



BENJAMIN D. JOFFE PLLC

Attorney & Counselor

106 NORTH FOURTH AVENUE, SUITE 302
ANN ARBOR, MI 48104
(734) 368-8595
BDJ@BENJAMINDJOFFE.COM

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Brett Lenart, AICP
Planning Manager
City of Ann Arbor
301 E. Huron St.
Ann Arbor, MI 48107

Brett,

I am writing in regard to the following concerns about the proposed City of Ann Arbor medical marihuana zoning standard: the 1,000' proximity between medical marihuana provisioning centers, processors, and growers. The distance should only apply to provisioning centers because this type of license will be the most heavily trafficked, even if a grower or processor takes advantage of the 10% retail exception they will have to be a state licensed provisioning center, and industrial parks are the only viable place that you may have a conversion of a district to a singular use.

Grower and processor licensed facilities are discreet uses akin to any other workplace that produces a product to be delivered to another entity for resale. These facilities will not have the type of traffic that a provisioning center will bring to a district. These facilities will be like a t-shirt factory that is visited by FedEx on a daily basis; employees will come to work, produce a product, a courier service will pick-up that product and it will, most likely, be moved outside of the district. The zoning, which has been done very well, has pushed the industry into certain areas, and although multiple provisioning centers have the ability to convert a district into a single use district known only for marijuana, processors and growers tightly grouped will only transform the district into a fully occupied economic engine of the district.

Growing and processing facilities are industrial and/or manufacturing uses; perfectly compatible with those zoned areas. The only licensee that participates in retail, at the time of licensing, will be provisioning centers. To dispense medical marihuana, facilities need a provisioning center license from the state. If a grower or processor takes advantage of the 10% retail exception in Ann Arbor, they will still need to procure two licenses from the state; one for growing or processing (or possibly one for each growing and processing) and one for provisioning medical marihuana to patients. Because of this, we know that no two growers and processors in the same district (within a 1,000' of each other) will both be able to use the exception to provide for on-site provisioning.

It will not be a detriment or loss if a certain district contains multiple grower and/or processor licensees. These organizations will not transform areas into anything different from what they currently are. If these licensees locate near each other, it will be the same as any manufacturing or industrial business located nearby; produce a product and move it to another location for retail. That is what manufacturing and industrial districts are for, and this, no matter if there are two or five grower and/or processor licensees

very close to each other, is the intended use of the districts. Additionally, because these organizations will not be able to use regular courier services, the proximity between facilities will help eliminate other logistical costs that are entailed when all the facilities must be spread out. Finally, if possible crime is an issue, our local police officers will have a smaller amount of distance to patrol, then if these licensees are forced to move 1,000' from each other.

The 1,000' proximity should only apply to provisioning centers because they are the only entity that could completely transform a district if they were able to locate close to each other, the requirement of a state provisioning license to engage in the 10% retail exception will sufficiently stop any conversion of the character of a district, and even if an area were to host multiple grower and/or processor licensees, it would take place in a district where similar manufacturing and industrial uses are already abound.

Regards,

/s/
Benjamin D. Joffe

Cc: C.M. Zach Ackerman