



MARIJUANA REGULATION IN GRAND RAPIDS

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January 3 & 4, 2019
Neighborhood Meetings

AGENDA

- Brief overview of cannabis
- Overview of laws
 - MMMA (personal medical)
 - MMFLA (commercial medical)
 - Good Neighbor Plan
 - MRTMA (recreational)
- Common questions
- Summary/Q&A

CANNABIS SCIENCE 101

- Cannabis plant: sativa, indica, ruderalis
- Chemicals (cannabinoids) in trichomes:
 - THC (tetrahydrocannabinol) – psychotropic rec
 - CBD (cannabidiol) – generally non-psychotropic med
 - Other cannabinoids – 16 total (THCA, CBDA, CBN, CBG, CBC, CBL, CBV, CBE, CBT...)
- Over 120 terpenes and terpenoids (compounds in any plant that produce a specific odor or flavor)
- “Entourage Effect” – mix of specific cannabinoids/terpenes
- Also used for industrial hemp



THREE LAWS

- Michigan Medical Marihuana Act (MMMA; 2008)
 - Legalized[®] use & patient/caregiver model for medical
 - Cities cannot regulate (2018 court decision)
- Medical Marihuana Facilities Licensing Act (MMFLA; 2016)
 - Allows for commercial supply chain & testing of medical
 - Cities must act to opt in – GR did so in July 2018
- Michigan Regulation and Taxation of Marihuana Act (MRTMA; 2018)
 - Legalized[®] adult possession & use of recreational marijuana
 - Cities must act to opt out by December 2019 – GR has not officially decided yet

**regardless of State laws, marijuana is still an illegal Schedule I drug on the federal level*

MMMA

- Michigan Medical Marihuana Act
- Passed by voters in November 2008
- Allows for patients and caregivers
- Patients must be registered cardholders in program
- Patients may possess up to 12 plants and 2.5 oz.
- Caregivers may serve up to 5 patients (12 plants/patient)
- 1 licensed **caregiver** in Grand Rapids (confidential)
- ~280,000 cardholders in Michigan (10,654 Kent County)
- Cities may not regulate in general



MMFLA

- Medical Marijuana Facilities Licensing Act
- Passed by legislature in December 2016
- Allows for up to five license types:

• Grower	<i>Grows plants</i>
• Processor	<i>May process plants into products</i>
• Provisioning Center	<i>May sell plant or processed products to cardholders</i>
• Secure Transporter	<i>Transports plants from grower to processor or prov. ctr.</i>
• Safety Compliance Facility	<i>Tests plants and/or processed products</i>
- Grand Rapids opted in on July 24, 2018

SUPPORT CORE

MMFLA IN GRAND RAPIDS

- Our local ordinance allows only for medical supply chain (right now)
- All five license types are permitted within the City, in commercial and industrial zones

CORE INDUSTRY LICENSE TYPES	SUPPORT INDUSTRY LICENSE TYPES
Growers, Processors, Provisioning Centers	Secure Transporters, Safety Compliance Labs
Special Land Use (Planning Commission)	Director Review (Staff)
Public hearing required	Public hearing not required
Start accepting apps on March 4, 2019	Start accepting apps on January 22, 2019
Must have received State prequalification	Must have applied for State prequalification

MMFLA IN GRAND RAPIDS

- Our local ordinance allows only for medical supply chain (right now)
- All five license types are permitted within the City, in commercial and industrial zones
- For **core industry** license types:
 - First round will OPEN March 4, 2019
 - First round will have a DRAW to help [schedule cases on PC agenda](#)
 - No land use rights are conferred**, only to set order of consideration
 - Application window for first round DRAW will close March 15, 2019
 - Will continue to accept applications after that date, just not for first round draw

MMFLA IN GRAND RAPIDS

- We have not set a cap on the number of facilities
- Rather, the number is limited by ZONING & separation distances

	LICENSE TYPE	ZONE DISTRICTS
CORE	Provisioning Centers	Commercial, industrial as accessory use
	Grower	Industrial only
	Processor	Commercial or industrial
SUPPORT	Secure Transporter	Industrial only
	Safety Compliance Facility	Commercial or industrial

MMFLA IN GRAND RAPIDS

- We have not set a cap on the number of facilities
- Rather, the number is limited by zoning & SEPARATION DISTANCES

SEPARATION FROM	REQUIRED SEPARATION DISTANCE
Public or private K-12 school	1,000 foot radius
State licensed childcare center (not home)	
Publicly owned park or playground*	
Religious institution*	
Substance use disorder program (rehab)*	

*these three separation distances are waivable by the Planning Commission

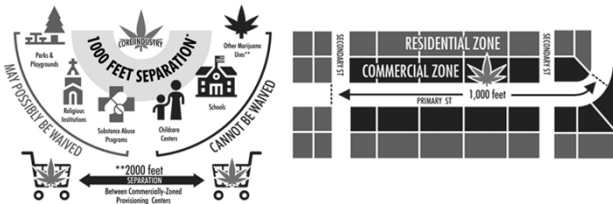
MMFLA IN GRAND RAPIDS

- We have not set a cap on the number of facilities
- Rather, the number is limited by zoning & SEPARATION DISTANCES

