

ORDINANCE NO. ORD-18-22

First Reading: July 16, 2018
Public Hearing: August 23, 2018

Approved: August 23, 2018
Published: October 25, 2018
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UNIFIED DEVELOPMENT CODE
(MARIJUANA-INFUSED PRODUCT PROCESSOR)

AN ORDINANCE TO AMEND SECTION 5.15 (TABLE 5-15) AND SECTION 5.37.2 OF CHAPTER 55 (UNIFIED DEVELOPMENT CODE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That Section 5.15 (Table 5-15) of Chapter 55 of Title V of the Code of the City of Ann Arbor be amended to read as follows:

TABLE 5-15: PERMITTED USE TABLE

P= PERMITTED E = SPECIAL EXCEPTION A= PERMITTED ACCESSORY USE BLANK CELL = PROHIBITED

NOTE: ALL PROPERTIES ARE SUBJECT TO THE ADDITIONAL STANDARDS INDICATED FOR THAT USE IN THE RIGHT COLUMN

NOTE: ALL PROPERTIES IN OVERLAY DISTRICTS ARE SUBJECT TO THE ADDITIONAL USE REGULATIONS IN SEC. 5.13

NOTE: SPECIFIC USES IN THE C1A/R, RE, AND ORL DISTRICTS ARE SUBJECT TO ADDITIONAL STANDARDS FOUND IN SECTIONS 5.12.5, 5.13.4, AND 5.13.5 RESPECTIVELY

USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE								NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS						
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16		
PRIMARY USES																																			
RESIDENTIAL																																			Error! Reference source not found.
Household Living																																			
Adult Foster Ca		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P				P							
Dwelling, Assisted Living											P	P	P	P		P	P	P	P	P	P	P	P	P				P							
Dwelling, Multi-Family												P	P	P	P	P	P	P	P	P	P	P	P	P				P	E						Error! Reference source not found.; Error! Reference source not found.
Dwelling, Single-Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P				P						Error! Reference source not found.; Error! Reference source not found.	
Dwelling, Townhouse												P	P	P	P	P	P	P	P	P	P	P	P				P							Error! Reference source not found.	

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USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE								NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS					
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
Dwelling, Two-Family							P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P				P							Error! Reference source not found.
House Trailer/Mobile Home Park														P																				Error! Reference source not found.
Group Living																																		
Emergency Shelter											P	P	P	P		P	P	P	P	P	P	P	P											
Fraternities, Sororities, and Student Cooperative Housing							E			E	E	E	E	E		E	P	P	P	P	P	P	P											Error! Reference source not found.; Error! Reference source not found.
Group Housing							E			E	P	P	P	P		P	P	P	P	P	P	P	P											Error! Reference source not found.; Error! Reference source not found.

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USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS							
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16		
Guest House										P	P	P	P	P		P	P	P	P	P	P	P	P											Error! Reference source not found.; Error! Reference source not found.	
PUBLIC/ INSTITUTIONAL																																		ERROR! REFERENCE SOURCE NOT FOUND.	
Community and Cultural																																			
Cemetery	P																																		
Club Headquarters or Community Center							E		E	E	E	E	E	E		E	P	P	P	P	P	P	P	P											Error! Reference source not found.
Conference Center																					E							E							
Correctional Facility																												P							
Museum, Art Gallery																					P	P	P	P				P							
Funeral Services																P	P	P	P	P	P	P	P							P	P	P			
Government Offices and Courts																P	P	P	P	P	P	P	P				P			P	P				
Library		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P				P			P	P				
Park, Recreation and Open Space																												P							Error! Reference source not found.

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USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE								NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS					
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
Religious Assembly	P	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	P	P	P	P	P	P	P	P										
Day Care																																		
Adult Day Care Center		E	E	E	E	E	E	E	P	P	P	P	P	P		P	P	P	P	P	P	P	P						E	P	P	P		
Child Care Center		E	E	E	E	E	E	E	P	P	P	P	P	P		P	P	P	P	P	P	P	P					E	P	P	P			
Educational																																		
Institutions of Higher Learning, Private		E	E	E	E	E	E	E	E	E	E	E	E	E		P	P	P	P	P	P	P	P								P	P	P	
Institutions of Higher Learning, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P		
School, Private		E	E	E	E	E	E	E	E	E	E	E	E	E		E	P	P	P	P	P	P	P											
School, Public	P	P	P	P	P	E	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P		
School, Trade/Industrial																	P	P	P	P	P	P	P				P		P	P	P	P		

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USE CATEGORY AND TYPE	RESIDENTIAL												MIXED USE						NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS											
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16			
Health Care																																				
Hospital										E	E	E	E	E														P							Error! Reference source not found.	
Nursing Care Facility										P	P	P	P	P		P	P	P	P	P	P	P	P	P						P	P	P		Error! Reference source not found.		
COMMERCIAL																																			Error! Reference source not found.	
Lodging																																				
Bed and Breakfast																					P	P	P	P	P											
Hotel																P	P	P	P	P	P	P	P	P												
Recreation, Entertainment, and Arts																																				
Adult Entertainment Business																															P			P		Error! Reference source not found.
Artist Studio																P	P	P	P	P	P	P	P								P	P	P		Error! Reference source not found.	

