

Procedures and Standards for Accepting Applications and the Competitive Review Process Under Chapter 40 Authorizing Adult-Use Marihuana Establishments

The following procedures are hereby adopted by the Meridian Township (“Township”) Board, pursuant to its authority to establish procedures and standards for the receipt and review of Applications and serve to establish the competitive process for the Township to use to select the Applicant(s) who are best suited to operate in compliance with the Michigan Regulation And Taxation of Marihuana Act (“MRTMA”), as set forth in the Meridian Township Code Chapter 40 which Authorizes and Permits Recreational Marihuana Establishments, by Ordinance No. 2023-02 (“Ordinance”).

All Applications selected for a Permit must comply with all other laws, rules, and ordinances, including the Meridian Township Zoning Ordinance.

SECTION 1. APPLICATION PROCESS

1. *Set by Township Board.* The Township shall only accept initial Applications at times designated by the Township Board. The dates, times, and places to accept initial Applications shall be set by the Township Board as it determines appropriate.
2. *Renewal Applications.* The Director of Community Planning and Development shall accept renewal Applications annually whether or not the Township is accepting Applications. Permits subject to renewal shall not be considered available permits.
3. *Initial Application Window.* The Township Board shall accept initial Applications for available Permits at least once within thirty-six (36) months of such Permits becoming available. Initial Applications for available Permits shall be accepted for at least two weeks after the first day set to submit initial Applications to the Director of Community Planning and Development.
4. *Posting of Application Window.* For available Permits, notice of the day, time, and place to submit Applications shall be given by posting on the Township website and at the Municipal Building. Publication may, but is not required to, be made in a newspaper of general circulation within the Township during the time to accept the initial Applications. The posted notice shall include the final date and time that the initial Application acceptance period closes.
5. *Date of Receipt.* Initial Applications submitted with the full Application fee shall be considered received on the date submitted to the Township.
6. *Deficiency Notice to Applicants.* After receipt of the initial Application, if the Director of Community Planning and Development identifies, or is informed of a deficiency in an initial Application, they will notify Applicant **via e-mail** at the address provided on the initial Application. The Applicant shall have seven (7) days to correct the deficiency after notification by the Director of Community Planning and Development or their designee and the seven (7) days to correct the deficiency will automatically start the day the

notification is sent. Competitive Review will only occur after all Applicants who submitted an initial Application in an Application window have been given seven (7) days to correct any deficiency after notification by the Director of Community Planning and Development. Applicant shall have only one opportunity to submit supplemental material. The Township Board may consider Application deficiencies as a component of competitive review.

SECTION 2. COMPETITIVE REVIEW

1. Evaluation Procedures

The Township shall sort submitted and complete initial Applications by zoning overlay district. If more complete initial Applications are submitted for an Establishment than available Permits (meaning a Permit type that has been allocated more than zero Permits) in a zoning overlay district under the Township's Ordinance, the Township will decide among competing initial Applications by a competitive review process intended to select Applicant(s) who are best suited to operate in compliance with MRTMA and the Ordinance within the Township.

2. Review Committee

- a. Initial Applications will be reviewed and assessed by a Review Committee who will evaluate the initial Applications and report their findings to the Township Board.
- b. The Review Committee shall be made up of the following:
 - i. The Township Manager or their designee;
 - ii. The Director of Community Planning and Development or their designee; and
 - iii. The Director of Economic Development or their designee.
- c. The review committee, either individually or together, may meet with the Township attorney or any other staff at any time as necessary to further the business and obligations of the Committee or its individual members.

3. Process and Determination

- a. Competitive Review Process.
 - i. Initial Applications shall be sorted and competitively assessed by zoning overlay district. The Review Committee shall assess initial Applications based on the criteria set forth in these procedures and guidelines. Should only one initial Application be received for a zoning overlay district, the Review Committee need not assess the initial Application pursuant to the criteria and may forward any initial Application to the Township Board for review.
 - ii. If only one initial application is submitted in any zoning overlay district such singular applications may be evaluated and summarized prior to

consideration of Applications for a zoning overlay district with multiple initial Applications.

- iii. In considering initial Applications, the Review Committee may request review by, and input of, the Police Department, the Fire Department, and any other pertinent Township department or the Township attorney.
- iv. The Review Committee shall hold at least two meetings per zoning overlay district to discuss initial Applications in consideration. The final meeting shall be open to the public, for which ten days' notice by posting will be provided. Notice shall be provided to the interested Applicants via the email address listed on their initial Application. Applicants will be provided an opportunity to address the Review Committee.
- v. At the public meeting, the Review Committee shall summarize its findings based on the criteria herein for each initial Application. Such summaries should allow the Township Board to compare the strengths and weaknesses of the initial Applications.
- vi. The Review Committee may make a recommendation to the Township Board of the Applicant it deems most likely to comply with MRTMA and the Ordinance within each zoning overlay district in the Township. If a recommendation is made, the Review Committee must set forth in detail the reasons for such recommendation. All summaries and recommendations shall be sent to the Township Board no later than two days after the public meeting at which the summary is finally determined. In no circumstance shall the Review Committee eliminate an initial Application from consideration.
- vii. If a vote to recommend an application ends in a tie, then the Summary will be reported to the Township as a positive recommendation. The Review Committee may recommend more than one application in each overlay district.
- viii. Following receipt of the Review Committee's summaries and recommendations, the Township Board will consider the initial Applications at a public hearing. Ten days' notice will be provided by posting and to the interested Applicants via the email address listed on their initial Application. The Township Board may hold multiple hearings or meetings to assess initial Applications.
- ix. Initial Applications shall be evaluated by the Township Board based on zoning overlay district. For each Application, the Township Board Members shall consider each competitive review factor identified in these procedures. Each Township Board Member shall give each competitive review factor as much weight as they deem appropriate. In making their assessments, Township Board Members shall consider the initial Application materials, and may consider the Review Committee summaries (and recommendation (if any)), public comment, legal opinions, and any

