



# MARIJUANA REGULATION IN GRAND RAPIDS

Landon Bartley, AICP  
Senior Planner, City of Grand Rapids  
January 3, 2019  
Practitioner Meeting

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## AGENDA

- Ordinance review
- Application timeline
- Attachments, plans and waivers
- Community engagement
- MIVEDA
- Application & draw process
- Summary/Q&A

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## ORDINANCE REVIEW

- The G.R. ordinance allows only for a medical commercial supply chain.
- 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 <b>required</b>	Public hearing <b>not required</b>
Start accepting apps on <b>March 4, 2019</b>	Start accepting apps on <b>January 22, 2019</b>
Must have <b>received</b> State prequalification	Must have <b>applied for</b> State prequalification

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## ORDINANCE REVIEW

- The G.R. ordinance allows only for a medical commercial supply chain.
- All five license types are permitted within the City, in industrial and most commercial zones – NOT residential or City Center zone district
- 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
  - Draw does not confer land use rights, only sets 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

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## ORDINANCE REVIEW

- 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

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## ORDINANCE REVIEW

- 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	
Publicly owned park or playground*	
Religious institution*	
Substance use disorder program (rehab)*	

Except for residential zones, separation distances apply for land uses across municipal boundaries  
 \*These three separation distances are waivable by the Planning Commission

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## ORDINANCE REVIEW

- 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 <b>core</b> facility types except between PCs	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

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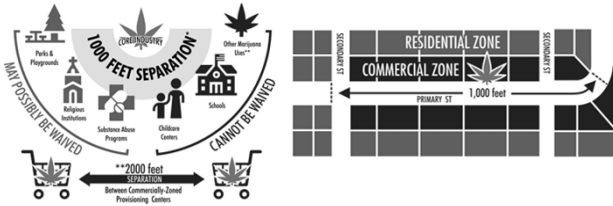
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## ORDINANCE REVIEW

### SUMMARY OF SEPARATION DISTANCE REQUIREMENTS




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## APPLICATION TIMELINE

- January 3, 2019 This meeting  
*Prepare applications & plans, engage with community, meet with staff*
- January 22, 2019 Applications accepted for SCF & ST
- March 4, 2019 Applications accepted for GR, PR, PC
- March 15, 2019 Close window for first round draw
- April 12, 2019 First round draw day, 2:00 pm EDT
- May 9, 2019 Expect first cases at Planning Commission

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### ATTACHMENTS, PLANS, AND WAIVERS

- Prequalification
- Insurance
- Elevations, Site Plans, Sign Plans, Lighting Plans
- Operations & Management Plan
- CPTED Plan
- Good Neighbor Plan
- Waivers
- MIVEDA, if applicable

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### ATTACHMENTS, PLANS, AND WAIVERS

- Prequalification
  - Growers, processors, & provisioning centers:
    - Prequalification must be granted by State prior to local application
  - Safety compliance facilities & secure transporters:
    - Must show that application has been submitted to State prior to local application
  - Applying entity must be prequalified
  - Paperwork is not required but must be made available to City upon request

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### ATTACHMENTS, PLANS, AND WAIVERS

- Insurance
  - Liability insurance with minimum limit \$1M per occurrence & \$2M aggregate, issued by company licensed in MI and having a B+++ rating or better
  - Name City of GR as additional insured
  - Insurance should be in the name of the business entity
  - Evidence of valid and effective policy is required at time of application

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## ATTACHMENTS, PLANS, AND WAIVERS

- Elevations, Site Plans, Sign Plans, Lighting Plans
  - Dimensioned schematic plans
  - Do not have to be engineered
  - Should engage a design professional
  - New construction will need more plans than refit
  - Call out materials & transparency
  - Location and levels of lights on building and around site
  - Sign content is not important; placement, size, & type are
  - Site plan can be current survey if no site changes proposed

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## ATTACHMENTS, PLANS, AND WAIVERS

- Operations & Management Plan
  - Security measures, incl. procedures for cash handling
  - Storage, security of product
  - Written description of property interior & exterior, incl. proposed changes
  - Hours, # of employees
  - Discussion of methods used for processing, ventilation, disposal, water management, odor control
  - Energy efficiency & accessibility/universal design

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## ATTACHMENTS, PLANS, AND WAIVERS

- CPTED Plan
  - Crime Prevention Through Environmental Design
  - Written document detailing how facility will employ CPTED principles and methods
  - Work directly with GRPD:

Julie Niemchick, Crime Prevention Coordinator  
[jniemchick@grcity.us](mailto:jniemchick@grcity.us); 616-456-3363

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## ATTACHMENTS, PLANS, AND WAIVERS

- Good Neighbor Plan
  - Engage early and often!
  - Neighborhood Association, if available
    - Community Research Institute @ GVSU  
<http://gis.cridata.org/community-profiles>
  - Business Association, if available
    - Neighborhood Business Alliance  
<https://www.nbagr.org/associations>
- Corridor Improvement District board, if available
  - City of GR Economic Development Department  
<https://www.grandrapidsmi.gov/Government/Departments/Economic-Development>

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## ATTACHMENTS, PLANS, AND WAIVERS

- Waivers
  - Separation distance requirements may be waived by the Planning Commission for certain types only:
    - Publicly-owned parks and playgrounds
    - Religious institutions
    - State-licensed substance use disorder programs
  - Separation distances may not be waived for:
    - Public or private K-12 schools
    - State-licensed childcare centers
    - Residentially-zoned properties
    - Other marijuana facilities (growers, processors, provisioning centers)

