Member Brown Clarke assured Council Member Hussain that the Land Bank is responsible for their properties even if there is a garden on it, and they have told the City they will have compliance within 48 hours of notification of the violation. Council Member Hussain was encouraged to provide zoning a list of lots he has witnessed issues with.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE ORDINANCE AMENDMENTS TO SECTION 1240.03 – DEFINING "GARDEN". MOTION CARRIED 4-0.

Other

RESOLUTION – Introduction & Set the Public Hearing; Z-8-2016; Rezoning 3001 S Washington Avenue; D-1 Professional Office and J- Parking District to F- Commercial District

Council Member Brown Clarke confirmed this item was pending from last meeting due to the need for clarification from Law. The questions asked of them included does the Committee look at the landlord request and the tenant use separately, and what to do if the use of a medical marihuana dispensary is located there illegally what they need to do. She then confirmed she had had a conversation with City Attorney Smiertka and Mr. Waddell (present) who confirmed they need to look at the zoning application which is in front of them, and the landlord needs to address the illegal use of his property with his tenant. Ms. Stachowiak added to the conversation that the request is coming through based on the most recent version of the Medical Marihuana ordinance and how they can comply if it passes. In this case she noted, even if that ordinance passes, the use is in violation of the required setbacks from a church of its use, and they have not even checked into the other required setbacks from a park or school. The tenant was notified of their use violation, and immediately applied for a rezoning, and that is where the case stands thus far. Ms. Stachowiak stated again that even if the rezoning was

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approved the use would be illegal and would have to cease, and the owner is aware of that. Law had no comments at this time. Council Member Brown Clarke focused the discussion on the rezoning request at this time. Council Member Yorko asked if the requested zoning is consistent with what is elsewhere in the area. Ms. Stachowiak confirmed that the dominant zoning in the area is office and residential and the only reason the staff supports it is because there is "F-1" to the North, and it was zoned "F-1" before but the owner at that time wanted a day care, so rezoned for their use. If the rezoning fails and it stays professional office, they can have an office or child care.

Mr. Dreskell stated that if the property was rezoned and the tenant could not stay there the owner would look at a bakery, coffee shop, hair salon use.

Mr. Waddell added to the conversation that Law looked at this property currently with no Medical Marihuana Ordinance on the books, so they have to look at the application under the Master Plan. A final decision from law on the medical marihuana issue could not be stated by Law until the Ordinance is on the books.

Council Member Houghton asked if "F-1" moving forward could be consistent with the way it is now and the future, and Ms. Stachowiak confirmed.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE RESOLUTION FOR THE INTRODUCTION AND SETTING OF A PUBLIC HEARING FOR THE REZONING Z-8-2016 FOR 3001 S WASHINGTON AVENUE TO "F" COMMERCIAL. MOTION CARRIED 3-1.

Council Member Brown Clarke asked Council Member Hussain what version of the Ordinance on Medical Marihuana the Committee on Public Safety was currently reviewing, if it was their last draft, and if they were close to setting a public hearing. Council Member Hussain confirmed it was version 6D, confirmed his belief they were close to final version and he had hoped the hearing would be soon. Council Member Brown Clarke then proposed reviewing it at the next Committee on Development & Planning meeting for the zoning topics, and to keep the process moving the Council. Mr. Waddell confirmed that since there were two members from Public Safety on this Committee they can have cross conversations. The Committee concurred to meet on Tuesday, May 23rd at 4:00 p.m. with this being the only topic.

Adjourn at 5:07 p.m.

Submitted by, Sherrie Boak, Recording Secretary,
Lansing City Council

Approved by the Committee on _____

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MINUTES

Committee on Development and Planning
Tuesday, May 23, 2017 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER

Called to order at 4:05 p.m.

PRESENT

Council Member Brown Clarke, Chair
Council Member Yorko, Vice-Chair- excused
Council Member Houghton, Member
Council Member Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Brandon Waddell, Assistant City Attorney

PUBLIC COMMENT

No public comment at this time.

MINUTES

Action on the minutes from May 15, 2017 were moved to the next meeting.

DISCUSSION/ACTION

Council Member Brown Clarke explained to the Committee that the goal was to go through the ordinance, currently make no decisions, but to highlight the pieces that have to do with development and planning, zoning and any other scope of the Committee. The next meeting, June 5th, the Committee will review any recommendations. The Committee began the review of the document highlighting areas to consider. Mr. Smiertka suggested beginning with the definitions, so page 5 line 7-45 was highlighted. Council Member Hussain suggested to also include page 4, line 6-10 "Church". The Committee agreed to include page 4 line 32-35 of the definitions and page 6 line 5-32. After continued review the Committee highlighted page 10 line 36-46, that item continuing on page 11, line 1-2. Mr. Smiertka suggested Page 12, line 8-12 to be highlighted, and page 13 line 9-10 and line 34-46 and continued to page 14 lines 1-5. Also on page 14 lines 39-44, then onto page 15 which highlighted line 7-9 and line 39-46 continued onto page 16 lines 1-7. In addition, they highlighted page 16 line 43-46, continued page 17 lines 1-2. Additional lines on page 17 were highlighted, 4-23. On page 18 they highlighted lines 18-46 and page 19 lines 1-10 and lines 25-46. Page 20 lines 1-12 was highlighted and lines 29-

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33. On page 21 they highlighted lines 38-39, page 22 lines 28-30 and page 23 lines 5-6. On page 24 lines 24-28 was included in the discussion along with page 25 lines 35-46. The Committee highlighted all of page 26 and lines 1-21 on page 27. Lastly the Committee highlighted page 29 line 41-44.

Council Member Brown Clarke asked the Committee members to provide comments to Council Office Manager by Friday, June 2 at 3:00 p.m. They will be compiled and pushed back out to the Committee before the next meeting on June 5, 2017. Council Member Brown Clarke asked the Committee Members to replay with the page and line numbers, then “nothing”, “proposed or suggested language” or “discuss”. Again, she noted that the Committee should only look at the highlighted sections they just highlighted.

Adjourn at 4:39 p.m.

Submitted by, Sherrie Boak, Recording Secretary,
Lansing City Council

Approved by the Committee on _____



OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6086 (Fax)

Virg Bernero, Mayor

APPLICATION FOR APPOINTMENT TO A CITY BOARD OR COMMISSION

Thank you for your interest in serving on a Lansing Board, Commission or committee. The Lansing City Charter requires that every appointee to a board, commission, or committee established by Charter or ordinance must meet the following qualifications and eligibility requirements:

- Be a registered elector in the City of Lansing (Charter Section 2-102).
- Be a resident of Lansing for one year prior to taking office (Charter Section 2-102).
- Not be in default to the City at the time of taking office (Charter Section 2-103.2).
- Not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of a public trust; or any felony (Charter Section 2-103.1).

Date: 3.11.14

Full Name: Timothy Levern Lloyd
First Middle Last

Other name(s) by which you have been known, including maiden names: _____

Date of Birth: 1-29-68 Gender: M Ward: 3 Precinct: _____ Last four digits of Soc. Sec. #: [REDACTED]

Address: 3214 Averill Dr.

City LANSING or Other Lansing Zip 48911

Rent or Own? OWN

Home Phone: (517) 394 - 0636 Work Phone: [REDACTED]

Cellular Phone: (517) 202 - 3347 Email TLloyd94@gmail.com

Educational Background: ASSOC. L.C.C

Occupational Background (attach résumé if available): Self Emp.

Small Business Landscaping

Boards on which you are interested in serving: 1)

2)

3)

4)

Additional information regarding experience and credentials:

Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission:

We need diversity as well as community residence to
have a voice on decision making that will impact our
Lives. (Good or Bad).

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top of page 1, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office:

CONSENT AND CERTIFICATION

This certification is not required, but may impact potential consideration of the appointment being sought.

I authorize the use of the information provided above to conduct a background search, including but not limited to criminal history, residency, and indebtedness to the City of Lansing.

Signature Timothy L. Long Date 3.11.14

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Tim Lloyd of 3214 Averill Drive in Lansing, MI 48911 as an At-Large Member to the Board of Zoning Appeals for a term to expire June 30, 2018; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning met and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tim Lloyd of 3214 Averill Drive in Lansing, MI 48911 as an At-Large Member to the Board of Zoning Appeals for a term to expire June 30, 2018.

Date 1/18/2017

First Name Katie

Middle Lynn

Last Name Johnson

Other name(s) by which you have been known, including maiden names Field not completed.

Date of Birth 8/21/1988

Address 222 W. Kalamazoo St. #30

City Lansing

State MI

Zip Code 48933

Email johns21k@gmail.com

Gender Female

Ward 4

Precinct 39

Best phone number to contact you 989-297-0136

Last 4 digits of social security



number

In what year did you move to
Lansing? 2015

Additional information
regarding experience and
credentials 2011 - Present, Michigan Creativity Association, Public Relations
Board Member 2012 - Present, Coach, Girls on the Run 2016 -
Present, Board Member, Downtown Neighborhood Association

Occupational Background 2011 - 2014 Programs Manager, Ferndale Area Chamber of
Commerce 2014 - Present, Safe Routes to School Grants Manager,
Michigan Fitness Foundation

Educational Background Bachelors of Science in Political Science: International Relations,
Central Michigan University Masters of Urban Planning, Wayne State
University

Please attach a resume if
available [Katie Johnson - Resume.pdf](#)

First choice for board to serve
on Planning Board

Second choice of a board to
serve on Zoning Appeals

Third choice of a board to serve
on Historic District Commission

Fourth choice of a board to
serve on *Field not completed.*

Please comment briefly on why
you wish to serve on a
particular board or
commission. Please be specific I believe the work of a Planning Board is especially important for a
community to develop and thrive. As a large metropolitan
community, Lansing has grown and changed over the last several
decades. It is not immune to the ever changing make-up of design

as to your goals and ideas about how you wish to contribute to the work of the board or commission

and development. Being cognizant of progress, while rooting in standards is what makes a Planning Board successful. The Planning Board's move to utilizing form-based code to review zoning is a smart decision that will help realize citizens vision for the future, accommodate developments, and create a secure sense of place. If appointed, I am sure I could provide guidance that will take into account Lansing's comprehensive plan, land use regulations, and community impact when reviewing questions and actions presented to the board. My term on the board could help realize the vision of the comprehensive plan and form-based code adoption. Continuing to make Lansing a wonderful place to be for residents, entrepreneurs, and guests alike would be a privilege and I would be honored to serve with the rest of the board.

Qualifications and Eligibility –
At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office

Field not completed.

Background Check
Authorization

I agree

Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge

Katie Lynn Johnson

Date & Time

1/18/2017 10:15 PM

BY THE DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Katie Johnson of 222 W. Kalamazoo Street in Lansing, MI 48933 as an At-Large Member of the Planning Board for a term to expire June 30, 2018; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Katie Johnson of 222 W. Kalamazoo Street in Lansing, MI 48933 as an At-Large Member of the Planning Board for a term to expire June 30, 2018.



Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 4-21-17
RE: Brownfield Plan #68, 513 and 515 W. Ionia St, Belen Buildings

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Karl Dorshimer, LEAP

Subject: CITY COUNCIL AGENDA ITEM - Brownfield Plan #68, 513 and 515 W. Ionia St,
Belen Buildings

Date: 4-20-17

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

Lansing Brownfield Redevelopment Authority



Lansing Brownfield Redevelopment Authority Belen Buildings Redevelopment Project

Brownfield Plan #68

513 W. Ionia Street
Lansing, Michigan 48933

PREPARED BY:

Triterra
1375 S. Washington Avenue, Suite 300
Lansing, Michigan 48910
Contact Person: J.P. Buckingham
jp.buckingham@triterra.us
Phone: 517-702-0470

REVIEWED BY:

Lansing Brownfield Redevelopment Authority
1000 S. Washington Avenue, Suite 201
Lansing, Michigan 48910
Contact Person: Karl Dorshimer
karl@purelansing.com
Phone: 517-999-9039

March 3, 2017

Approved by the LBRA on _____

Adopted by the Lansing City Council on _____

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FIGURES

- Figure 1: Property Location Map
Figure 2: Property Boundary Diagram

TABLES

- Table 1: Brownfield Eligible Activities
Table 2: Schedule of Estimated Tax Increment Revenue

ATTACHMENTS

- Attachment A: Legal Description of the Property
Attachment B: Letter of Functional Obsolescence

1. Project Summary Sheet

The purpose of this Brownfield Plan (the “Plan”) is to identify eligible activities and cost estimates for redevelopment of the property located at 513 W. Ionia Street in Lansing, Michigan. Brownfield tax increment financing is necessary to support redevelopment of the property.

Project Name:	Belen Buildings Redevelopment Project (the “Project”)
Developer:	515 Ionia, LLC
Property Location:	513 W. Ionia Street, Lansing, Michigan 48933 (the “Property”)
Parcel Information:	Parcel ID 33-01-01-16-157-081
Type of Eligible Property:	“Functionally Obsolete”
Project Description:	A complete rehabilitation development of two existing, functionally obsolete buildings located in the immediate vicinity of the State Capital in downtown Lansing. The Project includes the renovation of two 2-story buildings totaling 9,132 square feet. The mixed-use redevelopment will result in a total of 4,500 square feet of office/retail use on the first floor and 6 market rate residential units. Brownfield Eligible activities include asbestos surveys, asbestos abatement, demolition, site preparation, public infrastructure improvements and preparation of the Brownfield Plan and Act 381 Work Plan.
Total Capital Investment:	Property and Building Improvements: Estimated at \$1,300,000 of which \$220,420 is estimated as eligible for Brownfield Reimbursement.

Estimated Job

Creation/Retention: The redevelopment is anticipated to generate 4 to 6 new full-time equivalent (FTE) jobs in the office/retail components of the Project. In addition, this redevelopment will result in the creation/retention of 15 to 20 temporary construction related jobs.

Duration of Plan: 19 years (starting in 2018)

Uses of New Taxes and Tax Increment Revenue (TIR):

Revenue	Uses	
TIR	To Reimburse Developer for Eligible Activity Costs	\$ 193,300.00
	To Reimburse LBRA/Lansing Regional Brownfield Coalition (LRBC) for Eligible Activity Costs under EPA Brownfield Assessment Grant	\$ 0.00
	To Reimburse LBRA for Eligible Activity Costs under Local Site Remediation Revolving Fund (LSRRF)	\$ 0.00
	To Reimburse Developer for <u>Contingency</u> (15%) on Eligible Activity Costs*	\$ 27,120.00
	To Reimburse Developer for <u>Interest</u> on Eligible Activity Costs	\$ 0.00
	Total Reimbursement to Developer	\$ 220,420.00
TIR	To LBRA Plan Administration	\$ 7,966.50
TIR	To LBRA Local Site Remediation Revolving Fund (LSRRF)	\$ 7,966.50
TIR	To State Revolving Fund (SRF)	\$ 12,272.00
	Total TIR Captured	\$ 248,625.00
New Taxes	(10%) Distribution to Taxing Units	\$ 26,261.00
New Taxes	New Taxes to Lansing City Debt and School Debt	\$ 20,086.00
	TOTAL	\$ 294,972.00

* Brownfield Plan and Act 381 Work Plan preparation activities are excluded from contingency calculation

2. Purpose of Brownfield Plan and Past Use of the Property

The City of Lansing Brownfield Redevelopment Authority (Authority or “LBRA”), duly established by resolution of the City Council of the City of Lansing, pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, MCLA 125.2651 et. seq., as amended (Act 381), is authorized to exercise its powers within the City of Lansing, Michigan. The purpose of this Plan, to be implemented by the LBRA, is to satisfy the requirements for a Brownfield Plan as specified in Act 381

The Plan will allow the LBRA to use tax increment financing to reimburse 515 Ionia, LLC (the “Developer”) for the costs of eligible activities required to redevelop the eligible property located at 513 W. Ionia Street in the City of Lansing, Michigan, (the “Property”). Any proposed redevelopment of the Property will only be economically viable with the support and approval of the brownfield redevelopment incentives described herein. The location of the Property is depicted on Figure 1.

The Property is fully defined in the following table and in Attachment A.

Eligible Property			
Address	Associated Addresses	Tax ID	Basis of Eligibility
513 W. Ionia Street	513/515 and 517/519 W. Ionia Street	33-01-01-16-157-081	Functionally Obsolete

The Property is located within the boundaries of the City of Lansing and is surrounded by commercial and residential property. Property layout and boundaries are depicted on Figure 2. The legal description of the Property is included in Attachment A.

The Property consists of a 0.267-acre parcel of land with two, two-story buildings totaling 9,132 square feet. The structures were constructed in 1927 and were used for commercial and residential purposes for much of the memorable past. The Property has been vacant since 2015.

The Property is considered an “eligible property” as defined by Act 381, Section 2 because: (a) the Property was previously utilized as a commercial property; (b) it is located within the City of Lansing, a qualified local governmental unit under MCL 125.2782(k); and (c) the Property has been determined to be “functionally obsolete” as defined in Section 2(s) of Act 381. Refer to Attachment B, Letter of Functional Obsolescence.

3. Brownfield Project Description

The Project includes a complete rehabilitation of two (2) existing functionally obsolete buildings. The mixed-use redevelopment will result in a total of 4,500 square feet of office/retail use on the first floor and 6 market rate residential units.

Total capital investment is estimated at \$1,300,000. Redevelopment activities include asbestos abatement, demolition of the building interiors, site demolition, site preparation activities and infrastructure improvements.

The Project will result in the revitalization and reuse of two (2) vacant, historically underutilized, functionally obsolete properties in the city of Lansing in the immediate neighborhood northwest of the State Capitol. This Project will result in the creation of 4 to 6 new, full time equivalent jobs. The Project is also projected to create/leverage 15 to 20 temporary construction related jobs.

4. Developer Eligible Activities

The Developer will be reimbursed with the new taxes levied by the Project for the costs of eligible activities necessary to support redevelopment of the Property. The activities that are intended to be carried out at the Property are considered “eligible activities” as defined by Sec 2 of Act 381 and include asbestos surveys, asbestos abatement, demolition, site preparation, public infrastructure improvements and preparation of the Brownfield Plan and Act 381 Work Plan.

The costs of eligible activities included in, and authorized by, this Plan will be reimbursed with incremental local tax revenues generated by the Property redevelopment and captured by the LBRA, subject to any limitations and conditions described in this Plan and the terms of a Reimbursement Agreement between the Developer and the Authority (the “Reimbursement Agreement”). The total cost of activities eligible for reimbursement from tax increment revenues is projected to be \$220, 420.

ELIGIBLE ACTIVITIES

NON-ENVIRONMENTAL

Asbestos Activities.....	\$41,000.00
Demolition.....	\$65,000.00
Site Preparation Activities	\$32,000.00

Public Infrastructure Improvements	\$42,800.00
Total Non-Environmental Costs	\$180,800.00
Contingency (15%)*	\$27,120.00
Brownfield Plan & Act 381 Work Plan Preparation	\$12,500.00
Total Anticipate TIR Available for Reimbursement	\$220,420.00
LBRA Plan Administration	\$7,966.50
LBRA Local Site Remediation Revolving Fund	\$7,966.50
State Revolving Fund	\$12,272.00
Total Local/State TIR Capture	\$248,625.00

* Brownfield Plan and Act 381 Work Plan preparation activities are excluded from contingency calculation

The costs listed above are estimated and may increase or decrease depending on the nature and extent of unknown conditions encountered on the Property. The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues captured by the LBRA shall be governed by the terms of a Reimbursement Agreement. No costs of eligible activities will be qualified for reimbursement except to the extent permitted in accordance with the terms and conditions of the Reimbursement Agreement and Section 2 of Act 381 of 1996, as amended (MCL 125.2652). The Reimbursement Agreement and this Plan will dictate the total cost of eligible activities subject to payment. As long as the total cost limit described in this Plan is not exceeded, line item costs of eligible activities may be adjusted after the date this Plan is approved by the City of Lansing City Council.

5. Captured Taxable Value and Tax Increment Revenues

The costs of eligible activities included in, and authorized by, this Plan will be reimbursed with incremental local and state tax revenues generated by the Property redevelopment and captured by the LBRA. The LBRA will not be obligated to reimburse the Developer for Eligible Activities completed after December 31, 2018. Reimbursement of Eligible Activities completed after December 31, 2018 will be evaluated by the LBRA on a case-by-case basis.

The taxable value of the Property at the completion of this Brownfield Plan was \$101,000, which is the initial taxable value for this Plan. The new projected taxable value for 2018 was estimated at \$300,000 upon completion of the Project. Estimated taxable values were based on estimates determined by the Project's development team. The actual taxable value will be determined by the City's Assessor after the Project is completed.

It is estimated that the LBRA will capture tax increment revenues from 2018 through 2036 to

reimburse the Developer for the cost of eligible activities, pay for the LBRA's administration of the Plan and make deposits into the LBRA's Local Site Remediation Revolving Fund. Ten percent of the local and state taxes generated by the increase in taxable value will be returned to the taxing units.

