

Medical Marihuana

City Commission Work Session

About this Discussion Guide

Since the passage of Grand Rapids' Medical Marihuana ordinance in July 2018, Planning Department staff has been flooded by phone calls, emails, and counter visits with questions from interested practitioners, lawyers and realtors, neighborhood and business district representatives, and members of the general public. Immediately following the passage of the ordinance, staff fielded approximately 200 such contacts within a three-day period. Since that time, staff has received an average of 30 contacts, and as many as 50, on a daily basis; placing a substantial burden on existing resources. These marihuana-related interactions have, however, provided excellent feedback on the ordinance and issues related to its administration.

This document is intended to highlight a few of the most frequent concerns and propose some potential solutions. Potential solutions were brainstormed by staff and are presented in order of preference; other options may exist. Each one of these items with the City Commission at its work session. In addition, other items for discussion are included in this Guide such as application processing and community engagement.

Items of Discussion

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A. WAIVERS - Private

What: Private entity waivers for religious institutions

Issue: Religious institutions have reported being bombarded with waiver requests, including requests for “exclusive waivers” where the separation distance requirement is waived for just one operation and not others. Such requests are sometimes accompanied by offers of substantial amounts of money or other compensation, which has anecdotally led to great concern among religious institutions’ leadership, as well as reports of attempted bribery and other abuses¹. Issues have also arisen whether some religious institutions are legally established, with Property Use Verifications (PUVs) being requested by potential marijuana applicants. Finally, questions have arisen over whether a lessee and/or the property owner should authorize the waiver.

How: As adopted, the ordinance requires the Planning Commission to consider the potential detrimental effects to a sensitive land use that may be caused by a marijuana facility locating within the 1,000 foot of that use, even if waived by that sensitive land use as allowed. The granting of a waiver by a sensitive land use does not automatically make a property eligible to be used as a marijuana facility, but rather that eligibility may only be confirmed by the Planning Commission during Special Land Use (SLU) review. A sensitive land use is where potentially vulnerable persons, such as families with children or those with addiction may be located. The selling of controlled substances within proximity to those who are potentially vulnerable is discouraged through the use of separation distances.

Other: Waiver precedent/Cases from elsewhere

Staff has been unable to locate any other instances, in Michigan or elsewhere, where sensitive use separation distances from marijuana facilities could be waived.

Possible solution(s)

1. Remove waiver possibility for churches.
2. Remove churches from required separation distances.
3. Develop “opt out” language for those individual sensitive land use locations that wish to be excluded from the waiver process.
4. Remove waiver possibility for one or more marijuana license types.
5. Develop guidelines for granting a waiver and/or limits of consideration, etc.
6. No change to ordinance (churches will continue to be contacted).
7. Other _____

¹ One such abuse includes opening, legally or not, a so-called “religious institution” near potentially suitable locations for marijuana facilities, *with the sole purpose of* capitalizing on the *de facto* requirement for offering financial consideration in return for a waiver, exclusive or not.

B. WAIVERS - Public

What: Public entity waivers for parks

Issue: The parks and playground waiver process appears to be problematic. At their meeting on Wednesday, September 5, 2018, the Parks and Recreation Advisory Board voted **not to** review waiver requests from parks and playgrounds, but rather to defer to the City Commission to do so. At a neighborhood workshop on the subject given by staff on Friday, September 28, 2018, neighborhood association representatives requested that the City Commission hold a public hearing for parks waivers.

How: As adopted, the ordinance requires the Planning Commission to consider the potential detrimental effects to a sensitive land use that may be caused by a marihuana facility locating within the 1,000 foot of that use, even if waived by that sensitive land use as allowed. The granting of a waiver by a sensitive land use does not automatically make a property eligible to be used as a marihuana facility, but rather that eligibility may only be confirmed by the Planning Commission during Special Land Use review. A sensitive land use is where potentially vulnerable persons, such as families with children or those with addiction may be located. The selling of controlled substances within proximity to those who are potentially vulnerable is discouraged through the use of separation distances.

Other: Waiver precedent/Cases from elsewhere

Staff has been unable to locate any other instances, in Michigan or elsewhere, where sensitive use separation distances from marihuana facilities could be waived.