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## ATTACHMENTS, PLANS, AND WAIVERS

- Waivers
  - For publicly-owned parks and playgrounds:
    - ~70 parks and playgrounds in City
    - 19 are located within 1,000' of potentially suitable facility locations
    - 2 are owned by adjacent municipalities
    - Grand Rapids City Commission will give recommendation for those within Grand Rapids, likely with public hearing
  - Final decision on waiver is by **Grand Rapids Planning Commission**
  - Notify me in writing: proposed facility type, address, park name

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## ATTACHMENTS, PLANS, AND WAIVERS

- Waivers
  - For religious institutions or substance use disorder programs:
    - Must identify on map, and notify in writing (document for application)
    - Planning staff will also notify in writing
    - Owner/operator of sensitive land use can object, support, or do nothing
  - Final decision on waiver is by **Grand Rapids Planning Commission**

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## ATTACHMENTS, PLANS, AND WAIVERS

- MIVEDA
  - Marijuana Industry Voluntary Equitable Development Agreement
  - 9 points available:
    - Residency (up to 4)
    - Local Economy (up to 3)
    - Streamlined Applications (up to 1)
  - Will adjust draw order in first round
  - "Commitment" items are minimums, for three years

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## ATTACHMENTS, PLANS, AND WAIVERS

- MIVEDA
  - Residency points (up to 4) – 25% of ownership
    - General Target Area
    - City of Grand Rapids
    - Kent County
    - State of Michigan
  - At least 1 year of the last 5 years (2014-2018)
  - Submit driver's license or state ID card AND affidavit providing years and address(es)
  - May include supplemental documentation to prove residency: utility bills, tax return, lease, mortgage, etc.

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## GTA MAP

- General Target Area is located within City of Grand Rapids and **includes** specific target areas.
- The entire outlined area on the map is the General Target Area.




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## ATTACHMENTS, PLANS, AND WAIVERS

- MIVEDA
  - Local Economy (up to 3):
    - Commitment to hire 15%+ City of GR residents @ 30+ hours/week
      - Verified annually by Income Tax Dept.
    - 24%+ MicroLBE participation
      - Verified by Office of Diversity and Inclusion
    - 30+ employees @ 30+ hours/week
      - Verified annually by Income Tax Dept.
  - Streamlined Applications (up to 1):
    - No separation distance waivers needed

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## APPLICATION PROCESS

- Special Land Use Application (Grower, Processor, Provisioning Center)
- Director Review Application (Safety Compliance & Secure Transporter)
- Supplemental Application/Checklist
- All attachments (for both)
- Payment (\$5,000 – refund policy in effect)
- Incomplete applications will be returned in full

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## APPLICATION PROCESS

- For core industry types (grower, processor, provisioning center), applications accepted starting March 4, 2019
- First round will be subject to draw which will only set order of consideration by Planning Commission
- Complete applications received between open (8 am) Monday March 4, 2019 and close of business (4 pm) Friday March 15, 2019 will go to draw
- Application information will be posted on City's marijuana webpage
- Draw on April 12, 2019 2:00 pm EDT in Commission Chambers ([here](#)) and livestreamed on Facebook

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## APPLICATION PROCESS

- Multi-step draw from several batches:
  1. Complete applications with 9/9 MIVEDA points
  2. Complete application with 8/9 MIVEDA points
  3. Complete applications with 7/9 MIVEDA points
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  - .
  - .
  10. Complete applications without MIVEDA

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## APPLICATION PROCESS

- Draw results will set order of consideration by Planning Commission, subject to influence areas
- Influence area – facility separation distances may affect other applications
- 21 influence areas
- Applications within the same influence area will not be considered simultaneously
- Separation distance goes into effect with land use approval (16 days after Planning Commission approval) unless appealed

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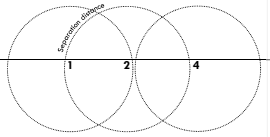
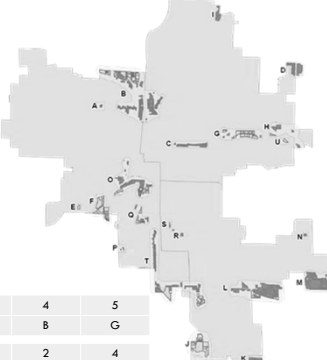
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## INFLUENCE AREAS

Scenario:

EXAMPLE ONLY

Draw:	1	2	3	4	5
Influence Area:	B	B	L	B	G
Consideration:	1	3	5	2	4

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## SUM UP & Q/A

Next steps:

1. Obtain and read through application(s) thoroughly
2. Identify possible location(s)
3. Pursue lot splits, variances, etc. if needed
4. Notify me in writing if waivers will be needed, esp. from park
5. Meet with community association(s), neighbors
6. Meet with me (pre-application consultation)
7. Finalize application materials, ensure completeness
8. Submit complete application, attachments, fee
9. Draw as necessary, go to Planning Commission

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## SUM UP & Q/A

### Questions?

[www.grandrapidsmi.gov/medicalmarijuana](http://www.grandrapidsmi.gov/medicalmarijuana) (Map, Handouts)

Landon Bartley, AICP  
Senior Planner  
lbartley@grcity.us

*Thank you!*

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