The captured incremental taxable value and associated tax increment revenue will be determined by the City Assessor. The actual increased taxable value of the land and all future taxable improvements on the Property may vary. Furthermore, the amount of tax increment revenue available under this Plan will be based on the actual millage levied annually by each local taxing jurisdiction on the increase in tax value resulting from the redevelopment project that is eligible and approved for capture.

6. Method of Brownfield Plan Financing

The Developer is ultimately responsible for providing financing for the costs of eligible activities included in this Plan. At this time, neither the LBRA nor the County of Ingham will advance any funds to finance the eligible activities described in this Plan. However, the Developer is currently pursuing additional financial support through the Michigan Strategic Fund (MSF), Community Revitalization Program (CRP) administered by the Michigan Economic Development Corporation (MEDC). Eligible activities financed by the MEDC are not eligible for reimbursement by the LBRA.

The inclusion of eligible activities and estimates of cost to be reimbursed in this Plan are intended to authorize the Developer to fund such reimbursements. Reimbursements under the Reimbursement Agreement shall not exceed the cost of eligible activities and reimbursement limits described in this Plan.

The LBRA will be reimbursed for its costs to administer the Plan by utilizing 5% of the new local taxes captured per year for the duration of the Plan. The LBRA will also deposit 5% of the new local taxes captured per year for the duration of the Plan for deposit into its Local Site Remediation Revolving Fund (LSRRF). Total deposits into the LSRRF will not exceed the sum total of 5 years of local tax increment revenue.

7. Amount of Note or Bonded Indebtedness Incurred

None.

8. Duration of the Brownfield Plan

Unless amended by the Lansing City Council, the Plan is anticipated to remain in effect until all approved activities in this plan are covered or until the end of the year 2036, whichever occurs first.

9. Estimated Impact on Taxing Jurisdictions

The following table presents a summary of the new tax revenues generated by the taxing jurisdictions whose millage is subject to capture by the LBRA under this Plan. These are estimations based on the residential and commercial components of the proposed redevelopment.

Projected Impact to Taxing Jurisdictions			
Taxing Unit	10% of New Taxes to Taxing Units	90% of New Taxes for BRA Administration, LSRRF Deposits and Developer Reimbursement	100% Total New Taxes
Lansing Operating	\$ 7,952	\$ 71,572	\$ 79,524
Ingham County	1,339	12,051	13,389
Ingham County Sum	2,612	23,505	26,116
Airport Authority	286	2,573	2,859
CATA	1,230	11,071	12,301
Capital Area District Library	638	5,743	6,382
Potter Park Zoo	168	1,509	1,677
Lansing Community College	1,557	14,017	15,574
Ingham Inter. School District	1,921	17,288	19,209
Lansing School District Operating	7,331	65,979	73,310
State Education Tax (3 mills)	1,227	11,045	12,272
Subtotals	\$ 26,261	\$ 236,352	\$ 262,614
State Education Tax (3 mills State BRF)*			12,272
City Debt*			1,064
School Debt*			19,022
Subtotal			\$ 32,358
Total			\$ 294,972

* Increased by investment, but not captured for TIF reimbursement

Additional information related to the impact of tax increment financing on the various taxing jurisdictions is presented in Table 2.

10. Legal Description & Site Map

The Property location and boundaries are shown on Figures 1 and 2. The legal description of the Property is provided in Attachment A.

11. Personal Property

This Brownfield Plan will capture incremental tax revenues resulting from personal property to the extent they are available.

12. Displacement of Persons

No persons will be displaced as a result of this project.

13. LBRA Local Site Remediation Revolving Fund

No Local Site Remediation Revolving Funds will be used on this Brownfield Project. The LBRA will deposit 5% the new local taxes captured per year for the duration of the Plan into the LBRA's Local Site Remediation Revolving Fund as permitted by Act 381 of 1996, as amended ("the Act").

14. Other Information

The LBRA and the Lansing City Council, in accordance with the Act, may amend this Plan in the future in order to fund additional eligible activities associated with the Project described herein.

FIGURES

Figure 1: Property Location Map

Figure 2: Property Boundary Map

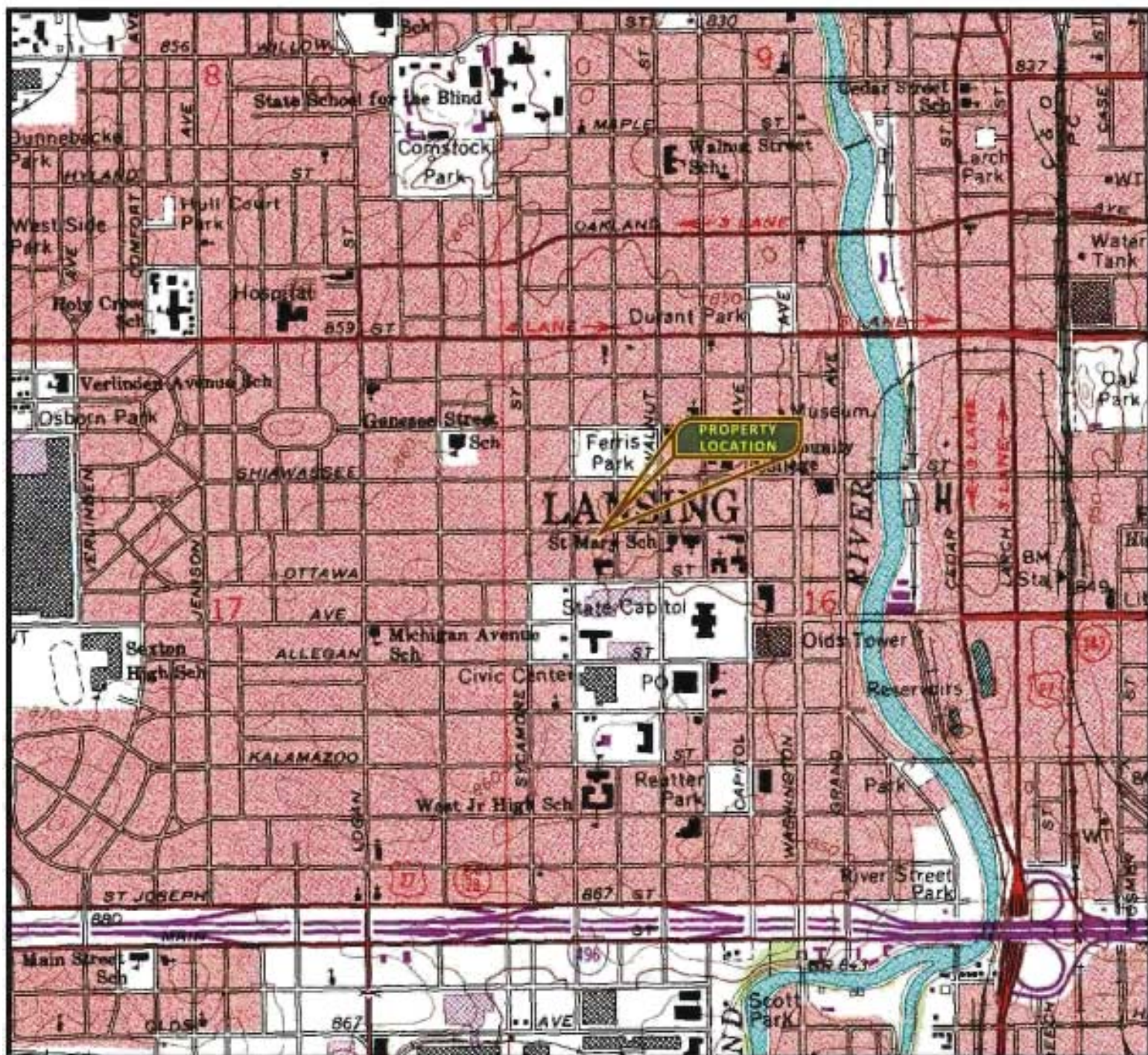


FIGURE 1 PROPERTY LOCATION

513-519 WEST IONIA STREET
LANSING, MICHIGAN 48823

INGHAM COUNTY
T. 04 N., R 02 W., Section 16

PROJECT NUMBER: 15-1432

ADAPTED FROM MI GEOGRAPHIC DATA LIBRARY DRG

TRI TERRA



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TRI**TERRA**

FIGURE 1

PROPERTY ORIENTATION DIAGRAM

PROJECT NUMBER: 15-1432

**513 WEST IONIA STREET
LANSING, MICHIGAN 48933**

DIAGRAM CREATED BY: RD

DATE: 4/17/2015

TABLES

Table 1: Brownfield Eligible Activities

Table 2: Schedule Tax Increment Revenue

Table 1
Brownfield Eligible Activities
513 Ionia Street
Lansing, MI
February 20, 2017

		INCREMENTAL TAX CAPTURE			
STATE AND LOCAL ELIGIBLE ACTIVITIES	COST	STATE/SCHOOL		LOCAL	
NON-ENVIRONMENTAL					
Asbestos Survey and Abatement	\$ 41,000	35.80%	\$ 14,678	64.20%	\$ 26,322
Demolition - Interior of Building	\$ 65,000	35.80%	\$ 23,270	64.20%	\$ 41,730
Site Preparation	\$ 32,000	35.80%	\$ 11,456	64.20%	\$ 20,544
Infrastructure Improvements	\$ 42,800	35.80%	\$ 15,322	64.20%	\$ 27,478
Non-Environmental Subtotal:	\$ 180,800		\$ 64,726		\$ 116,074
Contingency (15%)	\$ 27,120	35.80%	\$ 9,709	64.20%	\$ 17,411
Brownfield Plan Preparation/Act 381 Work Plan	\$ 12,500	35.80%	\$ 4,475	64.20%	\$ 8,025
GRAND TOTAL - ELIGIBLE ACTIVITIES:	\$ 220,420		\$ 78,910		\$ 141,510

NOTES:

These costs and revenue projections should be considered approximate estimates based on expected conditions and available information.

We cannot guarantee that the costs and revenue projections will not vary from these estimates

Contingency calculation excluded from Brownfield Plan and Act 381 Work Plan activities.

Table 2
Schedule of Tax Increment Revenue
513 Ionia Street
Lansing, MI
February 20, 2017

	Calendar Year		2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030		
	Plan Year		1	2	3	4	5	6	7	8	9	10	11	12	13			
Initial Taxable Value (TV)	\$		101,000	\$	101,000	\$	101,000	\$	101,000	\$	101,000	\$	101,000	\$	101,000	\$	101,000	
Projected Annual Increase in TV				1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%		
Projected TV	\$		101,000	\$	300,000	\$	303,000	\$	306,030	\$	309,090	\$	312,181	\$	315,303	\$	318,456	
Total Captured TV	\$	-		\$	199,000	\$	203,000	\$	205,030	\$	208,090	\$	211,181	\$	214,303	\$	217,456	
Annual TIF Revenue by Taxing Jurisdiction																		
Millage Rate																		
Local Capture																		
Lansing Operating	19.4400	\$	-	\$	3,869	\$	3,927	\$	3,986	\$	4,045	\$	4,105	\$	4,166	\$	4,227	
Ingham County	3.2731	\$	-	\$	651	\$	661	\$	671	\$	681	\$	691	\$	701	\$	712	
Ingham County Sum	6.3842	\$	-	\$	1,270	\$	1,290	\$	1,309	\$	1,328	\$	1,348	\$	1,368	\$	1,388	
Airport Authority	0.6990	\$	-	\$	139	\$	141	\$	143	\$	145	\$	148	\$	150	\$	152	
CATA	3.0070	\$	-	\$	598	\$	607	\$	617	\$	626	\$	635	\$	644	\$	654	
Capital Area District Library	1.5600	\$	-	\$	310	\$	315	\$	320	\$	325	\$	329	\$	334	\$	339	
Potter Park Zoo	0.4100	\$	-	\$	82	\$	83	\$	84	\$	85	\$	87	\$	88	\$	89	
Lansing Community College	3.8072	\$	-	\$	758	\$	769	\$	781	\$	792	\$	804	\$	816	\$	828	
Ingham Intermediate School District	4.6956	\$	-	\$	934	\$	949	\$	963	\$	977	\$	992	\$	1,006	\$	1,021	
School Capture																		
School Operating	17.9308	\$	-	\$	3,566	\$	3,620	\$	3,674	\$	3,729	\$	3,785	\$	3,840	\$	3,897	
State Education Tax (SET)	6.0000	\$	-	\$	1,194	\$	1,212	\$	1,230	\$	1,249	\$	1,267	\$	1,286	\$	1,305	
Total Millage	67.1969																	
Total Capture Available																		
Local Tax Capture Available	\$	-	\$	8,612	\$	8,742	\$	8,873	\$	9,005	\$	9,139	\$	9,274	\$	9,411	\$	9,548
Sub-total State Tax Capture Available	\$	-	\$	4,760	\$	4,832	\$	4,904	\$	4,978	\$	5,052	\$	5,126	\$	5,202	\$	5,278
Capture for State Brownfield Redevelopment Fund (3 mills of SET) (25-Yrs)	\$	-	\$	597	\$	606	\$	615	\$	624	\$	634	\$	643	\$	652	\$	662
State Tax Capture Available	\$	-	\$	4,163	\$	4,226	\$	4,289	\$	4,353	\$	4,418	\$	4,483	\$	4,549	\$	4,616
Local Tax Increment to Taxing Units (10%)	\$	-	\$	861	\$	874	\$	887	\$	901	\$	914	\$	927	\$	941	\$	955
School Tax Increment to Taxing Units (10%)	\$	-	\$	416	\$	423	\$	429	\$	435	\$	442	\$	448	\$	455	\$	462
Local Tax Increment (90%)	\$	-	\$	7,751	\$	7,868	\$	7,986	\$	8,105	\$	8,225	\$	8,347	\$	8,470	\$	8,594
School Tax Increment (90%)	\$	-	\$	3,747	\$	3,803	\$	3,860	\$	3,918	\$	3,976	\$	4,035	\$	4,094	\$	4,154
Cumulative Captured Taxes (90%)	\$	-	\$	11,498	\$	11,669	\$	11,815	\$	11,938	\$	12,059	\$	12,180	\$	12,304	\$	12,429
Reimbursement of BRA Administration Costs																		
Capture for BRA Administrative Costs	\$	-	\$	388	\$	393	\$	399	\$	405	\$	411	\$	417	\$	423	\$	430
Capture for BRA Local Site Revolving Loan Fund (LSRRF)	\$	-	\$	388	\$	393	\$	399	\$	405	\$	411	\$	417	\$	423	\$	430
Cumulative BRA Capture	\$	-	\$	775	\$	1,562	\$	2,360	\$	3,171	\$	3,993	\$	4,828	\$	5,675	\$	6,534
Reimbursement of Remaining Eligible Activities to Developer (\$220,420)																		
Local/State Annual Total Tax Capture	\$	-	\$	10,723	\$	10,884	\$	11,048	\$	11,212	\$	11,379	\$	11,547	\$	11,717	\$	11,889
Local/State Remaining Tax Increment Reimbursement	\$	220,420	\$	209,697	\$	198,813	\$	187,766	\$	176,553	\$	165,174	\$	153,627	\$	141,910	\$	130,021

Taxes - Proportionality	
Local Taxes	43.2761 64.40%
State Taxes	23.9208 35.60%
Total	67.1969 100.00%

Debt Millage - Not Captured - New Tax Revenue																	
	0.2600	\$	-	\$	52	\$	53	\$	53	\$	54	\$	55	\$	56	\$	57
Lansing Debt	0.2600	\$	-	\$	52	\$	53	\$	53	\$	54	\$	55	\$	56	\$	57
Lansing School Debt	4.6500	\$	-	\$	925	\$	939	\$	953	\$	968	\$	982	\$	997	\$	1,011
Cumulative Debt Millage Capture	4.9100	\$	-	\$	977	\$	1,969	\$	2,976	\$	3,997	\$	5,034	\$	6,086	\$	7,154

Table 2
Schedule of Tax Increment Revenue
513 Ionia Street
Lansing, MI
February 20, 2017

Calendar Year	2031	2032	2033	2034	2035	2036	
Plan Year	14	15	16	17	18	19	
Initial Taxable Value (TV)	\$ 101,000	\$ 101,000	\$ 101,000	\$ 101,000	\$ 101,000	\$ 101,000	
Projected Annual Increase in TV	1%	1%	1%	1%	1%	1%	
Projected TV	\$ 341,428	\$ 344,842	\$ 348,291	\$ 351,774	\$ 355,291	\$ 358,844	
Total Captured TV	\$ 240,428	\$ 243,842	\$ 247,291	\$ 250,774	\$ 254,291	\$ 24,333	
Annual TIF Revenue by Taxing Jurisdiction							
Millage Rate							
Local Capture							Total
Lansing Operating	19.4400	\$ 4,674	\$ 4,740	\$ 4,807	\$ 4,875	\$ 4,943	\$ 473
Ingham County	3.2731	\$ 787	\$ 798	\$ 809	\$ 821	\$ 832	\$ 80
Ingham County Sum	6.8842	\$ 1,535	\$ 1,557	\$ 1,579	\$ 1,601	\$ 1,623	\$ 155
Airport Authority	0.6990	\$ 168	\$ 170	\$ 173	\$ 175	\$ 178	\$ 17
CATA	3.0070	\$ 723	\$ 733	\$ 744	\$ 754	\$ 765	\$ 73
Capital Area District Library	1.5600	\$ 375	\$ 380	\$ 386	\$ 391	\$ 397	\$ 38
Potter Park Zoo	0.4100	\$ 99	\$ 100	\$ 101	\$ 103	\$ 104	\$ 10
Lansing Community College	3.8072	\$ 915	\$ 928	\$ 941	\$ 955	\$ 968	\$ 93
Ingham Intermediate School District	4.6956	\$ 1,129	\$ 1,145	\$ 1,161	\$ 1,178	\$ 1,194	\$ 114
School Capture							
School Operating	17.9208	\$ 4,309	\$ 4,370	\$ 4,432	\$ 4,494	\$ 4,557	\$ 436
State Education Tax (SET)	6.0000	\$ 1,443	\$ 1,463	\$ 1,484	\$ 1,505	\$ 1,526	\$ 146
Total Millage	67.1909						\$ 274,886
Total Capture Available							
Local Tax Capture Available	\$ 10,405	\$ 10,553	\$ 10,702	\$ 10,853	\$ 11,005	\$ 1,053	
Sub-total State Tax Capture Available	\$ 5,751	\$ 5,833	\$ 5,915	\$ 5,999	\$ 6,083	\$ 582	
Capture for State Brownfield Redevelopment Fund (3 mills of SET) (25-Yrs)	\$ 721	\$ 732	\$ 742	\$ 752	\$ 763	\$ 73	\$ 12,772
State Tax Capture Available	\$ 5,030	\$ 5,101	\$ 5,174	\$ 5,246	\$ 5,320	\$ 509	
Local Tax Increment to Taxing Units (10%)	\$ 1,040	\$ 1,055	\$ 1,070	\$ 1,085	\$ 1,100	\$ 105	\$ 17,703
School Tax Increment to Taxing Units (10%)	\$ 503	\$ 510	\$ 517	\$ 525	\$ 532	\$ 51	\$ 8,558
Local Tax Increment (90%)	\$ 9,364	\$ 9,497	\$ 9,632	\$ 9,767	\$ 9,904	\$ 948	
School Tax Increment (90%)	\$ 4,527	\$ 4,591	\$ 4,656	\$ 4,722	\$ 4,788	\$ 458	
Cumulative Captured Taxes (90%)	\$ 177,389	\$ 181,478	\$ 205,765	\$ 220,254	\$ 234,947	\$ 236,353	
Reimbursement of BRA Administration Costs							
Capture for BRA Administrative Costs	\$ 468	\$ 475	\$ 482	\$ 488	\$ 495	\$ 47	
Capture for BRA Local Site Revolving Loan Fund (LSRRF)	\$ 468	\$ 475	\$ 482	\$ 488	\$ 495	\$ 47	
Cumulative BRA Capture	\$ 11,958	\$ 12,908	\$ 13,871	\$ 14,848	\$ 15,838	\$ 15,933	\$ 15,933
Reimbursement of Remaining Eligible Activities to Developer (\$220,420)							
Local/State Annual Total Tax Capture	\$ 12,955	\$ 13,139	\$ 13,325	\$ 13,512	\$ 13,702	\$ 1,311	\$ 220,420
Local/State Remaining Tax Increment Reimbursement	\$ 54,989	\$ 41,850	\$ 28,526	\$ 15,013	\$ 1,311	\$ 0	\$ 274,886

Debt Millage - Not Captured - New Tax Revenue								
Lansing Debt	0.2600	\$ 63	\$ 63	\$ 64	\$ 65	\$ 66	\$ 6	\$ 1,064
Lansing School Debt	4.6500	\$ 1,118	\$ 1,134	\$ 1,150	\$ 1,166	\$ 1,182	\$ 113	\$ 19,022
Cumulative Debt Millage Capture	4.9100	\$ 15,075	\$ 16,272	\$ 17,486	\$ 18,718	\$ 19,966	\$ 20,086	\$ 294,972