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USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS							
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16		
General Entertainment																P	P	P	P	P		E	P	P										Error! Reference source not found.	
Indoor Recreation																E	P	P	P	P	P	P	P	P				P	E	E	E	E	E	E	Error! Reference source not found.
Outdoor Recreation	P	E	E	E	E	E	E	E	E	E	E	E	E	E										P	P			P		E					Error! Reference source not found.

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	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
Sales																																		
Automobiles, Motorcycles, Recreational Vehicles, Equipment (Sales and Rental)																					E	E	P	P							P	P		
Fueling Station																					E	E	E	P								P		
Outdoor Sales, Permanent																P	P	P	P	P	P	P	P											
Medical Marijuana Provisioning Center																E	E	E	E	E	E	E	E							E	E	E		
Restaurant, Bar, Food Service																P	P	P	P	P	P	P	P											
Retail Sales, General Merchandise																P	P	P	P	P	P	P	P											
Wholesale, Resale, Building Material and Supplies																							P	P						P	P	P		

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	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16		
Services and Repair																																			
Automobile, Truck, Construction Equipment Repair																					E	E	P	P							P	P	P	Error! Reference source not found.	
Contractors, General Construction, and Residential Building																						P	P	P							P	P	P		
Laundry, Cleaning, and Garment Services																	P	P	P	P	P	P	P	P							P	P	P		
Parking Lot or Structure																					E	E					P	P						Error! Reference source not found.	
Personal Services																P	P	P	P	P	P	P	P											Error! Reference source not found.	
Vehicle Wash																					E	E	E	P											
Veterinary, Kennel, and Animal Boarding																E	E	E	E	E	P	P	P	P							P	P	P	Error! Reference source not found.	

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	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
OFFICE AND RESEARCH																																	Error! Reference source not found.	
Office-Type																																		
Bank, Credit Union, Financial Services																P	P	P	P	P	P	P	P	P							P			
Office, General																P	P	P	P	P	P	P	P					P	P	P			Error! Reference source not found.	
Medical/Dental																P	P	P	P	P	P	P	P							P			Error! Reference source not found.	
Nonprofit Corporations		E	E	E	E	E	E	E	E	E	E	E	E	E		P	P	P	P	P	P	P	P					P	P	P			Error! Reference source not found.	
Research and Development																																		
Laboratory																													P	P	P	P	P	Error! Reference source not found.
Medical Laboratory																			P	P		P	P				P	P	P	P	P			

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	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16			
Medical Marijuana Safety Compliance Facility																																			Error! Reference source not found.	
Research/Development																																				
TRANSPORTATION																																				
Medical Marijuana Secure Transporter																							P	P											Error! Reference source not found.	
Railroad and Public Transportation Rights-of-Way																					P	P	P	P												
Transit Center, Station, or Depot																					P	P	P	P												
Transportation Facilities																																				
INDUSTRIAL																																				Error! Reference source not found.
Agricultural																																				
Agriculture/Greenhouse	P																																			
Barns	P																																			
Borrow Pits	E																																			
Medical Marijuana Grower																																				Error! Reference source not found.

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	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16		
Manufacturing, Processing, Assembly, and Fabrication																																			
Asphalt, Concrete Mixing Plant, Sand and Gravel Pit																																		E	
Coal and Coke Dealer																																		P	
Food and Beverages																																P	P	P	
Heavy Manufacturing																																P		Error! Reference source not found.	
Laundry and Dry Cleaning Plant																															P	P	P		
Light Manufacturing																													P	P	P			Error! Reference source not found.	
Medical Marijuana Processor																												E	E	P				Error! Reference source not found.	
Marijuana-Infused Product Processor																																			5.16.3G
Oil and Gas Wells																																			Error! Reference source not found.
Pilot Manufacturing																													P	P	P	P	P		
Scrap and Waste Material																																		E	

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	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16		
Slaughterhouse																																		E	
Utilities and Communications																																			
Broadcasting Facility																					P	P	P	P								P	P	P	
Data Processing and Computer Centers																P	P	P	P	P	P	P	P					P	P	P	P	P	P		
Electric, Gas, and Sanitary Services																															P	P	P		
Power and Fuel Rights-of-Way																																		P	
Wireless Communication Facilities	P															P	P			E	E	E	P	P	E		P	P	P	P	P	P	P	Error! Reference source not found.	