SEPARATION FROM	REQUIRED SEPARATION DISTANCE
Residential zone districts	1,000 foot linear along primary street frontage
Other core facility types except between PC	1,000 foot radius
Provisioning Center to Provisioning Center	
• Standalone in commercial zones	2,000 foot radius
• Co-located in industrial zones	1,000 foot radius

MMFLA IN GRAND RAPIDS

- SUMMARY OF SEPARATION DISTANCE REQUIREMENTS



MMFLA IN GRAND RAPIDS

- We expect anywhere from ~40 (likely) to ~80 facilities (unlikely)
- Best guess is ~80% provisioning centers, ~20% growers with associated processors & provisioning centers
- ~1200 parcels that may be "suitable" across the City (~67,000 parcels)
- Public map available online via

www.grandrapidsmi.gov/medicalmarijuana

MMFLA IN GRAND RAPIDS

- Good Neighbor Plan is required for all license types
- Public hearing will take place at Planning Commission for core license types (growers, processors, provisioning centers)
- Public hearing(s) for park/playground waivers at City Commission, although Planning Commission is decision-making body for all waivers
- MIVEDA incentivizes local applicants, local hiring, MicroLBE participation, # of employees, properties not needing waivers

GOOD NEIGHBOR PLAN

- Good Neighbor Plan is required for all license types
- Required to be complete, or in process, at time of application
- Requires signature by neighborhood org. representative
- Also encourages engagement with business associations/CID boards

GOOD NEIGHBOR PLAN

- Requires plans for:
 - Staff training for crime prevention and awareness
 - Methods to reduce sale of marijuana to minors
 - Litter control
 - Loitering control
 - Trespass enforcement
 - Landscape maintenance
 - Communication with organizations and neighbors
 - Anti-discrimination

GOOD NEIGHBOR PLAN

GNP must include by written verification that the owner, operator, manager, or a representative of the parent company met with or attempted in good faith to meet with the local recognized organization(s), adjacent property owners, and the Planning Department.

1. A copy of the notice and names & addresses of those notified of the applicant's desire to meet;
2. Time, date, and location of the meeting(s), and names, addresses, and phone numbers of those who participated in the meeting(s);
3. A copy of the draft GNP and, if applicable, site plan sent to the neighborhood association *and as presented at the meeting(s), if different*; and
4. Identification of those components of the GNP which were agreed upon and those which were unresolved, plus any additional items discussed during the meeting(s).

MRTMA

- Michigan Regulation and Taxation of Marihuana Act
- Passed by voters in November 2018
- Allows* for adult possession, use, and home grow
- Up to 2.5 ounces on person (15g concentrate), 10 ounces in residence per person (locked in safe), home grow of 12 plants per person
- Does not allow private sale, DUI, transfer of more than 2.5 oz.
- Six license types: new/different are "microbusinesses" and "retailers"
- Grand Rapids has *de facto* opted out, but may opt in by December 2019

*regardless of State laws, marijuana is still an illegal Schedule I drug on the federal level

FAQ

- Q How do we support/oppose a request for a facility and/or waiver? A Through correspondence to the **Planning Commission**, in writing or at the public hearing. Parks waiver requests will also be considered by the City Commission, with at least one public hearing.
- Q When will we work with practitioners? A Soon (most likely before March 2019). We have instructed practitioners to reach out to neighborhood/biz associations ASAP.
- Q How can we file a complaint? A The State is responsible for most personal & recreational enforcement. We are working on local enforcement mechanisms.
- Q Is public consumption OK? A The City's smoking ban applies to cannabis.
- Q How much is 2.5 ounces? A 80-140 joints worth, depending on the size of the joint
- Q Since GR opted into medical, will we opt in to recreational? A Not necessarily. Some license types are the same between medical and recreational. "Retailer" and "microbusiness" are new.
- Q Did GR voters support Prop 1? A Yes. Local results were ~70% in favor.
- Q If GR opts in to rec, when will we see those businesses start up? A We expect medical will probably appear by the end of 2019. If we don't opt out, rec is unlikely for at least a year after that.

TO SUM UP

- MMMA (Patient/caregiver): *City generally cannot regulate*
- MMFLA (Commercial supply chain of medical): *Currently regulating*
- Good Neighbor Plans – *Your #1 point for engagement, plus public hearing(s)*
- MRTMA (Recreational): *Use, possession, grow OK. Supply chain TBD*
- Enforcement – *little allowed for MMMA/MRTMA. Most referred to State*

TO SUM UP

Questions?

www.grandrapidsmi.gov/medicalmarijuana

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Thank you!