Possible solution(s)

1. Remove waiver possibility for parks.
2. Remove parks from required separation distances.
3. Develop guidelines for granting a waiver and defer granting the parks waiver to the Parks and Recreation Advisory Board or Planning Commission.
4. Develop "opt out" language for certain parks that the City Commission would desire to exclude from the waiver process.
5. Remove waiver possibility for one or more marihuana license types.
6. No change to ordinance (City Commission will review all parks waivers).
7. Other _____

C. PRE-QUALIFICATION

What: Submission requirement in the Zoning Ordinance that applicants must be pre-qualified by the State of Michigan.

Background: The State of Michigan currently has a two-step process for prospective marijuana licensees: Phase I (Pre-Qualification) and Phase II (Licensing). Pre-Qualification consists of an in-depth background check, personal history, financial disclosures, attestation of the required amount of capitalization for the proposed business, and more.² The logic in having the pre-qualification requirement in the Zoning Ordinance was three fold: 1) to assist in avoiding speculative practices by any and all parties as part of the “green rush”; 2) to best apply limited City resources in a manner where they would be most effective given the 42%³ of all pre-qualification applications are rejected by the State; and 3) to insure that medical marijuana facilities could open in a timely manner and that an approved property, and those surrounding it, would not be held in limbo.

Pro/Cons if Pre-Qualification Requirement is Removed		
Issue	Pros	Cons
Increased number of applicants/applications	Greater opportunity for new applicants and recent entries into the industry	Groups that have been prepared are penalized with greater competition
Applicant readiness	Potentially more experienced industry entities and “good actors” could apply if not yet pre-qualified	Many early pre-qual parties were operating in violation of State laws prior to or after the passage of the MMFLA
Property speculation	Industry interests, property owners, and speculators could apply for SLU approval	Millions of dollars of deposits on “potentially suitable” properties have been spent. Prices and the number of sites will increase if pre-qualification is removed, “green rush” speculation
Staff capacity	None	Extensive use of city resources on applicants that will fail to pass the State’s pre-qualification process
City Commission capacity (depending on parks discussion)	None	Pre-qualification assists in limiting the potential number of parks separation distance waiver requests and VEDA agenda items

² Licensing may be completed after local approval has been granted – through whatever process that municipality has implemented – as well as permitting, construction, and local certification for occupancy.

³ As of 10/5 BMMR staff confirmed 73 PQ approved (58%); 53 denied (42%); 37 business licenses have been approved (82%), 8 denied (18%).

Questions have been raised around the capacity of the State of Michigan to process applications. Several hundred Phase I applications were accepted by the State on or around February 2018. There is a backlog of such applications, however, the City Commission's decision to hold a six-month moratorium, in addition to the adoption of the ordinance in July, has provided potential applicants with more than 9 months of time to submit and go through the pre-qualification process. In speaking with LARA (as of 10/5/18) it is expected that the backlog of the first round of pre-qualification applications will be resolved by February/March of 2019. This timeline closely coincides with a potential timeline for the processing of Special Land Use applications.^{4 5}

Possible solution(s)

1. No change to ordinance.
2. Remove the pre-qualification requirement but require proof that the required paperwork has been received by LARA, including the application fee.
3. Incentivize pre-qualification, giving priority to applicants who are pre-qualified in application processing, but allow receipt of applications for those who have submitted paperwork to be placed without priority.
4. Adopt a licensing ordinance separate from zoning which would allow consideration of the merits of individual applicants or entities, with a process that resembles the State's.
5. Remove the pre-qualification requirement altogether (this will have an additional cascading effect beyond existing impacts on development review functions if administrative resources remain the same).
6. Other _____

⁴ Staff is already aware that, particularly concerning locations for provisioning centers and growing operations. One *pre-qualified* applicant, for example, told staff that they have purchased options to buy over \$20 million of properties around the area, including properties within the others' required separation distance, just to hedge their bets. Staff is also aware of land speculation taking place by non-practitioners, in the hopes of cashing in on what is perceived to be a "green gold rush." Removing the pre-qualification requirement could exacerbate this practice, as owners of potentially suitable properties with no investment in the marijuana licensing process otherwise could apply for Special Land Use approval, locking down a property for a hypothetical applicant that may or may not be able to get pre-qualified by the State.

