



City Use Only
Date Received: _____
Time Received: _____
Received By: _____
Fee Paid: _____
Application No. _____

CITY OF CADILLAC

APPLICATION TO OPERATE MEDICAL MARIHUANA FACILITY

Information for Applicants. A separate application is required for each license request.

- I. Fees. The following fees must be included with this application:
 - Non-refundable application fee: \$5,000
 - Advance payment of annual administrative fee: \$5,000
- II. Attachments. You must attach all of the documents identified in Section 6.
- III. Process. The initial application receipt period begins on December 9, 2019, and ends on February 28, 2020, at 4:00 P.M. At the end of that period, if the City receives more applications for a facility type than would be permitted under the City Code, the City will decide among applications by a competitive process to select applicants who are best suited to operate in compliance with state law in the City. If your application is subject to the competitive process, the City will provide you with twenty-one (21) calendar days’ notice of supplemental written information and documentation that you must submit to the City. The supplemental information will be used to assign points based on the list of criteria at the end of this application (Appendix A). **If you fail to timely provide any additional information or documents that the City requests, then your application will be considered abandoned.**

1. FACILITY INFORMATION

Name of proposed facility: _____

Please select the type of licensed facility that you are applying to operate:

- | | |
|--|---|
| <input type="checkbox"/> Grower – Class A (up to 500 marihuana plants) | <input type="checkbox"/> Processor |
| <input type="checkbox"/> Grower – Class B (up to 1,000 marihuana plants) | <input type="checkbox"/> Safety Compliance Facility |
| <input type="checkbox"/> Grower – Class C (up to 1,500 marihuana plants) | <input type="checkbox"/> Secure Transporter |
| | <input type="checkbox"/> Provisioning Center |



Note: Stacked grower licenses are prohibited in the City, except for facilities in the Light Industrial (I-1) and General Industrial (I-2) districts.

2. APPLICANT INFORMATION – INDIVIDUAL APPLICANT(S)

Attach additional sheets if needed.

Name: _____

Date of Birth: _____

Social Security Number: _____

Residential Address (no P.O. Box): _____

Business Address: _____

E-mail Address: _____

Telephone number: _____

Alternative telephone number: _____

3. APPLICANT INFORMATION – NON-INDIVIDUAL APPLICANT

a. Provide the following for each stakeholder of the applicant. Attach additional sheets if needed.

Stakeholder #1 (select highest ranking representative, who will serve as contact person):

Name: _____

Date of Birth: _____

Social Security Number: _____

Residential Address (no P.O. Box): _____

Business Address: _____

E-mail Address: _____

Telephone number: _____

Alternative telephone number: _____



Stakeholder #2

Name: _____

Date of Birth: _____

Social Security Number: _____

Residential Address (no P.O. Box): _____

Business Address: _____

E-mail Address: _____

Telephone number: _____

Alternative telephone number: _____

Stakeholder #3

Name: _____

Date of Birth: _____

Social Security Number: _____

Residential Address (no P.O. Box): _____

Business Address: _____

E-mail Address: _____

Telephone number: _____

Alternative telephone number: _____

b. Provide the following information for the entity:

Entity type: Corporation Limited Liability Company Partnership Other: _____

Date of incorporation/organization with State of Michigan: _____

Resident agent name and address: _____



4. LICENSE INFORMATION

a. What is the status of the applicant’s state operating license for this facility?

The applicant has obtained a state operating license for this facility:

License/record number: _____ Expiration date: _____

The applicant has completed the prequalification phase of the state’s licensing process.

The applicant has not yet applied for a state operating license.

Other (explain): _____

b. Identify all marihuana permits and licenses held by the applicant, including the issuing state, the license/record number, and the expiration date.

5. PROPERTY INFORMATION

Please provide the following information for the real property where the proposed facility will be located.

Street address of property: _____

Parcel ID No. _____

Current use of property: _____

Zoning designation of property: _____

Name and address of property owner, if different from applicant (note: property owner must sign this application): _____



6. CO-LOCATION INFORMATION

Will the proposed facility be co-located on the same property as another marihuana facility or establishment?

