



# City of Brighton

## REPORT FROM THE CITY MANAGER TO CITY COUNCIL NOVEMBER 15, 2018

**SUBJECT: FIRST READING AND SETTING OF A PUBLIC HEARING FOR DECEMBER 20, 2018, FOR ORDINANCE NUMBER 583: AMENDMENT TO CHAPTER 22 OF THE CITY OF BRIGHTON CODE OF ORDINANCES.**

### **ADMINISTRATIVE SUMMARY**

With the passing of proposal 18-1, Michigan has enacted the Michigan Regulation and Taxation of Marijuana Act of 2018, making marijuana legal under state and local law for recreational use, and commercial establishments. The Act defines marijuana establishments as marijuana grower, marijuana safety compliance facility, marijuana processor, marijuana microbusiness, marijuana retailer, marijuana secure transporter, or any other type of recreational or commercial marijuana-related business license by the State of Michigan. Communities throughout the State of Michigan are subject to these establishments acquiring the proper license to conduct business within their borders. They do have the option to preclude these types of commercial businesses, and must officially adopt language prohibiting them.

From a zoning perspective, the decision by a community to allow these types of establishments can create certain challenges when deciding how to regulate them. In comparison to the Medical Marijuana Facilities Licensing Act of 2016, communities who choose to allow these businesses under the new Act, will have less local control in regulating them. Specifically, the ability to choose which type of license establishments they allow. Under the new Act, you would be subject to all license types.

The City of Brighton has ten different types of zoning districts encompassed within an area under four square miles, and staff believes there will be many challenges to consider if the decision is made to incorporate these businesses into our zoning demographics. Staff also believes time is needed to proficiently research and create the proper language, standards, and regulations, which most effectively protect the safety, health, and welfare of City residents and businesses.

### **RECOMMENDATION**

Staff recommends that City Council set a public hearing date of December 20, 2018 to field public comments regarding the proposed amendment to the City's Code of Ordinances.

Prepared by: Michael Caruso, Community Development Manager

Reviewed &  
Approved by: Nate Geinzer, City Manager

Attachments: 1. Proposed Ordinance No. 583