⁵ Planning staff has been contacted by extensive numbers of prospective marijuana practitioners and associated real estate or legal advisors. Marijuana-related work has resulted in the diversion of roughly 2.0 FTE to this ordinance and its administration. Existing, limited staff capacity for normal Planning department work tasks has led to delays and additional work in other departmental areas, particularly for Development Review and other policy work. In practice, we have found that disclosing the pre-qualification requirement up front has limited the volume of contacts from some prospective practitioners that are not yet in the State's Phase I pipeline. We have a reasonable expectation, given the number of regular and unique contacts from the industry, that the City will receive more than 100 applications in the first round when applications are accepted. Should the prequalification requirement be removed, we have a reasonable expectation that this number would be significantly larger.

D. PROVISIONING CENTER SEPARATION DISTANCES

What: Separation distance between provisioning centers that also have grow and/or processor components to them.

Issue: Proposed vertically integrated operations (co-located licenses) where a grower and/or processor would also seek to have a provisioning center risk having *a portion* of their operation be buffered out if a rival provisioning center is approved within 2,000 feet. Any other marihuana facility located 1,001 – 2,000 feet away would not cause this issue.

How: All facilities are required to be 1,000 feet away from one another, except for provisioning centers that have a required 2,000-foot separation distance.

Possible solution(s)

1. Change provisioning center separation distance to 1,000 feet only when co-located with a grower and/or processor within an IT Industrial Transportation zone district.
2. No change to ordinance.
3. Change provisioning center separation distances to 1,000 feet similar to other marihuana facilities across the board.
4. Other _____

E. SAFETY COMPLIANCE FACILITIES AND SECURE TRANSPORTERS

What: Separation distance requirement for safety compliance facilities and secure transporters is required to be 1,000 feet between all marihuana uses.

Issue: Questions have arisen as to whether these two uses should be treated similarly to other marihuana uses. Several small business owners, generally local, have approached staff asking about the prospect of operating a secure transport business, but have expressed concern because they are being priced out of location opportunities due to the same separation distance requirements as other marihuana-related businesses. Secure Transport and Safety Compliance Facilities tend to have minimal community impacts than other marihuana businesses, and with lower potential profit margins (especially compared to provisioning centers) do not have the same access to capital to afford to lease or buy locations that are considered potentially suitable for marihuana facilities and as a result are able to command higher lease or purchase rates. Anecdotally, several practitioners have said they are more likely to locate elsewhere because of this.

Interestingly, staff has also had conversations with the owners of properties that may be potentially suitable for marihuana facilities who have expressed an interest in these two types of license and would be opposed to reducing or removing the separation distance requirements. In this case, the owners are generally not interested in marihuana uses (particularly provisioning centers) and want to lease to a lower-impact land use such as these as a defensive move to restrict the possibility of another business locating in the vicinity.

Possible solution(s)

1. Remove Special Land Use approval requirement for these two license types.
2. Remove required separation distances for these two license types.
3. No change to ordinance.
4. Other _____

F. OTHER ORDINANCE AMENDMENTS

What: In addition to the changes discussed, there will be minor “clean up” items proposed for the City Commission’s consideration. Staff wanted to make sure that the Commission was aware of these items. However, these are substantial or not considered to modify adopted policy but to provide clarification and eliminate redundancies.

Remove unnecessary requirements / barriers:

- Remove requirement that *all* LARA pre-qualification work be submitted with application – change to make available upon request (regardless of whether we keep pre-qualification as a requirement)
- Security plan doesn’t need to discuss life-cycle of marihuana
- Remove façade transparency requirement
- Remove sign with contact information requirement
- Remove license transfer requirement

Provide clarity to questions that came up after ordinance passed:

- Buffers:
 - When does a facility cause the buffer to trigger (upon SLU approval)
 - Defined “school” for which buffers apply
 - Clarify provision center has 1,000’ buffer from all other facilities (in addition to 2,000’ from PC)
 - Provisioning center application must include 2,000’ radius due diligence map
- Owner and operator of a sensitive use has to authorize a buffer zone waiver
- 1 SLU application per parcel
 - Co-location requests considered under one application (although each use is considered separately)
 - No dueling SLU applications by different applicants for the same parcel
- Clarify conditions that can cause expiration, nonrenewal or revocation of SLU (fail obtain state license, cessation of operations)

Minor language reconciliation and clean up:

Made sure language was consistent within this ordinance and consistent with zoning code as a whole; added a few clarifying definitions (school, lot/parcel, playground).

G. EQUITABLE DEVELOPMENT GOALS and the VEDA for MARIHUANA USES

What: The creation of a Voluntary Equitable Development Agreement (VEDA) for marihuana uses was established in the zoning ordinance as a possible submittal item. City Commission direction is needed as to what should be contained in a VEDA for marihuana.