- Yes No

If yes, please identify the owner of or applicant for the co-located facility or establishment and its street address, including suite number:

Co-located facilities and establishments are permitted in the City, subject to the City’s Code of Ordinances, Zoning Ordinance, and state law. Each licensed facility/establishment must operate within its own distinct and identifiable area on the property, and each licensed facility must have a separate entrance and exit, separate inventory, separate record keeping, and separate point of sale operations (if applicable). A separate application is required for each proposed facility or establishment on a site with co-location.

7. EQUIVALENT LICENSE INFORMATION

Will the applicant operate equivalent medical and recreational marihuana licenses at the proposed facility / establishment?

- Yes No

If yes, please identify the equivalent licenses that will be held by the applicant for the proposed facility / establishment:

Equivalent license means any of the following held by a single licensee: (i) A marihuana grower license, of any class, issued under the MMFLA and a grower license, of any class, issued under MRTMA. (ii) A marihuana processor license issued under the MMFLA and a processor license issued under MRTMA. (iii) A marihuana provisioning center license issued under the MMFLA and a retailer license issued under MRTMA. (iv) A marihuana secure transporter license issued



under the MMFLA and a secure transporter license issued under MRTMA. (v) A marihuana safety compliance facility license issued under the MMFLA and a safety compliance facility license issued under MRTMA

When a licensee holds equivalent licenses for a single property, each facility or establishment counts as a separate facility or establishment under this Chapter. Each licensed facility or establishment must meet all other requirements of this Ordinance, the City Code, and the City Zoning Ordinance. A separate application, application fee, and annual fee are required for each proposed licensed facility or establishment with equivalent licenses.

8. Stacked Grower License Information

Does the applicant hold or intend to obtain one or more state operating licenses to operate as a grower of class C-1,500 marihuana plants at the proposed facility?

- Yes No

If yes, please identify the zoning district for the proposed facility:

Stacked grower licenses facilities are prohibited in the City, except for facilities in the Light Industrial (I-1) and General Industrial (I-2) districts.

9. ATTACHMENTS

Please attach all of the following to this application:

- A photocopy of a valid, unexpired driver’s license or state issued identification card for all owners, directors, and officers of the proposed facility, including all individuals signing this application.
- A location area map of the proposed marihuana facility and surrounding area that identifies the relative locations and the distances (closest property line to the subject marihuana facility’s building) to the closest real property comprising a public or private elementary, vocational, or secondary school;
- A copy of all documents submitted by the applicant to the Department of Licensing and Regulatory Affairs ("LARA") in connection with the application for a state operating



license under the Michigan Medical Marihuana Facilities Licensing Act (including documents submitted for prequalification);

- A copy of all documents submitted by the applicant to LARA in connection with the application for a state operating license under the Michigan Regulation and Taxation of Marihuana Act (adult-use/recreational marihuana), if applicable;
- A copy of all documents issued by LARA indicating that the applicant has been prequalified for a state operating license under the MMFLA;
- For facilities proposing co-location with another facility/establishment:* A copy of a diagram, floorplan, or other illustration identifying the locations of the establishment's distinct and identifiable area on the property, its entrance(s) and exit(s), its inventory, its record keeping, and its point of sale operations (if applicable).

For non-individual applicants:

- Articles of incorporation or organization;
- Internal Revenue Service EIN confirmation letter;
- Copy of the operating agreement of the applicant, if a limited liability company;
- Copy of the partnership agreement, if a partnership;
- Names and addresses of the beneficiaries, if a trust;
- Copy of the bylaws or shareholder agreement, if a corporation.



APPLICANT ACKNOWLEDGMENT & CERTIFICATION

- I understand that no person may operate a medical marihuana facility in the City without an authorization issued by the City pursuant to the provisions of the City Code of Ordinances; a special use permit pursuant to the City Code of Ordinances and the City Zoning Ordinance; and an operating license from the State of Michigan.
- I agree that if authorization is granted, the City of Cadillac may inspect the facility at any time during normal business hours to ensure compliance with applicable laws and regulations.
- I understand that the City may request additional information concerning this application. If I fail to timely provide all requested information, then the City may discard this application and give it no further consideration.
- I understand that the City may use a competitive process, set forth in the City Code of Ordinances, to select applicants for preliminary authorization if the City receives more applications for a given facility type than would be permitted under the City Code of Ordinances. I also understand that if a competitive process is used, I will be required to submit additional information to the City. If I fail to timely provide all requested information, then the City may discard this application and give it no further consideration.
- I certify that if the proposed facility is authorized, the facility will be operated in accordance with state law and all City ordinances, rules, and regulations.
- I understand that marihuana growing, cultivation, possession, testing, safety compliance, distribution, and use are subject to state and federal laws, rules, and regulations, and that receiving authorization of the City does not relieve me from complying with those laws, rules, and regulations. I waive and forever release any claim or demand against the City and its officials, employees, and agents for any damages, liabilities, or attorney fees that I may incur based on my operation of a facility in the City.