Attachment A

Legal Description of the Property

ATTACHMENT A
Legal Description of the Property
513 W. Ionia Street
Lansing, MI

<u>Tax ID</u>	<u>Property Address</u>	<u>Legal Description</u>
33-01-01-16-157-081	513 W. Ionia Street	W 2 R LOTS 1 & 2 ALSO E 55 FT LOTS 11 & 12 BLOCK 92 ORIG PLAT

513 W IONIA ST LANSING, MI 48933 (Property Address)

Parcel Number: 33-01-01-16-157-081



Item 1 of 5 3 Images / 2 Sketches

Property Owner: TESSERIS SPIRO N & SOPHIA**Summary Information**

- > Commercial/Industrial Building Summary
 - Yr Built: 1927
 - # of Buildings: 2
 - Total Sq.Ft.: 9,132
- > Assessed Value: \$101,000 | Taxable Value: \$101,000
- > 1 Building Department records found across 1 property
- > Property Tax Information found

Owner and Taxpayer Information

Owner	TESSERIS SPIRO N & SOPHIA 1832 ASBURY AVE EVANSTON, IL 60201	Taxpayer	515 IONIA L L C 1219 1/2 TURNER ST LANSING, MI 48906
--------------	--	-----------------	--

General Information for Tax Year 2016

Property Class	COMMERCIAL	Unit	33 CITY OF LANSING - INGHAM
School District	LANSING	Assessed Value	\$101,000
MAP #	B -0092 -0038	Taxable Value	\$101,000
TOP TEN	Not Available	State Equalized Value	\$101,000
NEW PERMITS	Not Available	Date of Last Name Change	08/14/2015
USER ALPHA 3	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
TYPE CODE	Not Available		

Principal Residence Exemption Information**Homestead Date** 12/30/1997

Principal Residence Exemption	June 1st	Final
2016	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2015	\$96,500	\$96,500	\$96,500
2014	\$153,400	\$153,400	\$119,102
2013	\$143,800	\$143,800	\$117,227

Land Information

Zoning Code	Not Available	Total Acres	0.267
Land Value	\$52,200	Land Improvements	\$3,154
Renaissance Zone	No	Renaissance Zone Expiration Date	Not Available
ECF Neighborhood	R225-DOWNTOWN-RETAIL	Mortgage Code	Not Available
Lot Dimensions/Comments	Not Available	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
No lots found.		
Total Frontage: 0.00 ft		Average Depth: 0.00 ft

Legal Description

W 2 R LOTS 1 & 2 ALSO E 55 FT LOTS 11 & 12 BLOCK 92 ORIG PLAT

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
07/20/2015	\$145,000.00	LC	TESSERIS SPIRO N & SOPHIA	515 IONIA L L C	L C	2015 028599
09/12/1984	\$0.00	LC	NATIONAL CITY BANK OF MI/IL	TESSERIS SPIRO N & SOPHIA	1ST SALE AFTER BANK	3028-839

Building Information - 5244.00 sq ft Store, Retail (Commercial)

Floor Area	5,244 sq ft	Estimated TCV	<i>Not Available</i>
Occupancy	Store, Retail	Class	C
Stories Above Ground	2	Average Story Height	10 ft
Basement Wall Height	<i>Not Available</i>	Identical Units	<i>Not Available</i>
Year Built	1927	Year Remodeled	<i>Not Available</i>
Percent Complete	0%	Heat	Forced Air Furnace
Physical Percent Good	37%	Functional Percent Good	75%
Economic Percent Good	80%	Effective Age	62 yrs

Building Information - 3888.00 sq ft Store, Retail (Commercial)

Floor Area	3,888 sq ft	Estimated TCV	<i>Not Available</i>
Occupancy	Store, Retail	Class	C
Stories Above Ground	2	Average Story Height	12 ft
Basement Wall Height	<i>Not Available</i>	Identical Units	<i>Not Available</i>
Year Built	1927	Year Remodeled	<i>Not Available</i>
Percent Complete	0%	Heat	Package Heating & Cooling
Physical Percent Good	37%	Functional Percent Good	75%
Economic Percent Good	80%	Effective Age	62 yrs

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**Belen Buildings Redevelopment
Brownfield Plan #68
March 3, 2017**

Attachment B

Letter of Functional Obsolescence



Virg Bernero, Mayor

CITY ASSESSORS OFFICE
Sharon L. Frischman, Assessor
3rd Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-4020
FAX: (517) 483-4101
www.lansingmi.gov/pubserv



Address: 513 and 515 W Ionia St.

Parcel No.: 33-01-01-16-157-081

RE: Statement of Obsolescence

This property has been reviewed and inspected by the City of Lansing Assessing Department. The buildings at this location are two story buildings completely separate of each other but assessed on one tax parcel.

The heating and electrical systems are out of date and need modernization.
The second level floors are not well supported and are uneven.
The ceilings are caving in. The second level has not been occupied in a very long time and is not habitable now.

I have determined that this (these) buildings suffer from more than 50% functional obsolescence both together and separately.

Sharon L. Frischman, MMAO (4), MCPPE, MCGA

Date: 1/30/17



OVERALL PERSPECTIVE VIEW

IONIA STREET - DEVELOPMENT





OVERALL PERSPECTIVE VIEW

IONIA STREET - DEVELOPMENT





OVERALL PERSPECTIVE VIEW

IONIA STREET - DEVELOPMENT



OVERALL PERSPECTIVE VIEW

IONIA STREET - DEVELOPMENT





OVERALL PERSPECTIVE VIEW

IONIA STREET - DEVELOPMENT



THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY

Resolution Recommending Approval of Plan #68 Belen Buildings Redevelopment Project

At a meeting of the Board of Directors of the Lansing Brownfield Redevelopment Authority (LBRA) Lansing, Michigan, held on the 7th day of April, 2017, at 8:30 a.m., pursuant to notice duly given:

MEMBERS PRESENT: Chair Andrea Ragan, Pierre LaVoie, Kimberly Coleman,
Calvin Jones, Baldomero Garcia, Shelley Davis

MEMBERS ABSENT: Mayor Virg Bernero, James Butler III, Blake Johnson

The following preamble and resolution was offered by;

Member: Jones, and supported by;

Member: Garcia:

WHEREAS, The LBRA staff has worked closely with 515 IONIA, LLC (Developer) to draft Brownfield Plan #68 (Plan); and

WHEREAS, The LBRA staff has duly reviewed such Plan and has found it to be in compliance with the provisions of the Act and meets the following determinations and findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a brownfield plan set forth in Section 13 of the Act;
3. The proposed method of financing the cost of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, The LBRA staff recommends approval of the Plan:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY, AS FOLLOWS:

1. The Brownfield Plan described as Brownfield Plan #68 – Belen Buildings Redevelopment Project in the form filed herewith is hereby approved by the Lansing Brownfield Redevelopment Authority and recommended for consideration by the City Council of the City of Lansing pursuant to Act 381 of Michigan Public Acts of 1996, as amended.

2. The LBRA Board hereby requests that the Lansing City Council, after required notification as specified by the Act, hold a public hearing in consideration of this matter, and subsequently approve the Plan.

YEAS: Six (6)

NAYS: Zero (0)

ABSTENTIONS: Zero (0)

ABSENT: Three (3)

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a meeting of the Brownfield Redevelopment Authority held on the 7th day of April, 2017, and said resolution is on file in the office of the Lansing Brownfield Redevelopment Authority and is available to the public. Public notice of the said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan 1976, including in the case of a special or re-scheduled meeting, notice by publication or posting of at least eighteen (18) hours prior to the time set for the meeting. In addition, said meeting was held in full compliance with the Board's By-Laws.

IN WITNESS WHEREOF, I have hereunto affixed my official signature.



Pierre LaVoie, Secretary



OFFICE OF MAYOR VIRG BERNERO
124 W. MICHIGAN AVENUE – NINTH FLOOR
LANSING, MI 48933

AGREEMENT IN CONSIDERATION OF DEVELOPMENT INCENTIVES

THIS AGREEMENT in Consideration of Development Incentives ("Agreement") is made and entered this _____ day of _____, _____, by and between the City of Lansing, Michigan, a Michigan municipal corporation ("City"), and **515 IONIA, LLC**, a Michigan Limited Liability Company ("Applicant"), (collectively the "Parties");

I. STATEMENT OF PURPOSE:

The City of Lansing welcomes new investment and the creation of new jobs. To achieve these goals, the City offers a variety of economic incentives that are designed to facilitate the expansion of existing businesses and the location of new businesses within the City, as well as the rehabilitation of obsolete structures and the reuse of environmentally contaminated sites.

Economic incentives typically do not provide City funds to developers or businesses, but rather encourage new investment and job creation in the City that would not have occurred without the incentive. The purpose of this Agreement is to establish performance expectations, reporting requirements and preferences for Lansing-based firms, resident employees and union employees in hiring, contracting, subcontracting and procurement related to the acceptance of economic incentives by the Applicant.

Economic incentives are beneficial to both the City and the Applicant. The approval of incentives must be a transparent and public process that produces a clear agreement between the Parties regarding the responsibilities of both the City and the Applicant. This public process does not end with the approval of the incentive, but continues until the commitments made by the Applicant under this Agreement are met.

II. DEFINITIONS

As used in this Agreement, the definitions herein shall be the mutually understood meaning of the following terms:

"Incentive" means a reduction in City taxes levied on real or personal property, or other financial benefit to Applicant, for a limited number of years as specified in this Agreement, and which may include, but is not limited to, those tax reductions or other financial benefits authorized by the Obsolete Property Rehabilitation Act (Public Act 146 of 2000, as amended), Neighborhood Enterprise Zone Act (Public Act 147 of 1992, as amended), Brownfield Redevelopment Financing Act (Public Act 381 of 1996, as amended), Plant Rehabilitation and Industrial Development Districts (Public Act 198 of 1974, as amended) and the New Personal Property Tax Exemption authorized by Public Act 328 of 1998.

"Lansing-based firm" means an incorporated business entity that owns or leases an office, warehouse, distribution center, or wholesale or retail store located within the corporate limits of the City of Lansing.

"Full-time Equivalent Employees (FTE)" means a combination of full-time and part-time employees that represents all employees as a comparable number of full-time employees.

III. RECITALS:

A. APPLICANT/PROJECT INFORMATION

Name of Project: Belen Buildings Redevlopment Project

Location of Project (provide attached map): 513 Ionia St. Lansing, MI

Business Name of Applicant (if applicable): SIS IONIA, LLC

Name of Parent Company (if applicable): _____

List Managing Partner and all other Partners, including percentage ownership interest of each partner:

Scott Schmidt	51%
Randy Schmidt	29%
Brad Mann	20%

Project description:

The Belen Buildings are a pair of red brick commercial buildings located at 513-515 and 517-519 West Ionia Street in Lansing, Michigan. Built in the mid-1920s, each of the buildings is a flat roofed, two-story duplex, with a pair of commercial storefronts at the first floor, and apartments above. Located just one block northwest of the Michigan State Capitol building, a National Historic Landmark, and five blocks west of the National Register listed Lansing Downtown Historic District, the buildings are representative of the American commercial style which prevailed during the building boom that followed World War I.

The Project includes the complete rehabilitation of two (2) existing functionally obsolete buildings. The mixed-use redevelopment will result in a total of 4,500 square feet of office/retail use on the first floor and 6 market rate residential units. Total capital investment is estimated at \$1,300,000.

List all past projects started in the city of Lansing by any of the partners listed above:

**1219 Turner St.
305 Beaver St.
1135 N. Washington Ave**

List City incentive(s) and number of years requested for each:

<u>Act 381 Brownfield Tax Increment Financing</u>	<u>19</u> Years
<u>_____</u>	<u>_____</u> Years
<u>_____</u>	<u>_____</u> Years
<u>_____</u>	<u>_____</u> Years

List all Federal, State or other incentives and their estimated value that may be part of this project:

MEDC CRP 20% of project expenditures

Application submitted for Historical tax credit, 10% of qualifying measures for reimbursement.

Name of Financial Institution(s) funding the Project *(if unavailable upon execution of this Agreement, Applicant agrees to furnish commitment letter(s) from lending institution(s) to the LEDC when available):*

Estimated number of new, permanent full-time equivalent employees (FTE) upon Project Completion *(if applicable)*:

5 to 7 FTE

Estimated total investment in real and personal property, including acquisition and construction costs, upon Project Completion:

\$ 1,445,000

Estimated average hourly wage or annual salary of new, permanent employees *(if applicable)*:

\$ 45,000

**B. APPLICANT ACCEPTANCE OF NOTICE AND REPORTING REQUIREMENTS
AND LOCAL PREFERENCES IN HIRING, PROCUREMENT OF GOODS AND
SERVICES, CONTRACTING AND SUBCONTRACTING**

(initial spaces below to indicate acceptance)

SS

Applicant agrees to notify the LEDC and City Assessor of any and all partnership changes during the term of any incentives approved for the Project.

SS

Applicant agrees, and may be required to provide written documentation at the request of the LEDC, to consider and hire as many Lansing residents and Lansing-based firms, including but not limited to consultants, suppliers, contractors and sub-contractors, as reasonably possible.

SS

Applicant agrees, and may be required to provide written documentation at the request of the LEDC, to make good faith efforts to hire contractors and sub-contractors that employ union labor when economically feasible.

SS

Applicant agrees that all employees, contractors and sub-contractors related to this Project will pay all City individual income tax.

SS

Applicant agrees to report annually to the City Treasurer all gross individual income taxes paid and current residential addresses of all employees.

SS

Applicant agrees that all contractors and sub-contractors will report annually to the City Treasurer all gross individual income taxes paid and current residential addresses of all employees.

C. LEDC STAFF/ADMINISTRATION RECOMMENDATION

Name of Lead Staff Person: Eric Pratt

Revenue currently paid to the City by the site or project: \$ 7,548.85

Estimated total revenue to the City upon Project Completion: \$ 7,952.00

Estimated total value of City Incentive(s): \$ 262,614.00

Estimated total new net revenue to the City: \$ 405.15

Staff Comments (*indicate reasons for providing Incentive and describe any additional value to the City as a result of approval*):

The Developer is taking two completely vacant historic buildings and is proposing to invest \$1,300,000 to renovate the local landmarks and encourage the full utilization of the buildings.

Project Timeline: The project will commence with the approval of the Lansing City Council in Summer 2017 and will be completed by December 31, 2018.

Have all appropriate City Incentive fees been received? YES NO

Staff Recommendation: APPROVE DENY MODIFY

(if DENY or MODIFY please explain in space provided below)

Administration Recommendation: APPROVE DENY MODIFY

(if DENY or MODIFY please explain in space provided below)

D. ADDITIONS:

1. Applicant, in seeking local legislative approval, has made certain representations to the City as more fully set forth herein.
2. The Applicant has applied for Incentive for the purpose of [insert project description] ("Project"). The Project is expected to hire at least 5 to 7 or retain at least 0 full-time equivalent employees (FTE) and requiring a total investment in real property of at least \$1,009,080 and personal property of at least \$50,000 when completed.
3. The Applicant has supplied to the LEDC all application and supporting documentation, including a list of all partners of the Applicant with an ownership interest in the Project, which in turn has been forwarded to the City prior to the approval of the Incentive.
4. The Applicant has provided to the LEDC detailed information including wage and benefit information for the Project and new, permanent full-time equivalent employees (FTE) expected to be hired or retained as a result of the Project, which in turn has been forwarded to the City prior to approval of the Incentive.
5. The Applicant and the City desire to enter into an agreement whereby the Applicant and City specify and agree on the Project performance measures under which the Incentive is granted, and some of the conditions under which such Incentive can be modified or revoked by the City and/or State of Michigan. Nothing in this Agreement supersedes or diminishes any rights of the City or the State established by Federal, State, or Local law or regulations.
6. The Lansing City Treasurer has verified in writing the Applicant is not delinquent and/or late on any property taxes owed to the City for all properties in which the applicant owns a twenty-five percent (25%) or more interest.
7. The Lansing City Treasurer has verified in writing the Applicant, if an employer in the City, is in compliance with all required City wage withholding and income reporting requirements for all of their employees.
8. The Lansing City Treasurer has verified in writing the Applicant is not delinquent and/or late on any corporate or other business income taxes owed the City, if any.
9. The LEDC has verified that all application fees due have been paid in full by the Applicant.

IV. AGREEMENT:

NOW, THEREFORE, in consideration of the recitals and mutual covenants and agreements herein contained and pursuant to MCL Public Act 146 of 2000 (the "Act"), as amended, the Parties agree as follows:

A. Reliance on Recitals

The Parties acknowledge Applicant has made representations contained within its application, and the recitals and additions above, with the purpose and intent of City's reliance thereon, as well as for compliance with the Act, as amended, and the City relies upon these representations in its determination that the Incentive should be approved.

B. Project Area

The location of the Project is commonly known as 513 & 515 Ionia ("Project Area") and legally described as follows:

W 2 R LOTS 1 & 2 ALSO E 55 FT LOTS 11 & 12 BLOCK 92 ORIG PLAT

C. Project Timeframe.

The Applicant and City agree the City's approval of the Incentive is based upon completion of the Project within a specific time period ("Project Timeframe"). The Project Timeframe starts July 1, 2017 and ends December 31, 2018.

D. Project Completion

The Applicant and the City agree that for the Project to be considered complete, the Applicant must perform all of the following in the Project Area within the Project Timeframe ("Project Completion"):

1. Hire at least 5 to 7 new, permanent full-time equivalent employees (FTE) and/or retain at least 0 full-time equivalent employees (FTE).
2. Purchase and/or locate within the Project Area, personal property with a fair market value of at least \$50,000. This personal property may not be moved to the Project Area from another location within the City of Lansing.
3. Make at least \$1,009,080 of improvements to the real property. Improvements include only hard costs, and exclude architectural and engineering costs.
4. Obtain all necessary building permits and site plan approvals, including payment of all required fees, plus final inspections including a Certificate of Occupancy from the City of Lansing and all other appropriate authorities and agencies.
5. Upon Project Completion, the applicant will provide to the LEDC, upon request, any and all appropriate financial records that are referenced as part of this Agreement.

6. Project Completion must be performed by December 31, 2018.

E. Project Completion Progress Reports

The Applicant shall file an annual report with the LEDC on the Applicant's progress toward achieving Project Completion. Reports shall be submitted in compliance with all LEDC reporting requirements (on-line, not of a proprietary nature but based on information contained in this agreement). Applicant understands and agrees that the information submitted to the LEDC will be available for public viewing, unless prior approval is requested and granted for specific confidential business information that is not subject to disclosure under the Freedom of Information Act (Public Act 442 of 1976, being MCL 15.231 et. seq., as amended). Non-compliance with reporting requirements may result in the modification or revocation of the Incentive.

Lack of performance and compliance with this agreement, may be considered as relevant information in consideration of the approval of all future incentive applications to the LEDC or City by the Applicant or any person or entity with (25%) or more ownership in the Project.

F. Verification of Project Completion

No later than thirty (30) days after the end of the Project Timeframe, the Applicant shall provide in writing to the LEDC a Final Project Completion Report ("Final Report on-line") with proof of Project Completion. Acceptable forms of proof may include, as directed by LEDC, proof of employment, proof of paid invoices, executed and filed tax documentation, final financing documents and similar material which confirm original financial data, engineering and architectural "as-built" drawings, photographs, and other like evidence of completion of the Project in the Project Area. If at any time during the Project Timeframe the Applicant completes the Project as agreed upon in Section (4), the Applicant may submit the Final Project Completion Report to the LEDC on line.

G. Consideration of Applicant's Compliance with the Agreement.

Within 60 days of receiving the Final Report, or 90 days after the end of the Project Timeframe, the LEDC shall make a preliminary determination if the Applicant has achieved Project Completion. In the event the preliminary determination concludes the Project was completed per this Agreement, written notification of such finding shall be sent from the LEDC to the Applicant and the City of Lansing Finance Director. In the event the LEDC makes the determination the Applicant did not complete the project per this Agreement, the LEDC will forward in writing its findings and a recommended course of action to the Applicant and the City of Lansing Finance Director. Prior to any action that might lead to the modification or revocation of all or part of the Incentive, the City shall offer the Applicant the reasonable opportunity to appear before the Council and be heard. In the event of the revocation of all or part of the Applicant's Incentive, the City may consider the breach of contract when contemplating the approval of all future incentive applications to the City by the Applicant or any partners listed as required in the Recitals.

H. Failure of Applicant to Pay Tax Applicable to Personal Property

If any property tax applicable to the personal property that makes up the project is not paid within the time permitted by law for payment without penalty during the life of the Incentive being granted by this Agreement, the City may seize and sell the personal property to pay the tax, expenses of sale, and interest on the tax, or may commence civil litigation to recover the amount of tax and interest thereon, in accordance with Michigan law.

I. Failure of Applicant to Pay Tax Applicable to Real Property

If any property tax applicable to the real property that makes up the project is not paid within the time permitted by law for payment without penalty during the life of the Incentive being granted by this Agreement, the City may place a lien on the real property. The City may enforce the lien in the same manner as provided by law for the foreclosure in the circuit courts of mortgage liens upon real property, in accordance with Michigan law.

