

City of Harper Woods

Marijuana Application Process and Procedure

Effective August 24, 2023 - Revised September 22, 2023

This policy sets forth the procedures for all marijuana retail license applicants including those that previously submitted a site plan and special land use to the Planning Commission ["Commission"] that were not approved due to incompleteness or non-compliance.

All Site Plan applications and Special Land Use applications will be accepted beginning on November 1 at 9:00 am. through November 14, 2023, at 4:00 pm. (Please refer to the Submission Procedure Policy for further information).

The City will accept completed applications on a first come, first-served basis. All submissions must be made in person. (Please refer to the Submission Procedure Policy for further information) One complete hard copy drawing set and one complete electronic drawing set is required at the initial submission. Final submissions, consisting of twelve (12) full sets of completed drawings and copies of plans, must be submitted no later than December 6, 2023, for the scheduled Commission meeting on December 20, 2023.

Once an applicant submits a site plan ["SP"] and special land use application [SLU] with the City Clerk, the applicant's place on the agenda to present its SP and SLU before the Commission is established. As a result, an applicant's placement before the Commission may establish a buffer zone that could impact other applicants. Applicants must continue progressing with their proposed business in accordance with the process listed below; they may not reserve their place and speculate the land. In the event an applicant fails to meet the deadlines established in the Timeline section, the applicant will lose their place before the Commission, and it will be necessary to start over with the licensing process.

Should an applicant's submission be denied because it is unable to meet the buffering distance requirements resulting from a prior applicant's submission, the Commission will review the non-compliant SP and SLU and hold the matter in abeyance if it meets all the other criteria. The SP and SLU will be held in abeyance until a determination is made that the prior applicant's submission has been denied at anytime for any reason. The applicant whose submission was denied for failing to meet the buffering requirements may continue to work through the application process while its application is held in abeyance. Should the prior applicant's submission ultimately not be granted, the buffering distance requirements may no longer be an issue thereby permitting the application that was held in abeyance to proceed through the licensing process.

Procedure for Establishing 1500' Buffer Requirements

Time is of the essence regarding the establishment of a 1500' buffer which may impact other applications.

New or Revised Submissions Must Include the Following:

Site Plan and Special Land Use applications must include all information required to determine compliance with applicable Zoning Ordinance provisions, including:

- Section 10-264 (B) Permitted and Prohibited Facilities, (C) Location, (D) Use Requirements for Marijuana Establishments;
- Section 10-760 through 10-762 Site Plan Requirements;
- Section 10-770 (F) Special Land Use Standards.

License Application Requirements: (Permit Application will be provided upon receipt of a Special Land Use Approval from City Council)

1. Signed and notarized application
2. General applicant information (address, phone numbers, etc.)
3. Proof of property ownership or copy of lease (if site is leased, provide written permission from the owner for the proposed use)
4. Location and mailing address of the proposed business
5. Signed release permitting the Harper Woods Public Safety Department to perform a criminal background check.
6. A binding release of liability and agreement to hold harmless the City of Harper Woods from any liability arising out of the operation and application process for the proposed marijuana project and actual business
7. Describe security plan, including but not limited to lighting, alarms, recording/monitoring devices, and/or security guards
8. Provide an area map, drawn to scale

REQUIREMENT	TIMELINE	GOVERNMENTAL LEAD
Submit Step 1: Prequalification application to the Cannabis Regulatory Agency	Prequalification status is valid for a period of two years after CRA issues a notice of prequalification. If the applicant does not submit a Step 2 application within that timeframe, the prequalification status will expire and new application and fee will be required.	State of Michigan
Submit Preliminary Site Plan and Special Land Use applications with corresponding fees. Attend a pre-development meeting with the Planning Dept		Planning Dept., City Engineer, Building Dept, Public Safety Dept.
After receiving staff review of preliminary site plan, perform any necessary revisions and submit back to Planning Dept. Additional fees may be required	If revisions are required, applicant has 2 weeks to submit revisions	Planning Dept., City Engineer, Building Dept, Public Safety Dept.

Public Hearing is scheduled and Site Plan and Special Land Use applications are added to Planning Commission agenda	This process could take a minimum of 20 days due to publication requirements. See Planning and Development page of City website for meetings and deadlines	Planning Dept.
Receive approval or denial of Site Plan. Receive recommendation of approval or denial of Special Land Use from Planning Commission. Planning Commission has final authority on Site Plans and City Council has the final authority on Special Land Use permits.	If Site Plan is denied, applicant could lose establishment of buffer. If another applicant is not in the pipeline for the same buffered area, the applicant can begin process over by submitting another Preliminary Site Plan and Special Land Use permit request	Planning Dept. Planning Commission
Applicant is scheduled for City Council meeting to review Special Land Use permit	This process could take a minimum of 15 days	Planning Dept. City Clerk
Receive approval or denial of Special Land Use permit from City Council	If denied, applicant loses establishment of buffer. If another applicant is not in the pipeline for the same buffered area, the applicant can begin process over by submitting another Preliminary Site Plan and Special Land Use request	Planning Dept. City Council
Applicant has thirty (30) days to submit completed Recreational Marijuana Facility Permit application		
Receive approval and submit Final Site Plan to the Building department.	Applicant has 60 days to submit Final Site Plan after receiving City Council approval of Special Land Use permit.	Planning Dept. Building Dept.
Applicant receives review of Final Site Plan and performs any necessary revisions and submit back to Building Department. Final Site Plan fees are required	If revisions are required, applicant has 2 weeks to submit revisions	Planning Dept. Building Dept.
After approval, the Building Department will work with the Project Manager on necessary permits and inspections		Building Dept.
Finish construction of project with all required site plan elements and apply for Certificate of Occupancy	Applicant has one year to apply for Certificate of Occupancy after receiving Final Site Plan approval.	Building Dept.
Provide the City Clerk's office with a copy of the approved State Marijuana Facility License		City Clerk

After receiving Certificate of Occupancy, submit Step 2: New applicants Application to the Cannabis Regulatory Agency	Do not submit a Step 2 application unless the proposed marijuana establishment will be ready to pass an inspection by the CRA within 60 days of the Step 2 application submission. Failure to pass inspection may result in denial of license application	State of Michigan
One year after opening, renew business license (January 1). In this process, the City will verify that all application requirements are met (including site plan landscaping requirements) and that a Gold Level Certificate from the Cannabis Regulatory Agency is posted on the front window.	One year after receiving local state marijuana business license approval, renew local license (January 1)	City Clerk

Business License Annual Renewals

Marijuana Business Licenses must be renewed annually and must be accompanied by the required fees, listed in the City fee schedule. Applications to renew a license to operate a marijuana related business shall be filed with the City Clerk at least 30 days prior to the date of expiration. Failure to renew a license could result in revocation of local and state licenses.

Licenses shall expire at the end of each calendar year from the date of issuance.