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Warehousing and Storage																																			
Outdoor Storage																																			
Warehousing and Indoor Storage																							P	P							P	P	P		
ACCESSORY USES																																			Error! Reference source not found.
All Accessory Buildings																																			Error! Reference source not found.;
Bed and Breakfast, Accessory		A	A	A	A	A	A	A	A	A	A	A	A	A																					Error! Reference source not found.
Community Recreation									A	A	A	A	A	A																					Error! Reference source not found.;
Dish Antenna		A	A	A	A	A	A	A	A	A	A	A	A	A																					Error! Reference source not found.; Error! Reference source not found.; 5.16.6B

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USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE						NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS								
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16		
Drive-Through Facility															E						E	E	E	E										Error! Reference source not found.; Error! Reference source not found.; Error! Reference source not found.	
Dwelling Unit, Accessory		A	A	A	A	A																													Error! Reference source not found.; Error! Reference source not found.
Dwelling Unit, Manager's																														A	A	A		Error! Reference source not found.; 5.16.6E	

Ordinance No. ORD-18-22 Cont.

TABLE 5-15: PERMITTED USE TABLE

P= PERMITTED E = SPECIAL EXCEPTION A= PERMITTED ACCESSORY USE BLANK CELL = PROHIBITED

NOTE: ALL PROPERTIES ARE SUBJECT TO THE ADDITIONAL STANDARDS INDICATED FOR THAT USE IN THE RIGHT COLUMN

NOTE: ALL PROPERTIES IN OVERLAY DISTRICTS ARE SUBJECT TO THE ADDITIONAL USE REGULATIONS IN SEC. 5.13

NOTE: SPECIFIC USES IN THE C1A/R, RE, AND ORL DISTRICTS ARE SUBJECT TO ADDITIONAL STANDARDS FOUND IN SECTIONS 5.12.5, 5.13.4, AND 5.13.5 RESPECTIVELY

USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS					
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
Family Day Care Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										Error! Reference source not found.; Error! Reference source not found.
Group Day Care Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										Error! Reference source not found.; Error! Reference source not found.
Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										Error! Reference source not found.; Error! Reference source not found.
Incidental Services																A								A				A					Error! Reference source not found.; Error! Reference source not found.

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USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS							
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16		
Management/Maintenance Office and Storage																																			Error! Reference source not found.
Medical Marijuana Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A											5.16.6A Error! Reference source not found.
Medical Marijuana Use or Cultivation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A												5.16.6A; Error! Reference source not found.
Office, Administrative/Executive																												A				A	A	A	Error! Reference source not found.;
Outdoor Display and Vending Machines																		A	A	A	A	A	A	A											Error! Reference source not found.; Error! Reference source not found.

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USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS								
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16			
Outdoor Sales, Temporary																A	A	A	A	A	A	A	A	A											Error! Reference source not found.; Error! Reference source not found.	
Parking Attendant Building																											A									Error! Reference source not found.;
Restaurant, Bar, Food Service																										A									Error! Reference source not found.; Error! Reference source not found.	
Retail Sales, General Merchandise																														A	A	A	A		Error! Reference source not found.; Error! Reference source not found.	
Roadside Stand	A																																		Error! Reference source not found.	

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USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS						
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
Solar Energy System	A								A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Error! Reference source not found. Error! Reference source not found.
Solar Energy System, Personal-Scale		A	A	A	A	A	A	A	A	A																								Error! Reference source not found. Error! Reference source not found.
Wireless Communication Antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Error! Reference source not found.; Error! Reference source not found.
TEMPORARY USES																																		Error! Reference source not found.

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USE CATEGORY AND TYPE	RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE						USE-SPECIFIC STANDARDS						
	AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
Christmas Tree Sales	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P											Error! Reference source not found.
Outdoor Sales, Temporary by Others																	E	E	E	E	E	E	E	E										Error! Reference source not found.
Special Event Sales	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		Error! Reference source not found.

Ordinance No. ORD-18-22 Cont.

Section 2. That Section 5.37.2 be amended to add the following:

Processor, Marijuana-Infused Product - A licensee that is a commercial entity located in this state that purchases resin, oil, or other concentrates, to produce, package, and wholesale marijuana-infused products to licensed Provisioning Centers or other Processors.

Section 3. This ordinance shall take effect and be in force on and after ten days from legal publication.

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan at its regular session of August 23, 2018.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw Legal News on October 25, 2018.

Jacqueline Beaudry, Ann Arbor City Clerk