J. City's Rights under Act

Nothing in this Agreement shall supersede the City's ability to request the State Tax Commission to revoke the Incentive as otherwise provided, or as may hereafter be provided, under the Act, as amended. Nothing in this Agreement supersedes or diminishes any rights of the City or the State established by Federal, State, or Local law or regulations.

K. Ambiguity

If this Agreement or any of its terms and conditions is determined to be ambiguous, this Agreement and all its terms and conditions shall be considered as if drafted by both parties.

L. Rights and Remedies Cumulative

The Parties shall have all the rights and remedies available at law, in equity or in this Agreement to enforce the rights and obligations under this Agreement. All remedies shall be cumulative and none will be exclusive of any other. The exercise by either party of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other such remedies for the same default or breach or of any of its remedies for any other default or breach by the other party. No waiver made by either such party with respect to the performance, or manner or time thereof, or any obligation under the Agreement shall be considered a waiver of any rights of the party making the waiver with respect to the particular obligation of the other party or condition to its own obligation beyond those expressly waived in writing and to the extent thereof, or a waiver in any respect in regard to any other rights of the party making the waiver or any other obligations of the other party.

M. Right In Third Parties

This Agreement is not intended nor shall it create any rights, expectations or benefit to any third parties, including any creditor of the parties.

N. Severability

The invalidity of any portion of this Agreement shall not affect the validity of the remainder thereof.

O. Subsequent Waivers

One or more waivers of any provision, covenant, or condition of this Agreement shall not be construed as a waiver of a subsequent breach of the same provision, covenant, or condition, or as a waiver of a subsequent breach of other provisions, covenants, or conditions. The consent or approval to or for any act shall not be deemed to render unnecessary the consent or approval to or for any subsequent similar act.

P. Termination

This Agreement terminates upon the end of the life of the incentive.

Q. Authority.

The Applicant's execution, delivery and performance of this Agreement have been duly authorized. The Applicant's representative executing this Agreement does so with requisite authority to fully and completely bind the Applicant.

IN WITNESS WHEREOF, the undersigned Parties hereto execute this Agreement as of the day and year first above written.

WITNESSES:

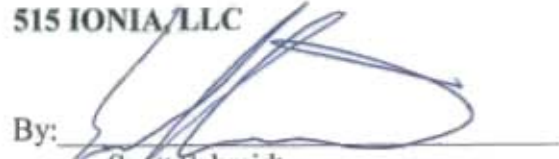


Approved as to form:

James Smiertka

City Attorney

515 IONIA/LLC



By: _____
Scott Schmidt

Its: _____
Manager

CITY OF LANSING:

By: _____
Virg Bernero

Its: _____
Mayor

**LANSING ECONOMIC
DEVELOPMENT CORPORATION:**

By: _____
Karl R. Dorshimer

Its: _____
Authorized Representative

I hereby certify that funds are available
in Account No.: _____

City
Controller

**ECONOMIC DEVELOPMENT CORPORATION
LANSING CITY TREASURER APPROVAL FORM
BUSINESS**

Business Name: 515 Ionia, LLC
Business Contact Person: Mr. Scott Schmidt
Phone Number: 517-749-7344

Project Location: 1219 Turner Street

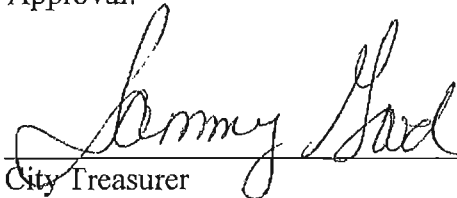
Type of EDC Service: Brownfield Redevelopment Authority Application

EDC Contact Person Name: Eric Pratt

Email: eric@purelansing.com Phone Number: 517-643-1564

Due Date: As soon as possible

Approval:



City Treasurer

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #69
BELEN BUILDINGS REDEVELOPMENT PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #68 – Belen Buildings Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on May 22, 2017 and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on May 22, 2017 reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in new private investment of approximately \$1,300,000,
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on April 7, 2017, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;
- The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;

- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #68 – Belen Buildings Redevelopment Project'.



Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 4-20-17
RE: Brownfield Plan #69 221 West Saginaw Avenue Redevelopment Project

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



Virg Bernero, Mayor

City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Karl Dorshimer, LEAP

Subject: CITY COUNCIL AGENDA ITEM - Brownfield Plan #69 221 West Saginaw Avenue
Redevelopment Project

Date: 4-20-17

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

**LANSING BROWNFIELD REDEVELOPMENT AUTHORITY
LOCAL SITE REMEDIATION REVOLVING FUND
PROMISSORY NOTE**

Not to Exceed \$40,000

Lansing, Michigan

FOR VALUE RECEIVED the undersigned, **MOTION PROPERTIES, INC.**, a Michigan company (the "Borrower"), hereby promises to pay to the order of, **LANSING BROWNFIELD REDEVELOPMENT AUTHORITY**, (the "Lender") the principal sum loaned by Lender to Borrower in an amount not to exceed **FORTY THOUSAND AND 00/100 DOLLARS (\$40,000)** (hereinafter referred to as the "Loan Obligation"), plus interest which shall accrue on the Loan Obligation at the rate of Three Percent (3%) per annum. The Loan Obligation, plus accrued interest shall be payable at the offices of the Lender located at 1000 S. Washington Ave., Ste. 201, Lansing, Michigan 48910 or at such other place as may be designated by the Lender from time to time, in accordance with the following conditions.

This Note evidences a loan to the Borrower from the Lender under the Brownfield Authority's Local Site Remediation Revolving Fund ("LSRRF") Program for the exclusive purpose to use the LSRRF funds to pay for specific Eligible Activities as allowed by the Brownfield Redevelopment Financing Act, 1996 P.A. 381, as amended (the "Act"), for the property located in Lansing, Michigan and is legally described in "Exhibit A" (the "Project").

This Note is subject to the terms and conditions of the Brownfield Local Site Remediation Revolving Fund Agreement (the "Loan Agreement"). Borrower is entitled to the benefits and is subject to the terms and conditions of the Loan Agreement and this Promissory Note. All the terms, conditions and provisions of the Loan Agreement are incorporated herein, and shall control in the interpretation and enforcement of this Promissory Note.

The Borrower and the Lender acknowledge that the Loan shall be paid to the Lender in the following manner:

1. The Developer agrees to make annual interest and principal payments to the Lender, for a period of ten years (10), to pay off the balance of the loan.

The Borrower may at any time prepay any portion of unpaid balance, in whole or in part, without a prepayment premium. All prepayments will be applied to principal. Prepayments will not affect the schedule of payments, except to the extent that payments will no longer be required when the loan is paid in full.

In addition to the foregoing, the Borrower hereby promises to pay to the full extent required by the Agreement all costs and expenses of collection, including reasonable attorneys fees, incurred in connection with any default by the Borrower hereunder; and Borrower further promises to pay all other payments required to be made by the Borrower pursuant to the

Agreement.

In the event the Borrower should fail to make any of the payments required in this Promissory Note, such payments so in default shall continue as an obligation of the Borrower until the amount of default shall have been fully paid.

In case of default under this Promissory Note, or an "Event of Default" as defined in the Loan Agreement, the entire principal amount of the Loan Obligation together with any accrued and unpaid interest as provided for herein, at the option of the holder hereof, may be declared immediately due and payable.

The maker of this Note hereby waives presentation for payment, demand, notice of dishonor, notice of nonpayment and protest; and the maker consents that the time of payment may be extended without notice thereof and without waiver.

WITNESSES:

FOR: BORROWER

MOTION PROPERTIES INC., a
Michigan company

James Mark Hendrix
(MH)

By: Tiffany Dowling
Its: President

8.28.2017

Dated: 3/23/17

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

This document was acknowledged before me on March 23, 2017
by Tiffany Dowling, the President of MOTION PROPERTIES, INC., a Michigan company,
on behalf of MOTION PROPERTIES, INC.

Jaime Marie Hardesty
), Notary Public
Ingham County, Michigan
Acting in Ingham County, Michigan
My Commission Expires: 12.15.2020

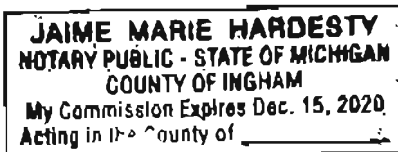


EXHIBIT A

LOT 8 & N 1 R LOT 7 BLOCK 63 ORIG PLAT

1.46

Brownfield Plan #69 – 221 West Saginaw Avenue Redevelopment Project Summary Sheet

Purpose	-	The purpose of this Brownfield Plan (the “Plan”) is to identify eligible activities and cost estimates for redevelopment of the property located at 221 West Saginaw in Lansing, Michigan. Brownfield tax increment financing is necessary to support redevelopment of the property.
Project	-	Brownfield Plan #69 - 221 West Saginaw Building Redevelopment
Developer	-	Motion Properties, LLC
Project Cost	-	\$816,000.00
Eligible Activities	-	Asbestos Abatement, Lead Base Paint Abatement, Site Prep.
Loan Amount	-	\$40,000.00
Summary	-	On November 28, 2016, the Lansing City Council approved a 12-year Obsolete Property Rehabilitation Act Certificate (OPRA) to assist the Developer with the redevelopment of the building at 221 West Saginaw (the “Property”).

Upon commencement of the project, the Developer encountered unexpected environmental conditions, including the present of asbestos and lead base paint.

To remedy the environmental conditions, the Developer has requested a \$40,000.00 Local Site Remediation Revolving Loan (LSRRL) from the Lansing Brownfield Redevelopment Authority (LBRA). Brownfield eligible activities would include asbestos abatement, lead base paint abatement and site preparation (“Eligible Activities”). This loan is to be paid back to the LBRA by the Developer.

Pursuant to the State of Michigan Public Act 381 of 1996, MCLA 125.2651 et. Seq., as amended (Act 381), otherwise known as the “Brownfield Redevelopment Financing Act”, the LBRA can only use the LSRRL to fund the cost of eligible activities required to redevelop an “eligible property.” Approval of this plan would designate the building as an eligible property and satisfy the requirements of P.A. 381 of 1996, as amended.

Redevelopment of the Property will only be economically viable with the support and approval of the brownfield plan.

THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY

Resolution Recommending Approval of Plan #69 221 W. Saginaw Avenue Redevelopment Plan

At a meeting of the Board of Directors of the Lansing Brownfield Redevelopment Authority (LBRA) Lansing, Michigan, held on the 7th day of April 2017, at 8:30 a.m., pursuant to notice duly given:

MEMBERS PRESENT: Chair Andrea Ragan, Pierre LaVoie, Kimberly Coleman,
Calvin Jones, Baldomero Garcia, Shelley Davis

MEMBERS ABSENT: Mayor Virg Bernero, James Butler III, Blake Johnson

The following preamble and resolution was offered by;

Member: Jones, and supported by;

Member: Coleman:

WHEREAS, The LBRA staff has worked closely with M3 GROUP (Developer) to draft Brownfield Plan #69 (Plan); and

WHEREAS, The LBRA staff has duly reviewed such Plan and has found it to be in compliance with the provisions of the Act and meets the following determinations and findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a brownfield plan set forth in Section 13 of the Act;
3. The proposed method of financing the cost of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, The LBRA staff recommends approval of the Plan:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY, AS FOLLOWS:

1. The Brownfield Plan described as Brownfield Plan #69 – 221 W. Saginaw Avenue Redevelopment Plan in the form filed herewith is hereby approved by the Lansing Brownfield Redevelopment Authority and recommended for consideration by the City Council of the City of Lansing pursuant to Act 381 of Michigan Public Acts of 1996, as amended.

2. The LBRA Board hereby requests that the Lansing City Council, after required notification as specified by the Act, hold a public hearing in consideration of this matter, and subsequently approve the Plan.

YEAS: Six (6)

NAYS: Zero (0)

ABSTENTIONS: Zero (0)

ABSENT: Three (3)

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a meeting of the Brownfield Redevelopment Authority held on the 7th day of April, 2017, and said resolution is on file in the office of the Economic Development Corporation and is available to the public. Public notice of the said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan 1976, including in the case of a special or re-scheduled meeting, notice by publication or posting of at least eighteen (18) hours prior to the time set for the meeting. In addition, said meeting was held in full compliance with the Board's By-Laws.

IN WITNESS WHEREOF, I have hereunto affixed my official signature.



Pierre LaVoie, Secretary

Lansing Brownfield Redevelopment Authority



Lansing Brownfield Redevelopment Authority
221 West Saginaw Avenue Redevelopment

Brownfield Plan #69

221 West Saginaw Avenue Redevelopment

Motion Properties, LLC
610 & 614 Seymour Avenue
Lansing, Michigan 48933

Prepared By:

Lansing Brownfield Redevelopment Authority
1000 S. Washington Ave., Suite 201 – Krentel Building
Lansing, Michigan 48910
Contact Person: Eric Pratt
eric@purelansing.com
Phone: 517-643-1564

April 3, 2017

Approved by the LBRA on _____

Approved by the Lansing City Council on _____

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FIGURE:

Figure 1: Property Boundary Diagram

TABLE:

Table 1 - Eligible Property

ATTACHMENT:

Attachment A – Legal Description of the Property

Attachment B – Statement of Functional Obsolescence

1. INTRODUCTION AND PURPOSE

The City of Lansing Brownfield Redevelopment Authority (the “Authority”), duly established by resolution of the Lansing City Council, pursuant to the State of Michigan Public Act 381 of 1996, MCLA 125.2651 et. Seq., as amended (Act 381), otherwise known as the “Brownfield Redevelopment Financing Act”, is authorized to exercise its powers within the City of Lansing, Michigan. The purpose of this Plan, to be implemented by the Authority, is to satisfy the requirements for a Brownfield Plan as specified in Act 381.

The sole purpose of the Plan is to allow the Authority to make a loan to the Motion Properties, LLC (the “Developer”) from the Authority’s Local Site Remediation Revolving Loan (LSRRL) fund, to pay for brownfield related costs (Eligible Activities) required to redevelop the eligible property located at 221 West Saginaw Avenue in the City of Lansing, Michigan, (the “Property”). This loan will not be paid back by the use of tax capture but rather directly by the Developer. Any proposed redevelopment of the Property will only be economically viable with the support and approval of the brownfield redevelopment incentives described herein. The location of the Property is depicted on Figure 1.

The Developer has already been granted an Obsolete Property Rehabilitation Act (OPRA) Certificate by the Lansing City Council for the project. The loan from the Authority will allow the Developer to fund the remediation of unexpected environmental conditions encountered on the redevelopment project.

II. ELIGIBLE PROPERTY INFORMATION

The Property is fully defined in the following table and in Attachment A.

Table 1 - Eligible Property			
Address	Associated Address	PPN	Basis of Eligibility
221 W. Saginaw Ave	221 W. Saginaw Ave	33-01-01-16-127-001	Functionally Obsolete

The Property is located within the boundaries of the City of Lansing and is surrounded by residential properties. Property layout and boundaries are depicted on Figure 1. The legal description of the Property is included in Attachment A.

The Property consist of a .365-acre parcel of land with a one-story former church and a two-story residential dwelling converted to offices; totaling 5,611 square feet. The structures were constructed around the 1900’s and were used for both worship and residential purposes. The property has been vacant since 2015.

The Property is considered an “eligible property,” as defined by Act 381, Section 2 because: (a) the property was previously utilized as a commercial property; (b) it is located within the City of Lansing, a qualified local government unit under MCL 125.2782(k); and (c) the property has been determined to be “functionally obsolete,” as defined in Section 2(s) of Act 381. Refer to Attachment B, Letter of Functional Obsolescence.

III. PROPOSED REDEVELOPMENT

The project at 221 West Saginaw in Lansing will be the new headquarters of M3 Group. Currently, M3 Group, a branding and publications agency established in 2002, is located at 610 and 614 Seymour Ave. M3 Group has used the two buildings to grow over the last 14 years. At 25 full-time employees, the two buildings are inefficient and becoming too small.

The new renovation project proposed at 221 West Saginaw would put all M3 Group employees under one roof with room to grow. Specifics for the project include: creating additional windows in the lower level; updating the HVAC, electric and plumbing; creating a mezzanine level to add additional square footage and making use of the vaulted ceilings; newly insulated walls, ceiling and floors; and develop an open environment that is suitable for a creative team to thrive.

The Lansing City Council has already approved a 12-year Obsolete Property Rehabilitation Act (OPRA) Certificate for the building. An OPRA Certificate is a property tax exemption to assist in the rehabilitation of a commercial building. Under the OPRA program, the taxable value of the building is frozen over the life of the certificate. It is estimated that the total cost of this exemption is \$100,083.00.

IV. BROWNFIELD CONDITIONS

The Developer intends to finance activities at the Property that are considered “eligible activities,” as defined by Section 2 of Act 381 and include asbestos abatement, lead based paint abatement and site preparation.

The costs of eligible activities included in, and authorized by, this Plan will be financed by the LBRA, through its Local Site Remediation Revolving Loan fund and the Developer will repay this loan, subject to the terms and conditions described in this Plan and the terms of the Loan Agreement between the Developer and the Authority (the “Loan Agreement”). The total cost of activities eligible is \$40,000.00.

V. BROWNFIELD PLAN ELEMENTS

A. Description of Costs to Be Paid for With Tax Increment Revenues

This Plan does not allow for any Eligible Activities to be reimbursed with tax increment revenues from the redevelopment project.

B. Summary of Eligible Activities

Eligible Activities

Non-Environmental

Asbestos Abatement.....	\$25,000.00
Lead Base Paint Abatement.....	\$10,000.00
Site Preparation Activities.....	\$ 5,000.00
Total Non-Environmental.....	\$40,000.00

Total Amount of Eligible Activities.....\$40,000.00

The costs listed above are estimated and may increase or decrease depending on the nature and extent of unknown conditions encountered on the Property. The actual cost of those eligible activities encompassed by this Plan that will qualify for use of Local Site Remediation Revolving Loan funds by the Authority shall be governed by the terms of a Loan Agreement. No costs will be qualified as an eligible activity except to the extent permitted in accordance with the terms and conditions of the Loan Agreement and Section 2 of Act 381 of 1996, as amended (MCL 125.2652). As long as the total cost limited described in this Plan is not exceeded, line item costs of eligible activities may be adjusted by the Authority after the date this Plan is approved by the City of Lansing City Council.

C. Estimate of Captured Taxable Value and Tax Increment Revenues

This Plan does not anticipate the capture of any taxable value, or tax increment revenues.

D. Method of Financing and Description of Advances Made by the Authority

The Developer is ultimately responsible for providing financing for the costs of eligible activities included in this Plan. However, to assist with the abatement of the eligible activities, the Authority intends to advance the total cost of the eligible activities, through the Local Site Remediation

Revolving Fund (LSRRF). These funds will be paid back to the Authority by the Developer in accordance with the terms and conditions of the Loan Agreement. The Authority will then deposit these payments back into its LSRRF.

E. Maximum Amount of Note or Bonded Indebtedness

None.

F. Duration of the Brownfield Plan

Unless amended by the Lansing City Council, the Plan is anticipated to remain in effect until all approved activities in the Plan are covered, or until the end of the year 2027, whichever occurs first.

G. Estimated Impact on Taxing Jurisdictions

None.

H. Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property

The Property location and boundaries are shown on Figure 1. The legal description of the Property is provided in Attachment A. Further, this Plan does not anticipate the capture of any tax increment revenues resulting from personal property.

I. Plan for Relocation of Displaced Persons

No person will be displaced as a result of this project, or Plan.

J. Provisions for Relocation Costs

None.

K. Strategy for Compliance with Michigan's Relocation Assistance Law

None.

L. Description of Proposed Use of LBRA Local Site Remediation Revolving Fund

The Authority intends to use its Local Site Remediation Revolving Fund (LSRRF) to finance the cost of the eligible activities described in this Brownfield Plan. The Developer will then repay the Authority these funds in accordance with the terms and conditions of the Loan Agreement. The Authority will then deposit those loan payments back into the LSRRF.

