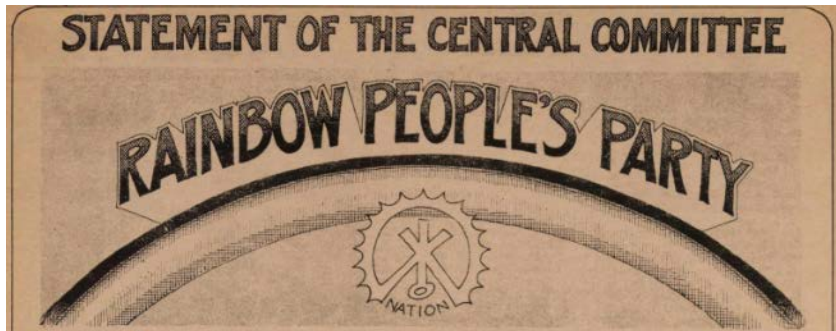


The City of Ann Arbor Marijuana Ordinances

SEPTEMBER 23, 2019



Soft Marijuana Law With \$5 Fine Adopted



"We see the People's Health Committee developing further the Free People's Clinic, adding a Free Dental Clinic as is already planned, and moving into the area of People's Hospitals and People's Dispensaries as soon as conditions permit. "



Recent Legal History

2008 – Michigan Medical Marihuana Act (MMMA)

- Patients, Caregivers, Medical Marijuana Home Occupations, Medical Marijuana Dispensaries, Medical Marijuana Cultivation Facilities

2016 – Medical Marihuana Facilities Licensing Act (MMFLA)

- Medical Marijuana Growers, Medical Marijuana Processors, Medical Marijuana Secure Transporters, Medical Marijuana Provisioning Centers, Medical Marijuana Safety Compliance Facilities

2018 – Michigan Regulation and Taxation of Marihuana Act (MRTMA)

- Marijuana Growers, Marijuana Processors, Marijuana Secure Transporters, Marijuana Retailer, Designated Consumption Establishment, Marijuana Microbusiness, Marijuana Safety Compliance Facilities

Land Use Regulations for Recreational Marijuana

CHAPTER 55 – UNIFIED DEVELOPMENT CODE

Amendments by Term:

Medical

Remove term “medical” from most

Current	Proposed
Medical Marijuana Facility	Marijuana Facility
Medical Marijuana Safety Compliance Facility	Marijuana Safety Compliance Facility
Medical Marijuana Secure Transporter	Marijuana Secure Transporter
Medical Marijuana Grower	Marijuana Grower
Medical Marijuana Processor	Marijuana Processor

Amendments by Term:

Designated Marijuana Consumption Facility

- Definition: Where customers may consume, via smoking, ingestion, or other means, marijuana individually purchased through a State Licensed provisioning center, marijuana retailer, or marijuana microbusiness
- Allowed in C1A, C1B, C1A/R, D1, D2, C2B and C3 districts
- Must be 1,000 feet from school
- Can co-locate with a Provisioning Center or Retailer

Amendments by Term:

Marijuana Retailer

- Definition: A commercial entity that purchases marijuana from a grower or processor and sells, supplies, or provides marijuana to customers
- Extension of Medical Marijuana Provisioning Center
- Allowed as Special Exception Use in C1, C1A, C1B, C1A/R, D1, D2, C2B and C3 districts
- Allowed, with Special Exception Use, as Incidental to growers and processors in M1, M1A and M2 districts
- Must be 600 feet from another provisioning center/retailer, microbusiness
- Must be 1,000 feet from school
- Maximum 28 permits in City

Amendments by Term:

Marijuana Microbusiness

- Definition: A facility that cultivates, processes, and sells or transfers marijuana directly to consumers.
- Allowed as Special Exception Use in C3, RE, ORL, M1, M1A and M2 districts
- Must be 600 feet from another provisioning center/retailer, microbusiness
- Must be 1,000 feet from school
- 10% of energy must come from solar panels

Amendments by Section

Section 5.15, Table 5-15 (Permitted Use Table)

- Added Designated Marijuana Consumption Facility permitted in Mixed Use Districts
- Added Marijuana Retailer special exception with Medical Marijuana Provisioning Center in Mixed Use and Non-Residential/Special Purpose Districts
- Added Marijuana Microbusiness special exception in C3 and Non-Residential/Special Purpose Districts
- Removed Marijuana Grower not permitted in Mixed Use Districts

Amendments by Section

Section 5.16.3.G (Use Specific Standards, Commercial)

- Strike “medical”
- Reference MRTMA
- Marijuana Retailer may operate where Medical Marijuana Provisioning Center has been approved
- Add microbusiness and retailer to 600’ separation requirement
- Reference, clarify maximum number state licenses per lot
- Clarify, reference facility limits established by Chapter 96
- Exempt consumption facility from consumption ban
- Add, clarify, revise required statements for growers and microbusinesses
- Add, clarify, revise additional information with special exception use

Amendments by Section

Section 5.37.2 (Definitions, Specific Terms)

- Strike most “medical”
- Reference MRTMA
- Add Designated Marijuana Consumption Facility
- Revise Grower
- Add Marijuana Microbusiness
- Add Marijuana Retailer
- Revise Marijuana-Infused Product Processor
- Revise Safety Compliance Facility
- Revise Secure Transporter

Permitting Regulations for Recreational Marijuana

CHAPTER 96 – MEDICAL MARIJUANA FACILITIES
AND MARIJUANA ESTABLISHMENTS

Permit Ordinance Amendments

No changes for equivalent license types

MMFLA	MRTMA
Medical Marijuana Safety Compliance Facility	Marijuana Safety Compliance Facility
Medical Marijuana Secure Transporter	Marijuana Secure Transporter
Medical Marijuana Grower	Marijuana Grower
Medical Marijuana Processor	Marijuana Processor

One permit required for an equivalent license type

Permit Ordinance Amendments

Provisioning Centers and Retailers are combined into one permit

- Provisioning Center/Retailer Permit

MMFLA	MRTMA
Medical Marijuana Provisioning Center	Marijuana Retailer

Two Additional Permits created under MRTMA:

- Designated Consumption Facility
- Microbusinesses

Permit Ordinance Amendments

Permit Caps as amended by Council at First Reading

Permit Type	Cap
Provisioning Center/Retailer	28
Designated Consumption Facility	28
Marijuana Microbusiness	28

Permit Application Process

MRTMA requires the City to have a competitive process when a City limits the number of facilities, which prevents the state from issuing a license to all applicants

- Select applicants “Best suited” to operate in compliance with MRTMA in the City
- Administrative process established by resolution
- Application acceptance period open for a set duration each quarter, and then all applications will be scored and processed by Administrator or designee

Permit Application Process

Applications scored based on specific criteria:

- Past Performance / Experience with Community – 25 points
- Business Plan / State Compliance – 25 points
- Location – 25 points
- Community Interest – 25 points