Issue: Historically, communities of color have been disparately impacted by enforcement practices related to marihuana. Several communities across the country have attempted to use their own marihuana administration programs to remedy such impacts. Policies to ensure racial, ethnic, and gender diversity in the cannabis industry can be implemented through City Commission policy⁶. While there are potentially significant barriers to entry to the industry for all people at the state level, local policy could lessen such barriers through incentivizing equitable development.

Background: The VEDA was first developed “to provide for three party agreements between the City, an Investor, and a community-based organization that would allow the community, the City and investors to voluntarily commit to various goals and joint interests.” This policy was recommended by the Housing Advisory Committee. The current VEDA policy defines City goals including, “but not limited to:

1. Investment in Vital Streets Transit Corridors
2. Support for alternative transportation and parking options
3. Housing type diversity and affordability
4. Micro Local Business Enterprise (MLBE) contracting
5. Local hiring
6. Advancement of neighborhood Area Specific Plans
7. Job Training Opportunities
8. Employment Opportunities
9. Asset Limited, Income Constrained, Employed (ALICE) wage goals
10. Planning phases of development and future phases
11. Apprenticeship programming
12. Prevent displacement”

In addition, if the applicant’s project exceeds \$600,000 or total employment upon completion of project is likely to equal or exceed fifteen (15) persons, then they must receive certification of equal opportunity practices from the City’s Office of Diversity and Inclusion according to certain guidelines. To consider a project for a VEDA, the applicant must agree to exercise Fair Housing Practices, Micro-LBE Participation, agreed upon community engagement process, and reporting mechanisms.

⁶ The applicant, their history, background, or personal characteristics cannot be a factor in a land use decisions as governed by the Zoning Ordinance. The City Commission does, however, have some flexibility in how such requests are heard (see Application Process).

How: A marihuana VEDA could be a menu of possible (and legally defensible) options for meeting whatever goals are set by the Commission. Some goals may not be relevant to all types of licenses. For example, if a goal set by the Commission were to address water usage, that goal may be especially relevant to growers or processors but relatively inappropriate to secure transporters. Or, a goal for local hiring may be relevant to provisioning centers but may not be as appropriate for safety compliance facilities. Therefore, it is recommended that a range of options be available. These options should be measurable, so that over time the success or failure of a marihuana VEDA could be evaluated, and compared with similar business categories for best practices.

Guidance: Submittal of a VEDA for marihuana uses can be an important component in considering the order of items to be heard by the Planning Commission in the Application Process (which we will cover in the next section). There are some general “rules of thumb” that must first be applied when contemplating the nexus between what is being asked of, or offered by, the applicant and the marihuana use. Legal counsel has provided guidance below.

What the City cannot do as a prerequisite to prioritization:

- ✓ Illegal exactions – conditions must be reasonably related to the permit;
- ✓ Conflict with the rent restriction legislation - A local unit shall not enact, maintain, or enforce an ordinance or resolution that would have *the effect of* controlling the amount of rent charged for leasing private residential property;
- ✓ Legislative or policy enactments based on race (including racial quotas, percentages, etc.);
- ✓ Conflict with the MMFLA or regulations; and
- ✓ Conflict with the Michigan Zoning Enabling Act.

What the City may consider requiring as prerequisite to prioritization:

- ✓ Legitimate conditions – may impose conditions that are reasonably related to the need created by the use; “rough proportionality” between impact of development and nature/extent of the conditions imposed; voluntary offers/agreements if not otherwise prohibited by statute (ex: wage statute, rent statute) Examples: infrastructure, energy efficiency, geographic areas, existing businesses, hiring preferences, residency in underserved areas as defined by CDBG boundaries;
- ✓ Focus on underserved areas defined geographically; and
- ✓ Any discussion on equitable considerations requires making sure policies the City would like to enact do not conflict with MMFLA rules. For example, MMFLA requires that applicants meet certain financial thresholds (in addition to being able to pay all licensing fees)¹ and owners and employees do not have a felony conviction in the prior 10 years.

Additional Considerations: It is anticipated that there may be items that the City Commission feels passionately about but these items cannot be put into a contractual form with an applicant. These are cases where it may not be lawfully allowed, or there is not a clear nexus between the marihuana use and a Commission priority. In these instances, a secondary approach is recommended which would avoid any potential negative legal consequences. This would involve the use of marihuana tax revenue that will enter into the General Operating Fund (unrestricted).