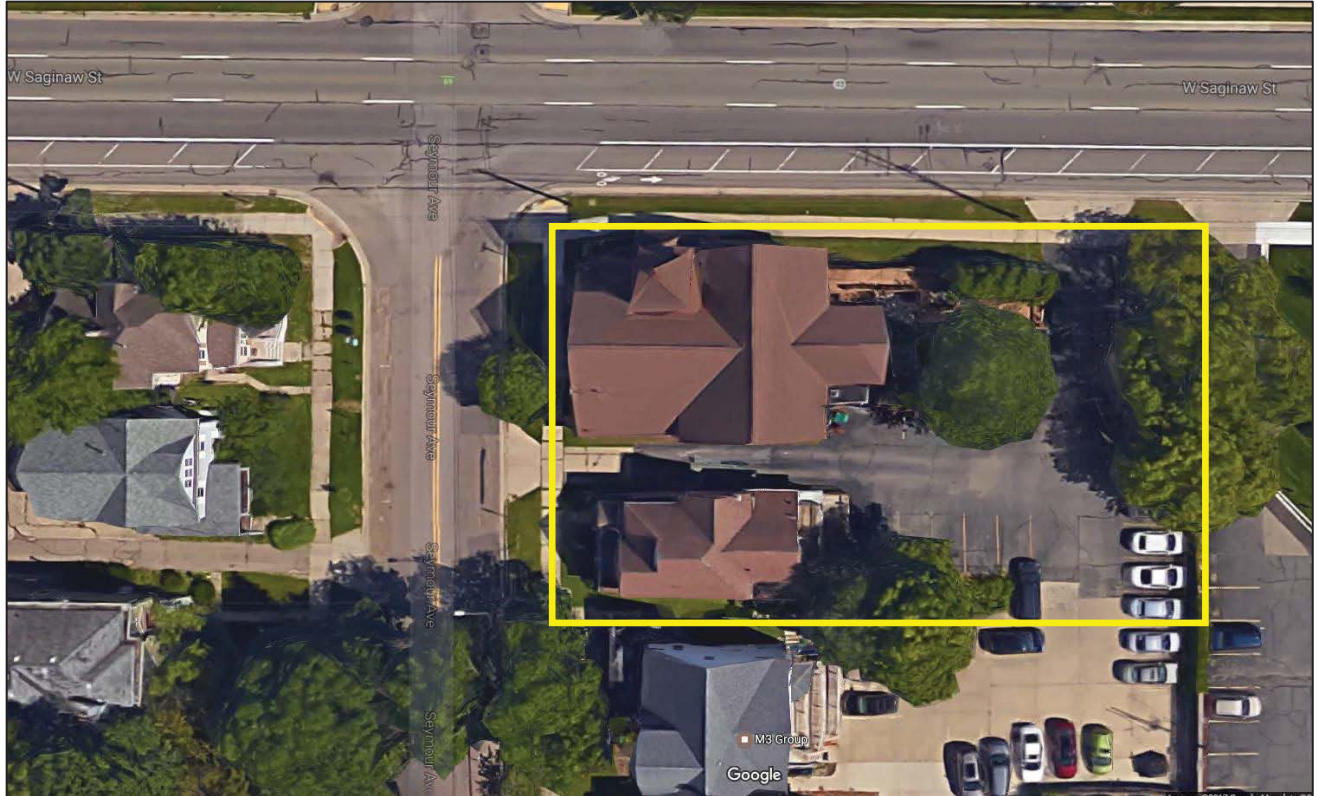
M. Other Material that the Authority of Governing Body Considers Pertinent

The Lansing Brownfield Authority and the Lansing City Council, in accordance with the Act, may amend this Plan in the future in order to fund additional eligible activities associated with the Project described herein.

FIGURE

Figure 1: Property Boundary Map

FIGURE 1
Property Boundary Map



TABLE

Table 1: Brownfield Eligible Activities

Table 1
Brownfield Eligible Activities
221 West Saginaw Avenue
Lansing, Michigan
March 31, 2017

<i>STATE AND LOCAL ELIGIBLE ACTIVITIES</i>	
NON-ENVIRONMENTAL	
Asbestos Abatement	\$ 25,000.00
Lead Base Paint Abatement	\$ 10,000.00
Site Preparation Activities	\$ 5,000.00
Total Amount of Eligible Activities	\$ 40,000.00

ATTACHMENT A

Legal Description of the Property

ATTACHMENT A

LEGAL DESCRIPTION OF PROPERTY

**221 West Saginaw Avenue
Lansing, Michigan**

<u>PPN</u>	<u>Property Address</u>	<u>Legal Description</u>
33-01-01-16-127-001	221 West Saginaw Avenue	LOT 8 & N 1 R LOT 7 BLOCK 63 ORIG PLAT

ATTACHMENT B

Statement of Functional Obsolescence



Virg Bernero, Mayor

**CITY OF LANSING
ASSESSING DEPARTMENT**

Sharon L. Frischman, Assessor
3rd Floor, City Hall
124 W. Michigan Ave.
Lansing, MI 48933
517-483-4020

June 9, 2016

**Statement of Functional Obsolescence
In Compliance with the Obsolete Property Rehabilitation Act (OPRA)
P.A. 146 of 2000**

Address: 221 W. Saginaw
Parcel #: 33-01-01-16-127-001
Owner: Connemara Properties LLC

RE: Statement of Obsolescence

The subject has two structures currently on this parcel. The main building is a one story former church and secondary building is a two story residential dwelling converted to offices. Assessing office personnel only performed an interior/exterior inspection of the church building. According to the potential buyer, the former residential structure suffers from extensive deferred maintenance; the future plans are to demolish this structure and use for parking. The church building was built around 1900. The windows and doors are old and inefficient to today's standards. The single pane windows do not open and the doors do not close tightly. The electrical, mechanical and plumbing are also inefficient for today's standards. Part of the electrical system may be knob and tube. Because the building was originally built as a church it is functionally obsolete to be used as an office due in part to the higher than normal ceiling heights and other characteristics that are not typically found in a modern office building. It is the opinion of this assessor that this building suffers more than 50% functional obsolescence.

A handwritten signature in black ink, appearing to read "S. Frischman", is written over a horizontal line.

Sharon Frischman, MMAO
City of Lansing Assessor

Date: June 9, 2016

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #69
221 WEST SAGINAW AVENUE REDEVELOPMENT PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #69 – 221 West Saginaw Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on **(INSERT DATE)** and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on **(INSERT DATE)** reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in new private investment of approximately \$816,500,
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on April 7, 2017, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;
- The Plan meets all of the requirements for a Brownfield Plan set forth in

Section 13 of the Act;

- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #69 – 221 West Saginaw Avenue Redevelopment Project'.

**CITY OF LANSING, MICHIGAN
ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO REPLACE CHAPTER 1300 OF THE CITY OF LANSING CODIFIED ORDINANCES IN ITS ENTIRETY; TO PROVIDE FOR THE REGULATION AND LICENSING OF MEDICAL MARIHUANA ESTABLISHMENTS; TO ESTABLISH LAND USE AND ZONING REQUIREMENTS ATTENDANT THERETO; TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITY OF LANSING; TO SET LICENSING FEES FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH THE IMPLEMENTATION AND ENFORCEMENT OF THE PROVISIONS OF THE CHAPTER; AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THE CHAPTER.

THE CITY OF LANSING ORDAINS:

SECTION ONE: Chapter 1300 of the Lansing Code of Ordinances is hereby replaced in its entirety to read as follows:

- 1300.1 Legislative Intent.
- 1300.2 Definitions, Interpretation and Conflicts.
- 1300.3 Reserved.
- 1300.4 Operation without License Prohibited.
- 1300.5 License Application Submission.
- 1300.6 License Application Evaluation.
- 1300.7 License Renewal Application.
- 1300.8 Licenses Generally.
- 1300.9 Minimum Operational Standards of A Medical Marihuana Provisioning Center.
- 1300.10 Minimum Operational Standards of A Medical Marihuana Grower Facility.
- 1300.11 Minimum Operational Standards of A Medical Marihuana Safety Compliance Facility.
- 1300.12 Minimum Operational Standards of A Medical Marihuana Processor Facility, a Medical Marihuana Safety Compliance Facility, and Medical Marihuana Secure Transporter.
- 1300.13 Location of Medical Marihuana Provisioning Centers. .
- 1300.14 Location of Medical Marihuana Safety Compliance Facilities, Medical Marihuana Processor Facilities, Medical Marihuana Grower Facilities, and Medical Marihuana Secure Transporters.
- 1300.15 Revocation; Bases for Revocation; Appeal of License Denial.
- 1300.16 Penalties.
- 1300.17 No Vested Rights.
- 1300.18 Zoning Board of Appeals.
- 1300.19 Sunset.

1300.1 –LEGISLATIVE INTENT.

1 THE PURPOSE OF THIS CHAPTER IS TO EXERCISE THE POLICE, REGULATORY,
2 AND LAND USE POWERS OF THE CITY OF LANSING BY LICENSING AND
3 REGULATING MEDICAL MARIHUANA PROVISIONING CENTERS, MEDICAL
4 MARIHUANA GROWER FACILITIES, MEDICAL MARIHUANA SAFETY COMPLIANCE
5 FACILITIES, MEDICAL MARIHUANA SECURE TRANSPORTERS, AND MEDICAL
6 MARIHUANA PROCESSOR FACILITIES TO THE EXTENT PERMISSIBLE UNDER
7 STATE OF MICHIGAN AND FEDERAL LAWS AND REGULATIONS AND TO PROTECT
8 THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS OF THE CITY
9 OF LANSING; AND AS SUCH THIS CHAPTER CONSTITUTES A PUBLIC PURPOSE.

10
11 THE CITY FINDS THAT THE ACTIVITIES DESCRIBED IN THIS CHAPTER ARE
12 SIGNIFICANTLY CONNECTED TO THE PUBLIC HEALTH, SAFETY, SECURITY AND
13 WELFARE OF ITS CITIZENS AND IT IS THEREFORE NECESSARY TO REGULATE
14 AND ENFORCE SAFETY, SECURITY, FIRE, POLICE, HEALTH AND SANITATION
15 PRACTICES RELATED TO SUCH ACTIVITIES AND ALSO TO PROVIDE A METHOD TO
16 DEFRAY ADMINISTRATIVE COSTS INCURRED BY SUCH REGULATION AND
17 ENFORCEMENT.

18
19 IT IS NOT THE INTENT OF THIS CHAPTER TO DIMINISH, ABROGATE, OR RESTRICT
20 THE PROTECTIONS FOR MEDICAL USE OF MARIHUANA FOUND IN THE MICHIGAN
21 MEDICAL MARIHUANA ACT OR IN THE LANSING CITY CHARTER AT SECTION 8-
22 501.

23
24 **1300.2 – DEFINITIONS, INTERPRETATION AND CONFLICTS.**

25
26 FOR THE PURPOSES OF THIS CHAPTER:

27
28 (A) ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, MCL
29 333.26421 ET SEQ., AS AMENDED (“MMMA”), THE MEDICAL MARIHUANA
30 FACILITIES LICENSING ACT, MCL 333.2701, ET SEQ. (MMFLA) SHALL HAVE
31 THE DEFINITION GIVEN IN THOSE ACTS, AS AMENDED, AND THE
32 MARIHUANA TRACKING ACT (“MTA”), MCL333.27901, ET SEQ. IF THE
33 DEFINITION OF A WORD OR PHRASE SET FORTH IN THIS CHAPTER
34 CONFLICTS WITH THE DEFINITION IN THE MMMA OR MMFLA, OR IF A
35 TERM IS NOT DEFINED BUT IS DEFINED IN THE MMMA OR MMFLA, THEN
36 THE DEFINITION IN THE MMMA, MMFLA, OR MTA SHALL APPLY.

37
38 (B) ANY TERM DEFINED BY 21 USC 860(E) REFERENCED IN THIS CHAPTER
39 SHALL HAVE THE DEFINITION GIVEN BY 21 USC 860(E).

40
41 (C) THIS ORDINANCE SHALL NOT LIMIT AN INDIVIDUAL’S OR ENTITY’S
42 RIGHTS UNDER THE MMMA. THE MMMA, MTA, AND THE MMFLA
43 SUPERSEDE THIS ORDINANCE WHERE THERE IS A CONFLICT BETWEEN
44 THEM.
45

1 (D) ALL ACTIVITIES RELATED TO MEDICAL MARIHUANA, INCLUDING THOSE
2 RELATED TO A MEDICAL MARIHUANA PROVISIONING CENTER, A MEDICAL
3 MARIHUANA GROWER FACILITY, A MEDICAL MARIHUANA SECURE
4 TRANSPORTER, A MEDICAL MARIHUANA PROCESSOR OR A MEDICAL
5 MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE IN COMPLIANCE
6 WITH THE RULES OF THE MEDICAL MARIHUANA LICENSING BOARD, THE
7 MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR
8 ANY SUCCESSOR AGENCY, THE RULES AND REGULATIONS OF THE CITY OF
9 LANSING, THE MMMA, AND THE MMFLA.

10
11 (E) ANY USE WHICH PURPORTS TO HAVE ENGAGED IN THE CULTIVATION OR
12 PROCESSING OF MEDICAL MARIHUANA INTO A USABLE FORM, OR THE
13 DISTRIBUTION OF MEDICAL MARIHUANA, OR THE TESTING OF MEDICAL
14 MARIHUANA EITHER PRIOR TO OR AFTER ENACTMENT OF THIS CHAPTER
15 WITHOUT OBTAINING THE REQUIRED LICENSING SET FORTH IN THIS
16 CHAPTER SHALL BE DEEMED NOT A LEGALLY ESTABLISHED USE AND
17 THEREFORE NOT ENTITLED TO LEGAL NONCONFORMING STATUS UNDER
18 THE PROVISIONS OF THIS CHAPTER, THE LANSING CODIFIED ORDINANCES
19 AND/OR STATE LAW. THE CITY FINDS AND DETERMINES THAT IT HAS NOT
20 HERETOFORE AUTHORIZED OR LICENSED THE EXISTENCE OF ANY
21 MEDICAL MARIHUANA ESTABLISHMENT, AS DEFINED HEREIN, IN THE
22 CITY.

23
24 (F) THE FOLLOWING TERMS SHALL HAVE THE DEFINITIONS GIVEN:

25
26 “APPLICATION” MEANS AN APPLICATION FOR A LICENSE PURSUANT TO THE
27 TERMS AND CONDITIONS SET FORTH IN SECTIONS 1300.5 AND 1300.6.

28
29 “APPLICATION FOR A LICENSE RENEWAL” MEANS AN APPLICATION FOR A
30 LICENSE RENEWAL PURSUANT TO THE TERMS AND CONDITIONS OF SECTION
31 1300.7.

32
33 “BUILDING” MEANS AN INDEPENDENT, ENCLOSED STRUCTURE HAVING A
34 ROOF SUPPORTED BY COLUMNS OR WALLS, INTENDED AND / OR USED FOR
35 SHELTER OR ENCLOSURE OF PERSONS OR CHATTELS. WHEN ANY PORTION OF A
36 STRUCTURE IS COMPLETELY SEPARATED FROM EVERY OTHER PART BY
37 DIVIDING WALLS FROM THE GROUND UP, AND WITHOUT OPENINGS, EACH
38 PORTION OF SUCH STRUCTURE SHALL BE DEEMED A SEPARATE STRUCTURE,
39 REGARDLESS OF WHETHER THE PORTIONS OF SUCH STRUCTURE SHARE
40 COMMON PIPES, DUCTS, BOILERS, TANKS, FURNACES, OR OTHER SUCH SYSTEMS.
41 THIS DEFINITION REFERS ONLY TO PERMANENT STRUCTURES, AND DOES NOT
42 INCLUDE TENTS, SHEDS, GREENHOUSES AND PRIVATE GARAGES ON
43 RESIDENTIAL PROPERTY, STABLES, OR OTHER ACCESSORY STRUCTURES. A
44 BUILDING DOES NOT INCLUDE SUCH STRUCTURES WITH INTERIOR AREAS NOT
45 NORMALLY ACCESSIBLE FOR HUMAN USE, SUCH AS GAS HOLDERS, TANKS,

1 SMOKE STACKS, GRAIN ELEVATORS, COAL BUNKERS, OIL CRACKING TOWERS
2 OR SIMILAR STRUCTURES.

3
4 “CHAPTER” MEANS THIS CHAPTER 1300.

5
6 “CHURCH” MEANS AN ENTIRE BUILDING SET APART PRIMARILY FOR
7 PURPOSES OF PUBLIC WORSHIP, AND WHICH IS TAX EXEMPT UNDER THE LAWS
8 OF THIS STATE, AND IN WHICH RELIGIOUS SERVICES ARE HELD, AND THE
9 ENTIRE BUILDING STRUCTURE OF WHICH IS KEPT FOR THAT USE AND NOT PUT
10 TO ANY OTHER USE INCONSISTENT WITH THAT USE.

11
12 “CITY” MEANS THE CITY OF LANSING, MICHIGAN.

13
14 “COUNCIL, OR CITY COUNCIL,” MEANS THE CITY COUNCIL OF LANSING,
15 MICHIGAN.

16
17 “CULTIVATION” OR “CULTIVATE” AS USED IN THIS CHAPTER MEANS: (1) ALL
18 PHASES OF GROWTH OF MARIHUANA FROM SEED TO HARVEST.

19
20 “DISQUALIFYING FELONY” MEANS A FELONY THAT MAKES AN INDIVIDUAL
21 INELIGIBLE TO SERVE AS A REGISTERED PRIMARY CAREGIVER UNDER THE
22 MMMA OR MMFLA.

23
24 “EMPLOYEE” MEANS ANY INDIVIDUAL WHO IS EMPLOYED BY AN EMPLOYER
25 IN RETURN FOR THE PAYMENT OF DIRECT OR INDIRECT MONETARY WAGES OR
26 PROFIT, UNDER CONTRACT, AND ANY INDIVIDUAL WHO VOLUNTEERS HIS OR
27 HER SERVICES TO AN EMPLOYER FOR NO MONETARY COMPENSATION, OR ANY
28 INDIVIDUAL WHO PERFORMS WORK OR RENDERS SERVICES, FOR ANY PERIOD
29 OF TIME, AT THE DIRECTION OF AN OWNER, LESSEE, OF OTHER PERSON IN
30 CHARGE OF A PLACE.

31
32 “LICENSE” OR “MEDICAL MARIHUANA BUSINESS LICENSE” MEANS A LICENSE
33 ISSUED FOR THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT
34 PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER AND INCLUDES A
35 LICENSE WHICH HAS BEEN RENEWED PURSUANT TO SECTION 1300.7.

36
37 “LICENSE APPLICATION” MEANS AN APPLICATION SUBMITTED FOR A
38 LICENSE PURSUANT TO THE REQUIREMENTS AND PROCEDURES SET FORTH IN
39 SECTIONS 1300.5 AND 1300.6.

40
41 “LICENSEE” MEANS A PERSON ISSUED A LICENSE FOR AN ESTABLISHMENT
42 PURSUANT TO THIS CHAPTER.

43
44 “MARIHUANA-INFUSED PRODUCT” MEANS AS DEFINED IN THE MMMA AND
45 THE MMFLA.

1 “MARIHUANA TRACKING ACT” OR “MTA” MEANS PUBLIC ACT 282 OF 2016.

2
3 “MEDICAL MARIHUANA” MEANS ANY MARIHUANA INTENDED FOR MEDICAL
4 USE THAT MEETS ALL REQUIREMENTS FOR MEDICAL MARIHUANA CONTAINED
5 IN THE MMMA AND THE MMFLA.

6
7 “MEDICAL MARIHUANA ESTABLISHMENT(S), OR, “ESTABLISHMENT,” MEANS
8 ANY FACILITY, ESTABLISHMENT AND/OR CENTER THAT IS REQUIRED TO BE
9 LICENSED UNDER THIS CHAPTER, INCLUDING: A MEDICAL MARIHUANA
10 PROVISIONING CENTER, A MEDICAL MARIHUANA GROWER FACILITY; A
11 MEDICAL MARIHUANA PROCESSOR FACILITY; A MEDICAL MARIHUANA SECURE
12 TRANSPORTER; AND A MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY.

13
14 “MEDICAL MARIHUANA FACILITIES LICENSING ACT” OR “MMFLA” MEANS
15 PUBLIC ACT 281 OF 2016, MCL 333.27101, ET. SEQ.

16
17 “MEDICAL MARIHUANA GROWER FACILITY,” MEANS A COMMERCIAL ENTITY
18 LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE STATE PURSUANT
19 TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO THIS CHAPTER
20 THAT CULTIVATES, DRIES, TRIMS OR CURES AND PACKAGES MARIHUANA IN
21 ACCORDANCE WITH STATE LAW.

22
23 “MEDICAL MARIHUANA LICENSING BOARD” MEANS THAT CERTAIN BOARD
24 ESTABLISHED BY THE MMFLA.

25
26 “MEDICAL MARIHUANA PROVISIONING CENTER,” MEANS A COMMERCIAL
27 ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE STATE
28 PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO THIS
29 CHAPTER, THAT SELLS, SUPPLIES, OR PROVIDES MARIHUANA TO REGISTERED
30 QUALIFYING PATIENTS ONLY AS PERMITTED BY STATE LAW. MEDICAL
31 MARIHUANA PROVISIONING CENTER, AS DEFINED IN THE MMFLA, INCLUDES
32 ANY COMMERCIAL PROPERTY WHERE MARIHUANA IS SOLD IN CONFORMANCE
33 WITH STATE LAW AND REGULATION. A NONCOMMERCIAL LOCATION USED BY A
34 PRIMARY CAREGIVER TO ASSIST A QUALIFYING PATIENT, AS DEFINED IN THE
35 MMMA, AND CONNECTED TO THE CAREGIVER THROUGH THE DEPARTMENT’S
36 MARIHUANA REGISTRATION PROCESS IN ACCORDANCE WITH THE MMMA, IS
37 NOT A MEDICAL MARIHUANA PROVISIONING CENTER.

38
39 “MMMA” MEANS THE MICHIGAN MEDICAL MARIHUANA ACT, AS AMENDED,
40 AT MCL 333.26421.