other information relevant to the processing or consideration of the Application.

- x. After deliberations are conducted on all initial Applications for a zoning overlay district, the Township Board shall determine whether and which initial Application is best suited to operate in compliance with the Ordinance and MRTMA within the community.
- xi. The Township Board's deliberative scoring and ranking process shall be repeated for each zoning overlay district.

b. Determination to Award Conditional Permits.

- i. The Township Board, in its sole discretion, may elect to issue or not issue conditional approval, but in no instance shall issue more approvals or Permits than are available in any overlay district.
- ii. After conducting a competitive review, the Township Board may elect to not issue any approvals.

4. Competitive Review Factors

Competitive Review Factors to be evaluated and applied in reviewing initial Applications consists of:

- a. The content and sufficiency of the information provided in the application for recreational marijuana licensing.
- b. Whether the proposed licensed location is consistent with the land use for the surrounding neighborhood.
- c. Whether the applicant and its stakeholders have demonstrated competency in business operations and have a good reputation in the community and marijuana industry, viewed in light of history of compliance with state and local laws and regulations; whether the applicant or its stakeholders has held, or currently holds, any other state regulated license, including a CRA issued license or a liquor license; whether the applicant or its stakeholders currently operate or previously operated any other marijuana or state regulated businesses; reviews and references related to any ongoing business operations; and any other information or documentation that demonstrates good reputation and good moral character.
- d. The extent that proposed plans eliminate or minimize traffic, noise, and odor effects on the surrounding neighborhood.
- e. Whether the applicant has demonstrated a dedication to Meridian Township and the community, including but not limited to the following local economic criteria:
 - i. How many permanent full-time employees are proposed and the applicant's plans for providing competitive compensation, benefits or educational programs to its employees.

- ii. Whether the applicant has presented a proposed staffing plan, complete with description of duties, proposed wages, and employee qualifications.
 - iii. Whether the applicant has articulated plans or strategies to hire local contractors for the renovation and/or construction of the proposed facility.
 - iv. The applicant or its members or shareholders have a history of business operations in the Township and compliance with regulations, permitting, etc.
- f. How the application meets the following physical site criteria:
- i. The extent of extra security measures taken above the minimum-security measures required under state law.
 - ii. For projects proposing to erect a new building, the total estimated investment amount per sq. ft. for constructing the facility.
 - iii. For projects proposing to reuse or renovate an existing building, the amount of time the existing building or suite was vacant prior to the marijuana applicant obtaining control of the property.
 - iv. For all projects, the estimated amount of investment in the build out of the suite proposed for the establishment, including fixtures and equipment.
 - v. The environmental benefits of development of the site, specifically:
 - a) Whether there is a plan to clean up former brownfield or blighted property.
 - b) The extent to which the renovation or build out utilizes an environmentally friendly design.
 - c) Whether the property to be improved has an environmentally friendly production and waste management design and plan.
 - vi. The extent of upgrades and renovations to the landscaping, parking, and lighting beyond minimum ordinance requirements.
 - vii. The harmonious nature of the build out or renovation with the surrounding area.
 - viii. The location will not harm the health, welfare, or safety of abutting residents or abutting properties.
- g. Whether the applicant and its stakeholders have reasonably demonstrated that they possess sufficient financial resources to implement and carry out their proposed business plan and operations. In assessing this criterium, the Township should consider the scope of applicant's proposed business plan in conjunction with documentation of financial assets (i.e. bank statements, tax returns, documents denoting pecuniary interest utilized by the CRA), liabilities, and sources of funding.

- h. Whether the applicant is an existing and operating medical marijuana Permit Holder within the Township and the length of time of such operations.
- i. Whether the planned signage for the proposed location is consistent with the land uses in the surrounding neighborhood and of such a design and location that is in harmony with the purpose and intent of the Zoning Ordinance and the Meridian Township Recreational Marijuana Ordinance. This includes, but is not limited to, the size, location, construction materials of the sign and/or design of the sign, logos, or lighting.
- j. Whether the applicant has planned community outreach to the Township and its residents, including but not limited to planned educational services, charitable or philanthropic activity, community improvement, or other programs that will directly benefit the Township, Township services, or improve the health, safety, and welfare of the Township and its residents.

SECTION 3. APPEAL

Applicants may appeal the Township Board's approval of Applications as outlined in the Ordinance.