Better considered as General Operating Fund (unrestricted)

- ✓ Education programs, incubators
- ✓ Investments otherwise authorized by statute, with more tenuous relationship to use
- ✓ Use wholistic, equitable policy considerations in order to decrease disparities on and maximize the participation of individuals from communities that have been - either directly or indirectly – negatively affected by marijuana criminalization.

Finally, the City Commission may wish to consider whether there should be a relationship between an approved marihuana facility location and whether investments should be prioritized based upon the geographic relationship of the facility to the neighborhood in which it is situated.

>> Prioritization Exercise <<

- Please list those items that you would like to have considered for insertion into the VEDA for Marihuana.
- These items will be sorted during your break by the attorneys (Jessica, Tom and Kristen) into two categories: VEDA and GOF.
- The list will be returned to the City Commission so that these items may be prioritized by degree of importance. This will assist in guiding the development of the VEDA policy.
- Time permitting, we will have some discussion at the work session.
- There will be future opportunities to review the policy and discuss it prior to adoption. Staff will return with examples and sample metrics.

H. APPLICATION PROCESS

What: Application intake for Special Land Use requests for marihuana uses.

Issue: A significant and unprecedented number of applications are anticipated to be submitted for Planning Commission review. There is currently not an administrative process in place that could effectively manage this volume of submittals. In addition, the City Commission has described the desire for a process that insures meaningful results, and which aligns with our community's priorities and desired outcomes.

Background: City staff discussed multiple options in August 2018, including a first-come, first-served model. Such models have generally resulted in long lines. In Ann Arbor, applicants were lined up for nearly a week. In Douglas, applicants camped out for four days to compete for three available licenses. In addition, activities such as applicants paying large sums of money to try to move up in line have been reported.

Safety concerns on behalf of people in line have been expressed by our Police Department given that the marihuana industry is still largely a cash-only business due to Federal policy. Methods of taking in large sums of money with the City Treasurer's office have been examined, to take payments separately from the applications, to avoid cash being present during a camp-out queue. Even if such a policy was to be put in place, there could be the *perception* of cash being present in the line, making line-campers a potential target for robbery. Other items of concern included building security, restrooms, and community perception.

In response to these concerns, an extensive research process and vetting occurred with the City Attorney's office. It was learned that the most impartial method, with the least opportunity for bias, was also the most legally defensible. In communities where a points-based system has been used there are greater incidences of litigation. The preferred method for assigning order for consideration by the Planning Commission, therefore, would be to have a selection process that randomly assigns order. Under this system, the first round of applications received would be reviewed only for completeness and accuracy, then assigned a number. After a specified period of time, the first round "acceptance window" would close and any complete applications received during that window would be placed in a draw. The results of the draw would not assign any land use rights, but would only assign order of consideration by the Planning Commission.

How: The City Commission could adopt a policy that describes a sorting process for marihuana applications that provides a method of prioritization given this highly unusual circumstance where we must contemplate public safety, work volume, and Planning Commission case load. The City Commission could set the order of the Planning Commission's review of land use applications into two or more priority "tiers" or "buckets" based on how well the application satisfies the City Commission's goals, as established in the VEDA discussion.

Possible solution(s)

1. Develop and adopt a policy that defines the application process for marihuana applications.
2. Define how staff should regard each tier for application completeness as well as the order of the draw. Possibilities include:

Tier 1/First Draw:

- Complete application
- Submission of a VEDA that satisfies X # of desired outcomes
- General Target Area (GTA) – resident or business owner for the past two years in the GTA that is named in the pre-qualification application as having an ownership interest
- No waivers needed⁷
- Approved through State of Michigan pre-qualification process⁸

Tier 2/Second Draw:

- Complete application
- Submission of a VEDA that satisfies X # of desired outcomes
- No waivers needed⁹
- Approved through State of Michigan pre-qualification process

Tier 3/Third Draw:

- Complete application

3. Other _____

⁷ Depending upon outcome of earlier discussions.

⁸ Depending upon outcome of earlier discussions.

⁹ Depending upon outcome of earlier discussions.

I. COMMENCEMENT OF SEPARATION DISTANCE EFFECT FROM OTHER MARIHUANA USES

What: When a Special Land Use goes into effect will impact other SLU applications due to separation distance requirements between uses.