41
42 “ORDINANCE” MEANS THE ORDINANCE ADOPTING THIS CHAPTER 1300.

43
44 “PARK” MEANS AN AREA OF LAND DESIGNATED BY THE CITY AS A PARK ON
45 ITS MASTER PLAN OR ON A COUNCIL-APPROVED LIST OF CITY PARKS.

1 “PERSON” MEANS AN INDIVIDUAL, PARTNERSHIP, FIRM, COMPANY,
2 CORPORATION, ASSOCIATION, SOLE PROPRIETORSHIP, LIMITED LIABILITY
3 COMPANY, JOINT VENTURE, ESTATE, TRUST, OR OTHER LEGAL ENTITY.
4

5 “PROCESSOR” OR “MEDICAL MARIHUANA PROCESSOR FACILITY” MEANS A
6 COMMERCIAL ENTITY LOCATED IN THIS CITY THAT IS LICENSED TO OPERATE
7 BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY
8 PURSUANT TO THIS CHAPTER, THAT EXTRACTS RESIN FROM THE MARIHUANA
9 OR CREATES A MARIHUANA-INFUSED PRODUCT, TO THE EXTENT PERMITTED BY
10 STATE LAW.”
11

12 “SAFETY COMPLIANCE FACILITY” OR “MEDICAL MARIHUANA SAFETY
13 COMPLIANCE FACILITY” MEANS A COMMERCIAL ENTITY THAT IS LICENSED TO
14 OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE
15 CITY PURSUANT TO THIS CHAPTER, THAT RECEIVES MARIHUANA FROM A
16 MEDICAL MARIHUANA ESTABLISHMENT OR A REGISTERED QUALIFYING
17 PATIENT OR A REGISTERED PRIMARY CAREGIVER, TESTS IT FOR
18 CONTAMINANTS AND FOR TETRAHYDROCANNABINOL AND OTHER
19 CANNABINOIDS IN ACCORDANCE WITH STATE LAW.
20

21 “SCHOOL’ MEANS AND INCLUDES BUILDINGS USED FOR SCHOOL PURPOSES
22 TO PROVIDE INSTRUCTION TO CHILDREN AND YOUTH IN GRADES PRE-
23 KINDERGARTEN THROUGH 12, AND HEADSTART WHEN THAT INSTRUCTION IS
24 PROVIDED BY A PUBLIC, PRIVATE, DENOMINATIONAL, OR PAROCHIAL SCHOOL.
25

26 “SECURE TRANSPORTER” OR “MEDICAL MARIHUANA SECURE TRANSPORTER”
27 MEANS A COMMERCIAL ENTITY THAT IS LICENSED TO OPERATE BY THE STATE
28 PURSUANT TO THE MMFLA AND IS LICENSED TO OPERATE BY THE CITY
29 PURSUANT TO THIS CHAPTER, THAT IS A COMMERCIAL ENTITY LOCATED IN THIS
30 CITY THAT STORES MARIHUANA AND TRANSPORTS MARIHUANA BETWEEN
31 MEDICAL MARIHUANA FACILITIES FOR A FEE AND IN ACCORDANCE WITH STATE
32 LAW.
33

34 “STAKEHOLDER” MEANS, WITH RESPECT TO A TRUST, THE BENEFICIARIES,
35 WITH RESPECT TO A LIMITED LIABILITY COMPANY, THE MANAGERS OR
36 MEMBERS, WITH RESPECT TO A CORPORATION, WHETHER PROFIT OR NON-
37 PROFIT, THE OFFICERS, DIRECTORS, OR SHAREHOLDERS, AND WITH RESPECT TO
38 A PARTNERSHIP OR LIMITED LIABILITY PARTNERSHIP, THE PARTNERS, BOTH
39 GENERAL AND LIMITED.
40

41 “STATE” MEANS THE STATE OF MICHIGAN.
42

43 (G) ANY TERM DEFINED BY THE MMMA, THE MMFLA, OR THE MTA AND NOT
44 DEFINED IN THIS CHAPTER SHALL HAVE THE DEFINITION PROVIDED IN THOSE
45 ACTS.

1 **1300.3 – RESERVED.**

3 **1300.4 - OPERATION WITHOUT LICENSE PROHIBITED.**

5 (A) IT IS UNLAWFUL FOR ANY PERSON TO ENGAGE IN THE OPERATION OF A
6 MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY UNLESS SUCH
7 PERSON HAS OBTAINED A LICENSE FROM THE CITY UNDER THIS CHAPTER
8 TO DO SO FOR EACH LOCATION AND ADDITIONALLY HAS A LICENSE TO
9 OPERATE FROM THE STATE PURSUANT TO MMFLA. EVERY MEDICAL
10 MARIHUANA ESTABLISHMENT IN THE CITY OF LANSING SHALL BE
11 LICENSED PURSUANT TO THE TERMS AND PROVISIONS SET FORTH IN THIS
12 CHAPTER. EXCEPT AS PROVIDED IN SUBSECTION 1300.4(B), NO PERSON
13 SHALL OPERATE A MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY
14 WITHOUT FIRST OBTAINING A LICENSE. A MEDICAL MARIHUANA
15 ESTABLISHMENT OPERATING WITHOUT A LICENSE UNDER THE
16 PROVISIONS OF THIS CHAPTER IS DEEMED A PUBLIC NUISANCE.

18 (B) A MEDICAL MARIHUANA ESTABLISHMENT THAT IS OPERATING ON THE
19 EFFECTIVE DATE OF THIS CHAPTER AND IS NOT IN VIOLATION OF THE
20 CITY’S MORATORIUM ON STARTING NEW OPERATIONS (CITY ORDINANCE
21 1202) MAY CONTINUE TO OPERATE DURING THE APPLICATION
22 SUBMISSION AND REVIEW PERIODS PROVIDED FOR IN SECTIONS 1300.5
23 AND 1300.6, ONLY SO LONG AS IT SUBMITS ITS APPLICATION FOR A
24 LICENSE WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS CHAPTER AND
25 ONLY SO LONG AS IT HAS NOT BEEN NOTIFIED BY THE CITY CLERK THAT
26 IT WOULD NOT BE RECEIVING A LICENSE OR THAT ITS APPLICATION
27 WOULD NOT BE SUBMITTED FOR CONSIDERATION PURSUANT TO 1300.5 (C)
28 AND (E). ONCE A MEDICAL MARIHUANA ESTABLISHMENT IS NOTIFIED BY
29 THE CITY CLERK THAT IT WILL NOT RECEIVE A LICENSE OR THAT ITS
30 APPLICATION WILL NOT BE ACCEPTED FOR CONSIDERATION, THE
31 MEDICAL MARIHUANA ESTABLISHMENT MUST CEASE OPERATING WITHIN
32 30 CALENDAR DAYS FROM THE DATE OF SUCH NOTIFICATION.

34 (C) THE CITY CLERK SHALL ISSUE A LICENSE FOR A MEDICAL MARIHUANA
35 ESTABLISHMENT ONLY AFTER THE CITY CLERK DETERMINES THAT THE
36 APPLICATION AND PROPOSED FACILITY ARE IN COMPLIANCE WITH THE
37 TERMS, CONDITIONS, AND PROVISIONS OF THIS CHAPTER. THE TERM OF
38 EACH LICENSE SHALL BE ONE YEAR. A LICENSE ISSUED UNDER THIS
39 CHAPTER MAY BE CONDITIONED ON THE APPROVAL OF THE OPERATOR
40 BY THE STATE AT THE LOCATION UNDER THE MMFLA.

42 **1300.5– LICENSE APPLICATION SUBMISSION.**

44 (A) EACH MEDICAL MARIHUANA ESTABLISHMENT MUST BE LICENSED BY
45 THE CITY. APPLICATIONS FOR A LICENSE SHALL BE MADE IN WRITING TO
46 THE CITY CLERK. ALL APPLICATIONS SUBMITTED TO THE CITY CLERK IN

1 ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER SHALL BE
2 CONSIDERED FOR THE ISSUANCE OF A LICENSE. EACH APPLICATION
3 SHALL CONTAIN A SIGNED ACKNOWLEDGEMENT THAT THE APPLICANT IS
4 AWARE AND UNDERSTANDS THAT ALL MATTERS RELATED TO
5 MARIHUANA GROWING, CULTIVATION, POSSESSION, DISPENSING,
6 TESTING, SAFETY COMPLIANCE, TRANSPORTING, DISTRIBUTION, AND USE
7 ARE CURRENTLY SUBJECT TO STATE AND FEDERAL LAWS, RULES, AND
8 REGULATIONS, AND THAT THE APPROVAL OR GRANTING OF A LICENSE
9 HEREUNDER DOES NOT EXONERATE OR EXCULPATE THE APPLICANT
10 FROM ABIDING BY THE PROVISIONS AND REQUIREMENTS AND PENALTIES
11 ASSOCIATED WITH THOSE LAWS, RULES, AND REGULATIONS OR
12 EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH; AND FURTHER
13 THE APPLICANT WAIVES AND FOREVER RELEASES ANY CLAIM, DEMAND,
14 ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE CITY OF LANSING,
15 ITS ELECTED AND APPOINTED OFFICIALS AND ITS EMPLOYEES AND
16 AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES OF ACTION,
17 DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY INCUR AS A
18 RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS,
19 PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENTS OF THOSE LAWS,
20 RULES, AND REGULATIONS AND HEREBY WAIVES, AND ASSUMES THE
21 RISK OF, ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE
22 AGAINST THE CITY OF LANSING, ITS ELECTED AND APPOINTED
23 OFFICIALS, EMPLOYEES, ATTORNEYS, AND AGENTS.
24

25 (B) A COMPLETE APPLICATION FOR A LICENSE REQUIRED BY THIS CHAPTER
26 SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY, AND
27 SHALL CONTAIN ALL OF THE FOLLOWING:
28

- 29 (1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT'S NAME,
30 DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, ONE OR
31 MORE PHONE NUMBERS, INCLUDING EMERGENCY CONTACT
32 INFORMATION, A COPY OF A GOVERNMENT ISSUED PHOTO
33 IDENTIFICATION CARD OF THE APPLICANT, AND A COPY OF THE
34 APPLICANT'S CAREGIVER REGISTRY IDENTIFICATION CARD ISSUED
35 PURSUANT TO THE MMMA;
36
- 37 (2) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE NAMES, DATES OF
38 BIRTH, PHYSICAL ADDRESSES, EMAIL ADDRESSES, AND ONE OR
39 MORE PHONE NUMBERS OF EACH STAKEHOLDER OF THE
40 APPLICANT, INCLUDING DESIGNATION OF A STAKEHOLDER AS AN
41 EMERGENCY CONTACT PERSON AND CONTACT INFORMATION FOR
42 THE EMERGENCY CONTACT PERSON, ARTICLES OF INCORPORATION,
43 INTERNAL REVENUE SERVICE SS-4 EIN CONFIRMATION LETTER, AND
44 THE OPERATING AGREEMENT OF THE APPLICANT, IF A LIMITED
45 LIABILITY COMPANY, AND A COPY OF AT LEAST ONE

1 STAKEHOLDER'S CAREGIVER REGISTRY IDENTIFICATION CARD
2 ISSUED PURSUANT TO THE MMMA;
3

4 (3) THE NAME AND ADDRESS OF THE PROPOSED MEDICAL MARIHUANA
5 ESTABLISHMENT AND ANY ADDITIONAL CONTACT INFORMATION DEEMED
6 NECESSARY BY THE CITY CLERK;
7

8 (4) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
9 FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE APPLICANT,
10 AFFIRMATION THAT EACH IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN
11 CONVICTED OF OR PLED GUILTY OR NO CONTEST TO A DISQUALIFYING
12 FELONY. WITH RESPECT TO ALL OTHER MEDICAL MARIHUANA
13 ESTABLISHMENTS, FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE
14 APPLICANT, AN AFFIRMATION THAT EACH AND EVERY AGENT OR EMPLOYEE
15 IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN CONVICTED OF OR PLED
16 GUILTY OR NO CONTEST TO A DISQUALIFYING FELONY;
17

18 (5) A SIGNED RELEASE AUTHORIZING THE CITY OF LANSING POLICE
19 DEPARTMENT TO PERFORM A CRIMINAL BACKGROUND CHECK TO
20 ASCERTAIN WHETHER THE APPLICANT, EACH STAKEHOLDER OF THE
21 APPLICANT, EACH OPERATOR AND EMPLOYEE OF THE APPLICANT MEET THE
22 CRITERIA SET FORTH IN THIS CHAPTER;
23

24 (6) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
25 THE NAME, DATE OF BIRTH, PHYSICAL ADDRESS, COPY OF PHOTO
26 IDENTIFICATION, AND EMAIL ADDRESS FOR ANY OPERATOR OR EMPLOYEE
27 IF OTHER THAN THE APPLICANT;
28

29 (7) AN AFFIRMATION UNDER OATH AS TO WHETHER THE APPLICANT
30 OR OPERATOR HAS HAD A BUSINESS LICENSE REVOKED OR SUSPENDED, AND
31 IF REVOKED OR SUSPENDED, THEN THE REASON THEREFORE;
32

33 (8) FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE
34 APPLICANT, A RESUME THAT INCLUDES WHETHER THE INDIVIDUAL HAS ANY
35 RELEVANT EXPERIENCE WITH MEDICAL MARIHUANA OR A RELATED
36 INDUSTRY;
37

38 (9) A PATIENT EDUCATION PLAN TO DETAIL TO PATIENTS THE
39 BENEFITS OR DRAWBACKS OF CERTAIN MARIHUANA STRAINS OR PRODUCTS
40 IN CONNECTION WITH THE DEBILITATING MEDICAL CONDITIONS SET FORTH
41 IN THE MICHIGAN MEDICAL MARIHUANA ACT;
42

43 (10) A WRITTEN DESCRIPTION OF THE TRAINING AND EDUCATION THAT
44 THE APPLICANT WILL PROVIDE TO ALL EMPLOYEES;
45

1 (11) A COPY OF THE PROPOSED BUSINESS PLAN FOR THE
2 ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

3
4 (I) THE PROPOSED OWNERSHIP STRUCTURE OF THE
5 ESTABLISHMENT, INCLUDING PERCENTAGE OWNERSHIP OF
6 EACH PERSON OR ENTITY; AND

7
8 (II) A CURRENT ORGANIZATION CHART THAT INCLUDES
9 POSITION DESCRIPTIONS AND THE NAMES OF EACH PERSON
10 HOLDING EACH POSITION.
11

12 (12) ONE OF THE FOLLOWING: (A) PROOF OF OWNERSHIP OF THE ENTIRE
13 PREMISES WHEREIN THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE
14 OPERATED; OR (B) WRITTEN CONSENT FROM THE PROPERTY OWNER FOR USE
15 OF THE PREMISES IN A MANNER REQUIRING LICENSURE UNDER THIS
16 CHAPTER ALONG WITH A COPY OF THE LEASE FOR THE PREMISES;
17

18 (13) A DESCRIPTION OF THE SECURITY PLAN FOR THE MEDICAL
19 MARIHUANA ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, ANY
20 LIGHTING ALARMS, BARRIERS, RECORDING/MONITORING DEVICES, AND/OR
21 SECURITY GUARD ARRANGEMENTS PROPOSED FOR THE ESTABLISHMENT
22 AND PREMISES. THE SECURITY PLAN MUST CONTAIN THE SPECIFICATION
23 DETAILS OF EACH PIECE OF SECURITY EQUIPMENT. EACH MEDICAL
24 MARIHUANA ESTABLISHMENT MUST HAVE A SECURITY GUARD PRESENT
25 DURING BUSINESS HOURS;
26

27 (14) A FLOOR PLAN OF THE MEDICAL MARIHUANA ESTABLISHMENT, AS
28 WELL AS A SCALE DIAGRAM ILLUSTRATING THE PROPERTY UPON WHICH
29 THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE OPERATED, INCLUDING
30 ALL AVAILABLE PARKING SPACES, AND SPECIFYING WHICH PARKING
31 SPACES, IF ANY, ARE HANDICAPPED-ACCESSIBLE;
32

33 (15) ANY PROPOSED TEXT OR GRAPHICAL MATERIALS TO BE SHOWN ON
34 THE EXTERIOR OF THE PROPOSED MEDICAL MARIHUANA ESTABLISHMENT;
35

36 (16) A LOCATION AREA MAP OF THE MEDICAL MARIHUANA
37 ESTABLISHMENT AND SURROUNDING AREA THAT IDENTIFIES THE RELATIVE
38 LOCATIONS AND THE DISTANCES (CLOSEST PROPERTY LINE TO THE SUBJECT
39 ESTABLISHMENT'S PROPERTY LINE) FROM THE SUBJECT MEDICAL
40 MARIHUANA ESTABLISHMENT TO THE CLOSEST REAL PROPERTY OF AN
41 OPERATIONAL PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY SCHOOL,
42 CHURCH, PARK, A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION
43 SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION
44 SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL
45 333.6101 ET SEQ., ANOTHER LICENSED MEDICAL MARIHUANA
46 ESTABLISHMENT OR A COMMERCIAL CHILD CARE ORGANIZATION (NON-

HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES;

(17) A FACILITY SANITATION PLAN TO PROTECT AGAINST ANY MARIHUANA BEING INGESTED BY ANY PERSON OR ANIMAL, INDICATING HOW THE WASTE WILL BE STORED AND DISPOSED OF, AND HOW ANY MARIHUANA WILL BE RENDERED UNUSABLE UPON DISPOSAL. DISPOSAL BY ON-SITE BURNING OR INTRODUCTION IN THE SEWERAGE SYSTEM IS PROHIBITED;

(18) A PROPOSED PATIENT RECORDKEEPING PLAN THAT WILL TRACK QUANTITIES SOLD TO INDIVIDUAL PATIENTS AND CAREGIVERS, AND WILL MONITOR INVENTORY;

(19) A DESCRIPTION OF PROCEDURES FOR TESTING OF CONTAMINANTS, INCLUDING MOLD AND PESTICIDES;

(20) AN AFFIDAVIT THAT NEITHER THE APPLICANT NOR ANY STAKEHOLDER OF THE APPLICANT IS IN DEFAULT TO THE CITY. SPECIFICALLY, THAT THE APPLICANT OR STAKEHOLDER OF THE APPLICANT HAS NOT FAILED TO PAY ANY PROPERTY TAXES, SPECIAL ASSESSMENTS, FINES, FEE OR OTHER FINANCIAL OBLIGATIONS TO THE CITY;

(21) VERIFICATION, WITH COPIES OF ACTUAL BANK STATEMENTS, SHOWING THAT THE APPLICANT HAS TANGIBLE FINANCIAL CAPITAL IN THE APPLICANT'S NAME IN THE AMOUNT SUFFICIENT TO COMPLETE THE MEDICAL MARIHUANA ESTABLISHMENT AND TO FUND THE BUSINESS PLAN AND OTHER PLANS REQUIRED BY THIS SECTION 1300.5;

(22) AN ESTIMATE OF THE NUMBER AND TYPE OF JOBS THAT THE MEDICAL MARIHUANA ESTABLISHMENT IS EXPECTED TO CREATE, THE AMOUNT AND TYPE OF COMPENSATION EXPECTED TO BE PAID FOR SUCH JOBS, AND THE PROJECTED ANNUAL BUDGET AND REVENUE OF THE MEDICAL MARIHUANA ESTABLISHMENT; AND

(23) AS IT RELATES TO A MEDICAL MARIHUANA GROWER FACILITY, THE FOLLOWING ADDITIONAL ITEMS SHALL BE REQUIRED:

(I) A CULTIVATION PLAN THAT INCLUDES AT A MINIMUM A DESCRIPTION OF THE CULTIVATION METHODS TO BE USED, INCLUDING PLANS FOR THE GROWING MEDIUMS, TREATMENTS, AND / OR ADDITIVES;

(II) A PRODUCTION TESTING PLAN THAT INCLUDES AT A MINIMUM A DESCRIPTION OF HOW AND WHEN SAMPLES FOR LABORATORY TESTING BY AN INTERNATIONAL ORGANIZATION FOR STANDARDIZATION ACCREDITED TESTING FACILITY WILL BE SELECTED, WHAT TYPE OF

1 TESTING WILL BE REQUESTED, AND HOW THE TEST RESULTS WILL BE
2 USED;

3
4 (III) AN AFFIDAVIT THAT ALL OPERATIONS WILL BE CONDUCTED IN
5 CONFORMANCE WITH THE MMMA, THE MMFLA, AND OTHER APPLICABLE
6 STATE LAW;

7
8 (IV) A CHEMICAL AND PESTICIDE STORAGE PLAN THAT STATES THE
9 NAMES OF THE PESTICIDES TO BE USED IN CULTIVATION AND WHERE AND
10 HOW PESTICIDES AND CHEMICALS WILL BE STORED IN THE
11 ESTABLISHMENT, ALONG WITH A PLAN FOR THE DISPOSAL OF UNUSED
12 PESTICIDES;

13
14 (V) ALL CULTIVATION MUST BE PERFORMED IN A BUILDING.

