



## Application Procedures

# Medical Marijuana Facility

### 1. General Information

Special Land Use approval is required for all **core industry license types**, to ensure compatibility with adjacent properties and the community as a whole. Core licenses include growers (of all classes), processors, and provisioning centers. Director Review is required for **support industry license types**, which include safety compliance facilities and secure transporters. The Zoning Ordinance lists application procedures in Sections 5.12.09. and 5.12.16.

### 2. Pre-Application Consultation

A pre-application meeting with Planning Department staff is **required** prior to application submission.

### 3. Neighborhood Outreach

Neighborhood outreach is **required** for all marijuana license types. This is to inform nearby stakeholders of the proposed project, receive comments and address concerns about the proposal, and, whenever possible, resolve conflicts in advance of Planning Commission review. In addition to other documents, a Good Neighbor Plan is required for facility types, and requires neighborhood engagement. Failure to conduct outreach activities will result in application postponement or denial.

### 4. Application Preparation

Application packets are available from the Grand Rapids Planning Department, located at 1120 Monroe Avenue NW, 3rd floor, or on the department's website, [www.grandrapidsmi.gov/planning](http://www.grandrapidsmi.gov/planning). You may also call 616-456-4100 to request an application to be emailed or mailed. A complete application must be received at least one (1) month prior to the Planning Commission meeting.

A calendar of Planning Commission meetings and application deadlines is available on the website. For **all** medical marijuana applications, this Supplement is also required. Review this document carefully; there are many required attachments. We recommend that applicants budget a substantial amount of time to prepare the application materials, including gathering required attachments. Prequalification from LARA is required for core industry types prior to application; for support industry license types, the applicant must have applied for prequalification from LARA.

### 5. Application Process

Applications can be submitted in person at 1120 Monroe Avenue NW, 3rd floor, or online. Online applications must also include all required attachments. **Incomplete applications cannot be accepted.** Staff will review applications for completeness and will contact the applicant to remedy any deficiencies. For Special Land Uses, a limited number of spaces is available on each Planning Commission agenda. **Submission of a complete application prior to the listed submission deadline does not guarantee placement on that**

**agenda.** Items will be placed on the next available meeting agenda following any other complete SLU applications.

### 6. Staff Review

A planner will review the application in detail. The planner may contact the applicant with questions, request additional information, or recommend changes or revisions to the application and attachments for clarity. For support industry license types, staff will approve or deny the request according to the procedures of Section 5.12.16. of the Zoning Ordinance.

### 7. Notice of Public Hearing (SLUs only)

For **core industry license types**, the Special Land Use request is forwarded to the Planning Commission for a public hearing following the staff review. A notice of the public hearing is published in the Grand Rapids Press 15 days prior to Planning Commission meeting. Property owners and residents within a 300 ft. radius of the subject property will be notified by postcard. Interested persons may submit a letter or speak at the public hearing.

### 8. Planning Commission Meeting (SLUs only)

All meetings of the Planning Commission are held in the Public Hearing Room on the 2<sup>nd</sup> floor of 1120 Monroe Avenue NW. Each public hearing item for consideration is assigned an approximate start time. Planning staff introduces and explains the request to the Planning Commission. The applicant is then asked to present information on his or her proposal. The Planning Commission may ask questions of the staff and/or applicant. The Planning Commission then allows public comment, and gives the applicant a chance to respond to any concerns or questions. The hearing is then closed and the Commission deliberates in open session. The Commission may approve (with or without conditions), deny, or postpone the request. If approved, the effective date is 16 days after the decision.

### 9. Written Notice

The applicant will be provided with a letter and resolution documenting the decision of the Planning Commission, including any conditions of approval.

### 10. Effective Date and Appeal Period

SLU approvals are effective 16 calendar days after the decision. During this time, the approval may be appealed by an aggrieved party, under certain circumstances. If the Planning Commission denies an application, the applicant may appeal the decision to the Board of Zoning Appeals. The appeal must be filed with the Planning Department within 15 calendar days of the decision. Conditions of approval cannot be appealed. *For all appeals, the BZA is limited to determining whether the decision was made using the requirements and standards of the Zoning Ordinance, and may only consider the information available at the time of the decision being appealed.*



# Supplemental Application

# Medical Marijuana Facility



If a medical marijuana facility meeting the requirements of the State of Michigan’s Medical Marijuana Facilities Licensing Act (MMFLA) is proposed, completion of this supplemental form is required. This supplemental form is required for a proposed (new) licensed medical marijuana use or a change (existing) to an existing license. The Planning Commission or staff will review this supplemental information in addition to the land use approval standards for the proposed land use.

Address: \_\_\_\_\_ Applicant: \_\_\_\_\_

### Verification

Please select the proposed facility type(s), including whether stacking or co-location of licenses is proposed.