Issue: Land use rights to a Special Land Use are not conferred upon a property until Planning Commission approval is effective (typically 16 days following the decision, unless appealed). Therefore, land use rights for a marijuana facility (and separation distances between facilities) come into force only on the effective date of Special Land Use approval, if granted. However, the uncertainty about whether and when a separation distance would become effective could lead to substantial risks for potential practitioners, especially for small businesses who, like others, may have to place a considerable down payment on a property to hold purchase or lease rights during the approval period.

Other: Communities such as Battle Creek have granted provisional approval upon acceptance of a complete application, which reduces uncertainty for applicants. Staff's intent is to post application information online upon acceptance of the application of an application to be heard by the Planning Commission. This would include the address, the type of facility proposed, separation distance that would apply if approved, and the status. This can help others make a more informed decision about their own application.

Possible intervention(s)

1. Adopt an ordinance separate from zoning which would allow a provisional buffer as an interim step.
2. Adopt an ordinance or policy restricting applications within the required separation distance that would be in force as soon as an application is accepted, before an approval is granted and effective.
3. No change to ordinance.
4. Other _____

J. FEE REFUND

What: Fee refund where an application is considered no longer valid due to a use approval of a marijuana facility within the required separation distance.

How: Due to uncertainty at the time of application about competition and separation distances from other potential marijuana facilities, it is recommended that a policy be adopted to allow at least a partial refund of the application fee, or a transfer for an application to a different location, if an applicant finds that they would be “buffered out” by a competing marijuana facility, if approved. A reasonable approach may be to allow a window of time during which an application may be withdrawn, or reapplied for a different location, without any loss of the application fee.

Possible solution(s)

- Amend Administrative Policy 93-01, Zoning Fee Refunds, to allow for refund/transfer of fee.

K. COMMUNITY ENGAGEMENT

- Is a public hearing desired for the Marihuana VEDA?
- Are meetings with the neighborhoods and CIDs/business districts expected?
 - If so, for what? As part of the VEDA and/or ZO amendments?
 - And, when? Before or after Planning Commission? City Commission?
- Does the City Commission desire a public hearing for the ZO amendments?
- Should there be two different dates, with a separation between the effective date and when applications will received?

Timeline for Approval of Marihuana VEDA and ZO Amendments			
	Task	Option 1: Condensed	Option 2: Community Engagement
VEDA	City Commission discussion of VEDA marihuana policy ¹⁰	November 13, 2018	November 13, 2018
	City Commission public hearing for VEDA marihuana policy	--	November 27, 2018
	City Commission adoption of VEDA marihuana policy	November 27, 2018	December 18, 2018
Ordinance Amendments	Corridor Improvement District Outreach	November ¹¹	November ¹²
	Neighborhood information meetings	November ²	November ³
	Planning Commission meeting	November 8, 2018	--
	Planning Commission meeting	--	December 13, 2018
	CC meeting – 1 st reading for Ordinance	November 27, 2018	--
	CC meeting – 2 nd reading/ adoption with no public hearing	December 18, 2018	--
	MM industry information meeting	December ¹³	Late December
	CC meeting – 1 st reading for Ordinance to set public hearing	--	January 8, 2019 ¹⁴
	Community information meetings	--	January
	CC meeting – public hearing for ordinance amendments	--	February 12, 2019 ²
	CC meeting – 2 nd reading/ adoption	--	February 26, 2019 ²
	Effective Date of Ordinance	January 17, 2019	March 28, 2019
	Accept Applications	January 22, 2019	April 2, 2019

¹⁰ This meeting may not be necessary, but is anticipated

¹¹ Note: These meetings would be held AFTER the Planning Commission decision on marihuana zoning amendments. Community input would only be gathered during the Planning Commission public hearing.

¹² Note: These meetings would be held BEFORE the Planning Commission decision on marihuana zoning amendments.

¹³ Note: This provides the industry with approx. one month to prepare a VEDA prior to SLU application submission.

¹⁴ Estimated City Commission meeting dates, schedule not yet set

APPENDIX

Waivers

SEPARATION WAIVER ANALYSIS				
<i>Sensitive Use</i>	If all waivers are granted effectively no separation distance		If no waivers are granted or, no waiver allowed	
	Max # of MM facilities	Max # of prov centers	Max # of MM facilities	Max # of prov centers
Parks	78	47	56	37
Religious Institutions	75	44	63	37
Substance Use Disorder	81	47	61	30
All	89	51	45	30

Application Processing Prioritization