15
16 (24) PROOF OF AN INSURANCE POLICY COVERING THE ESTABLISHMENT
17 AND NAMING THE CITY, ITS ELECTED AND APPOINTED OFFICIALS,
18 EMPLOYEES, AND AGENTS, AS ADDITIONAL INSURED PARTIES,
19 AVAILABLE FOR THE PAYMENT OF ANY DAMAGES ARISING OUT OF AN
20 ACT OR OMISSION OF THE APPLICANT OR ITS STAKEHOLDERS, AGENTS,
21 EMPLOYEES, OR SUBCONTRACTORS, IN THE AMOUNT OF (A) AT LEAST
22 ONE MILLION DOLLARS FOR PROPERTY DAMAGE; (B) AT LEAST ONE
23 MILLION DOLLARS FOR INJURY TO ONE PERSON; AND (C) AT LEAST TWO
24 MILLION DOLLARS FOR INJURY TO TWO OR MORE PERSON RESULTING
25 FROM THE SAME OCCURRENCE. THE INSURANCE POLICY UNDERWRITER
26 MUST HAVE A MINIMUM A.M. BEST COMPANY INSURANCE RANKING OF
27 B+, CONSISTENT WITH STATE LAW.

28
29 (25) ANY OTHER INFORMATION DEEMED NECESSARY BY THE CITY.

30
31 (C) ALL APPLICATIONS SHALL BE ACCOMPANIED BY A LICENSE
32 APPLICATION FEE IN AN AMOUNT ESTABLISHED BY CITY COUNCIL RESOLUTION.
33 SHOULD THE APPLICANT NOT RECEIVE A LICENSE, ONE-HALF OF THE
34 APPLICATION FEE SHALL BE RETURNED. IF AN APPLICATION IS APPROVED AND
35 A LICENSE ISSUED, THE FIRST ANNUAL FEE SHALL BE IN AN AMOUNT
36 ESTABLISHED BY CITY COUNCIL RESOLUTION. THE APPLICATION FEE AND THE
37 ANNUAL FEE ARE ESTABLISHED TO DEFRAY THE COSTS OF ADMINISTRATION OF
38 THIS CHAPTER.

39
40 (D) UPON RECEIPT OF A COMPLETED APPLICATION MEETING THE
41 REQUIREMENTS OF THIS SECTION AND APPROPRIATE NONREFUNDABLE LICENSE
42 APPLICATION FEE, THE CITY CLERK SHALL REFER A COPY OF THE APPLICATION
43 TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT,
44 THE BUILDING SAFETY OFFICE, THE POLICE DEPARTMENT, THE ZONING
45 ADMINISTRATOR, AND THE CITY TREASURER.

(E) NO APPLICATION SHALL BE ACCEPTED BY THE CITY CLERK
UNLESS:

(1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE
INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL LAWS
FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT AND FOR
COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER;

(2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE
PROPOSED LOCATION COMPLIES WITH THE ZONING CODE;

(3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND
EACH STAKEHOLDER OF THE APPLICANT ARE NOT IN DEFAULT TO THE
CITY;

(4) THE POLICE DEPARTMENT HAS DETERMINED THAT THE APPLICANT
HAS MET THE REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE
BACKGROUND CHECK AND SECURITY PLAN.

(F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT
IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL ACCEPT A COPY OF THE
APPLICATION FOR CONSIDERATION.

1300.6-LICENSE APPLICATION EVALUATION.

(A) EXCEPT AS PROVIDED IN 1300.8(A), THE CITY CLERK WILL ASSESS ALL
APPLICATIONS PURSUANT TO THE PROVISIONS, REQUIREMENTS, AND
CRITERIA SET FORTH IN THIS CHAPTER AND SHALL CONSULT WITH THE
POLICE DEPARTMENT, THE FIRE DEPARTMENT, THE BUILDING SAFETY
OFFICE, THE ZONING ADMINISTRATOR, AND THE FINANCE DEPARTMENT. THE
CITY CLERK MAY CONSULT WITH OUTSIDE PROFESSIONALS IN THE BUSINESS
AND FINANCE DISCIPLINES.

(B) IN ITS APPLICATION DELIBERATIONS, THE CITY CLERK SHALL ASSESS
EACH APPLICATION IN EACH OF THE FOLLOWING CATEGORIES:

(1) WHETHER THE REPORTS ISSUED BY THE FIRE, POLICE, BUILDING
SAFETY, ZONING AND TREASURY DEPARTMENTS INDICATE THAT
THE APPLICANT OR ITS STAKEHOLDERS OR EMPLOYEES HAVE
SATISFIED THE REQUIREMENTS OF 1300.5 (E) (1-4) AND SUFFICIENTLY
ADDRESSED THE CONSIDERATIONS OF 1300.5 (B) (1-25).

(2) WHETHER THE PROPOSED ESTABLISHMENT WILL NEGATIVELY
IMPACT THE CHARACTER AND AESTHETICS OF THE SURROUNDING
NEIGHBORHOOD AND COMMUNITY, INCLUDING WHETHER THE
APPLICANT OR ITS STAKEHOLDERS HAVE ENGAGED IN POSITIVE

COMMUNITY OUTREACH ON BEHALF OF THE PROPOSED ESTABLISHMENT, AND WHETHER THE APPLICANT OR ITS STAKEHOLDERS HAVE MADE SIGNIFICANT IMPROVEMENTS TO THE BUILDING OR NEIGHBORHOOD WHERE THE PROPOSED ESTABLISHMENT IS TO BE LOCATED;

(3) WHETHER THE APPLICANT AND ITS STAKEHOLDERS ARE PERSONS OF GOOD CHARACTER, HONESTY, AND INTEGRITY WHO DO NOT DISCREDIT OR TEND TO DISCREDIT PUBLIC CONFIDENCE AND TRUST IN THE MEDICAL MARIHUANA INDUSTRY, OR POSE A THREAT TO THE PUBLIC HEALTH, SECURITY, SAFETY, MORALS, GOOD ORDER, OR GENERAL WELFARE.

(C) IF THE CITY CLERK ISSUES A CERTIFICATE OF APPROVAL TO AN APPLICANT, THE CITY CLERK SHALL ISSUE AN INITIAL LICENSE TO THAT APPLICANT WITHIN TEN (10) BUSINESS DAYS.

(D) NOTHING IN THIS SECTION IS INTENDED TO CONFER A PROPERTY OR OTHER RIGHT, DUTY, PRIVILEGE OR INTEREST ENTITLING AN APPLICANT TO AN ADMINISTRATIVE HEARING UPON DENIAL OF AN APPLICATION OR WITH REGARD TO ANY SCORING DECISION.

1300.7 – LICENSE RENEWAL APPLICATION.

(A) APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS CHAPTER SHALL BE MADE IN WRITING TO THE CITY CLERK AT LEAST THIRTY (30) DAYS PRIOR TO THE EXPIRATION OF AN EXISTING LICENSE.

(B) AN APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS CHAPTER SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY, AND SHALL CONTAIN ALL OF THE INFORMATION REQUIRED BY 1300.5(B).

(C) AN APPLICATION SHALL BE ACCOMPANIED BY A RENEWAL FEE IN AN AMOUNT ESTABLISHED BY CITY COUNCIL RESOLUTION, OF WHICH HALF WILL BE RETURNED SHOULD THE LICENSE NOT BE RENEWED. THE RENEWAL FEE IS ESTABLISHED TO DEFRAID THE COSTS OF THE ADMINISTRATION OF THIS CHAPTER.

(D) UPON RECEIPT OF A COMPLETED APPLICATION MEETING THE REQUIREMENTS OF THIS CHAPTER AND THE LICENSE RENEWAL FEE, THE CITY CLERK SHALL REFER A COPY OF THE RENEWAL APPLICATION TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE LANSING POLICE DEPARTMENT, THE ZONING ADMINISTRATOR, AND THE CITY TREASURER.

(E) NO RENEWAL APPLICATION SHALL BE APPROVED UNLESS:

(1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT WITHIN THE PAST CALENDAR YEAR;

(2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE PROPOSED LOCATION CURRENTLY COMPLIES WITH THE ZONING CODE AND THIS CHAPTER;

(3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND EACH STAKEHOLDER OF THE APPLICANT AND THE PROPOSED LOCATION OF THE FACILITY ARE NOT CURRENTLY IN DEFAULT TO THE CITY;

(4) THE POLICE DEPARTMENT HAS REVIEWED THE APPLICATION AND DETERMINED THAT THE APPLICANT HAS SATISFIED THE REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE BACKGROUND CHECK AND SECURITY PLAN;

(5) THE CITY CLERK HAS REVIEWED THE APPLICATION FOR COMPLIANCE WITH 1300.6 (B)(1-3).

(F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL ISSUE A LICENSE RENEWAL TO THE APPLICANT. IF NO RENEWAL LICENSE IS ISSUED, HALF OF THE RENEWAL FEE SHALL BE RETURNED. THE RENEWAL SHALL BE DEEMED APPROVED IF THE CITY HAS NOT ISSUED FORMAL NOTICE OF APPROVAL OR DENIAL WITHIN 60 DAYS OF THE APPLICATION BEING FILED.

1300.8 – LICENSES GENERALLY.

(A) TO THE EXTENT PERMISSIBLE UNDER LAW, ALL INFORMATION SUBMITTED IN CONJUNCTION WITH AN APPLICATION FOR A LICENSE OR LICENSE RENEWAL REQUIRED BY THIS CHAPTER IS CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MICHIGAN FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 ET SEQ.

(B) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO A DIFFERENT LOCATION UPON RECEIVING WRITTEN APPROVAL FROM THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A LICENSE LOCATION, THE LICENSEE MUST MAKE A WRITTEN REQUEST TO THE CITY CLERK, INDICATING THE CURRENT LICENSE LOCATION AND THE PROPOSED LICENSE LOCATION. UPON RECEIVING THE WRITTEN REQUEST, THE CITY CLERK SHALL REFER A COPY OF THE WRITTEN REQUEST TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING

1 SAFETY OFFICE, THE POLICE DEPARTMENT, THE ZONING ADMINISTRATOR,
2 AND THE CITY TREASURER. NO LICENSE TRANSFER SHALL BE APPROVED
3 UNLESS EACH SUCH INDIVIDUAL OR DEPARTMENT GIVES WRITTEN
4 APPROVAL THAT THE LICENSEE AND THE PROPOSED LICENSE LOCATION
5 MEET THE STANDARDS IDENTIFIED IN 1300.5(E) AND THE CITY CLERK HAS
6 DETERMINED THAT THE PROPOSED LOCATION MEETS THE REQUIREMENTS
7 OF 1300.6 (B)(2).
8

9 (C) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO
10 A DIFFERENT INDIVIDUAL OR ENTITY UPON RECEIVING WRITTEN APPROVAL
11 BY THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A
12 LICENSE TO A DIFFERENT INDIVIDUAL OR ENTITY, THE LICENSEE MUST
13 MAKE A WRITTEN REQUEST TO THE CITY CLERK, INDICATING THE CURRENT
14 LICENSEE AND THE PROPOSED LICENSEE. UPON RECEIVING THE WRITTEN
15 REQUEST, THE CITY CLERK SHALL CONSIDER THE REQUEST AS A NEW
16 APPLICATION FOR A LICENSE AND THE PROCEDURES SET FORTH IN 1300.5
17 AND 1300.6 SHALL BE FOLLOWED.
18

19 (D) LICENSEES SHALL REPORT ANY OTHER CHANGE IN THE INFORMATION
20 REQUIRED BY THIS CHAPTER TO THE CITY CLERK WITHIN TEN (10)
21 BUSINESS DAYS OF THE CHANGE. FAILURE TO DO SO MAY RESULT IN
22 SUSPENSION OR REVOCATION OF THE LICENSE.
23

24 **1300.9 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
25 **PROVISIONING CENTER.**
26

27 (A) EVERY MEDICAL MARIHUANA PROVISIONING CENTER MUST BE LOCATED
28 IN A BUILDING.
29

30 (B) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPEN
31 BETWEEN THE HOURS OF 10 P.M. AND 9 A.M.;
32

33 (C) CONSUMPTION OF MARIHUANA SHALL BE PROHIBITED ON THE PREMISES
34 OF A MEDICAL MARIHUANA PROVISIONING CENTER EXCEPT AS PERMITTED BY
35 LANSING CITY CHARTER SECTION 8-501 AND STATE LAW;
36

37 (D) A MEDICAL MARIHUANA PROVISIONING CENTER SHALL CONTINUOUSLY
38 MONITOR THE ENTIRE PREMISES ON WHICH THEY ARE OPERATED WITH
39 SURVEILLANCE SYSTEMS THAT INCLUDE SECURITY CAMERAS. THE VIDEO
40 RECORDINGS SHALL BE MAINTAINED IN A SECURE, OFF-SITE LOCATION FOR A
41 PERIOD OF 14 DAYS;
42

43 (E) UNLESS PERMITTED BY THE MMMA, PUBLIC OR COMMON AREAS OF THE
44 MEDICAL MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM
45 RESTRICTED OR NON-PUBLIC AREAS OF THE PROVISIONING CENTER BY A
46 PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL

1 MARIHUANA IS PERMITTED TO BE STORED, DISPLAYED, OR TRANSFERRED IN AN
2 AREA ACCESSIBLE TO THE GENERAL PUBLIC;

3
4 (F) ALL MEDICAL MARIHUANA STORAGE AREAS WITHIN MEDICAL
5 MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM ANY
6 CUSTOMER/PATIENT AREAS BY A PERMANENT BARRIER. UNLESS PERMITTED BY
7 THE MMMA, NO MEDICAL MARIHUANA IS PERMITTED TO BE STORED IN AN
8 AREA ACCESSIBLE BY THE GENERAL PUBLIC OR REGISTERED
9 CUSTOMERS/PATIENTS. MEDICAL MARIHUANA MAY BE DISPLAYED IN A SALES
10 AREA ONLY IF PERMITTED BY THE MMFLA;

11
12 (G) ANY USABLE MEDICAL MARIHUANA REMAINING ON THE PREMISES OF A
13 MEDICAL MARIHUANA PROVISIONING CENTER WHILE THE MEDICAL
14 MARIHUANA PROVISIONING CENTER IS NOT IN OPERATION SHALL BE SECURED
15 IN A SAFE PERMANENTLY AFFIXED TO THE PREMISES;

16
17 (H) DRIVE-THRU WINDOWS ON THE PREMISES OF A MEDICAL MARIHUANA
18 PROVISIONING CENTER SHALL NOT BE PERMITTED;

19
20 (I) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPERATED IN
21 A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS
22 DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY
23 ON WHICH THE MEDICAL MARIHUANA PROVISIONING CENTER IS OPERATED;

24
25 (J) THE LICENSE REQUIRED BY THIS CHAPTER SHALL BE PROMINENTLY
26 DISPLAYED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING
27 CENTER;

28
29 (K) DISPOSAL OF MEDICAL MARIHUANA SHALL BE ACCOMPLISHED IN A
30 MANNER THAT PREVENTS ITS ACQUISITION BY ANY PERSON WHO MAY NOT
31 LAWFULLY POSSESS IT AND OTHERWISE IN CONFORMANCE WITH STATE LAW;

32
33 (L) ALL MEDICAL MARIHUANA DELIVERED TO A PATIENT SHALL BE
34 PACKAGED AND LABELED AS PROVIDED BY STATE LAW AND THIS CHAPTER.
35 THE LABEL SHALL INCLUDE:

- 36
37 (1) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE PERSON TO WHOM IT
38 IS BEING DELIVERED;
39 (2) A UNIQUE ALPHA NUMERIC IDENTIFIER FOR THE CULTIVATION
40 SOURCE OF THE MARIHUANA;
41 (3) THAT THE PACKAGE CONTAINS MARIHUANA;
42 (4) THE DATE OF DELIVERY, WEIGHT, TYPE OF MARIHUANA AND DOLLAR
43 AMOUNT OR OTHER CONSIDERATION BEING EXCHANGED IN THE
44 TRANSACTION;

- 1 (5) A CERTIFICATION THAT ALL MARIHUANA IN ANY FORM CONTAINED IN
2 THE PACKAGE WAS CULTIVATED, MANUFACTURED, AND PACKAGED IN
3 THE STATE OF MICHIGAN;
4 (6) THE WARNING THAT; "THIS PRODUCT IS MANUFACTURED WITHOUT
5 ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY OR EFFICACY.
6 THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE INGESTION OR
7 USE OF THIS PRODUCT. USING THIS PRODUCT MAY CAUSE
8 DROWSINESS. DO NOT DRIVE OR OPERATE HEAVY MACHINERY WHILE
9 USING THIS PRODUCT. KEEP THIS PRODUCT OUT OF REACH OF
10 CHILDREN. THIS PRODUCT MAY NOT BE USED IN ANY WAY THAT DOES
11 NOT COMPLY WITH STATE LAW OR BY PERSON WHO DOES NOT
12 POSSESS A VALID MEDICAL MARIHUANA PATIENT REGISTRY CARD."
13 (7) THE NAME, ADDRESS, EMAIL ADDRESS, AND TELEPHONE NUMBER OF
14 AN AUTHORIZED REPRESENTATIVE OF THE DISPENSARY WHOM A
15 PATIENT CAN CONTACT WITH ANY QUESTIONS REGARDING THE
16 PRODUCT.
17

18 (M) A LICENSEE SHALL REQUIRE ALL REGISTERED PATIENTS PRESENT BOTH
19 THEIR MICHIGAN MEDICAL MARIHUANA PATIENT/CAREGIVER ID CARD AND
20 STATE IDENTIFICATION PRIOR TO ENTERING RESTRICTED/LIMITED AREAS OR
21 NON-PUBLIC AREAS OF THE MEDICAL MARIHUANA PROVISIONING CENTER, AND
22 IF NO RESTRICTED/LIMITED AREA IS REQUIRED, THEN PROMPTLY UPON
23 ENTERING THE MEDICAL MARIHUANA PROVISIONING CENTER.
24

25 (N) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
26 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON
27 THE PREMISES.
28

29 (O) IT SHALL BE PROHIBITED TO DISPLAY ANY SIGNS THAT ARE
30 INCONSISTENT WITH LOCAL LAWS OR REGULATIONS OR STATE LAW.
31

32 (P) IT SHALL BE PROHIBITED FROM DISPLAYING OR DISTRIBUTING IN ANY
33 MANNER, PHYSICALLY OR ELECTRONICALLY, ADVERTISING MATERIAL THAT IS
34 MISLEADING, DECEPTIVE, OR FALSE, OR THAT IS DESIGNED TO APPEAL TO
35 MINORS.
36

37 (Q) NO LICENSED MEDICAL MARIHUANA PROVISIONING CENTER SHALL
38 PLACE OR MAINTAIN, OR CAUSE TO BE PLACED OR MAINTAINED, AN
39 ADVERTISEMENT OF MEDICAL MARIHUANA IN ANY FORM OR THROUGH ANY
40 MEDIUM:
41

42 (1) WITHIN ONE THOUSAND (1,000) FEET MEASURED PROPERTY LINE TO
43 PROPERTY LINE OF THE REAL PROPERTY LINE COMPRISING AN OPERATIONAL
44 SCHOOL; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME
45 OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE
46 MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS

SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ; OR

(2) WITHIN FIVE HUNDRED (500) FEET, MEASURED PROPERTY LINE TO PROPERTY LINE, OF A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.

(R) CERTIFIED LABORATORY TESTING RESULTS THAT DISPLAY AT A MINIMUM THE TETRAHYDROCANNABINOL (THC), CANNABIDIOL (CBD), TOTAL CANNABINOID TESTING RESULTS, AND A PASS/FAIL RATING BASED ON THE CERTIFIED LABORATORY'S STATE-REQUIRED TESTING MUST BE AVAILABLE TO ALL MEDICAL MARIHUANA PROVISIONING CENTER PATIENTS/CUSTOMERS UPON REQUEST AND PROMINENTLY DISPLAYED.

1300.10 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA GROWER FACILITY.