- Provisioning Center – [Special Land Use application](#) also required
- Grower – [Special Land Use application](#) also required
  - Class A (up to 500 plants)
  - Class B (up to 1,000 plants)
  - Class C (up to 1,500 plants)
  - Stacking (Class C only): Indicate how many Class C licenses are proposed to be stacked: \_\_\_\_\_
- Processor – [Special Land Use application](#) also required
- Co-Location Proposed (Only Provisioning Centers, Growers, and/or Processors may be co-located).
- Secure Transport – [Director Review application](#) also required
- Safety Compliance Facility – [Director Review application](#) also required

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Required Application Attachments

Applications **cannot be accepted** if **any required attachment is not included** at the time of application. Attachments should be attached to this application in order of the following checklist:

- 1. Statement of Consent**  
A signed, notarized statement, on letterhead if possible, by the property owner (if owned by an LLC or other such corporate entity, a legally qualified representative of that entity):
  - 1) **Acknowledging the use** of the property for a marijuana facility;
  - 2) **Agreeing to indemnify, defend, and hold harmless** the City, its officers, elected officials, employees, and insurers, against all liability, claims, or demands arising out of, or in connection to, the operation of a marijuana facility.
  - 3) Explicit written approval by **both the owner and operator** allowing the City to inspect the facility at any time during normal business hours to ensure compliance with applicable laws and regulations.
- 2. LARA Application Documents**
  - Prequalification Certification (Grower, Processor, or Provisioning Center)**  
A copy of official paperwork as issued by LARA indicating that the applicant has successfully *completed* the prequalification step of the application for the state operating license.
  - Proof of Application for Prequalification (Safety Compliance and Secure Transport only)**  
Certification that all application materials required for prequalification have been *received* by LARA.
  - Security Plan** as required by/submitted to LARA.
  - Facility Plan** as submitted to LARA will be required prior to permitting, not at the time of application.



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### 3. Documentation of Required Separation Distances (for core industry license types only)

For Special Land Use requests, one or more scaled maps shall be submitted, identifying any of the following land uses (regardless of jurisdictional boundaries) and the distance of those land uses to the proposed facility location:

Within a 1,000 foot radius of the property boundaries:

- Childcare centers** licensed by the State of Michigan;
- Public or private **K-12 schools**;
- Publicly owned **parks** and/or **playgrounds**;
- Religious institutions**;
- Substance Use Disorder Programs** licensed by the State of Michigan;

Within a 1,000 foot linear distance along the same primary street's frontage:

- Any residentially-zoned properties;

Within a 2,000 foot radius of the property boundaries:

- Any **other marijuana facilities** currently licensed by the State of Michigan.

Also required are:

- Written discussion** of the measurement method used to identify such uses.
- Evidence of requested separation distance waiver(s)**, if applicable.

If a waiver is proposed for a sensitive land use (park or playground, religious institution, or licensed Substance Use Disorder Program only), the applicant shall provide the following documentation:

- Evidence that all eligible sensitive uses within 1,000 feet of the proposed facility location have been **notified** in writing by the applicant of the intent to **(1)** request Special Land Use approval for the marijuana facility; and **(2)** seek a waiver by the Planning Commission from the separation distance requirements. Such evidence may include a copy of that communication and a certificate of receipt of certified mail or similar means.

### 4. Proof of Insurance

Evidence of a valid and effective policy for general liability insurance within minimum limits of \$1,000,000 per occurrence and \$2,000,000 aggregate limit, issued from a company licensed to do business within Michigan and having an AM Best rating of at least B++, that includes the name(s) of the insured, effective date, expiration date, and policy number. The City of Grand Rapids and its officials and employees shall be named as additional insured within insurance policy documents. A Letter of Intent issued by an insurance agency is acceptable as long as all above elements are included.

### 5. Building Elevations

- Proposed building elevations**, including building materials, window calculations, descriptions of glass to be used, and any other pertinent information describing building construction or structural alterations. Any proposed changes to the building shall be explicitly noted on the elevations, including if and where proposed changes may not meet the requirements of the Zoning Ordinance.
- Current building elevations** shall be provided if available, and if no changes at all are being proposed to the existing building. If current elevations are not available, dated color photographs of all building sides shall be provided, in PDF or PNG format, with a minimum resolution of 600 dpi.

### 6. Site Plan

A measured, overhead-view site plan showing any proposed site changes, and available shared or dedicated vehicle and bicycle parking, site amenities, and building entrances/exits, shall be submitted, noting if and where proposed changes may not meet the requirements of the Zoning Ordinance. If no site changes at all are proposed, a **current property survey** should be submitted.

### 7. Sign Plan

A sign plan shall be submitted showing any proposed signage, including measurements, for:

- The **exterior** of the building (such signage may be included on required Building Elevation plans, as long as signage is included as a detail on such plans), and;
- Any **interior** signs that will be *visible to the general public from the public right-of-way*.



# Supplemental Application

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### 8. Lighting Plan

Any proposed lighting fixtures visible to the general public (on the exterior or interior of the building), should be identified on submitted plans, incl. intensity, fixture specifications, and hours of operation.

### 9. Floor Plan(s)

A scaled general layout of the proposed use for all floors, including interior walls, entrances, windows, and fixtures, and denoting proposed use(s) of each room.