SIGNED:

Applicant:

Real Property Owner:

Type or print name:

Type or print name:



APPENDIX A

COMPETITIVE PROCESS CRITERIA

Section 10-3.03(e) of the City Code of Ordinances provides as follows:

(e) *Conditional authorization and competitive process.* The Clerk will conditionally authorize establishments as follows:

- (1) If, after close of business on the end date of the initial receipt period, the City has received more applications for a given facility type than would be permitted under Section 10-3.02, the City will decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with the MMFLA in the City. The City will provide applicants with twenty-one (21) calendar days’ notice that the applicants must provide supplemental written information and documentation to the City indicating whether the applicant satisfies each of the following criteria:

Scoring category	Available points
Background of the applicant, including past ownership interest in a business or businesses operating in the State of Michigan; past compliance with business licensing requirements, including marihuana business licenses issued by LARA; current medical marihuana facility and/or adult-use marihuana establishment license status in the City; history of compliance with City and state regulations associated with existing marihuana facility or establishment licenses held in the City; and residency in the City, county, or region.	Twenty (20) points
Human resources, including the number of full-time equivalent employees; the percent of such employees that are residents of the City; and the proposed minimum rate of pay for all employees.	Twenty (20) points
Physical investment, including the applicant’s proposed tangible capital investment; the current and proposed condition of the proposed location; and the applicant’s ownership stake in the physical location of the facility.	Twenty (20) points
Area impact, including the proximity of the facility to properties zoned or used residentially; and plans for litter control, loitering, neighborhood outreach, noise mitigation, odor mitigation, resident safety, and traffic mitigation.	Ten (10) points
Business operations, including a business plan; charitable giving plan; financing plan; marketing and promotion plan, with an emphasis on reducing exposure to minors; and strategic plan.	Ten (10) points

Facility design, including the provision of glazing, landscaping, and screening above City minimum requirements; the use of durable building materials; compliance with the Americans with Disabilities Act; and implementation of Crime Prevention Through Environmental Design (CPTED) principles.	Ten (10) points
Energy efficiency, including Energy Star certification; Michigan Energy Code compliance; use of energy from carbon-free sources; and use of WaterSense fixtures.	Five (5) points
Infrastructure impact, including the utilization of green infrastructure or low-impact development design principles to manage stormwater; and the provision of non-motorized transportation infrastructure in excess of City requirements.	Five (5) points

- (2) Upon timely receipt of the supplemental information described in subparagraph (1), the City Council or its designees shall assign points for the criteria that are satisfied pursuant to the chart in subparagraph (1) and shall, based on the resulting scores, select applicants who are best suited to operate in compliance with the MMFLA in the City. The City shall notify the selected applicants that they have been granted conditional authorization. In the event of a tie score, the City Council or its designee shall select the applicant who, based on the totality of the circumstances, the City finds is best suited to operate in compliance with the MMFLA the City.
- (3) If an applicant does not timely submit the supplemental information described in subparagraph (1), then the application shall be discarded and shall not be considered under subparagraph (2).
- (4) For any facility type not subject to numerical limits under Section 10-3.02, or otherwise not subject to the competitive process described in subsection (e)(1), the Clerk will conditionally authorize facilities in the order in which applications are received.
- (5) Once the Clerk has issued conditional authorizations for all of the facilities of a given facility type that would be permitted under Section 10-3.02, the Clerk will place subsequent applications at the end of the waiting list for that facility type. Applications shall be included on the waiting list in the order designated by the City Council or its designees under subparagraph (2).

Please consult the City Code of Ordinance and the City Zoning Ordinance to review all regulations for marihuana facilities.