(A) THE FOLLOWING MINIMUM STANDARDS FOR MEDICAL MARIHUANA GROWER FACILITIES SHALL APPLY:

(1) THE MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE MTA, AND THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD AND THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS MAY BE AMENDED FROM TIME TO TIME;

(2) EXCEPT AS PROVIDED BY STATE LAW AND LANSING CITY CHARTER, CONSUMPTION AND/OR USE OF MEDICAL MARIHUANA SHALL BE PROHIBITED AT THE GROWER FACILITY;

(3) ALL GROWER ACTIVITY RELATED TO THE GROWER FACILITY SHALL BE PERFORMED IN A BUILDING;

(4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON THE PREMISES;

(5) ANY MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY WITH THE MTA AND SHALL MAINTAIN A LOG BOOK AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL MARIHUANA AND THE NUMBER OF MEDICAL MARIHUANA PLANTS ON THE PREMISES WHICH SHALL

1 NOT EXCEED THE AMOUNT PERMITTED UNDER THE GROWER LICENSE
2 ISSUED BY THE STATE OF MICHIGAN. THIS LOG SHALL BE AVAILABLE TO
3 LAW ENFORCEMENT PERSONNEL TO CONFIRM THAT THE MEDICAL
4 MARIHUANA GROWER DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
5 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
6 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
7 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;

8
9 (6) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
10 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
11 MMFLA, MTA, AND THE RULES AND REGULATIONS OF THE MEDICAL
12 MARIHUANA LICENSING BOARD, AS AMENDED;

13
14 (7) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
15 PERMITS SHALL BE OBTAINED FROM THE CITY OF LANSING OR OTHER
16 APPLICABLE GOVERNMENT AUTHORITY FOR ANY PORTION OF THE
17 STRUCTURE IN WHICH ELECTRICAL WIRING, LIGHTING AND/OR WATERING
18 DEVICES THAT SUPPORT THE CULTIVATION, GROWING OR HARVESTING OF
19 MARIHUANA ARE LOCATED;

20
21 (8) THAT PORTION OF THE STRUCTURE WHERE ANY CHEMICALS SUCH AS
22 HERBICIDES, PESTICIDES, AND FERTILIZERS ARE STORED SHALL BE SUBJECT
23 TO INSPECTION AND APPROVAL BY THE LANSING FIRE DEPARTMENT TO
24 INSURE COMPLIANCE WITH THE MICHIGAN FIRE CODES;

25
26 (9) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
27 MARIHUANA GROWER FACILITY SHALL BE PROHIBITED;

28
29 (10) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
30 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH CULTIVATING,
31 PROCESSING, OR TESTING MEDICAL MARIHUANA. MULTI-TENANT
32 COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES
33 SEGREGATED FROM MEDICAL MARIHUANA GROWER FACILITY;

34
35 (11) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
36 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
37 INCLUDING BUT NOT LIMITED TO:

38
39 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

40
41 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
42 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
43 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.

44
45 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL
46 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN

1 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER
2 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE
3 CONDITION IS CORRECTED.
4

5 (12) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
6 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
7 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
8 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
9

10 (13) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
11 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
12 IN GOOD REPAIR;
13

14 (14) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION
15 AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO
16 MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
17 WASTE DEVELOPMENT AND MINIMIZE THE POTENTIAL FOR WASTE
18 BECOMING AN ATTRACTANT, HARBORAGE OR BREEDING PLACE FOR PESTS;
19

20 (15) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
21 MAINTAINED IN A SANITARY CONDITION;
22

23 (16) EACH CULTIVATION CENTER SHALL PROVIDE ITS OCCUPANTS WITH
24 ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE
25 MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;
26

27 (17) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
28 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
29 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
30

31 (18) MEDICAL MARIHUANA GROWER FACILITIES SHALL BE FREE FROM
32 INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
33

34 (19) MEDICAL MARIHUANA GROWER FACILITIES SHALL PRODUCE NO
35 PRODUCTS OTHER THAN USEABLE MEDICAL MARIHUANA INTENDED FOR
36 HUMAN CONSUMPTION.
37

38 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
39 MEDICAL MARIHUANA GROWER FACILITY SHALL BE PROHIBITED.
40

41 **1300.11 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
42 **SAFETY COMPLIANCE FACILITY.**
43

44 (A) THE FOLLOWING MINIMUM STANDARDS FOR SAFETY COMPLIANCE
45 FACILITIES SHALL APPLY:
46

1 (1) THE SAFETY COMPLIANCE FACILITY SHALL COMPLY AT ALL TIMES
2 AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE MTA, AND
3 THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD AND
4 THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR
5 SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS MAY BE
6 AMENDED FROM TIME TO TIME
7

8 (2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE
9 LANSING CITY CHARTER CONSUMPTION AND/OR USE OF MEDICAL
10 MARIHUANA SHALL BE PROHIBITED AT THE FACILITY;
11

12 (3) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
13 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
14 ON THE PREMISES;
15

16 (4) ANY SAFETY COMPLIANCE FACILITY SHALL MAINTAIN A LOG BOOK
17 AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL
18 MARIHUANA ON THE PREMISES AND FROM WHICH PARTICULAR SOURCE.
19 THE FACILITY SHALL MAINTAIN THE CONFIDENTIALITY OF QUALIFYING
20 PATIENTS IN COMPLIANCE WITH THE MMMA, MMFLA, AND MTA, AS
21 AMENDED;
22

23 (5) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
24 BUILDING IN AN ENCLOSED, LOCKED FACILITY IN ACCORDANCE WITH THE
25 MMMA, THE MMFLA, THE MTA, AND THE RULES AND REGULATIONS OF THE
26 MEDICAL MARIHUANA LICENSING BOARD, AS AMENDED;
27

28 (6) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE
29 SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH TESTING MEDICAL
30 MARIHUANA;
31

32 (7) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
33 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY;
34

35 (8) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
36 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
37 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
38 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
39

40 (9) FLOORS, WALLS AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
41 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
42 IN GOOD REPAIR;
43

44 (10) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
45 MAINTAINED IN A SANITARY CONDITION;
46

1 (11) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
2 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
3 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
4

5 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
6 MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE PROHIBITED.
7

8 **1300.12 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
9 **PROCESSOR FACILITY AND A MEDICAL MARIHUANA SECURE TRANSPORTER.**
10

11 (A) THE FOLLOWING MINIMUM STANDARDS FOR PROCESSOR AND A SECURE
12 TRANSPORTER SHALL APPLY:
13

14 (1) THE PROCESSOR AND SECURE TRANSPORTER SHALL COMPLY AT ALL
15 TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, MTA
16 AND THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD
17 AND THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR
18 SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS MAY BE
19 AMENDED FROM TIME TO TIME;
20

21 (2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE
22 LANSING CITY CHARTER, CONSUMPTION AND/OR USE OF MEDICAL
23 MARIHUANA SHALL BE PROHIBITED AT THE PROCESSOR OR SECURE
24 TRANSPORTER FACILITY;
25

26 (3) ALL ACTIVITY RELATED TO THE PROCESSOR FACILITY SHALL BE
27 PERFORMED INDOORS IN A BUILDING;
28

29 (4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
30 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
31 ON THE PREMISES;
32

33 (5) ANY PROCESSOR AND/OR SECURE TRANSPORTER FACILITY SHALL
34 MAINTAIN A LOG BOOK AND/OR DATABASE IN ACCORDANCE WITH THE
35 MMFLA, THE MTA AND THE RULES AND REGULATIONS OF THE MEDICAL
36 MARIHUANA LICENSING BOARD IDENTIFYING BY DATE THE AMOUNT OF
37 MEDICAL MARIHUANA ON THE PREMISES WHICH SHALL NOT EXCEED THE
38 AMOUNT PERMITTED UNDER THE PROCESSOR LICENSE ISSUED BY THE STATE
39 OF MICHIGAN, TO THE EXTENT A STATE PERMIT PROCESS EXISTS. THIS LOG
40 SHALL BE AVAILABLE TO LAW ENFORCEMENT PERSONNEL TO CONFIRM
41 THAT THE PROCESSOR DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
42 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
43 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
44 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;
45

1 (6) ALL MEDICAL MARIJUANA WILL BE TAGGED WITH UNIQUE
2 IDENTIFICATION.
3

4 (7) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
5 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
6 MMFLA, MTA AND THE RULES AND REGULATIONS OF THE MEDICAL
7 MARIHUANA LICENSING BOARD, AS AMENDED;
8

9 (8) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
10 PERMITS SHALL BE OBTAINED FOR ANY PORTION OF THE STRUCTURE IN
11 WHICH ELECTRICAL WIRING FOR DEVICES THAT SUPPORT THE PROCESSING
12 OR SECURE TRANSPORTING OF MEDICAL MARIHUANA ARE LOCATED;
13

14 (9) THAT PORTION OF THE STRUCTURE WHERE THE STORAGE OF ANY
15 CHEMICALS EXIST SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY
16 THE LANSING FIRE DEPARTMENT TO INSURE COMPLIANCE WITH THE
17 MICHIGAN FIRE PROTECTION CODE;
18

19 (10) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
20 MARIHUANA PROCESSOR OR SECURE TRANSPORTER FACILITY SHALL BE
21 PROHIBITED EXCEPT AS AUTHORIZED BY LANSING CITY CHARTER AND
22 STATE LAW;
23

24 (11) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
25 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH THE
26 PROCESSING OR SECURE TRANSPORTING OF MEDICAL MARIHUANA. MULTI-
27 TENANT COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES
28 SEGREGATED FROM THE PROCESSOR FACILITY;
29

30 (12) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
31 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
32 INCLUDING BUT NOT LIMITED TO:
33

34 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
35

36 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
37 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
38 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.
39

40 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL
41 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN
42 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER
43 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE
44 CONDITION IS CORRECTED.
45

1 (13) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
2 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
3 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
4 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
5

6 (14) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
7 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
8 IN GOOD REPAIR;
9

10 (15) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION
11 AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO
12 MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
13 THE WASTE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
14 WASTE BECOMING AND ATTRACTANT, HARBORAGE OR BREEDING PLACES
15 FOR PESTS;
16

17 (16) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
18 MAINTAINED IN A SANITARY CONDITION;
19

20 (17) EACH MEDICAL MARIHUANA PROCESSOR FACILITY SHALL PROVIDE
21 ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET
22 FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD
23 REPAIR;
24

25 (18) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
26 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
27 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
28

29 (19) PROCESSOR FACILITIES SHALL BE FREE FROM INFESTATION BY
30 INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
31

32 (20) PROCESSOR FACILITIES SHALL PRODUCE NO PRODUCTS OTHER THAN
33 USEABLE MEDICAL MARIHUANA INTENDED FOR HUMAN CONSUMPTION.
34

35 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
36 PROCESSOR FACILITY SHALL BE PROHIBITED.
37

38 **1300.13 - LOCATION OF MEDICAL MARIHUANA PROVISIONING CENTERS .**

39

40 (A) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE LOCATED
41 WITHIN:
42

43 (1) ONE THOUSAND (1000) FEET, MEASURED FROM PROPERTY LINE
44 TO PROPERTY LINE, OF AN OPERATIONAL SCHOOL; A
45 COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME
46 OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR

REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.;

(2) FIVE HUNDRED (500) FEET, MEASURED FROM PROPERTY LINE TO PROPERTY LINE, OF; A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.

(B) MEDICAL MARIHUANA PROVISIONING CENTERS SHALL BE LIMITED TO F AND F1-COMMERCIAL, G2-WHOLESALE, H-LIGHT INDUSTRIAL, AND I-HEAVY INDUSTRIAL AS PROVIDED BY THE ZONING PROVISIONS OF THE LANSING CODIFIED ORDINANCES.

(C) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE LOCATED WITHIN ANOTHER BUSINESS.

(D) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO PURSUANT TO PUBLIC ACT 425 OF 1984

(E) EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF MARIHUANA OR MARIHUANA INFUSED PRODUCTS ON LICENSED PREMISES.

1300.14 - LOCATION OF MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL MARIHUANA PROCESSOR FACILITIES, MEDICAL MARIHUANA GROWER FACILITIES, AND MEDICAL MARIHUANA SECURE TRANSPORTERS.

(A) NO MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY, MEDICAL MARIHUANA PROCESSOR FACILITY, MEDICAL MARIHUANA GROWER FACILITY, OR MEDICAL MARIHUANA SECURE TRANSPORTER SHALL BE LOCATED WITHIN

(1) ONE THOUSAND (1,000) FEET, MEASURED FROM THE PROPERTY LINE OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF AN OPERATIONAL SCHOOL; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.; OR

(2) FIVE HUNDRED (500) FEET, MEASURED FROM THE PROPERTY LINE OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; OR A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.

(B) ALL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL MARIHUANA PROCESSOR FACILITIES, AND MEDICAL MARIHUANA SECURE TRANSPORTER FACILITIES SHALL BE SUBJECT TO SUBSECTION (A) AND SHALL BE LIMITED TO THE H-LIGHT INDUSTRIAL, I-HEAVY INDUSTRIAL, OR G2-WHOLESALE ZONING DISTRICTS AS IDENTIFIED IN THE LANSING CODIFIED ORDINANCES.

(C) ALL MEDICAL MARIHUANA GROWER FACILITIES SHALL BE SUBJECT TO SUBSECTION (A) AND SHALL BE LIMITED TO THE H-LIGHT INDUSTRIAL OR I-HEAVY INDUSTRIAL ZONING DISTRICTS AS IDENTIFIED IN THE LANSING CODIFIED ORDINANCES.

1300.15 - LICENSE REVOCATION; BASES FOR REVOCATION; APPEAL OF LICENSE DENIAL.

(A) A LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED AFTER AN ADMINISTRATIVE HEARING AND A DETERMINATION THAT ANY GROUNDS FOR REVOCATION UNDER SUBSECTION (B) EXIST. NOTICE OF THE TIME AND PLACE OF THE HEARING AND THE GROUNDS FOR REVOCATION MUST BE GIVEN TO THE LICENSEE AT LEAST FIVE DAYS PRIOR TO THE DATE OF THE HEARING, BY FIRST CLASS MAIL TO THE ADDRESS GIVEN ON THE LICENSE APPLICATION OR ANY ADDRESS PROVIDED PURSUANT TO 1300.4(A)(1) OR (2);

(B) A LICENSE ISSUED UNDER THIS CHAPTER MAY BE DENIED OR REVOKED ON ANY OF THE FOLLOWING BASES:

(1) A MATERIAL VIOLATION OF ANY PROVISION OF THIS CHAPTER;

(2) ANY CONVICTION OF A DISQUALIFYING FELONY BY THE LICENSEE, STAKEHOLDER, OR ANY PERSON HOLDING AN OWNERSHIP INTEREST IN THE LICENSE;

(3) COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF A FALSE STATEMENT BY THE APPLICANT, LICENSEE, OR ANY STAKEHOLDER OF THE APPLICANT OR LICENSEE WHILE ENGAGING IN ANY ACTIVITY FOR WHICH THIS CHAPTER REQUIRES A LICENSE;

(4) FAILURE TO OBTAIN AND MAINTAIN A CERTIFICATE OF APPROVAL FROM THE CITY CLERK;

(5) THE MEDICAL MARIHUANA ESTABLISHMENT IS DETERMINED BY THE CITY TO HAVE BECOME A PUBLIC NUISANCE.

(C) APPEAL OF DENIAL OF APPLICATION OR REVOCATION OF LICENSE: THE CITY CLERK SHALL NOTIFY AN APPLICANT OF THE REASON(S) FOR DENIAL OF AN APPLICATION OR REVOCATION OF A LICENSE AND PROVIDE THE APPLICANT WITH THE OPPORTUNITY TO BE HEARD. ANY APPLICANT AGGRIEVED BY THE DENIAL OR REVOCATION OF A LICENSE UNDER THIS CHAPTER MAY APPEAL TO THE CITY CLERK, WHO SHALL APPOINT A HEARING OFFICER. SUCH APPEAL SHALL BE TAKEN BY FILING WITH THE CITY CLERK, WITHIN 14 DAYS AFTER NOTICE OF THE ACTION COMPLAINED OF HAS BEEN MAILED TO THE APPLICANT'S LAST KNOWN ADDRESS ON THE RECORDS OF THE CITY CLERK, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR THE APPEAL. THE REVIEW ON APPEAL OF A DENIAL OR REVOCATION SHALL BE LIMITED TO WHETHER THERE HAS BEEN AN ABUSE OF DISCRETION IN THE DECISION OR THAT THE DECISION IS NOT SUPPORTED BY MATERIAL AND COMPETENT EVIDENCE. THE FINAL AND CONCLUSIVE DECISION ON APPEAL SHALL BE THE CITY COUNCIL WHO SHALL RECEIVE A REPORT AND RECOMMENDATION FROM THE HEARING OFFICER.

1300.16 – PENALTIES; TEMPORARY SUSPENSION OF A LICENSE

(A) THE CITY OF LANSING MAY REQUIRE AN APPLICANT OR LICENSEE OF A MEDICAL MARIHUANA FACILITY TO PRODUCE DOCUMENTS, RECORDS, OR ANY OTHER MATERIAL PERTINENT TO THE INVESTIGATION OF AN APPLICATION OR ALLEGED VIOLATION OF THIS CHAPTER. FAILURE TO PROVIDE THE REQUIRED MATERIAL MAY BE GROUNDS FOR APPLICATION DENIAL OR LICENSE REVOCATION;

(B) ANY PERSON IN VIOLATION OF ANY PROVISION OF THIS CHAPTER SHALL BE SUBJECT TO A CIVIL FINE AND COSTS. INCREASED CIVIL FINES MAY BE IMPOSED FOR A REPEAT VIOLATION. AS USED IN THIS SECTION "REPEAT VIOLATION" SHALL MEAN A SECOND OR ANY SUBSEQUENT INFRACTION OF THE SAME REQUIREMENT OR PROVISION COMMITTED BY A PERSON OR ESTABLISHMENT WITHIN ANY 12-MONTH PERIOD. UNLESS OTHERWISE SPECIFICALLY PROVIDED IN THIS CHAPTER OR ANY OTHER CHAPTER FOR A MUNICIPAL INFRACTION, THE PENALTY SCHEDULE IS AS FOLLOWS:

1. \$500, PLUS COSTS, FOR THE FIRST VIOLATION;
2. \$750, PLUS COSTS, FOR A REPEAT VIOLATION;

3. \$750, PLUS COSTS, PER DAY, PLUS COSTS, FOR ANY VIOLATION THAT CONTINUES FOR MORE THAN ONE DAY.

(C) ALL FINES IMPOSED UNDER THIS CHAPTER SHALL BE PAID WITHIN 45 DAYS AFTER THE EFFECTIVE DATE OF THE ORDER IMPOSING THE FINE OR AS OTHERWISE SPECIFIED IN THE ORDER;

(D) THE MAYOR MAY TEMPORARILY SUSPEND A MEDICAL MARIHUANA ESTABLISHMENT LICENSE WITHOUT A PRIOR HEARING IF THE MAYOR FINDS THAT PUBLIC SAFETY OR WELFARE REQUIRES EMERGENCY ACTION AFFECTING THE PUBLIC HEALTH, SAFETY, OR WELFARE. THE MAYOR SHALL CAUSE THE TEMPORARY SUSPENSION BY ISSUING A SUSPENSION NOTICE IN CONNECTION WITH INSTITUTION OF PROCEEDINGS FOR NOTICE AND A HEARING;

(E) IF THE MAYOR TEMPORARILY SUSPENDS A LICENSE WITHOUT A PRIOR HEARING, THE LICENSEE IS ENTITLED TO A HEARING WITHIN THIRTY (30) DAYS AFTER THE SUSPENSION NOTICE HAS BEEN SERVED ON THE LICENSEE OR POSTED ON THE LICENSED PREMISES. IN THE CASE OF A LICENSE ISSUED FOR A MEDICAL MARIHUANA GROWER FACILITY, THE HEARING SHALL BE HELD WITHIN SEVEN (7) DAYS AFTER THE NOTICE HAS BEEN SERVED ON THE LICENSEE OR POSTED ON THE PREMISES OF THE LICENSED FACILITY. THE HEARING SHALL BE LIMITED TO THE ISSUES CITED IN THE SUSPENSION NOTICE;

(F) IF THE MAYOR DOES NOT HOLD A HEARING WITHIN THIRTY (30) DAYS AFTER THE DATE THE SUSPENSION WAS SERVED ON THE LICENSEE OR POSTED ON THE LICENSED PREMISES, OR IN THE CASE OF A GROWER FACILITY SEVEN (7) DAYS, THEN THE SUSPENDED LICENSE SHALL BE AUTOMATICALLY REINSTATED AND THE SUSPENSION VACATED.

(G) THE PENALTY PROVISIONS OF THIS CHAPTER ARE NOT INTENDED TO FORECLOSE ANY OTHER REMEDY OR SANCTION THAT MIGHT BE AVAILABLE TO, OR IMPOSED BY THE CITY, INCLUDING CRIMINAL PROSECUTION.

1300.17 -NO VESTED RIGHTS

A PROPERTY OWNER SHALL NOT HAVE VESTED RIGHTS OR NONCONFORMING USE RIGHTS THAT WOULD SERVE AS A BASIS FOR FAILING TO COMPLY WITH THIS CHAPTER OR ANY AMENDMENT OF THIS CHAPTER.

1300.18 –ZONING BOARD OF APPEALS

THE DISTANCE REQUIREMENTS UNDER THIS CHAPTER SHALL BE REVIEWABLE BY THE BOARD OF ZONING APPEALS FOLLOWING THE CRITERIA PROVIDED IN SECTION 1244.06(C).

1300.19-SUNSET

PURSUANT TO SECTION 3-307 OF THE LANSING CITY CHARTER, THIS CHAPTER
SHALL EXPIRE DECEMBER 1, 2026.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules,
inconsistent with the provisions hereof are hereby repealed in their entirety and shall be void and of no
effect.

Section 3. Should any section, clause or phrase of this Ordinance be declared to be invalid, the
same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part
declared to be invalid.

Section 4. This Ordinance shall take effect on the 30th day after enactment unless given
immediate effect by the City Council.