### 10. Operations and Management Plan

The applicant shall provide a written document describing all of the following:

- Security measures** and procedures for **cash handling**;
- Expected lifecycle** of marijuana plants or processed products within the facility, which may include the **movement** of the product(s), method of **storage**, etc.;
- A description of the proposed **exterior** appearance of the facility, including adherence to Zoning Ordinance requirements for building transparency, signage, and entry orientation. This should accurately describe all features shown on the submitted site plan(s) and/or elevations.
- A description of the proposed **interior** layout of the facility, including adherence to Zoning Ordinance requirements for product visibility, security measures, walls and transparency, lighting, and signage. This should accurately describe all features shown on the submitted floor plan(s).
- Proposed hours of operation**
- Proposed **methods** for all of the following (explain if not applicable):
  - Processing**;
  - Ventilation**;
  - Disposal** of waste or by-products;
  - Water management**, and;
  - Odor control**.

### 11. Good Neighbor Plan

The applicant shall provide:

- A written "Good Neighbor Plan" document describing all of the following methods to be employed:
  - Training of staff in **crime prevention and awareness**;
  - Methods to eliminate the **sale of marijuana to minors**, as applicable;
  - Litter control**;
  - Loitering control**;
  - Trespass enforcement**;
  - Landscape maintenance**;
  - Neighborhood communication**;
  - Compliance with the City's **anti-discrimination policies and ordinances** related to hiring, housing, and public accommodation practices, as applicable, and;
- Written verification that the owner, operator, manager, or a representative of the parent company has **met with** or attempted in good faith to meet with (1) the local recognized **organization(s)**, (2) **adjacent property owners**, and (3) **Planning Department staff**. Meetings should be scheduled at a time and location convenient to residents. Written verification must include all of the following:
  - A copy of the dated **notice** and the **names and addresses** of those notified of the applicant's desire to meet;
  - A copy of the **time, date, and location of the meeting(s)**, and the **names, addresses, and phone numbers** of those who participated in the meeting(s), such as a sign-in sheet;
  - A copy of the draft Good Neighbor Plan and site plan (if applicable) **as sent** to the neighborhood association and/or **as presented** at the meeting(s), *if different* than as submitted;
  - Identification of any components of the Good Neighbor Plan which were **agreed upon or left unresolved** as a result of the meeting(s), and any additional items discussed. For Special Land Use requests, this plan may be in process at the time of application, but must be completed before the public hearing notice is sent.



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**12. Crime Prevention Through Environmental Design (CPTED) Plan**

The applicant shall provide:

- A written document, prepared in coordination with the Grand Rapids Police Department, addressing **CPTED principles** to be employed at the proposed facility, including but not limited to surveillance methods, access control strategies, territorial reinforcement, maintenance, and target hardening, including the experience of customers, employees, and neighbors.
- A **written statement from the Grand Rapids Police Department** that the proposed CPTED plan has been reviewed and approved. For Special Land Use requests, this plan may be in process at the time of application, but must be completed before the public hearing notice is sent.

**OPTIONAL**

**13. Marijuana Industry Voluntary Equitable Development Agreement (MIVEDA)**

The applicant may provide a written document on a [form meeting the requirements of the City Commission's MIVEDA Policy](#) (as adopted December 4, 2018) detailing how the proposed facility will meet any or all of the following goals:

*Local Residency*

- Residency in Grand Rapids General Target Area
- Residency in City of Grand Rapids
- Residency in Kent County
- Residency in the State of Michigan

*Local Economy*

- Commitment to hire 15% or more of employees (30+ hours/week) who are Grand Rapids residents
- Commitment to 24% or more of MicroLBE participation
- Commitment to hire a minimum of 30 employees (30+ hours/week)

*Streamlined Applications*

- No sensitive use separation distance waivers are requested

**FOR OFFICE USE ONLY**

Date and time of receipt of application **materials**: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Land Use Application (Special Land Use or Director Review)

- Application and fee
- Required attachments
  - Nature of Proposed Use
  - Site and Building Layout
  - Digital copies of all documents

\_\_\_\_\_  
Signature of staff person **receiving** application

Supplemental Application

- Verification of License Type, Signature and Date
- Required attachments
  - Statement of Consent
  - LARA Prequalification/Application Documents
  - Documentation of Required Separation Distances
    - Description of Waiver(s) Requested
  - Proof of Insurance
  - Building Elevations
  - Site Plan
  - Sign Plan
  - Lighting Plan
  - Floor Plan(s)
  - Operations and Management Plan
  - Good Neighbor Plan
    - Verification of Community Engagement
  - CPTED Plan

\_\_\_\_\_  
Printed name of staff person

\_\_\_\_\_  
Staff witness signature

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Date and time of **acceptance** of application

Optional attachments

- Marijuana Industry Voluntary Equitable Development Agreement (MIVEDA)
- Number of MIVEDA conditions offered: \_\_\_\_\_

\_\_\_\_\_  
Signature of staff person **accepting** application