

City of Detroit

Buildings, Safety Engineering & Environmental Department

Medical Marihuana Facilities

Frequently Asked Questions

What is a Medical Marihuana Facility?

A Medical Marihuana Facility (MMF) means a location in the state of Michigan where a licensee operates any one of the following commercial entities under the authority of the MMFLA: grower; processor; provisioning center; secure transporter; or, safety compliance facility. A non-commercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the State of Michigan's formal registration process in accordance with the MMFLA is not a medical marihuana facility.

What City of Detroit approvals do I need to open or operate a Medical Marihuana Facility?

A MMF must get zoning approval and a business license before it can legally operate.

How do I know if the site I am considering is eligible?

Each applicant is responsible to research whether the site they are considering is eligible. Otherwise, submit your application and a reviewer will determine your eligibility.

When will applications for MMF's be available?

Online applications will begin October 15, 2018, at 8:00 am at www.detroitmi.gov/medicalmarihuana.

I don't have a computer. Can I apply in-person, or, is online submission mandatory.

Online submission is mandatory.

Do I need to pay any fees at the time of application?

Yes. A non-refundable application fee of \$116.00 is due upon the submission of your online application. **After** you submit online, we will review your application for initial eligibility, then, you will have to pay the Site Plan Review fee of \$160.00 and the Conditional Land Use hearing fee of \$1,000.00 (we will advise you). Fees are **non-refundable**.

What are my options if I am denied?

If the review of your application, or, the Conditional Land Use hearing results in a denial, you may be able to appeal to the Board of Zoning Appeals (BZA) within 14 days of your denial. If the BZA denies your appeal you have 21 days to appeal to Circuit Court.

What exactly is medical marihuana?

Any marihuana intended for medical use that meets all requirements for medical marihuana, as described in the MMFA.

Are there any spacing requirements for MMFs?

Yes. A medical marihuana provisioning center facility must not be located in any of the following:
-within a Drug Free Zone; a Gateway Radial Thoroughfare (GRT) overlay area; or, Traditional Main Street overlay (TMSO) area. Or, on any zoning lot that is located less than:
-1,000 (one thousand) radial feet from any zoning lot occupied by any religious institution identified as exempt by the City Assessor, and
-1,000 (one thousand) radial feet from any zoning lot with an unexpired conditional land use approval, building permit, or certificate of occupancy for a medical marihuana caregiver center or medical marihuana provisioning center facility, and
-1,000 (one thousand) radial feet from any zoning lot occupied by a Controlled Use.

A medical marihuana grower facility, medical marihuana processor facility, or medical marihuana secure transporter facility must not be located in a drug-free zone, or, within a Traditional Main Street Overlay area.

Can a MMF get a waiver from the Board of Zoning Appeals so the 1,000 foot radial requirement can be reduced?

No.
Spacing variances cannot be sought.

Do I need a *business license* to operate a MMF?

Yes.
To operate a Medical Marihuana Facility in the City of Detroit, you may apply for a business license from the (BSEED) Licensing & Permit division, after zoning has been approved, and you have a permit.

If I am the first person to apply, am I guaranteed a license?

No.
Licenses are not guaranteed and are granted only to eligible applicants that complete the process set forth in the ordinances. The location of a licensed MMF may impact the eligibility of other applicants. You may be the first online applicant, and you might in fact get the first license, but it is not guaranteed. You may get to the site first but your site is not in an eligible zoning district, or, it may be in an eligible zoning district and be in a Drug-Free Zone. Either scenario will result in you not getting a license (as examples). Other factors may come into play to prevent or preclude you from obtaining a license.

This is an important program being rolled out in the City of Detroit and we are committed to making this a fair and equitable process.

Where can a MMF be located?

MMCC's are permitted, on a *conditional* basis, in the B2, B4, B5, B6, M1, M2, M3, M4, M5, or SD2 Zoning Districts. Refer to the zoning ordinance for specifics of which MMF's are eligible in the different zoning districts.

Do I need to own the building at the time I apply for the MMF?

No.
However, you must have documented and notarized **proof that the owner is allowing you to use the building for the purpose of establishing a MMF.**

What clearances are needed and will the City conduct a background check on an applicant for a MMF business license?

Yes.

The applicant, all owners, interested parties, and employees of a MMF will be investigated according to the zoning ordinance criteria.

Note: You may have other questions; we encourage you to contact the Zoning Office at zoning@detroitmi.gov.